



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, AUGUST 10, 2016 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. Statements

**8\*. MOTION – APPROVAL OF THE MEDIATED VERSION OF THE WATER BILL, 2014**

(The Vice-Chairperson, Mediation Committee)

**THAT**, pursuant to the provisions of Article 113 (2) of the Constitution and Standing Order 150, this House adopts the Report of the Mediation Committee on the Water Bill (National Assembly Bill No.8 of 2014), laid on the Table of the House on Thursday, 28<sup>th</sup> July 2016, and **approves** the Mediated Version of the Water Bill (National Assembly Bill No.8 of 2014).

*(Question to be put)*

**9\*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE PETROLEUM (EXPLORATION, DEVELOPMENT AND PRODUCTION) BILL, 2015**

(The Leader of the Majority Party)

**THAT**, the House do agree with the Report of the Committee of the whole House on the consideration of the Senate amendments to the Petroleum (Exploration, Development and Production) Bill (National Assembly Bill No. 44 of 2015).

*(Question to be put)*

**10\*. THE PROCEEDS OF CRIME AND ANTI-MONEY LAUNDERING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 64 OF 2015)**

(The Leader of the Majority Party)

Second Reading

*(Question to be put)*

11\*. **THE SEXUAL OFFENCES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 33 OF 2016)**

(The Hon. Florence Mutua, M.P.)

First Reading

12\*. **THE PUBLIC BENEFITS ORGANIZATIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 9 OF 2016)**

(The Hon. Aghostinho Neto, M.P.)

Second Reading

13\*. **MOTION – DEPLOYMENT OF CHAPLAINS TO LEARNING INSTITUTIONS**

(The Hon. Geoffrey Odanga, MP)

**THAT**, aware that cases of unbecoming conduct among young people has been on the rise as exemplified by runaway drug abuse and addiction, drunkenness, sexual orgies and general irresponsibility; and deeply concerned that these incidents of loose morals have been worsened in the recent past by emerging radicalization of the youth leading to inclination towards terrorism and lawlessness, this House **urges** the National Government to consider deploying chaplains to all secondary schools and tertiary institutions in order to instill desired morals, social virtues, national values and a sense of responsibility, to address and root out moral decadence at an early age, and to supplement the work of guidance and counseling departments operating in these institutions.

*(Resumption of debate interrupted on Wednesday, August 04, 2016 – Morning Sitting)  
(Balance of time – 2 hours 20 minutes)*

14\*. **MOTION – FREE ISSUANCE OF KENYA POLICE MEDICAL EXAMINATION (P3) FORMS**

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

**THAT**, aware that the Kenya Police Medical Examination (P3) form is a legal document that is produced in a court of law as evidence in cases which involve body injury; noting that victims are required to have the P3 form completed by a certified public medical officer; further aware that the victims are charged a fee for this service by the hospitals attending to this particular service; concerned that most citizens are financially challenged hence the medical fee charged by the hospitals, is in contravention of Article 48 of the Constitution on access to justice; deeply concerned that if the situation is left unchecked, it may lead to continued abuse of the poor, delayed justice and possible incidents of unrest; this House **urges** the Government to ensure that completion of P3 forms is offered free of charge at all public healthcare facilities.

**15\*. MOTION – ESTABLISHMENT OF SELECT COMMITTEE TO INVESTIGATE MATTERS RELATING TO GMOs**

(The Hon. (Dr.) Wilber Ottichilo, M.P.)

**THAT**, aware that the Government banned the importation of Genetically Modified Organisms (GMO) imports in 2012; further aware that the Ministry of Health which initiated the ban has consistently maintained that GMO foods are not safe for human and animal consumption; considering that no tangible evidence on the same has been provided; cognizant of the fact that local and international scientific institutions and stakeholders have consistently endorsed the use of GMO foods as a necessary measure for the present and future food security in the Country; concerned that the National Bio-Safety Authority (NBA) established under Bio-Safety Act was not involved in the decision to ban the use of GMO foods in the country; concerned that the Country continues to lose millions of shillings monthly in lost business opportunities related to GMO products; further concerned that research on bio-technology and bio-safety has stalled; this House Resolves to establish a Select Committee to comprehensively investigate and inquire into all matters relating to GMOs, consider and review all related research findings and make recommendations and table its report within ninety (90) days and approves the following Members to constitute the Committee:

1. The Hon. (Dr.) Wilber Ottichilo, MP - Chairperson
2. The Hon. Japhet Kareke Mbiuki, MP
3. The Hon. Rachael Amolo Ameso, MP
4. The Hon. Ejidius Njogu Barua, MP
5. The Hon. Sunjeev Kaur Birdi, MP
6. The Hon. Timothy Moseseti Bosire, MP
7. The Hon. Joyce Akai Emanikor, MP
8. The Hon. James Wambura Nyikal, MP
9. The Hon. Florence Kajuju, MP
10. The Hon. Robert Pukose, MP
11. The Hon. Cecilia Chelanga Ngetich, MP
12. The Hon. Florence Mwikali Mutua, MP
13. The Hon. Rachael Koki Nyamai, MP
14. The Hon. Francis Chachu Ganya, MP
15. The Hon. Harrison Garama Kombe, MP
16. The Hon. Ferdinand Wanyonyi, MP
17. The Hon. Richard Katemi Makenga, MP

**16\*. THE CONSTITUTION OF KENYA (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 7 OF 2016)**

(The Hon. Mithika Linturi, M.P.)

Second Reading

**17\*. THE KENYA UWEZO FUND BILL (NATIONAL ASSEMBLY BILL NO. 65 OF 2015)**

(The Hon. David Kangogo, M.P.)

Second Reading

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**\* Denotes Orders of the Day**

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

The House resolved on Wednesday, February 10, 2016 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** 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 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 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.

# **NOTICE PAPER**

## **Tentative business for**

**Wednesday (Afternoon), August 10, 2016**

*(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), August 10, 2016:-

**A. PROCEDURAL MOTION – RESOLUTION TO HOLD SITTINGS ON SPECIFIED THURSDAY MORNINGS**

(The Leader of the Majority Party)

**B. MOTION – CONSIDERATION OF SENATE AMENDMENTS TO THE ENERGY BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2015)**

(The Leader of the Majority Party)

**C. COMMITTEE OF THE WHOLE HOUSE**

Consideration of the Senate amendments to the Energy Bill (National Assembly Bill No. 50 of 2015)

(The Leader of the Majority Party)

**D. THE BRIBERY BILL (NATIONAL ASSEMBLY BILL NO. 16 OF 2016)**

(The Leader of the Majority Party)

Second Reading

*(Resumption of debate interrupted on Tuesday, August 09, 2016)*

**E. THE BETTING, LOTTERIES AND GAMING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 30 OF 2015)**

(The Leader of the Majority Party)

Second Reading

**F. MOTION – ADOPTION OF THE REPORT OF THE PUBLIC ACCOUNTS COMMITTEE ON THE GOVERNMENT OF KENYA ACCOUNTS FOR THE YEAR 2013/2014**

(The Chairperson, Public Accounts Committee)

**G. THE CIVIL AVIATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2016)**

(The Leader of the Majority Party)

Second Reading

**H. THE KENYA REGIMENT (TERRITORIAL FORCE) (REPEAL) BILL**  
**(NATIONAL ASSEMBLY BILL NO. 39 OF 2015)**

(The Leader of the Majority Party)

Second Reading

**I. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2016)**

(The Chairperson, Departmental Committee on Finance, Planning and Trade)

Second Reading



# **APPENDIX**

## **PETITIONS to be reported on**

**Wednesday (Morning), August 10, 2016**

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It is notified that, pursuant to the provisions of Standing Order 227, the following Petitions will be reported on **today, Wednesday (Morning), August 10, 2016:-**

<b>NO.</b>	<b>PETITION TO BE REPORTED BY</b>	<b>SUBJECT</b>	<b>PETITIONER(S)</b>
001	Chairperson, Departmental Committee on Health	Mismanagement and misappropriation of funds at the Kenya Medical Research Institute (KEMRI)	One Peter Nyambok
002	Chairperson, Departmental Committee on Health	Deplorable State of Mental Health Facilities	One Elijah Kingori
003	Chairperson, Departmental Committee on Administration and National Security	Compensation for Services rendered by Village Elders	Residents of Kasekeu Ward
004	Chairperson, Departmental Committee on Administration and National Security	Radicalization of Prisoners, Review of Penal Code and Amnesty for Inmates who have served over seven (7) years	Three (3) Prisoners of Naivasha Maximum Prison

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**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – (FOURTH SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**WEDNESDAY, AUGUST 10, 2016 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 SITTINGS ON SPECIFIED THURSDAY MORNINGS  
(The Leader of the Majority Party)**

**THAT**, pursuant to the provisions of Standing Order 30(3)(b), this House resolves to hold Morning Sittings on Thursdays commencing from 9.30 a.m. to 1.00 p.m. for purposes of considering urgent Business before the House, as follows:-

- (i) Thursday, 18<sup>th</sup> August, 2016; and
- (ii) Thursday, 25<sup>th</sup> August, 2016.

**9\*\*. MOTION – THE ENERGY BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2015)  
(The Leader of the Majority Party)**

**THAT**, the Senate Amendments to the Energy Bill (National Assembly Bill No. 50 of 2015) be now considered.

**10\*\*. COMMITTEE OF THE WHOLE HOUSE  
IN THE COMMITTEE**

**Consideration of the Senate amendments to the Energy Bill (National Assembly Bill No. 50 of 2015)  
(The Leader of the Majority Party)**

- 11\*. **THE BRIBERY BILL (NATIONAL ASSEMBLY BILL NO. 16 OF 2016)**  
(The Leader of the Majority Party)

Second Reading

*(Resumption of debate interrupted on Tuesday, August 09, 2016)*

- 12\*. **THE BETTING, LOTTERIES AND GAMING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 30 OF 2015)**  
(The Leader of the Majority Party)

Second Reading

- 13\*. **MOTION – ADOPTION OF THE REPORT OF THE PUBLIC ACCOUNTS COMMITTEE ON THE GOVERNMENT OF KENYA ACCOUNTS FOR THE YEAR 2013/2014**  
(The Chairperson, Public Accounts Committee)

**THAT**, this House **adopts** the Report of the Public Accounts Committee on the Government of Kenya Accounts (Volume I and Volume II) for the year 2013/2014, laid on the Table of the House on Wednesday, June 22, 2016.

- 14\*. **THE CIVIL AVIATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2016)**  
(The Leader of the Majority Party)

Second Reading

- 15\*. **THE KENYA REGIMENT (TERRITORIAL FORCE) (REPEAL) BILL (NATIONAL ASSEMBLY BILL NO. 39 OF 2015)**  
(The Leader of the Majority Party)

Second Reading

- 16\*. **THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2016)**  
(The Chairperson, Departmental Committee on Finance, Planning and Trade)

Second Reading

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**\* Denotes Orders of the Day**

**\*\*Denotes Bill with Constitutional Timeline**

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# **NOTICES**

## **I. SENATE AMENDMENTS TO THE ENERGY BILL** **(NATIONAL ASSEMBLY BILL NO. 50 OF 2015)**

### **CLAUSE 2**

#### **Senate Amendment**

**THAT** clause 2 of the Bill be amended by –

- (a) deleting the definition of the term “customer”;
- (b) deleting the definition of the word “local community” and substituting therefor the following new definition –

“local community” means a people living in a sub-county within which an energy resource under this Act is situated and are affected by the exploitation of that energy resource;

### **CLAUSE 53**

#### **Senate Amendment**

**THAT** clause 53 of the Bill be amended in sub-clause (1) by deleting the words “Energy and Petroleum” appearing immediately after the words “Nuclear Power” and substituting therefor the words “and Energy”.

### **CLAUSE 57**

#### **Senate Amendment**

**THAT** clause 57 of the Bill be amended by deleting paragraph (e) and substituting therefor the following new paragraph –

- (e) not more than four other members nominated as follows and appointed by the Cabinet Secretary –
  - (i) two persons nominated by the organisation representing the largest number of persons carrying out operations in the energy sector;
  - (ii) one person nominated by the Kenya Private Sector Alliance; and
  - (iii) one person from an institution of higher education.

### **CLAUSE 249**

#### **Senate Amendment**

**THAT** clause 249 of the Bill be amended by deleting the words “not exceeding” appearing immediately after the words “liable to a fine” and substituting therefor the words “not less than”.

The House resolved on Wednesday, February 10, 2016 as follows:-

- II. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on a **Report of a Committee**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House, 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 be accorded to the Leader of the Majority Party and the Leader of the Minority Party, 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 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**

**Thursday, August 11, 2016**

*(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, August 11, 2016:-

**A. MOTION – CONSIDERATION OF SENATE AMENDMENTS THE FISHERIES MANAGEMENT AND DEVELOPMENT BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2014)**

(The Leader of the Majority Party)

**B. COMMITTEE OF THE WHOLE HOUSE**

Consideration of the Senate amendments to the Fisheries Management and Development Bill (National Assembly Bill No. 20 of 2014)

(The Leader of the Majority Party)

**C. THE UNIVERSITIES (AMENDMENT) BILL (SENATE BILL NO. 31 OF 2014).**

(The Chairperson, Departmental Committee on Education, Research and Technology)

Second Reading

**D. THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (SENATE BILL NO. 24 OF 2014)**

(The Chairperson, Departmental Committee on Labour and Social Welfare)

Second Reading

**E. THE NATIONAL YOUTH SERVICE BILL (SENATE BILL NO. 26 OF 2014)**

(The Chairperson, Departmental Committee on Labour and Social Welfare)

Second Reading

**F. THE COUNTY EARLY CHILDHOOD EDUCATION BILL (SENATE BILL NO. 23 OF 2014)**

(The Chairperson, Departmental Committee on Education, Research and Technology)

Second Reading

**G. MOTION – ADOPTION OF THE REPORT OF THE PUBLIC ACCOUNTS COMMITTEE ON THE GOVERNMENT OF KENYA ACCOUNTS FOR THE YEAR 2013/2014**

(The Chairperson, Public Accounts Committee)

*(If not concluded on Wednesday, August 10, 2016 - Afternoon Sitting)*

**H. THE CIVIL AVIATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2016)**

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Wednesday, August 10, 2016 - Afternoon Sitting)*

**I. THE BETTING, LOTTERIES AND GAMING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 30 OF 2015)**

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Wednesday, August 10, 2016 - Afternoon Sitting)*

**J. THE KENYA REGIMENT (TERRITORIAL FORCE) (REPEAL) BILL (NATIONAL ASSEMBLY BILL NO. 39 OF 2015)**

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Wednesday, August 10, 2016 - Afternoon Sitting)*



# **APPENDIX I**

## **PETITIONS to be presented on**

### **Wednesday (Afternoon), August 11, 2016**

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It is notified that, pursuant to Standing Orders 225, the following Petitions will be presented to the House **today, Wednesday (Afternoon), August 10, 2016:-**

<b><u>NO.</u></b>	<b><u>PETITION TO BE PRESENTED BY</u></b>	<b><u>SUBJECT</u></b>	<b><u>PETITIONER(S)</u></b>
<b>001</b>	The Member for Kiharu(The Hon. Irungu Kang'ata, M.P.), <i>Pursuant to Standing Order 225(2)(a)</i>	Suspension of five (5) students from Meru University	Twenty (20) students of Meru University
<b>002</b>	The Member for Ikolomani (The Hon. Bernard Shinali, M.P.), <i>Pursuant to Standing Order 225(2)(a)</i>	Delayed rehabilitation of Kakamega Airstrip	Residents of Kakamega County

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# **APPENDIX II**

## **Status of Business before Committees**

**Wednesday August 10, 2016**

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In accordance with the Speaker's communication of 14<sup>th</sup> October, 2015 the Chairpersons of the following Departmental Committees will **today** be called upon to appraise the House on the Status of the Business pending before their respective Committees:

**A. Departmental Committee on Energy, Communication and Information**

**B. Departmental Committee on Environment and Natural Resources**

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