



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, FEBRUARY 25, 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

The Traffic (Amendment) Bill (National Assembly Bill No. 33 of 2014)
(The Hon. Joseph Lekuton, MP)

9* . THE COUNTY GOVERNMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 34 OF 2014)

(Hon. Adan Keynan, MP)

Second Reading

10* . 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.

11*. 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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|--------|-------------------------------|-------------------------|
| (i) | Hon. Ken Obura, MP | Chairperson |
| (ii) | Hon. Soipan Tuya, MP | Vice Chairperson |
| (iii) | Hon. Ababu Namwamba, EGH, MP | |
| (iv) | Hon. Adan Keynan, CBS, MP | |
| (v) | Hon. Aisha Juma, MP | |
| (vi) | Hon. Bare Shill, MP | |
| (vii) | Hon. Charles Mongare Geni, MP | |
| (viii) | Hon. Florence Kajuju , MP | |
| (ix) | Hon. Jared Opiyo, MP | |
| (x) | Hon. Dennis Waweru, MP | |
| (xi) | Hon. Mary Emaase, MP | |
| (xii) | Hon. Michael Kisoi, MP | |
| (xiii) | Hon. Sabina Chege, MP | |
| (xiv) | Hon. Samuel Chepkong'a, MP | |
| (xv) | Hon. (Dr.) Robert Pukose, MP | |

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 - PROPER DISPOSAL OF ALCOHOLIC CONTAINERS & ARRANGING RECREATIONAL ACTIVITIES DURING SCHOOL HOLIDAYS
(The Hon. Kigo Njenga, MP)

THAT, aware that there has been an increase of alcohol use and abuse in Kenya especially in urban areas; further aware that over 2.2 million Kenyans are addicted to alcohol; noting that improper disposal of alcoholic containers has been on the rise leading to unintended exposure and use of containers for vending illicit brew especially by school going children; deeply concerned that this is both an environmental and a health risk; this House urges the government in conjunction with all relevant authorities particularly NACADA, to institute and ensure proper disposal of alcoholic containers and organize recreational activities during school holidays in all Constituencies.

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**

.....**Notices**

N O T I C E STHE TRAFFIC (AMENDMENT) BILL (NATIONAL ASSEMBLY
BILL NO. 33 OF 2014)

Notice is given that the Chairperson for the Departmental Committee on Transport, Public Works and Housing, (Hon. Maina Kamanda), intends to move the following amendments to the Traffic (Amendment) Bill, 2014 at the Committee Stage—

CLAUSE 2

THAT, clause 2 of the Bill be amended in the new sub-clause (3A)—

- (a) by deleting the word “thirty” appearing immediately after the words “speed exceeding” and substituting therefor the word “fifty”;
- (b) by deleting paragraph (b);
- (c) by deleting paragraph (c);
- (d) in paragraph (d) by inserting the following words “as may be designated as a pedestrian crossing by the highway authority” immediately after the words “from school”; and
- (e) by deleting paragraph (e).

CLAUSE 3

THAT, clause 3 of the Bill be amended—

- (a) by deleting the existing paragraph (a) and substituting therefor the following new paragraph—
 - “(a) inserting the following new sub-section immediately after sub-section (1)—
 - “(1A) A person who contravenes the provisions of section 42(3A) commits an offence and shall be liable on conviction to a fine not exceeding twenty thousand shillings.”; and
- (b) by renumbering the proposed new subsections in paragraph (b) accordingly.

CLAUSE 4

THAT, clause 4 of the Bill be amended—

- (a) by deleting sub clause (2) of the proposed section 105B and substituting therefor the following new sub clause—

“(2) Notwithstanding subsection (1), a motor vehicle designated for transporting children to or from school or for any non-school related activity when they are in a group shall–

(a) be fitted with seat belts designed to be used by children;

(b) be painted in yellow colour and have other signage as may be prescribed;

(c) comply with the conditions imposed on public service vehicles under this Act; and

(d) not operate between the hours of 10:00 p.m. and 5:00 a.m.”;

(b) by deleting sub-clauses (3), (4) and (5);

(c) in sub-clause (7), by deleting the words ‘of fifty thousand’ appearing immediately after the word ‘fine’ and substituting therefor the words ‘not exceeding thirty thousand’;

(d) by deleting sub-clause (8) and substituting therefor the following new sub-clause–

“(8) Notwithstanding subsection (7), a person who being the registered owner or driver of a vehicle used for transporting children, who authorizes or permits the use of a vehicle used for transporting children or is negligent to prevent contravention with this Act commits an offence and shall be liable to a fine not exceeding thirty thousand shillings or imprisonment for a term not exceeding two months, or to both.”; and

(e) by inserting the following new sub-clauses immediately after sub-clause (8)–

“(9) Subsections (1), (2)(a) and (b) shall come into force twelve months from the date of commencement of this Act.”

“(10) The Cabinet Secretary shall, within a period not exceeding twelve months after the enactment of this Act, make Regulations prescribing matters required to be prescribed under this section.”.

CLAUSE 5

THAT, clause 5 of the Bill be deleted.



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.

NOTICE PAPER

Tentative business for
Wednesday (Afternoon), February 25, 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 25, 2015:-

A. THE PUBLIC PROCUREMENT AND ASSET DISPOSAL BILL (NATIONAL ASSEMBLY BILL NO. 40 OF 2014)

(The Leader of the Majority Party)

Second Reading

(Question to be put)

B. MOTION - REPORT ON THE PETITION FOR REMOVAL OF THE CHAIRPERSON OF THE NATIONAL GENDER & EQUALITY COMMISSION

Chairperson, Labour and Social Welfare Committee

C. MOTION - REPORT ON THE PRIVATIZATION OF THE PUBLIC SECTOR OWNED/CONTROLLED SUGAR COMPANIES

Chairperson, Departmental Committee on Finance, Planning & Trade

D. MOTION - ADOPTION OF THREE REPORTS OF THE PUBLIC ACCOUNTS COMMITTEE

(The Chairperson, Public Accounts Committee)

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

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

Second Reading

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

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

Second Reading

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

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading



REPUBLIC OF KENYA
ELEVENTH PARLIAMENT - (THIRD SESSION)
THE NATIONAL ASSEMBLY
ORDERS OF THE DAY
WEDNESDAY, FEBRUARY 25, 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 PROCUREMENT AND ASSET DISPOSAL BILL (NATIONAL ASSEMBLY BILL NO. 40 OF 2014)**

(The Leader of the Majority Party)

Second Reading

(Question to be put)

9* MOTION - REPORT ON THE PETITION FOR REMOVAL OF THE CHAIRPERSON OF THE NATIONAL GENDER & EQUALITY COMMISSION
(Chairperson, Labour and Social Welfare Committee)

THAT, this House notes the Report of the Departmental Committee on Labour and Social Welfare on the Petition for Removal of the Chairperson of the National Gender and Equality Commission, laid on the Table of the House on Wednesday, 18th February, 2015, and in accordance with the provision of Article 251(3) of the Constitution and Standing Order 230(5), finds that the Petition **does not** disclose sufficient ground for the removal of the Chairperson of National Gender and Equality Commission.

10*. **MOTION** - **REPORT ON THE PRIVATIZATION OF THE PUBLIC SECTOR OWNED/CONTROLLED SUGAR COMPANIES**
Chairperson, Departmental Committee on Finance, Planning & Trade

THAT, this House adopts the Report of the Departmental Committee on Finance, Planning and Trade on the Privatization of the Public Sector Owned/Controlled Sugar Companies (*Nzoia Sugar Company, South Nyanza Sugar Company, Chemilil Sugar Company, Muhoroni Sugar Company and Miwani Sugar Company*), laid on the table of the House on Tuesday, December 2, 2014.

11*. **MOTION** - **ADOPTION OF THREE REPORTS OF THE PUBLIC ACCOUNTS COMMITTEE**
(The Chairperson, Public Accounts Committee)

THAT, this House adopts the Reports of the Public Accounts Committee on:-

- (i) The Appropriations Account, Other Public Accounts and the Accounts for the Funds of the Government of Kenya for the Financial Year 2010/2011;
- (ii) The Appropriations Account, Other Public Accounts and the Accounts for the Funds of the Government of Kenya for the Financial Year 2011/2012; and
- (iii) The Appropriations Account, Other Public Accounts and the Accounts for the Funds of the Government of Kenya for the Financial Year 2012/2013, laid on the Table of the House on Tuesday, December 2, 2014.

(Resumption of debate interrupted on Wednesday, December 10, 2014 – Afternoon Sitting)

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

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

Second Reading

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

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

Second Reading

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

(The Leader of the Majority Party)

Second Reading

15* . THE PRIVATE SECURITY REGULATION BILL (NATIONAL ASSEMBLY BILL NO. 4 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:-

- I. **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, a Sessional Paper or any other Report submitted to the House, shall 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 shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that Order.

- II. **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 fourty 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, February 26, 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 26, 2015:-

- A. **MOTION – REPORT ON PRIVATIZATION OF THE PUBLIC SECTOR OWNED/CONTROLLED SUGAR COMPANIES**
Chairperson, Departmental Committee on Finance, Planning & Trade
(If not concluded on Wednesday, February 25, 2015 – Afternoon Sitting)
- B. **MOTION – REPORT ON THE VETTING OF NOMINEES FOR THE POSITION OF MEMBERS OF THE TEACHERS SERVICE COMMISSION**
- C. **MOTION – ADOPTION OF THREE REPORTS OF THE PUBLIC ACCOUNTS COMMITTEE**
(The Chairperson, Public Accounts Committee)
(If not concluded on Wednesday, February 25, 2015 – Afternoon Sitting)
- D. **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 25, 2015 – Afternoon Sitting)
- E. **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 25, 2015 – Afternoon Sitting)
- F. **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 25, 2015 – Afternoon Sitting)
- G. **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 25, 2015 – Afternoon Sitting)
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