



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, AUGUST 06, 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*. **MOTION - THE ADOPTION OF SESSIONAL PAPER NO. 4 OF 2014**
(The Chairperson, Departmental Committee on Justice and Legal Affairs)

THAT, this House adopts Sessional Paper No. 4 of 2014 on the Governance, Justice, Law and Order Sector (GJLOS) Policy, laid on the Table of the House on Thursday, February 12, 2015.

- 9*. **MOTION - RATIFICATION OF THE CONVENTION ON THE SUPPRESSION OF UNLAWFUL ACTS RELATING TO INTERNATIONAL CIVIL AVIATION**
(The Chairperson, Departmental Committee on Transport, Public Works & Housing)

THAT, this House adopts the Report of the Departmental Committee on Transport, Public Works & Housing on its consideration of the Convention on the Suppression of Unlawful Acts relating to International Civil Aviation and the Protocol Supplementary to the Convention for Suppression of Unlawful Seizure of Aircrafts, laid on the Table of the House on Thursday, 18th June 2015, and pursuant to Section 8 of the Treaty Making and Ratification Act, 2012, **approves** the ratification of:

- (i) The Convention on the Suppression of Unlawful Acts relating to International Civil Aviation; and
- (ii) The Protocol Supplementary to the Convention for suppression of Unlawful Seizure of Aircrafts.

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

Chairperson, Departmental Committee on Finance, Planning and Trade

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

Chairperson, Departmental Committee on Justice and Legal Affairs

Second Reading

12*. **MOTION - THE REPORT ON EAST AFRICAN COMMUNITY (EAC) PEACE AND SECURITY PROTOCOL, AND THE MUTUAL PEACE AND SECURITY PACT**

(The Committee on Regional Integration)

THAT, this House adopts the Report of the Committee on Regional Integration on East African Community (EAC) Peace and Security Protocol and the Mutual Peace and Security Pact, laid on the Table of the House on Wednesday, 29th April, 2015 and pursuant to Section 8 of the Treaty Making and Ratification Act, 2012, **approves** the East African Community (EAC) Peace and Security Protocol and the Mutual Peace and Security Pact.

13*. **MOTION - THE REPORT ON THE CRISIS FACING THE SUGAR INDUSTRY IN KENYA**

(The Chairperson, Departmental Committee on Agriculture, Livestock and Co-operatives)

THAT, this House adopts the Report of the Departmental Committee on Agriculture, Livestock and Co-operatives on the Crisis facing the Sugar Industry in Kenya, laid on the Table of the House on Thursday, 12th March, 2015.

14*. **MOTION - THE REPORT ON THE RESETTLEMENT OF SQUATTERS IN MURI; MATHENGETA TUMUTUMU/RIAKANAU; DRAKE & KASEKU FARMS**

(The Chairperson, Departmental Committee on Lands)

THAT, this House adopts the Report of the Departmental Committee on Lands on the Resettlement of Squatters in Muri Farm; Mathengeta Tumutumumu/Riakanau Farm; and Drake Farm and Kaseku Farm, laid on the Table of the House on Thursday, 12th June, 2014.

15*. **MOTION - THE REPORT ON THE DEGAZZETEMENT OF GOVERNMENT LAND BELONGING TO CHORLIM COOPERATIVE SOCIETY**

(The Chairperson, Departmental Committee on Lands)

THAT, this House adopts the Report of the Departmental Committee on Lands on the Degazetement of Government Land Belonging to Chorlim Cooperative Society, laid on the Table of the House on Tuesday, 2nd December, 2014.

16* . MOTION - THE BUDGET IMPLEMENTATION REVIEW REPORT FOR THE NATIONAL GOVERNMENT BY THE CONTROLLER OF BUDGET FOR 2014/2015

(The Chairperson, Budget and Appropriations Committee)

THAT, this House adopts the Reports of the Budget and Appropriations Committee on:

- (i) The First (1st) Quarter Budget Implementation Review Report for the National Government by the Controller of Budget for 2014/2015; and
- (ii) The First (1st) Half Budget Implementation Review Report for the National Government by the Controller of Budget for 2014/2015, laid on the Table of the House on Thursday, 30th April, 2015.

17* .MOTION - THE REPORT ON LANDS ON LAND ADJUDICATION ISSUES IN MERU AND THARAKA NITHI COUNTIES

(The Departmental Committee on Lands)

THAT, this House adopts the Report of the Departmental Committee on Lands on Land adjudication issues in Meru and Tharaka Nithi Counties, laid on the Table of the House on Wednesday, 3rd December, 2014.

18* .MOTION - THE REPORT ON COMPENSATION OF GALLERIA MALL EVICTEES AND THE EXPANSION OF LANG'ATA ROAD

(The Chairperson, Departmental Committee on Lands)

THAT, this House adopts the Report of the Departmental Committee on Lands on Compensation of Evictees of Galleria Mall and the Expansion of Lang'ata Road, laid on the Table of the House on Wednesday, 3rd December 2014.

19* .MOTION - THE REPORT ON BANITA SETTLEMENT SCHEME

(The Chairperson, Departmental Committee on Lands)

THAT, this House adopts the Report of the Departmental Committee on Lands on Banita Settlement Scheme, laid on the Table of the House on Wednesday, 3rd December 2014.

*** Denotes Orders of the Day**

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 any **Motion**, including a Special motion shall 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 sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** shall 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 shall 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.

- III. **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.

NOTICE PAPER

Tentative business for
Thursday, August 06 (Afternoon), 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(Afternoon) August 06, 2015:-

A. THE COMPANIES AND INSOLVENCY LEGISLATION (CONSEQUENTIAL AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 25 OF 2015)

(The Leader of the Majority Party)

Second Reading
(Question to be put)

B. THE INSOLVENCY BILL (NATIONAL ASSEMBLY BILL NO.15 OF 2015)

(The Leader of the Majority Party)

Second Reading

(Question to be put)

C. THE SPECIAL ECONOMIC ZONES BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2015)

(The Leader of the Majority Party)

Second Reading
(Question to be put)

D. COMMITTEE OF THE WHOLE HOUSE

The Companies Bill (National Assembly Bill No. 22 of 2015)

(The Leader of the Majority Party)

E. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 27 OF 2015)

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

Second Reading

F. THE BUSINESS REGISTRATION BILL (NATIONAL ASSEMBLY BILL NO.13 OF 2015)

The Leader of the Majority Party

Second Reading



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, AUGUST 06, 2015 AT 2.30 P.M

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PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statements

- 8*. **THE COMPANIES AND INSOLVENCY LEGISLATION (CONSEQUENTIAL AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 25 OF 2015)**
(The Leader of the Majority Party)

Second Reading
(Question to be put)

- 9*. **THE INSOLVENCY BILL (NATIONAL ASSEMBLY BILL NO.15 OF 2015)**
(The Leader of the Majority Party)

Second Reading

(Question to be put)

- 10*. **THE SPECIAL ECONOMIC ZONES BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2015)**
(The Leader of the Majority Party)

Second Reading
(Question to be put)

- 11*. **COMMITTEE OF THE WHOLE HOUSE**
The Companies Bill (National Assembly Bill No. 22 of 2015)
(The Leader of the Majority Party)

12*. **THE BUSINESS REGISTRATION BILL (NATIONAL ASSEMBLY BILL NO.13 OF 2015)**

The Leader of the Majority Party

Second Reading

13*. **THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 27 OF 2015)**

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

Second Reading

14*. **MOTION - THE REPORT ON EAST AFRICAN COMMUNITY (EAC) PEACE AND SECURITY PROTOCOL, AND THE MUTUAL PEACE AND SECURITY PACT**

(The Committee on Regional Integration)

THAT, this House adopts the Report of the Committee on Regional Integration on East African Community (EAC) Peace and Security Protocol and the Mutual Peace and Security Pact, laid on the Table of the House on Wednesday, 29th April, 2015 and pursuant to Section 8 of the Treaty Making and Ratification Act, 2012, **approves** the East African Community (EAC) Peace and Security Protocol and the Mutual Peace and Security Pact.

15*. **MOTION - THE REPORT ON THE CRISIS FACING THE SUGAR INDUSTRY IN KENYA**

(The Chairperson, Departmental Committee on Agriculture, Livestock and Co-operatives)

THAT, this House adopts the Report of the Departmental Committee on Agriculture, Livestock and Co-operatives on the Crisis facing the Sugar Industry in Kenya, laid on the Table of the House on Thursday, 12th March, 2015.

16*. **MOTION - THE REPORT ON THE RESETTLEMENT OF SQUATTERS IN MURI; MATHENGETA TUMUTUMU/RIAKANAU; DRAKE & KASEKU FARMS**

(The Chairperson, Departmental Committee on Lands)

THAT, this House adopts the Report of the Departmental Committee on Lands on the Resettlement of Squatters in Muri Farm; Mathengeta Tumutumumu/Riakanau Farm; and Drake Farm and Kaseku Farm, laid on the Table of the House on Thursday, 12th June, 2014.

*** Denotes Orders of the Day**

NOTICES

I. THE COMPANIES BILL (NATIONAL ASSEMBLY BILL NO. 22 OF 2015)

1. Notice is given that the Chairperson of the Departmental Committee of Justice and Legal Affairs intends to move the following amendments to the Companies Bill, 2015 at the Committee Stage—

CLAUSE 3

THAT the Bill be amended in clause 3 —

(a) by inserting the following definition in its proper alphabetical sequence-

“auditor” means –

(a) a person or firm appointed as an auditor of a company under Part XXVII;
or

(b) a person or firm appointed as an auditor of a body of a kind prescribed by the regulations for the purposes of this definition;

(b) in the definition of the phrase “prescribed financial accounting standards” by deleting the words “such body or bodies as may be prescribed by the regulations for the purpose of this Act” and substituting therefor the words “a professional body or bodies in accounting and finance recognized by law in Kenya.”;

(c) by deleting the definition of the phrase “statutory auditor” ;

(d) by deleting the definition of the phrase “working day” and substituting therefor the following new definition—

“working day” means any day between Monday and Friday, but does not include a public holiday;

CLAUSE 26

THAT the Bill be amended in clause 26 by deleting the phrase “section 7” and substituting therefor the phrase “section 12”.

CLAUSE 62

THAT the Bill be amended in clause 62 by deleting paragraph (e).

CLAUSE 78

THAT the Bill be amended in clause 78 by deleting sub-clause (6).

CLAUSE 94

THAT the Bill be amended in clause 94 by deleting sub-clause (1) and substituting therefor the following new subclause—

“(1) Except in so far as the regulations otherwise provide, a company shall ensure that its register of members is—

(a) kept at its registered office; and

(b) lodged with the Registrar.”

CLAUSE 95

THAT the Bill be amended in clause 95 by inserting the words “or imprisonment for a term not exceeding two years, or to both” in sub-clause (5).

CLAUSE 96

THAT clause 96 of the Bill be amended—

(a) in subclause (1) by inserting the word “public” immediately before the word “company”; and

(b) in subclause (2) by inserting the word “public” immediately before the word “company” wherever it occurs.

CLAUSE 97

THAT clause 97 of the Bill be amended—

(a) in sub clause (1)—

(i) by inserting the words “or decline it by giving sufficient reasons in writing” at the end of paragraph(a);

(ii) in paragraph (b) by deleting the words “for an order under subsection (3);

(b) in subclause (2) by deleting the words “at the hearing of an application for an order under subsection (3)” and

(c) by deleting subclauses (3), (4), (5) and (6).

CLAUSE 119

THAT clause 119 of the Bill be amended in subclause (3)(b) by deleting the phrase “Insolvency Act, 2015” and substituting therefor the phrase “laws relating to insolvency”.

CLAUSE 133

THAT the Bill be amended by deleting clause 133.

CLAUSE 136

THAT clause 136 of the Bill be amended in subclause (1) (e) by inserting the word “or” immediately after the word “business”.

CLAUSE 173

THAT clause 173 of the Bill be amended in subclause (3) by deleting the words “section 150” and substituting therefor the words “section 168”.

CLAUSE 207

THAT clause 207 of the Bill be amended in subclause (5) by deleting the words “a company” appearing before the word “fails”.

CLAUSE 242

THAT clause 242 of the Bill be amended —

(a) by renumbering the first sub clause (3) as (2); and

(b) by deleting the words “section 145” appearing in sub clause (2) (b) and substituting therefor the words “section 144”.

NEW CLAUSE

THAT the Bill be amended by inserting the following new clause immediately after clause 252—

Offence to include misleading, false or deceptive particulars in register of secretaries.

252A. A person who knowingly or recklessly authorises or permits the inclusion of misleading, false or deceptive particulars in a register of secretaries commits an offence and is liable on conviction to imprisonment for a term not exceeding two years or a fine not exceeding one million shillings, or to both.

CLAUSE 330

THAT clause 330 of the Bill be amended by deleting subclause (1) and substituting therefor the following sub clause—

(1) Except as permitted under section 331, a company shall not apply any of its shares or capital money, either directly or indirectly, in payment of any commission, discount or allowance to any person in consideration of the person —

(a) subscribing or agreeing to subscribe, whether absolutely or conditionally, for shares in the company; or

(b) procuring or agreeing to procure subscriptions, whether absolute or conditional, for shares in the company.

CLAUSE 331

THAT clause 331 of the Bill be amended—

(a) in subclause (1) by numbering the paragraphs sequentially; and

(b) by deleting sub clause (2).

CLAUSE 349

THAT clause 349 of the Bill be amended in subclause (5) by deleting the words “section 350” and substituting therefor the words “section 348”.

CLAUSE 406

THAT clause 406 of the Bill be amended in subclause (3) by deleting the word “this” appearing immediately before the word “subsection”.

CLAUSE 412

THAT clause 412 of the Bill be amended in subclause (1) by inserting the number “411” immediately after the word “section” appearing in paragraph (a).

CLAUSE 477

THAT clause 477 of the Bill be amended—

(a) in subclause (2) in paragraph (a) by deleting the words “an appropriate national newspaper” and substituting therefor the words “a newspaper of nationwide circulation in Kenya”; and

(b) by deleting subclause (3).

CLAUSE 478

THAT clause 478 of the Bill be amended in subclause (2) (a)—

(a) in subparagraph (i) by deleting the words “section 465(1)” and substituting therefor the words “section 477(1)”; and

(b) in subparagraph (ii) by deleting the words “section 465(2)” and substituting therefor the words “section 477(2)”.

CLAUSE 520

THAT clause 520 of the Bill be amended in subclause (1) by deleting the word “share” appearing immediately before the words “that are to be redeemed” and substituting therefor the word “shares”.

CLAUSE 523

THAT clause 523 of the Bill be amended by inserting the following new subclauses immediately after subclause (2)—

(2a) Where in pursuance of this section, a company has redeemed or is about to redeem any preference shares, it shall have power to issue shares up to the nominal value of the shares redeemed or to be redeemed as if those shares had never been issued, and accordingly the share capital of the company shall not for the purpose of any enactments relating to stamp duty be deemed to be increased by the issue of shares in pursuance of this subsection.

(2b) Despite subsection (2a), where new shares are issued before the redemption of the old shares, the new shares shall not, so far as relates to stamp duty, be deemed to have been issued in pursuance of this subsection unless the old shares are redeemed within one month after the issue of the new shares.

CLAUSE 536

THAT clause 536 of the Bill be amended in sub clause (5) (b) (i) by deleting the words “section 568” and substituting therefor the words “section 566”.

CLAUSE 547

THAT clause 547 of the Bill be amended in subclause (1) by deleting the words “under section 780” and substituting therefor the words “to require a person to provide information about their interests in the company’s share”.

CLAUSE 550

THAT clause 550 of the Bill be amended by renumbering clauses (9), (10) and (11) as (8), (9) and (10) respectively.

CLAUSE 551

THAT clause 551 of the Bill be amended in subclause (4) by deleting the word “be” appearing immediately after the words “the register is”.

CLAUSE 598

THAT clause 598 of the Bill be amended in the marginal note by deleting the words “section 609” and substituting therefor the words “section 597”.

CLAUSE 607

THAT clause 607 of the Bill be amended in subclause (4) by deleting the words “section 618” and substituting therefor the words “section 606”.

CLAUSE 618

THAT clause 618 of the Bill be amended in subclause (3) by deleting the words “section 611(6)” and substituting therefor the words “section 613(6)”.

CLAUSE 624

THAT clause 624 of the Bill be amended in subclause (3) —

- (a) in paragraph (a) by deleting the words “seven hundred and twenty” and substituting therefor the word “fifty”;
- (b) in paragraph (b) by deleting the words “three hundred and sixty ” and substituting therefor the word “twenty”.

CLAUSE 625

THAT clause 625 of the Bill be amended in subclause (4)—

- (a) in paragraph (a) by deleting the words “seven hundred and twenty million shillings net or eight hundred and sixty-five million shillings gross” and substituting therefor the words “fifty million shillings”; and
- (b) in paragraph (b) by deleting the words “three hundred and sixty” and substituting therefor the word “twenty”.

CLAUSE 655

THAT clause 655 of the Bill be amended—

- (a) in subclause (4 (b) (i) by inserting the word “impact” immediately after words “including the”; and
- (b) by renumbering subclause (8) and (7) as (7) and (8) respectively.

CLAUSE 678

THAT clause 678 of the Bill be amended by deleting the words “section 686” and substituting therefor the words “section 676”.

CLAUSE 705

THAT clause 705 of the Bill be amended in subclause (3) by inserting a new paragraph as follows—
“(c) financial statements or exemption statement, where applicable.”

CLAUSE 711

THAT clause 711 of the Bill be amended—

- (a) in subclause (2)—
 - (i) in paragraph (b) by deleting the words “seven hundred and twenty million” and substituting therefor the words “fifty million”;
 - (ii) in paragraph (c) by deleting the words “three hundred and sixty” and substituting therefor the words “twenty”;
- (b) by renumbering the repeated subclause (4) as subclause (5).

CLAUSE 715

THAT clause 715 of the Bill be amended by deleting the words “section 551” and substituting therefor the words “section 714”.

CLAUSE 736

THAT the Bill be amended by deleting clause 736. .

CLAUSE 744

THAT clause 744 of the Bill be amended in subclause (6) by deleting the words “section 269(4)” and substituting therefor the words “section 267(4)”.

CLAUSE 763

THAT clause 763 of the Bill be amended by deleting the words “section 764” and substituting therefor the words “section 762”.

CLAUSE 773

THAT the Bill be amended by deleting clause 773 and substituting therefor the following clause—

Eligibility for appointment as a statutory auditor.

No. 15 of 2008

773. A natural person or firm is eligible for appointment as an auditor only if the person, or each partner of the firm—

- (a) is the holder of a practicing certificate issued under section 21 of the Accountants Act;
- (b) has a valid annual license issued under section 22 of the Accountants Act.

CLAUSE 790

THAT clause 790 of the Bill be amended in subclause (3) by inserting the word “the” immediately after the words “direction requiring”.

CLAUSE 816

THAT clause 816 of the Bill be amended in subclause (5) by inserting the word “of” immediately after the word “end”.

CLAUSE 817

THAT clause 817 of the Bill be amended in subclause (3) by deleting the word “it” appearing at the beginning of paragraph (b).

CLAUSE 824

THAT clause 824 of the Bill be amended in subclause (1) by deleting the word “this” appearing immediately after the word “company” and substituting therefor the word “that”.

CLAUSE 827

THAT clause 827 of the Bill be amended in subclause (1) by deleting the word “right” appearing immediately after the words “other securities in” in paragraph (d) and substituting therefor the word “respect”.

CLAUSE 829

THAT clause 829 of the Bill be amended in subclause (4) by deleting the words “section 841(6) or (8)” and substituting therefor the words “section 828(6) or (8)”.

CLAUSE 832

THAT clause 832 of the Bill be amended by deleting sub clause (1) and substituting therefor the following sub clause-

“(1) There is established the Office of the Registrar of Companies.”

CLAUSE 852

THAT clause 852 of the Bill be amended in the marginal note by deleting the word “elapse” and substituting therefor the word “lapse”.

CLAUSE 893

THAT clause 893 of the Bill be amended in subclause (3) by deleting the word “the” appearing immediately after the words “to which”.

CLAUSE 899

THAT clause 899 of the Bill be amended in subclause (2)(b) by deleting the word “are” appearing immediately after the words “that subsection” and substituting therefor the word “is”.

CLAUSE 903

THAT clause 903 of the Bill be amended—

- (a) in subclause (1) by deleting the words “sections 904 and 905” and substituting therefor the words “sections 901 and 902”;and
- (b) in subclause (3) by deleting the words “sections 904 and 905” and substituting therefor the words “sections 901 and 902”.

CLAUSE 904

THAT clause 904 of the Bill be amended in subclause (1) by deleting the expressions “Part IX of” and “Part VIII of” wherever they occur.

CLAUSE 926

THAT clause 926 of the Bill be amended by deleting the words “section 923” and substituting therefor the words “section 925”.

CLAUSE 940

THAT clause 940 of the Bill be amended in subclause (4) by deleting the words “section 642” and substituting therefor the words “section 652”.

CLAUSE 953

THAT clause 953 of the Bill be amended in subclause (2) by deleting the words “section 923” appearing in paragraph (a) and substituting therefor the words “section 925”.

CLAUSE 955

THAT clause 955 of the Bill be amended in subclause (4) by deleting the words “section 665” and substituting therefor the words “section 652”.

CLAUSE 966

THAT clause 966 of the Bill be amended in subclause (4)(a) by deleting the words “or civil partner”.

CLAUSE 980

THAT clause 980 of the Bill be amended in subclause (4) by inserting the word “offence” immediately after the word “further”;

CLAUSE 988

THAT clause 988 of the Bill be amended in subclause (9) by deleting the word “my” appearing immediately after the words “date as” and substituting therefor the word “may”.

CLAUSE 1002

THAT clause 1002 of the Bill be amended by capitalizing the word “court” wherever it occurs.

CLAUSE 1004

THAT clause 1004 of the Bill be amended in subclause (11) by deleting the words “Insolvency Act, 2015” and substituting therefor the words “laws relating to insolvency”.

CLAUSE 1010

THAT clause 1010 of the Bill be amended in subclause (1) by deleting the words “otherwise than in bound books”.

CLAUSE 1021

THAT clause 1021 of the Bill be amended in subclause (2 (a) by deleting the words “or civil partner”.

2. **Notice is given that the Member for Mvita (Hon. Abdulswamad Nassir), intends to move the following amendments to the Companies Bill, 2015 at the Committee Stage—**

CLAUSE 624

THAT, clause 624 of the Bill be amended—

(a) in subclause (3) by—

- (i) deleting the words “seven hundred and twenty million” appearing immediately after the words “not more than” in paragraph (a) and substituting therefor the words “five million”;
- (ii) deleting the words “three hundred and sixty million” appearing immediately after the words “not more than” in paragraph (b) and substituting therefor the words “two million five hundred thousand”;
- (iii) deleting the word “fifty” appearing immediately after the words “not more than” in paragraph (c) and substituting therefor the word “twenty”;

(b) by inserting the following new subclause immediately after subclause (3)—

“(3A) The Cabinet Secretary responsible for the National Treasury may, by notice in the Gazette, revise—

- (a) the turnover limit set out under section (3)(a) based on the prevailing economic environment; and
- (b) the value of a company’s net assets set out under section (3)(b) on the basis of the prevailing economic environment.”

CLAUSE 625

THAT, clause 625 of the Bill be amended in subclause (4) by—

- (a) deleting the words “seven hundred and twenty million shillings net or eight hundred and sixty-five million shillings gross” appearing immediately after the words “not more than” in paragraph (a) and substituting therefor the words “five million shillings”;
- (b) deleting the words “three hundred and sixty million” appearing immediately after the words “not more than” in paragraph (b) and substituting therefor the words “two million five hundred thousand”
- (c) deleting the word “fifty” appearing immediately after the words “not more than” in paragraph (c) and substituting therefor the word “twenty”;

CLAUSE 711

THAT, clause 711 of the Bill be amended in subclause (2) by—

- (a) deleting the words “seven hundred and twenty million” appearing immediately after the words “not more than” in paragraph (b) and substituting therefor the words “five million”;

(b) deleting the words "three hundred and sixty million" appearing immediately after the words "not more than" in paragraph (c) and substituting therefor the words "two million five hundred thousand shillings";

3. Notice is given that the Member for Alego Usonga (Hon. George M. Omondi), intends to move the following amendments to the Companies Bill, 2015 at the Committee Stage—

CLAUSE 779

THAT, clause 779 of the Bill be amended in subclause (1) by inserting the words "on the recommendation of the Institute of Certified Public Accountants of Kenya and" immediately after the words "Cabinet Secretary may,"

4. Notice is given that the Member for Chelangany (Hon. Wesley Korir), intends to move the following amendments to the Companies Bill, 2015 at the Committee Stage—

CLAUSE 976

THAT, clause 976 of the Bill be amended

(a) by deleting subclause (2) and substituting therefor the following subclause—

"(2) The Registrar shall approve the application for registration and register the company by entering its name and other particulars in the Foreign Companies Register if the application—

- (a) contains the information prescribed by the regulations for the purposes of this section;
- (b) demonstrates that at least thirty percent of the company's shareholding is held by Kenyan citizens by birth;
- (c) is accompanied by the prescribed fee, if any, and the required documents; and
- (d) complies with the requirements of this Part with respect to the company's name and the appointment of a local representative"

(b) in subclause (3) (c) by inserting the words "and shareholders" immediately after the word "directors".



II. ADJOURNMENT OF THE HOUSE TO A SPECIFIED DAY

The Speaker will today call upon the Leader of the Majority Party to move a Motion for Adjournment of the House to a day other than the next normal Sitting Day.

MOTION – (The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 31, this House adjourns until Tuesday, 18, 2015 to enable Members of Parliament to participate in the 46th Commonwealth Parliamentary Association (CPA) (Africa Region) Conference hosted by the Parliament of Kenya from 9th to 15th August, 2015.

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

- III. THAT,** notwithstanding the provisions of Standing Order 97(4), the debate on any Motion for the **Adjournment** of the House to a day other than the next normal Sitting Day in accordance with the Calendar of the Assembly, shall be limited to a maximum of three (3) hours with not more than five (5) minutes for each Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of ten (10) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

Provided that, when the period of Recess proposed by any such motion does not exceed fifteen (15) days, the debate shall be limited to a maximum of thirty minutes (30), and shall be strictly confined to the question of the adjournment.

- 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** shall 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 shall 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

Tuesday, August 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 Tuesday, August 18, 2015:-

A. COMMITTEE OF THE WHOLE HOUSE

- (i) The Fisheries Management and Development Bill
(The Leader of the Majority Party)
- (ii) The Insolvency Bill (National Assembly Bill No.15 of 2015)
(The Leader of the Majority Party)

B. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 27 OF 2015)

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

Second Reading

(If not concluded on Thursday, August 06, 2015 - Afternoon Sitting)

C. THE BUSINESS REGISTRATION BILL (NATIONAL ASSEMBLY BILL NO.13 OF 2015)

The Leader of the Majority Party

Second Reading

(If not concluded on Thursday, August 06, 2015 - Afternoon Sitting)
