



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – (THIRD SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**WEDNESDAY, SEPTEMBER 25, 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 KENYA INFORMATION AND COMMUNICATIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2019)**  
(The Hon. Elisha Odhiambo, M.P.)

First Reading

- 9\*. **THE BANKING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 55 OF 2019)**  
(The Hon. Jude Njomo, M.P.)

Second Reading

*(Resumption of debate interrupted on Wednesday, September 18, 2019 – Morning sitting)*  
*(Mover to reply)*

- 10\*. **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, September 18, 2019 – Morning sitting)*  
*(Balance of time– 2 hours 15 minutes)*

**11\*. 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 – 3 hours 20 minutes)*

**12\*. THE LIVESTOCK AND LIVESTOCK PRODUCTS MARKETING BOARD BILL (NATIONAL ASSEMBLY BILL NO.2 OF 2019)**  
(The Hon. Bashir Abdullaih, M.P.)

Second Reading

**13\*. 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.

**14\*. 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;

... .. /14\*(cont'd)

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.

**15\*. 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.

**16\*. 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 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.

**17\*. MOTION - ESTABLISHMENT OF DATABASE CENTRES FOR ISSUANCE OF BIRTH CERTIFICATES TO CHILDREN**

(The Hon. Mary Wamau Njoroge, M.P.)

**THAT**, aware that the Constitution and the Kenya Citizenship and Immigration Act, 2011 provide that every citizen is entitled to any document of registration or identification issued by the State to citizens including a birth certificate; further aware that, Article 53(2) of the Constitution of Kenya provides that a child's best interests are of paramount importance in every matter concerning the child; cognizant of the fact that, issuance of birth certificates during civil registration associated with children is a challenge across the country due to among other issues, missing information for the parents and children as a result missing and improper documentations, damaged manual documents, and lack of registration of children born outside hospital environments; deeply concerned over the delays and long queues at civil registration centres and the challenges affecting registration of children by the Ministry of Education using the National Education Management Information System (NEMIS) in the Country; **this House urges** the Government to establish database centres in all Civil Registration Centres for purposes of storing all the necessary information required for issuance of birth certificates to all children and puts in place administrative mechanisms to ensure that every child is automatically issued with a birth certificate before the child attains the age of three years.

**18\*. MOTION - INFORMATION IN POLICE CLEARANCE CERTIFICATES**

(The Hon. Gladwell J. Cheruiyot, M.P.)

**THAT**, aware that disclosure of information about previous criminal convictions through a Police Clearance Certificate has long been considered an important safeguard for employers and various organizations seeking individuals to serve in positions of trust; concerned that the Police Clearance Form includes cases that are pending before court, thus going against the principle of Article 50(2) of the Constitution which provides for the presumption of innocence until proven guilty; further concerned that, the bureaucratic manual procedure of acquiring criminal data and laxity in updating the records results in erroneous information on the Police Clearance Certificate and consequently denies applicants employment opportunities; cognizant of the fact that in Kenya, based on an administrative directive from 1990, criminal records are waived after a term of 20 years except for serious offences such as murder, robbery, manslaughter, rape, defilement, treason or drug possession which remain as permanent records; noting that research has shown a clear nexus between crime and poverty and that a criminal record remains a permanent barrier for young people looking for employment as this will be shown in the Police Clearance Form which will perpetuate the cycle of poverty; this House **urges** the Directorate of Criminal Investigation to leverage on the use of Information Communication Technology (ICT) to ensure criminal data availed in Police Clearance Forms is accurate and up-to-date.

---

**\* Denotes Orders of the Day**

---

# **N O T I C E S**

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

- I. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on **Bills 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**

## **Tentative business for** **Wednesday (Afternoon), September 25, 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 25, 2019:-

A. **PROCEDURAL MOTION - EXTENSION OF SITTING TIME**  
(The Leader of the Majority Party)

B. **COMMITTEE OF THE WHOLE HOUSE**

The Finance Bill (National Assembly Bill No. 51 of 2019)

(The Chairperson, Departmental Committee on Finance & National Planning)

C. **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)

*(Resumption of debate interrupted on Tuesday, September 24, 2019)*

*(Balance of time - 1 hour)*

D. **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)

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

(The Chairperson, Departmental Committee on Education and Research)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

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)

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

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

Second Reading





# **APPENDIX**

## **ORDER NO.7 - QUESTIONS**

---

Pursuant to the provisions of Standing Order 42A (5) the following Members will ask **questions** for reply before the specified Departmental Committees:-

### **Question No.                      ORDINARY QUESTIONS**

**409/2019                      The Member for Ol Joro Orok (Hon. Michael Muchira, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development: -**

Are there plans to rehabilitate *Gilgil - Nyabururu* road, which is in a very bad condition and which may have led to an increase in the number of motor vehicle accidents on the road in the recent past?

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

**411/2019                      The Member for Gilgil (Hon. Martha Wangari, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -**

What measures are in place to ensure implementation of the harmonized salaries for 1,774 graduate police officers in the country in line with the *Declarations and Orders in Petition No. 122 of 2018*, dated 17<sup>th</sup> May, 2019 by the Employment and Labour Relations Court sitting in Nairobi?

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

**412/2019                      The Member for Ruiru (Hon. Simon King'ara, MP) to ask the Cabinet Secretary for Lands and Physical Planning: -**

- (i) What is the registration status of land under LR numbers RUIRU/KIU BLOCK 4/1205, 1378, 1380, 1381, 1382, 1389, 1390, 1391, 1397, 1168, 1169, 1170, 1171, 1172, 1198, 1203, 1371, 1372, 1375, 1376, 1377, 1379, 1407, 1408 located in Ruiru Constituency?
- (ii) What measures are in place to ensure that the rightful land owners are expeditiously issued with title deeds upon registration to safeguard the land against grabbing and double allocations?

*(To be replied before the Departmental Committee on Lands)*

**413/2019                      The Member for Lari (Hon. Jonah Mburu, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -**

- (i) Are there steps being taken by the Ministry to stop hawking of harvested tea leaves which have caused increased cases of theft of harvested tea from farmers in Lari Constituency?

- (ii) What steps is the Ministry taking to ensure lasting security in regard to harvested tea leaves in order to protect farmers from losses?

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

414/2019

**The Member for Bomachoge Chache (Hon. Alfah O. Miruka, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development: -**

- (i) What is the status of the construction of the *Ogembo - Rongo* Road particularly the section between *Ogembo* and *Tabaka* being implemented by Kenya National Highways Authority (KeNHA) under Lot Number 1. *Isibania- Abero* road project?
- (ii) What measures are in place to ensure that the said road is completed on time?
- (iii) When will casual workers involved in the construction of the road be paid for work done?

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

---



**REPUBLIC OF KENYA**  
**TWELFTH PARLIAMENT – (THIRD SESSION)**  
**THE NATIONAL ASSEMBLY**  
**ORDERS OF THE DAY**  
**WEDNESDAY, SEPTEMBER 25, 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 SITTING TIME**  
(The Leader of the Majority Party)

**THAT**, pursuant to the provisions of Standing Order 30(3)(a), this House orders that should the regular time for adjournment of the House be reached before conclusion of business appearing under Order No. 9 on today's Order Paper, the sitting of the House shall stand extended until the conclusion of the said business.

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

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

**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 Revised Sessional Paper No. 1 of 2019 on the Policy Framework for Reforming Education and Training for Sustainable Development in Kenya.

*(Resumption of debate interrupted on Tuesday, September 24, 2019)*  
*(Balance of time - 1 hour)*

**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 Committees 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 *Mount 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\*. 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)

**THAT**, this House **adopts** the Report of the Departmental Committee on Labour and Social Welfare on the visit to Riyadh, Saudi Arabia on a Fact Finding Mission on the Welfare of Migrant Kenyan Workers in the Kingdom of Saudi Arabia from February 27 to March 3, 2019, *laid on the Table of the House on Thursday, August 8, 2019*.

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

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

Second Reading

**15\*. 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****I. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 51 OF 2019)**

- 1) Notice is given that the Chairperson of the Departmental Committee on Finance & National Planning intends to move the following amendments to the Finance Bill, 2019 at the Committee Stage—

**CLAUSE 2**

**THAT**, clause 2 of the Bill be amended in paragraph (b) by deleting the proposed definition of “investee company” and substituting therefor the following new definition-

“investee company” has the meaning assigned to it under the Capital Markets Act and the regulations made thereunder:

**CLAUSE 3**

**THAT**, clause 3 of the Bill be amended-

(a) in paragraph (a) in the proposed paragraph (d) by deleting the words “income chargeable to tax includes”;

(b) by inserting the following new paragraph immediately after paragraph (a)-

(aa) by inserting the following new subsection immediately after subsection (2)-

(3) The Cabinet Secretary shall make regulations to provide for the mechanisms of implementing the provisions of subsection (2) (d).

**CLAUSE 6**

**THAT**, clause 6 of the Bill be amended by deleting paragraph (c).

**NEW CLAUSE**

**THAT**, the Bill be amended by inserting the following new clause immediately after clause 7 -

Amendment  
of section  
16 of Cap.  
470.

**7A.** Section 16 of the Income Tax Act is amended in subsection (2) by deleting the proviso to paragraph (j) and substituting therefor the following new proviso—

Provided that this paragraph—

- (i) shall apply to loans advanced to the company by a non-resident associate of the non-resident company controlling the resident company; and
- (ii) shall not apply to a company implementing a project under an affordable housing scheme upon recommendation by the Cabinet Secretary responsible for housing.

**NEW CLAUSE**

**THAT**, the Bill be amended by inserting the following new clause immediately after clause 8 –

Amendment of section 22C of Cap. 470. **8A.** Section 22C of the Income Tax Act be amended –

- (a) in sub-section (4) by inserting the words “ and other investment guidelines made under Regulations under the Capital Markets Act.” immediately after the phrase “Central Bank”;
- (b) in subsection (8) in the definition of “approved institution” by inserting the words “,and a Fund Manager registered under the Capital Markets Act ( Cap.485)” immediately after the phrase “(Cap 489)”.

**CLAUSE 9**

**THAT**, clause 9 of the Bill be amended by deleting paragraph (a).

**CLAUSE 10**

**THAT**, clause 10 of the Bill be amended -

- (a) in paragraph (a) by deleting sub-paragraph (iii) ;
- (b) by deleting paragraph (b).

**CLAUSE 12**

**THAT**, clause 12 of the Bill be amended in the proposed amendment to Part I of the First Schedule to the Income Tax Act by inserting the following new items immediately after item 58—

59. The amount withdrawn from the National Housing Development Fund to purchase a house by a contributor who is a first-time home-owner.

60. Interest income accruing from all listed bonds, notes or other similar securities used to raise funds for infrastructure, projects and assets defined under Green Bonds Standards and Guidelines, and other social services:

Provided that such bonds, notes or securities shall have a maturity of at least three years.

**CLAUSE 13**

**THAT**, the Bill be amended clause 13(b) by –

- (a) deleting sub-paragraph (iii);
- (b) deleting sub-paragraph (iv).

**CLAUSE 16**

**THAT**, the Bill be amended by deleting clause 16 and substituting therefor the following new clause –

Amendment of s.5  
of No. 35 of 2013

- 16.** Section 5 of the Value Added Tax Act, 2013 is amended –
- (a) in sub-section (6) by deleting the words “ a registered person” and substituting therefor the words “ any person”;
  - (b) by inserting the following new subs-sections immediately after subsection (6) –
    - (7) The provisions of subsection (1) shall be applicable to supplies made through a digital market place.
    - (8) The Cabinet Secretary shall make regulations to provide the mechanisms for implementing the provisions of subsection (7).
    - (9) For the purpose of this section, “digital market place” means a platform that enables the direct interaction between buyers and sellers of goods and services through electronic means.

### **NEW CLAUSE**

**THAT**, the Bill be amended by inserting the following new clause immediately after clause 16 –

Amendment of  
section 10 of  
No.35 of 2013

- 16A.** Section 10 of the Value Added Tax Act, 2013 is amended—
- (a) in subsection(1) by deleting the expression “a registered person” and substituting therefor the expression “any person”;
  - (b) in sub-section (3) by deleting the expression “a registered person” and substituting therefor the expression “any person”.

### **CLAUSE 18**

**THAT**, clause 18 be amended in paragraph (a) (iii) by –

(a) deleting—

- (i) the proposed new paragraph 105; and
- (ii) the proposed new paragraph 106.

(b) inserting the following new items immediately after item 110—

111. Goods imported or purchased locally for the direct and exclusive use in the construction of houses under an affordable housing scheme approved by the Cabinet Secretary on the recommendation of the Cabinet Secretary responsible for matters relating to housing.

112. Musical instruments and other musical equipment, imported or purchased locally, for exclusive use by educational institutions, upon recommendation by the Cabinet Secretary responsible for Education.



**CLAUSE 19**

**THAT**, the Bill be amended in clause 19 –

- (a) by inserting the following new paragraph immediately after paragraph (a) –
  - (aa) in paragraph 13 by inserting the words “including propane” immediately after the words “liquefied petroleum gas”;
- (b) by deleting paragraph (b);
- (c) in paragraph (c) by inserting the following new item immediately after item 19 —
  - 20. Agricultural pest control products.

**CLAUSE 23**

**THAT**, the Bill be amended in clause 23 –

- (a) in paragraph (a) by-
  - (i) by deleting subparagraph (i) and substituting therefor the following new sub-paragraph-
    - “(i) by deleting the rate of excise duty in respect of the description set out in the first column hereunder and substituting therefor the new rates respectively in the second column-

<i>Description</i>	<i>Rate of Excise</i>
Cigars, cheroots, cigarillos, containing tobacco or tobacco substitutes	Shs. 12,624 per kg
Electronic cigarettes	Shs. 3,787 per unit
Cartridge for use in electronic cigarettes	Shs. 2,525 per unit
Cigarette with filters (Hinge lid and soft cap)	Shs. 3,157 per mille
Cigarettes without filters (plain cigarettes)	Shs. 2,272 per mille
Other manufactured tobacco and manufactured tobacco substitutes; "homogenous" and "reconstituted tobacco"; tobacco extracts and essences	Shs. 8,837 per kg
Wines including fortified wines, and other alcoholic beverages obtained by fermentation of fruits	Shs.189 per litre
Spirits of undenatured ethyl alcohol; spirits liqueurs and other spirituous beverages of alcoholic strength exceeding 10%	Shs. 253 per litre

(ii) inserting the following sub-paragraphs immediately after sub-paragraph (iii)-

“(iv) by deleting the description relating to sugar confectionary (including white chocolate) together with the corresponding rates of excise duty, and substituting therefor the following—

Description	Rate of Excise
Imported sugar confectionary of tariff heading 17.04;	Shs. 20 per kg
Imported white chocolate, chocolate in blocs, slabs or bars of tariff Nos. 1806.31.00, 1806.32.00,1806.90.00	Shs 200 per kg.

“(v) by inserting the following new item—

Description	Rate of Excise
Imported gas cylinders	35%

(b) in paragraph (b) in the proposed new paragraph 5 by deleting the word “ten” and substituting therefor the word “twenty”.

(c) in paragraph (c) by deleting subparagraph (ii) and substituting therefor the following new sub-paragraph –

(ii) by deleting the expression “or an insurance premium or premium based or related commissions” the definition of the term “other fees” and substituting therefor the expression “or fees or commissions earned in respect of a loan or any share of profit or an insurance premium or premium based or related commissions specified in the Insurance Act or regulations made thereunder”.

**CLAUSE 25**

**THAT**, the Bill be amended in clause 25 in the proposed new section 37C (1) by deleting the expression “assessing or” immediately after the words “shall refrain from”.

**CLAUSE 29**

**THAT**, the Bill be amended in clause 29 in the new subsection 11 by inserting the word “deemed to be” immediately after the expression “objection shall be”.

**CLAUSE 34**

**THAT**, the Bill be amended by deleting clause 34 and substituting therefor the following new clause-

Amendment of 34. Section 7 of the Miscellaneous Fees and Levies Act, 2016 is 7 of No. 29 of amended – 2016.

**(No.83) WEDNESDAY, SEPTEMBER 25, 2019 (2189)**

(a) in subsection (2) by deleting the word “two” appearing immediately after the words “rates of” and substituting therefor the words “three point five”;

(b) by inserting the following new subsection immediately after subsection (2) –

(2A) Without prejudice to the provisions of subsection (2), the fee at a rate of one point five per cent shall be charged on the custom value of-

(a) raw materials and intermediate products imported by approved manufacturers;

(b) raw materials and intermediate products imported by manufacturers approved by the Cabinet Secretary on the recommendation of the Cabinet Secretary responsible for matters relating to industry;

(c) input for the construction of houses under an affordable housing scheme approved by the Cabinet Secretary on the recommendation of the Cabinet Secretary responsible for matters relating to housing.

**CLAUSE 35**

**THAT**, the Bill be amended by deleting clause 35 and substituting therefor the following new clause

Amendment of  
8 of No. 29 of  
2016.

**35.** Section 8 of the Miscellaneous Fees and Levies Act, 2016 is amended by-

(a) deleting the expression “one point five” appearing immediately after words “rate of” and substituting therefor the word “two”;

(b) inserting the following new subsection immediately after subsection (2) –

(2A) Without prejudice to the provisions of subsection (2), the levy at a rate of one point five per cent shall be charged on the customs value of-

(a) raw materials and intermediate products imported by manufacturers approved by the Cabinet Secretary, on the recommendation of the Cabinet Secretary responsible for matters relating to industry; and

(b) inputs for the construction of houses under an affordable housing scheme approved by the Cabinet Secretary, on the recommendation of the Cabinet Secretary responsible for matter relating to housing.

**CLAUSE 37**

**THAT**, the Bill be amended by deleting clause 37.

**CLAUSE 43**

**THAT**, the Bill be amended by deleting clause 43 and substituting therefor the following new clause-

Amendment of section 33B of Cap 488.

43. Section 33B of the Banking Act is amended by—

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

“(1) A bank or financial institution shall set the maximum annual interest rate chargeable for a loan in Kenya at no more than four percentage points above the Central Bank Rate set and published by the Central Bank of Kenya under section 36(4) of the Central Bank Act.”

(b) deleting subsection (3) and substituting therefor the following new subsection —

(3) Any person who contravenes the provisions of subsection (2) commits an offence and shall, on conviction, be liable to a fine of not less than one million shillings or to imprisonment for a term not less than one year.

(c) inserting the following new subsection immediately after subsection (3) —

(4) In this section, the term “loan” has the meaning assigned to it under section 44A (5).

**CLAUSE 44**

**THAT**, clause 44 of the Bill be amended in the proposed definition of the term “consolidation” by inserting the expression “at the country of supply” immediately after the word “consignment”.

**CLAUSE 45**

**THAT**, clause 45 of the Bill be amended in subsection (2) (d) of the proposed new section 14C by deleting the expression “in the last three years”.

**NEW CLAUSE**

**THAT**, Bill be amended by inserting the following new clause immediately after clause 45-

Insertion of new s. 22 in Cap. 496

**45A.** The Standards Act is amended by inserting the following new section immediately after section 21-

Transitional provision.

22. The provisions of section 14C (2) (d) shall not apply to any company, which was in the business of consolidation before the commencement of this Act.

**NEW CLAUSE**

**THAT**, the Bill be amended by inserting the following new clause immediately after clause 48 –

Amendment of  
section 8 of No.  
15 of 2008.

**48A.** Section 8 of the Accountants Act, 2008 is amended by deleting paragraph (a) and substituting therefor the following new paragraph

- 
- (a) promote standards of professional competence and practice in accountancy;

### **CLAUSE 49**

**THAT**, the Bill be amended by deleting clause 49 and substituting therefor the following new clause-

Amendment of  
section 17 of  
No. 15 of 2008.

**49.** Section 17 of the Accountants Act, 2008 is amended by deleting sub-section (2A) and substituting therefor the following new sub-section-

(2A) The Examination Board jointly with the Institute shall require a trainee accountant to be registered as a member of the Institute, before undertaking an examination.

### **NEW CLAUSES**

**THAT**, the Bill be amended by inserting the following new clause immediately after clause 49 –

Amendment of  
section 19 of  
No. 15 of 2008.

**49A.** Section 19 of the Accountants Act, 2008 is amended —

(a) by deleting sub-section (2) and substituting therefor the following new subsection-

(2) A salaried employee of the Government practices as an accountant if he-

- (a) engages in the practice of accountancy;
- (b) performs services involving the auditing or verification of financial transactions, books, accounts or records;
- (c) performs services involving the verification or certification of financial accounts and related statements;

(d) engages in any practice, or performs or offers to perform any services, which may be prescribed.

(b) by inserting the following sub-sections immediately after subsection (3)-

(4) No person or a public or private entity shall employ a person to practice accountancy unless the person to be employed is a member of the Institute.

(5) No person holding foreign qualifications shall practice accountancy in Kenya unless he or she satisfies the requirement of section 26(3) and is registered with the Institute.

(6) A trainee accountant or associate accountants shall not hold themselves as accountants.

(5) The Institute shall prescribe guideline for the practice of accountancy by associate accountants.

**(No.83) WEDNESDAY, SEPTEMBER 25, 2019 (2192)**

- (7) The Institute shall, in consultation with the Examination Board, prescribe guidelines for the practice of accountancy by trainee accountants.

**49B.**The Accountants Act, 2008 is amended by inserting the following new section immediately after section 19-

Insertion of new section 19A in No. 15 of 2008.

Foreigner practicing accountancy.

**19A.** (1) A foreigner who intends to practice accountancy in Kenya for the purpose of performing a specific assignment shall apply to the Institute for registration and shall satisfy the Institute of his or her qualifications.

(2) The Institute may register the person to practice accountancy in Kenya for a period not exceeding one year or for the duration of the assignment.

**49C.**The Accountants Act, 2008 is amended by deleting section 46 and substituting therefor the following new section-

Amendment of section 46 in No. 15 of 2008.

Regulations.

**46.** (1) The Cabinet Secretary may, by notice in the *Gazette*, make regulations to provide for—

- (a) anything which shall or may be prescribed in terms of this Act; and
- (b) any matter which is necessary to prescribe for the effective implementation of the provisions and objects of this Act.

(2) Without prejudice to the generality of subsection (1), the Cabinet Secretary may make regulations to provide for-

- (a) registration of persons with foreign qualifications;
- (b) registration of foreigners to practice accountancy in Kenya.

(3) For the purpose of Article 94(6) of the Constitution—

- (a) the purpose and objective of the delegation under this section is to enable the Attorney General to make regulations to provide for the better carrying into effect the provisions of this Act;
- (b) the authority of the Attorney General to make regulations under this Act will be limited to bringing into effect the provisions of this Act and fulfillment of the objectives specified under this section;

(c) the principles and standards applicable to the regulations made under this section are those set out in the Interpretation and General Provisions Act and the Statutory Instruments Act.

Amendment of  
Seventh  
Schedule to No.  
15 of 2008.

**49D.** The Seventh Schedule to the Accountants Act, 2008 is amended by inserting the following paragraphs immediately after paragraph 12-

“13. Subject to section 19(4), any person who at the commencement of this Act was employed or was performing functions which may be deemed to be the practice of accountancy shall register with the Institute.

14. The Council shall establish a class for registration of the persons under paragraph 12.

15. Any person who at the commencement of this Act was practising accountancy in Kenya contrary to the provisions of section 19A shall apply for registration within twelve months.

#### **CLAUSE 50**

**THAT**, the Bill be amended by deleting clause 50.

#### **CLAUSE 51**

**THAT**, the Bill be amended by deleting clause 51.

#### **NEW CLAUSES**

**THAT**, Part VII of the Bill be amended by inserting the following new clauses immediately after clause 50 —

Amendment of  
the long title to  
Cap. 117..

**51.** The long title to the Housing Act is amended by deleting the words “a Housing Fund” and substituting therefor the words “the National Housing Development Fund”.

Amendment of  
section 2 of  
Cap. 117.

**52.** Section 2 of the Housing Act is amended—

(a) in the definition of “grant” by deleting the words “Housing Fund” and substituting therefor the words “the National Housing Development Fund”; and

(b) by deleting the definition of “Housing Fund”;

(c) by inserting the following new definition in its proper alphabetical sequence—

“National Housing Development Fund” means the Fund established under section 6 of this Act.

Amendment of  
marginal note to  
section 6 of  
Cap. 117.

**53.** The marginal note to section 6 of the Housing Act is amended by deleting the words “Housing Fund” and substituting therefor the words “the National Housing Development Fund”.

Amendment of  
section 6 of  
Cap. 117.

**54.** Section 6 of the Housing Act is amended—

- (a) by deleting the words “Housing Fund” appearing in subsection (1) and substituting therefor the words “National Housing Development Fund”;
- (b) by deleting the words “Housing Fund” wherever they appear in subsection (2) and substituting therefor the words “National Housing Development Fund”; and
- (c) by deleting the words “Housing Fund” wherever they appear in subsection (3) and substituting therefor the words “National Housing Development Fund”.

Amendment of  
section 7 of  
Cap. 117.

**55.** Section 7 of the Housing Act is amended by deleting the words “Housing Fund” appearing in the opening words of subsection (1) and substituting therefor the words “National Housing Development Fund”.

Amendment of  
section 7A of  
Cap. 117.

**56.** Section 7A of the Housing Act is amended by deleting the words “Housing Fund” appearing in subsection (3) and substituting therefor the words “National Housing Development Fund”.

Amendment of  
section 1 of  
Cap. 117.

**57.** Section 11 of the Housing Act is amended by deleting the words “Housing Fund” appearing in the opening words of paragraph (a) and substituting therefor the words “National Housing Development Fund”.

Amendment of  
section 12 of  
Cap. 117.

**58.** Section 12 of the Housing Act is amended by deleting the words “Housing Fund” and substituting therefor the words “National Housing Development Fund”.

Amendment of  
section 24 of  
Cap. 117.

**59.** Section 24 of the Housing Act is amended—

- (a) by deleting subsection (2) and replacing it with the following new subsection

(2) A person convicted of an offence under this Act shall be liable to a fine not exceeding one million shillings or to imprisonment for a term not exceeding three years or both.

- (b) by inserting the following new subsection immediately after subsection (2)—



(2A) If an act or commission of a person results in the loss of money from the National Housing Development Fund, that person shall be liable to a penalty equivalent to twice the amount lost.

Amendment of  
section 12 of  
Cap. 117.

**60.** Section 26 of the Housing Act is amended in subsection (4) by deleting the words “Housing Fund” and substituting therefor the words “National Housing Development Fund”.

Amendment of  
section 117 of  
Cap. 480.

**61.** Section 117 of the Stamp Duty Act is amended in subsection (1) by inserting the following new paragraph immediately after paragraph (n)—

(o) the transfer of a house constructed under an affordable housing scheme from the developer to the National Housing Corporation.

**2) Notice is given that the Leader of the Majority Party intends to move the following amendments to the Finance Bill, 2019 at the Committee Stage—**

**NEW CLAUSE**

**THAT**, the Bill be amended by inserting the following new clause immediately after clause 48-

Amendment of  
section 4 of No. 15  
of 2008.

**48A.** Section 4 of the Accountants Act, 2008 is amended —

(a) in subsection (2) by inserting the following new paragraph immediately after paragraph (c) —

(ca) trainee accountant members, being —

- (i) persons registered under section 17(2A) by the Examinations Board and who are undertaking professional accountancy education or training; or
- (ii) persons practicing accountancy as part of the initial professional development towards qualification as an accountant.

(b) by inserting the following new subsection immediately after subsection (4)—

(5) Membership of the Institute under subsection (2)(ca) shall be for such period as the Cabinet Secretary may prescribe, after which the member shall apply for membership under paragraph (b) or (c) of that subsection.

**CLAUSE 49**

**THAT**, the Bill be amended by deleting clause 49 and substituting therefor the following new clause —

Amendment of section 17 of No. 15 of 2008. **49.**Section 17 of the Accountants Act, 2008 is amended by deleting subsection (2A) and substituting therefor the following new subsection –

(2A) Any person wishing to undertake the examinations in accountancy prescribed by the Examinations Board shall first register with the Institute as a trainee accountant.

**3) Notice is given that the Member for Alego Usonga (Hon. Samuel Atandi) intends to move the following amendments to the Finance Bill, 2019 at the Committee Stage—**

**CLAUSE 2**

**THAT**, the Bill be amended in clause 2 by inserting the following new definition in paragraph (b) in the proper alphabetical sequence -

“winnings” means the positive difference between payouts made and stakes placed in a given month, for each player, payable to punters by bookmakers licenced under the Betting, Lotteries and Gaming Act;

*(subject to Article 114 of the Constitution)*

**NEW CLAUSE**

**THAT**, the Bill be amended by inserting the following new clause immediately after clause 3 —

Amendment of section 6 of Cap.470 **3A.**Section 6 of the Income Tax Act is amended by inserting the following new proviso at the end of sub-section (2)—

Provided that if a lessor is paying for or servicing a mortgage in respect of that property, such rent shall not be deemed as income from the property.

*(subject to Article 114 of the Constitution)*

**NEW CLAUSE**

**THAT**, the Bill be amended by inserting the following new clause immediately after clause 40 —

**40A.** The Capital Markets Act is amended by deleting section 24 A and substituting therefor the following new section—

Deletion and substitution of section 24A in Cap. 485A. **24 A.** (1) The Authority shall determine as fit and proper —

- (a) any key personnel of a licensed and approved persons; and
- (b) the chief executive officer, chief financial officer and Board of Directors of an issuer of securities to the public.

(2) The Authority shall, in determining if a person is fit and proper for the purposes of this Act consider, as applicable, the-

- (a) financial status or solvency;
- (b) educational or other qualifications or experience having regard to the nature of the functions

- (c) which, if the application is granted, the person will perform;
- (d) status of any other regulatory license or approval granted by any financial sector regulator;
- (e) ability to carry on the regulated activity competently, honestly and fairly; and
- (f) reputation, character, financial integrity and reliability, of –
  - (i) in case of a natural person, that individual; or
  - (ii) in case of a company, the company, its chairperson, directors, chief executive, management and all other personnel including all duly appointed agents, and any substantial shareholder of the company.

(3) Without prejudice to the generality of subsection (1), the Authority may, in considering whether a person is fit and proper, have regard to whether the person –

- (a) has contravened the provision of any law, in Kenya or elsewhere, designed for the protection of members of the public against financial loss due to dishonesty or incompetence, or malpractice by persons engaged in transacting with marketable securities;
- (b) was a director of a licensed person, issuer or public entity which has been liquidated or is under liquidation or statutory management;
- (c) has taken part in any business practice which, in the opinion of the Authority, was fraudulent, prejudicial to the market or public interest, was otherwise improper or which would otherwise discredit their methods of conducting business;
- (d) has taken part or has been associated with any business practice which casts doubt on the competence or soundness of judgment of that person; or
- (e) has conducted himself in a manner as to cast doubt on his competence and soundness of judgment.

(4) For a licensed or approved person, the Authority shall –

- (a) take into account any information in the possession of the Authority whether provided by the applicant or not, relating to any person who is to be employed by, associated with, or who will be acting for or on behalf of, the applicant for the purposes of a regulated activity including any agents;

- (i) where the applicant is a company in a group of companies any other company in the same group of companies; or
- (ii) where the applicant is a company in a group of companies any substantial shareholder or key personnel of the company or any company referred to in subparagraph (ii);
- (b) take into account whether the applicant has established effective internal control procedures and risk management systems to ensure its compliance with all applicable regulatory requirements; and
- (c) have regard to the state of affairs of any other business which the person carries on or purports to carry on.

(5) For the purposes of this section, “group of companies” means any two or more companies one of which is the holding company of the other.

(6) The Authority shall give a person an opportunity to be heard before determining that a person is not fit and proper for the purposes of this Act.

(7) The Authority may revoke the appointment of any person determined not to be fit and proper.

*(subject to provisions of Standing Order 133(5))*

**NEW CLAUSE**

**THAT**, the Bill be amended by inserting the following new clause immediately after clause 41 —

Insertion of sections  
in Cap. 485A

**41A.** The Capital Markets Act is amended by inserting the following new sections immediately after sections 30G —

Appointment  
of auditor

**30GA.** (1) An issuer of securities to the public shall not appoint or remove its auditor except with the prior written approval of the Authority at least one month prior to such appointment or removal.

(2) An audit firm shall be qualified for appointment if such a firm has —

- (a) at least three years’ experience of the firms’ partners in auditing companies operating in the financial sector;
- (b) adequate resources, capacity and ability to perform its duties with professional competence and due care in accordance with approved professional auditing standards and applicable legal and regulatory requirements;

(No.83) WEDNESDAY, SEPTEMBER 25, 2019 (2199)

- (c) valid practicing certificates of the audit partners in charge of the audits as well as the auditors;
- (d) a valid annual license for the audit firm from the Institute of Certified Public Accountants of Kenya;
- (e) clearance from the Institute of Certified Public Accountants of Kenya that the partners, auditors and the auditing firm have no pending disciplinary actions or any on-going administrative or criminal case;
- (f) not been suspended or refused approval to carry out audit work by other financial sector regulators;
- (g) declared under oath that the audit firm or the lead audit partner has no pending administrative or criminal case and has not been convicted of or been an accomplice in any offence involving corruption, fraud, tax evasion, money laundering or other economic and financial crimes; and
- (h) declared any transaction current or past that may give rise to a potential conflict of interest.

Responsibilities  
of Audit firm

**30GB.** (1) The Audit firm approved by the Authority shall –

- (a) report to the Authority that the company it is auditing has complied with the applicable capital markets laws and regulations and detail the extent of their compliance with the Code for Corporate Governance;
- (b) submit evidence that the firm have appeared before and reported to the audit committee of the company on the key audit findings on the operation of the entity;
- (c) provide the Authority with copies of the key audit matters, copies of the management letters and where requested, copies of working papers or any other information as may be requested by the Authority;
- (d) submit such additional information in relation to its audit as the Authority may consider necessary, from time to time;
- (e) carry out any other special investigation as may be directed by the Authority;
- (f) report to the Authority as soon as is practically possible any findings or suspicions of-

- (i) serious breach of or non-compliance with the Act or the regulations there under;
- (ii) a criminal offence involving fraud or dishonesty that has been committed by the entity or by any of its officers or employees;
- (iii) serious irregularities that have occurred which may jeopardize the interest of investors or clients as the case may be; and
- (iv) actions by the company to conceal or fail to provide information that is necessary for the purposes of conducting the audit.

(2) The cost of carrying out any of these additional responsibilities, where required, shall be borne by the company being audited.

Resignation of Auditor.

**30GC.** (1) Once approved by the Authority, an auditing firm shall be deemed fit to provide auditing services for issuers of securities to the public unless and until such approval is revoked by the Authority

(2) Where a firm resigns as an auditor of a company or fails to express its intention to continue auditing a company, it shall submit to the Authority reasons for such resignation.

Disqualification of auditor by Authority

**30GD.** The Authority may disqualify from operating within the capital markets industry an audit firm or audit partner, where such firm or partner-

- (a) conducts an audit without securing an approval from the Authority; or
- (b) fails to perform their responsibilities under the International Financial Reporting Standards, International Accounting Standards or the responsibilities specified above.

*(subject to the provisions of Standing Order 133(5))*

- 4) Notice is given that the Member for Dagoretti South (Hon. John Kiarie) intends to move the following amendments to the Finance Bill, 2019 at the Committee Stage—

**CLAUSE 19**

**THAT**, clause 19 of the Bill be amended by inserting the following new paragraph immediately after paragraph (c) —

(d) by inserting the following new paragraph immediately after paragraph 65—

65A. Taxable goods locally purchased or imported by manufacturers or importers of artisanal tools approved by the Cabinet Secretary upon recommendation by the Cabinet Secretary for the time being responsible for industrialization.

*(subject to Article 114 of the Constitution)*

- 5) Notice is given that the Member for Kiambu (Hon. Jude Njomo) Constituency intends to move the following amendments to the Finance Bill, 2019 at the Committee Stage—

**CLAUSE 18**

**THAT**, clause 18(a) of the Bill be amended in sub-paragraph (iii) by inserting the following new paragraph immediately after the proposed new paragraph 110—

111. Sports equipment imported or purchased locally for exclusive use by educational institutions.

For the purposes of this paragraph, educational institution means—

- (a) a pre-primary, primary, or secondary school;
- (b) a technical college or university;
- (c) an institution established for the promotion of adult education, vocational training or, technical education but shall not apply in respect of business or user training and other consultancy services designed to improve work practices and efficiency of an organization.

*(subject to Article 114 of the Constitution)*

- 6) Notice is given that the Member for Gatundu South (Hon. Moses Kuria) intends to move the following amendment to the Finance Bill, 2019 at the Committee Stage—

**NEW CLAUSE**

**THAT**, the Bill be amended by inserting the following new clause immediately after clause 8—

Amendment of section 22C  
of Cap. 470

**8A.** Section 22C of the Income Tax Act is amended—

- (a) by deleting subsection (4) and substituting therefor the following new subsection—

“(4) Deposits in a registered home ownership savings plan shall be invested in accordance with prudential guidelines issued by the Central Bank or investment guidelines or regulations issued by the Capital Markets Authority”;

- (b) in subsection (8), by deleting the definition of “approved institution” and substituting therefor the following new definition—

“approved institution” means a bank or financial institution registered under the Banking Act (Cap. 488), an insurance company licensed under the Insurance Act (Cap. 487), a building society registered under the Building Societies Act (Cap. 489), or a fund manager or investment bank registered under the Capital Markets Act (Cap. 485A).

*(subject to the provisions of Standing Order 133(5))*

- 7) Notice is given that the Member for Molo (Hon. Francis Kuria Kimani) intends to move the following amendments to the Finance Bill, 2019 at the Committee Stage—

**CLAUSE 21**

**THAT**, the Bill be amended by deleting clause 21.

**CLAUSE 23**

**THAT**, clause 23 of the Bill be amended by deleting paragraph (b).

*(subject to Article 114 of the Constitution)*

---

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



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

- II. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in debate on **Reports of Committees**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House for which limitation of time has not been specified, shall be limited as follows:- A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.
- III. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on any **Motion**, including a Special motion shall be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking shall be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.
- IV. **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.
- V. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on any **Sessional Paper** shall be limited as follows:- A maximum of two and a half hours, with not more than twenty (20) minutes for the Mover in moving and five (5) minutes for any other Member speaking, **including** the Leader of the Majority Party and the Leader of the Minority Party and that ten (10) 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 and the Leader of the Minority Party, in that order.

The House further resolved on Tuesday, June 11, 2019 as follows:-

- VI.** **THAT**, pursuant to the provisions of Standing Order 256 (*Exemption of Business from the Standing Orders*), petitions submitted under **section 34 of the Forest Conservation and Management Act (No. 34 of 2016)** (*Petitions for variation of boundaries or revocation of public forests*) are exempted from the provisions of Standing Orders 223(k) and 227(2) in order to accommodate public participation and provide for the obligatory resolution of the House approving or rejecting petitions for variation of boundaries or revocation of the registration of public forest or a portion of a public forest as contemplated under section 34 of the Forest Conservation and Management Act (No. 34 of 2016).
- 

..... /Notice Paper

# **NOTICE PAPER**

## **Tentative business for**

**Thursday, September 26, 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 26, 2019:-

A. **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)

*(If not concluded on Wednesday, September 25, 2019 – Afternoon sitting)*

B. **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)

*(If not concluded on Wednesday, September 25, 2019 – Afternoon sitting)*

C. **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 25, 2019 – Afternoon sitting)*

D. **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 25, 2019 – Afternoon sitting)*

E. **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)

*(If not concluded on Wednesday, September 25, 2019 – Afternoon sitting)*

**F. 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 25, 2019 – Afternoon sitting)*



# **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**

**416/2019                      The Member for Konoin (Hon. Brighton L. Yegon, MP) to ask the Cabinet Secretary for Interior & Coordination of National Government: -**

- (i) What is the status of the closed-circuit television (CCTVs) Cameras that were installed in the country, and in particular Nairobi City and other towns, at a cost of over Kshs.15 billion to curb insecurity?
- (ii) Could the Cabinet Secretary explain the effectiveness of the said CCTV cameras in curbing insecurity in the country?

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

**417/2019                      The Member for Mathioya (Hon. Peter Kimaru Kihara, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works: -**

- (i) Why is the construction of *Kanjama - Kagumoini* road in Mathioya Constituency yet to commence despite having been allocated funds during the financial years 2017/2018, 2018/2019 and 2019/2020?
- (ii) What steps is the Ministry taking to ensure that the said road is constructed and completed on time to serve thousands of motorists, farmers, traders and other users in accessing *Kamagogo Coffee Factory, Ndiara Coffee Factory, Kiria-ini Market and Gakira Market?*

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

**418/2019                      The Member for Lagdera (Hon. Garane Mohamed Hire, MP) to ask the Cabinet Secretary for Energy: -**

- (i) What measures is the Ministry taking to solve the recurring power outages in *Madogashe* Town, Lagdera Constituency?
- (ii) Are there plans to compensate the *Madogashe* business community for the losses suffered as a result of the said power outages?

(iii) Are there plans to connect the entire Lagdera Constituency to the National Grid?

*(To be replied before the Departmental Committee on Energy)*

**419/2019      The Member for Baringo Central (Hon. Joshua Kandie, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development: -**

- (i) What factors are taken into consideration in determining parking fees to be charged at the Eldoret Airport?
- (ii) Could the Cabinet Secretary provide details of the company/agency charged with the management of parking at the said airport including its directorship?
- (iii) Would the Ministry consider putting in place measures to ensure that parking fees charged at airports in the Country are standardized and regulated accordingly?

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

---