



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, FEBRUARY 18, 2015 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*. COMMITTEE OF THE WHOLE HOUSE

- (i) The Order of Precedence Bill (National Assembly Bill No. 11 of 2014)
(The Hon. Adan Keynan, MP)
- (ii) The Central Bank (Amendment) Bill (National Assembly Bill No. 32 of 2014)
(The Hon. Kabando wa Kabando, MP)

9*. THE PARLIAMENTARY POWERS & PRIVILEGES BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2014)
(The Hon Adan Keynan, MP)

Second Reading

10*. **MOTION – DEVELOPMENT OF RENEWABLE/GREEN ENERGY**
(The Hon. Dr. Wilbur Ottichilo, M.P.)

THAT, aware that the Kenya Nuclear Electricity Board (KNEB) was created and tasked with spearheading the development of nuclear energy in the country; deeply concerned that the construction and maintenance of a nuclear plant is a highly technical, expensive and risky undertaking that potentially exposes a country to the threat of nuclear radiation and the challenge of disposal of radioactive nuclear waste; further aware that due to these inherent risks in nuclear energy production, many of the developed countries like Germany, India, Japan and South Africa amongst others have increasingly embarked on the systematic shut-down of their nuclear plants and instead are promoting the development of clean renewable energy, especially wind and solar energy; this House resolves that the Government stops any further investment in the development of nuclear energy and instead invests in the development of renewable or green energy which is safe and abundant in the Country.

(Resumption of debate interrupted on Wednesday, December 10, 2014 – Morning Sitting)
(Balance of time – 1hr 55 mins)

11*. **MOTION** - **COMPENSATION OF MAU MAU VICTIMS BY THE BRITISH GOVERNMENT**
(Hon. Patrick Wangamati, MP)

THAT, aware that in 2013 the British Government agreed to pay Kenyans who were abused, tortured maimed and detained by British colonial forces during the *Mau Mau* uprising in 1952 and onwards compensation of Kshs. 2.5 billion as an out of court settlement; further aware that the compensation was only paid to a section of *Mau Mau* victims from Kiambu and Nyeri counties, leaving out victims from Meru, Kirinyanga, Murang'a, Embu, Kajiado and other parts of Kenya; cognizant of the fact that the leaders from the two counties initiated a court process claim for compensation to the victims who were eventually compensated; noting that the struggle for independence in this country involved various communities and individuals like the followers of *Dini ya Musambwa* movement who took part in the uprising against the colonial government, and were also killed, tortured and detained and therefore also deserve equal compensation from the British Government; also aware that the British Government has accepted to release further compensation money, on condition that only the victims who are still alive and can prove that they were tortured will be compensated from these monies, this House resolves that the Government ensures that compensation from the British Government goes to all affected homes and families of victims who are still alive all over the country.

12*. MOTION - ABOLISHMENT OF THE RANKING SYSTEM IN NATIONAL EXAMINATIONS

(Hon. Chris Wamalwa, MP)

THAT, aware that Article 35 (1) (a) of the Constitution provides for the right of access to information held by the state; further aware that the education sector has recently been marred by confusion and unnecessary anxiety due to the abolishment of the ranking system in national examinations; concerned that this action by the Ministry of Education was arrived at without due consultation with all relevant stakeholders including KUPPET, KNUT, the parent associations, investors in the sector among others, contrary to Article 118 of the Constitution; cognizant of the fact that the ranking system has been a long-held tradition in the sector both locally and internationally, and has been a source of positive competition, motivation, rewarding and an important guideline for resource allocation; this House **resolves** that the government through the Ministry immediately reverts to the ranking system for national examination and specifically the Kenya Certificate of Primary Education (KCPE) and the Kenya Certificate of Secondary Education (KCSE).

13*. MOTION - ESTABLISHMENT OF A SELECT COMMITTEE TO INVESTIGATE AND INQUIRE INTO THE CAUSES OF DEATH OF CERTAIN PERSONALITIES

(Hon. Ken Obura, MP)

THAT, aware that Article 26 of the Constitution guarantees the right of every person to life, and that no person shall be deprived of life intentionally; further aware that Article 35 provides for the right of access to all important information by all; cognizant of the fact that national leaders and their families form an integral part of national-being that builds and helps in forging unity; concerned that several national leaders and/or prominent personalities including the late Hon. Sen. Mutula Kilonzo, the late Hon. Sen. Otieno Kajwang' and the late Fidel Castro Odinga have lost their lives in unclear circumstances in the last two years; further concerned that the causes of death of these prominent national leaders have been shrouded in mystery creating unnecessary anxiety among different groups of people; this House **resolves** to establish a Select Committee to comprehensively investigate and inquire into the causes of death of the three personalities, consider and review all related findings on the deaths and table its report within ninety (90) days, and approves the following Members to constitute the Committee:-

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|----------------------------------|-------------------------|
| 1. Hon. Ken Obura, MP | Chairperson |
| 2. Hon. Soipan Tuya, MP | Vice Chairperson |
| 3. Hon. Ababu Namwamba, EGH, MP | |
| 4. Hon. Adan Keynan, CBS, MP | |
| 5. Hon. Aisha Juma, MP | |
| 6. Hon. Bare Shill, MP | |
| 7. Hon. Charles Mongare Geni, MP | |
| 8. Hon. Florence Kajuju, MP | |
| 9. Hon. Jared Opiyo, MP | |

- 10. Hon. Dennis Waweru, MP
- 11. Hon. Mary Emaase, MP
- 12. Hon. Michael Kiso, MP
- 13. Hon. Sabina Chege, MP
- 14. Hon. Samuel Chepkong'a, MP
- 15. Hon. (Dr.) Robert Pukose, MP

14*. MOTION - TRANSLATION OF THE LAWS OF KENYA INTO KISWAHILI
(The Hon. Joyce Wanjalah Lay, MP)

THAT, aware that Kiswahili is the national as well as official language of the Republic as enshrined in the Constitution; further aware that equality and freedom from discrimination and access to information are fundamental rights; cognizant of the fact that democracy and public participation of the people is a national value and principle of governance as per Article 10 of the Constitution; deeply concerned that a section of Kenyans have a low level of knowledge of their legal rights and laws passed by this House as a result of the existing language barriers; convinced that unless we, as a nation, lay down mechanisms for translating laws passed by Parliament and county assemblies into Kiswahili, most Kenyans will continue being partially aware of the law, this House urges the National Council for Law Reporting to progressively translate the laws of Kenya into Kiswahili.

*** Denotes Orders of the Day**

N O T I C E SI. THE ORDER OF PRECEDENCE BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2014)

1. Notice is given that Chairperson of the Departmental Committee on Administration and National Security (The Hon. Asman Kamama) intends to move the following amendments to the Order of Precedence Bill, (National Assembly Bill No. 11 of 2014) at the Committee Stage—

LONG TITLE

THAT, the long title be deleted and replaced with the following new long title—

“AN ACT of Parliament to provide for the Order of Precedence for officials at diplomatic, official and social state functions within Kenya and abroad; to provide for official titles of designated office holders; and for connected purposes”.

CLAUSE 1

THAT, clause 1 be amended by inserting the words “and Titles” immediately after the word “Precedence”.

CLAUSE 4

THAT, clause 4 be amended by deleting subclause (1) and substituting therefor the following new subclause—

“(1) There is established an Order of Precedence for the holders of the following State offices and public offices in the following hierarchy—

- (a) the President;
- (b) the Deputy President;
- (c) the Speakers of Parliament;
- (d) the Chief Justice;
- (e) the Leader of Majority/Leader of Minority of Parliament;
- (f) Members of Parliament/County Governors;
- (g) Former Presidents/Prime Ministers;
- (h) Justices of the Supreme Court;
- (i) Former Vice Presidents and Deputy Presidents;
- (j) Judges of the Court of Appeal;
- (k) Judges of the High Court;

- (l) Cabinet Secretaries/Attorney-General/Auditor-General;
- (m) Principal Secretaries;
- (n) Chief of the Kenya Defence Forces;
- (o) Inspector General of the National Police Service/ Director General of the National Intelligence Service;
- (p) Chairpersons of constitutional commissions;
- (q) Commissioner of Prisons;
- (r) Ambassadors and High Commissioners.

CLAUSE 5

THAT, clause 5 be amended—

- (a) by deleting subclause (1) and substituting therefor the following new subclause—

“(1) The following State officers and persons shall be entitled to use sirens on their motorcades and processions—

- (a) the President;
- (b) the Deputy President;
- (c) the Speakers of Parliament;
- (d) the Chief Justice;
- (e) Cabinet Secretaries/Attorney-General/Auditor-General;
- (f) the Chief of the Kenya Defence Forces;
- (g) the Inspector General of the National Police Service
- (h) Former Presidents/Prime Ministers”;

- (b) by deleting subclause (2) and substituting therefor the following new subclause—

“(2) Subject to the provisions of any other written law, a person, other than the State officers listed in subsection (1), who uses a siren on a motor vehicle commits an offence, and shall be liable on conviction to a fine of not less than one million shillings and not more than two million shillings, or to imprisonment for a term not less than twelve months, or both”.

CLAUSE 6

THAT, clause 6 be amended—

- (a) by deleting subclause (1) and substituting therefor the following new subclause—

“(1) For purposes of public address, the following titles shall be used to refer to the following persons—

- (a) the President shall be referred to as "His or Her Excellency";
- (b) the Deputy President shall be referred to as "His or Her Excellency the Deputy President";
- (c) the Speaker of Parliament shall be referred to as "The Right Honourable Speaker of Parliament";
- (d) the Chief Justice shall be referred to as "Your Lordship or Ladyship the Chief Justice";
- (e) Members of Parliament shall be referred to as "Honourable";
- (f) the Governor of a county shall be referred to as "the Governor";
- (g) Judge of the Superior Court shall be referred to as "Your Lordship or Ladyship";
- (h) Chairpersons and members of constitutional commissions shall be referred to as "Commissioner";
- (i) Spouse of the President shall be referred to as "His Excellency the First Gentleman or Her Excellency the First Lady";
- (j) Spouse of the Deputy President shall be referred to as "His or Her Excellency".

(b) By deleting subclause (2) and substituting therefor the following new subclause—

"Notwithstanding the provisions of any other written law, a person, other than those listed in subsection (1), who uses a title reserved for the persons listed in that subsection commits an offence and shall be liable on conviction to a fine of not less than one million shillings and not more than two million shillings, or to imprisonment for a term not less than twelve months, or both".

2. Notice is given that the Member for Samburu West Constituency (Hon. Lati Leleit) intends to move the following amendments to the Oder of Precedence Bill, 2014 at the Committee Stage –

CLAUSE 4

THAT clause 4 of the Bill be amended in sub-clause (1) by—

(a) inserting the following paragraph immediately after paragraph (a) –

(ba) a vising Head of State;

(b) deleting paragraph (c) and substituting therefor the following new paragraphs—

(c) the Speaker of the National Assembly;

(ca) the Speaker of the Senate;

(c) inserting the following paragraph immediately after paragraph (e) –

(ea) the Governor of a host County;

The House resolved on Wednesday, February 11, 2015 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.
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NOTICE PAPER

Tentative business for

Wednesday (Afternoon), February 18, 2015

(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), February 18, 2015:-

- A. **THE PUBLIC AUDIT BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2014)**
(The Leader of the Majority Party)
Second Reading
(Question to be put)
- B. **THE PUBLIC PROCUREMENT AND ASSET DISPOSAL BILL (NATIONAL ASSEMBLY BILL NO. 40 OF 2014)**
(The Leader of the Majority Party)
Second Reading
- C. **THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 1 OF 2014)**
(The Chairperson, Departmental Committee on Finance, Planning and Trade)
Second Reading
- D. **THE COUNTY GOVERNMENTS (AMENDMENT) (No.2) BILL (SENATE BILL NO. 2 OF 2014)**
(The Chairperson, Departmental Committee on Justice and Legal Affairs)
Second Reading
- E. **THE NATIONAL HONOURS (AMENDMENT) BILL (SENATE BILL NO. 16 OF 2014)**
(The Leader of the Majority Party)
Second Reading
- F. **THE PRIVATE SECURITY REGULATION BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2014)**
(The Leader of the Majority Party)
Second Reading
- G. **THE BUSINESS REGISTRATION SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 5 OF 2014)**
(The Leader of the Majority Party)
Second Reading
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REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, FEBRUARY 18, 2015 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 PUBLIC AUDIT BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2014)**
(The Leader of the Majority Party)

Second Reading

(Question to be put)

9.** **THE PUBLIC PROCUREMENT AND ASSET DISPOSAL BILL (NATIONAL ASSEMBLY BILL NO. 40 OF 2014)**
(The Leader of the Majority Party)

Second Reading

10*. **THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 1 OF 2014)**
(The Chairperson, Departmental Committee on Finance, Planning and Trade)

Second Reading

11*. **THE COUNTY GOVERNMENTS (AMENDMENT) (No.2) BILL (SENATE BILL NO. 2 OF 2014)**
(The Chairperson, Departmental Committee on Justice and Legal Affairs)

Second Reading

12*. THE NATIONAL HONOURS (AMENDMENT) BILL (SENATE BILL NO. 16 OF 2014)

(The Leader of the Majority Party)

Second Reading

13*. THE PRIVATE SECURITY REGULATION BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2014)

(The Leader of the Majority Party)

Second Reading

14*. THE BUSINESS REGISTRATION SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 5 OF 2014)

(The Leader of the Majority Party)

Second Reading

*** Denotes Orders of the Day**

*** *Denotes Bills that ought to be passed by Parliament by
May 26, 2015 in accordance with Article 261 of the Constitution**

N O T I C E S

The House resolved on Wednesday, February 11, 2015 as follows:-

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*

NOTICE PAPER

Tentative business for

Thursday, February 19, 2015

(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, February 19, 2015:-

A. **THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 1 OF 2014)**

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

Second Reading

(If not concluded on Wednesday, February 18, 2015 – Afternoon Sitting)

B. **THE COUNTY GOVERNMENTS (AMENDMENT) (No.2) BILL (SENATE BILL NO. 2 OF 2014)**

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

Second Reading

(If not concluded on Wednesday, February 18, 2015 – Afternoon Sitting)

C. **THE NATIONAL HONOURS (AMENDMENT) BILL (SENATE BILL NO. 16 OF 2014)**

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, February 18, 2015 – Afternoon Sitting)

D. **THE PRIVATE SECURITY REGULATION BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2014)**

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, February 18, 2015 – Afternoon Sitting)

E. **THE BUSINESS REGISTRATION SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 5 OF 2014)**

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, February 18, 2015 – Afternoon Sitting)
