



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, NOVEMBER 21, 2019

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Honourable Speaker
4. **PAPERS**

The following Papers were laid on the Table –

- (i) Report of the Committee on Delegated Legislation on its consideration of the Central Bank of Kenya (Mortgage Refinance Companies) Regulations, 2019 (*legal notice no. 134 of 2019*)
(*Vice-Chairperson, Committee on Delegated Legislation*)
- (ii) Report of the Proceedings of the 50th CPA Africa Region Conference, held in Zanzibar, United Republic of Tanzania from 30th August to 5th September, 2019
(*Hon. (Dr.) Makali Mulu, Regional Representative, CPA Africa Region*)
- (iii) Reports of the Departmental Committee on Lands on its consideration of the following Petitions: -
 - a) by the residents of Kuresoi North constituency regarding allocation of land to the Kuresoi Divisional Headquarters;
 - b) by Mr. Philip Njuguna on behalf of Kandara Residents Association regarding irregular renewal of leases of land leased by Del Monte Kenya Limited;
 - c) by the residents of Ikolomani Constituency regarding delayed compensation of landowners for the expansion of Sigalagala – Musoli – Bukura –Butere Road D260);
 - d) by the Matisi Community regarding compensation of land owned by the community along Kitale – Endebes – Suam Road; and
 - e) by Ms. Juliet Nyaguthii regarding public access and use of public utility plots in Nakuru East Ward in Nakuru County.

(*Chairperson, Departmental Committee on Lands*)

5. NOTICES OF MOTION

The following Notice of Motion were given –

THAT, this House **adopts** the Report of the Committee on Delegated Legislation on its consideration of the Central Bank of Kenya (Mortgage Refinance Companies) Regulations, 2019 (*Legal Notice No. 134 of 2019*) laid on the Table of the House on Thursday, November 21, 2019, and pursuant to the provisions of section 18 of the Statutory Instruments Act, 2013 and Standing Order 210 (4) (b) **annuls Regulation 26(2) and Regulation 42** of the said Regulations.

(Vice-Chairperson, Committee on Delegated Legislation)

6. QUESTIONS

The following Questions were asked –

- (i) Question No.501/2019 by the Member for Roysambu (Hon. Isaac Waihenya Ndirangu) regarding the status of ownership of Land Reference No. 71/7 which was originally set aside by Kamuthi Farmers' Cooperative Society Ltd in Roysambu Constituency for public purposes.

(To be answered by the Cabinet Secretary for the Lands & Physical Planning before the Departmental Committee on Lands)

- (ii) Question No.507/2019 by the Member for Mathira (Hon. Rigathi Gachagua) regarding the number of beneficiaries under the *Inua Jamii Programme* in Mathira West and East Sub-Counties.

(To be answered by the Cabinet Secretary for Labour & Social Protection before the Departmental on Labour & Social Welfare)

- (iii) Question No.508/2019 by the Member for Mombasa County (Hon. Asha Mohamed) regarding the number school leavers yet to receive their national examination certificates from their former learning institutions due to fee balances in Mombasa County.

(To be answered by the Cabinet Secretary for Education before the Departmental on Education & Research)

- (iv) Question No.509/2019 by the Member for Kacheliba (Hon. Mark Lomunokol) regarding completion of the construction of *Konyao - Kasei* electricity line in *Kacheliba* Constituency.

(To be answered by the Cabinet Secretary for Energy before the Departmental Committee on Energy)

- (v) Question No.510/2019 by the Member for West Pokot County (Hon. Lilian Tomitom) regarding the transfer of Ms. Martha Lorot, TSC No.369861, a teacher living with disability, from *Alale* Primary School in Kacheliba Constituency, West Pokot county to Trans Nzoia county under the Teachers Service Commission de-localisation policy.

(For written reply by the Teachers Service Commission)

7. STATEMENTS

a) Requests for Statement pursuant to the provisions of Standing Order 44(2)(c):-

- i) The Member for Kiambu Town (Hon. Jude Njomo) requested for a Statement from the Chairperson of the Departmental Committee on Defence &

Foreign Relations regarding the status of pending bills in the Department of Defence;

- ii) The Member for Kuria East (Hon. Marwa K. Maisori) requested for a Statement from the Chairperson of the Departmental Committee on Transport, Public Works & Housing regarding the status of rehabilitation of roads that are of security importance in the country.

b) Response to a Statement –

- The Chairperson of the Departmental Committee on Education & Research issued a response to a request for a statement by the Member for Homa Bay Town (Hon. Peter Kaluma) regarding the interdiction of teachers and violation of trade union rights.

8. STATEMENT PURSUANT TO STANDING ORDER 44(2)(a)

Pursuant to the provision of Standing Order 44(2)(a), the Leader of the Majority Party issued a Statement regarding the Business of the House for the week commencing Tuesday, November 26, 2019.

9. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 51 OF 2017)

Motion made and Question proposed –

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Public Finance Management (Amendment) Bill (National Assembly Bill No. 51 of 2017)

(Leader of the Majority Party)

Question put and agreed to;

Motion made and Question proposed –

THAT, the Public Finance Management (Amendment) Bill (National Assembly Bill No.51 of 2017) be now read a Third Time

(Leader of the Majority Party)

Question put and agreed to;

Bill read a Third Time and **passed.**

10. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE OFFICE OF THE COUNTY ATTORNEY BILL (SENATE BILL NO.3 OF 2018)

Motion made and Question proposed –

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Office of the County Attorney Bill (Senate Bill No. 3 of 2018).

(Leader of the Majority Party)

Question put and agreed to;

Motion made and Question proposed –

THAT, the Office of the County Attorney Bill (Senate Bill No.3 of 2018) be now read a Third Time

(Leader of the Majority Party)

Question put and agreed to;

Bill read a Third Time and **passed.**

11. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL (SENATE BILL NO. 22 OF 2018)

Motion made and Question proposed –

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Petition to County Assemblies (Procedure) Bill (Senate Bill No.22 of 2018).

(Leader of the Majority Party)

Question put and agreed to;

Motion made and Question proposed –

THAT, the Petition to County Assemblies (Procedure) Bill (Senate Bill No.22 of 2018) be now read a Third Time

(Leader of the Majority Party)

Question put and agreed to;

Bill read a Third Time and **passed.**

12. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE EARLY CHILDHOOD EDUCATION BILL (SENATE BILL NO.26 OF 2018)

Motion made and Question proposed –

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Early Childhood Education (Senate Bill No.26 of 2018)

(Chairperson, Departmental Committee on Education & Research)

Question put and agreed to;

Motion made and Question proposed –

THAT, the Early Childhood Education Bill (Senate Bill No.26 of 2018) be now read a Third Time

(Chairperson, Departmental Committee on Education & Research)

Question put and agreed to;

Bill read a Third Time and **passed.**

13. THE COMPETITION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.49 OF 2019)

Motion made and Question proposed –

THAT, the Competition (Amendment) Bill (National Assembly Bill No.49 of 2019) be now read a Second Time

(Leader of the Majority Party – 19.11.2019)

Debate on the Motion having been concluded on Wednesday, November 20, 2019 (Afternoon Sitting);

Question put and agreed to;

Bill read a Second Time and committed to the Committee of the whole House tomorrow.

14. MOTION – REPORT OF THE COMMITTEE OF POWERS AND PRIVILEGES ON THE INQUIRY INTO ALLEGED LEAKAGE AND MISUSE OF OFFICIAL INFORMATION

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Committee of Powers and Privileges on the Inquiry into Alleged Leakage and Misuse of Official Information contrary to the Leadership and Integrity Act, 2012, laid on the Table of the House on Wednesday, November 20, 2019, and pursuant to the provisions of section 17(3) (b) of the Parliamentary Powers and Privileges Act, 2017, **resolves** to reprimand the Hon. Fatuma Gedi for conducting herself in a manner that –

- (i) reflected adversely on the dignity and integrity of the National Assembly and its Members; and
- (ii) is contrary to the best interests of the National Assembly and its Members in contravention of section 16(e) of the Parliamentary Powers and Privileges Act, 2017.

(Hon. Peter Mwathi, Member, Committee of Powers and Privileges)

Debate arising;

Rising in her place on a Point of Order, the Member for Homa Bay County (Hon. Gladys Wanga) claimed to move that the *‘Mover be now called upon to Reply’*;

And the Speaker **not** acceding to the claim;

Debate resumed;

Mover replied;

Question put and **negatived**.

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

Order for Second Reading read;

Motion having been made and Question proposed –

THAT, the Competition (Amendment) Bill (National Assembly Bill No.49 of 2019) be now read a Second Time

(Leader of the Majority Party – 19.11.2019)

Debate interrupted on Tuesday, November 19, 2019 resumed;

(Change of Chair from the Speaker to the Third Chairperson)

Mover replied;

Question deferred to another day.

16. THE GAMING BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2019)

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Gaming Bill (National Assembly Bill No.38 of 2019) be now read a Second Time.

(Chairperson, Departmental Committee on Sports Culture & Tourism)

Debate arising;

Rising in his place on a Point of Order pursuant to Standing Order 35, the Member for Funyula Constituency (Hon. (Dr.) Wilberforce Oundo) claimed that there was no Quorum present in the House;

And the Third Chairperson having ascertained the fact, ordered that the Quorum Bell be rung for ten minutes;

And there being no Quorum present in the House at the expiration of ten minutes;

The Third Chairperson adjourned the House at Fourteen Minutes past Six O'clock without Question put pursuant to Standing Order 35(2)(a).

17. HOUSE ROSE - at Fourteen minutes past Six O'clock.

MEMORANDUM

The Speaker will take the Chair on
Tuesday, November 26, 2019 at 2.30 p.m.

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