



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, NOVEMBER 07, 2019

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

The following Papers were laid on the Table –

- (i) Six Reports, one Bill and one Resolution adopted by the East African Legislative Assembly (EALA) at the 1st Meeting of the 3rd Session of the 4th Assembly held in Arusha, United Republic of Tanzania from 16th September to 5th October, 2019; and
- (ii) Report of the Auditor – General on the financial statements of the Council of Governors secretariat for the year ended 30th June, 2018 and the certificates therein.

(Leader of the Majority Party)

5. QUESTIONS

a) The following Questions were asked –

- (i) Question No.463/2019 by the Member for Kajiado Central (Hon. Elijah Memusi), regarding methods used in weather forecasting in the country and technology that is being utilized on the same.

(To be replied by the Cabinet Secretary for the Environment & Forestry before the Departmental Committee on Environment & Natural Resources)

- (ii) Question No.480/2019 by the Nominated Member (Hon. Gideon Keter), regarding the role of Kenya Bureau of Standards (KEBS) in promoting the standardization of the specification of commodities and codes of practice, in light of the recent reports of the existence of fake antibiotics in Kenya by the World Health Organization (WHO).

(To be replied by the Cabinet Secretary for Health before the Departmental Committee on Health)

- (iii) Question No.481/2019 by the Member for Kuria East (Hon. Marwa K. Maisori), regarding disbursement of Kshs.3 Billion allocated to coffee farmers for coffee cherries.

(To be replied by the Cabinet Secretary for the National Treasury & Planning, before the Departmental Committee on Finance and National Planning)

b) The following Question was deferred –

- (i) Question No.479/2019 by the Member for Mathioya (Hon. Peter Kimari Kihara), regarding the compensation for persons whose land was acquired for the construction of *Kiriaini-Kairo Road* in Mathioya Constituency.

6. STATEMENTS

Requests for Statement –

- (i) The Member for Kaloleni (Hon. Paul Katana), pursuant to the provisions of Standing Order 44(2)(c), requested for a Statement from the Chairperson of the Budget & Appropriations Committee regarding the disbursement of the Equalization Fund;
- (ii) The Member for Laikipia County (Hon. Catherine Waruguru), pursuant to the provisions of Standing Order 44(2)(c), requested for a Statement from the Chairperson of the Budget & Appropriations Committee regarding the disbursement of National Government Affirmative Action Funds; and
- (iii) The Member for Mandera North (Hon. Major (Rtd.) Bashir Abdullahi), pursuant to the provisions of Standing Order 44(2)(c), requested for a Statement from the Chairperson of the Departmental Committee on Finance & National Planning regarding the report of the 2019 Kenya National Population and Housing Census.

7. 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 12, 2019.

8. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE DATA PROTECTION BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2019)

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 Data Protection Bill (National Assembly Bill No. 44 of 2019).

(The Leader of the Majority Party)

Amendment proposed -

THAT, the motion for agreement with the Report of the Committee of the whole House be amended by inserting the words “**subject to recommittal of Clause 25.**”

Question of the **amendment** put and negatived.

Question of the **agreement** put and agreed to.

Motion made and Question proposed –

THAT, the Data Protection Bill (National Assembly Bill No. 44 of 2019) be now read a Third time.

(The Leader of the Majority Party)

Question put and agreed to

Bill read a Third Time and passed

9. MOTION - RATIFICATION OF THE AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF KENYA AND THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA ON DEFENCE CO-OPERATION

Motion made and question proposed –

THAT, this House **adopts** the Report of the Departmental Committee on Defence and Foreign Relations on its consideration of the Agreement between the Government of the Republic of Kenya and the Government of the Republic of South Africa on Defence Co-operation, *laid on the Table of the House on Wednesday, October 16, 2019*, and pursuant to section 8 of the Treaty Making and Ratification Act, 2012 **approves** the Ratification of the Agreement between the Government of the Republic of Kenya and the Government of the Republic of South Africa.

(The Chairperson, Departmental Committee on Defence and Foreign Relations)

Debate interrupted on Wednesday, November 06, 2019 – Afternoon resumed;

Mover replied;

Putting of the question deferred to another day.

10. MOTION - ANNULMENT OF THE RETIREMENT BENEFITS (OCCUPATIONAL RETIREMENT BENEFITS SCHEMES)(AMENDMENT) REGULATIONS, 2019 AND THE INSURANCE (MOTOR VEHICLES THIRD PARTY RISKS) (CERTIFICATE OF INSURANCE) (AMENDMENT) RULES, 2019

Motion made and question proposed –

THAT, this House **adopts** the Report of the Committee on Delegated Legislation on its consideration of the Retirement Benefits (Occupational Retirement Benefits Schemes) (Amendment) Regulations, 2019 (*Legal Notice No.88 of 2019*) and the Insurance (Motor Vehicles Third Party Risks) (Certificate of Insurance) (Amendment) Rules, 2019 (*Legal Notice No. 92 of 2019*), *laid on the Table of the House on Wednesday, October 2, 2019*, and pursuant to the provisions of Section 18 of the Statutory Instruments Act, 2013 and Standing Order 210 (4)(b) **annuls in entirety-**

- (i) the Retirement Benefits (Occupational Retirement Benefits Schemes) (Amendment) Regulations, 2019 (*Legal Notice No. 88 of 2019*); and,
- (ii) the Insurance (Motor Vehicles Third Party Risks) (Certificate of Insurance) (Amendment) Rules, 2019 (*Legal Notice No. 92 of 2019*).

(The Hon. Murugara Gitonga - Member, Committee on Delegated Legislation)

Debate arising;

Mover replied;

Putting of the question deferred to another day.

11. THE PARLIAMENTARY PENSIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 45 OF 2019)

(Leader of the Minority Party)

Order for Second Reading read;

Order deferred to another day.

12. THE PARLIAMENTARY PENSIONS (AMENDMENT)(NO.3) BILL (NATIONAL ASSEMBLY BILL NO. 57 OF 2019)

(The Chairperson, Parliamentary Pensions Management Committee)

Order for Second Reading read;
Order deferred to another day.

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

(Leader of the Majority Party)

Order for Second Reading read;
Order deferred to another day.

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

(Leader of the Majority Party)

Order for Second Reading read;
Order deferred to another day.

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

(Leader of the Majority Party)

Order for Second Reading read;
Order deferred to another day.

And the time being twenty nine minutes to five o'clock, the Second Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

16. HOUSE ROSE - at twenty nine minutes to five o'clock

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, November 12, 2019 at 2.30 p.m.

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