



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – (THIRD SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**THURSDAY, NOVEMBER 28, 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 – EXTENSION OF PERIOD FOR CONSIDERATION OF  
A SPECIFIED PUBLIC PETITION**

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

**THAT**, notwithstanding the provisions of Standing Order 227(2) (*Committal of petitions*), this House **resolves** to extend the period for consideration of the public petition before the Departmental Committee on Transport, Public Works and Housing regarding the *Approval, Application and use of New Builds Low Cost Construction Technology* for a **further period of twenty one (21) days** with effect from 1<sup>st</sup> December, 2019.

**9\*. MOTION - REPORT ON THE SUPPLEMENTARY ESTIMATES I  
FOR FINANCIAL YEAR 2019/2020**

(The Chairperson, Budget & Appropriations Committee)

**THAT**, this House **adopts** the Report of the Budget and Appropriations Committee on the Supplementary Estimates I for the Financial Year 2019/2020, *laid on the Table of the House on Tuesday, November 26, 2019*, and pursuant to the provisions of Article 223 of the Constitution of Kenya, section 44 of the Public Finance Management Act, 2012, Public Finance Management Regulation 40 and Standing Order 243-

- (i) approves a **reduction** of the **total recurrent expenditure** for Financial Year 2019/2020 by **Kshs.329,017,004** in respect of the Votes as contained in the First Schedule;

- (ii) approves an **increase** of the **total development expenditure** for Financial Year 2019/2020 by **Kshs.74,875,403,054** in respect of the Votes as contained in the First Schedule;
- (iii) approves an overall **increase** in the total budget for Financial Year 2019/2020 by **Kshs.74,546,386,050** in respect of the Votes as contained in the First Schedule; and,
- (iv) further makes the policy resolutions contained in the Second Schedule to the Order Paper.

*(Resumption of debate interrupted on Wednesday, November 27, 2019 – Afternoon Sitting)*

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

- (i) The Nuclear Regulatory Bill (National Assembly Bill No. 27 of 2018)  
(The Leader of the Majority Party)
- (ii) The Competition (Amendment) Bill (National Assembly Bill No. 49 of 2019)  
The Leader of the Majority Party)
- (iii) The Insurance (Amendment) Bill (National Assembly Bill No. 50 of 2019)  
(The Leader of the Majority Party)

**11\*. MOTION - ANNULMENT OF THE LAND REGISTRATION  
(ELECTRONIC LAND TRANSACTIONS)  
REGULATIONS, 2019**

(The Chairperson, Committee on Delegated Legislation)

**THAT**, this House **adopts** the Report of the Committee on Delegated Legislation on its consideration of the Land Registration (Electronic Land Transactions) Regulations, 2019 (*Legal Notice No. 101 of 2019*), laid on the Table of the House on Wednesday, November 13, 2019, and pursuant to the provisions of section 18 of the Statutory Instruments Act, 2013 and Standing Order 210 (4) (b) **annuls in entirety** the said Regulations.

*(Mover to reply)*

**12\*. MOTION - REPORT ON EXTENSION OF TIME LIMIT TO SUBMIT  
AND PUBLISH CENTRAL BANK OF KENYA ANNUAL  
REPORTS FOR THE FINANCIAL YEAR 2018/2019**

(The Chairperson, Public Investments Committee)

**THAT**, this House **adopts** the Report of the Public Investments Committee on the Extension of Time Limit for submission and publishing of the Financial Reports of the Central Bank of Kenya, laid on the Table of the House on Wednesday, November 20, 2019, and pursuant to the provisions of section 90 of the Public Finance Management Act, 2012, **approves** the extension of time limit for submission and publishing of the Financial Reports of the Central Bank of Kenya for the Financial Year 2018/19.

...../12\*(cont'd)

Amendment proposed-

**THAT**, the motion be amended by inserting the following words after the expression "2018/2019"

"for a period not exceeding six (6) months pursuant to provisions of sections 54 and 55 of the Central Bank of Kenya Act (Cap 491, Laws of Kenya)".

*(Question on the amendment to be put)*

*(Resumption of debate interrupted on Wednesday, November 27, 2019 – Afternoon sitting)*

**13\*. THE TEA BILL (SENATE BILL NO. 36 OF 2018)**

(The Chairperson, Departmental Committee on Agriculture & Livestock)

Second Reading

**14\*. MOTION - REPORT ON THE IMPLEMENTATION STATUS OF THE RESOLUTION OF THE HOUSE ON CONDITIONAL APPROVAL OF A NOMINEE FOR APPOINTMENT AS AN AMBASSADOR**

(The Chairperson, Committee on Implementation)

**THAT**, taking into consideration the findings of the Select Committee on Implementation on its Report on *Examination of the Implementation Status of the Resolution of the House of 6<sup>th</sup> June, 2019 regarding the conditional Approval of Ms. Mwendu Mwinzi for Appointment as Ambassador of Kenya to Seoul, South Korea, laid on the Table of the House on November 27, 2019*, which takes cognizance of the determination of the High Court of Kenya of 14<sup>th</sup> November, 2019, (*Nairobi Constitutional Petition No. 367 of 2019*) particularly paragraphs 104 and 105 that, while Ms. Mwendu Mwinzi **cannot be coerced** to renounce her citizenship of the United States of America (USA), a person holding dual citizenship **ought not** be an ambassador unless the person renounces the citizenship of the foreign state as *dual citizenship may jeopardize the national interest of the Republic of Kenya against the interest of the foreign state*; this House **rejects** the appointment of Ms. Mwendu Mwinzi as an Ambassador.

**15\*. THE IMPEACHMENT PROCEDURE BILL (SENATE BILL NO. 15 OF 2018)**

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

Second Reading

**16\*. THE PARLIAMENTARY PENSIONS (AMENDMENT) (No.3) BILL (NATIONAL ASSEMBLY BILL NO. 57 OF 2019)**

(The Chairperson, Parliamentary Pensions Management Committee)

Second Reading

**17\*. THE KENYA ROADS BOARD (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 77 OF 2019)**

(The Leader of the Majority Party)

Second Reading

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**\* Denotes Orders of the Day**

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...../Schedule

# FIRST SCHEDULE

<u>(REVISED) FY 2019/20 SUPPLEMENTARY I ESTIMATES</u>			
<u>PROGRAMME CODES &amp; TITLE</u>	<u>GROSS CURRENT ESTIMATES</u>	<u>GROSS CAPITAL ESTIMATES</u>	<u>GROSS TOTAL ESTIMATES</u>
<b>The Presidency</b>	<b>431,793,000</b>	<b>(92,100,000)</b>	<b>339,693,000</b>
0702000 Cabinet Affairs	-	(51,000,000)	(51,000,000)
0703000 Government Advisory Services	-	-	-
0704000 State House Affairs	131,793,000	(21,100,000)	110,693,000
0734000 Deputy President Services	300,000,000	(20,000,000)	280,000,000
<b>State Department for Interior</b>	<b>278,982,619</b>	<b>1,158,500,000</b>	<b>1,437,482,619</b>
0601000 Policing Services	257,998,445	1,090,000,000	1,347,998,445
0602000 Planning, Policy Coordination and Support Service	440,760,056	830,000,000	1,270,760,056
0603000 Government Printing Services	(62,516,191)	-	(62,516,191)
0625000 Road Safety	-	-	-
06256000 Population Management Services	(357,259,691)	(761,500,000)	(1,118,759,691)
<b>State Department for Correctional Services</b>	<b>281,559,010</b>	<b>-</b>	<b>281,559,010</b>
0604000 Correctional services	313,203,492	-	313,203,492
0623000 General Administration, Planning and Support Services	(31,644,482)	-	(31,644,482)
<b>State Department for Immigration and Citizen Services</b>	<b>112,470,350</b>	<b>(150,000,000)</b>	<b>(37,529,650)</b>
0605000 Migration and Citizens Services Management	112,470,350	(150,000,000)	(37,529,650)
<b>State Department for Devolution</b>	<b>982,105,000</b>	<b>77,900,000</b>	<b>1,060,005,000</b>
0712000 Devolution Services	(43,928,703)	77,900,000	33,971,297
0732000 General Administration, Planning and Support Services	(63,828,764)	-	(63,828,764)
0713000 Special Initiatives	1,089,862,467	-	1,089,862,467
<b>State Department for Development of the ASAL</b>	<b>(86,100,000)</b>	<b>2,817,286,516</b>	<b>2,731,186,516</b>
0733000 Accelerated ASAL Development	(86,100,000)	2,817,286,516	2,731,186,516
<b>Ministry of Defence</b>	<b>(119,516,505)</b>	<b>-</b>	<b>(119,516,505)</b>
0801000 Defence	-	-	-
0802000 Civil Aid	-	-	-
0803000 General Administration, Planning and Support Services	(119,516,505)	-	(119,516,505)
0805000000 National Space Management	-	-	-
<b>Ministry of Foreign Affairs</b>	<b>152,377,975</b>	<b>-</b>	<b>152,377,975</b>
0714000 General Administration Planning and Support Services	15,872,490	-	15,872,490
0715000 Foreign Relation and Diplomacy	(182,572,969)	-	(182,572,969)
0741000 Economic and Commercial Diplomacy	324,279,723	-	324,279,723
0742000 Foreign Policy Research, Capacity Dev and Technical Cooperation	(5,201,269)	-	(5,201,269)
<b>State Department for Vocational and Technical Training</b>	<b>(38,421,786)</b>	<b>608,541,000</b>	<b>570,119,214</b>
0505000 Technical Vocational Education and Training	(8,864,887)	571,500,000	562,635,113
0507000 Youth Training and Development	(5,004,126)	37,041,000	32,036,874
0508000 General Administration, Planning and Support Services	(24,552,773)	-	(24,552,773)
<b>State Department for University</b>	<b>(97,470,931)</b>	<b>(3,471,676)</b>	<b>(100,942,607)</b>

**(REVISED) FY 2019/20 SUPPLEMENTARY I ESTIMATES**

<b><u>PROGRAMME CODES &amp; TITLE</u></b>	<b><u>GROSS CURRENT ESTIMATES</u></b>	<b><u>GROSS CAPITAL ESTIMATES</u></b>	<b><u>GROSS TOTAL ESTIMATES</u></b>
<b>Education</b>			
0504000 University Education	(12,957,652)	14,040,000	1,082,348
0506000 Research, Science, Technology and Innovation	(16,482,004)	(17,511,676)	(33,993,680)
0508000 General Administration, Planning and Support Services	(68,031,275)	-	(68,031,275)
<b>State Department for Early Learning &amp; Basic Education</b>	<b>(365,326,656)</b>	<b>1,315,000,000</b>	<b>949,673,344</b>
0501000 Primary Education	(55,085,396)	1,285,000,000	1,229,914,604
0502000 Secondary Education	(25,639,235)	30,000,000	4,360,765
0503000 Quality Assurance and Standards	(7,416,199)	-	(7,416,199)
0508000 General Administration, Planning and Support Services	(277,185,826)	-	(277,185,826)
<b>State Department for Post Training and Skills Development</b>	<b>(74,600,000)</b>	<b>-</b>	<b>(74,600,000)</b>
0508000 General Administration, Planning and Support Services	(29,115,000)	-	(29,115,000)
0512000 Workplace Readiness Services	(23,250,000)	-	(23,250,000)
0513000 Post-Training Information Management	(22,235,000)	-	(22,235,000)
<b>The National Treasury</b>	<b>(1,789,962,640)</b>	<b>(294,673,787)</b>	<b>(2,084,636,427)</b>
0717000 General Administration Planning and Support Services	(1,524,431,331)	(50,000,000)	(1,574,431,331)
0718000 Public Financial Management	(235,672,220)	(244,673,787)	(480,346,007)
0719000 Economic and Financial Policy Formulation and Management	(29,859,089)	-	(29,859,089)
0720000 Market Competition	-	-	-
<b>State Department for Planning</b>	<b>(137,441,931)</b>	<b>(313,008,312)</b>	<b>(450,450,243)</b>
0706000 Economic Policy and National Planning	(2,962,481)	(263,008,312)	(265,970,793)
0707000 National Statistical Information Services	-	-	-
0708000 Monitoring and Evaluation Services	(34,971,443)	(50,000,000)	(84,971,443)
0709000 General Administration Planning and Support Services	(99,508,007)	-	(99,508,007)
<b>Ministry of Health</b>	<b>4,819,981,304</b>	<b>15,036,976,787</b>	<b>19,856,958,091</b>
0401000 Preventive, Promotive & RMNCAH	2,178,701,640	638,638,601	2,817,340,241
0402000 National Referral & Specialized Services	846,491,295	100,000,000	946,491,295
0403000 Health Research and Development	-	70,000,000	70,000,000
0404000 General Administration, Planning & Support Services	(99,619,351)	-	(99,619,351)
0405000 Health Policy, Standards and Regulations	1,894,407,720	14,228,338,186	16,122,745,906
<b>State Department of Infrastructure</b>	<b>(115,589,577)</b>	<b>7,240,000,000</b>	<b>7,124,410,423</b>
0202000 Road Transport	(115,589,577)	7,240,000,000	7,124,410,423
<b>State Department of Transport</b>	<b>(77,910,960)</b>	<b>29,436,503,944</b>	<b>29,358,592,984</b>
0201000 General Administration, Planning and Support Services	(45,398,135)	166,000,000	120,601,865
0203000 Rail Transport	-	28,918,003,944	28,918,003,944
0204000 Marine Transport	(21,544,503)	292,500,000	270,955,497
0205000 Air Transport	(8,281,384)	60,000,000	51,718,616

**(REVISED) FY 2019/20 SUPPLEMENTARY I ESTIMATES**

<b><u>PROGRAMME CODES &amp; TITLE</u></b>	<b><u>GROSS CURRENT ESTIMATES</u></b>	<b><u>GROSS CAPITAL ESTIMATES</u></b>	<b><u>GROSS TOTAL ESTIMATES</u></b>
0216000 Road Safety	(2,686,938)	-	(2,686,938)
<b>State Department for Shipping and Maritime</b>	<b>(47,221,038)</b>	-	<b>(47,221,038)</b>
0220000 Shipping and Maritime Affairs	(47,221,038)	-	(47,221,038)
<b>State Department for Housing, Urban Development</b>	<b>(69,667,174)</b>	<b>514,493,736</b>	<b>444,826,562</b>
0102000 Housing Development and Human Settlement	(25,963,725)	-	(25,963,725)
0105000 Urban and Metropolitan Development	(17,010,156)	514,493,736	497,483,580
0106000 General Administration Planning and Support Services	(26,693,293)	-	(26,693,293)
<b>State for Public Works</b>	<b>(52,192,522)</b>	<b>1,605,787,661</b>	<b>1,553,595,139</b>
0103000 Government Buildings	(9,705,641)	1,721,285,046	1,711,579,405
0104000 Coastline Infrastructure and Pedestrian Access	(6,240,249)	(115,497,385)	(121,737,634)
0106000 General Administration Planning and Support Services	(26,897,857)	-	(26,897,857)
0218000 Regulation and Development of the Construction Industry	(9,348,775)	-	(9,348,775)
<b>Ministry of Water and Sanitation</b>	<b>(49,351,695)</b>	<b>4,751,981,918</b>	<b>4,702,630,223</b>
1001000 General Administration, Planning and Support Services	(36,007,035)	-	(36,007,035)
1004000 Water Resources Management	(9,268,049)	(440,000,000)	(449,268,049)
1017000 Water and Sewerage Infrastructure Development	(4,076,611)	4,441,981,918	4,437,905,307
1015000 Water Storage and Flood Control	-	750,000,000	750,000,000
<b>Ministry of Environment and Forestry</b>	<b>(85,350,564)</b>	<b>79,000,000</b>	<b>(6,350,564)</b>
1002000 Environment Management and Protection	(13,965,718)	(5,000,000)	(18,965,718)
1010000 General Administration, Planning and Support Services	(38,621,860)	-	(38,621,860)
1012000 Meteorological Services	(28,415,432)	-	(28,415,432)
1018000 Forests and Water Towers Conservation	(4,347,554)	84,000,000	79,652,446
<b>Ministry of Lands and Physical Planning</b>	<b>(90,160,991)</b>	-	<b>(90,160,991)</b>
0101000 Land Policy and Planning	(90,160,991)	-	(90,160,991)
<b>State Department for Information Communication and Technology</b>	<b>(462,959,270)</b>	<b>1,364,920,327</b>	<b>901,961,057</b>
0207000 P1: General Administration Planning and Support Services	(34,251,442)	-	(34,251,442)
0210000 ICT Infrastructure Development	(47,422,400)	(1,000,000,000)	(1,047,422,400)
0217000 E-Government Services	(354,541,894)	2,364,920,327	2,010,378,433
0221000 Film Development Services	(26,743,534)	-	(26,743,534)
<b>State Department for Broadcasting &amp; Telecommunications</b>	<b>(233,242,236)</b>	<b>(166,000,000)</b>	<b>(399,242,236)</b>
0207000 General Administration Planning and Support Services	(32,183,761)	-	(32,183,761)
0208000 Information And Communication Services	(201,058,475)	(166,000,000)	(367,058,475)
0209000 Mass Media Skills Development	-	-	-
<b>State Department for Sports</b>	<b>(53,562,340)</b>	<b>100,000,000</b>	<b>46,437,660</b>
0901000 Sports	(53,562,340)	100,000,000	46,437,660

**(REVISED) FY 2019/20 SUPPLEMENTARY I ESTIMATES**

<b><u>PROGRAMME CODES &amp; TITLE</u></b>	<b><u>GROSS CURRENT ESTIMATES</u></b>	<b><u>GROSS CAPITAL ESTIMATES</u></b>	<b><u>GROSS TOTAL ESTIMATES</u></b>
<b>State Department for Culture and Heritage</b>	<b>(122,151,828)</b>	<b>17,000,000</b>	<b>(105,151,828)</b>
0902000 Culture Development	(52,886,234)	17,000,000	(35,886,234)
0903000 The Arts	(30,150,487)	-	(30,150,487)
0904000 Library Services	(7,491,000)	-	(7,491,000)
0905000 General Administration, Planning and Support Services	(31,624,107)	-	(31,624,107)
<b>State Department for Energy</b>	<b>562,666,844</b>	<b>6,016,838,314</b>	<b>6,579,505,158</b>
0211000 General Administration Planning and Support Services	-	-	-
0212000 Power Generation	-	(670,000,000)	(670,000,000)
0213000 Power Transmission and Distribution	562,666,844	3,686,838,314	4,249,505,158
0214000 Alternative Energy Technologies	-	3,000,000,000	3,000,000,000
<b>State Department for Livestock</b>	<b>(71,811,437)</b>	<b>50,000,000</b>	<b>(21,811,437)</b>
0112000 Livestock Resources Management and Development	(71,811,437)	50,000,000	(21,811,437)
<b>State Department for Crop Development</b>	<b>(11,193,404)</b>	<b>295,000,000</b>	<b>283,806,596</b>
0107000 General Administration Planning and Support Services	6,959,981	325,000,000	331,959,981
0108000 Crop Development and Management	(13,285,341)	(30,000,000)	(43,285,341)
0109000 Agribusiness and Information Management	(4,868,044)	-	(4,868,044)
<b>State Department for Fisheries, Aquaculture &amp; the Blue Economy</b>	<b>(116,206,663)</b>	<b>-</b>	<b>(116,206,663)</b>
0111000 Fisheries Development and Management	(45,395,200)	-	(45,395,200)
0117000 General Administration, Planning and Support Services	(30,720,604)	-	(30,720,604)
0118000 Development and Coordination of the Blue Economy	(40,090,859)	-	(40,090,859)
<b>State Department for Irrigation</b>	<b>(82,860,214)</b>	<b>20,975,746</b>	<b>(61,884,468)</b>
1014000 Irrigation and Land Reclamation	(55,901,736)	20,975,746	(34,925,990)
1016000 General Administration, Planning and Support Services	(22,747,324)	-	(22,747,324)
1022000 Water Harvesting and Storage for Irrigation	(4,211,154)	-	(4,211,154)
<b>State Department for Agricultural Research</b>	<b>(102,666,684)</b>	<b>-</b>	<b>(102,666,684)</b>
0120000 Agricultural Research & Development	(102,666,684)	-	(102,666,684)
<b>State Department for Cooperatives</b>	<b>(81,000,060)</b>	<b>(230,000,000)</b>	<b>(311,000,060)</b>
0304000 Cooperative Development and Management	(81,000,060)	(230,000,000)	(311,000,060)
<b>State Department for Trade</b>	<b>(45,953,444)</b>	<b>-</b>	<b>(45,953,444)</b>
0307000 Trade Development and Promotion	(45,953,444)	-	(45,953,444)
<b>State Department for Industrialisation</b>	<b>(55,134,392)</b>	<b>4,727,966,089</b>	<b>4,672,831,697</b>
0301000 General Administration Planning and Support Services	(35,778,671)	-	(35,778,671)
0302000 Industrial Development and Investments	(19,355,721)	4,131,198,089	4,111,842,368
0303000 Standards and Business Incubation	-	596,768,000	596,768,000
<b>State Department for Labour</b>	<b>(257,567,983)</b>	<b>(100,000,000)</b>	<b>(357,567,983)</b>
0910000 General Administration Planning and Support Services	(76,575,293)	-	(76,575,293)



**(REVISED) FY 2019/20 SUPPLEMENTARY I ESTIMATES**

<b><u>PROGRAMME CODES &amp; TITLE</u></b>	<b><u>GROSS CURRENT ESTIMATES</u></b>	<b><u>GROSS CAPITAL ESTIMATES</u></b>	<b><u>GROSS TOTAL ESTIMATES</u></b>
0906000 Promotion of the Best Labour Practice	(105,618,321)	45,000,000	(60,618,321)
0907000 Manpower Development, Employment and Productivity Management	(75,374,369)	(145,000,000)	(220,374,369)
<b>State Department for Social Protection,pensions &amp; senior citizens affairs</b>	<b>(461,625,912)</b>	<b>950,000,000</b>	<b>488,374,088</b>
0908000 Social Development and Children Services	5,809,495	-	5,809,495
0909000 National Social Safety Net	(353,888,382)	950,000,000	596,111,618
0914000 General Administration, Planning and Support Services	(113,547,025)	-	(113,547,025)
<b>State Department for Mining</b>	<b>(80,837,500)</b>	<b>(126,219,961)</b>	<b>(207,057,461)</b>
1007000 General Administration Planning and Support Services	(44,782,628)	-	(44,782,628)
1009000 Mineral Resources Management	(12,079,058)	(131,000,000)	(143,079,058)
1021000: Geological Surveys and Geo Information	(23,975,814)	4,780,039	(19,195,775)
<b>State Department for Petroleum</b>	<b>(32,037,500)</b>	<b>-</b>	<b>(32,037,500)</b>
0215000 Exploration and Distribution of Oil and Gas	(32,037,500)	-	(32,037,500)
<b>State Department for Tourism</b>	<b>(94,004,573)</b>	<b>(919,000,000)</b>	<b>(1,013,004,573)</b>
0306000 Tourism Development and Promotion	(94,004,573)	(919,000,000)	(1,013,004,573)
<b>State Department for Wildlife</b>	<b>(51,691,157)</b>	<b>100,000,000</b>	<b>48,308,843</b>
1019000 Wildlife Conservation and Management	(51,691,157)	100,000,000	48,308,843
<b>State Department for Gender</b>	<b>(138,550,000)</b>	<b>-</b>	<b>(138,550,000)</b>
0911000 Community Development	-	-	-
0912000 Gender Empowerment	(57,290,829)	-	(57,290,829)
0913000 General Administration, Planning and Support Services	(81,259,171)	-	(81,259,171)
<b>State Department for Public Service</b>	<b>(208,289,602)</b>	<b>(416,571,713)</b>	<b>(624,861,315)</b>
0710000 Public Service Transformation	(134,068,800)	(416,571,713)	(550,640,513)
0709000 General Administration Planning and Support Services	(74,220,802)	-	(74,220,802)
<b>State Department for Youth</b>	<b>(362,365,824)</b>	<b>-</b>	<b>(362,365,824)</b>
0711000 Youth Empowerment	(362,365,824)	-	(362,365,824)
<b>State Department for East African Community</b>	<b>(51,660,615)</b>	<b>-</b>	<b>(51,660,615)</b>
0305000 East African Affairs and Regional Integration	(51,660,615)	-	(51,660,615)
<b>State Department for Regional &amp; Northern Corridor Development</b>	<b>(54,500,012)</b>	<b>(352,850,000)</b>	<b>(407,350,012)</b>
1013000 Integrated Regional Development	(54,500,012)	(352,850,000)	(407,350,012)
<b>State Law Office and Department of Justice</b>	<b>(286,140,252)</b>	<b>(104,000,000)</b>	<b>(390,140,252)</b>
0606000 Legal Services	(81,380,405)	-	(81,380,405)
0607000 Governance, Legal Training and Constitutional Affairs	(44,540,906)	(100,000,000)	(144,540,906)
0609000 General Administration, Planning and Support Services	(160,218,941)	(4,000,000)	(164,218,941)
<b>The Judiciary</b>	<b>-</b>	<b>-</b>	<b>-</b>

**(REVISED) FY 2019/20 SUPPLEMENTARY I ESTIMATES**

<b><u>PROGRAMME CODES &amp; TITLE</u></b>	<b><u>GROSS CURRENT ESTIMATES</u></b>	<b><u>GROSS CAPITAL ESTIMATES</u></b>	<b><u>GROSS TOTAL ESTIMATES</u></b>
0610000 Dispensation of Justice	-	-	-
<b>Ethics and Anti-Corruption Commission</b>	-	<b>10,026,465</b>	<b>10,026,465</b>
0611000 Ethics and Anti-Corruption	-	10,026,465	10,026,465
<b>National Intelligence Service</b>	-	-	-
0804000 National Security Intelligence	-	-	-
<b>Office of the Director of Public Prosecutions</b>	<b>150,000,000</b>	-	<b>150,000,000</b>
0612000 Public Prosecution Services	150,000,000	-	150,000,000
<b>Office of the Registrar of Political Parties</b>	<b>(32,556,074)</b>	-	<b>(32,556,074)</b>
0614000 Registration, Regulation and Funding of Political Parties	(32,556,074)	-	(32,556,074)
<b>Witness Protection Agency</b>	-	-	-
0615000 Witness Protection	-	-	-
<b>Kenya National Commission on Human Rights</b>	-	-	-
0616000 Protection and Promotion of Human Rights	-	-	-
<b>National Land Commission</b>	<b>(120,992,425)</b>	-	<b>(120,992,425)</b>
0116000 Land Administration and Management	(120,992,425)	-	(120,992,425)
<b>Independent Electoral and Boundaries Commission</b>	<b>(219,000,000)</b>	<b>(43,000,000)</b>	<b>(262,000,000)</b>
0617000 Management of Electoral Processes	212,762,597	(43,000,000)	169,762,597
0618000 Delimitation of Electoral Boundaries	(431,762,597)	-	(431,762,597)
<b>The Commission on Revenue Allocation</b>	<b>(28,938,369)</b>	-	<b>(28,938,369)</b>
0737000 Inter-Governmental Transfers and Financial Matters	(28,938,369)	-	(28,938,369)
<b>Public Service Commission</b>	<b>185,500,000</b>	-	<b>185,500,000</b>
0725000 General Administration, Planning and Support Services	185,500,000	-	185,500,000
0726000 Human Resource Management and Development	-	-	-
0727000 Governance and National Values	-	-	-
0744000 Performance and Productivity Management	-	-	-
<b>Salaries and Remuneration Commission</b>	-	-	-
0728000 Salaries and Remuneration Management	-	-	-
<b>Teachers Service Commission</b>	<b>(310,327,238)</b>	<b>891,000,000</b>	<b>580,672,762</b>
0509000 Teacher Resource Management	(5,961,298)	945,000,000	939,038,702
0510000 Governance and Standards	(32,574,034)	-	(32,574,034)
0511000 General Administration, Planning and Support Services	(271,791,906)	(54,000,000)	(325,791,906)
<b>National Police Service Commission</b>	<b>(83,790,900)</b>	-	<b>(83,790,900)</b>
0620000 National Police Service Human Resource Management	(83,790,900)	-	(83,790,900)
<b>Auditor General</b>	-	-	-
0729000 Audit Services	-	-	-
<b>Office of the Controller of Budget</b>	<b>(51,829,201)</b>	-	<b>(51,829,201)</b>
0730000 Control and Management of Public finances	(51,829,201)	-	(51,829,201)

**(REVISED) FY 2019/20 SUPPLEMENTARY I ESTIMATES**

<b><u>PROGRAMME CODES &amp; TITLE</u></b>	<b><u>GROSS CURRENT ESTIMATES</u></b>	<b><u>GROSS CAPITAL ESTIMATES</u></b>	<b><u>GROSS TOTAL ESTIMATES</u></b>
<b>Commission on Administrative Justice</b>	-	-	-
0731000 Promotion of Administrative Justice	-	-	-
<b>National Gender and Equality Commission</b>	<b>(98,221,027)</b>	<b>600,000</b>	<b>(97,621,027)</b>
0621000 Promotion of Gender Equality and Freedom from Discrimination	(98,221,027)	600,000	(97,621,027)
<b>Independent Policing Oversight Authority</b>	<b>(1,500,000)</b>	-	<b>(1,500,000)</b>
0622000 Policing Oversight Services	(1,500,000)	-	(1,500,000)
<b><u>TOTAL</u></b>	<b><u>195,982,996</u></b>	<b><u>75,875,403,054</u></b>	<b><u>76,071,386,050</u></b>
<b>The Judiciary</b>	-	<b>(220,000,000)</b>	<b>(220,000,000)</b>
0610000 Dispensation of Justice	-	(220,000,000)	(220,000,000)
<b>Judicial Service Commission</b>	-	-	-
0619000 General Administration, Planning and Support Services	-	-	-
<b><u>Total Judiciary</u></b>	<b><u>-</u></b>	<b><u>(220,000,000)</u></b>	<b><u>(220,000,000)</u></b>
<b>Parliamentary Service Commission</b>	<b>(360,000,000)</b>	-	<b>(360,000,000)</b>
0722000 Senate Affairs	(360,000,000)	-	(360,000,000)
0723000 General Admin, planning and support services	-	-	-
<b>National Assembly</b>	<b>(150,000,000)</b>	-	<b>(150,000,000)</b>
0721000 National Legislation, representation and oversight	(150,000,000)	-	(150,000,000)
<b>Parliamentary Joint Services</b>	<b>(15,000,000)</b>	<b>(780,000,000)</b>	<b>(795,000,000)</b>
0723000 General Admin, planning and support services	(15,000,000)	(780,000,000)	(795,000,000)
<b><u>Total Legislature</u></b>	<b><u>(525,000,000)</u></b>	<b><u>(780,000,000)</u></b>	<b><u>(1,305,000,000)</u></b>
<b><u>TOTAL BUDGET</u></b>	<b><u>(329,017,004)</u></b>	<b><u>74,875,403,054</u></b>	<b><u>74,546,386,050</u></b>

...../Second Schedule

**POLICY RESOLUTIONS RELATING TO THE SUPPLEMENTARY**  
**ESTIMATES FOR THE FY 2019/2020**

The House Further resolves as follows-

- (i) **THAT**, in view of the emerging concerns of rising debt, the National Assembly initiates a legislation to operationalize establishment of an Independent Debt Management Office within first quarter of 2020;
- (ii) **THAT**, the Ministries, State Departments and Agencies initiates comprehensive plans (by ring-fencing funds in FY 2020/21 budget estimates) to ensure completion of all stalled and incomplete projects before starting any new projects. No new projects are to be introduced mid-year, by way of supplementary estimates;
- (iii) **THAT**, each financial year, upon approval of the annual estimates, the Cabinet Secretary for National Treasury ensures that the National Treasury uploads the approved Budget into Integrated Financial Management Information System (IFMIS) in accordance with the PFM Regulations (2015), within seven days of the enactment of the Appropriations Act so as to ease implementation of annual work plans, procurement plans and clearance of pending bills and that a status report be submitted to National Assembly every quarter;
- (iv) **THAT**, the Office of Auditor General carries out a special forensic audit of the National Integrated Identity Management Systems (NIIMS) to establish the value for money and submit a report to National Assembly by end of March 2020;
- (v) **THAT**, in their quarterly reporting, all the Ministries, State Departments and Agencies do report, not only on financial performance, but also non-financial performance by programmes/projects and further that the Office of the Controller of Budget complies with Section 9 of Controller of Budget Act, 2016 in Reporting;
- (vi) **THAT**, the Universal Health Care (UHC) funding should be channeled through counties as Conditional grants by amending the Division of Revenue Act, 2019. In addition, there is need to strengthen and revamp the National Hospital Insurance Fund (NHIF) as a vehicle of implementing UHC given that it is a more sustainable channel;
- (vii) **THAT**, the State Department for Labour fast tracks development of labour export/migration policy to provide a framework for labour export with favourable terms for Kenyans seeking opportunities abroad. The Cabinet Secretary submits a status report on this resolution to the National Assembly by February, 2020;

...../Second Schedule (Con'd)

- (viii) **THAT**, the Cabinet Secretary for the National Treasury institutionalizes the *Street Children Rehabilitation Trust Fund* and releases Ksh. 153.9 million held in suspense account to enable the Trust Fund to execute its mandate and thereafter submit a status report on this resolution to the National Assembly by February, 2020;
- (ix) **THAT**, the State Department for Industrialization conducts a feasibility study with respect to modernization programme of the Numerical Machine Complex and submits the report on the findings to the National Assembly within 90 days;
- (x) **THAT**, the Office of the Auditor General to submits a special audit report on the deemed Generation of the Lake Turkana Wind Power and submits a report to National Assembly by end of February 2020;
- (xi) **THAT**, the approval of payment of Ksh.1.16 Billion to the Loiyangalani - Suswa Transmission Line under the Lake Turkana wind power project be **deferred** awaiting the findings of the special forensic audit, the recommendation of the relevant Committee and decision of the House;
- (xii) **THAT**, the National Treasury provides sufficient counter-part funding in FY 2020/21 budget towards the commencement of Loiyangalani-Marsabit-Isiolo and Thika-Nairobi-East power transmission lines. This will safeguard the Ksh. 2.6 billion already paid as insurance, failure to which the National Treasury finds ways and means of recovering the insurance amount ;
- (xiii) **THAT**, the Cabinet Secretary for National Treasury submits to the Houses of Parliament, the comprehensive matrix on the implementation of the GoK's Big Four Agenda before the submission of the 2020 Budget Policy Statement. This matrix should include the total cost of the projects, how much has been spent so far and the expected annual allocations until the completion of the projects; and,
- (xiv) **THAT**, the National Treasury should **NOT** effect, through the IFMIS and/or through Treasury Circulars, any reduction in the **approved** Budget of Judiciary, Parliament and/or any Ministries, State Departments or Agency before approval by the House as doing is illegal.
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...../Notices

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

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

## **CLAUSE 2**

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

- (a) by deleting the definition of “activities” and substituting therefor the following new definition—

““activity” means the production, use, import and export of radiation sources for industrial, research and medical purposes; the transportation of radioactive material; the siting, construction, commissioning, operation, and decommissioning of facilities; radioactive waste management activities and site remediation;”

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

- (c) in the definition of “Cabinet Secretary” by deleting the word “interior” appearing immediately after the words “relating to” and substituting therefor the word “internal”;

- (d) by deleting the definition of “clearance levels” and substituting therefor the following new definition—

“clearance levels” means values established by the Authority and expressed in terms of radioactivity concentrations or total activity, at or below which sources of radiation may be released from regulatory control by the Authority;

- (e) by deleting the definition of “Commission” and substituting therefor the following new definition in it proper alphabetical sequence—

“Authority” means the Kenya Nuclear Regulatory Authority established under section 5;”

- (f) in the definition of “consumer products” by deleting the word “ionizing” appearing immediately after the word “generates”;

- (g) in the definition of “Director General” by deleting the word “Commission” appearing immediately after the words “of the” and substituting therefor the word “Authority”;
- (h) in the definition of “exemption” by deleting the word “Commission” appearing immediately after the words “by the” and substituting therefor the word “Authority”;
- (i) by deleting the definition of “facilities” and substituting therefor the following new definition—
  - “facility” means—
    - (a) a nuclear facilities or any other location that an authorized person has control over;
    - (b) a radiation source facility;
    - (c) a radioactive waste management facility and any other premises where radioactive material is produced, processed, used, handled, stored or disposed of, on such a scale that consideration of protection of safety is required;
    - (d) a reactor, critical facility, conversion plant, fabrication plant, a reprocessing plant, isotope separation plant or a separate storage installation; or
    - (e) any location where nuclear materials in amount greater than one effective kilogram is customarily used;”
- (j) in the definition of “inspection” by deleting the word “Commission” appearing immediately after the words “by the” in paragraph (b) and substituting therefor the word “Authority”;
- (k) by deleting the definition of “non-iodizing radiation” and substituting therefor the following new definition—
  - ““non-ionizing radiation” meansoptical radiation, radio frequency radiation, low-frequency electric and magnetic fields, ultrasonic radiation and any other radiation with similar biological effects;”
- (l) in the definition of “notification” by deleting the word “Commission” appearing immediately after the words “to the” and substituting therefor the word “Authority”;

- (m) in the definition of “radiation source” by inserting the word “not” immediately after the word “material”;

- (n) in the definition of “radioactive material” by deleting the word “Commission” appearing immediately after the words “by the” and substituting therefor the word “Authority”;
- (o) in the definition of “radioactive waste” by deleting the word “activity” wherever it appears in paragraph (a) and substituting therefor the word “radioactivity”;
- (p) in the definition of “source” by deleting the word “radiation” appearing immediately after the word “cause”;
- (q) by inserting the following new definition in its proper alphabetical sequence—  
    ““Board” means the Board of the Authority established under section 8;”

**CLAUSE 3**

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

**CLAUSE 4**

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

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

**CLAUSE 5**

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

**CLAUSE 6**

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

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

**CLAUSE 7**

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

**CLAUSE 8**

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

- (a) by deleting sub-clause (1) and substituting therefor the following new sub-clause—  
    “(1) The management of the Authority shall be vested in a Board comprising—



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

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

#### **CLAUSE 9**

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

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

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

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

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

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

#### **CLAUSE 10**

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

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

**CLAUSE 11**

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

**CLAUSE 12**

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

Remuneration  
of the Board.

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

**CLAUSE 13**

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

**CLAUSE 14**

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

**CLAUSE 15**

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

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

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

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

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

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

**CLAUSE 16**

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

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

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

#### **CLAUSE 17**

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

#### **CLAUSE 18**

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

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

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

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

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

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

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

#### **CLAUSE 19**

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

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

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

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

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

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

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

#### **CLAUSE 20**

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

**CLAUSE 21**

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

**CLAUSE 22**

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

- (a) by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;
- (b) in sub-clause (2)(b) by deleting the words “of individuals” appearing immediately after the word “measures”;
- (c) in sub-clause (4) by deleting the expression “(5)” wherever it appears;

**CLAUSE 23**

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

**CLAUSE 24**

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

**CLAUSE 26**

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

**CLAUSE 27**

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

**CLAUSE 28**

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

**CLAUSE 29**

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

**CLAUSE 30**

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

### **CLAUSE 31**

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

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

### **CLAUSE 32**

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

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

### **CLAUSE 33**

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

### **CLAUSE 34**

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

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

### **CLAUSE 35**

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

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

### **CLAUSE 36**

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

### **CLAUSE 37**

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

### **CLAUSE 39**

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

**CLAUSE 40**

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

**CLAUSE 41**

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

**CLAUSE 42**

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

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

**CLAUSE 43**

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

**CLAUSE 45**

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

**CLAUSE 46**

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

**CLAUSE 47**

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

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

**CLAUSE 48**

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

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

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

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

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

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

**CLAUSE 49**

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

**CLAUSE 50**

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

**CLAUSE 53**

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

**CLAUSE 54**

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

**CLAUSE 57**

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

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

**CLAUSE 58**

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

**CLAUSE 59**

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

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

**CLAUSE 60**

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

**CLAUSE 61**

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

**CLAUSE 62**

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

**CLAUSE 63**

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

**CLAUSE 67**

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

**CLAUSE 69**

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

**CLAUSE 70**

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

**CLAUSE 71**

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

**CLAUSE 73**

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

**CLAUSE 74**

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

**CLAUSE 75**

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

**CLAUSE 76**

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

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



**CLAUSE 77**

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

**CLAUSE 78**

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

**CLAUSE 79**

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

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

**CLAUSE 82**

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

**CLAUSE 84**

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

**CLAUSE 85**

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

**CLAUSE 86**

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

**CLAUSE 87**

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

**CLAUSE 88**

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

**CLAUSE 89**

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

**CLAUSE 90**

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

**CLAUSE 91**

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

**CLAUSE 93**

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

**CLAUSE 97**

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

**CLAUSE 98**

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

**CLAUSE 99**

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

(a) deleting paragraph (b);

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

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

**CLAUSE 100**

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

**CLAUSE 101**

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

**CLAUSE 102**

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

## **SCHEDULE**

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

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

Tenure of office.

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

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

Disqualification of members.

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

- (a) a member of Parliament or a county assembly; or
- (b) a person who holds any office or position, in a political party.

Vacation of office.

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

- (a) at any time resign from office by notice in writing to the Cabinet Secretary;
- (b) be removed from office by the Cabinet Secretary on recommendation of the Board if the member—
  - (i) has been absent from three consecutive meetings of the Board without its permission;
  - (ii) is adjudged bankrupt or enters into a composition or scheme of arrangement with his creditors;
  - (iii) is convicted of a corruption or economic crime or other criminal offence involving dishonesty, fraud or moral turpitude or any other criminal offence under any law punishable with imprisonment that amounts to a felony under the Laws of Kenya;
  - (iv) is of unsound mind or is incapacitated by prolonged physical or mental illness for a period exceeding six months; or
- (c) is otherwise unable or unfit to discharge his functions.

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

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

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

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

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

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

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

Committees of the Board.

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

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

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

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

Secretary to the Board.

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

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

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

Disclosure of interest.

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

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

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

Contracts and instruments.

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

**2) Notice is given that the Chairperson of the Departmental Committee on Health intends to move the following amendments to the Nuclear Regulatory Bill, 2018 at the Committee Stage—**

**CLAUSE 2**

**THAT**, clause 2 of the Bill be amended by deleting the word “interior security” and substituting therefor the word “nuclear and radiation safety”

**CLAUSE 6**

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

- (a) in paragraph (c) by deleting the words “any other activities” appearing in sub paragraph (iii) and substituting therefor the words “such other activities as may, with the prior approval of the National Assembly, be prescribed”;
- (b) in paragraph (h) by deleting the words “in the furtherance of the provisions of” and substituting therefor the words “as may be provided for in”

**THAT**, clause 100 of the Bill be amended inserting the word “budget” immediately after the word “asset”

**3) Notice is given that the Member for Gichugu (Hon. Gichimu Githinji) intends to move the following amendments to the Nuclear Regulatory Bill, 2018 at the Committee Stage—**

**CLAUSE 5**

**THAT**, clause 5 be amended by—

- (a) deleting the expression “and lending money” appearing in sub-clause (2)(c);
- (b) deleting sub-clause (3).

**CLAUSE 8**

**THAT**, clause 8 be amended—

- (a) in sub-clause (1), by—
  - (i) deleting the word “Education” in paragraph (f) and substituting therefor the word “Environment”;
  - (ii) deleting paragraphs (h) and (j);
  - (iii) deleting the word “seven” in paragraph (k) and substituting therefor the word “three”;
- (b) by deleting sub-clause (2).

**CLAUSE 9**

**THAT**, clause 9 be amended by inserting the expression “and the secretary” immediately after the expression “chief executive officer”.

**CLAUSE 43**

**THAT**, clause 43 be amended by deleting sub-clause (7) and substituting therefor the following new sub-clause—

“(7) Any person who contravenes this section commits an offence and is liable on conviction to a fine not less than one million shillings, or to imprisonment for a term not less than one year, or to both”.

**CLAUSE 64**

**THAT**, clause 64 be amended by deleting sub-clause (2) and substituting therefor the following new sub-clause—

“(2) Any person who contravenes this section commits an offence and is liable on conviction to a fine not less than one million shillings, or to imprisonment for a term not less than one year, or to both”.

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

**Notice is given that Chairperson of the Departmental Committee on Finance and National Planning, intends to move the following amendments to the Competition (Amendment) Bill, 2019 at the Committee Stage—**

### **NEW CLAUSE**

**THAT**, the Bill be amended by inserting the following new clause immediately after clause 1—

Amendment  
of s.2 of  
No. 12 of  
2010

**1A.** Section 2 of the principal Act is amended by inserting the following new definition in the proper alphabetical sequence—

“buyer power” means the influence exerted by an undertaking or group of undertakings in the position of purchaser of a product or service to—

- (a) obtain from a supplier more favourable terms; or
- (b) impose a long term opportunity cost including harm or withheld benefit, which, if carried out, would be significantly disproportionate to any resulting long term cost to the undertaking or group of undertakings.

### **CLAUSE 4**

**THAT**, the Bill be amended in clause 4 in the proposed new section 24A by —

- (a) deleting subsection (2);
- (b) deleting the words “this section” appearing in sub-section (10) and substituting therefor the words “subsection (1)”.

### **CLAUSE 5**

**THAT**, the Bill be amended by deleting clause 5 and substituting therefore the following new clause—

Amendment  
of section 29  
of No. 12 of  
2010.

**5.** The principal Act is amended in section 29 by inserting the following new subsection immediately after subsection(7)—

- (8) Any professional association—
- (a) whose rules contain a restriction that has the effect of preventing, distorting or lessening competition in a market in Kenya and which fails to apply for an exemption as required by subsection (1) and (2); or

(b) which having applied for exemption under subsection (1) fails to comply with the Authority's decision rejecting its application,

commits an offence, and any official thereof or any person who issues guidelines or rules in contravention of that provision shall be liable, upon conviction, to imprisonment for a term not exceeding five years or to a fine not exceeding ten million shillings, or both.

**CLAUSE 7**

**THAT**, the Bill be amended by deleting clause 7.

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

Notice is given that Chairperson of the Departmental Committee on Finance and National Planning intends to move the following amendments to the Insurance (Amendment) Bill, 2019 at the Committee Stage—

**CLAUSE 7**

**THAT**, clause 7 of the Bill be amended in the proposed new subsection (4A) by deleting the word "shall" and substituting therefor the word "may"

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



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

- 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.
- VI. 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.

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...../Notice Paper

**NOTICE PAPER**

**Tentative business for**

**Tuesday, December 03, 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 Tuesday, December 3, 2019:-

**A. THE SUPPLEMENTARY APPROPRIATION BILL, 2019**

(The Chairperson, Budget and Appropriations Committee)

First Reading

**B. MOTION - REPORT ON EXTENSION OF TIME LIMIT TO SUBMIT AND PUBLISH CENTRAL BANK OF KENYA ANNUAL REPORTS FOR THE FINANCIAL YEAR 2018/2019**

(The Chairperson, Public Investments Committee)

*(If not concluded on Thursday, November 28, 2019)*

**C. MOTION - REPORT ON CONSIDERATION THE CENTRAL BANK OF KENYA (MORTGAGE REFINANCE COMPANIES) REGULATIONS, 2019**

(The Chairperson, Committee on Delegated Legislation)

**D. THE TEA BILL (SENATE BILL NO. 36 OF 2018)**

(The Chairperson, Departmental Committee on Agriculture & Livestock)

Second Reading

*(If not concluded on Thursday, November 28, 2019)*

**E. MOTION - REPORT ON EXAMINATION OF THE FINANCIAL STATEMENTS FOR THE NATIONAL GOVERNMENT FOR THE FINANCIAL YEAR 2016/2017**

(The Chairperson, Public accounts Committee)

**F. MOTION - REPORT ON THE IMPLEMENTATION STATUS OF THE RESOLUTION OF THE HOUSE ON CONDITIONAL APPROVAL OF A NOMINEE FOR APPOINTMENT AS AN AMBASSADOR**

(The Chairperson, Committee on Implementation)

*(If not concluded on Thursday, November 28, 2019)*

**G. THE IMPEACHMENT PROCEDURE BILL (SENATE BILL NO. 15**

**OF 2018)**

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

Second Reading

*(If not concluded on Thursday, November 28, 2019)*

**H. THE PARLIAMENTARY PENSIONS (AMENDMENT) (No.3) BILL  
(NATIONAL ASSEMBLY BILL NO. 57 OF 2019)**

(The Chairperson, Parliamentary Pensions Management Committee)

Second Reading

*(If not concluded on Thursday, November 28, 2019)*

**I. THE KENYA ROADS BOARD (AMENDMENT) BILL (NATIONAL  
ASSEMBLY BILL NO. 77 OF 2019)**

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Thursday, November 28, 2019)*



...../Appendix

**A P P E N D I X**

**ORDER NO.7 - QUESTIONS**

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

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

**520/2019**                      **The Member for Kisumu Central (Hon. Fred Ouda, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -**

- (i) Could the Cabinet Secretary explain why *Kibos* and *Kodiaga* Prisons in Kisumu County have not paid their suppliers for goods procured since 2012?
- (ii) When will the said suppliers be paid?

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

**521/2019**                      **The Nominated Member (Hon. Gideon Keter, MP) to ask the Cabinet Secretary for Health: -**

- (i) Could the Cabinet Secretary confirm the safety of the *Human Papilloma Virus* (HPV) vaccine being administered by the Ministry given that the vaccine uses portions of the infective agents compared to the older vaccine which used more of the attenuated or weakened antigens?
- (ii) Could the Cabinet Secretary further confirm whether proper public participation and mobilization was undertaken before the introduction and administration of the HPV vaccine among the medical fraternity, health stakeholders and government institutions?
- (iii) What plans are there if any, by the ministry to carry out a sensitization exercise on the role, advantages and benefits of the HPV vaccine with all medical, public and health stakeholders?

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

**522/2019**                      **The Member for Kaiti (Hon. Joshua K. Kimilu, MP) to ask the Cabinet Secretary for Energy: -**

- (i) Could the Cabinet Secretary provide the number of public schools in Kaiti Constituency that are yet to be connected with electricity?
- (ii) When will the said schools be connected?
- (iii) Could the Cabinet Secretary confirm the number of customers within a radius of 600 metres from the nearest power transformer that are yet to be connected under *last-mile* connectivity programme in Kaiti Constituency ?

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

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