



(No. 14)

(044)

**REPUBLIC OF KENYA**  
**TWELFTH PARLIAMENT – (SECOND SESSION)**  
**THE NATIONAL ASSEMBLY**  
**ORDERS OF THE DAY**  
**WEDNESDAY, MARCH 14, 2018 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\*.** **THE CONSTITUTION OF KENYA (AMENDMENT) (NO.2) BILL**  
**(NATIONAL ASSEMBLY BILL NO. 5 OF 2018)**  
(The Hon. Chris Wamalwa, M.P.)

First Reading

- 9\*.** **HOJA - KUANZISHA HOSPITALI YA RUFAA YA KITAIFA KATIKA**  
**KAUNTI YA MOMBASA**  
(Mhe. Mohamed Ali Mohamed)

**KWAMBA**, tukifahamu Kifungu cha 43 cha Katiba ya Kenya kimeweka wazi kwamba kila Mkenya ana haki ya kuwa na kiwango bora cha afya kinachojumuisha afya bora ya uzazi; aidha, katika utaratibu wa Ajenda ya Maendeleo ya baada ya Mwaka wa 2015, dunia imewajibikia Afya kwa Wote na kutimiza Lengo Endelevu la Maendeleo la tatu (SDG-3) kuhakikisha na kuendeleza maisha na afya bora kwa wote; tukiafiki, uwekezaji katika sekta bora ya afya ni muhimu kuhakikisha kila mtu anapata huduma za kimsingi za afya bila kuzingatia eneo analotoka au hali yake ya kiuchumi; tukitambua, asilimia 80 hutegemea huduma ya afya ya umma ilihali kuna hospitali mbili pekee za rufaa nchini ambazo ni Hospitali ya Kitaifa ya Kenyatta - Nairobi na Hospitali ya Rufaa na Mafunzo ya Moi- Eldoret; tukizingatia, Kifungu cha ishirini na tano (25) kikiambatanishwa na Mpangilio wa Kwanza wa Sheria ya

...../9\*(cont'd)

Afya, 2017 kinasema kutakuwa na hospitali ya kitaifa ya rufaa katika kila gatuzi (Level 6); Bunge hili linahimiza Serikali kuharakisha kuwepo Hospitali ya Rufaa ya Kitaifa katika Kaunti ya Mombasa ili kufanikisha huduma zote za afya zinazohitajika eneo hilo zitumiazo teknolojia pevu na wataalamu wa hali ya juu pamoja na kutoa mafunzo kwa wahudumu wa afya kabla na baada ya kuhitimu.

10\*. 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 deduction 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 especially those working in Northern Kenya and other high risk and hardship areas continue to work under 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 offices has been 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.

11\*. MOTION - **DESIGNATION AND GAZETTMENT 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 incities 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.

12\*. **MOTION – DECLARATION OF CANCER AS NATIONAL DISASTER AND ESTABLISHMENT OF CANCER FUND**

(The Hon. Catherine Waruguru, M.P.)

**THAT**, aware that cancer causes more deaths than HIV, TB and Malaria combined; further aware that 30% of cancers are curable if detected early; 30% of cancers are treatable with prolonged survival if detected early; 30% of cancer patients can be provided with adequate symptom management and care; deeply concerned that cancer is the third highest cause of morbidity in Kenya after infectious diseases and cardiovascular diseases in the country; noting that effective treatments require availability of specialists, chemotherapy services, essential drugs for pain management and adequate infrastructure in treatment and avoidance of distant referral and delays in treatment administration; further, there is need for clear policies concerning terminal pain management, financial and human resources support and palliative care for cancer patients; this House **urges** that Government to declare cancer as national disaster and establishment of cancer fund to cater for cancer treatments and care.

13\*. **MOTION – WAIVER OF CHARGES AND ESTABLISHMENT OF AN EMPLOYMENT DATABASE**

(The Hon. Faith Wairimu Gitau, M.P.)

**THAT**, aware that the average youth population in Kenya is thirty five (35) percent of the total population of the country; further aware that majority of this population is in the job market entry level; noting that Article 55 of the Constitution obligates the State to take measures to ensure that the youth access employment; concerned that this access is hindered by the requirement to produce numerous documentation including a *tax compliance certificate (KRA)*, *certificate of good conduct (DCI)*, *higher education loan clearance certificate (HELB)*, *EACC clearance*, *Credit Reference Certificate (CRB)*; further concerned that these documents cost not less than four thousand five hundred shillings (Ksh.4,500) to acquire; deeply concerned that most of the jobseekers in the youth bracket cannot raise this prohibitive amount for purpose of job application; this House urges the Government through the Ministry of Public Service, Youth and Gender Affairs to waive the payment of these fees by job-seeking youth in the country, and further urges the Ministry to immediately fast-track implementation of the National Employment Authority Act which requires the establishment and maintenance of integrated and up-to-date database of all persons seeking employment.

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**\* Denotes Orders of the Day**

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# NOTICES

## The House resolved on Wednesday, February 14, 2018 as follows:-

- I. **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.
  
  - II. **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.
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## APPENDIX

The following Notice of Motion will be given today in the Morning Sitting:

**MOTION - BIPARTISAN RESOLVE TO SUPPORT THE INITIATIVE ON 'BUILDING BRIDGES TO A NEW KENYAN NATION', ANCHOR INCLUSIVITY & ENSURE COHESION IN KENYA**

(The Leader of the Minority Party)

**THAT, acknowledging** that the meeting between His Excellency, The President, The Hon. Uhuru Kenyatta and the distinguished Leader of the NASA Coalition, The Right Hon. Raila Odinga of Friday, March 09, 2018 putting aside political differences through building bridges marked an important and historic moment for the country; **Aware that** this extraordinary opportunity will enable Kenyans to face and address the challenges currently faced, and openly and honestly discuss successes and failures and finally formulate and implement the necessary corrective measures for the country to move forward; **Cognizant that**, ahead of and immediately after the 2017 general elections, Kenya witnessed a number of political upheavals including and not limited to the demonstrations and hate speech which threatened to polarize the country along political and ethnic differences; **Recognizing that**, the Initiative by the two leaders made on 9<sup>th</sup> March, 2018 on '**Building Bridges to a new Kenyan Nation**' and aimed at ensuring an all inclusive and cohesive Nation will require facilitation and support from all arms of government and relevant institutions; **Committed** to the determination of all Kenyans to live in peace as one indivisible sovereign nation; **Further recognizing that** there is need to roll out and implement programmes on shared objectives in a bipartisan manner as was agreed by the two distinguished leaders-

**NOW THEREFORE-**

- (a) the thanks of this House be recorded in commending the two distinguished leaders for providing leadership in the patriotic task of promoting unity, peace and harmony in the country and initiating the move towards '**Building Bridges to a new Kenyan Nation**'; and
- (b) this House commits itself to support and advance, within its mandate, the aims and objectives of the initiative of '**Building Bridges to a new Kenyan Nation**'.

*(Party-sponsored motion)*

# NOTICE PAPER

Tentative business for

Wednesday (Afternoon), March 14, 2018

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*(Published pursuant to Standing Order 38(1))*

The following tentative business may be transacted on Wednesday (Afternoon), March 14, 2018:-

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

(The Leader of the Majority Party)

Second Reading

*(Question to be put)*

**B. SPECIAL MOTION – APPROVAL FOR APPOINTMENT OF THE  
SOLICITOR-GENERAL**

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

**C. MOTION – REPORT OF THE PUBLIC ACCOUNTS COMMITTEE  
ON ACCOUNTS OF VARIOUS INSTITUTIONS**

(The Chairperson, Public Accounts Committee)

**D. MOTION – REPORT OF THE COMMITTEE ON DELEGATED  
LEGISLATION ON THE NATIONAL CONSTRUCTION  
AUTHORITY (AMENDMENT) REGULATIONS, 2017**

(The Chairperson, Committee on Delegated Legislation)

**E. MOTION - BIPARTISAN RESOLVE TO SUPPORT THE INITIATIVE  
ON BUILDING BRIDGES TO A NEW KENYAN  
NATION', ANCHOR INCLUSIVITY & ENSURE  
COHESION IN KENYA**

(The Leader of the Minority Party)

*(Party-sponsored motion)*

*(Subject to notice being given in the Morning sitting)*

**F. THE NAIROBI METROPOLITAN AREA TRANSPORT AUTHORITY  
BILL (NATIONAL ASSEMBLY BILL NO. 41 OF 2017)**

(The Leader of the Majority Party)

Second Reading

Twelfth Parliament



Afternoon Sitting  
Second Session

(No. 15)

(049)

**REPUBLIC OF KENYA**  
**TWELFTH PARLIAMENT – (SECOND SESSION)**  
**THE NATIONAL ASSEMBLY**  
**ORDERS OF THE DAY**  
**WEDNESDAY, MARCH 14, 2018 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 STATUTE LAW (MISCELLANEOUS AMENDMENTS) (NO. 3) BILL**  
**(NATIONAL ASSEMBLY BILL NO. 44 OF 2017)**  
(The Leader of the Majority Party)

Second Reading

*(Question to be put)*

- 9\*.** **SPECIAL MOTION – APPROVAL OF NOMINEE FOR**  
**APPOINTMENT TO THE OFFICE OF**  
**SOLICITOR-GENERAL**  
(The Chairperson, Departmental Committee on Justice  
and Legal Affairs)

**THAT**, this House adopts the Report of the Departmental Committee on Justice and Legal Affairs on the Vetting of the Nominee for Appointment as the Solicitor General, laid on the Table of the House on Tuesday, March 13, 2018, and pursuant to the provisions of Section 9(1) of the Office of the Attorney-General Act, 2012 **approves** the appointment of **Mr. Kennedy Nyabuti Ogeto** to the Office of the Solicitor-General.

(No. 15)

WEDNESDAY, MARCH 14, 2018

(050)

**10\*. MOTION – REPORT OF THE PUBLIC ACCOUNTS COMMITTEE ON ACCOUNTS OF VARIOUS INSTITUTIONS**

(The Chairperson, Public Accounts Committee)

**THAT**, this House adopts the Report of the Public Accounts Committee on accounts of the National Cohesion and Integration Commission (NCIC), Commission on Revenue Allocation (CRA), Ethics and Anti-Corruption Commission (EACC), National Lands Commission (NLC), the National Assembly (NA) and the Parliamentary Service Commission (PSC) for the year 2015/2016, laid on the Table of the House on Tuesday, March 13, 2018.

**11\*. MOTION – REPORT OF THE COMMITTEE ON DELEGATED LEGISLATION ON THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) REGULATIONS, 2017**

(The Chairperson, Committee on Delegated Legislation)

**THAT**, this House adopts the Report of the Committee on Delegated Legislation on the National Construction Authority (Amendment) Regulations, 2017, laid on the Table of the House on Tuesday, March 13, 2018, and pursuant to the provisions of Section 18 of the Statutory Instruments Act, 2013 and Standing Order 210 (4)(b) **annuls in entirety** the said regulations.

**12\*. THE NAIROBI METROPOLITAN AREA TRANSPORT AUTHORITY BILL (NATIONAL ASSEMBLY BILL NO. 41 OF 2017)**

(The Leader of the Majority Party)

Second Reading

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**\* Denotes Orders of the Day**

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(No. 15)

WEDNESDAY, MARCH 14, 2018

(051)

## N O T I C E S

### The House resolved on Wednesday, February 14, 2018 as follows:-

- I. **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.
  
- 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** 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

Tentative business for  
Thursday, March 15, 2018

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*(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, March 15, 2018:-

**A. THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 7 OF 2018)**

(The Chairperson, Budget & Appropriations Committee)

Second Reading

**B. COMMITTEE OF THE WHOLE HOUSE**

The Division of Revenue Bill (National Assembly Bill No. 7 of 2018)

(The Chairperson, Budget & Appropriations Committee)

**C. THE NAIROBI METROPOLITAN AREA TRANSPORT AUTHORITY BILL (NATIONAL ASSEMBLY BILL NO. 41 OF 2017)**

(The Leader of the Majority Party)

Second Reading

*(Resumption of debate if not concluded on Wednesday, March 14, 2018 – Afternoon sitting)*

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