



(No. 112)

(2397)

**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – (THIRD SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**WEDNESDAY, NOVEMBER 27, 2019 AT 9.30 A.M.**

**ORDER OF BUSINESS**

**PRAYERS**

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

**8\*. THE EQUALISATION FUND BILL (NATIONAL ASSEMBLY BILL NO. 43 OF 2019)**

(The Hon. Kassait Kamket, M.P.)

Second Reading  
(*Question to be put*)

**9\*. THE KENYA INSTITUTE OF CURRICULUM DEVELOPMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 33 OF 2019)**

(The Hon. Joyce Emanikor, M.P.)

Second Reading  
(*Question to be put*)

**10\*. MOTION - REGISTRATION OF FARMERS AND FORMATION OF AGRI-BUSINESS ENTITIES FOR IMPROVED BENEFITS AND SUSTAINABLE FOOD AND NUTRITIONAL SECURITY**

(The Hon. (Dr.) John Mutunga, M.P.)

**THAT**, aware that farmers in Kenya are least organized into Associations, following the collapse of the Agricultural Cooperatives; further aware that, the Crops Act, 2013 provides for registration of farmers so as to establish who they are and what they produce; noting that Government's efforts to establish farmers' organizations have ended up delivering short-lived and unsustainable initiative-based groups which fizzle out soon after their formation; further noting that the best way to organize

farmers is through their organizations; appreciating that the best suited organization to undertake farmers' registration is the Kenya National Farmers' Federation which has both experience and capacity; further noting that through organized farmers, farming will be more beneficial in terms of volumes, lowered cost of production and improving organized raw material supply to industry; realizing that organizing farmers into Agri-business entities is a costly undertaking which calls for Government support, and acknowledging that through organized production systems, the country will achieve the Big 4 Agenda faster and also create more and better jobs in the Agricultural Value Chains; this **House urges** the Government to facilitate and support the Kenya National Farmers' Federation to mobilize and organize the registration of farmers into preferred entities and manage national farmers' database for use in engagements and sustainable management of the various Agricultural Product Value Chains.

*(Question to be put)*

**11\*. THE INDUSTRIAL TRAINING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2019)**

(The Hon. Jude Njomo, M.P.)

Second Reading

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

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

**THAT** aware that the existing Kenya Diaspora Policy provides for the mainstreaming of the Kenyan Diaspora into national development process in line with the aspirations and goals of the Kenya Vision 2030; noting that formal remittance from Kenya Diaspora account for over 3% of the country's GDP channeled by an estimated three million Kenyans; noting that, contribution by the Kenyan diaspora to the country's development goes much beyond personal remittances to include increased trade links, better access to foreign capital markets, skills and technology transfer, diaspora investments funds, knowledge exchange among other enormous potential benefits; acknowledging that, the diaspora community continues to contribute immensely to national growth and the economy through increased household investments in education, entrepreneurship, health, finance and housing; concerned that, Kenya ought to formulate practical and incentive-driven policy to harness existing and future diaspora resources for social-economic development; cognizant that Kenya has an obligation to counter the challenges hindering diaspora contribution to national development; **this House resolves** that the Government reviews and formulates a comprehensive policy and structure to harness the ever increasing diaspora resources for national development and that the said policy be presented to National Assembly within one year for consideration.

...../13\*

**13\*. THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2019)**

(The Hon. Rigathi Gachagua, M.P.)

Second Reading

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

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

**THAT**, aware that seventy-five percent of Kenya's population is under the age of thirty-five years and that, the overall unemployment among the youth is at fifty-five percent; further aware that over 800,000 graduates from Universities, Colleges, Technical Institutes, Vocational Centres and other tertiary institutions join the job market annually with only approximately 70,000 being absorbed into the formal labour force market; concerned that the high rate of unemployment in Kenya, particularly among the youth remains a major challenge; recognizing that Article 55 of the Constitution requires the state to take measures to ensure that the youth gain access to relevant education, training and employment; noting that the mandatory retirement age for public servants is set at sixty (60) years; this House **urges** the Government to review the mandatory retirement age in the public service from the current sixty to fifty years to among other things, create opportunities for the employment of the youth.

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

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

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

...../16\*

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

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

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

**17\*. MOTION - INTRODUCTION OF AGE-APPROPRIATE SEX EDUCATION IN SCHOOLS**

(The Hon. Elsie Muhanda, M.P.)

**THAT**, aware that in Kenya about 11 percent of teenagers are engaging in sex before their 15<sup>th</sup> birthday with an estimated 47% of teens already sexually active before the age of 18 years which is the legal age of consent; further aware that Kenya's adolescent birth rate is 96 per 1000 women, with 15% of all adolescent women having already given birth and 3% being pregnant with their first child; concerned that the sexual activity is encouraged by the proliferation of the internet and mobile phones, poverty and the conservative attitudes combined with the traditional values which tend to have parents shying away from discussing sex with their young ones while other traditional African cultures encourage early marriages; acknowledging that young persons in the country do not get sex education to make sexual choices; recognizing the need for a comprehensive and age appropriate sex education from the age of six (6) years, this **House urges** the National Government to introduce, institutionalize and entrench sex education in both primary and secondary school curriculum and encourage the development and building of more boarding school especially for girls.

...../18\*

**18\*. THE PUBLIC ORDER (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2019)**

(The Hon. Simon King'ara, M.P.)

Second Reading

**19\*. THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 22 OF 2019)**

(The Hon. Kimani Ichung'wah, M.P.)

Second Reading

**20\*. THE NATIONAL YOUTH COUNCIL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 8 OF 2019)**

(The Hon. Gideon Keter, M.P.)

Second Reading

**21\*. THE HIGHER EDUCATION LOANS BOARD (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 9 OF 2019)**

(The Hon. Ruweida M. Obo, M.P.)

Second Reading

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

(The Hon. (Dr.) Makali Mulu, M.P.)

Second Reading

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**\* Denotes Orders of the Day**

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...../Notices

# **NOTICES**

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

- I. THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on **Bills NOT sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** shall be limited as follows:- A maximum of three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each; and that priority in speaking shall be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.
  
- II. THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on any **Motion**, including a Special motion shall be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking shall be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

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...../Notice Paper

**NOTICE PAPER**

**Tentative business for**

# Wednesday (Afternoon), November 27, 2019

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*(Published pursuant to Standing Order 38(1))*

It is notified that the House Business Committee, at their last meeting, approved the following ***tentative*** business to appear in the Order Paper for Wednesday (Afternoon), November 27, 2019:-

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

(The Chairperson, Departmental Committee on Sports, Culture & Tourism)

Second Reading

*(Question to be put)*

**B. COMMITTEE OF THE WHOLE HOUSE**

The Nuclear Regulatory Bill (National Assembly Bill No. 27 of 2018)

(The Leader of the Majority Party)

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

(The Chairperson, Budget & Appropriation Committee)

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

(The Chairperson, Public Investments Committee)

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

(The Chairperson, Departmental Committee on Agriculture & Livestock)

Second Reading

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

(The Chairperson, Committee on Delegated Legislation)

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

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

Second Reading

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

(The Chairperson, Parliamentary Pensions Management Committee)

Second Reading

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...../Appendix

## **APPENDIX**

### **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**

**513/2019**                      **The Member for North Imenti (Hon. Abdul Rahim Dawood, MP) to ask the Cabinet for Transport, Infrastructure, Housing & Urban Development-**

- (i) Could the Cabinet Secretary provide details on the number of roads in Meru County whose construction have been completed to bitumen standards including cost and lengths in the last three years?
- (ii) Could the Cabinet Secretary also state the number of roads that are under construction to bitumen standards and those under procurement costing more than fifty (50) million shillings in *Meru* County and in particular in North *Imenti* Constituency?
- (iii) Could the Cabinet Secretary also lists the road contracts that have been finalized including the variations if any, in *Meru* Country?
- (iv) What is the progress of construction of the *Meru* town Bypass and when is it expected to be completed?

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

**514/2019**                      **The Member for Ruiru (Hon. Simon King'ara, MP) to ask the Cabinet Secretary for Education-**

- (i) Could the Cabinet Secretary explain why there exist disparities in the payment of hardship allowances to teachers in the following primary schools in *Ruiru* Constituency compared to their counterparts in same job group and in same locality, that is; *Kahawa Wendani, Mwiki, Kwang'ethe, Mwiboko and Githurai Kimbo*?
- (ii) Could the Ministry consider paying house allowances to teachers working in *Ruiru* Constituency similar to those paid to their counterparts in *Nairobi* City County considering the similarities in the geographical locations and working conditions?

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

**515/2019**                      **The Member for Buuri, (Hon. Rindikiri Mugambi, MP) to ask the Cabinet Secretary for Transport,**



## **Infrastructure, Housing and Urban Development: -**

- (i) Could the Cabinet Secretary confirm that the *28km Isiolo –Ruiri* Road that connects *Isiolo* International Airport and *Meru* Town is in bad state and impassable?
  
- (ii) What steps is the Ministry taking to ensure that the said road is rehabilitated to serve motorists in accessing *Isiolo* International Airport?

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

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REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, NOVEMBER 27, 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\*. **THE GAMING BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2019)**  
(The Chairperson, Departmental Committee on Sports, Culture & Tourism)

Second Reading

*(Question to be put)*

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

The Nuclear Regulatory Bill (National Assembly Bill No. 27 of 2018)  
(The Leader of the Majority Party)

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

(The Chairperson, Budget & Appropriation 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. 799,017,004** in respect of the Votes as contained in the First Schedule;

...../10\*(cont'd)

(No.113)

**WEDNESDAY, NOVEMBER 27, 2019**

(2404)

- (ii) approves an **increase** of the **total development expenditure** for Financial Year 2019/2020 by **Kshs. 50,569,213,543** 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. 49,770,196,539** 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.

**11\*. 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 on submission and publishing of Central Bank of Kenya Financial Reports, *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 of Central Bank of Kenya for the Financial Year 2018/19.

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

(The Chairperson, Departmental Committee on Agriculture & Livestock)

Second Reading

**13\*. 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.

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

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

Second Reading

(No.113)

**WEDNESDAY, NOVEMBER 27, 2019**

(2405)

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

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**\* Denotes Orders of the Day**

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...../SCHEDULE

(No.113) WEDNESDAY, NOVEMBER 27, 2019

(2406)

**FIRST SCHEDULE**

<b><u>(REVISED) FY 2019/20 SUPPLEMENTARY I ESTIMATES</u></b>			
<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>
The Presidency	131,793,000	(92,100,000)	39,693,000
0702000 Cabinet Affairs	-	(51,000,000)	(51,000,000)

**(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>
0703000 Government Advisory Services	-	-	-
0704000 State House Affairs	131,793,000	(21,100,000)	110,693,000
0734000 Deputy President Services	-	(20,000,000)	(20,000,000)
<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	(182,572,969)	-	(182,572,969)

**(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>
Diplomacy			
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 Education</b>	<b>(97,470,931)</b>	<b>(3,471,676)</b>	<b>(100,942,607)</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	(29,859,089)	-	(29,859,089)

**(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>
and Management			
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>2,216,976,787</b>	<b>7,036,958,091</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	1,408,338,186	3,302,745,906
<b>State Department of Infrastructure</b>	<b>(115,589,577)</b>	<b>6,230,000,000</b>	<b>6,114,410,423</b>
0202000 Road Transport	(115,589,577)	6,230,000,000	6,114,410,423
<b>State Department of Transport</b>	<b>(77,910,960)</b>	<b>26,989,003,944</b>	<b>26,911,092,984</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)	(2,155,000,000)	(2,176,544,503)
0205000 Air Transport	(8,281,384)	60,000,000	51,718,616
0216000 Road Safety	(2,686,938)	-	(2,686,938)
<b>State Department for Shipping and Maritime</b>	<b>(47,221,038)</b>	<b>-</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	(26,693,293)	-	(26,693,293)

**(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>
Support Services			
<b>State for Public Works</b>	<b>(52,192,522)</b>	<b>590,787,661</b>	<b>538,595,139</b>
0103000 Government Buildings	(9,705,641)	706,285,046	696,579,405
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>3,701,981,918</b>	<b>3,652,630,223</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)	4,141,981,918	4,137,905,307
1015000 Water Storage and Flood Control	-	-	-
<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>-</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>(632,959,270)</b>	<b>614,920,327</b>	<b>(18,038,943)</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	(524,541,894)	1,614,920,327	1,090,378,433
0221000 Film Development Services	(26,743,534)	-	(26,743,534)
<b>State Department for Broadcasting &amp;</b>	<b>(233,242,236)</b>	<b>(166,000,000)</b>	<b>(399,242,236)</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>Telecommunications</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
<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>1,571,948,803</b>	<b>2,134,615,647</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	741,948,803	1,304,615,647
0214000 Alternative Energy Technologies	-	1,500,000,000	1,500,000,000
<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)

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<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>
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 Industalisation</b>	<b>(55,134,392)</b>	<b>3,959,166,089</b>	<b>3,904,031,697</b>
0301000 General Administration Planning and Support Services	(35,778,671)	-	(35,778,671)
0302000 Industrial Development and Investments	(19,355,721)	3,362,398,089	3,343,042,368
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)
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)

**(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 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	(44,540,906)	(100,000,000)	(144,540,906)

**(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>
Training and Constitutional Affairs			
0609000 General Administration, Planning and Support Services	(160,218,941)	(4,000,000)	(164,218,941)
<b>The Judiciary</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	-	-	-

**(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>
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)
<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>TOTAL</b>	<b><u>(274,017,004)</u></b>	<b><u>51,569,213,543</u></b>	<b><u>51,295,196,539</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>Total Judiciary</b>	<b>-</b>	<b>(220,000,000)</b>	<b>(220,000,000)</b>
<b>Parliamentary Service</b>	<b>(360,000,000)</b>	-	<b>(360,000,000)</b>

<b>(REVISED) FY 2019/20 SUPPLEMENTARY I ESTIMATES</b>			
<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</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>-</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>(799,017,004)</u></b>	<b><u>50,569,213,543</u></b>	<b><u>49,770,196,539</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;

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**(2416)**

- (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;
- (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 ;

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- (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.



...../Notices

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

### **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;”

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(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”;

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- (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—

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- (a) a non-executive Chairperson who shall be appointed by the President;
- (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—

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Staff of the  
Authority.

**10.** The Board may appoint such professional and technical 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”;

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(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”;

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**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”;

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**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”;

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### **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;”;

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**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”;

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**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.”

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**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”;

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**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.

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Meetings.

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—

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- (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”

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**CLAUSE 100**

**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”.

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

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

- II.** **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on any **Motion**, including a Special motion shall be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking shall be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.
- III.** **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.
- IV.** **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**

**Thursday, November 28, 2019**

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*(Published pursuant to Standing Order 38(1))*

It is notified that the House Business Committee, at their last meeting, approved the following ***tentative*** business to appear in the Order Paper for Thursday, November 28, 2019:-

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

(The Chairperson, Budget & Appropriation Committee)

*(If not concluded on Wednesday, November 27, 2019 – Afternoon sitting)*

**B. MOTION - RESOLUTION OF THE HOUSE REGARDING THE APPROVAL OF NOMINEE FOR APPOINTMENT AS AMBASSADOR TO SOUTH KOREA**

(The Chairperson, Committee on Implementation)

**C. COMMITTEE OF THE WHOLE HOUSE**

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

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

(The Chairperson, Departmental Committee on Agriculture & Livestock)

Second Reading

*(If not concluded on Wednesday, November 27, 2019 – Afternoon sitting)*

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

(The Chairperson, Committee on Delegated Legislation)

*(If not concluded on Wednesday, November 27, 2019 – Afternoon sitting)*

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

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

Second Reading

*(If not concluded on Wednesday, November 27, 2019 – Afternoon sitting)*

**G. 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 Wednesday, November 27, 2019 – Afternoon sitting)*

**H. 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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*...../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**

516/2019

The Member for Gatanga, (Hon. Nduati Ngugi, MP) to ask the Director of Public Prosecutions: -

- (i) Could the Director of Public Prosecutions (DPP) provide a progress report of investigations and persecutions if any, regarding the irregular transfer of property on land L.R. No. 305/5 in *Thika* belonging to *M/S. Swani Coffee Estate Limited* to *M/S. Chania Riverbank Estate Limited* allegedly by *M/S.Terra Fleur Limited*?
- (ii) What action has been taken against those involved in the irregular transfer considering that the transfer was facilitated by public officials?
- (iii) What is the policy of the Office of the DPP with regards to addressing complaints lodged by the public?

*(For Written Reply)*

517/2019

**The Member for Mathioya (Hon. Peter Kimari Kihara, MP) to ask the Cabinet Secretary for Labour and Social Protection: -**

- (i) Could the Cabinet Secerary explain why over 470 residents under the *Older Persons Cash Transfer Programme* in *Kairo* location of *Mathioya* Constituency are yet to receive their stipend since its commencement of the programme?
- (ii) What measures has the Ministry put in place to ensure that the said residents are paid?

*(To be replied before the Departmental Committee on Labour and Social Welfare)*

518/2019

**The Member for West Mugirango, (Hon. Vincent Kemosi Mogaka, MP) to ask the Cabinet Secretary for Water, Sanitation and Irrigation: -**

- (i) When is the *Nyamira* Town Water project which is funded by the National Government expected to be completed?
- (ii) Could the Ministry consider putting a water sub-station

at a higher elevation preferably at *Mabundu Area* to ensure that water serves a larger population of *Nyaisa, Gianchore, Etono, Nyamera, Bonyunyu* and other surrounding areas through gravity?

*(To be replied before the Departmental Committee on Environment and Natural Resources )*

519/2019

**The Member for Moyale (Hon. Qalicha Gufu Wario, MP)  
to ask the Cabinet Secretary for Devolution and ASALs:-**

- (i) Could the Cabinet Secretary provide details on relief food distribution in Marsabit County, especially *Moyale* and *Sololo* Sub-Counties?
- (ii) What mechanisms has the Ministry put in place to ensure that the relief food reaches the desired populations?
- (iii) What long term measures has the Ministry instituted to address food shortages in ASAL Areas that are arable but lack water?

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

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