



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

TUESDAY, OCTOBER 08, 2019 AT 2.30 P.M.

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Questions and Statements

8* MOTION- RATIFICATION OF THE AGREEMENT FOR THE ESTABLISHMENT OF THE INTERNATIONAL ANTI-CORRUPTION ACADEMY AS AN INTERNATIONAL ORGANIZATION

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

THAT, this House **adopts** the Report of the Departmental Committee on Justice and Legal Affairs on its consideration of the Instrument for Ratification of the Agreement for the Establishment of the International Anti-Corruption Academy as an International Organization, *laid on the Table of the House on Wednesday, June 26, 2019*, and pursuant to the provisions of section 8 of the Treaty Making and Ratification Act, 2012 **approves** the Ratification of the Agreement for the Establishment of the International Anti-Corruption Academy as an International Organization.

(Question to be put)

9* COMMITTEE OF THE WHOLE HOUSE

- (i) The Sacco Societies (Amendment) Bill (National Assembly Bill No.1 of 2018)
(The Leader of the Majority Party)
- (ii) The Sectional Properties Bill (National Assembly Bill No. 23 of 2019)
(The Leader of the Majority Party)

10*. 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.*

(Resumption of debate interrupted on Thursday, October 3, 2019)

11*. MOTION-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 PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL (SENATE BILL NO. 22 OF 2018)

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

Second Reading

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

(The Leader of the Majority Party)

Second Reading

*** Denotes Orders of the Day**

NOTICES

I. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2018)

Notice is given that the Chairperson of the Departmental Committee on Trade, Industry and Cooperatives intends to move the following amendments to the Sacco Societies (Amendment) Bill (National Assembly Bills No. 1 of 2018) at the Committee Stage—

CLAUSE 2

THAT, clause 2 of the Bill be amended by deleting subsection (4) of the proposed new section 27A and substituting therefor the following subsection—

(4) A deposit-taking Sacco society licensed under this Act shall notify the Authority prior to amending its registered by-laws or any provisions thereof.

CLAUSE 3

THAT, clause 3 of the Bill be amended by deleting subsection (1) of the proposed new section 48A and substituting therefor the following new subsection—

48A (1) The Authority shall determine the suitability and propriety of every person seeking to serve as Board member, Chief Executive Officer or other officer of a Sacco society, and may bar a person from serving in a Sacco society as a Board member, Chief Executive Officer or an officer pursuant to its determination.

CLAUSE 4

THAT, clause 4 of the Bill be amended by deleting the proposed new subsection (8) and substituting therefor the following—

(8) The Authority may impose minimum standards on significant members and officers of a Sacco society as prescribed, including a mandatory continuous or minimum professional development course, training and certification which every Board member, Chief Executive Officer or an officer of a Sacco Society shall undertake or attain before serving or seeking to serve as a Board member, Chief Executive Officer or an officer of a Sacco Society.

CLAUSE 5

THAT, clause 5 of the Bill be amended by deleting paragraph (b) of the proposed new section 54 subsection (5) and substituting therefor the following—

(b) A Sacco society shall, in the ordinary course of business exchange information on performing and non-performing loans as may be specified by the Authority and to such extent as may be prescribed through regulations made under the Act.

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

- 1) Notice is given that the Leader of the Majority Party intends to move the following amendments to the Sectional Properties Bill (National Assembly Bill No. 23 of 2019) at the Committee Stage—

CLAUSE 3

THAT, clause 3 of the Bill be amended by deleting the definition of the term “landlord”.

CLAUSE 11

THAT, clause 11 of the Bill be amended in sub-clause (4) by deleting the words “building permit was issued” and substituting therefor the words “building plan was approved”.

CLAUSE 12

THAT, clause 12 of the Bill be amended in sub-clause (1) by deleting the words “local authority” and substituting therefor the words “county government”.

CLAUSE 13

THAT, clause 13 of the Bill be amended—

- (a) in sub-clause (1)(a) by inserting the word “or commercial” immediately after the word “residential”;
- (b) by inserting the word “or commercial” immediately after the word “residential” appearing in the closing statement.

CLAUSE 27

THAT, clause 27 of the Bill be amended—

- (a) in paragraph (a) by deleting the word “residential”;
- (b) in paragraph (b) by deleting the word “residential”;

CLAUSE 37

THAT, clause 37 of the Bill be amended in sub-clause (1) by deleting the words “local authority” appearing in paragraph (f) and substituting therefor the words “county government”.

CLAUSE 51

THAT, clause 51 of the Bill be amended—

- (a) in sub-clause (1) by inserting the words “ground rent” immediately after the word “charges”;
- (b) in sub-clause (2) by inserting the words “and ground rent” immediately after the word “rates”.

CLAUSE 52

THAT, clause 52 of the Bill be amended by inserting the words "ground rent" immediately after the word "rate".

- 2) **Notice is given that the Chairperson of the Departmental Committee on Lands intends to move the following amendments to the Sectional Properties Bill (National Assembly Bill No. 23 of 2019) at the Committee Stage—**

CLAUSE 11

THAT clause 11 of the Bill be amended in sub-clause (3) by inserting the words "and approved building plan" immediately after the words "existing structure".

CLAUSE 12

THAT clause 12 of the Bill be amended in sub-clause (1) by deleting the words "local authority" and substituting therefor the words "county government".

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 **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 Tuesday, June 11, 2019 as follows:-

- V. **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 I

Tentative business for

Wednesday (Morning), October 09, 2019

(Published pursuant to Standing Order 38(1))

It is notified that the House Business Committee, at their last meeting, approved the following ***tentative*** business to appear in the Order Paper for Wednesday (Morning), October 09, 2019:-

**A. 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, October 2, 2019 – Morning sitting)

(Balance of time –28 minutes)

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

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

Second Reading

**C. THE NATIONAL GOVERNMENT CONSTITUENCIES
DEVELOPMENT FUND (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILL NO. 16 OF 2019)**

(The Hon. (Dr.) MakaliMulu, M.P.)

Second Reading

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

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

(Resumption of debate interrupted on Wednesday, September 25, 2019 – Morning Sitting)

(Balance of time – 2 hours 44 minutes)

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

(The Hon. Charles NjaguaKanyi, M.P.)

F. 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.)

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

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

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

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

**I. MOTION - INFORMATION IN POLICE CLEARANCE
CERTIFICATES**

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

...../Notice Paper II

NOTICE PAPER II

Tentative business for
Wednesday (Afternoon), October 09, 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), October 09, 2019:-

A. COMMITTEE OF THE WHOLE HOUSE

The Salaries and Remuneration Commission (Amendment) Bill (Senate Bill No. 12 of 2018)

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

B. MOTION -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 Tuesday, October 8, 2019)

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 Tuesday, October 8, 2019)

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 Tuesday, October 8, 2019)

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

(The Chairperson, Constitutional Implementation Oversight Committee)

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:-

Question No. ORDINARY QUESTIONS

Question by **The Nominated Member (Hon. Halima Mucheke, MP) to ask**
Private **the Cabinet Secretary for Health:-**
Notice

36/2019

- (i) Could the Cabinet Secretary provide an update on the prevalence of *Helicobacter Pylori*(*H. Pylori*) in the country?
- (ii) What measures is the Ministry taking to contain the rapid infection and spread of the bacteria in the country ?

(To be replied before the Departmental Committee on Health)

435/2019

The Member for Kipkelion West (Hon. Hillary Kosgey, MP) to ask the Cabinet Secretary for Interior & Coordination of National Government: -

- (i) What are the main grounds for the suspension of Police Constable Rebecca Moraa of Service No. 117166who was suspended from Service in April 2019 under unclear circumstances;
- (ii) What is the progress of hearing of her appeal for reinstatement in to the Service and when will the matter be settled?

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

422/2019

The Member for Kisii County (Hon. Janet Ongéra, MP) to ask the Teachers Service Commission: -

- (i) Could the Commission explain why forty-one (41) head teachers from various primary schools in Kisii County were interdicted on 3rd May 2019 allegedly for protesting against the new Competence Based Curriculum (CBC) by failing to attend CBC seminars yet available attendance registers and signing sheets confirm that the said head teachers attended the seminars?
- (ii) Why has the Commission failed to honour the Stay Order that was issued by the Industrial and Labour Relations Court on the matter?
- (iii) When will the said head teachers be reinstated?

(Forwritten reply by the Chairperson of Teachers Service Commission)

442/2019

The Nominated Member (Hon. DennitahGhati, MP) to ask the

Cabinet Secretary for Education: -

Could the Cabinet Secretary provide-

- (i) a list of all special needs schools in the country per constituency?
- (ii) the number of special needs schools that received infrastructural development fund in the financial years 2016/2017 and 2017/2018, indicating the name of the constituency, the amount of money received, and an account of how the said funds were utilized?
- (iii) the criteria used to identify special needs schools to benefit from infrastructural development funding?

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