



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FIRST SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, DECEMBER 13, 2017 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*. PROCEDURAL MOTION– EXEMPTION OF BUSINESS FROM THE PROVISIONS OF STANDING ORDER 40(3)

(The Leader of the Majority Party on behalf of the House Business Committee)

THAT, this House orders that the business appearing as order No.9 in the Order Paper be exempted from the provisions of Standing Order 40(3) being a Wednesday Morning, a day allocated for Business not sponsored by the Majority or Minority Party or Business sponsored by a Committee.

9*. MOTION - ADOPTION OF THE REPORT 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 Thursday, December 14, 2017.

(Resumption of debate interrupted on Thursday, December 07, 2017)

10*. MOTION- REGULATIONS REGARDING LICENSING OF NEW SUGAR FACTORIES

(The Hon. Walter Owino, M.P.)

THAT, aware that sugar cane production in the country has declined significantly in the past few years due to the numerous problems facing the sector including high cost of sugar production, cane poaching, low productivity and heavy indebtedness of the publicly owned sugar milling plants, imprudent business decisions, and corruption; concerned that the drop in the sugarcane production has resulted in shortage as well as high cost of sugar in the country; noting that traditionally, the Kenyan cane growing model has operated on an out-growers model whereby farmers are supported to grow cane on their farms and in turn, they are expected to supply the cane to the millers who facilitated cane development; concerned that that the genesis of cane poaching is attributable to weak and non-adherence of regulations regarding licensing of new factories and failure to honour contractual agreements by both the millers and farmers; this House urges the Government through the State Department of Agriculture and the Kenya Sugar Board to consider writing off debts owed by the publicly owned by sugar companies; reintroduce the sugar development fund; revive out growers companies; review regulations regarding licensing of new sugar factories to ensure supply contracts are provided as proof of availability and adequacy of sugarcane supply, and are adhered to as a precondition for licensing of cane millers; and ensure that contractual agreements by both millers and farmers are honoured.

11*. MOTION – PROVISION OF SALARY INCENTIVES AND ADEQUATE DECENT HOUSING FOR POLICE OFFICERS WHO ARE DEPLOYED TO SERVE IN NORTHERN KENYA AND OTHER HARDSHIP AREAS

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

THAT, acknowledging that the Kenya Police play a very important role in providing assistance to the public when in need, maintenance of law and order, preservation of peace, protection of life and property, investigation of crimes, collection of criminal intelligence, prevention and detection of crime, apprehension of offenders, enforcement of laws and regulations with which it is charged among other roles as provided for under Section 24 of the National Police Service Act; concerned that many police officers across the Country

...../11*(cont'd)

especially those working in Northern Kenya and other high risk and hardship areas continue to work under a very difficult environment characterized by among others, inadequate and inhabitable, deplorable and congested living quarters, insufficient tools for work and poor salaries and allowances; further concerned that the difficult working environment for the police officers has often led to frustrations, demotivation and occupational stress among officers with many of them exiting the force in search of other jobs; this House urges the National Police Service Commission and the Salaries and Remuneration Commission to provide salary incentives and adequate decent housing for Police Officers who are deployed to serve in Northern Kenya and other hardship areas.

12*. MOTION - DESIGNATION AND GAZETTEMMENT OF AREAS AND STREETS FOR DEMONSTRATIONS AND PICKETING

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

THAT, aware that Article 37 of the Constitution guarantees every person the right, peaceably and unarmed, to assemble, to demonstrate, to picket, and to present petitions to public authorities; noting that there is need to guarantee that the enjoyment of rights and fundamental freedoms by any individual should not prejudice the rights and fundamental freedoms of others; noting that demonstrations and picketing in cities and major towns in the Country, particularly in Nairobi, Mombasa and Kisumu have on many occasions resulted in destructions, loss of lives and property, public disorder, and creation of an unfavourable business environment; noting that the rights and freedoms are *not* unconditional because the government has a duty and responsibility to ensure maintenance of peace and public order, and protection of the rights, life and property of all its citizens; this House resolves that the Government should designate and *gazette* specific areas and streets for demonstrations and picketing with a view to ensuring that individuals enjoy their rights and freedoms as enshrined in the Constitution without infringing on the freedoms and rights of others.

*** Denotes Orders of the Day**

N O T I C E S

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

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.

...../Notice Paper I

NOTICE PAPER I

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

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FIRST SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, DECEMBER 13, 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*. 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)

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

(The Leader of the Majority Party)

Second Reading

10*. 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**

N O T I C E S

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

- I. **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.

- II. **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.

NOTICE PAPER I

Tentative business for

Thursday (Morning), December 14, 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 Thursday (Morning), December 14, 2017:-

- A. **MOTION – APPOINTMENT OF MEMBERS TO VARIOUS COMMITTEES**
(The Chairperson, Committee on Selection)
- B. **MOTION – APPOINTMENT OF ADDITIONAL MEMBERS TO THE HOUSE BUSINESS COMMITTEE**
(The Leader of the Majority Party)
- C. **MOTION – APPOINTMENT OF MEMBERS TO THE PARLIAMENTARY SERVICE COMMISSION**
(The Leader of the Majority Party)
- D. **THE PHYSICAL PLANNING BILL (NATIONAL ASSEMBLY BILL NO. 34 OF 2017)**
(The Leader of the Majority Party)

Second Reading

- B. **THE STATUTE LAW (MISCELLANEOUS AMENDMENTS)(No. 3) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2017)**
(The Leader of the Majority Party)

Second Reading

- C. **ADJOURNMENT OF THE HOUSE IN ACCORDANCE WITH THE CALENDAR OF THE NATIONAL ASSEMBLY (2017)**
(The Leader of the Majority Party)

NOTICE PAPER II

Tentative business for

Thursday (Afternoon), December 14, 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 Thursday (Afternoon), December 14, 2017:-

ELECTION OF MEMBERS TO THE EAST AFRICAN LEGISLATIVE ASSEMBLY
