



(No. 74)

(211)

REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, SEPTEMBER 11, 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*. THE INSTITUTE OF DIRECTORS OF KENYA BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2019)

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

Second Reading
(*Question to be put*)

9*. 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.)

THAT, aware that Cervical cancer is the leading type of cancer in the country causing the greatest number of deaths with at least 8 to 10 women succumbing every day to the disease; further aware that most women diagnosed with precancerous changes in the cervix are in their 20s and 30s, but the average age of women when they are diagnosed with cervical cancer is the mid-50s; considering that Human Papilloma Virus (HPV) is one of the most common viruses in the world with 4 out of 5 (80%) persons getting some type of HPV at least once in a lifetime; cognizant of the fact that men and women can get HPV typically with the immune system getting rid of HPV without needing treatment; deeply concerned that HPV is a major risk factor of cervical cancer with nearly 99.7 percent of cervical cancers being caused by infection from high-risk HPV; appreciating that cervical cancer could be totally eliminated and further averted by

...../9*(cont'd)

putting preventative measures through timely treatments, this House therefore **resolves** that the National Government rolls out free screening services to all women and issuance of the HPV vaccines to boys and girls to reduce the mortality rates and completely eradicate deaths caused by Cervical Cancer in the Country.

(Question to be put)

10*. THE RADIOGRAPHERS BILL (NATIONAL ASSEMBLY BILL NO. 47 OF 2019)

(The Hon. Sabina Chege, M.P.)

First Reading

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

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

Second Reading

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

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

Second Reading

(Resumption of debate interrupted on Wednesday, July 24, 2019 – Morning sitting)

(Balance of time on motion – 3 hours 20 minutes)

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

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

Second Reading

(Resumption of debate interrupted on Wednesday, August 07, 2019 – Morning sitting)

(Balance of time on motion – 3 hours 13 minutes)

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

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

Second Reading

...../15*

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

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

THAT, aware that seventy-five percent of Kenya's population is under the age of thirty-five years and that, the overall unemployment among the youth is at fifty-five percent; further aware that over 800,000 graduates from Universities, Colleges, Technical Institutes, Vocational Centres and other tertiary institutions join the job market annually with only approximately 70,000 being absorbed into the formal labour force market; concerned that the high rate of unemployment in Kenya, particularly among the youth remains a major challenge; recognizing that Article 55 of the Constitution requires the state to take measures to ensure that the youth gain access to relevant education, training and employment; noting that the mandatory retirement age for public servants is set at sixty (60) years; this House **urges** the Government to review the mandatory retirement age in the public service from the current sixty to fifty years to among other things, create opportunities for the employment of the youth.

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

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

THAT, aware that according to available data from the country's education sector, a huge percentage of the students who sit for the Kenya Certificate of Secondary Education do not transition to Universities to pursue degree courses; further aware that technical skills and knowledge are fundamental in every profession; concerned that despite the importance of technical and vocational training in teaching necessary skills and building adequate human capital to achieve and sustain the Country, its uptake in the Country remains low; cognizant that promotion of technical and vocational education and skills alongside academics provides a mix of professionals and skills that the economy requires so as to create balanced manpower requirements; recognizing that Article 55 of the Constitution requires the state to take measures to ensure that the youth access relevant education and training; appreciating the Government's policy of achieving 100 per cent transition of pupils from primary to secondary schools which has seen a huge increase in enrollment in secondary schools; this House resolves that the Government puts in place policy measures to ensure 100 percent transition from secondary to tertiary education.

...../17*

17*. MOTION - REGISTRATION OF FARMERS AND FORMATION OF AGRI-BUSINESS ENTITIES FOR IMPROVED BENEFITS AND SUSTAINABLE FOOD AND NUTRITIONAL SECURITY

(The Hon. (Dr.) John Mutunga, M.P.)

THAT, aware that farmers in Kenya are least organized into Associations, following the collapse of the Agricultural Cooperatives; further aware that, the Crops Act, 2013 provides for registration of farmers so as to establish who they are and what they produce; noting that Government's efforts to establish farmers' organizations have ended up delivering short-lived and unsustainable initiative-based groups which fizzle out soon after their formation; further noting that the best way to organize farmers is through their organizations; appreciating that the best suited organization to undertake farmers' registration is the Kenya National Farmers' Federation which has both experience and capacity; further noting that through organized farmers, farming will be more beneficial in terms of volumes, lowered cost of production and improving organized raw material supply to industry; realizing that organizing farmers into Agri-business entities is a costly undertaking which calls for Government support, and acknowledging that through organized production systems, the country will achieve the Big 4 Agenda faster and also create more and better jobs in the Agricultural Value Chains; this **House urges** the Government to facilitate and support the Kenya National Farmers' Federation to mobilize and organize the registration of farmers into preferred entities and manage national farmers' database for use in engagements and sustainable management of the various Agricultural Product Value Chains.

18*. MOTION - FORMULATION OF A COMPREHENSIVE POLICY TO HARNESS DIASPORA KENYANS FOR NATIONAL DEVELOPMENT

(The Hon. Godfrey Osotsi, M.P.)

THAT aware that the existing Kenya Diaspora Policy provides for the mainstreaming of the Kenyan Diaspora into national development process in line with the aspirations and goals of the Kenya Vision 2030; noting that formal remittance from Kenya Diaspora account for over 3% of the country's GDP channeled by an estimated three million Kenyans; noting that, contribution by the Kenyan diaspora to the country's development goes much beyond personal remittances to include increased trade links, better access to foreign capital markets, skills and technology transfer, diaspora investments funds, knowledge exchange among other enormous potential benefits; acknowledging that, the diaspora community continues to contribute immensely to national growth and the economy through increased household investments in education, entrepreneurship, health, finance and housing; concerned that, Kenya ought to formulate practical and incentive-driven policy to harness existing and future diaspora resources for social-economic

...../18*(cont'd)

development; cognizant that Kenya has an obligation to counter the challenges hindering diaspora contribution to national development; **this House resolves** that the Government reviews and formulates a comprehensive policy and structure to harness the ever increasing diaspora resources for national development and that the said policy be presented to National Assembly within one year for consideration.

*** Denotes Orders of the Day**

...../Notices

(No.74)

WEDNESDAY, SEPTEMBER 11, 2019

(2116)

NOTICES

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 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.

- II. **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

NOTICE PAPER

Tentative business for

Wednesday (Afternoon), September 11, 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), September 11, 2019:-

A. PROCEDURAL MOTION – EXTENSION OF TIME FOR CONSIDERATION OF SPECIFIED PETITIONS

(The Chairperson, Departmental Committee on Lands)

B. MOTION – APPROVAL OF RATIFICATION OF PROTOCOL TO AMEND THE CONVENTION ON OFFENCES AND CERTAIN ACTS COMMITTED ON BOARD AIRCRAFT (MONTREAL PROTOCOL, 2014)

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

(Question to be put)

C. MOTION – APPROVAL OF RATIFICATION OF BILATERAL AIR SERVICES AGREEMENTS BETWEEN KENYA & THE HELLENIC REPUBLIC; BURKINA FASO; CAMBODIA; SEYCHELLES; AND FINLAND

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

(Question to be put)

D. MOTION – SENATE AMENDMENTS TO THE COPYRIGHT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 33 OF 2017)

(The Leader of the Majority Party)

E. MOTION – SENATE AMENDMENTS TO THE COUNTY GOVERNMENTS RETIREMENT SCHEME BILL (NATIONAL ASSEMBLY BILL NO. 10 OF 2018)

(The Leader of the Majority Party)

F. COMMITTEE OF THE WHOLE HOUSE

(i) Consideration of Senate amendments to the Copyright (Amendment) Bill (National Assembly Bill No. 33 of 2017)

(The Leader of the Majority Party)

(ii) Consideration of Senate amendments to the County Governments Retirement Scheme Bill (National Assembly Bill No. 10 of 2018)

(The Leader of the Majority Party)

G. THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL

(NATIONAL ASSEMBLY BILL NO. 63 OF 2019)
(The Chairperson, Budget & Appropriations Committee)

Second Reading

H. MOTION - REPORT ON THE PUBLIC FINANCE MANAGEMENT (BIASHARA KENYA FUND) REGULATIONS, 2019 AND THREE OTHER RELATED SETS OF REGULATIONS
(The Chairperson, Committee on Delegated Legislation)

I. THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL (SENATE BILL NO. 22 OF 2018)
(The Chairperson, Departmental Committee on Justice & Legal Affairs)

Second Reading

J. THE REPRESENTATION OF SPECIAL INTEREST GROUPS LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 52 OF 2019)
(The Chairperson, Constitutional Implementation Oversight Committee)

Second Reading

K. THE EARLY CHILDHOOD EDUCATION BILL (SENATE BILL NO.26 OF 2018)
(The Chairperson, Departmental Committee on Education and Research)

Second Reading

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

Second Reading

...../Appendix

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:-

383/2019 **The Member for Busia County (Hon. Florence Mutua, MP) to ask the Cabinet Secretary for Health: -**

What measures has the Ministry put in place to enhance disaster risk reduction in the Country, and ensure that key priorities of the United Nation's Sendai Framework for Disaster Risk Reduction are inculcated to enhance risk reduction in view of the current upsurge of cancer cases and food contamination?

(To be replied before the Departmental Committee on Health)

384/2019 **The Member for Kimilili (Hon. Didmus Baraza Wekesa, MP) to ask the Cabinet Secretary for Health: -**

- (i) How many patients have sought cancer treatment out of the country for the last five years?
- (ii) What measures is the Ministry taking to ensure that cancer diagnosis and management is carried out at all levels of hospitals in the Country?

(To be replied before the Departmental Committee on Health)

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 hospital?

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

386/2019 **The Member for Gem (Hon. Elisha Ochieng' Odhiambo, MP) to ask the Cabinet Secretary for National Treasury and Planning: -**

- (i) What is the status of the issuance of the new currency notes?
- (ii) Could the Cabinet Secretary explain the measures put in place to ensure smooth and easy transition from the use of the old currency notes to the new ones?

(To be replied before the Departmental Committee on Finance and National Planning)



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, SEPTEMBER 11, 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 – EXTENSION OF TIME FOR CONSIDERATION OF SPECIFIED PETITIONS

(The Chairperson, Departmental Committee on Lands)

THAT, notwithstanding the provisions of Standing Order 227(2)(*Committal of petitions*), this House **resolves** to extend the period for consideration of the public petitions specified hereunder by the Departmental Committee on Lands by a **further period of thirty (30) days** with effect from 10th September, 2019-

- (i) Public access and use of public utility plots in Nakuru West Ward in Nakuru County;
- (ii) Settlement of over 25,000 shareholders of *Mutukanio Ngwataniro* land in Nakuru and Laikipia;
- (iii) Irregular transfer and sub-division of land belonging to one Mr. Thomas Anzeze Musila;
- (iv) Historical land injustices in *Kumlot* area in Kericho and Bomet Counties;
- (v) Invasion by the Kenya Defence Forces and eviction of former workers of the late Mayor Jacob Samuels' estate from their land in Roysambu Constituency; and,
- (vi) Delays in allocation of Mwea Settlement Scheme to legitimate beneficiaries.

(No.75)

WEDNESDAY, SEPTEMBER 11, 2019

...../9*

(2118)

9*. MOTION – APPROVAL OF RATIFICATION OF PROTOCOL TO AMEND THE CONVENTION ON OFFENCES AND CERTAIN ACTS COMMITTED ON BOARD AIRCRAFT (MONTREAL PROTOCOL, 2014)

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

THAT, this House **adopts** the Report of the Departmental Committee on Transport, Public Works and Housing on its consideration of the Protocol to amend the Convention on Offences and Certain Acts Committed on Board Aircraft (Montreal Protocol, 2014), *laid on the Table of the House on Thursday, June 6, 2019*, and pursuant to the provisions of section 8 of the Treaty Making and Ratification Act, 2012 **approves** the Ratification of the Protocol to amend the Convention on Offences and Certain Acts Committed on Board Aircraft (Montreal Protocol, 2014).

(Question to be put)

10*. MOTION – APPROVAL OF RATIFICATION OF BILATERAL AIR SERVICES AGREEMENTS BETWEEN KENYA & THE HELLENIC REPUBLIC; BURKINA FASO; CAMBODIA; SEYCHELLES; AND FINLAND

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

THAT, this House **adopts** the Report of the Departmental Committee on Transport, Public Works and Housing on its consideration of the Bilateral Air Services Agreements between Kenya & the Hellenic Republic; Kenya & Burkina Faso; Kenya & Cambodia; Kenya & Seychelles; and Kenya & Finland, *laid on the Table of the House on Thursday, June 6, 2019*, and pursuant to the provisions of section 8 of the Treaty Making and Ratification Act, 2012 **approves** the Ratification of the Bilateral Air Services Agreements between Kenya & the Hellenic Republic; Kenya & Burkina Faso; Kenya & Cambodia; Kenya & Seychelles; and Kenya & Finland.

(Question to be put)

11*. MOTION – SENATE AMENDMENTS TO THE COPYRIGHT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 33 OF 2017)

(The Leader of the Majority Party)

THAT, the Senate amendments to the Copyright (Amendment) Bill (National Assembly Bill No. 33 of 2017) be now considered.

...../12*

(No.75)

WEDNESDAY, SEPTEMBER 11, 2019

(2119)

12*. MOTION – SENATE AMENDMENTS TO THE COUNTY GOVERNMENTS RETIREMENT SCHEME BILL (NATIONAL ASSEMBLY BILL NO. 10 OF 2018)

(The Leader of the Majority Party)

THAT, the Senate amendments to the County Governments Retirement Scheme Bill (National Assembly Bill No. 10 of 2018) be now considered.

13*. COMMITTEE OF THE WHOLE HOUSE

- (i) Consideration of Senate amendments to the Copyright (Amendment) Bill (National Assembly Bill No. 33 of 2017)
(The Leader of the Majority Party)
- (ii) Consideration of Senate amendments to the County Governments Retirement Scheme Bill (National Assembly Bill No. 10 of 2018)
(The Leader of the Majority Party)

14*. THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 63 OF 2019)

(The Chairperson, Budget & Appropriations Committee)

Second Reading

15*. MOTION - REPORT ON THE PUBLIC FINANCE MANAGEMENT (BIASHARA KENYA FUND) REGULATIONS, 2019 AND THREE OTHER RELATED SETS OF REGULATIONS

(The Chairperson, Committee on Delegated Legislation)

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Public Finance Management (*Biashara Kenya Fund*) Regulations, 2019 (Legal Notice No. 78 of 2019); the Public Finance Management (*Uwezo Fund*)(Revocation) Regulations, 2019 (Legal Notice No. 79 of 2019); the Public Finance Management (Women Enterprise Fund)(Revocation) Regulations, 2019 (Legal Notice No. 80 of 2019); and the Public Finance Management (Youth Enterprise Development Fund)(Revocation) Regulations, 2019 (Legal Notice No. 81 of 2019), *laid on the Table of the House on Tuesday, July 30, 2019*, and pursuant to the provisions of Section 18 of the Statutory Instruments Act, 2013 and Standing Order 210 (4)(b) **annuls in entirety-**

- (a) the Public Finance Management (*Biashara Kenya Fund*) Regulations, 2019 (Legal Notice No. 78 of 2019);
- (b) the Public Finance Management (*Uwezo Fund*)(Revocation) Regulations, 2019 (Legal Notice No. 79 of 2019);
- (c) the Public Finance Management (Women Enterprise Fund)(Revocation) Regulations, 2019 (Legal Notice No. 80 of 2019); and,
- (d) the Public Finance Management (Youth Enterprise Development Fund)(Revocation) Regulations, 2019 (Legal Notice No. 81 of 2019).

...../16*

(No.75)

WEDNESDAY, SEPTEMBER 11, 2019

(2120)

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

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

Second Reading

17*. THE REPRESENTATION OF SPECIAL INTEREST GROUPS LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 52 OF 2019)

(The Chairperson, Constitutional Implementation Oversight Committee)

Second Reading

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

(The Chairperson, Departmental Committee on Education and Research)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

*** Denotes Orders of the Day**

...../Notices

(No.75)

WEDNESDAY, SEPTEMBER 11, 2019

(2121)

NOTICES

I. SENATE AMENDMENTS TO THE COPYRIGHT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 33 OF 2017)

CLAUSE 5

Senate Amendment

THAT, clause 5 of the Bill be amended —

- (a) in paragraph (b) by deleting the word “as” appearing immediately after the word “is” in the proposed new subsection (2)(a);
- (b) by inserting the following new paragraph immediately after paragraph (b) –
 - (c) by inserting the following new subsection immediately after subsection (3) –
 - (4) The Executive Director shall be appointed for a term of four years and shall be eligible for reappointment for one further term of four years.

CLAUSE 6

Senate Amendment

THAT, clause 6 of the Bill be amended -

- (a) in paragraph (b) by deleting the word “as” appearing immediately after the word “is” in the proposed new subsection (2)(a);
- (b) by inserting the following new paragraph immediately after paragraph (b) –
 - (c) by inserting the following new subsection immediately after subsection (3) –
 - (4) The Executive Director shall be appointed for a term of four years and shall be eligible for reappointment for one further term of four years.

...../Notices*(cont'd)

II. SENATE AMENDMENTS TO THE COUNTY GOVERNMENT RETIREMENT SCHEME BILL (NATIONAL ASSEMBLY BILLS NO. 10 OF 2018)

CLAUSE 3

Senate Amendment

THAT, clause 3 of the Bill be amended by inserting the following new paragraph immediately after paragraph (e)—

(f) protect the benefits of the members of the Scheme.

CLAUSE 4

Senate Amendment

THAT, clause 4 of the Bill be amended in sub-clause (3) by inserting the following new paragraph immediately after paragraph (c)—

(ca) gratuity; and

CLAUSE 6

Senate Amendment

THAT, the Bill be amended by deleting clause 6 and substituting therefor the following new clause—

Board of Trustees of the Scheme.

6.(1) The management of the Scheme shall vest in a Board of Trustees of the Scheme.

(2) The Board shall consist of—

- (a) the chairperson elected by the Trustees from among the members under paragraph (c), (d), (e) and (f);
- (b) the Principal Secretary responsible for matters relating to finance or a representative;
- (c) a person nominated by Council of County Governors;
- (d) a person nominated by County Public Service Boards;
- (e) a person nominated by County Assembly Service Boards;
- (f) five persons nominated by most representative trade unions representing employees of county governments of whom at least two shall not be of the same gender as follows—
 - (i) four persons from trade unions representing the employees within the county executive; and
 - (ii) a person from trade unions representing the employees within the county assemblies' service; and

- (g) the chief executive officer who shall be an ex officio member and the secretary to the Board with no voting rights.
- (3) The vice-chairperson of the Board shall be elected by the Trustees from among their number.
- (4) The chairperson and vice- chairperson shall be of the opposite gender.
- (5) The Cabinet Secretary shall ensure that not more than two thirds of the members of the Board are of the same gender.
- (6) The Cabinet Secretary shall appoint the persons nominated under subsection (2) by notice in the *gazette*.
- (7) The procedure for nomination and appointment of Trustees under subsection (2) shall be as prescribed in the regulations.

CLAUSE 10

Senate Amendment

THAT, clause 10 of the Bill be amended in sub-clause (1) by deleting the word “three” appearing immediately after the words “absence from” appearing in paragraph (e) and substituting therefor the word “two”.

CLAUSE 16

Senate Amendment

THAT the Bill be amended by deleting clause 16 and substituting therefor the following new clause—

Remuneration of Trustees.

16. The Trustees shall be paid such remuneration as the Authority may determine in accordance with the Retirement Benefits Act.

CLAUSE 18

Senate Amendment

THAT, clause 18 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (4)—

(4a) The chief executive officer shall hold office for a term of three years and may be eligible for re-appointment for a further final term of three years.

CLAUSE 21

Senate Amendment

THAT, clause 21 of the Bill be amended in paragraph (d) by deleting the words “provide regular information” appearing immediately before the words “on investment strategy” and substituting the words “submit reports on a quarterly basis”.

(No.75)

WEDNESDAY, SEPTEMBER 11, 2019

(2124)

CLAUSE 22

Senate Amendment

THAT, clause 22 of the Bill be amended in sub-clause (1) by inserting the following new paragraph immediately paragraph (f)-

- (fa) submit to the Board a report on a quarterly basis, of the reconciliations with respect to the funds held by the Custodian;

CLAUSE 23

Senate Amendment

THAT, clause 23 of the Bill be amended in sub-clause (2) by-

- (a) inserting the words “at least on a quarterly basis” immediately after the words “including access” in paragraph (d);
- (b) inserting the following new paragraph immediately after paragraph (d)-

(da) keep and maintain proper books of accounts of the scheme;

CLAUSE 24

Senate Amendment

THAT, clause 24 of the Bill be amended-

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

—

(1) A member shall, so long as the member remains in the employment of a sponsor, contribute not less than twelve percent of that member’s pensionable emoluments to the Scheme.

- (b) in sub-clause (2) by inserting the words “not less than” immediately after the words “contribute to the scheme”.
- (c) in sub-clause (5) by deleting the words “on each occasion” appearing immediately after the words “salary of the contributor” and substituting therefor the words “in each month”.

CLAUSE 44

Senate Amendment

THAT, clause 44 of the Bill be amended by deleting sub-clause (1) and substituting therefor the following new sub-clause-

- (1) The scheme shall be reviewed by an actuary appointed by the Board as provided for in the Retirement Benefits Act.

CLAUSE 46

Senate Amendment

THAT clause 46 of the Bill be amended in the introductory phrase in sub-clause (2) by inserting the word “actuary” immediately after the words “fund Manager”.

CLAUSE 48

Senate Amendment

THAT clause 48 of the Bill be amended –

- (a) in sub-clause (1) by deleting the words “two years” appearing immediately after the words “imprisonment for a term not exceeding” at the end of sub-clause and substituting therefor the words “five years.”
- (b) by inserting the following new sub-clause immediately after sub-clause (2)-
- (3) A person who is convicted of an offence under subsection (1) (c) shall, in addition to any fine that may be imposed, refund to the scheme three times the value of any loss that may be incurred by the scheme by reason of the commission of the offence.

CLAUSE 55

Senate Amendment

THAT clause 55 of the Bill be amended by inserting the following new sub-clauses immediately after sub-clause (6)—

- (7) The Auditor General shall cause an actuarial audit and valuation to be carried out with respect to the closed schemes within six months upon the commencement of this Act to ascertain the following for the purpose of transitional management—
 - (a) assets acquired by the schemes;
 - (b) liabilities accrued by the schemes; and
 - (c) employees of the schemes.
- (8) The Auditor General shall submit a report on the findings of the audit and valuation to the Board, the Senate and the National Assembly within three months of carrying out of the audit under subsection (7).

CLAUSE 56

Senate Amendment

THAT, clause 56 of the Bill be amended by deleting sub-clause (6) and substituting the following new sub-clause—

- (6) The Retirement Benefits Authority shall, within five years from the commencement of this Act, ensure the implementation of this section.

NEW CLAUSE 59

Senate Amendment

THAT the Bill be amended by inserting the following new clause immediately after clause 58—

Amendment of section 132 of Act No. 17 of 2012 59. The County Governments Act is amended by deleting section 132.

FIRST SCHEDULE

Senate Amendment

The schedule is amended in paragraph 2 by deleting subparagraphs (1) and (2) and substituting therefor the following new subparagraphs—

(1) The quorum of a meeting of the Board shall be five Trustees present and voting and shall include at least two Trustees appointed under section 6 (2) (b), (c), (d) or (e) and at least three Trustees appointed under section 6 (2) (f).

(2) For special meetings, the quorum shall be six Trustees present and voting and shall include at least three Trustees appointed under section 6 (2) (b), (c), (d) or (e) and at least four Trustees appointed under section 6 (2) (f).



...../Notices*(cont'd)

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

- III. THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in debate on **Reports of Committees**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House for which limitation of time has not been specified, shall be limited as follows:- A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.
- IV. 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.
- V. 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.

The House further resolved on Wednesday, March 20, 2019 as follows:-

- VI. THAT**, pursuant to the provisions of Standing Order 97(1), each speech in the general debate contemplated under **Standing Order 146 (Consideration of Senate amendments to Bills originating in the National Assembly)** shall 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.

...../Notice Paper

NOTICE PAPER

Tentative business for
Thursday, September 12, 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, September 12, 2019:-

- A. **MOTION** - **MEDIATED VERSION OF THE DIVISION OF REVENUE (NO. 2) BILL (NATIONAL ASSEMBLY BILL NO. 59 OF 2019)**
(The Chairperson, Mediation Committee on the Division of Revenue (No.2) Bill, 2019)

- B. **THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 63 OF 2019)**
(The Chairperson, Budget & Appropriations Committee)

Second Reading

(If not concluded on Wednesday, September 11, 2019 – Afternoon sitting)

- C. **THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL (SENATE BILL NO. 22 OF 2018)**
(The Chairperson, Departmental Committee on Justice & Legal Affairs)

Second Reading

(If not concluded on Wednesday, September 11, 2019 – Afternoon sitting)

- D. **MOTION** - **REPORT ON THE PUBLIC FINANCE MANAGEMENT (BIASHARA KENYA FUND) REGULATIONS, 2019 AND THREE OTHER RELATED SETS OF REGULATIONS**
(The Chairperson, Committee on Delegated Legislation)

(If not concluded on Wednesday, September 11, 2019 – Afternoon sitting)

- E. **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 Wednesday, September 11, 2019 – Afternoon sitting)

- F. **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 Wednesday, September 11, 2019 – Afternoon sitting)

...../Appendix

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

387/2019 The Member for Kirinyaga Central (Hon. John Munene Wambugu, MP) to ask the Cabinet Secretary for Education: -

- (i) How much money, per school, was allocated to Secondary schools in Kirinyaga Central Constituency from the Ministry's Transitional Infrastructural Grant during the Financial Years 2017/2018 and 2018/2019 and how was it utilized?
- (ii) What measures is the Ministry putting in place to ensure that funds meant for Schools in Kirinyaga Central Constituency are not re-allocated and paid to other schools?

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

388/2019 The Member for Nandi Hills (Hon. Alfred Keter, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works: -

- (i) Could the Cabinet Secretary explain why the construction of *Nandi Hills - Himaki* road in Nandi Hills Constituency whose contract was awarded in 2016 under the Kenya Rural Roads Authority (KeRRA), and launched in the same year by H. E. the President, has stalled?
- (ii) Could the Cabinet Secretary explain the measures it is taking to ensure that this road is completed on time considering it is an important road connecting 21 tea factories and only covers a distance of 17 km?

(To be replied before the Departmental Committee on Transport, Public Works and Housing)

389/2019 The Member for Mbeere North (Hon. Charles Muriuki Njagagua, MP) to ask the Cabinet Secretary for Education: -

- (i) Could the Cabinet Secretary explain why *Itiira* Secondary School's bank account was frozen immediately after it received Kshs. 7,420,000 for infrastructure development in the year 2015?
- (ii) What measures is the Ministry taking to ensure that this account is operational?
- (iii) Why was the school instructed to deposit back the money for reversal to the Central Bank and yet the school is needy?

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

390/2019

The Nominated Member (Hon. Dennitah Ghati, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development: -

- (i) What is the implementation status of the Bus Rapid Transit System (BRT) by the National Government?
- (ii) What measures have been put in place to cater for the requirements of persons living with disabilities in regard to the use of BRT?

(To be replied before the Departmental Committee on Transport, Public Works and Housing)
