



**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – (FOURTH SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**TUESDAY, NOVEMBER 29, 2016 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\*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE INSURANCE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 28 OF 2016)**

**THAT**, this House do agree with the Report of Committee of the Whole House on its consideration of the Insurance (Amendment) Bill (National Assembly Bill No. 28 of 2016).

*(Question to be put)*

**9\*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE UNIVERSITIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 66 OF 2015)**

**THAT**, this House do agree with the Report of Committee of the Whole House on its consideration of the Universities (Amendment) Bill (National Assembly Bill No. 66 of 2015).

*(Question to be put)*

**10\*. COMMITTEE OF THE WHOLE HOUSE**

- (i) The Competition (Amendment) Bill (National Assembly Bill No. 24 of 2016)  
(The Leader of the Majority Party)
- (ii) The Contempt of Court Bill (National Assembly Bill No. 32 of 2016)  
(The Leader of the Majority Party)

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

(The Chairperson, Departmental Committee on Administration and National Security)

Second Reading

*(Resumption of debate interrupted on Thursday, November 24, 2016)*

**12\*. THE PUBLIC PRIVATE PARTNERSHIPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 25 OF 2016)**

(The Leader of the Majority Party)

Second Reading

*(Resumption of debate interrupted on Wednesday, October 19, 2016)*

**13\*. THE LAND VALUE INDEX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 40 OF 2016)**

(The Leader of the Majority Party)

Second Reading

**14\*. THE PUBLIC SERVICE COMMISSION BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2016)**

(The Leader of the Majority Party)

Second Reading

**15\*. MOTION – ADOPTION OF THE REPORT ON THE INVESTIGATION INTO WILDLIFE POACHING IN KENYA**

(The Chairperson, Departmental Committee on Environment and Natural Resources)

**THAT**, this House adopts the Report of the Departmental Committee on Environment and Natural Resources on the Investigation into Wildlife Poaching in Kenya, laid on the Table of the House on Thursday, October 01, 2015.

16\*. MOTION – ADOPTION OF THE REPORT ON THE INVESTIGATION INTO THE GARISSA UNIVERSITY COLLEGE TERRORIST ATTACK

(The Chairperson, Departmental Committee on Administration and National Security)

**THAT**, this House adopts the Report of the Departmental Committee on Administration and National Security on the Investigation into the Garissa University College Terrorist Attack, laid on the Table of the House on Tuesday, November 17, 2015.

17\*. MOTION – ADOPTION OF REPORT ON THE INQUIRY INTO THE PROCUREMENT OF THE APRON BUSES BY THE KENYA AIRPORTS AUTHORITY

(The Chairperson, Departmental Committee on Transport, Public Works and Housing)

**THAT**, this House adopts the Report of the Departmental Committee on Transport, Public Works and Housing on the Inquiry into the Procurement of the Apron Buses by the Kenya Airports Authority, laid on the Table of the House on Thursday, November 19, 2015.

18\*. MOTION – ADOPTION OF THE REPORT ON THE INQUIRY INTO THE IMPORTATION OF FERTILIZER BY THE MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES THROUGH THE NATIONAL CEREALS AND PRODUCE BOARD

(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 Inquiry into the Importation of a Consignment of Fertilizer by the Ministry of Agriculture, Livestock and Fisheries through the National Cereals and Produce Board, laid on the Table of the House on Tuesday, November 24, 2015.

19\*. MOTION – ADOPTION OF THE REPORT ON THE INQUIRY INTO 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 degazettement of Government Land belonging to Chorlim Co-operative Society, laid on the Table on Tuesday, December 2, 2014.



# **N O T I C E S**

## **THE COMPETITION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2016)**

Notice is given that the Chairperson of the Departmental Committee on Finance, Planning and Trade, Hon. Benjamin Langat, M. P., intends to move the following amendments to the, Competition (Amendment) Bill 2016 at the Committee Stage—

### **CLAUSE 2**

**THAT**, clause 2 of the Bill be amended by deleting paragraph (b) and substituting therefor the following paragraph—

(b) by deleting the definition of the term “undertaking” and substituting therefor the following new definition—

“undertaking” means any business intended to be carried on, or carried on for gain or reward by a person, a partnership or a trust in the production, supply or distribution of goods or provision of any service and includes a trade association.

### **CLAUSE 10**

**THAT**, clause 10 of the Bill be amended by deleting paragraph (a) and substituting therefor the following paragraph—

(a) by deleting subsection (1) and substituting therefor the following subsection-

(1) The Authority may, in consultation with the Cabinet Secretary and by notice in the *Gazette*, set the threshold for any merger excluded from the provisions of this Part.

### **NEW CLAUSE**

**THAT** the Bill be amended by inserting the following new clause immediately after clause 11—

Amendment of section  
48 of No. 12 of 2010

**11A.** Section 48 of the principal Act is amended by inserting the following subsection immediately after subsection (1)—

**(1A)** Upon receipt of a written decision as contemplated under section 46(6) from the Authority, a party may file an appeal to that decision to the Tribunal.

**THE CONTEMPT OF COURT BILL (NATIONAL ASSEMBLY BILL NO. 32 OF 2016)**

Notice is given that Chairperson of the Departmental Committee on Justice and Legal Affairs, intends to move the following amendments to the Contempt of Court Bill, 2016 at the Committee Stage—

**CLAUSE 5**

**THAT** clause 5 of the Bill be amended—

- (a) in paragraph (a) by deleting the word “and”; and
- (b) by deleting sub clause (2).

**CLAUSE 6**

**THAT** clause 6 of the Bill be amended by deleting the words “in the course of the hearing of a proceeding” appearing in paragraph (c).

**CLAUSE 8**

**THAT** clause 8 of the Bill be amended by inserting the words “with the leave of the court” immediately after the words "the Director of Public Prosecutions".

**CLAUSE 13**

**THAT** clause 13 of the Bill be amended by—

- (a) in sub clause (1) deleting the words “reasonable grounds” and substituting therefor the word “reason”; and
- (b) in sub clause (3) deleting the words “reasonable grounds” and substituting therefor the word “reason.”

**CLAUSE 19**

**THAT** clause 19 of the Bill be amended in sub clause (2) by—

- (a) deleting the words “at the discretion of”; and
- (b) inserting the word “reasonable” immediately after the words “it may be subject to”.

**CLAUSE 27**

**THAT** clause 27 of the Bill be amended in paragraph (j) —

- (a) by deleting the word “wrongfully” and substituting therefor with the word “forcibly”; and
- (b) by deleting the expression “a” and substituting therefor with the expression “and.”

**CLAUSE 28**

**THAT** clause 28 of the Bill be amended in sub paragraph (1) by inserting the expression “to” immediately after the words “is liable”.

**CLAUSE 30**

**THAT** clause 30 of the Bill be amended by deleting the word “ninety” wherever it appears and substituting therefor with the word “thirty.”

**CLAUSE 35**

**THAT** clause 35 of the Bill be amended by deleting the words “be in addition to and not in derogation of the provision of” and substituting therefor the word “supersede.”

**CLAUSE 38**

**THAT** the Bill be amended by deleting clause 38 and inserting the following new clauses—

Repeal of section 36 of  
No. 27 of 2015.

**38A.**The High Court (Organization and Administration) Act is amended by deleting section 36.

Repeal of section 35 of  
No. 28 of 2015.

**38B.**The Court of Appeal (Organization and Administration) Act is amended by deleting section 35.

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The House resolved on Wednesday, February 10, 2016 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 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.
  
  - 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 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 be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that Order.
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# **NOTICE PAPER I**

## **Tentative business for**

### **Wednesday (Morning), November 30, 2016**

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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 Wednesday (Morning), November 30, 2016:-

**A. THE LIVESTOCK AND LIVESTOCK PRODUCTS DEVELOPMENT AND MARKETING BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2016)**

(The Hon. Abdinoor Mohamed, M.P.)

First Reading

**B. THE REFUGEES BILL (NATIONAL ASSEMBLY BILL NO. 29 OF 2016)**

(The Hon. Agostinho Neto, M.P.)

Second Reading

*(Resumption of debate interrupted on Wednesday, November 23, 2016, Morning sitting)*

**C. MOTION – RECRUITMENT OF SCHOOL BURSARS TO ENSURE PRUDENT UTILIZATION/MANAGEMENT OF FREE PRIMARY EDUCATION FUNDS**

(The Hon. James Lusweti, M.P.)

**D. MOTION– FORMULATION OF A POLICY TO GUARANTEE CAREER ADVANCEMENT, PROMOTIONS AND SECURITY OF TENURE FOR PUBLIC SERVANTS**

(The Hon. Joyce Emanikor, M.P.)

**E. MOTION - ESTABLISHMENT OF A SELECT COMMITTEE TO INQUIRE INTO THE CIRCUMSTANCES & FORCES BEHIND YOUTH VULNERABILITY TO RADICALIZATION**

(The Hon. Kanini Kega, M.P.)

**F. THE CONSTITUTION OF KENYA (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 7 OF 2016)**

(The Hon. Mithika Linturi, M.P.)

Second Reading

**G. THE KENYA UWEZO FUND BILL (NATIONAL ASSEMBLY BILL NO. 65 OF 2015)**

(The Hon. David Kangogo, M.P.)

Second Reading

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# **NOTICE PAPER II**

## **Tentative business for**

### **Wednesday (Afternoon), November 30, 2016**

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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 Wednesday (Afternoon), November 30, 2016:-

#### **A. COMMITTEE OF THE WHOLE HOUSE**

- (i) The County Assembly Services Bill (Senate Bill No. 27 of 2014)  
(The Chairperson, Departmental Committee on Administration and National Security)
- (ii) The Bribery Bill (National Assembly Bill No. 16 of 2016)  
(The Leader of the Majority Party)

#### **B. THE LAND VALUE INDEX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 40 OF 2016)**

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Tuesday, November 29, 2016)*

#### **C. MOTION – ADOPTION OF THE REPORT ON THE INVESTIGATION INTO WILDLIFE POACHING IN KENYA**

(The Chairperson, Departmental Committee on Environment and Natural Resources)

*(If not concluded on Tuesday, November 29, 2016)*

#### **D. MOTION – ADOPTION OF THE REPORT ON THE INVESTIGATION**

**INTO THE GARISSA UNIVERSITY COLLEGE TERRORIST ATTACK**

(The Chairperson, Departmental Committee on Administration and National Security)

*(If not concluded on Tuesday, November 29, 2016)*

**E. MOTION – ADOPTION OF REPORT ON THE INQUIRY INTO THE PROCUREMENT OF THE APRON BUSES BY THE KENYA AIRPORTS AUTHORITY**

(The Chairperson, Departmental Committee on Transport, Public Works and Housing)

*(If not concluded on Tuesday, November 29, 2016)*

**F. MOTION – ADOPTION OF THE REPORT ON THE INQUIRY INTO THE IMPORTATION OF FERTILIZER BY THE MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES THROUGH THE NATIONAL CEREALS AND PRODUCE BOARD**

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

*(If not concluded on Tuesday, November 29, 2016)*

**G. MOTION – ADOPTION OF THE REPORT ON THE INQUIRY INTO DEGAZZETEMENT OF GOVERNMENT LAND BELONGING TO CHORLIM COOPERATIVE SOCIETY**

(The Chairperson, Departmental Committee on Lands)

*(If not concluded on Tuesday, November 29, 2016)*

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# **NOTICE PAPER III**

## **Status of Business before Committees**

### **Wednesday (Afternoon) November 30, 2016**

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In accordance with the Speaker's Communication of Wednesday, October 14, 2015, it is notified that, during the Sitting of *Wednesday, November 30, 2016 (Afternoon)*, the Chairpersons of the following Committees will be called upon to apprise the House on the Status of the Business pending before their respective Committees:-

1. The Chairperson, Public Accounts Committee
2. The Chairperson, Departmental Committee on Administration and National Security

# **APPENDIX**

## **PETITION to be presented on**

**Tuesday, November 29, 2016**

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It is notified that, pursuant to Standing Orders 225, the following Petition will be presented to the House **today, Tuesday, November 29, 2016:-**

<b>NO.</b>	<b><u>PETITION TO BE PRESENTED BY</u></b>	<b><u>SUBJECT</u></b>	<b><u>PETITIONER(S)</u></b>
	The Member for Yatta Constituency (Hon. Francis Mwangangi, MP) <i>(Pursuant to Standing Order 225(2)(a))</i>	Irregular acquisition of land in Ndalani Ward, Yatta Constituency	Residents of Yatta Constituency

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