



**REPUBLIC OF KENYA**  
**ELEVENTH PARLIAMENT – (FIFTH SESSION)**  
**THE NATIONAL ASSEMBLY**  
**ORDERS OF THE DAY**  
**TUESDAY, MAY 30, 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\*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE INSURANCE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 17 OF 2017)**

(The Leader of the Majority Party)

**THAT**, this House do agree with the Report of the Committee of the Whole House on its consideration of the Insurance (Amendment) Bill (National Assembly Bill No. 17 of 2017).

*(Question to be put and Third Reading)*

**9\*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 16 OF 2017)**

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

**THAT**, this House do agree with the Report of the Committee of the Whole House on its consideration of the Finance Bill (National Assembly Bill No. 16 of 2017)

**Amendment proposed:**

**THAT**, the Motion be amended by inserting the words “subject to re-committal of **Clauses 20, 26, 27, 28 and 29.**”

(The Leader of the Majority Party)

*(Question of recommital to be put)*

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

- (i) Finance Bill (National Assembly Bill No. 16 of 2017)  
(The Chairperson, Departmental Committee on Finance, Planning & Trade)

*(Subject to Re-Committal of the Bill)*

- (i) The Division of Revenue (No. 2) Bill (National Assembly Bill No. 22 of 2017)  
(The Chairperson, Budget and Appropriations Committee)

**11\* . MOTION – ELECTION OF MEMBERS TO THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)**

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

**THAT**, pursuant to 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, this House adopts the Report of the Joint Parliamentary Select Committee on the Election of Members to the East African Legislative Assembly on its *consideration of the nominees for election as Members of the East African Legislative Assembly*, laid on the Table of the House on Wednesday, May 17, 2017.

*(Resumption of debate interrupted on Thursday, May 18, 2017)*

**12\* . THE CONSTITUTION OF KENYA (AMENDMENT)(NO. 6) BILL (NATIONAL ASSEMBLY BILL NO. 65 OF 2015)**

(The Leader of the Majority Party)

Second Reading

*(Resumption of debate interrupted on Wednesday, May 24, 2017- Afternoon Sitting)*

**13\* . THE COMPANIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 23 OF 2017)**

(The Leader of the Majority Party)

Second Reading

**14\* . THE NATIONAL COHESION AND INTEGRATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2017)**

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

Second Reading

(No. 050)

TUESDAY, MAY 30, 2017

(463)

**15\*. MOTION – ADOPTION OF SESSIONAL PAPER NO. 3 OF 2016 ON THE NATIONAL HOUSING POLICY**

(The Chairperson, Departmental Committee on Transport, Public Works & Housing)

**THAT**, this House adopts Sessional Paper No. 3 of 2016 on the National Housing Policy, laid on the Table of the House on November 15, 2016.

**16\*. MOTION – ADOPTION OF SESSIONAL PAPER NO. 5 OF 2016 ON NATIONAL CLIMATE CHANGE FRAMEWORK POLICY**

(The Chairperson, Departmental Committee on Environment & Natural Resources)

**THAT**, this House adopts the National Climate Change Framework Policy – Sessional Paper No. 5 of 2016 laid on the Table of the House on Thursday, December 20, 2016.

**17\*. MOTION – ADOPTION OF THE TWENTY FIRST REPORT OF THE PUBLIC INVESTMENTS COMMITTEE ON THE AUDITED ACCOUNTS OF STATE CORPORATIONS**

(The Chairperson, Public Investment Committee)

**THAT**, this House adopts the Twenty First Report of the Public Investments Committee on the Audited Accounts of State Corporations, laid on the Table of the House on Thursday, May 18, 2017.

---

**\* Denotes Orders of the Day**

---

N O T I C E S

I. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 16 OF 2017)

*(Subject to recommitment of the Bill)*

**Notice is given that the Leader of Majority Party (Hon. Aden Duale) intends to move the following amendments to the Finance Bill, 2017 at the Committee Stage —**

**CLAUSE 20**

**THAT** clause 20 of the Bill be deleted and substituting therefor the following new clause-

**THAT**, section 8 of the Tax Procedures Act, 2015 be amended in subsection (1) by-

(a) Deleting paragraph (d); and

(b) Inserting the following closing statement immediately after paragraph (c)-

“shall apply to the Commissioner to be registered”.

**CLAUSE 26**

**THAT** clause 26 of the Bill be amended by deleting the word “fifty” and substituting therefor the word “thirty-five”.

**CLAUSE 27**

**THAT** clause 27 of the Bill be amended by deleting the word “fifty” and substituting therefor the word “thirty-five”.

**CLAUSE 28**

**THAT** clause 28 of the Bill be amended by deleting the word “fifty” and substituting therefor the word “thirty-five”.

**CLAUSE 29**

**THAT** clause 29 of the Bill be amended by deleting the word “fifty” and substituting therefor the word “thirty-five”.

II. THE DIVISION OF REVENUE (NO. 2) BILL (NATIONAL ASSEMBLY BILL NO. 22 OF 2017)

**Notice is given that the Chairperson of the Budget and Appropriations Committee (Hon. Mutava Musyimi), intends to move the following amendments to the Division of Revenue (No. 2) Bill, 2017 at the Committee Stage—**

**SCHEDULE**

**THAT**, the Schedule be amended—

(a) in the second column, by—

- (i) deleting the figure “20,416,400,000” appearing against the item “Additional County Conditional Allocations (not part of sharable revenue)” in the first column, and substituting therefor the figure “31,476,018,499”;
- (ii) deleting the figure “7,875,000,000” appearing against the item “Allocation from fuel levy (15%)” in the first column, and substituting therefor the figure “11,068,192,369”;
- (iii) deleting the figure “12,541,400,000” appearing against the item “Conditional Allocations (loans & grants)” in the first column, and substituting therefor the figure “20,407,826,130”;
- (iv) deleting the figure “323,757,560,000” appearing against the item “Total County Allocations (D+E)” in the first column, and substituting therefor the figure “334,817,178,499”;

(b) in the third column, by deleting the expression “34.60%” appearing against the item “Total County Allocations (D+E)” in the first column, and substituting therefor the expression “35.78%”.

**APPENDIX**

**THAT**, the Appendix be amended, in paragraph 7, under the part entitled “Additional County Conditional Allocation (Not Part of Sharable Revenue)”, by—

- (a) deleting the paragraph on “Conditional Grant from the Road Maintenance Fuel Levy Fund of Ksh.7.9 billion” and substituting therefor the following—

**“Conditional Grant from the Road Maintenance Fuel Levy Fund of Ksh. 11.1 billion.** This conditional grant which is in its third year of allocation has been increased from an allocation Ksh. 4.3 billion in the 2016/17 FY to Ksh. 11.1 billion in FY 2017/2018. This amount includes an additional Ksh. 3.2 billion, which results from an adjustment of the fuel levy in July, 2016, from Ksh. 12.00 to Ksh. 18.00. This grant is meant to further enhance County Governments’ capacity to repair and maintain roads and is equivalent to 15 percent of the Road Maintenance Fuel Levy Fund”;

(b) deleting the paragraph on “KDSP County Capacity Building (“level 1”) Grant” and substituting therefor the following—

**“KDSP County Capacity Building (“level 1”) Grant.** This is a conditional grant financed by a World Bank credit to support county capacity building under the Kenya Devolution Support Program (KDSP) amounting to Ksh. 2.1 billion. This grant includes Kshs. 1.5 billion allocated for the financial year 2017/18 together with Ksh 648 million that was allocated for the financial year 2016/17 but not disbursed. The grant is intended to support capacity building initiatives in the counties in the following areas:

- Strengthening public financial management (PFM) systems;
- Strengthening county human resource management;
- Improving county planning and Monitoring & Evaluation systems;
- Improving civic education and public participation; and,
- Strengthening Intergovernmental relations”;

(c) deleting the paragraph on “Conditional allocation financed by other loans and grants received from development partners” and substituting therefor the following—

**“Conditional allocation financed by other loans and grants received from development partners** and the Government counterpart funding derived from the National Government’s share all totalling Ksh 13.4 billion. These conditional allocations have increased from a total of Ksh. 2.6 billion in the FY 2016/17. Of the conditional allocation from other loans and grants, Ksh 7.2 billion will be transferred to county governments. However, of the conditional allocation from other loans and grants, Ksh. 6.2 billion will not be transferred to County Governments in the financial year 2017/18 but will instead be managed by the

(No. 050)

TUESDAY, MAY 30, 2017

(467)

National Government because they are tied to financing agreements which entered into prior to the establishment of the county governments. Such funds are tied to on-going contracts with suppliers while the related financing agreements also specify the funds flow modalities which may not be consistent with what is contemplated under the intergovernmental arrangement.

It is therefore expected that the loans and grants under the existing financing agreement will be included in the budget of the National Government, and managed by National Government with involvement of County Governments in Project Steering Committees and Project Implementation Units for each programme/project. In addition, reporting arrangements as well as the conditions attached to the implementation of the programme/project will be clearly spelt out in Project Implementation Frameworks to be agreed with County Governments prior to the release of the funds and implementation of the projects.”

(No. 050)

TUESDAY, MAY 30, 2017

(468)

III. THE REPORT OF THE JOINT PARLIAMENTARY SELECT COMMITTEE ON THE ELECTION OF MEMBERS TO THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

**Notice is given that the Member for Wundanyi (The Hon. Thomas Mwachugu), intends to move the following amendment to the Report of the Joint Parliamentary Select Committee on the Election of Members to the East African Legislative Assembly on its *consideration of the nominees for election as Members of the East African Legislative Assembly***

**THAT**, the motion be amended by inserting the following words immediately after the word "2017" –

**"subject to the deletion of recommendations 3, 5, 6 and 7 appearing on pages 16 and 17 of the Report."**

***(The Senate adopted the report on May 25, 2017 without amendments)***

---



The House resolved on Wednesday, January 25, 2017 as follows:-

- IV. **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** 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.
- V. **THAT**, notwithstanding the provisions of Standing Order 97(4), this House orders that, 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.
- VI. **THAT**, notwithstanding the provisions of Standing Order 97(4), this House orders that each speech in a debate on any **Sessional Paper** shall be limited as follows: -A maximum of sixty (60) minutes, with not more than ten (10) minutes for the Mover in moving and five (5) minutes for any other Member speaking, **including** the Leader of the Majority Party and the Leader of the Minority Party and that five (5) minutes before the expiry of the time, the Mover shall be called upon to reply; and further that priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that Order.
-

# **NOTICE PAPER I**

Tentative business for

Wednesday (Morning), May 31, 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), May 31, 2017:-

## **A. COMMITTEE OF THE WHOLE HOUSE**

- (i) The Traffic (Amendment) Bill (National Assembly Bill No. 33 of 2014)  
(The Hon. Joseph Lekuton, M.P.)
- (ii) The Refugees Bill (National Assembly Bill No. 29 of 2016)  
(The Hon. Agostinho Neto, M.P.)
- (iii) The Kenya National Examinations Council (Amendment) Bill (National Assembly Bill No. 42 of 2016)  
(The Hon. Alfred Agoi Masadia, M.P.)
- (iv) The Kenya Trade Remedies Bill (National Assembly Bill No. 4 of 2017)  
(The Hon. David Ochieng, M.P.)

## **B. MOTION – ROAD DESIGNS AND CONSTRUCTIONS TO INCORPORATE RUN-OFF WATER HARVESTING AND MANAGEMENT MECHANISMS**

(The Hon. Joseph M'eruaki, M.P.)

## **C. THE CANCER PREVENTION AND CONTROL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 51 OF 2016)**

(The Hon. Gladys Wanga, M.P.)

Second Reading

## **D. THE BREASTFEEDING MOTHERS BILL (NATIONAL ASSEMBLY BILL NO. 13 OF 2017)**

(The Hon. Sabina Chege, M.P.)

Second Reading

**E. THE HOUSING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2017)**

(The Hon. Ababu Namwamba, MP)

Second Reading

**F. THE EMPLOYMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2017)**

(The Hon. Kinoti Gatobu, M.P.)

Second Reading

---

## NOTICE PAPER II

Tentative business for

Wednesday (Afternoon), May 31, 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), May 31, 2017:-

**A. MOTION - ELECTION OF MEMBERS TO THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)**

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

*(If not concluded on Tuesday, May 30, 2017)*

**B. THE CONSTITUTION OF KENYA (AMENDMENT)(NO. 6) BILL (NATIONAL ASSEMBLY BILL NO. 65 OF 2015)**

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Tuesday, May 30, 2017)*

**C. THE COMPANIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 23 OF 2017)**

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Tuesday, May 30, 2017)*

**D. THE NATIONAL COHESION AND INTEGRATION (AMENDMENT) BILL**

**(NATIONAL ASSEMBLY BILL NO. 11 OF 2017)**

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

Second Reading

*(If not concluded on Tuesday, May 30, 2017)*

**E. MOTION – ADOPTION OF SESSIONAL PAPER NO. 3 OF 2016 ON THE NATIONAL HOUSING POLICY**

(The Chairperson, Departmental Committee on Transport, Public Works & Housing)

*(If not concluded on Tuesday, May 30, 2017)*

**F. MOTION – ADOPTION OF SESSIONAL PAPER NO. 5 OF 2016 ON NATIONAL CLIMATE CHANGE FRAMEWORK POLICY**

(The Chairperson, Departmental Committee on Environment & Natural Resources)

*(If not concluded on Tuesday, May 30, 2017)*

**G. MOTION – ADOPTION OF THE TWENTY FIRST REPORT OF THE PUBLIC INVESTMENTS COMMITTEE ON THE AUDITED ACCOUNTS OF STATE CORPORATIONS**

(The Chairperson, Public Investment Committee)

*(If not concluded on Tuesday, May 30, 2017)*

---