



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FIRST SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

SUPPLEMENTARY

THURSDAY, DECEMBER 07, 2017 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. Statements

8*. PROCEDURAL MOTION - RESOLUTION TO HOLD A SITTING ON THURSDAY MORNING

(The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 30(3)(b) and following the resolution of the House on Tuesday, December 5, 2017 altering its Calendar, this House resolves to hold a Morning Sitting on Thursday, December 14, 2017 commencing at 9.30am for purposes of conducting the election of Members to the East African Legislative Assembly, or considering any other urgent business.

9*. MOTION – INTRODUCTION OF COMPULSORY TREE PLANTING IN ALL LEARNING INSTITUTIONS AND INDIVIDUAL HOUSEHOLDS

(The Hon. William Chepkut, M.P.)

THAT, aware that Article 42 of our Constitution accords every person the right to a clean and healthy environment and that Article 69(1)(d) mandates the State to encourage public participation in the management, protection and conservation of the environment; further aware that deforestation is one of the main contributors to climate change; noting that Kenya has not been spared by the

effects of global warming and climate change as a result of deforestation amongst other aspects; deeply concerned that this has adversely affected the agriculture sector which is the backbone of the rural economy, and also led to severe drought being experienced in all parts of this country; this House urges the Government to introduce compulsory tree planting programmes in all learning institutions and individual households.

(Question to be put)

**10*. MOTION – APPROVAL OF NOMINEES TO VARIOUS
CONSTITUENCY COMMITTEES OF THE NATIONAL
GOVERNMENT CONSTITUENCY DEVELOPMENT
FUND**

(The Leader of the Majority Party)

THAT, pursuant to the provisions of Section 43(4) of the National Government Constituency Development Fund Act, 2015 and paragraph 5 (9 & 10) of the National Government Constituency Development Fund Regulations, 2016, this House approves the list of nominees for appointment to the following four (4) Constituency Committees of the National Government Constituency Development Fund, laid on the Table of the House on Tuesday, December 05, 2017:-

1. NAROK EAST CONSTITUENCY

- | | | |
|-------|-----------------------------------|---|
| (i) | Rapanket Daniel Koisikir | Male Youth Representative |
| (ii) | Tapaiya Olingashar Punyua | Male Adult Representative |
| (iii) | Sointa Kuyoo Parkire | Female Youth Representative |
| (iv) | Peninah Sein Benson
Olturoomum | Female Adult representative |
| (v) | Dominic Tira Dikirr | Representative of Persons living
with Disability |
| (vi) | William Kabaka Kirtelah | Nominee of the Constituency Office
(Male) |
| (vii) | Gladys Wanjiru Soitara | Nominee of the Constituency Office
(Female) |

2. GATANGA CONSTITUENCY

(Additional names to those approved by the House on Wednesday, November 8, 2017)

- | | | |
|------|----------------------|--|
| (i) | Peter Mulwa Mutune | Nominee of the Constituency Office
(Male) |
| (ii) | Naomi Wairimu Ndarua | Nominee of the Constituency Office
(Female) |

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

3. MVITA CONSTITUENCY

- (i) Easter Oduor Oremo Male Youth Representative
- (ii) Omar Shariff Ali Male Adult Representative
- (iii) Sylvia Buluma Adikinyi Female Youth Representative
- (iv) Anna Nyambura Female Adult Representative
- (v) Amina Saud Ali Representative of Persons with Disability
- (vi) Jamal Ali Mohamed Noor Nominee of the Constituency Office (Male)
- (vii) Fatuma Mbeyu Khamis Nominee of the Constituency Office (Female)

4. NYANDO CONSTITUENCY

- (i) Joseph Rocky Odada Male Youth Representative
- (ii) Marcella Amondi Onyango Female Youth Representative
- (iii) Hellen Adhiambo Muga Female Adult Representative
- (iv) Zedekiah Odalo Hongo Representative of Persons with Disability
- (v) Henry India Odep Nominee of the Constituency Office (Male)
- (vi) Eunice Awino Ochieng Nominee of the Constituency Office (Female)

(Question to be put)

11*. MOTION – AMENDMENTS TO THE STANDING ORDERS

(The Chairperson, Procedure & House Rules Committee)

THAT, pursuant to the provisions of Standing Order 262 and notwithstanding the provisions of Standing Order 47(1), this House adopts the Report of the Procedure and House Rules Committee on amendments to the Standing Orders, laid on the Table of the House today, Thursday, December 7, 2017, and further resolves that the amendments as contained therein take effect from December 08, 2017.

(Schedule of amendments is contained in the Order Paper)

12*. COMMITTEE OF THE WHOLE HOUSE

The National Assembly Standing Orders

(The Chairperson, Procedure and House Rules Committee)

13*. MOTION - ADOPTION OF THE JOINT PARLIAMENTARY SELECT COMMITTEE ON THE ELECTION OF MEMBERS TO THE EAST AFRICAN LEGISLATIVE ASSEMBLY

(The Co-Chairperson of the Joint Parliamentary Select Committee on the Election of Members to the East African Legislative Assembly)

THAT, pursuant to the provisions of Article 50 of the Treaty for the Establishment of the East African Community and Rule 13(5) of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017, and notwithstanding the provisions of Standing Order 47(1), this House adopts the Report of the Joint Parliamentary Select Committee on its consideration of the nominees for election as Members of the East African Legislative Assembly, laid on the Table of the House today, Thursday, December 7, 2017, and further resolves that the election be held on Wednesday, December 13, 2017.

14. THE BUILDING SURVEYORS BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2017)

(The Leader of the Majority Party)

Second Reading

(Resumption of debate interrupted on Wednesday, December 06, 2017 – Afternoon sitting)

15*. THE PHYSICAL PLANNING BILL (NATIONAL ASSEMBLY BILL NO. 34 OF 2017)

(The Leader of the Majority Party)

Second Reading

16*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS)(No. 3) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2017)

(The Leader of the Majority Party)

Second Reading

*** Denotes Orders of the Day**

S C H E D U L E

I. PROPOSED AMENDMENTS TO THE NATIONAL ASSEMBLY STANDING ORDERS

- 1) Notice is given that pursuant to the provisions of Standing Order 262, the Chairperson of the Procedure and House Rules Committee intends to move the following amendments to the National Assembly Standing Orders—

STANDING ORDER 172 (COMMITTEE ON SELECTION)

THAT, Standing Order 172 be amended in paragraph (1)(c) by deleting the word “nineteen” appearing immediately after the words “not more than” and substituting therefor the word “twenty-one”.

STANDING ORDER 174 (CRITERIA FOR NOMINATION)

THAT, Standing Order 174 be amended by deleting paragraph (3) and substituting therefor the following new paragraph—

“(3) Except as the House may otherwise resolve, on the recommendation of the Committee on Selection for reasons to be stated—

(a) no Member shall be appointed to serve in more than two Departmental Committees;

(b) a Member who is a Chairperson of a committee or a member of the Parliamentary Service Commission appointed under Article 127(2)(c) of the Constitution shall not serve in more than one committee.”

STANDING ORDER 178 (CHAIRING OF SELECT COMMITTEES AND QUORUM)

THAT, Standing Order 178 be amended by inserting the following new paragraph immediately after paragraph (1)—

“(1A) A member of the Parliamentary Service Commission appointed under Article 127(2) (c) of the Constitution shall not be eligible to stand for election as a Chairperson or Vice-Chairperson of a select committee.”

STANDING ORDER 205 (PUBLIC ACCOUNTS COMMITTEE)

THAT, Standing Order 205 be amended in paragraph (3) by deleting the word “sixteen” appearing immediately after the words “not more than” and substituting therefor the word “eighteen”.

STANDING ORDER 205A (SPECIAL FUND ACCOUNTS COMMITTEE)

THAT, Standing Order 205A be amended in paragraph (3) by deleting the word “sixteen” appearing immediately after the words “not more than” and substituting therefor the word “eighteen”.

STANDING ORDER 206 (PUBLIC INVESTMENTS COMMITTEE)

THAT, Standing Order 206 be amended in paragraph (3) by deleting the word “sixteen” appearing immediately after the words “not more than” and substituting therefor the word “eighteen”.

STANDING ORDER 207 (BUDGET AND APPROPRIATIONS COMMITTEE)

THAT, Standing Order 207 be amended in paragraph (2) by deleting the word “twenty-two” appearing immediately after the words “not more than” and substituting therefor the word “twenty-six”.

STANDING ORDER 208 (PROCEDURE AND HOUSE RULES COMMITTEE)

THAT, Standing Order 208 be amended in paragraph (2) by deleting the word “fifteen” appearing immediately after the words “not more than” and substituting therefor the word “seventeen”.

STANDING ORDER 209 (COMMITTEE ON IMPLEMENTATION)

THAT, Standing Order 209 be amended in paragraph (4) by deleting the word “sixteen” appearing immediately after the words “not more than” and substituting therefor the word “twenty-two”.

STANDING ORDER 210 (COMMITTEE ON DELEGATED LEGISLATION)

THAT, Standing Order 210 be amended by inserting the following new paragraph immediately after paragraph (1)—

“(1A) The Committee shall consist of a Chairperson and not more than twenty-two other members.”

STANDING ORDER 212 (COMMITTEE ON REGIONAL INTEGRATION)

THAT, Standing Order 212 be amended by inserting the following new paragraph immediately after paragraph (2)—

“(3) The Committee shall consist of a Chairperson and not more than twenty-two other members.”

STANDING ORDER 212B (COMMITTEE ON MEMBERS’ SERVICES AND FACILITIES)

THAT, Standing Order 212B be amended in paragraph (3) by deleting the word “six” appearing immediately after the words “not more than” and substituting therefor the word “fourteen”.

STANDING ORDER 213 (APPOINTMENT OF JOINT COMMITTEES)

THAT, Standing Order 213 be amended by deleting paragraph (4).

STANDING ORDER 214 (JOINT COMMITTEE ON NATIONAL COHESION AND EQUAL OPPORTUNITY)

THAT, Standing Order 214 be deleted.

STANDING ORDER 215 (JOINT COMMITTEE ON PARLIAMENTARY BROADCASTING AND LIBRARY)

THAT, Standing Order 215 be deleted.

STANDING ORDER 216 (APPOINTMENT AND MANDATE OF DEPARTMENTAL COMMITTEES)

THAT, Standing Order 216 be amended by deleting paragraph (1) and substituting therefor the following paragraph—

“(1) There shall be select committees to be known as Departmental Committees whose members shall—

(a) be nominated by the Committee on Selection in consultation with parliamentary parties at the commencement of every Parliament; and

(b) not exceed nineteen in number.”

FOURTH SCHEDULE (JOINT SITTINGS RULES)

THAT, the Fourth Schedule to the Standing Orders be amended in rule 9 by deleting paragraph (1).

NEW STANDING ORDERS: ESTABLISHMENT OF TWO COMMITTEES

THAT, the Standing Orders be amended by inserting the following new Standing Orders immediately after Standing Order 212B—

“Committee on National Cohesion and Equal Opportunity

212C. (1) There shall be a select committee to be designated the Committee on National Cohesion and Equal Opportunity.

(2) The Committee shall consist of a Chairperson and not more than twenty-two other members.

(3) The Committee shall—

- (a) monitor and promote measures relating to policy and program initiatives in pursuit of peace and national cohesion;
- (b) investigate, inquire into and report on all matters relating to inter-community cohesion;
- (c) monitor and promote measures designed to enhance the equalization of opportunities and improvement in the quality of life and status of all persons, including persons who are marginalised on the basis of gender, age, disability, health status, ethnic, racial, cultural or religious background or affiliation or any other such ground;
- (d) investigate, inquire into and report on all matters relating to discrimination or marginalization of persons referred to under sub-paragraph (c);
- (e) make proposals to Parliament including legislative proposals for the protection, equalisation of opportunities and promotion of the welfare of the groups referred to under sub-paragraph (c); and
- (f) examine the activities and administration of all state departments and statutory bodies in so far as they relate to the rights and welfare of the persons referred to under sub-paragraph (c).

Committee on Parliamentary Broadcasting and Library

212D. (1) There shall be a select committee to be designated the Committee on Parliamentary Broadcasting and Library.

(2) The Committee shall consist of a Chairperson and not more than twenty-two other members.

(3) The Committee shall—

- (a) consider and report on all matters relating to broadcasting of the proceedings of the House;

- (b) advise the House on matters related to public participation;
- (c) make reports and recommendations to the House, including proposed legislation on matters relating to broadcasting of House proceedings;
- (d) recommend to and advise the House on matters related to provision of library, publications and research services in Parliament, including improvement of the library and research services; and
- (e) assist Members in utilizing the facilities provided by the library and research services, including use of information and communication technology.

(4) The Committee shall not deal with matters related to procurement of items or services of the broadcast, the library or research services, or any matter falling within a function of the Parliamentary Service Commission.”



NOTICES

The House resolved on Wednesday, September 13, 2017 as follows:-

- II.** **THAT**, notwithstanding the provisions of Standing Order 97(4), this House orders that, each speech in a debate on any **Motion**, including a Special motion 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 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), this House orders that, each speech in a debate on **Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** 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 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 I

Tentative business for

Wednesday, December 13, 2017

(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 (Morning), December 13, 2017:-

A. **MOTION – PROVISION OF SALARY INCENTIVES AND ADEQUATE DECENT HOUSING FOR POLICE OFFICERS SERVING IN NORTHERN KENYA AND OTHER HARDSHIP AREAS**

(The Hon. Omar M. Maalim, M.P.)

B. **MOTION - DESIGNATION AND GAZETTEMENT OF AREAS AND STREETS FOR DEMOSTRATIONS AND PICKETING**

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

NOTICE PAPER II

Tentative business for

Wednesday (Afternoon), December 13, 2017

(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), December 13, 2017:-

A. MOTION – APPOINTMENT OF ADDITIONAL MEMBERS TO THE HOUSE BUSINESS COMMITTEE

(The Leader of the Majority Party)

B. MOTION – APPOINTMENT OF MEMBERS TO THE PARLIAMENTARY SERVICE COMMISSION

(The Leader of the Majority Party)

C. THE PHYSICAL PLANNING BILL (NATIONAL ASSEMBLY BILL NO. 34 OF 2017)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, December 07, 2017)

D. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS)(No. 3) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2017)

(The Leader of the Majority Party)

Second Reading
