

Twelfth Parliament

Fourth Session



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FOURTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, MARCH 11, 2020 (MORNING SITTING)

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

4. **PETITION**

The Member for Mathare Constituency (Hon. Anthony Tom Oluoch) presented a Petition regarding regulation of digital money lending in Kenya. The Petition was committed to the Departmental Committee on Finance and National Planning pursuant to Standing Order 227(1).

5. **QUESTIONS**

The following Question were asked –

- (i) Question No.046/2020 by the Member for Mogotio (Hon. Daniel Tuitoek) regarding criteria for sharing funds under the Road Emergency Fund for Fiscal Year 2019/2020 among the 47 Counties.

(To be replied by the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development before the Departmental Committee on Transport, Public Works and Housing)

- (ii) Question No.047/2020 by the Member for Keiyo South (Hon. Daniel Rono) regarding compensation of persons and organizations that surrendered land to Fluospar Mining Company in 1974.

(To be replied by the Cabinet Secretary for Petroleum and Mining before the Departmental Committee on Environment and Natural Resources)

The following Question was deferred –

- (i) Question No.048/2020 by the Member for Kuria East (Hon. Marwa Kitayama) regarding electricity connectivity in Kuria East Constituency.

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

Order for Second Reading read;

Motion made and Question proposed –

THAT, the National Youth Council (Amendment) Bill (National Assembly Bill No. 8 of 2019) be now read a Second Time

(Hon. Gideon Keter – 26.02.2020)

Debate having been concluded on Wednesday, March 04, 2020 (Morning Sitting);

Question put and agreed to;

Bill read a second time and committed to Committee of the Whole House tomorrow.

7. **COMMITTEE OF THE WHOLE HOUSE**

(i) **The Kenya Institute of Curriculum Development (Amendment) Bill (National Assembly Bill No. 33 of 2019)**

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

Clause 2 - agreed to

Title - agreed to

Clause 1 - agreed to

Bill to be reported without amendments

(ii) **The Employment (Amendment) Bill (National Assembly Bill No. 15 of 2019)**

(The Hon. Martha Wangari, M.P.)

Clause 2 - agreed to

Progress report

Motion made and Question proposed –

THAT, the Committee do report progress on its consideration of the Employment (Amendment) Bill (National Assembly Bill No.15 of 2019) and seek leave to sit again.

(Hon. Benjamin Washiali)

(iii) **The Equalisation Fund Bill (National Assembly Bill No. 43 of 2019)**

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

Clauses 3, 4 & 5 - agreed to

Clause 6 - amendment proposed-

THAT, clause 6 of the Bill be amended in sub clause (2) -

- (a) by deleting the word “charging” appearing immediately after the word “holding,” under paragraph (b);
- (b) by deleting paragraph (c).

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 6 as amended - agreed to

Clause 7 - amendment proposed-

THAT, clause 7 of the Bill be amended -

- (a) in sub clause (1) by deleting the words “from a marginalized community appointed” appearing immediately after the word “chairperson” under paragraph (a);

Question of the amendment proposed;

Debate arising;

Question put and negatived;

Further amendment proposed -

THAT, clause 7 of the Bill be further amended in sub clause (1) by inserting the words “or a person designated in writing by the Principal Secretary” immediately after the word “water” appearing in paragraph (b);

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed -

THAT, clause 7 of the Bill be further amended in sub clause (1) by inserting the words “or a person designated in writing by the Principal Secretary” immediately after the word “roads” appearing in paragraph (c);

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed -

THAT, clause 7 of the Bill be further amended in sub clause (1) by inserting the words “or a person designated in writing by the Principal Secretary” immediately after the word “health” appearing in paragraph (d);

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question put and agreed to;

Further amendment proposed -

THAT, clause 7 of the Bill be further amended in sub clause (1) by inserting the words “or a person designated in writing by the Principal Secretary” immediately after the word “Treasury” appearing in paragraph (e);

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question put and agreed to;

Further amendment proposed -

THAT, clause 7 of the Bill be further amended in sub clause (1) by inserting the following new paragraph immediately after paragraph (e)-

“(ea) the Principal Secretary in the Ministry for the time being responsible for matters relating to Arid and Semi-Arid lands (ASAL) or a person designated in writing by the Principal Secretary;”

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question put and negatived;

Further amendment proposed -

THAT, clause 7 of the Bill be further amended in sub clause (1) by deleting the paragraph (f) and substituting therefor the following new paragraph -

“(f) three persons appointed by the Cabinet Secretary;

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question put and negatived;

Further amendment proposed -

THAT, clause 7 of the Bill be further amended in sub-clause (4) by deleting the word “ten” appearing immediately after the word “exceeding” and substituting therefor the words “one hundred” under paragraph (d).

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question put and agreed to;

Clause 7 as amended - agreed to

Clause 8 - amendment proposed-

THAT, clause 8 of the Bill be amended in paragraph (c) by —

(a) inserting the following new sub-paragraph immediately after sub-paragraph (iv)—
“(v) engineering;”

(b) renumbering the existing sub-paragraph (v) as (vi).

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 8 as amended - agreed to

Clause 9 - amendment proposed-

THAT, clause 9 of the Bill be amended by deleting clause 9 and substituting therefor the following new clause—

“9. The Chairperson and members of the Board shall hold office for a term of three years and shall be eligible for reappointment for one further and final term of three years.”

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 9 as amended - agreed to

Clause 10 - amendment proposed-

THAT, clause 10 of the Bill be amended by inserting the words “and approve” immediately after the word “consider” under paragraph (b).

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 10 as amended - agreed to

Clauses 11, 12, 13, 14 & 15 - agreed to

Clause 16 - amendment proposed-

THAT, the Bill be amended in clause 16 by deleting sub clause (2) and substituting therefor the following new sub clause—

“(2) The Chief Executive Officer shall hold office for a term of three years and shall be eligible for re-appointment for one further and final term of three years.”

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 16 as amended - agreed to

Clauses 17, 18 & 19 - agreed to

Clause 20 - amendment proposed-

THAT, clause 20 of the Bill be amended –

- (a) in sub clause (1) by deleting the word “ward” and substituting therefor the word “Constituency”;
- (b) in sub clause (2) by deleting paragraph (g); and
- (c) by deleting the word “three” and substituting therefor the word “two” appearing immediately after the words “shall be” under sub clause (7);

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 20 as amended - agreed to

Clause 21 - amendment proposed-

THAT, clause 21 of the Bill be amended by deleting sub-clause (1) and substituting therefor the following new sub clause–

(1) A person may present a petition to the Board for the dissolution of a Local Committee setting out the alleged facts constituting one or more of the following grounds for dissolution—

- (a) serious violation of the Constitution or any other law including a contravention of Chapter Six;
- (b) gross misconduct, whether in performance of the members’ or office holders’ functions or otherwise;
- (c) incompetence; or
- (d) any other cause as may be deemed justifiable.

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 21 as amended - agreed to

Clause 22 - amendment proposed-

THAT, clause 22 of the Bill be amended by inserting the words “with the approval of the Board” immediately after the word “staff”.

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 22 as amended - agreed to

Clause 23 - amendment proposed-

THAT, clause 23 of the Bill be amended in sub clause (2) by deleting the word “Ward” and substituting therefor the word “Constituency”

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 23 as amended - agreed to

Clauses 24 & 25 - agreed to

Clause 26 - amendment proposed-

THAT, Clause 26 of the Bill be amended -

- (a) in paragraph (a) by deleting word “and”;
- (b) in paragraph (b) by inserting the word “and” at the end;
- (c) inserting the following new paragraph immediately after paragraph (b)-
“*(c) status of implementation of projects.*”

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 26 as amended - agreed to

Clause 27 - agreed to

Clause 28 - amendment proposed-

THAT, clause 28 of the Bill be amended by inserting the word “Asset” immediately after the word “and”.

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 28 as amended - agreed to

Clauses 29 & 30 - agreed to

Clause 31 - amendment proposed-

THAT, clause 31 of the Bill be amended by inserting the following new sub clauses immediately after sub clause (4) -

- “(5) The Board shall set aside a sum not exceeding five per centum of the total allocation for the Fund to cater for the administration expenses of the Board.
- (6) The Board shall ensure that a sum not exceeding five per centum of the total allocation for a project shall be utilised for the administration expenses of the project.”

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 31 as amended - agreed to

Clause 32 - amendment proposed-

THAT, clause 32 of the Bill be amended by deleting the words “At least four months before” and substituting therefor the words “Within the period of three months after”

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 32 as amended - agreed to

Clauses 33 & 34 - agreed to

Clause 35 - amendment proposed-

THAT, clause 35 of the Bill be amended in sub-clause (3) by deleting the words “line ministries” and substituting therefor the words “Local Committees” appearing immediately after the words “accounts of”.

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 35 as amended - agreed to

Clauses 36, 37, & 38 - agreed to

Clause 39 - amendment proposed-

THAT, Clause 39 of the Bill be amended—

- (a) in sub-clause (1) by deleting the words “Cabinet Secretary” appearing immediately after the word “The” and substituting therefor the word “Board”;
- (b) in sub-clause (2) by deleting the words “Cabinet Secretary” appearing immediately after the expression “sub-clause (1), the” and substituting therefor the word “Board”;
- (c) in sub-clause (3) (a) by deleting the words “Cabinet Secretary” appearing immediately after the words “is to enable the” and substituting therefor the word “Board”;
- (d) in sub-clause (3) (b) by deleting the words “Cabinet Secretary” appearing immediately after the words “authority of the” and substituting therefor the word “Board”.

(Hon. Kassait Kamket)

Question of the amendment proposed;

Debate arising;

Question put and negatived;

Clause 39 - agreed to

Clauses 40 & 41 - agreed to

Schedule - amendment proposed-

THAT, the Schedule to the Bill be amended in paragraph (1) by deleting the word “consensus” and substituting therefor the words “voting through simple majority” appearing immediately after the words “reached by” in sub paragraph (4).

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question put and agreed to;
Schedule as amended - agreed to

Clause 2 - agreed to

Title - agreed to

Clause 1 - agreed to

Bill to be reported with amendments

The Equalization Fund Bill (National Assembly Bill No. 43 of 2019)

Clauses 3, 4 & 5 - agreed to

Clause 6 - amendment proposed-

- THAT**, clause 6 of the Bill be amended in sub clause (2) -
 - (c) by deleting the word “charging” appearing immediately after the word “holding,” under paragraph (b);
 - (d) by deleting paragraph (c).

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question put and agreed to;
Clause 6 as amended - agreed to

Clause 7 - amendment proposed-

- THAT**, clause 7 of the Bill be amended -
 - (b) in sub clause (1) by deleting the words “from a marginalized community appointed” appearing immediately after the word “chairperson” under paragraph (a);

Question of the amendment proposed;
Debate arising;
Question put and negatived;

Further amendment proposed -

- THAT**, clause 7 of the Bill be further amended in sub clause (1) by inserting the words “or a person designated in writing by the Principal Secretary” immediately after the word “water” appearing in paragraph (b);

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question put and agreed to;

Further amendment proposed -

THAT, clause 7 of the Bill be further amended in sub clause (1) by inserting the words “or a person designated in writing by the Principal Secretary” immediately after the word “roads” appearing in paragraph (c);

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question put and agreed to;

Further amendment proposed -

THAT, clause 7 of the Bill be further amended in sub clause (1) by inserting the words “or a person designated in writing by the Principal Secretary” immediately after the word “health” appearing in paragraph (d);

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question put and agreed to;

Further amendment proposed -

THAT, clause 7 of the Bill be further amended in sub clause (1) by inserting the words “or a person designated in writing by the Principal Secretary” immediately after the word “Treasury” appearing in paragraph (e);

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question put and agreed to;

Further amendment proposed -

THAT, clause 7 of the Bill be further amended in sub clause (1) by inserting the following new paragraph immediately after paragraph (e)-

“(ea) the Principal Secretary in the Ministry for the time being responsible for matters relating to Arid and Semi-Arid lands (ASAL) or a person designated in writing by the Principal Secretary;”

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question put and negatived;

Further amendment proposed -

THAT, clause 7 of the Bill be further amended in sub clause (1) by deleting the paragraph (f) and substituting therefor the following new paragraph -

“(f) three persons appointed by the Cabinet Secretary;

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;

Question put and negatived;

Further amendment proposed –

THAT, clause 7 of the Bill be further amended in sub-clause (4) by deleting the word “ten” appearing immediately after the word “exceeding” and substituting therefor the words “one hundred” under paragraph (d).

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 7 as amended - agreed to

Clause 8 - amendment proposed-

THAT, clause 8 of the Bill be amended in paragraph (c) by –

(c) inserting the following new sub-paragraph immediately after sub-paragraph (iv)–
“(v) engineering;”

(d) renumbering the existing sub-paragraph (v) as (vi).

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 8 as amended - agreed to

Clause 9 - amendment proposed-

THAT, clause 9 of the Bill be amended by deleting clause 9 and substituting therefor the following new clause–

“9. The Chairperson and members of the Board shall hold office for a term of three years and shall be eligible for reappointment for one further and final term of three years.”

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 9 as amended - agreed to

Clause 10 - amendment proposed-

THAT, clause 10 of the Bill be amended by inserting the words “and approve” immediately after the word “consider” under paragraph (b).

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 10 as amended - agreed to

Clauses 11, 12, 13, 14 & 15 - agreed to

Clause 16 - amendment proposed-

THAT, the Bill be amended in clause 16 by deleting sub clause (2) and substituting therefor the following new sub clause-

“(2) The Chief Executive Officer shall hold office for a term of three years and shall be eligible for re-appointment for one further and final term of three years.”

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 16 as amended - agreed to

Clauses 17, 18 & 19 - agreed to

Clause 20 - amendment proposed-

THAT, clause 20 of the Bill be amended -

- (d) in sub clause (1) by deleting the word “ward” and substituting therefor the word “Constituency”;
- (e) in sub clause (2) by deleting paragraph (g); and
- (f) by deleting the word “three” and substituting therefor the word “two” appearing immediately after the words “shall be” under sub clause (7);

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 20 as amended - agreed to

Clause 21 - amendment proposed-

THAT, clause 21 of the Bill be amended by deleting sub-clause (1) and substituting therefor the following new sub clause-

(1) A person may present a petition to the Board for the dissolution of a Local Committee setting out the alleged facts constituting one or more of the following grounds for dissolution—

- (e) serious violation of the Constitution or any other law including a contravention of Chapter Six;
- (f) gross misconduct, whether in performance of the members’ or office holders’ functions or otherwise;
- (g) incompetence; or
- (h) any other cause as may be deemed justifiable.

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 21 as amended - agreed to

Clause 22 - amendment proposed-

THAT, clause 22 of the Bill be amended by inserting the words “with the approval of the Board” immediately after the word “staff”.

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 22 as amended - agreed to

Clause 23 - amendment proposed-

THAT, clause 23 of the Bill be amended in sub clause (2) by deleting the word “Ward” and substituting therefor the word “Constituency”

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 23 as amended - agreed to

Clauses 24 & 25 - agreed to

Clause 26 - amendment proposed-

THAT, Clause 26 of the Bill be amended -

- (d) in paragraph (a) by deleting word “and”;
- (e) in paragraph (b) by inserting the word “and” at the end;
- (f) inserting the following new paragraph immediately after paragraph (b)-
“(c) status of implementation of projects.”

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 26 as amended - agreed to

Clause 27 - agreed to

Clause 28 - amendment proposed-

THAT, clause 28 of the Bill be amended by inserting the word “Asset” immediately after the word “and”.

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 28 as amended - agreed to

Clauses 29 & 30 - agreed to

Clause 31 - amendment proposed-

THAT, clause 31 of the Bill be amended by inserting the following new sub clauses immediately after sub clause (4) -

“(5) The Board shall set aside a sum not exceeding five per centum of the total allocation for the Fund to cater for the administration expenses of the Board.

(6) The Board shall ensure that a sum not exceeding five per centum of the total allocation for a project shall be utilised for the administration expenses of the project.”

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 31 as amended - agreed to

Clause 32 - amendment proposed-

THAT, clause 32 of the Bill be amended by deleting the words “At least four months before” and substituting therefor the words “Within the period of three months after”

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 32 as amended - agreed to

Clauses 33 & 34 - agreed to

Clause 35 - amendment proposed-

THAT, clause 35 of the Bill be amended in sub-clause (3) by deleting the words “line ministries” and substituting therefor the words “Local Committees” appearing immediately after the words “accounts of”.

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 35 as amended - agreed to

Clauses 36, 37, & 38 - agreed to

Clause 39 - amendment proposed-

THAT, Clause 39 of the Bill be amended—

- (e) in sub-clause (1) by deleting the words “Cabinet Secretary” appearing immediately after the word “The” and substituting therefor the word “Board”;
- (f) in sub-clause (2) by deleting the words “Cabinet Secretary” appearing immediately after the expression “sub-clause (1), the” and substituting therefor the word “Board”;
- (g) in sub-clause (3) (a) by deleting the words “Cabinet Secretary” appearing immediately after the words “is to enable the” and substituting therefor the word “Board”;

(h) in sub-clause (3) (b) by deleting the words “Cabinet Secretary” appearing immediately after the words “authority of the” and substituting therefor the word “Board”.

(Hon. Kassait Kamket)

Question of the amendment proposed;

Debate arising;

Question put and negatived;

Clause 39 - agreed to

Clauses 40 & 41 - agreed to

Schedule - amendment proposed-

THAT, the Schedule to the Bill be amended in paragraph (1) by deleting the word “consensus” and substituting therefor the words “voting through simple majority” appearing immediately after the words “reached by” in sub paragraph (4).

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Schedule as amended - agreed to

Clause 2 - agreed to

Title - agreed to

Clause 1 - agreed to

Bill to be reported with amendments

(iv) **The Livestock and Livestock Products Marketing Board Bill (National Assembly Bill No. 2 of 2019)**

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

Clause 3 - amendment proposed –

THAT, clause 3 of the Bill be amended in sub-clause (2) by deleting the word “is” appearing in the introductory statement and substituting therefor the words “shall be”.

(Chairperson, Departmental Committee on Agriculture and Livestock)

Question of the amendment proposed;

Question put and agreed to;

- Clause 3 - as amended agreed to
- Clause 4 - agreed to
- Clause 5 - **amendment proposed** -

THAT, clause 5 of the Bill be amended—

- (a) by deleting paragraph (a);
- (b) by deleting paragraph (h) and substituting therefore the following new paragraph—
“(h) facilitate the development of skills and adoption of appropriate value addition technologies for livestock products before domestic use and export from Kenya;”
- (c) by inserting the following new paragraph immediately after paragraph (h)—
“(hi) collaborate with relevant agencies to develop standards and best practices in livestock production and processing;”
- (d) in paragraph (m) by deleting the words “including ownership” appearing immediately after the words “livestock products”;
- (e) by deleting paragraph (o);
- (f) by deleting paragraph (p) and substituting therefor the following new paragraph—
“(p) support county governments to promote and improve livestock management systems for the sustainable development of the livestock industry;”
- (g) in paragraph (r) by deleting the word “business” appearing immediately after the words “establishment of strategic”.

(Chairperson, Departmental Committee on Agriculture and Livestock)

Question of the amendment proposed;

Question put and agreed to:

- Clause 5 - as amended agreed to
- Clause 6 - amendment proposed -

THAT, clause 6 of the Bill be amended—

- (a) in sub-clause (1)—
(i) in paragraph (f) by deleting the words “Kenya Private Sector Alliance” and substituting therefor the words “umbrella body representing private sector”;

- (ii) in paragraph (g) by deleting the words “Kenya Livestock Marketing Council” and substituting therefor the words “association representing livestock marketing interests of producers”;
 - (iii) by deleting paragraph (e) and substituting therefor the following new paragraph—
 “(e) two persons having experience in livestock development;”
- (b) by inserting the following new sub-clauses immediately after sub-clause (2)—
 “(2a) A person shall qualify for appointment as the Chairperson if that person—
- (a) is a citizen of Kenya;
 - (b) has a minimum of a Bachelor’s degree; and
 - (c) has not less than five years experience in the livestock sector.
- (2b) The Cabinet Secretary shall, by name and notice in the *Gazette*, appoint members nominated under subsection (1) (d), (e), (f) and (g).
- (2c) The appointment of the chairperson or members of the Board under subsection (1)(a), (d), (e), (f) and (g) shall take into account the gender, regional and other diversities of the people of Kenya.”
- (c) in sub-clause (3) by inserting the expression “,(g)” immediately after the words “sub-section (1) (d), (e)” appearing in the introductory statement.

(Chairperson, Departmental Committee on Agriculture and Livestock)

Question of the amendment proposed;

Question put and agreed to;

Clause 6 - as amended agreed to

Clause 7 - agreed to

Clause 8 - agreed to

Clause 9 - amendment proposed

THAT, clause 9 of the Bill be amended by inserting the expression “(g)” immediately after the words “section 6 (1) (d), (e)” appearing immediately after the words “members appointed under”.

(Chairperson, Departmental Committee on Agriculture and Livestock)

Question of the amendment proposed;

Question put and agreed to;

Clause 9 - as amended agreed to

Clause 10 - amendment proposed -

THAT, clause 10 of the Bill be amended—

- (a) in sub-clause (2) by deleting the word “produce” appearing immediately after the words “committees for each” and substituting therefor the words “livestock product”.
- (b) by inserting the following new sub-clause immediately after sub-clause 4—
“(5) The Board may co-opt any person to assist it for such purposes and such period as the Board may determine, but persons so co-opted may not vote on any matter before the Board.”

(Chairperson, Departmental Committee on Agriculture and Livestock)

Question of the amendment proposed;

Question put and agreed to;

Clause 10 - as amended agreed to

Clause 11 & 12 - agreed to

Clause 13 - amendment proposed -

THAT, clause 13 of the Bill be amended—

- (a) in sub-clause (1)—
 - (i) by deleting the word “business” in paragraph (b) and substituting therefor the words “business management”.
 - (ii) in paragraph (b) (ii) by deleting the word “livestock” and substituting therefor the words “animal sciences”;
 - (iii) by deleting paragraph (c) and substituting therefor the following new paragraph—

“(c) has not less than five years experience at a management level in the livestock sector.”

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

“(2) The Chief Executive Officer shall hold office for a term of three years renewable for one further term.”

(Chairperson, Departmental Committee on Agriculture and Livestock)

Question of the amendment propose

Debate arising;

Question put and agreed to;

Clause 13 - as amended agreed to

Clause 14, 15, 16, 17, 18, 19 & 20 - agreed to

Clause 21 - amendment proposed-

THAT, clause 21 of the Bill be amended by inserting the following new paragraph immediately after paragraph (a)—

“(ab) the livestock and livestock marketing products levy established under section 21A;”

(Chairperson, Departmental Committee on Agriculture and Livestock)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 21 - as amended agreed to

Clause 22, 23, 24 & 25 - agreed to

Clause 26 - amendment proposed -

THAT, clause 26 of the Bill be amended in sub-clause (1) by deleting paragraph (c) and substituting therefor the following new paragraph—

“(c) the progress made towards the marketing of livestock and livestock products;”

(Chairperson, Departmental Committee on Agriculture and Livestock)

Question of the amendment proposed;

Question put and agreed to;

Clause 26 - as amended agreed to

Clause 27, 28, 29 & 30 - agreed to

PART V - amendment proposed -

THAT, the heading to Part V of the Bill be amended by deleting the words “AND SAVING”.

(Chairperson, Departmental Committee on Agriculture and Livestock)

Question of the amendment proposed;

Debate arising

Question put and agreed to;

PART V - as amended agreed to

Clause 31 - agreed to

Clause 32 - amendment proposed

THAT, clause 32 of the Bill be deleted.

(Chairperson, Departmental Committee on Agriculture and Livestock)

Question of the amendment proposed;

Question put and agreed to;

Clause 32 - as amended agreed to

Clause 33 - amendment proposed

THAT, clause 33 of the Bill be deleted.

(Chairperson, Departmental Committee on Agriculture and Livestock)

Question of the amendment proposed;

Question put and agreed to;

Clause 33 - as amended agreed to

Clause 34 - amendment proposed

THAT, clause 34 of the Bill be deleted.

(Chairperson, Departmental Committee on Agriculture and Livestock)

Question of the amendment proposed;

Question put and agreed to;

Clause 34 - as amended agreed to

New Clause 21A proposed –

THAT, the Bill be amended by inserting the following new clause immediately after clause 21—

Imposition of levy.

21A. (1)The Cabinet Secretary may in consultation

with the Board, by notice in the Gazette, impose a levy to be known as the livestock and livestock marketing products levy on a producer.

(2) The Cabinet Secretary may make regulations prescribing the amount and manner of payment of the levy.

(Chairperson, Departmental Committee on Agriculture and Livestock)

Question of Second Reading Proposed

Question of Second Reading put and agreed to

Motion made and Question proposed –

THAT, the New Clause 21A be part of the Bill;

Question put and agreed to

Proposed New Clause 21A - agreed to

New Clause 29A proposed –

THAT, clause 29 of the Bill be amended by inserting the following new clause immediately after clause 29—

General penalty.

29A. A person convicted of an offence under this Act for which no penalty is provided shall be liable to imprisonment for a term not exceeding one year or to a fine not exceeding five hundred shillings or to both.

(Chairperson, Departmental Committee on Agriculture and Livestock)

Question of Second Reading Proposed

Question of Second Reading put and agreed to

Motion made and Question proposed –

THAT, the New Clause 29A be part of the Bill;

Question put and agreed to

Proposed New Clause 29A - agreed to

Schedule - agreed to

Clause 2 - amendment proposed -

THAT, clause 2 of the Bill be amended—

(a) in the definition of “livestock” in paragraph (a) by inserting the word “donkey” immediately after the word “camel”;

(b) in the definition of “livestock infrastructure” by deleting the expression “livestock economy” and substituting therefor the expression “livestock market economy”;

(Chairperson, Departmental Committee on Agriculture and Livestock)

Question of the amendment proposed;

Question put and agreed to:

Clause 2 - as amended agreed to

Title - agreed to

Clause 1 - agreed to

Bill to be reported with amendments

HOUSE RESUMED - First Chairperson in the Chair

The Livestock and Livestock Products Marketing Board Bill (National Assembly Bill No. 2 of 2019)

Bill reported with amendments

Motion made and Question proposed –

THAT, the House do agree with the Committee in the said report

(The Hon. Bashir Abdullahi, MP)

Question deferred to another day

The Kenya Institute of Curriculum Development (Amendment) Bill (National Assembly Bill No. 2 of 2019)

Bill reported without amendments

Motion made and Question proposed –

THAT, the House do agree with the Committee in the said report

(The Hon. Joyce Emanikor, MP)

Question deferred to another day

The Employment (Amendment) Bill (National Assembly Bill No. 15 of 2019)

Progress Reported

Motion made and Question proposed –

THAT, the Committee of the Whole House has considered the Employment (Amendment) Bill (National Assembly Bill No.15 of 2019) upto Clause 2 and seek leave to sit again.

(Hon. Martha Wangari, MP)

The Equalisation Fund Bill (National Assembly Bill o. 43 of 2019)

Bill reported with amendments

Motion made and Question proposed –

THAT, the House do agree with the Committee in the said report

(Hon. Kassait Kamket)

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 re-committal of Clause 7.”

(Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Question deferred to another day.

And the time being Five Minutes past One O'clock, the First Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

8.**HOUSE ROSE** - at Five Minutes past One O'clock.

M E M O R A N D U M

The Speaker will take the Chair on
Wednesday, March 11, 2020 at 2.30 p.m.

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