

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Thursday, 26<sup>th</sup> April 2018

The House met at 2.30 p.m.

*[The Deputy Speaker  
(Hon. Cheboi) in the Chair]*

### PRAYERS

**Hon. Deputy Speaker:** Hon. Members, before I order for the bell to be rung, I want to see the Members that are getting in. Can you confirm if we have the required numbers? I think if we do so, business will begin.

### PETITION

**Hon. Deputy Speaker:** Under that particular Order, I see two petitions. Let us start with Hon. Joseph Manje.

#### COMPENSATION FOR LAND ACQUIRED COMPULSORILY

**Hon. Manje:** Thank you, Hon. Deputy Speaker for giving me this chance.

I, the undersigned, on behalf of the residents of Kajiado North Constituency, draw the attention of the House to the following:

THAT, Chapter Five of the Constitution on Land and Environment, specifically Article 60(1), provides that Land in Kenya shall be held, used and managed in a manner that is equitable, efficient, productive and sustainable and in accordance with certain principles, *inter alia*, security of land rights;

THAT, Section 111 of the Land Act, 2012, envisages that if land is acquired compulsorily, just compensation shall be paid promptly in full to all persons whose interests in the land have been determined;

THAT, in March 2018, the Lands Ministry provided comparable rates for land transactions on parcels of land affected by the Standard Gauge Railway (SGR) citing a land value survey undertaken by the Ministry along the SGR Phase II(A) Corridor, which the National Land Commission was to adhere to;

THAT, it is alleged that the comparable rates provided by the Ministry were inconsistent, bearing in mind the fact that the rates of the values of land provided for Kandisi and Ngong areas are largely divergent despite the close proximity between the two settlement areas;

THAT, the comparable rates provided by the Ministry undervalued the land in Imerijo and Olkeri areas;

THAT, the comparable rates provided by the Ministry have demonstrated inconsistency with the value of recent land transactions that have been undertaken in certain areas within the constituency;

FURTHER THAT, efforts to persuade the relevant authorities to review the rates have borne no fruit;

THAT, the matter presented in this Petition is not pending before any tribunal or court of law.

Therefore, your humble Petitioners pray that the National Assembly, through the Departmental Committee on Lands –

(i) Recommends review of the comparable rates provided by the Ministry of Lands with the aim of up-valuing the rates provided for the Ongata Rongai Station to equal the value of the Ngong SGR Station.

(ii) Recommends that the value of land in Nkoroi and along the Nairobi–Magadi Road be scaled up to match the values provided for the Ngong’ area.

(iii) Recommends scale-up of the rates provided for Kandisi, Imerijo and Olkeri areas.

(iv) Ensures that the petitioners’ plight is addressed.

(v) Makes any other order or direction that it deems fit in the circumstances of the matter.

Your Petitioners will forever pray.

This is an issue of urgency because the compensation will start as soon as possible. It may start as early as next week. Therefore, I plead with the Departmental Committee on Lands to take up this issue immediately because if they start compensating, it may take a different direction.

**Hon. Deputy Speaker:** Hon. Manje, you have proceeded to debate after stating the Petition. Let me give an opportunity to two Members to speak on this one. I want those who want to speak to it to press the intervention button. Let us start with Hon. Maanzo.

**Hon. Maanzo:** Thank you, Hon. Deputy Speaker. I support Hon. Manje’s Petition. In Makueni, we had a similar experience when the railway was being constructed through the constituency. Currently, we have Thwake Dam where land owners are being compensated. There are serious challenges. As much as Hon. Manje would want it to be done next week, we first need to confirm that the money is in the Budget through the relevant Ministry. It is the relevant Ministry which works with the National Land Commission.

There have been challenges of different nature, including corruption in compensation. Some people have been compensated for land which does not belong to them. Eventually, it ends up being a court case, which delays the process. I support the Petition and request Parliament to give direction on this matter so that the people who have not been compensated can receive their compensation within the law and in the right ways.

**Hon. Deputy Speaker:** I do not see any other Member who is interested. I asked anyone who was interested to press the intervention button.

That being the case, let us move to the next Order.

## PAPERS LAID

**Hon. Deputy Speaker:** Let us have the Chairperson of the Committee on Delegated Legislation. We will have Hon. Murugara for that particular one. Are you the one laying the paper or is it Hon. Fatuma? You have the Floor.

**Hon. (Ms.) Fatuma Ali:** Hon. Deputy Speaker, I beg to lay the following Paper on the Table of the House:

The Report of the Committee on Delegated Legislation on its consideration of the Community Land Regulations, 2017.

### NOTICE OF MOTION

#### ADOPTION OF REPORT ON COMMUNITY LAND REGULATIONS, 2017

**Hon. (Ms.) Fatuma Ali:** Hon. Deputy Speaker, I beg to give Notice of the following Motion:

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Community Land Regulations, 2017, laid on the Table of the House on Thursday, 26<sup>th</sup> April 2018, and pursuant to the provisions of Section 15(1) of the Statutory Instruments Act and Standing Order No.210(4)(b), annuls regulations 23 and 24 of the said Regulations.

### STATEMENTS

#### DENIAL OF ACCESS TO KENYA NATIONAL EXAMINATIONS COUNCIL OFFICES

**Hon. Kimunya:** Hon. Deputy Speaker, I wish to issue the following Statement, on behalf of the Departmental Committee on Education and Research.

Hon. Emmanuel Wangwe had sought a Statement from the Chairperson of the Departmental Committee on Education and Research, pursuant to Standing Order No.44(2) on denial of access to the Kenya National Examinations Council (KNEC) offices in Nairobi, and more specifically on the manner in which Hon. Bernard Shinali, Member for Ikolomani and Hon. Emmanuel Wangwe, Member for Navakholo, were handled at the KNEC offices along Dennis Pritt Road in Nairobi.

The Members were denied access to those offices on Wednesday, 28<sup>th</sup> March 2018. The Members had gone to seek for a meeting with the CEO and the Chairperson of KNEC to deliberate and resolve the issue of cancellation of the 2017 examination results for Chebuyusi Boys' High School, where 190 students were affected.

I wish to report that the Principal Secretary in the State Department of Early Learning and Basic Education in the Ministry of Education, accompanied by the acting CEO of the KNEC, appeared before the Committee on Thursday, 19<sup>th</sup> April, 2018 and responded to the statement sought by Hon. Emmanuel Wangwe. I, as the Vice-Chairperson of the Departmental Committee on Education and Research, had undertaken to apprise the House on the matter on or before 24<sup>th</sup> April 2018. I was ready.

During the meeting, the Committee made the following observations:

(i) The KNEC premises along Dennis Pritt Road are a protected zone with restricted access with only a limited number of persons being allowed access at any given time; and,

(ii) While security at the premises is important, it should not be a cause for strained public relations with stakeholders or members of the public.

The Committee, therefore, recommended that the KNEC reviews its public relations strategy to promote professional engagement with the stakeholders and members of the public, especially Members of Parliament, in delivering its core mandate.

I wish to table the response by the Principal Secretary in the State Department of Early Learning and Basic Education within the Ministry of Education.

*(Hon. Kimunya laid the Document on the Table)*

**Hon. Deputy Speaker:** Let us have Hon. Cheptumo.

EXTENSION OF TIME FOR CONSIDERATION OF  
THE PARLIAMENTARY SERVICE BILL

**Hon. Cheptumo:** Thank you, Hon. Deputy Speaker. I wish to seek leave of the House for extension of time within which the Departmental Committee on Justice and Legal Affairs will table a report in respect of the Parliamentary Service Bill, 2018. This Bill was read the First Time on 13<sup>th</sup> March 2018 and committed to the Departmental Committee on Justice and Legal Affairs, pursuant to the provisions of Standing Order No.216(5)(c) so that it can go through public participation, pursuant to the provisions of Standing Order No.127(1). The Committee was to consider the Bill and submit a report to the House on or before 3<sup>rd</sup> February 2018, but it requested for a 21-day extension of time which was granted on 3<sup>rd</sup> April. The extension period was to lapse yesterday, 25<sup>th</sup> April 2018. Yesterday, we wrote to you seeking extension of time and you approved that request.

In the course of public participation, the Committee received memoranda from stakeholders with some proposing weighty amendments to the Bill. Having engaged a few of the stakeholders, the Committee is certain that it requires more time to extensively engage other stakeholders so as to pronounce itself on the Bill from an informed position. In view of the foregoing, the Committee is not in a position to submit its report and wishes to request for a further extension of time. Considering that the House will be proceeding for the long recess from 4<sup>th</sup> May 2018 to 4<sup>th</sup> June, 2018, the Committee intends to make good use of the recess period to scrutinise the Bill and, therefore, humbly requests the House to approve its tabling of the report any time after the recess.

That is the basis of the request, that we be given more time so that during the recess, we can have time to scrutinise the Bill, engage other stakeholders and finally file our report.

**Hon. Deputy Speaker:** Very well. Let us proceed to the next one. Hon. Teddy Mwambire.

DEMISE OF HON. JOSEPH KAHINDI KINGI

**Hon. Mwambire:** Thank you very much, Hon. Deputy Speaker. I wish to make a Statement regarding the demise of Hon. Joseph Kahindi Kingi. The late Hon. Kingi, a former Member for Ganze Constituency, passed away on Tuesday morning, 24<sup>th</sup> April 2018 while undergoing treatment in India.

**Hon. Deputy Speaker:** Just a minute. What is it, Leader of the Majority Party?

**Hon. A.B Duale:** Hon. Deputy Speaker, the Departmental Committee on Justice and Legal Affairs has asked for an extension, through you. So, before we move to the next Statement, you were to make a decision if you have granted him or not

**Hon. Deputy Speaker:** I had approved that yesterday. I think the Chair wanted to put it to the House so that the House is aware. We consented to it yesterday.

Okay, proceed Hon. Mwambire.

**Hon. Mwambire:** Hon. Deputy Speaker, I wish to make a Statement regarding the demise of Hon. Joseph Kahindi Kingi.

## PERSONAL STATEMENT

### DEMISE OF HON. JOSEPH KAHINDI KINGI

**Hon. Mwambire:** Hon. Kingi, a former Member for Ganze Constituency died on Tuesday morning, 24<sup>th</sup> April 2018 while undergoing treatment in India.

Hon. Kingi was born on 15<sup>th</sup> July 1954 in Ganze, Kilifi County. He attended Bamba Primary School and Ribe Secondary School for his O- Level studies before joining Siriba Technical College where he trained as a P1 teacher. He taught in various primary schools in Taita Taveta County from 1974 to 1981.

The late Hon. Kingi was a vibrant labour unionist having been elected as the Secretary General of the Kenya National Union of Teachers (KNUT), Kilifi Branch, from 1986-2002 and further as a KNUT Provincial Secretary-General from 1999-2002. The late Hon. Kingi served as a Member of Parliament for Ganze Constituency from 2003 to 2007 and was an active Member of various House committees including the Public Investments Committee (PIC). The late Kingi was appointed to the Cabinet as an Assistant Minister for Internal Security and Provincial Administration, a position he served in 2006 /2007. Thereafter, he served as the Chairman of the Kenya Ferry Services and later as the Board Member for the Coast Water Services Board.

On behalf of the Members of the National Assembly, the Parliamentary Service Commission (PSC) and on my own behalf, I wish to convey our condolences to the family, friends and the great people of Ganze Constituency for the great loss.

As the National Assembly, we assure the family of our support during this period of grief. In honour of the exemplary and illustrious service rendered to the nation and the society by Hon. late Kingi and with our indulgence, I request that we all stand and observe a minute of silence.

**Hon. Deputy Speaker:** You have done three things that you are not supposed to do.

First, you have passed your condolences on behalf of the National Assembly, which you should not because that is the preserve of the Hon. Speaker or his designated appointee. You have also given another condolence on behalf of the PSC, which you probably are not a Member of.

Lastly, you have also asked Members to stand and observe one minute of silence, a power which you do not have. However, I agree with you that this is very serious and I understand because this is a person you probably have served closely being your constituent, and

you having a seat which he had served at one point. So, I understand the difficulties you are having in terms of the sad loss, but on behalf of the National Assembly, I take the opportunity to pass my condolences.

Ordinarily, we observe a minute of silence mostly for Members who are serving. So, in this particular one, the condolences would suffice. I served with him and I know him personally, but I ask the Members who will make it to the burial to do so. If there are other issues, they can coordinate with the Member of that constituency.

So, I want to send condolences on behalf of the National Assembly.

I will give a chance to two Members because we are short of time. I will be looking for the Members who served with him as much as possible. I will take those one on the intervention slot, but I can see Hon. Olago Aluoch. Do you want to speak to this one or you were on something else?

**Hon. Aluoch:** What you have spoken about, just a clarification to Member, that in addition to your condolences, there will be a condolence book at the main reception.

**Hon. Deputy Speaker:** That is well said. Hon. Jimmy Nuru Angwenyi. I know he served with the late Hon. Kingi.

**Hon. Angwenyi:** Thank you, Hon. Deputy Speaker. Mine is to send my condolences and those of my people to the family and friends of the late Hon. Kingi. He was a great man. He served with me in Parliament and he was very active. Of course, I was more active than him, but he was active as a result of which he was appointed Assistant Minister and he performed very well. May God rest his soul in eternal peace.

**Hon. Deputy Speaker:** Do I see any Member from his neighbourhood? Let me have Hon. Baya Yaa.

**Hon. Baya:** Thank you, Hon. Deputy Speaker. I represent the neighbouring constituency in Kilifi North. We border Ganze. I knew Hon. Kingi as a vibrant trade unionist and a teacher who for many years fought for the teachers of Kilifi and the country generally. He set a very good platform for development in Ganze Constituency.

Suffice to say that when he served as an Assistant Minister in the Office of the President during the former President Kibaki's time, he advanced the course of the Coast in a very big way. During that time, Coast had the opportunity of having ambassadors being appointed especially from Kilifi. Very many people were also appointed as District Commissioners (DCs) and District Officers (DOs). So, we cannot forget the good things he did. So, on behalf of the residents of Kilifi North Constituency and Kilifi County, I would like to pass my sincere condolences to the family, friends and relatives of the late Hon. Kingi. Thank you.

**Hon. Deputy Speaker:** May be one more Member. Hon. Maanzo has already spoken. Hon. (Dr.) Gogo Achieng, do you want to speak to this one? Okay, we will have the Leader of the Majority Party to present his papers as we consult on something here.

## STATEMENT

BUSINESS FOR THE WEEK COMMENCING 2<sup>ND</sup> TO 3<sup>RD</sup> MAY 2018

**Hon. A.B. Duale:** Hon. Deputy Speaker, pursuant to the provisions of Standing Order 44(2)(a), I rise to give a Statement on behalf of the House Business Committee

The Committee met this week at the rise of the House to give priority to business for this week and the remaining part of next week. As Members are aware, Tuesday 1<sup>st</sup> May 2018 is a

public holiday. In this regard, no business was scheduled for that day. Yesterday, the House approved a Procedural Motion on the alteration of sittings as per the Calendar. As such, there shall be a Morning Sitting on Thursday, next week, on 3<sup>rd</sup> May, 2018. However, on Wednesday afternoon, there shall be a Joint Sitting of both Houses of Parliament for the State of the Nation Address by His Excellency the President in accordance with Article 132(1)(b) and (c) of the Constitution.

Also, the Morning Sitting on Wednesday for Private Members' Motions will not take place as per the Procedural Motion that we passed yesterday.

On Thursday morning, it is anticipated that the House shall consider the First and Second Readings of the Supplementary Appropriations Bill, 2018 subject to the adoption of the Report of the Budget and Appropriations Committee on the consideration of the Supplementary Estimates II of the Year 2017/2018. We shall commence debate on the Presidential Address on the same day. On Thursday afternoon, we shall consider the Committee of the whole House and the Third Reading of the Supplementary Appropriations Bill, 2018 and continue with the debate on the Presidential Address as contemplated under Standing Order No.24. Thereafter, in accordance with the Calendar of the House, we will proceed on a long recess until 5<sup>th</sup> June 2018.

I now wish to lay this Statement on the Table of the House.

*(Hon. A.B. Duale laid the Document on the Table)*

**Hon. Deputy Speaker:** Very well. Before we go to the next Order, there is a document we are consulting on and when we agree on it, we will disposal it in one way or another.

Next Order!

## CONSIDERATION OF THE COMPUTER AND CYBERCRIMES BILL IN COMMITTEE OF THE WHOLE HOUSE

### REPORT

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Computer and Cybercrimes Bill (National Assembly Bill No. 36 of 2017).

**Hon. Deputy Speaker:** On this, we will do two things, but the second one will be a consequence of the first one if it goes through. First, is to put the Question on the Motion for agreement with the Report of the Committee of the whole House to be amended by inserting the following words, "subject to recommittal of Clause 23 and New Clauses 16s."

*(Question proposed)*

Sorry, I have said 16s with an "s" at the end. Hon. Members, there is a series of New Clause 16. Just a minute, Hon. Members, we are having an issue here, but do not worry, this has nothing to do with petroleum. It is the Computer and Cybercrimes Bill.

*(Question put and agreed to)*

**Hon. A.B. Duale:** On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** What is it, Leader of the Majority Party? I can see an expression on your face that is not ordinary.

**Hon. A.B. Duale:** Hon. Deputy Speaker, you know this Bill is very important. So, we are recommitting New Clause 16 in totality from A to F. You know we come from different communities with different phonetics, but you have made it very clear.

**Hon. Deputy Speaker:** Just to be very clear, it is the entire New Clause 16, because there are several bits in there. I think that should settle the Leader of the Majority Party's concern and the rest. Therefore, we will go to the Committee of the whole House.

## COMMITTEE OF THE WHOLE HOUSE

*(Order for Committee read)*

*[The Deputy Speaker  
(Hon. Cheboi) left the Chair]*

### IN THE COMMITTEE

*[The Temporary Deputy Chairlady  
(Hon. (Ms.) Mbalu) took the Chair]*

### THE COMPUTER AND CYBERCRIMES BILL

*(Resumption of consideration  
interrupted on 26.4.2018 – Morning Sitting)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Order Members! We are now in the Committee of the whole House to consider the Computer and Cybercrimes Bill (National Assembly Bill No.36 of 2017). We will start with Clause 23, which is a recommittal.

#### *Clause 23*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): The Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairlady, I beg to move:

THAT, Clause 23 of the Bill be further amended by inserting the following new sub clause immediately after Sub Clause 4) -

(5) A person who—

(a) obstructs the lawful exercise of the powers under this section;

(b) compromises the integrity or confidentiality of a computer system, data, or information accessed or retained under this section; or



(c) misuses the powers granted under this section, commits an offence and is liable on conviction to a fine not exceeding five million shillings or to a term of imprisonment not exceeding three years or to both.

The justification is that the clause as amended by the Chairs had left out the penalty applicable to the obstruction or misuse of powers of search and seizure. We wanted to make sure that the penalties are filed. After the Chair of the Departmental Committee of Administration and National Security and the Departmental Committee on Communication, Information and Innovation made amendments, we realised they had left out the penalty applicable to obstruction or misuse of the powers of search or seizure.

*(Question of the amendment proposed)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): I can see Osotsi Godfrey.

**Hon. Osotsi:** Thank you, Hon. Temporary Deputy Chairlady. I think the amendment as proposed by the Chair of the Departmental Committee on Administration and National Security is very retrogressive. I propose that...

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Member, for your record, the amendment is by the Leader of the Majority Party, Hon. Duale.

**Hon. Osotsi:** My proposal is about Clause 23 of the Bill.

*(Loud consultations)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Order Members! Let him speak, you know how we go about the business of the House.

**Hon. Osotsi:** I was looking at Clause 23 of the Bill and the amendments proposed by the Chair of the Departmental Committee on Communication, Information and Innovation are making an improvement to this section. However, the other amendments seem to lose meaning of this clause. For example, the issue of complexity of technology in Clause 23(3) has been left out. The issue of technical assistance in matters of seizure...

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Osotsi, I can remember some amendments were dropped in the morning. Let us have the Chair, Departmental Committee on Communication, Information and Innovation.

**Hon. Kisang:** Thank you, Hon. Temporary Deputy Chairlady. I want to inform the Member that all the amendments I had brought are retained. What we are discussing now is recommittal of Clause 23. As you can remember what happened in the morning, we wanted to drop this clause.

*(Question, that the words to be inserted be inserted,  
put and agreed to)*

*(Clause 23 as further amended agreed to)*

*New Clause 16A*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): We have three new clauses. We are going to start with first new clause. Let have the Mover, Hon. Koinange, to move the

clause for Second Reading. We will do one by one. We wanted to do one by one so that the House is clear with what they are passing.

**Hon. Koinange:** Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the Bill be amended by inserting the following new clauses immediately after clause 16—

Cyber terrorism.	16A. (1)A person who accesses or causes to be accessed a computer or computer system or network for purposes of terrorism, commits an offence and shall on conviction, be liable to a fine not exceeding five million shillings or to imprisonment for a term not exceeding ten years, or to both..
No.30 of 2012.	

(2) For the purpose of this section, “terrorism” shall have the same meaning under the Prevention of Terrorism Act, 2012

The justification is to insert a provision of offences and penalties for cyber terrorism crime as part of the offences in the proposed law, which is now largely a security related law. Such a crime will, therefore, attract a fine of not more than Kshs3 million or imprisonment of not more than 10 years or both. We are proposing to link the definition of terrorism to the definition obtaining in the Terrorism Act of 2012.

*(Question of the new clause proposed)*

*(New clause read the First Time)*

*(Question, that the new clause be read a Second Time, proposed)*

*(Question, that the new clause be read a Second Time, put and agreed to)*

*(The new clause was read a Second Time)*

*(Question, that the new clause be added to the Bill, put and agreed to)*

*New Clauses 16A, 16B, 16C, 16D, 16E and 16F*

**Hon. Kisang:** Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the Bill be amended by inserting the following new clauses immediately after clause 16—

Cyber squatting	16A. A person who, intentionally takes or makes use of a name, business name, trademark, domain name or other word or phrase registered, owned or in use by another person on the internet or any other computer network, without authority or right, commits an offence and is liable on conviction to a fine not exceeding two hundred thousand shillings or imprisonment for a term not
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Wrongful distribution of intimate images.	<p>exceeding two years or both.</p> <p>16B. A person who transfers, publishes, or disseminates, including making a digital depiction available for distribution or downloading through a telecommunications network or through any other means of transferring data to a computer, the intimate image of another person commits an offence and is liable, on conviction to a fine not exceeding three hundred thousand shillings or to imprisonment for a term not exceeding thirty years or to both.</p>
Identity theft and impersonation.	<p>16C. A person who fraudulently or dishonestly makes use of the electronic signature, password or any other unique identification feature of any other person commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand shillings or to imprisonment for a term not exceeding three years or both.</p>
Phishing.	<p>16D. A person who creates or operates a website or sends a message through a computer system with the intention to induce the user of a website or the recipient of the message to disclose personal information for an unlawful purpose or to gain unauthorised access to a computer system, commits an offence and is liable upon conviction to a fine not exceeding three hundred thousand shillings or to imprisonment for a term not exceeding three years or both.</p>
Interception of electronic messages or money transfers.	<p>16E. A person who unlawfully destroys or aborts any electronic mail or processes through which money or information is being conveyed commits an offence and is liable on conviction to a fine not exceeding two hundred thousand shillings or to a term of imprisonment not exceeding seven years or to both.</p>
Willful misdirection of electronic messages.	<p>16F. A person who willfully misdirects electronic messages commits an offence and is liable on conviction to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding two years or to both.</p>

Hon. Temporary Deputy Chairlady, these are new clauses to enhance the penalties that we have introduced to the Bill.

*(Question of the new clauses proposed)*

*(New clauses read the First Time)*

*(Question, that the new clauses be read a Second Time, proposed)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Yes, Hon. Musimba.

**Hon. Musimba:** Thank you, Hon. Temporary Deputy Chairlady. There is one thing which we have agreed. These are all new offences which are being added. So, we will leave the numbering of A, B, C, D, E to be done by the Clerk's Office for polishing, but they are all distinct offences. There should be no confusion when they are saying we are amending 16A to 16I or A, B, C, D, E. So, that is the substantive amendment which we are making but all the offences by the Departmental Committee on Communication, Information and Innovation and the Chair of the Departmental Committee on Administration and National Security and I are all new offences which we all agree upon. I just wanted your guidance.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): So, Hon. Musimba, are you saying you are in agreement. Are you dropping yours?

**Hon. Musimba:** No, I am not dropping. All of them are new. I am in support of the amendments but I was talking about the consolidating work which has to be done by the Clerk's Office.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Musimba, even as you and other Chairs concur, if you notice New Clause 16B of the Committee is almost the same but slightly different from your Clause 16D. So, that is why you agree. One has to be dropped.

**Hon. Kisang:** We had said these are all new clauses. What Hon. Musimba and Hon. Koinange have brought are all new but the numbers are the same. We said the secretariat will do the polishing and renumber all the numbers, but Clause 16B of the Departmental Committee on Communication, Information and Innovation and Hon. Musimba's Clause 16D are similar. However, since this is enhanced, mine gets dropped. Clause 16B is dropped.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): You do not expect the secretariat just to get amendments here and drop them.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairlady, both Hon. Musimba and the Chair of the Departmental Committee on Communication, Information and Innovation must withdraw the statements that the secretariat will do it. The secretariat has no legislative powers in law making. So, you should say you withdraw because we do not want somebody to go to court tomorrow and say that in the HANSARD, the secretariat was given certain functions. They have absolutely no powers to make law.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Correct. Chair, get into record.

**Hon. Kisang:** I will sit down with Hon. Musimba and our team as Members to polish.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): So Clause 16B is dropped.

*(Proposed amendment by Hon. Kisang to Clause 16B dropped)*

Hon. Members, the secretariat will not just go in and start altering or changing any amendments as they had been proposed either by individuals or a Committee member.

*(Question, that the new clauses be read  
a Second Time, put and agreed to)*

*(The new clauses were read a Second Time)*

*(Question, that the new clauses be added to the Bill, put and agreed to)*

*New Clauses 16A, 16B, 16C, 16D, 16E, 16F, 16G and 16H*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Let us have Hon. Musimba to move Second Reading.

**Hon. Musimba:** Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the Bill be amended by inserting the following new clauses immediately after clause 16—

Inducement to deliver electronic message.

16A. A person who induces any person in charge of electronic devices to deliver any electronic messages not specifically meant for him commits an offence and is liable on conviction to a fine not exceeding two hundred thousand shillings or imprisonment for a term not exceeding two years or both.

Intentionally withholding message delivered erroneously.

16B. A person who intentionally hides or detains any electronic mail, message, electronic payment, credit and debit card which was found by the person or delivered to the person in error and which ought to be delivered to another person, commits an offence and is liable on conviction a fine not exceeding two hundred thousand shillings or imprisonment for a term not exceeding two years or both.

Unlawful destruction of electronic messages.

16C. A person who unlawfully destroys or aborts any electronic mail or processes through which money or information is being conveyed commits an offence and is liable on conviction to a fine not exceeding two hundred thousand shillings or imprisonment for a term not exceeding two years or both.

Wrongful distribution of obscene or intimate images.

16D. A person who transfers, publishes, or disseminates, including making a digital depiction available for distribution or downloading through a telecommunications network or through any other means of transferring data to a computer, the intimate or obscene image of another person commits an offence and is liable, on conviction to a fine not exceeding two hundred thousand shillings or imprisonment for a term not exceeding two years or both.

Fraudulent use of electronic data.

16E. (1) A person who knowingly and without authority causes any loss of property to another by altering, erasing, inputting or suppressing any data stored in a computer, commits an offence and is liable on conviction to a fine not exceeding two hundred thousand shillings or imprisonment for a term not exceeding two years or both.

(2) A person who sends an electronic message which materially misrepresents any fact upon which reliance by another person is caused to suffer any damage or loss commits an offence and is

liable on conviction to imprisonment for a fine not exceeding two hundred thousand shillings or imprisonment for a term not exceeding two years or both.

(3) A person who with intent to defraud, forges electronic messages, instructions, superscribes any electronic messages or instruction, commits an offence and is liable on conviction a fine not exceeding two hundred thousand shillings or imprisonment for a term not exceeding two years or both.

(4) A person who manipulates a computer or other electronic payment device with the intent to short pay or overpay commits an offence and is liable on conviction to a fine not exceeding two hundred thousand shillings or imprisonment for a term not exceeding two years or both.

(5) A person convicted under subsection (4) shall forfeit the proprietary interest in the stolen money or property to the bank, financial institution or the customer.

Issuance of false  
e-instructions.

16F. A person authorised to use a computer or other electronic devices for financial transactions including posting of debit and credit transactions, issuance of electronic instructions as they relate to sending of electronic debit and credit messages or confirmation of electronic fund transfer, issues false electronic instructions, commits an offence and is liable, on conviction, a fine not exceeding two hundred thousand shillings or imprisonment for a term not exceeding two years or both.

Reporting of  
cyber threat.

16G. (1) A person who operates a computer system or a computer network, whether public or private, shall immediately inform the Committee of any attacks, intrusions and other disruptions to the functioning of another computer system or network within twenty four hours of such attack, intrusion or disruption.

(2) A report made under subsection (1) shall include—  
information about the breach, including a summary of any information that the agency knows on how the breach occurred;  
an estimate of the number of people affected by the breach;  
an assessment of the risk of harm to the affected individuals; and  
an explanation of any circumstances that would delay or prevent the affected persons from being informed of the breach.

(3) The Committee may propose the isolation of any computer systems or network suspected to have been attacked or disrupted pending the resolution of the issues.

(4) A person who contravenes the provisions of subsection (1) commits an offence and is liable upon conviction a fine not exceeding two hundred thousand shillings or imprisonment for a term not exceeding two years or both.

Employee  
responsibility to  
relinquish access  
codes.

16H. (1) An employee shall, subject to any contractual agreement between the employer and the employee, relinquish all codes and access rights to their employer's computer network or

system immediately upon termination of employment.

(2) A person who contravenes the provision of this subsection (1) commits an offence and shall be, liable on conviction, to a fine not exceeding two hundred thousand shillings or imprisonment for a term not exceeding two years or both.

**The Temporary Deputy Chairlady** ( Hon. (Ms.) Mbalu): What is the import of the amendment?

**Hon. Musimba:** The import is that these are new offences which we are creating. We are enhancing the penalties which are within the Bill. That is the only justification.

*(Question of the new clauses proposed)*

*(New clauses read the First Time)*

*(Question, that the new clauses be read a Second Time, proposed)*

*(Question, that the new clauses be read a Second Time, put and agreed to)*

*(The new clauses were read a Second Time)*

*(Question, that the new clauses be added to the Bill, put and agreed to)*

Hon. Members, we are through with the recommittal of clauses. So, I call upon the Mover to report.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairlady, I beg to move that the Committee doth report to the House its consideration of the Computer and Cybercrimes Bill, National Assembly Bill, No. 36 of 2017 and its approval thereof with amendments.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

*[The Deputy Speaker (Hon. Cheboi) in the Chair]*

## **REPORT AND THIRD READING**

### **THE COMPUTER AND CYBERCRIMES BILL**

**Hon. Deputy Speaker:** Let us have the Chair.

**Hon. (Ms.) Mbalu:** Hon. Deputy Speaker, I beg to report that a Committee of the whole House has considered the Computer and Cybercrimes Bill, National Assembly Bill, No. 36 of 2017 and approved the same with amendments.

**Hon. Deputy Speaker:** Let us have the Mover of the Bill.

**Hon. A.B. Duale:** Hon. Deputy Speaker, I beg to move that the House doth agree with the Committee in the said Report. I request the Chair of the Departmental Committee on Administration and National Security, Hon. Koinange, to second the Motion for agreement with the Report of the Committee of the whole House.

**Hon. Koinange:** Hon. Deputy Speaker, I second.

*(Question proposed)*

**Hon. Deputy Speaker:** Do we have Members who want to contribute?

**Hon. Members:** Yes.

**Hon. Deputy Speaker:** Let us start with the Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Deputy Speaker, today is a very important day in the history of Kenya. There are people who acted and behaved with impunity but this law will deal with them upon assent by the President. We want to ask the Legal Department of Parliament to prepare the velum as quickly as possible, so that the President can assent to that law latest by Tuesday before he comes to make his address to the nation.

This Bill will deal with those people who create fake news. It will also deal with those who use technology in the wrong way like what happened to the Deputy Governor of Kirinyaga County. It will also deal with those guys who said that people were dead 10 times when they were still alive. This law will deal all the fraud that is taking place in the financial sector. This Bill will deal with all those who use technology to radicalise and recruit our youngsters into terrorism. I am sure that the famous bloggers are watching me. You have three or four days to do whatever you want before the law comes into effect. We want the social media to be used very responsibly. It is a very integral part of the society when it is used responsibly. The Constitution is very clear that you must respect the freedom of others. Where your freedom ends is where the freedom of the other person begins. Those who run their businesses, families and get their daily food by using the social media platforms which are available for constructive engagement were using it to create fear, extort, blackmail, stalk and destroy families. We are giving the people of Kenya a piece of legislation today that will create harmony, stability and give us people to offer constructive and reasonable criticisms where it is needed.

I want to thank the Members who sat in this House since morning and those who contributed to this Bill. I also want to thank the Departmental Committee on Communication, Information and Innovation, the Departmental Committee on Administration and National Security, Hon. Musimba and Hon. Osotsi. I pray that he becomes a bona fide Secretary General of his party. Amani Party should have talked to me before electing the Secretary General. Mr. Barrack Muluka is not the right guy to be your Secretary General. When my good friend, Hon. Ababu Namwamba, was made the Secretary General of Orange Democratic Movement (ODM), as an old member of that party, I asked them whether they were sure of what they were doing. Barely one year later, they fired him. Whoever becomes a Secretary General of a party is not anybody whom you can just pick from the streets.

**An Hon. Member:** He is in the Cabinet.

**Hon. A.B. Duale:** You can work in the Executive but not in political parties.



Hon. Deputy Speaker, if you allow me, Member for Kisii was a very powerful person in ODM. Without passing through her, you would not get a nomination certificate. People do not know this lady. She was very powerful in 2007 General Election. She was the Executive Director of ODM. The Chairman was Mr. Henry Kosgei and the Secretary General was Hon. Anyang Nyong'o.

**Hon. Deputy Speaker:** Are you suggesting that even the Member for Kuresoi was a victim?

**Hon. A.B. Duale:** Of course. There were many people who were rigged out in 2007. One of them is a substantive Chair. I do not know whether the Member for Kisii participated in the rigging out of Hon. Cheboi but she was very powerful.

*(Laughter)*

We are calling her to cross and join us. We are not calling her to join us because of the handshake because it collapsed with yesterday's speech. There is no handshake anymore. We do not want a referendum but they want it. We cannot go to bed together. We cannot agree to another level of devolution because it is expensive. We cannot agree. We already have a problem with it.

I really want to thank Members for passing this piece of legislation which has delayed. It should have been in the 10<sup>th</sup> Parliament or 11<sup>th</sup> Parliament. I am sure that Members will agree with me that we have a good piece of legislation today. I hope the President will not refer back the Bill for consideration in accordance with Article 115 of the Constitution. We have taken care of everybody. We have formed a very good Advisory Committee at the level of the National Security Council where the following people sit: Director of Public Prosecutions (DPP), Attorney-General, Kenya Defence Forces Chief of Staff, Principal Secretary, Ministry of Interior and Coordination of National Government; Principal Secretary of Information, Communication and Technology (ICT), Governor of Central Bank who represents the banks and the financial sector and the Director of Criminal Investigation (DCI). Our friend, Mr. Chacha Waziri, harassed Members. If this law was in place, Mr. Waziri Chacha could have been dealt with long time ago because he has harassed Members in this House. The first person who will taste this law will suffer because the penalties are very hefty. People should know this. They are Kshs5million, 10 years, 20 years or 30 years imprisonment or combined. Any Member can bring more penalties to this Bill after six months.

I beg to support this Bill. Any Member can bring amendments to this Bill after six months to introduce more penalties. So, after six months, you can bring an amendment.

I beg to support. This is a law which the majority of Kenyans have been waiting for.

**Hon. Deputy Speaker:** Hon. Kamket.

**Hon. Kamket:** Hon. Deputy Speaker.

**Hon. Deputy Speaker:** You are completely out of .....

**Hon. Kamket:** I was rising on a point of order when the Leader of the Majority Party said that we do not want a referendum. I do not know whom he is speaking for because what I have heard from everybody is that Kenyans are looking forward to a referendum.

**Hon. Deputy Speaker:** In this House, Hon. Kamket, people speak on behalf of their constituents. So, he must be either speaking on behalf of his constituents or sometimes on behalf of the party because he is one of the high-ranking members of his party. I do not want Members to insinuate that whenever a Member speaks on the Floor of the House he speaks on behalf of

somebody. Otherwise, somebody else will also say exactly that. For example, when you table a Bill in the House, you do so on behalf of someone else yet we know very well that you do things on your own, just like every Member does. Let us leave that for now. I expected you to speak on something that would enrich debate on this Bill. The Member for Endebess tells me that there is no internet in Tiaty. So, probably this Bill does not affect you that much. Anyway, let us proceed.

Hon. Rasso, do you want to speak on this debate? I do not see anybody interested on this other side. I would have been more than happy to give one a chance.

**Hon. Dido:** Thank you very much, Hon. Deputy Speaker. I want to say a few things on this Bill. It shows us the progressive nature of human society and the progress we wanted in operationalising our Constitution.

One of the things that came up this morning, during the Committee of the whole House, is the domicile of the Bill. As far as some of us are concerned, it is not about where it is domiciled but rather about having the right laws that put issues into perspective. It is good that the House unanimously agreed to put it under the Ministry of Interior and Coordination of National Government. It is important because it involves prevention of crime and taking action on those who commit crime.

Something else about this Bill that is important is that for a long time, we have had the use of cyberspace but there has not been control or oversight. By having this law in place, we now know that the law enforcement agencies will have no excuse at all to tell us that they are not able to act because there is no law in place.

With those remarks, I support.

**Hon. Deputy Speaker:** Let us have Hon. Ichung'wah of Kikuyu Constituency. If there is anybody on this side who wants to speak, press the intervention slot.

**Hon. Ichung'wah:** Thank you, Hon. Deputy Speaker. Let me take this opportunity to, first, congratulate both the Departmental Committee on Communication, Information and Innovation and the Departmental Committee on Administration and National Security on the passage of the Bill.

It comes at a time when we have seen a lot of abuse of the social media and use of information and communication technology in this country. This week, we witnessed a very sad and unfortunate incident involving a gentleman from Kirinyaga County. I am not speaking of this because I am a man or because the person affected is a public officer. The Bill speaks to issues to do with pornography. Whoever a person may be, whether a public officer or not, he is a father and someone who has a wife and a family. We are not doing this to just protect a man's or a lady's privacy. What we are doing to the social fabric of our nation using social media is unfortunate. I hope this law will not just be one of the laws that will exist in our statute books but it will be used to check degradation of our social fabric. Abuse of social media is destroying not just families but our children and the social fabric of our nation. As we grew up, there were things which would not happen. You would not walk into a room when your father was there naked. However, we now take videos of naked fathers and mothers and broadcast them for very young child to see. We must bring this to an end. I pray that this law will be enforced and put into good use to check on this abuse.

The issue of where the Bill is domiciled is not important. I have been a victim of these things. I speak with authority, having suffered as a result of things being sent to my phone.

**Hon. Deputy Speaker:** Are you saying that you have also been photographed in that type of situation?

**Hon. Ichung'wah:** No but I have been a victim. I have a multi-layer of passwords on my phone because I have young children in my house. The kind of things that are sent to our phones are things you would not want your wife to see. Leave alone her accusing you of being involved in the things that are sent to your phone. I am talking about protecting our children from these things.

I encourage the Ministry of ICT to collaborate with the agencies in charge of security and make sure that the law is implemented.

Thank you.

**Hon. Deputy Speaker:** Let us give Hon. Janet Ong'era, the one the Leader of the Majority Party said was an extremely powerful person in the past.

**Hon. (Ms.) Ong'era:** Thank you, Hon. Deputy Speaker for giving me this opportunity. I am still very powerful. I am the Deputy National Chairman of the Orange Democratic Movement.

It is long overdue that we passed a Bill on cybercrime. I am very happy because we are eventually dealing with this Bill before we break for recess. A time has come for us to regulate the social media. I am particularly concerned about the issue of extortion. We have young boys and girls who have become extortionists. They extort money from Members of Parliament and public servants, and from anybody else or anything that uses the social media. Unless we regulate the use of the social media, we will have a society with young people who do nothing but wait for money they have not worked for. We cannot encourage that kind of situation in our society.

I am very happy that we can now regulate the social media, particularly issues that appear on *WhatsApp*. We need that forum to be regulated. You cannot just be put on *WhatsApp* without your consent. I expect that these are issues the Bill has taken into account. I am happy that they were included.

With those few remarks, I support.

**Hon. Deputy Speaker:** I see there is a lot of interest in this debate. Let us have that Member. He knows his name.

**Hon. Mohamed Mohamud:** Thank you very much, Hon. Deputy Speaker. I support this Bill. This is a very important Bill. It is a Bill of the 21<sup>st</sup> Century because technology has come in the 21<sup>st</sup> Century. Therefore, it is crucial that we support it and ensure that it goes through and becomes a law.

Cybercrime is so bad. Therefore, it is important that we all gang up against it in that matter. *The Standard* Newspaper on 10<sup>th</sup> April 2017 reported that Kenya is the worst hit by cybercrime. Therefore, this Bill has arrived too late. We must take action as soon as possible and fast-track it. Cybercrime is growing so fast that it is in peril. Kenya lost US\$171 million, Tanzania lost US\$85 million, and Uganda lost US\$35 million all in cybercrimes. The rest of the personal and economic loss is so overwhelming. Therefore, our society is so much strained by the crimes and the criminal gangs online that utilise our time and lives.

Therefore, I support this Bill.

Thank you.

**Hon. Deputy Speaker:** Thank you very much, Hon. Mohamed Sheikh, Member for Wajir South, for those Members who are asking his name. You can see he is a man with some English from the Queen's land. Hon. Members, having confirmed that there is requisite quorum in the House for purposes of making this decision, I will put the Question.

*(Question put and agreed to)*

**Hon. Deputy Speaker:** Mover to move the Third Reading.

**Hon. A.B. Duale:** Hon. Deputy Speaker, I beg to move that the Computer and Cybercrimes Bill (National Assembly Bill No.36 of 2017) be now read a Third Time. I also request Hon. Musimba to second the Bill for agreement.

**Hon. Deputy Speaker:** He is Hon. (Dr.) Musimba.

**Hon. A.B. Duale:** Hon. (Dr.) Musimba, a PhD holder in Technology.

**Hon. (Dr.) Musimba:** I thank the Leader of the Majority Party for the opportunity to second. Indeed, this is momentous, historic and will go far in developing this nation because finally we have a vessel which can propel this country to the next level.

I second with a lot of humility.

*(Question proposed)*

**Hon. Members:** Put the Question!

**Hon. Deputy Speaker:** Having confirmed that we have the quorum, I proceed to put the Question.

*(Question put and agreed to)*

*(The Bill was accordingly read the Third Time and passed)*

Before we move to the next Order, I will allow Hon. Fatuma Gedi to table a report that she should have tabled earlier.

## **PAPER LAID**

**Hon. (Ms.) Fatuma Ali:** Hon. Deputy Speaker, I beg to lay the following Paper on the Table of the House:

The Public Finance Management (Senate Monitoring and Evaluation) Regulations, 2018

## **NOTICE OF MOTION**

### **ADOPTION OF REPORT ON PUBLIC FINANCE MANAGEMENT (SENATE MONITORING AND EVALUATION) REGULATIONS**

**Hon. (Ms.) Fatuma Ali:** Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Public Finance Management (Senate Monitoring and Evaluation) Regulations, 2018, laid on the Table of the House on Thursday, 26<sup>th</sup> April 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.

## MOTION

RATIFICATION OF THE AFRICAN CONTINENTAL FREE  
TRADE AREA AND TRIPARTITE FREE TRADE AREA AGREEMENTS

**Hon. Onyiego:** Hon. Deputy Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Departmental Committee on Defence and Foreign Relations on the consideration of the African Continental Free Trade Area (AFCFTA); and the Tripartite Free Trade Area (TFTA) Agreements, laid on the Table of the House on Thursday, 26<sup>th</sup> April 2018 and pursuant to Section 8 of the Treaty Making and Ratification Act, 2012, approves the ratification of the African Continental Free Trade Area (AFCFTA) and the COMESA-EAC-SADC Tripartite Free Trade Area (TFTA) agreements.

On 29<sup>th</sup> March 2018, the Leader of the Majority Party in the National Assembly tabled on the Floor of the House a Cabinet Memorandum on the ratification of the following agreements: One, the African Continental Free Trade Area agreement pursuant to Section 8 of the Treaty Making and Ratification Act, 2012; and two, the Tripartite Free Trade Area (TFTA) agreement pursuant to Section 8 of the Treaty Making and Ratification Act, 2012.

Once ratified, the agreements shall become part of our Kenyan laws as provided for in Article 2(6) of the Constitution, which provides that any treaty or convention ratified by Kenya shall form part of the laws of Kenya.

The agreements were subsequently committed to the Departmental Committee on Defence and Foreign Relations for consideration and report to the House. In considering the agreements, the Committee held a total of two sittings. Pursuant to Article 118(1)(b) of the Constitution on public participation and Section 8(6) of the Treaty Making and Ratification Act, 2012, the Committee placed advertisements in two local dailies on 19<sup>th</sup> April 2018 requesting for submissions of memoranda on the subject matter. There was no response from the public. However, as part of public participation, the Committee held sittings with representatives from the Ministry of Foreign Affairs and International Trade as the key stakeholders in this matter.

These agreements aim at improving intra-regional trade and intra-African trade through the establishment of a larger market with a single economic space and to address the challenges of multiple memberships with trade blocs.

Let me highlight what AFCFTA stands for. In January 2012, the Assembly of Heads of State and Governments of the African Union during its 18<sup>th</sup> Ordinary Session held in Addis Ababa Ethiopia, took a decision to enhance intra-African trade by endorsing an action plan for boosting intra-African trade and agreeing on a roadmap to establish a continental free trade area. This initiative is in line with the objectives and principles as stated in the Abuja Treaty, which is to promote the economic and social developments and integration of the African economies and to establish national, regional and sub-regional institutions that lead to a dynamic and interdependent African economy. This paves way for eventual establishment of the African Economic Community. The action plan is also a project of the African Union under its Vision 2063, which is a strategic framework for the socio-economic transformation of the continent in the next 45 years.

Subsequent to the 2012 decision, the African Union held several negotiations which culminated with the signing of the Agreement establishing the AFCFTA, Protocol on Trade in

Goods, Protocol on Trade in Services and Protocol on Rules and Procedures on the Settlement of disputes and their respective annexes in Kigali, Rwanda on 21<sup>st</sup> March 2018.

The main objective of the Agreement is to create an expanded and secure market for the goods and services of state parties through adequate infrastructure and the reduction and progressive elimination of tariffs and non-tariff barriers.

Hon. Deputy Speaker, these are the obligations that are imposed by the Agreement. The modalities for trade liberalisation negotiated provides for liberalisation of up to 90 per cent of total tariff lines for each member state. That is including sensitive products within a period of 13 years for least developed countries (LDCs) and 10 years for non-LDCs.

What is national interest of this Agreement? The interest is the advancement of economic prosperity of Kenya and her people. One, the Agreement will lead to the creation of a wider and expanded market. Two, the Agreement will promote a cross-border investment leading to increased Kenya's entrepreneurs to invest across Africa. You know Kenyans have a vibrant manufacturing system which will not benefit from this opportunity but its people will benefit from the creation of new employment opportunities. Three, under the Big Four Agenda the Government's share of manufacturing to GDP is to be raised from the current nine per cent to 15 per cent by 2022. The Agreement will be important for the realisation of this objective since majority of Kenya's exports to Africa are manufactured goods.

The following are the policies and legislative considerations in the Agreement: The Agreement will be implemented in accordance with the existing domestic legislation. Kenya has enacted the Trade Remedies Law and is currently setting up the requisite institutions to operationalise trade defence instruments and measures. These measures are contained in the Agreement. They include anti-dumping and safeguards to protect infant and strategic sectors from unfair competition.

The following are the financial implications of the agreement: The ministry responsible for trade will need resources for implementation of the Agreement to pay the annual subscriptions and costs of sensitisation of various stakeholders.

The summary of the process leading to the adoption of the Agreement and the date of the signature is as follows: The Agreement is being fulfilled pursuant to the Abuja Treaty, 1991, the Constitutive Act of the African Union of 2000 and the Africa's Vision 2063. The Assembly of Heads of State and Government of the AU held in January 2012 in Addis Ababa adopted a decision to establish a Continental Free Trade Area by 2017. This Agreement was thereafter signed at the Extraordinary Summit of the AU Assembly on 21<sup>st</sup> March 2018 in Kigali, Rwanda.

The Tripartite Free Trade Area Agreement established among the Common Market for Eastern and Southern Africa (COMESA), the East African Community and the Southern African Development Community (SADC) begun when the Tripartite Heads of State held a meeting on 22<sup>nd</sup> October 2008 in Kampala, Uganda. They decided on expeditious moves towards establishment of the Tripartite Free Trade Area among the three Regional Economic Communities. The official launch of the Agreement took place during the second Tripartite Summit held on 12<sup>th</sup> June 2011 in Johannesburg. The conclusion of the same was done after the adoption of the main outstanding annexes which was held in July 2017 in Kampala, Uganda.

The Agreement is in line with the resolution of the African Union Summit held in Banjul, Gambia in July 2006. It directed the African Union Commission and the Regional Economic Communities to harmonise and coordinate policies and programmes of Regional Economic Communities as important strategies for rationalisation and to put in place mechanisms to

facilitate the process of harmonisation and coordination within and among the Regional Economic Communities.

The main objectives of the Agreement are to increase intra-regional trade through the establishment of a larger market with a single economic space and to address the challenges of multiple memberships by harmonising rules and policies such as health and technical standards, rules of origin and customs, trade facilitation and transit issues with a long-term goal of moving to other deeper levels of integration.

What could be the national interest of this Agreement? In simple terms, this is for the benefit of advancement of economic prosperity of Kenya and her people. Kenya has been trading with Africa as much as it has been trading with the rest of the world. As we said earlier, Kenya's exports to Africa range between 41 per cent and 45 per cent in the last decade. They have mostly been to the EAC and COMESA markets. Policies such as the rules of origin, customs' cooperation and technical and healthy standards have been harmonised. This will facilitate ease of movement of goods and business people.

Under the Big Four Agenda as I said earlier, the share of manufacturing to GDP is to be raised from the current 9 per cent to 15 per cent by the year 2022. This Agreement will, therefore, be important for the realisation of this objective since majority of Kenya's exports to Africa are manufactured goods.

However, there are obligations imposed by this Agreement. One of them is the liberalisation of tariffs. It will be done immediately upon entry into force of the Agreement. It will be between 60 and 85 per cent of the total tariff lines.

The EAC has negotiated as a bloc and has finalised tariff offers for liberalisation for countries that are not in the FTA. Those countries are Angola, Eritrea, Ethiopia, Mozambique and the Southern African Customs Union (SACU) which includes Botswana, Namibia, Lesotho, South Africa and Swaziland.

During the Tripartite Summit held on 10<sup>th</sup> June 2015 in Sharm El Sheikh, Egypt, His Excellency the Deputy President Hon. William Samoei Ruto and head of the Kenyan delegation expressed Kenya's interest to host the secretariat for the Tripartite FTA.

What are the policies and legislative considerations? The Agreement will be implemented in accordance with the existing domestic legislation, as said earlier. Kenya has enacted the Trade Remedies Law and is currently setting up the requisite institutions to operationalise trade defence measures and mechanisms. These measures are contained in the Agreement. They include anti-dumping, as said earlier and safeguards to protect infant and strategic sectors from unfair competition.

Equally, we have financial implications over this. This is where the rubber meets the road. The Ministry responsible for trade will need resources for implementation of the Agreement to pay the annual subscriptions and costs of sensitisation of various stakeholders. The summary of the process leading to the adoption of the Agreement is as follows: Negotiations to the Agreement began when the tripartite Heads of State held a meeting on 22<sup>nd</sup> October 2008 in Kampala, Uganda. The official launch of the Agreement took place during the second Tripartite Summit held on 12<sup>th</sup> June 2011 in Johannesburg. The conclusion of the same was done after the adoption of the main outstanding annexes which was held in July 2017 in Kampala, Uganda. This was concluded and signed on 10<sup>th</sup> June 2015. But, there are various Protocols and Annexures that had to be negotiated and adopted.

To date, the Agreement has been signed by 22 out of 27 partner states and shall enter into force once the 14 partner states have ratified the agreement and deposited instruments of ratification. Upon looking at the agreement, the Committee made the following observations:

That, the Constitution provides for the entrenchment of these agreements into the laws of Kenya. The Agreement is aligned to the Constitution where it accelerates the political and socio-economic integration of the continent, and coordinates and harmonises the policies between the existing and future regional economic communities, for the gradual attainment of the objective of the union of the Constitutive Act of the African Union.

Article 15 of the Agreement talks about the waiver of obligation and protocol on trade in goods. Hon. Kimani, I am almost done.

Article 17 talks about anti-dumping and countervailing measures. This is in tandem with provisions under Trade Remedies Act which provides for anti-dumping and countervailing measures. The Agreement provides for an expanded market for both manufactured and primary goods for Kenyan products within a single economic space with a population of 625 million people. Therefore, the implementation of the Agreement will resolve the challenges faced with multiple memberships to the Regional Economic Communities.

The Departmental Committee on Defence and Foreign Relations recommends that pursuant to Section 8 of the Treaty Making and Ratification Act, the House approves the ratification of the African Continental Free Trade Area which has about 30 Articles and Tripartite Free Trade Area Agreement which has about 45 Articles as they are in Kenya's national interest.

I wish to move this Motion and request Hon. Caleb Amisi to second.

**Hon. Deputy Speaker:** Member for Saboti.

**Hon. Luyai:** Thank you, Hon. Deputy Speaker. I rise to second the Motion on the Ratification of the AFCFTA. This has come at the most opportune time when the world is slowly becoming global. Globalisation comes with competition in terms of international trade. This Agreement is key to our nation when we are talking of the Agenda Four as a country. We cannot be taking of Agenda Four if we are not very keen on our position in the international market. The African continent as a whole has a population of 1.2 billion. In terms of population, Africa is second to Asia in the world's population. So it is imperative as a country to be part of this Agreement that enables us to tap into this growing market of the continent.

Besides that, this Agreement is going to create a single continental market for goods and services or free movement of business and persons and will also expand our intra-African trade within our economic bloc communities such as EAC and COMESA. It will also harmonise trading activities of state partners which belong to two economic blocs such as Kenya which belongs to EAC and COMESA

This is going to promote industrial development through diversification and regional value chain development through agricultural development and food security.

With those few remarks I urge this House and Hon. Members to be part of the ratification of this Agreement. I wish we could put the Question because the public we represent has given it a clean bill of health. It is an Agreement that has come at the most opportune time.

**Hon. Deputy Speaker:** Second it please.

**Hon. Luyai:** I second.

**Hon. Deputy Speaker:** Thank you very much.

*(Question proposed)*



Can I put the Question?

**Hon. Members:** Yes.

**Hon. Deputy Speaker:** I realise we do not have the numbers. We will first have the Mover reply and then we will wait for the numbers to put the Question. Mover, you will not have much to say because no Member contributed. So, you will simply reply.

**Hon. Onyiego:** Exactly. I do not really know what to reply.

**Hon. Deputy Speaker:** You should be thanking the Members for quickly accepting the request by your Seconder to really move quickly to the next stage.

**Hon. Onyiego:** I appreciate the fact that Hon. Members have fully understood, if they did, what we moved. The fact that the mood of the House is to put the Question, then it means that the whole House is in agreement and there is no moving back. We need to move forward.

I, therefore, beg to reply.

**Hon. Deputy Speaker:** First of all, I really must commend the two Members; the Member who moved this Motion and the one who seconded. They are first time Members and they have done very well. I would also like to thank the Committee on Defence and Foreign Relations. It is not very easy to cede power. To have a chair that will cede power and I can see he is seated pretty in the House, I can say it is in the spirit of participatory leadership in the committees. I did not want that to escape the notice of the House. We will proceed and go to the next Order. We will not put the Question because there are no numbers. So, it will be pending until the next time.

*(Putting of the Question deferred)*

Next Order.

*[The Deputy Speaker  
(Hon. Cheboi) left the Chair]*

*[The Temporary Deputy Speaker  
(Hon. (Ms.) Mbalu took the Chair)]*

## MOTION

### REPORT OF THE BUDGET AND APPROPRIATIONS COMMITTEE ON THE SUPPLEMENTARY ESTIMATES II

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Hon. Ichung'wah.

**Hon. Ichung'wah:** Thank you, Hon. Temporary Deputy Speaker. I was waiting to see who is taking the Speaker's seat so that I do not mention Mr. Speaker, instead of Madam Speaker. I wish to move this Motion for adoption of the Second Supplementary Estimates for the Financial Year 2017/2018 that were submitted to the National Assembly on 11<sup>th</sup> April 2018, just two months before the end of the financial year, in accordance with Standing Order No.243(3). Once the estimates were tabled, they were committed to the Budget and Appropriations

Committee (BAC) as well as the various departmental committees to deliberate on in line with respective mandates and make recommendations to the BAC.

The Committee has examined and discussed the Estimates and made recommendations which are contained in this report. I believe Members have a copy of the report, which if approved by the House, the recommendations will form the basis for the passage of the Second Supplementary Appropriations Act for the FY 2017/2018.

In reviewing the Second Supplementary Estimates for 2017/2018, the Committee held five sittings, including one sitting yesterday till early this morning about 1.00 a.m. with the National Treasury. The Committee also received submissions and recommendations from various departmental committees, which have been taken into account in the finalisation of this report. However, it is worth noting that many departmental committees had sought additional allocations and we have struggled to allocate what was available within the resources available.

It is also good to mention that these Second Supplementary Estimates come in the backdrop of a very tight fiscal position for our country. It is not lost on many Members and, indeed, the country that since the beginning of this financial year on 1<sup>st</sup> of July last year, the country was in an electioneering mode. We carried on the electioneering and campaigning business for the better part of the half year. We must take this opportunity to congratulate and thank His Excellency the President and the former Prime Minister for the wisdom they saw in the so-called famous handshake, because it has cooled down the political temperatures in this country and the Kenyan people can now focus on rebuilding our economy and, therefore, try to get our country on a very firm economic growth position. We did a lot of injustice, as politicians and as a country, to ourselves through a whole year of electioneering.

Therefore, we have had challenges with our revenue being below the target and so austerity measures had to be taken. For the first time, we are seeing a lot of austerity measures, including a Bill that is already before this House to review the allocations to county governments. We have an amendment Bill that was tabled in this House to review county allocations, just in line with what has been done in the national Government. All arms of Government had huge cuts in expenditure. In the same spirit, we urge our county governments to also carry out such austerity measures. We must thank and congratulate those governors. In particular I want to mention Governor Wangamati of Bungoma County, who has taken time and measures to have austerity measures that will help save funds in the backdrop of these very difficult economic times. I want to encourage other governors to take the same measures in their counties, even without the reviews of the Division of Revenue Bill. In the same spirit, we would urge them to take austerity measures and have savings where they can.

As I move this Motion, there is an amendment to the report. If you allow me, I want to read the proposed amendment to the Motion.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Order. You must move the Motion first, as it is, then later we will deal with the amendment.

**Hon. Ichung'wah:** Hon. Temporary Deputy Speaker, I do not want to take a lot of time because Members are eager to contribute on this Motion. However, it is worth noting that the cuts...

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Chairperson, you have not moved. Move as it is in the Order Paper first and then you can contribute. You have not moved your report. Read that "This House adopts the blah blah blah."

**Hon. Ichung'wah:** Hon. Temporary Deputy Speaker, I am struggling to listen to you but the Member for Kipipiri is also busy trying to coach me on what to do.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): You are protected. Hon. Member, can you allow the chair to move the Motion?

**Hon. Ichung'wah:** Thank you for the protection, Hon. Temporary Deputy Speaker. It is my humble duty and privilege, therefore, on behalf of BAC to table the report on the Supplementary Estimates II for the FY 2017/2018 and recommend it to the House for adoption. I, therefore, move.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): The Chairperson, Order No. 10 is "Report of the Budget and Appropriations Committee on the Supplementary Estimates II." You read as it is in the Order Paper. The Member for Kipipiri, stop confusing the Chair. You are making the chair not to perform well.

**Hon. Ichung'wah:** I told you Hon. Kimunya has to keep interrupting. Hon. Temporary Deputy Speaker, I beg to move the following Motion:

THAT, this House adopts the Second Report of the Budget and Appropriations Committee on the Supplementary Estimates for the Financial Year 2017/2018, laid on the Table of the House on Thursday, 26<sup>th</sup> April 2018 and pursuant to the provisions of Article 223 of the Constitution and Standing Order 243, approves—

- (i) an increment of the total recurrent expenditure for Financial Year 2017/2018 by Kshs.24,063,618,617 in respect of the Votes as contained in the attached Schedule;
- (ii) a reduction of the total capital expenditure for Financial Year 2017/2018 by Kshs.40,203,242,172 in respect of the Votes as contained in the attached Schedule;
- (iii) an overall reduction in the total budget for Financial Year 2017/2018 by Kshs.16,139,623,555 in respect of the Votes as contained in the Schedule; and
- (iv) that the attached Schedule forms the basis of the enactment of the Second Supplementary Appropriations Act, 2017/2018.

**SCHEDULE: SUPPLEMENTARY ESTIMATES II FOR FY 2017/18**  
(IN KSHS)

VOTE, PROGRAM ME CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
	GROSS CURREN T ESTIMA TES	GROSS CAPITA L ESTIMA TES	GROSS TOTAL ESTIMA TES	CHANG E IN GROSS CURREN T ESTIMA TES	CHANG E IN GROSS CAPITA L ESTIMA TES	CHANG E IN GROSS TOTAL ESTIMA TES	Recurr ent	Ca pit al	Gross	Recurr ent	Capital	Gross
1011 The Presidenc y	7,866,96 6,719	893,500, 000	8,760,46 6,719	1,036,99 1,575	132,432, 530	1,169,42 4,105	0	0	0	8,903,95 8,294	1,025,932, 530	9,929,890,8 24
0702000 Cabinet Affairs	1,730,03 9,614	645,250, 000	2,375,28 9,614	683,009	243,469, 362	244,152, 371			0	1,730,72 2,623	888,719,3 62	2,619,441,9 85

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	GROSS CURREN T ESTIMA TES	GROSS CAPITA L ESTIMA TES	GROSS TOTAL ESTIMA TES	CHANG E IN GROSS CURREN T ESTIMA TES	CHANG E IN GROSS CAPITA L ESTIMA TES	CHANG E IN GROSS TOTAL ESTIMA TES	Recurr ent	Ca pit al	Gross	Recurr ent	Capital	Gross
0703000 Government Advisory Services	975,772, 905	-	975,772, 905	18,000,0 00	-	18,000,0 00			0	993,772, 905	0	993,772,90 5
0704000 State House Affairs	3,246,55 4,755	230,250, 000	3,476,80 4,755	805,509, 266	(96,960, 832)	708,548, 434			0	4,052,06 4,021	133,289,1 68	4,185,353,1 89
0734000 Deputy President Services	1,914,59 9,445	18,000,0 00	1,932,59 9,445	212,799, 300	(14,076, 000)	198,723, 300			0	2,127,39 8,745	3,924,000	2,131,322,7 45
<b>1021 State Department for Interior</b>	<b>111,919, 293,000</b>	<b>18,082,4 96,889</b>	<b>130,001, 789,889</b>	<b>4,038,79 2,730</b>	<b>(2,751,4 09,779)</b>	<b>1,287,38 2,951</b>	<b>300,000 ,000</b>	<b>0</b>	<b>300,00 0,000</b>	<b>116,258, 085,730</b>	<b>15,331,08 7,110</b>	<b>131,589,17 2,840</b>
0601000 Policing Services	81,026,7 88,581	9,925,00 0,000	90,951,7 88,581	3,497,28 2,923	(1,614,6 55,262)	1,882,62 7,661	(146,35 5,151)		(146,3 55,151 )	84,377,7 16,353	8,310,344, 738	92,688,061, 091
0602000 Planning, Policy Coordination and Support Service	23,747,1 26,501	6,082,20 0,000	29,829,3 26,501	757,509, 807	(1,168,2 58,483)	(410,748 ,676)	300,000 ,000		<b>300,00 0,000</b>	24,804,6 36,308	4,913,941, 517	29,718,577, 825
0603000 Government Printing Services	770,983, 833	150,000, 000	920,983, 833	0	(38,140, 883)	(38,140, 883)			0	770,983, 833	111,859,1 17	882,842,95 0
0605000 Population Management Services	6,249,24 4,085	1,925,29 6,889	8,174,54 0,974	(216,000, 000)	69,644,8 49	(146,355 ,151)	146,355 ,151		<b>146,35 5,151</b>	6,179,59 9,236	1,994,941, 738	8,174,540,9 74
0736000 NGO Regulatory Services	125,150, 000	0	125,150, 000	0	0	0			0	125,150, 000	0	125,150,00 0

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VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	CHANGE IN GROSS CURRENT ESTIMATES	CHANGE IN GROSS CAPITAL ESTIMATES	CHANGE IN GROSS TOTAL ESTIMATES	Recurrent	Capital	Gross	Recurrent	Capital	Gross
1023 State Department for Correctional Services	21,535,369,313	900,000,000	22,435,369,313	1,262,200,000	(346,676,070)	915,523,930	0	0	0	22,797,569,313	553,323,930	23,350,893,243
0624000 Betting Control, Licensing and Regulation Services	119,933,224	0	119,933,224	0	0	0			0	119,933,224	0	119,933,224
0604000 Correctional services	21,014,616,887	854,336,504	21,868,953,391	1,212,200,000	(348,876,066)	863,323,934			0	22,226,816,887	505,460,438	22,732,277,325
0623000 General Administration, Planning and Support Services	400,819,202	45,663,496	446,482,698	50,000,000	2,199,996	52,199,996			0	450,819,202	47,863,492	498,682,694
1032 State Department for Devolution	1,007,391,630	3,539,300,000	4,546,691,630	261,902,200	4,053,700,000	4,315,602,200	0	0	0	1,269,293,830	7,593,000,000	8,862,293,830
0712000 Devolution Services	792,462,645	2,519,300,000	3,311,762,645	132,300,000	4,543,700,000	4,676,000,000			0	924,762,645	7,063,000,000	7,987,762,645
0732000 General Administration, Planning and Support Services	214,928,985	1,020,000,000	1,234,928,985	129,602,200	(490,000,000)	(360,397,800)			0	344,531,185	530,000,000	874,531,185
1033 State Department for Special	4,338,445,872	4,552,275,000	8,890,720,872	896,500,000	(1,137,350,000)	(240,850,000)	0	0	0	5,234,945,872	3,414,925,000	8,649,870,872

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<b>Programmes</b>												
0713000 Special Initiatives	3,379,407,801	0	3,379,407,801	906,800,000	100,000,000	1,006,800,000			0	4,286,207,801	100,000,000	4,386,207,801
0733000 Accelerated ASAL Development	734,723,595	4,547,750,000	5,282,473,595	(1,500,000)	(1,237,350,000)	(1,238,850,000)			0	733,223,595	3,310,400,000	4,043,623,595
0743000 General Administration, Planning and Support Services	224,314,476	4,525,000	228,839,476	(8,800,000)	0	(8,800,000)			0	215,514,476	4,525,000	220,039,476
<b>1034 State Department for Planning and Statistics</b>	<b>5,383,995,235</b>	<b>29,977,673,156</b>	<b>35,361,668,391</b>	<b>445,471,448</b>	<b>4,658,692,600</b>	<b>5,104,164,048</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5,829,466,683</b>	<b>34,636,365,756</b>	<b>40,465,832,439</b>
0706000 Economic Policy and National Planning	1,110,781,029	27,078,817,356	28,189,598,385	100,012,000	(89,158,500)	10,853,500			0	1,210,793,029	26,989,658,856	28,200,451,885
0707000 National Statistical Information Services	2,333,333,297	1,454,800,000	3,788,133,297	0	(5,800,000)	(5,800,000)			0	2,333,333,297	1,449,000,000	3,782,333,297
0708000 Monitoring and Evaluation Services	128,163,530	128,180,800	256,344,330	0	(60,000,000)	(60,000,000)			0	128,163,530	68,180,800	196,344,330

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0709000 General Administration Planning and Support Services	349,705, 548	0	349,705, 548	30,759,4 48	0	30,759,4 48			0	380,464, 996	0	380,464,99 6
1013000 Integrated Regional Development	1,462,01 1,831	1,315,87 5,000	2,777,88 6,831	314,700, 000	4,813,65 1,100	5,128,35 1,100			0	1,776,71 1,831	6,129,526, 100	7,906,237,9 31
<b>1041 Ministry of Defence</b>	<b>105,261, 384,819</b>	<b>45,000,0 00</b>	<b>105,306, 384,819</b>	<b>1,574,00 0,000</b>	<b>7,429,99 5,045</b>	<b>9,003,99 5,045</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>106,835, 384,819</b>	<b>7,474,995, 045</b>	<b>114,310,37 9,864</b>
0801000 Defence	103,941, 000,000	45,000,0 00	103,986, 000,000	1,500,00 0,000	7,429,99 5,045	8,929,99 5,045			0	105,441, 000,000	7,474,995, 045	112,915,99 5,045
0802000 Civil Aid	200,000, 000	-	200,000, 000	0	-	0			0	200,000, 000	0	200,000,00 0
0803000 General Administration, Planning and Support Services	1,120,38 4,819	-	1,120,38 4,819	74,000,0 00	-	74,000,0 00			0	1,194,38 4,819	0	1,194,384,8 19
<b>1052 Ministry of Foreign Affairs</b>	<b>14,570,0 71,499</b>	<b>247,499, 999</b>	<b>14,817,5 71,498</b>	<b>1,864,49 0,000</b>	<b>208,197, 739</b>	<b>2,072,68 7,739</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>16,434,5 61,499</b>	<b>455,697,7 38</b>	<b>16,890,259, 237</b>
0714000 General Administration Planning and Support Services	2,703,59 8,372	75,000,0 00	2,778,59 8,372	341,054, 675	17,552,5 00	358,607, 175			0	3,044,65 3,047	92,552,50 0	3,137,205,5 47

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0715000 Foreign Relation and Diplomacy	11,693,4 35,950	172,499, 999	11,865,9 35,949	1,451,15 3,336	190,645, 239	1,641,79 8,575			0	13,144,5 89,286	363,145,2 38	13,507,734, 524
0741000 Economic and Commercial Diplomacy	43,635,7 50	-	43,635,7 50	54,886,9 89	-	54,886,9 89			0	98,522,7 39	0	98,522,739
0742000 Foreign Policy Research, Capacity Dev and Technical Cooperation	129,401, 427	-	129,401, 427	17,395,0 00	-	17,395,0 00			0	146,796, 427	0	146,796,42 7
<b>1063 State Department for Basic Education</b>	<b>83,269,3 99,585</b>	<b>7,256,71 8,600</b>	<b>90,526,1 18,185</b>	<b>1,905,00 0,000</b>	<b>2,656,94 0,396</b>	<b>4,561,94 0,396</b>	<b>100,000 ,000</b>	<b>0</b>	<b>100,000 0,000</b>	<b>85,274,3 99,585</b>	<b>9,913,658, 996</b>	<b>95,188,058, 581</b>
0501000 Primary Education	16,966,6 64,925	4,471,95 5,600	21,438,6 20,525	(10,425,2 02)	2,015,00 0,000	2,004,57 4,798	100,000 ,000		100,000 0,000	17,056,2 39,723	6,486,955, 600	23,543,195, 323
0502000 Secondary Education	57,799,7 11,118	2,651,37 5,500	60,451,0 86,618	(27,484,0 66)	341,940, 396	314,456, 330			0	57,772,2 27,052	2,993,315, 896	60,765,542, 948
0503000 Quality Assurance and Standards	4,142,48 4,757	83,000,0 00	4,225,48 4,757	12,732,6 71	300,000, 000	312,732, 671			0	4,155,21 7,428	383,000,0 00	4,538,217,4 28
0508000 General Administration, Planning and Support	4,360,53 8,785	50,387,5 00	4,410,92 6,285	1,930,17 6,597	0	1,930,17 6,597			0	6,290,71 5,382	50,387,50 0	6,341,102,8 82

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Services												
<b>1064 State Department for Vocational and Technical Training</b>	<b>2,535,356,993</b>	<b>14,002,901,000</b>	<b>16,538,257,993</b>	<b>32,800,000</b>	<b>(3,177,990,092)</b>	<b>(3,145,190,092)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,568,156,993</b>	<b>10,824,910,908</b>	<b>13,393,067,901</b>
0505000 Technical Vocational Education and Training	2,333,479,487	11,873,901,000	14,207,380,487	14,500,000	(3,185,349,543)	(3,170,849,543)			<b>0</b>	2,347,979,487	8,688,551,457	11,036,530,944
0507000 Youth Training and Development	50,563,448	2,129,000,000	2,179,563,448	600,000	7,359,451	7,959,451			<b>0</b>	51,163,448	2,136,359,451	2,187,522,899
0508000 General Administration, Planning and Support Services	151,314,058	-	151,314,058	17,700,000	-	17,700,000			<b>0</b>	169,014,058	0	169,014,058
<b>1065 State Department for University Education</b>	<b>90,755,304,284</b>	<b>5,435,849,998</b>	<b>96,191,154,282</b>	<b>5,746,000,000</b>	<b>(1,317,034,706)</b>	<b>4,428,965,294</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>96,501,304,284</b>	<b>4,118,815,292</b>	<b>100,620,119,576</b>
0504000 University Education	87,148,005,550	5,284,349,998	92,432,355,548	5,786,000,000	(1,243,418,203)	4,542,581,797			<b>0</b>	92,934,005,550	4,040,931,795	96,974,937,345
0506000 Research, Science, Technology and	3,064,418,082	151,500,000	3,215,918,082	0	(73,616,503)	(73,616,503)			<b>0</b>	3,064,418,082	77,883,497	3,142,301,579

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Innovation												
0508000 General Administration, Planning and Support Services	542,880,652	-	542,880,652	(40,000,000)	-	(40,000,000)			0	502,880,652	0	502,880,652
1071 The National Treasury	81,434,454,275	46,749,013,082	128,183,467,357	(37,931,805,652)	(22,134,716,461)	(60,066,522,113)	(963,000,000)	0	(963,000,000)	42,539,648,623	24,614,296,621	67,153,945,244
0717000 General Administration Planning and Support Services	76,202,471,629	6,775,595,102	82,978,066,731	(41,916,111,226)	(3,732,350,321)	(45,648,461,547)	(300,000,000)		(300,000,000)	33,986,360,403	3,043,244,781	37,029,605,184
0718000 Public Financial Management	3,878,662,007	38,580,314,180	42,458,976,187	3,943,375,027	(18,088,058,830)	(14,144,683,803)	(663,000,000)		(663,000,000)	7,159,037,034	20,492,255,350	27,651,292,384
0719000 Economic and Financial Policy Formulation and Management	952,775,318	1,338,103,800	2,290,879,118	46,071,079	(300,557,310)	(254,486,231)	0		0	998,846,397	1,037,546,490	2,036,392,887
0720000 Market Competition	340,000,000	55,000,000	395,000,000	0	(13,750,000)	(13,750,000)			0	340,000,000	41,250,000	381,250,000
0740000 Government Clearing	60,545,321	-	60,545,321	(5,140,532)	-	(5,140,532)			0	55,404,789	0	55,404,789

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Services												
<b>1081 Ministry of Health</b>	<b>30,877,376,247</b>	<b>30,022,431,054</b>	<b>60,899,807,301</b>	<b>18,132,970,003</b>	<b>(641,153,040)</b>	<b>17,491,816,963</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>49,010,346,250</b>	<b>29,381,278,014</b>	<b>78,391,624,264</b>
0401000 Preventive, Promotive & RMNCAH	1,588,381,257	7,262,824,415	8,851,205,672	461,373,510	(1,645,305,640)	(1,183,932,130)			<b>0</b>	2,049,754,767	5,617,518,775	7,667,273,542
0402000 National Referral & Specialized Services	15,954,152,328	9,847,363,400	25,801,515,728	9,824,727,558	308,340,510	10,133,068,068			<b>0</b>	25,778,879,886	10,155,703,910	35,934,583,796
0403000 Health Research and Development	5,497,163,179	473,000,000	5,970,163,179	3,263,082,105	0	3,263,082,105			<b>0</b>	8,760,245,284	473,000,000	9,233,245,284
0404000 General Administration, Planning & Support Services	6,101,965,750	2,014,905,265	8,116,871,015	394,514,093	(496,637,647)	(102,123,554)			<b>0</b>	6,496,479,843	1,518,267,618	8,014,747,461
0405000 Health Policy, Standards and Regulations	1,735,713,733	10,424,337,974	12,160,051,707	4,189,272,737	1,192,449,737	5,381,722,474			<b>0</b>	5,924,986,470	11,616,787,711	17,541,774,181
<b>1091 State Department of Infrastructure</b>	<b>53,820,632,071</b>	<b>129,987,591,571</b>	<b>183,808,223,642</b>	<b>0</b>	<b>(34,364,140,326)</b>	<b>(34,364,140,326)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>53,820,632,071</b>	<b>95,623,451,245</b>	<b>149,444,083,316</b>
0202000 Road	53,820,632,071	129,987,591,571	183,808,223,642	0	(34,364,140,326)	(34,364,140,326)			<b>0</b>	53,820,632,071	95,623,451,245	149,444,083,316

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VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
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Transport												
<b>1092 State Department of Transport</b>	<b>6,327,131,343</b>	<b>88,969,432,000</b>	<b>95,296,563,343</b>	<b>2,060,000,000</b>	<b>15,092,368,000</b>	<b>17,152,368,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8,387,131,343</b>	<b>104,061,800,000</b>	<b>112,448,931,343</b>
0201000 General Administration, Planning and Support Services	689,346,875	783,000,000	1,472,346,875	0	(345,000,000)	(345,000,000)				689,346,875	438,000,000	1,127,346,875
0203000 Rail Transport	248,310,000	75,284,000,000	75,532,310,000	0	18,177,000,000	18,177,000,000				248,310,000	93,461,000,000	93,709,310,000
0204000 Marine Transport	364,600,324	6,800,000,000	7,164,600,324	0	(152,200,000)	(152,200,000)				364,600,324	6,647,800,000	7,012,400,324
0205000 Air Transport	4,580,076,187	5,802,432,000	10,382,508,187	2,060,000,000	(2,587,432,000)	(527,432,000)				6,640,076,187	3,215,000,000	9,855,076,187
0216000 Road Safety	444,797,957	300,000,000	744,797,957	0	0	0				444,797,957	300,000,000	744,797,957
<b>1093 State Department for Maritime Affairs</b>	<b>218,589,618</b>	<b>0</b>	<b>218,589,618</b>	<b>41,700,153</b>	<b>0</b>	<b>41,700,153</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>260,289,771</b>	<b>0</b>	<b>260,289,771</b>
0220000 Shipping and Maritime Affairs	218,589,618	-	218,589,618	41,700,153	-	41,700,153				260,289,771	0	260,289,771
<b>1094 State Department for Housing &amp; Urban</b>	<b>1,608,768,601</b>	<b>13,237,065,000</b>	<b>14,845,833,601</b>	<b>652,560,000</b>	<b>2,948,599,394</b>	<b>3,601,159,394</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,261,328,601</b>	<b>16,185,664,394</b>	<b>18,446,992,995</b>

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VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
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<b>Development</b>												
0102000 Housing Development and Human Settlement	432,434,189	5,725,000,000	6,157,434,189	490,507,353	376,724,895	867,232,248			0	922,941,542	6,101,724,895	7,024,666,437
0105000 Urban and Metropolitan Development	224,977,551	7,479,565,000	7,704,542,551	(28,571,589)	2,576,640,474	2,548,068,885			0	196,405,962	10,056,205,474	10,252,611,436
0106000 General Administration Planning and Support Services	238,120,895	-	238,120,895	47,124,236	-	47,124,236			0	285,245,131	0	285,245,131
0218000 Regulation and Development of the Construction Industry	713,235,966	32,500,000	745,735,966	143,500,000	(4,765,975)	138,734,025			0	856,735,966	27,734,025	884,469,991
<b>1095 State Department for Public Works</b>	<b>789,575,117</b>	<b>544,022,500</b>	<b>1,333,597,617</b>	<b>25,700,000</b>	<b>170,467,753</b>	<b>196,167,753</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>815,275,117</b>	<b>714,490,253</b>	<b>1,529,765,370</b>
0103000 Government Buildings	339,230,686	509,890,000	849,120,686	10,000,000	146,467,753	156,467,753			0	349,230,686	656,357,753	1,005,588,439
0104000 Coastline Infrastructure and Pedestrian	79,889,145	34,132,500	114,021,645	3,000,000	24,000,000	27,000,000			0	82,889,145	58,132,500	141,021,645

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Access												
0106000 General Administration Planning and Support Services	370,455,286	-	370,455,286	12,700,000	-	12,700,000			0	383,155,286	0	383,155,286
<b>1103 State Department for Water Services</b>	<b>4,404,068,971</b>	<b>32,252,516,698</b>	<b>36,656,585,669</b>	<b>(1,079,353,987)</b>	<b>2,869,890,355</b>	<b>1,790,536,368</b>	<b>50,000,000</b>	<b>(80,000,000)</b>	<b>(30,000,000)</b>	<b>3,374,714,984</b>	<b>35,042,407,053</b>	<b>38,417,122,037</b>
1001000 General Administration, Planning and Support Services	593,451,456	151,000,000	744,451,456	8,748,482	(25,645,178)	(16,896,696)	50,000,000		<b>50,000,000</b>	652,199,938	125,354,822	777,554,760
1004000 Water Resources Management	1,564,558,928	6,187,600,000	7,752,158,928	0	3,003,496,521	3,003,496,521			0	1,564,558,928	9,191,096,521	10,755,655,449
1017000 Water and Sewerage Infrastructure Development	2,246,058,587	25,913,916,698	28,159,975,285	(1,088,102,469)	(107,960,988)	(1,196,063,457)		(80,000,000)	<b>(80,000,000)</b>	1,157,956,118	25,725,955,710	26,883,911,828
<b>1104 State Department for Irrigation</b>	<b>901,423,540</b>	<b>12,458,300,000</b>	<b>13,359,723,540</b>	<b>44,900,413</b>	<b>1,152,322,640</b>	<b>1,197,223,053</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>946,323,953</b>	<b>13,610,622,640</b>	<b>14,556,946,593</b>
1014000 Irrigation and Land Reclamation	896,163,609	6,628,300,000	7,524,463,609	44,900,413	708,056,783	752,957,196			0	941,064,022	7,336,356,783	8,277,420,805

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n												
1015000 Water Storage and Flood Control	-	5,830,000,000	5,830,000,000	-	444,265,857	444,265,857			0	0	6,274,265,857	6,274,265,857
1016000 General Administration, Planning and Support Services	5,259,931	-	5,259,931	0	-	0			0	5,259,931	0	5,259,931
<b>1105 State Department for Environment</b>	<b>2,743,441,011</b>	<b>2,165,625,000</b>	<b>4,909,066,011</b>	<b>489,300,000</b>	<b>(569,291,125)</b>	<b>(79,991,125)</b>	<b>25,000,000</b>	<b>0</b>	<b>25,000,000</b>	<b>3,257,741,011</b>	<b>1,596,333,875</b>	<b>4,854,074,886</b>
1002000 Environment Management and Protection	1,334,707,697	1,890,550,000	3,225,257,697	449,300,000	(869,291,125)	(419,991,125)			0	1,784,007,697	1,021,258,875	2,805,266,572
1010000 General Administration, Planning and Support Services	330,536,643	-	330,536,643	0	-	0			0	330,536,643	0	330,536,643
1012000 Meteorological Services	1,078,196,671	275,075,000	1,353,271,671	40,000,000	300,000,000	340,000,000	25,000,000		25,000,000	1,143,196,671	575,075,000	1,718,271,671
<b>1106 State Department for Natural</b>	<b>12,892,449,917</b>	<b>3,214,070,990</b>	<b>16,106,520,907</b>	<b>543,512,398</b>	<b>(463,192,678)</b>	<b>80,319,720</b>	<b>15,800,000</b>	<b>0</b>	<b>15,800,000</b>	<b>13,451,762,315</b>	<b>2,750,878,312</b>	<b>16,202,640,627</b>

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<b>Resources</b>												
1003000 Natural Resources Management and Protection	12,892,4 49,917	3,214,07 0,990	16,106,5 20,907	543,512, 398	(463,192 ,678)	80,319,7 20	15,800, 000		<b>15,800</b> <b>,000</b>	13,451,7 62,315	2,750,878, 312	16,202,640, 627
<b>1112 Ministry of Lands and Physical Planning</b>	<b>2,312,56</b> <b>8,601</b>	<b>3,563,37</b> <b>5,000</b>	<b>5,875,94</b> <b>3,601</b>	<b>16,800,0</b> <b>00</b>	<b>(765,779</b> <b>,266)</b>	<b>(748,979</b> <b>,266)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,329,36</b> <b>8,601</b>	<b>2,797,595,</b> <b>734</b>	<b>5,126,964,3</b> <b>35</b>
0101000 Land Policy and Planning	2,312,56 8,601	3,563,37 5,000	5,875,94 3,601	16,800,0 00	(765,779 ,266)	(748,979 ,266)			<b>0</b>	2,329,36 8,601	2,797,595, 734	5,126,964,3 35
<b>1122 State Department for Information Communications and Technology &amp; Innovation</b>	<b>985,318,</b> <b>078</b>	<b>13,447,4</b> <b>78,834</b>	<b>14,432,7</b> <b>96,912</b>	<b>133,247,</b> <b>981</b>	<b>(1,482,4</b> <b>59,766)</b>	<b>(1,349,2</b> <b>11,785)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,118,56</b> <b>6,059</b>	<b>11,965,01</b> <b>9,068</b>	<b>13,083,585,</b> <b>127</b>
0207000 General Administration Planning and Support Services	214,359, 507	-	214,359, 507	28,789,8 50	-	28,789,8 50			<b>0</b>	243,149, 357	0	243,149,35 7
0210000 ICT Infrastructure Development	217,079, 529	12,590,7 50,000	12,807,8 29,529	70,000,0 00	(1,242,5 76,196)	(1,172,5 76,196)	0		<b>0</b>	287,079, 529	11,348,17 3,804	11,635,253, 333

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VOTE, PROGRAM ME CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	CHANGE IN GROSS CURRENT ESTIMATES	CHANGE IN GROSS CAPITAL ESTIMATES	CHANGE IN GROSS TOTAL ESTIMATES	Recurrent	Capital	Gross	Recurrent	Capital	Gross
0217000 E-Government Services	553,879,042	856,728,834	1,410,607,876	34,458,131	(239,883,570)	(205,425,439)			0	588,337,173	616,845,264	1,205,182,437
1123 State Department for Broadcasting & Telecommunications	1,957,173,235	191,000,000	2,148,173,235	1,406,217,602	189,483,438	1,595,701,040	0	0	0	3,363,390,837	380,483,438	3,743,874,275
0207000 General Administration Planning and Support Services	233,770,111	-	233,770,111	94,664,401	-	94,664,401			0	328,434,512	0	328,434,512
0208000 Information And Communication Services	1,515,953,124	135,750,000	1,651,703,124	1,311,553,201	191,417,188	1,502,970,389			0	2,827,506,325	327,167,188	3,154,673,513
0209000 Mass Media Skills Development	207,450,000	55,250,000	262,700,000	0	(1,933,750)	(1,933,750)			0	207,450,000	53,316,250	260,766,250
1132 State Department for Sports Development	3,748,333,817	2,950,000,000	6,698,333,817	(1,163,564,646)	(703,100,019)	(1,866,664,665)	0	0	0	2,584,769,171	2,246,899,981	4,831,669,152
0901000 Sports	3,748,333,817	2,950,000,000	6,698,333,817	(1,163,564,646)	(703,100,019)	(1,866,664,665)			0	2,584,769,171	2,246,899,981	4,831,669,152
1133 State Department for Arts and	2,865,775,296	641,250,000	3,507,025,296	164,900,000	(91,314,173)	73,585,827	0	0	0	3,030,675,296	549,935,827	3,580,611,123

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Culture												
0902000 Culture	1,336,613,161	95,000,000	1,431,613,161	134,783,164	(15,009,750)	119,773,414			0	1,471,396,325	79,990,250	1,551,386,575
0903000 The Arts	692,010,890	23,750,000	715,760,890	8,500,000	(1,610,189)	6,889,811			0	700,510,890	22,139,811	722,650,701
0904000 Library Services	698,764,569	522,500,000	1,221,264,569	0	(74,694,234)	(74,694,234)			0	698,764,569	447,805,766	1,146,570,335
0905000 General Administration, Planning and Support Services	138,386,676	-	138,386,676	21,616,836	-	21,616,836			0	160,003,512	0	160,003,512
<b>1152 State Department for Energy</b>	<b>2,052,500,000</b>	<b>82,548,497,961</b>	<b>84,600,997,961</b>	<b>101,500,000</b>	<b>(7,598,572,709)</b>	<b>(7,497,072,709)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,154,000,000</b>	<b>74,949,925,252</b>	<b>77,103,925,252</b>
0211000 General Administration Planning and Support Services	354,889,337	327,000,000	681,889,337	69,300,000	(5,839,285)	63,460,715			0	424,189,337	321,160,715	745,350,052
0212000 Power Generation	786,987,274	14,560,499,652	15,347,486,926	23,500,000	(4,810,499,653)	(4,786,999,653)			0	810,487,274	9,749,999,999	10,560,487,273
0213000 Power Transmission and Distribution	790,303,296	60,837,308,309	61,627,611,605	2,400,000	(3,979,600,596)	(3,977,200,596)			0	792,703,296	56,857,707,713	57,650,411,009
0214000 Alternative Energy	120,320,093	6,823,690,000	6,944,010,093	6,300,000	1,197,366,825	1,203,666,825			0	126,620,093	8,021,056,825	8,147,676,918

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Technologies												
1153 State Department for Petroleum	195,232,407	4,276,875,000	4,472,107,407	14,077,333	(341,177,000)	(327,099,667)	0	0	0	209,309,740	3,935,698,000	4,145,007,740
0215000 Exploration and Distribution of Oil and Gas	195,232,407	4,276,875,000	4,472,107,407	14,077,333	(341,177,000)	(327,099,667)			0	209,309,740	3,935,698,000	4,145,007,740
1161 State Department for Agriculture.	14,116,298,340	16,419,094,148	30,535,392,488	1,928,100,000	(4,142,453,000)	(2,214,353,000)	0	0	0	16,044,398,340	12,276,641,148	28,321,039,488
0107000 General Administration Planning and Support Services	4,462,885,676	810,250,000	5,273,135,676	4,925,000	(317,059,849)	(312,134,849)			0	4,467,810,676	493,190,151	4,961,000,827
0108000 Crop Development and Management	9,489,665,191	14,521,577,422	24,011,242,613	1,933,500,000	(3,240,307,123)	(1,306,807,123)			0	11,423,165,191	11,281,270,299	22,704,435,490
0109000 Agribusiness and Information Management	163,747,473	1,087,266,726	1,251,014,199	(10,325,000)	(585,086,028)	(595,411,028)			0	153,422,473	502,180,698	655,603,171
1162 State Department for Livestock.	7,114,150,771	3,693,332,750	10,807,483,521	(84,800,000)	2,084,235,095	1,999,435,095	0	0	0	7,029,350,771	5,777,567,845	12,806,918,616

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0112000 Livestock Resources Management and Development	7,114,15 0,771	3,693,33 2,750	10,807,4 83,521	(84,800,0 00)	2,084,23 5,095	1,999,43 5,095			0	7,029,35 0,771	5,777,567, 845	12,806,918, 616
<b>1164 State Department for Fisheries and the Blue Economy</b>	<b>1,844,46 5,848</b>	<b>420,920, 000</b>	<b>2,265,38 5,848</b>	<b>66,728,2 61</b>	<b>(106,943 ,196)</b>	<b>(40,214, 935)</b>	<b>11,000, 000</b>	<b>0</b>	<b>11,000 ,000</b>	<b>1,922,19 4,109</b>	<b>313,976,8 04</b>	<b>2,236,170,9 13</b>
0111000 Fisheries Development and Management	1,549,91 2,465	407,670, 000	1,957,58 2,465	1,382,55 5	(101,797 ,020)	(100,414 ,465)			0	1,551,29 5,020	305,872,9 80	1,857,168,0 00
0117000 General Administration, Planning and Support Services	132,687, 033	-	132,687, 033	55,102,4 05	-	55,102,4 05	11,000, 000		11,000 ,000	198,789, 438	0	198,789,43 8
0118000 Development and Coordination of the Blue Economy	161,866, 350	13,250,0 00	175,116, 350	10,243,3 01	(5,146,1 76)	5,097,12 5			0	172,109, 651	8,103,824	180,213,47 5
<b>1172 State Department for Investment and Industry</b>	<b>2,189,24 3,808</b>	<b>3,218,93 0,120</b>	<b>5,408,17 3,928</b>	<b>82,149,9 68</b>	<b>3,416,15 8,369</b>	<b>3,498,30 8,337</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,271,39 3,776</b>	<b>6,635,088, 489</b>	<b>8,906,482,2 65</b>

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0301000 General Administration Planning and Support Services	386,652, 659	180,000, 000	566,652, 659	37,237,3 68	(100,000, 000)	(62,762, 632)			0	423,890, 027	80,000,00 0	503,890,02 7
0302000 Industrial Development and Investments	849,783, 149	1,997,49 3,120	2,847,27 6,269	34,912,6 00	3,840,27 1,997	3,875,18 4,597			0	884,695, 749	5,837,765, 117	6,722,460,8 66
0303000 Standards and Business Incubation	952,808, 000	1,041,43 7,000	1,994,24 5,000	10,000,0 00	(324,113 ,628)	(314,113 ,628)			0	962,808, 000	717,323,3 72	1,680,131,3 72
<b>1173 State Department for Cooperatives</b>	<b>737,987, 448</b>	<b>385,000, 000</b>	<b>1,122,98 7,448</b>	<b>51,510,9 81</b>	<b>170,000, 000</b>	<b>221,510, 981</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>789,498, 429</b>	<b>555,000,0 00</b>	<b>1,344,498,4 29</b>
0304000 Cooperative Development and Management	737,987, 448	385,000, 000	1,122,98 7,448	51,510,9 81	170,000, 000	221,510, 981			0	789,498, 429	555,000,0 00	1,344,498,4 29
<b>1174 State Department for Trade</b>	<b>2,164,31 0,293</b>	<b>71,250,0 00</b>	<b>2,235,56 0,293</b>	<b>54,600,0 00</b>	<b>(23,683, 043)</b>	<b>30,916,9 57</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,218,91 0,293</b>	<b>47,566,95 7</b>	<b>2,266,477,2 50</b>
0307000 Trade Development and Promotion	2,164,31 0,293	71,250,0 00	2,235,56 0,293	54,600,0 00	(23,683, 043)	30,916,9 57			0	2,218,91 0,293	47,566,95 7	2,266,477,2 50
<b>1183 State Department for East</b>	<b>1,356,49 5,896</b>	<b>65,000,0 00</b>	<b>1,421,49 5,896</b>	<b>222,458, 663</b>	<b>0</b>	<b>222,458, 663</b>	<b>69,800, 000</b>	<b>0</b>	<b>69,800, 000</b>	<b>1,648,75 4,559</b>	<b>65,000,00 0</b>	<b>1,713,754,5 59</b>

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<b>African Integration</b>												
0305000 East African Affairs and Regional Integration	1,356,495,896	65,000,000	1,421,495,896	222,458,663	0	222,458,663	69,800,000		<b>69,800,000</b>	1,648,754,559	65,000,000	1,713,754,559
<b>1184 State Department for Labour</b>	<b>1,792,943,512</b>	<b>636,024,999</b>	<b>2,428,968,511</b>	<b>24,000,000</b>	<b>(182,388,128)</b>	<b>(158,388,128)</b>	<b>14,500,000</b>	<b>0</b>	<b>14,500,000</b>	<b>1,831,443,512</b>	<b>453,636,871</b>	<b>2,285,080,383</b>
0910000 General Administration Planning and Support Services	478,154,933	-	478,154,933	33,006	-	33,006	14,500,000		<b>14,500,000</b>	492,687,939	0	492,687,939
0906000 Promotion of the Best Labour Practice	466,033,781	50,250,000	516,283,781	8,920,918	(6,468,488)	2,452,430			<b>0</b>	474,954,699	43,781,512	518,736,211
0907000 Manpower Development, Employment and Productivity Management	848,754,798	585,774,999	1,434,529,797	15,046,076	(175,919,640)	(160,873,564)	0	0	<b>0</b>	863,800,874	409,855,359	1,273,656,233
<b>1185 State Department for Social Protection</b>	<b>15,218,012,572</b>	<b>14,663,955,283</b>	<b>29,881,967,855</b>	<b>(44,736,486)</b>	<b>(1,646,000,000)</b>	<b>(1,690,736,486)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>15,173,276,086</b>	<b>13,017,955,283</b>	<b>28,191,231,369</b>
0908000 Social Development and	3,010,258,449	894,975,000	3,905,233,449	(104,736,774)	0	(104,736,774)			<b>0</b>	2,905,521,675	894,975,000	3,800,496,675

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	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	CHANGE IN GROSS CURRENT ESTIMATES	CHANGE IN GROSS CAPITAL ESTIMATES	CHANGE IN GROSS TOTAL ESTIMATES	Recurrent	Capital	Gross	Recurrent	Capital	Gross
Children Services												
0909000 National Social Safety Net	12,056,421,924	13,767,230,283	25,823,652,207	7,000,000	(1,646,000,000)	(1,639,000,000)			0	12,063,421,924	12,121,230,283	24,184,652,207
0914000 General Administration, Planning and Support Services	151,332,199	1,750,000	153,082,199	53,000,288	0	53,000,288			0	204,332,487	1,750,000	206,082,487
<b>1191 Ministry of Mining</b>	<b>1,287,594,267</b>	<b>1,650,821,429</b>	<b>2,938,415,696</b>	<b>164,715,359</b>	<b>(1,442,753,205)</b>	<b>(1,278,037,846)</b>	<b>100,000,000</b>	<b>0</b>	<b>100,000,000</b>	<b>1,552,309,626</b>	<b>208,068,224</b>	<b>1,760,377,850</b>
1007000 General Administration Planning and Support Services	790,690,898	15,000,000	805,690,898	240,269,669	(1,689,964)	238,579,705	100,000,000		<b>100,000,000</b>	1,130,960,567	13,310,036	1,144,270,603
1008000 Resources Surveys and Remote Sensing	170,572,219	90,250,000	260,822,219	(29,170,046)	(45,222,012)	(74,392,058)			0	141,402,173	45,027,988	186,430,161
1009000 Mineral Resources Management	326,331,150	1,545,571,429	1,871,902,579	(46,384,264)	(1,395,841,229)	(1,442,225,493)			0	279,946,886	149,730,200	429,677,086
1201 Ministry of Tourism	2,777,458,614	980,250,000	3,757,708,614	(148,700,000)	0	(148,700,000)	80,000,000	0	80,000,000	2,708,758,614	980,250,000	3,689,008,614

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0306000 Tourism Developme nt and Promotion	2,777,45 8,614	980,250, 000	3,757,70 8,614	(148,700, 000)	0	(148,700 ,000)	80,000, 000		80,000 ,000	2,708,75 8,614	980,250,0 00	3,689,008,6 14
1211 State Department for Public Service and Youth Affairs	14,455,9 17,402	11,891,8 99,727	26,347,8 17,129	61,000,0 00	(37,807, 348)	23,192,6 52	0	0	0	14,516,9 17,402	11,854,09 2,379	26,371,009, 781
0710000 Public Service Transforma tion	1,586,84 7,286	1,781,21 1,684	3,368,05 8,970	13,000,0 00	(182,015 ,256)	(169,015 ,256)			0	1,599,84 7,286	1,599,196, 428	3,199,043,7 14
0709000 General Administra tion Planning and Support Services	5,551,58 5,773	-	5,551,58 5,773	24,000,0 00	-	24,000,0 00			0	5,575,58 5,773	0	5,575,585,7 73
0711000 Youth Empowerm ent	7,317,48 4,343	10,110,6 88,043	17,428,1 72,386	24,000,0 00	144,207, 908	168,207, 908			0	7,341,48 4,343	10,254,89 5,951	17,596,380, 294
1212 State Department for Gender	1,424,21 8,371	3,187,75 0,000	4,611,96 8,371	(94,232,5 30)	0	(94,232, 530)	0	0	0	1,329,98 5,841	3,187,750, 000	4,517,735,8 41
0911000 Community Developme nt	470,000, 000	2,130,00 0,000	2,600,00 0,000	0	0	0			0	470,000, 000	2,130,000, 000	2,600,000,0 00
0912000 Gender Empowerm ent	753,026, 131	1,057,75 0,000	1,810,77 6,131	(94,875,3 96)	0	(94,875, 396)			0	658,150, 735	1,057,750, 000	1,715,900,7 35

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0913000 General Administration, Planning and Support Services	201,192,240	-	201,192,240	642,866	-	642,866			0	201,835,106	0	201,835,106
1252 State Law Office and Department of Justice	4,383,634,769	388,178,571	4,771,813,340	152,000,000	(256,075,375)	(104,075,375)	0	0	0	4,535,634,769	132,103,196	4,667,737,965
0606000 Legal Services	1,953,662,838	3,500,000	1,957,162,838	(65,245,128)	(1,000,000)	(66,245,128)			0	1,888,417,710	2,500,000	1,890,917,710
0607000 Governance, Legal Training and Constitutional Affairs	1,747,977,029	360,000,000	2,107,977,029	1,800,000	(250,000,000)	(248,200,000)			0	1,749,777,029	110,000,000	1,859,777,029
0609000 General Administration, Planning and Support Services	681,994,902	24,678,571	706,673,473	215,445,128	(5,075,375)	210,369,753			0	897,440,030	19,603,196	917,043,226
1261 The Judiciary	12,361,768,912	3,248,975,000	15,610,743,912	350,000,000	(1,308,850,184)	(958,850,184)	0	0	0	12,711,768,912	1,940,124,816	14,651,893,728
0610000 Dispensation of Justice	12,361,768,912	3,248,975,000	15,610,743,912	350,000,000	(1,308,850,184)	(958,850,184)			0	12,711,768,912	1,940,124,816	14,651,893,728
1271 Ethics and Anti-Corruption Commission	3,068,540,000	1,268,000,000	4,336,540,000	0	0	0			0	3,068,540,000	1,268,000,000	4,336,540,000

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0611000 Ethics and Anti-Corruption	3,068,540,000	1,268,000,000	4,336,540,000	0	0	0			0	3,068,540,000	1,268,000,000	4,336,540,000
1281 National Intelligence Service	29,754,000,000	0	29,754,000,000	2,203,500,000	0	2,203,500,000	0	0	0	31,957,500,000	0	31,957,500,000
0804000 National Security Intelligence	29,754,000,000	-	29,754,000,000	2,203,500,000	-	2,203,500,000			0	31,957,500,000	0	31,957,500,000
1291 Office of the Director of Public Prosecutions	1,944,442,462	2,550,000	1,946,992,462	0	2,010,500	2,010,500	0	0	0	1,944,442,462	4,560,500	1,949,002,962
0612000 Public Prosecution Services	1,944,442,462	2,550,000	1,946,992,462	0	2,010,500	2,010,500			0	1,944,442,462	4,560,500	1,949,002,962
1311 Office of the Registrar of Political Parties	798,527,310	0	798,527,310	10,000,000	0	10,000,000	50,000,000	0	50,000,000	858,527,310	0	858,527,310
0614000 Registration, Regulation and Funding of Political Parties	798,527,310	-	798,527,310	10,000,000	-	10,000,000	50,000,000		50,000,000	858,527,310	0	858,527,310
1321 Witness Protection Agency	442,380,483	0	442,380,483	0	0	0	0	0	0	442,380,483	0	442,380,483
0615000 Witness	442,380,	-	442,380,	0	-	0			0	442,380,	0	442,380,483

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	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	CHANGE IN GROSS CURRENT ESTIMATES	CHANGE IN GROSS CAPITAL ESTIMATES	CHANGE IN GROSS TOTAL ESTIMATES	Recurrent	Capital	Gross	Recurrent	Capital	Gross
Protection	483		483							483		3
2011 Kenya National Commission on Human Rights	389,766,300	0	389,766,300	9,000,000	0	9,000,000	0	0	0	398,766,300	0	398,766,300
0616000 Protection and Promotion of Human Rights	389,766,300	-	389,766,300	9,000,000	-	9,000,000			0	398,766,300	0	398,766,300
2021 National Land Commission	1,093,767,550	0	1,093,767,550	40,400,000	173,000,000	213,400,000	0	0	0	1,134,167,550	173,000,000	1,307,167,550
0113000 Land Administration and Management	202,117,228	-	202,117,228	10,400,000	-	10,400,000			0	212,517,228	0	212,517,228
0114000 General Administration, Planning and Support Services	820,095,345	-	820,095,345	24,000,000	-	24,000,000			0	844,095,345	0	844,095,345
0115000 Land Disputes and Conflict Resolutions	52,097,456	-	52,097,456	0	-	0			0	52,097,456	0	52,097,456
0116000 National Land Information	19,457,521	-	19,457,521	6,000,000	173,000,000	179,000,000			0	25,457,521	173,000,000	198,457,521

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Management System												
2031 Independent Electoral and Boundaries Commission	32,860,477,459	712,210,000	33,572,687,459	(200,000,000)	0	(200,000,000)	0	0	0	32,660,477,459	712,210,000	33,372,687,459
0617000 Management of Electoral Processes	32,860,477,459	712,210,000	33,572,687,459	(200,000,000)	0	(200,000,000)			0	32,660,477,459	712,210,000	33,372,687,459
2041 Parliamentary Service Commission	10,287,068,157	2,637,500,000	12,924,568,157	(160,000,000)	(1,100,000,000)	(1,260,000,000)	160,000,000	65,000,000	810,000,000	10,287,068,157	2,187,500,000	12,474,568,157
0722000 Senate Affairs	5,290,539,449	-	5,290,539,449	(160,000,000)	-	(160,000,000)	160,000,000		160,000,000	5,290,539,449	0	5,290,539,449
0723000 General Administration, Planning and Support Services	4,996,528,708	2,637,500,000	7,634,028,708	0	(1,100,000,000)	(1,100,000,000)		65,000,000	650,000,000	4,996,528,708	2,187,500,000	7,184,028,708
2042 National Assembly	19,591,048,577	0	19,591,048,577	(840,000,000)	0	(840,000,000)	840,000,000	0	840,000,000	19,591,048,577	0	19,591,048,577
0721000 National Legislation, Representation and Oversight	19,591,048,577	-	19,591,048,577	(840,000,000)	-	(840,000,000)	840,000,000		840,000,000	19,591,048,577	0	19,591,048,577

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VOTE, PROGRAM ME CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
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2051 Judicial Service Commission	183,537, 700	0	183,537, 700	100,000, 000	0	100,000, 000	0	0	0	283,537, 700	0	283,537,70 0
0619000 General Administration, Planning and Support Services	183,537, 700	-	183,537, 700	100,000, 000	-	100,000, 000			0	283,537, 700	0	283,537,70 0
2061 The Commission on Revenue Allocation	391,711, 063	0	391,711, 063	0	0	0	0	0	0	391,711, 063	0	391,711,06 3
0724000 Inter- Governmental Revenue and Financial Matters	391,711, 063	-	391,711, 063	0	-	0			0	391,711, 063	0	391,711,06 3
<b>2071 Public Service Commission</b>	<b>1,351,42 5,000</b>	<b>15,000,0 00</b>	<b>1,366,42 5,000</b>	<b>7,575,00 0</b>	<b>(6,013,2 21)</b>	<b>1,561,77 9</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,359,00 0,000</b>	<b>8,986,779</b>	<b>1,367,986,7 79</b>
0725000 General Administration, Planning and Support Services	1,024,56 8,639	15,000,0 00	1,039,56 8,639	(7,425,00 0)	(6,013,2 21)	(13,438, 221)			0	1,017,14 3,639	8,986,779	1,026,130,4 18
0726000 Human Resource managemen	202,189, 957	-	202,189, 957	0	-	0			0	202,189, 957	0	202,189,95 7

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VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
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nt and Development												
0727000 Governance and National Values	124,666,404	-	124,666,404	15,000,000	-	15,000,000			0	139,666,404	0	139,666,404
<b>2081 Salaries and Remuneration Commission</b>	<b>609,634,499</b>	<b>0</b>	<b>609,634,499</b>	<b>18,898,501</b>	<b>0</b>	<b>18,898,501</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>628,533,000</b>	<b>0</b>	<b>628,533,000</b>
0728000 Salaries and Remuneration Management	609,634,499	-	609,634,499	18,898,501	-	18,898,501			0	628,533,000	0	628,533,000
<b>2091 Teachers Service Commission</b>	<b>201,893,457,400</b>	<b>118,000,000</b>	<b>202,011,457,400</b>	<b>16,342,000,000</b>	<b>25,000,000</b>	<b>16,367,000,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>218,235,457,400</b>	<b>143,000,000</b>	<b>218,378,457,400</b>
0509000 Teacher Resource Management	195,473,566,350	-	195,473,566,350	16,257,000,000	143,000,000	16,400,000,000			0	211,730,566,350	143,000,000	211,873,566,350
0510000 Governance and Standards	53,988,812	-	53,988,812	0	-	0			0	53,988,812	0	53,988,812
0511000 General Administration, Planning and	6,365,902,238	118,000,000	6,483,902,238	85,000,000	(118,000,000)	(33,000,000)			0	6,450,902,238	0	6,450,902,238

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Support Services												
<b>2101 National Police Service Commission</b>	<b>467,393, 780</b>	<b>0</b>	<b>467,393, 780</b>	<b>80,194,4 57</b>	<b>0</b>	<b>80,194,4 57</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>547,588, 237</b>	<b>0</b>	<b>547,588,23 7</b>
0620000 National Police Service Human Resource Management	467,393, 780	-	467,393, 780	80,194,4 57	-	80,194,4 57			0	547,588, 237	0	547,588,23 7
<b>2111 Auditor General</b>	<b>5,110,76 7,700</b>	<b>171,250, 000</b>	<b>5,282,01 7,700</b>	<b>82,498,5 42</b>	<b>(128,412 ,116)</b>	<b>(45,913, 574)</b>	<b>0</b>	<b>60, 00 0,0 00</b>	<b>60,000 ,000</b>	<b>5,193,26 6,242</b>	<b>102,837,8 84</b>	<b>5,296,104,1 26</b>
0729000 Audit Services	5,110,76 7,700	171,250, 000	5,282,01 7,700	82,498,5 42	(128,412 ,116)	(45,913, 574)		60, 00 0,0 00	60,000 ,000	5,193,26 6,242	102,837,8 84	5,296,104,1 26
<b>2121 Controller of Budget</b>	<b>494,931, 000</b>	<b>0</b>	<b>494,931, 000</b>	<b>26,148,3 50</b>	<b>0</b>	<b>26,148,3 50</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>521,079, 350</b>	<b>0</b>	<b>521,079,35 0</b>
0730000 Control and Management of Public finances	494,931, 000	-	494,931, 000	26,148,3 50	-	26,148,3 50			0	521,079, 350	0	521,079,35 0
<b>2131 The Commission on Administrative Justice</b>	<b>416,789, 402</b>	<b>0</b>	<b>416,789, 402</b>	<b>(4,000,00 0)</b>	<b>0</b>	<b>(4,000,0 00)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>412,789, 402</b>	<b>0</b>	<b>412,789,40 2</b>
0731000 Promotion of	416,789, 402	-	416,789, 402	(4,000,00 0)	-	(4,000,0 00)			0	412,789, 402	0	412,789,40 2

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Administrative Justice												
2141 National Gender and Equality Commission	352,824,207	0	352,824,207	(7,300,000)	0	(7,300,000)	0	0	0	345,524,207	0	345,524,207
0621000 Promotion of Gender Equality and Freedom from Discrimination	352,824,207	-	352,824,207	(7,300,000)	-	(7,300,000)			0	345,524,207	0	345,524,207
2151 Independent Policing Oversight Authority	695,860,000	0	695,860,000	0	0	0	0	0	0	695,860,000	0	695,860,000
0622000 Policing Oversight Services	695,860,000	-	695,860,000	0	-	0			0	695,860,000	0	695,860,000
<b>Total</b>	<b>1,054,000,641,966</b>	<b>617,997,651,359</b>	<b>1,671,998,293,325</b>	<b>23,210,518,617</b>	<b>-40,833,242,172</b>	<b>-17,622,723,555</b>	<b>853,100,000</b>	<b>630,000</b>	<b>1,483,100,000</b>	<b>1,078,064,260,583</b>	<b>577,794,409,187</b>	<b>1,655,858,669,770</b>

Hon. Temporary Deputy Speaker, I beg to move as amended by the proposed amendment to the Schedule.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Order. Hon. Ichung'wah, today you are too fast. We are not going to the amendment. As I said before, we cannot move to amendments before you first move the Motion.

**Hon. Ichung'wah:** Not in an amended form?



**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): No. you will do the amendment after you move.

**Hon. Ichung'wah:** Therefore, I beg to move, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Thank you. Secunder?

**Hon. Ichung'wah:** Secunder is the Chair of the National Government Constituencies Development Fund (NG-CDF) Committee.

**Hon. Maore:** Hon. Temporary Deputy Speaker, I wish to second this Motion and congratulate the Committee for the hard work. You will notice that this is the second time we are coming for supplementary, barely 60 days to the end of the fiscal year. And you will notice that we have been going through extraordinary circumstances, specifically, as mentioned earlier, when we had to do the second round of voting.

Hon. Temporary Deputy Speaker, that one propelled us to do the First Supplementary Budget. Now, as we move close to the end of the fiscal year, we notice that there is need for the Government to move. Several departments and areas are suffering due to the fiscal tightness that we, as a House, proposed in September. It has been deemed necessary for the National Treasury to come back to the House and propose the Second Supplementary Budget. Note that many parts of the country are receiving excess rainfall. Very soon, we will be having plenty within our borders from the agriculture sector. The revenue base in the next financial year and the current bit of the financial year will withstand the challenges that we have been going through.

With those remarks, I second.

*(Question proposed)*

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Hon. Members, as the Chair had proposed before, he has an amendment to this Motion. We can call him to move his amendment and then we will debate it before we come back to the Report as amended or as it is.

**Hon. Ichung'wah:** Thank you, Hon. Temporary Deputy Speaker, I beg to move:

THAT, the Motion for the adoption of the Report of the Budget and Appropriations Committee on the Second Supplementary Estimates for 2017/2018 be amended by inserting the following words at the end thereof—

“subject to:

(i) the insertion of a new recommendation after (x) under Part V (b) on page 15 of the Report as follows -

(xi) Increase allocation towards capital expenditure for the sub-programme 0706020 Community Development under the Economic Policy and National Planning Programme in the State Department for Planning and Statistics by a total of Kshs3,300 million.

(ii) Effecting the consequential amendment to the First Schedule and the total sum approved accordingly.

Further to that amendment, I wish to draw the House's attention to a typographical error on the Schedule attached to the Report under the Office of the Director of Public Prosecutions (DPP) and Office of the Registrar of Political Parties. You will note that in the body of the Report, an additional amount of Kshs50 million has been given to the Office of the DPP, but the Schedule there has a typographical error and that amount was put under the Office of the Registrar of Political Parties. Therefore, it is important for Members to note that, that amount relates to the Office of the DPP.

Thank you.

I ask the Chair of the National Government Constituencies Development Fund (NG-CDF) to second.

**Hon. Maore:** Thank you, Hon. Temporary Deputy Speaker. I second the amendment proposed by the Chairman of the Budget and Appropriations Committee and notify the Members that the issue of community development item being inserted is what we got rid of in September. We interfered with many of the planning within our constituencies in the NG-CDF.

I wish to second the amendment.

*(Question, that the words to be inserted be inserted, proposed)*

**The Temporary Deputy Speaker** (Hon. Mbalu): Can I put the Question? Is that the mood of the House? Clerk-at-the-Tables, do we have the numbers?

*(Loud consultations)*

Order! I can sit and wait for Hon. Angwenyi to enter first. He is the father of the House and the most senior Member. Order, Members. Relax. Members who are just walking in, you can come in and sign later.

*(Question, that the words to be inserted be inserted, put and agreed to)*

*(Question of the Motion as amended proposed)*

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Hon. Members, now that the amendment has been passed, we are going to debate the Motion as amended.

**Hon. Members:** Put the Question.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Order, Members! Order! Is that the mood of the House?

**Hon. Members:** Yes.

*(Question of the Motion as amended put and agreed to)*

*Resolved accordingly:*

THAT, this House adopts the Second Report of the Budget and Appropriations Committee on the Supplementary Estimates for the Financial Year 2017/2018, laid on the Table of the House on Thursday, April 26, 2018 and, pursuant to the provisions of Article 223 of the Constitution and Standing Order 243, approves—

- (i) an increment of the total recurrent expenditure for Financial Year 2017/2018 by Kshs.24,063,618,617 in respect of the Votes as contained in the attached Schedule;
- (ii) a reduction of the total capital expenditure for Financial Year 2017/2018 by Kshs.40,203,242,172 in respect of the Votes as contained in the attached Schedule;

- (iii) an overall reduction in the total budget for Financial Year 2017/2018 by Kshs.16,139,623,555 in respect of the Votes as contained in the Schedule; and,  
 (iv) that the attached Schedule forms the basis of the enactment of the Second Supplementary Appropriations Act, 2017/2018.

“subject to:

(i) the insertion of a new recommendation after (x) under Part V (b) on page 15 of the Report as follows -

(xi) Increase allocation towards Capital expenditure for the sub-programme 0706020 Community Development under the Economic Policy and National Planning Programme in the State Department for Planning and Statistics by a total of Kshs3,300 million.

(ii) Effecting the consequential amendment to the First Schedule and the total sum approved accordingly.

**SCHEDULE: SUPPLEMENTARY ESTIMATES II FOR FY 2017/18**  
**(IN KSHS)**

VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	CHANGE IN GROSS CURRENT ESTIMATES	CHANGE IN GROSS CAPITAL ESTIMATES	CHANGE IN GROSS TOTAL ESTIMATES	Recurrent	Capital	Gross	Recurrent	Capital	Gross
1011 The Presidency	7,866,966,719	893,500,000	8,760,466,719	1,036,991,575	132,432,530	1,169,424,105	0	0	0	8,903,958,294	1,025,932,530	9,929,890,824
0702000 Cabinet Affairs	1,730,039,614	645,250,000	2,375,289,614	683,009	243,469,362	244,152,371			0	1,730,722,623	888,719,362	2,619,441,985
0703000 Government Advisory Services	975,772,905	-	975,772,905	18,000,000	-	18,000,000			0	993,772,905	0	993,772,905
0704000 State House Affairs	3,246,554,755	230,250,000	3,476,804,755	805,509,266	(96,960,832)	708,548,434			0	4,052,064,021	133,289,168	4,185,353,189
0734000 Deputy President Services	1,914,599,445	18,000,000	1,932,599,445	212,799,300	(14,076,000)	198,723,300			0	2,127,398,745	3,924,000	2,131,322,745

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	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	CHANGE IN GROSS CURRENT ESTIMATES	CHANGE IN GROSS CAPITAL ESTIMATES	CHANGE IN GROSS TOTAL ESTIMATES	Recurrent	Capital	Gross	Recurrent	Capital	Gross
1021 State Department for Interior	111,919,293,000	18,082,496,889	130,001,789,889	4,038,792,730	(2,751,409,779)	1,287,382,951	300,000,000	0	300,000,000	116,258,085,730	15,331,087,110	131,589,172,840
0601000 Policing Services	81,026,788,581	9,925,000,000	90,951,788,581	3,497,282,923	(1,614,655,262)	1,882,627,661	(146,355,151)		(146,355,151)	84,377,716,353	8,310,344,738	92,688,061,091
0602000 Planning, Policy Coordination and Support Service	23,747,126,501	6,082,200,000	29,829,326,501	757,509,807	(1,168,258,483)	(410,748,676)	300,000,000		300,000,000	24,804,636,308	4,913,941,517	29,718,577,825
0603000 Government Printing Services	770,983,833	150,000,000	920,983,833	0	(38,140,883)	(38,140,883)			0	770,983,833	111,859,117	882,842,950
0605000 Population Management Services	6,249,244,085	1,925,296,889	8,174,540,974	(216,000,000)	69,644,849	(146,355,151)	146,355,151		146,355,151	6,179,599,236	1,994,941,738	8,174,540,974
0736000 NGO Regulatory Services	125,150,000	0	125,150,000	0	0	0			0	125,150,000	0	125,150,000
1023 State Department for Correctional Services	21,535,369,313	900,000,000	22,435,369,313	1,262,200,000	(346,676,070)	915,523,930	0	0	0	22,797,569,313	553,323,930	23,350,893,243
0624000 Betting Control, Licensing and Regulation Services	119,933,224	0	119,933,224	0	0	0			0	119,933,224	0	119,933,224
0604000 Correctional services	21,014,616,887	854,336,504	21,868,953,391	1,212,200,000	(348,876,066)	863,323,934			0	22,226,816,887	505,460,438	22,732,277,325

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	GROSS CURREN T ESTIMA TES	GROSS CAPITA L ESTIMA TES	GROSS TOTAL ESTIMA TES	CHANG E IN GROSS CURREN T ESTIMA TES	CHANG E IN GROSS CAPITA L ESTIMA TES	CHANG E IN GROSS TOTAL ESTIMA TES	Recurr ent	Ca pit al	Gross	Recurr ent	Capital	Gross
0623000 General Administrati on, Planning and Support Services	400,819, 202	45,663,4 96	446,482, 698	50,000,0 00	2,199,99 6	52,199,9 96			0	450,819, 202	47,863,49 2	498,682,69 4
1032 State Department for Devolution	1,007,39 1,630	3,539,30 0,000	4,546,69 1,630	261,902, 200	4,053,70 0,000	4,315,60 2,200	0	0	0	1,269,29 3,830	7,593,000, 000	8,862,293,8 30
0712000 Devolution Services	792,462, 645	2,519,30 0,000	3,311,76 2,645	132,300, 000	4,543,70 0,000	4,676,00 0,000			0	924,762, 645	7,063,000, 000	7,987,762,6 45
0732000 General Administrati on, Planning and Support Services	214,928, 985	1,020,00 0,000	1,234,92 8,985	129,602, 200	(490,000 ,000)	(360,397 ,800)			0	344,531, 185	530,000,0 00	874,531,18 5
1033 State Department for Special Programme s	4,338,44 5,872	4,552,27 5,000	8,890,72 0,872	896,500, 000	(1,137,3 50,000)	(240,850 ,000)	0	0	0	5,234,94 5,872	3,414,925, 000	8,649,870,8 72
0713000 Special Initiatives	3,379,40 7,801	0	3,379,40 7,801	906,800, 000	100,000, 000	1,006,80 0,000			0	4,286,20 7,801	100,000,0 00	4,386,207,8 01
0733000 Accelerated ASAL Developme nt	734,723, 595	4,547,75 0,000	5,282,47 3,595	(1,500,00 0)	(1,237,3 50,000)	(1,238,8 50,000)			0	733,223, 595	3,310,400, 000	4,043,623,5 95
0743000 General Administrati on, Planning and	224,314, 476	4,525,00 0	228,839, 476	(8,800,00 0)	0	(8,800,0 00)			0	215,514, 476	4,525,000	220,039,47 6

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Support Services												
1034 State Department for Planning and Statistics	5,383,995,235	29,977,673,156	35,361,668,391	445,471,448	4,658,692,600	5,104,164,048	0	0	0	5,829,466,683	34,636,365,756	40,465,832,439
0706000 Economic Policy and National Planning	1,110,781,029	27,078,817,356	28,189,598,385	100,012,000	(89,158,500)	10,853,500			0	1,210,793,029	26,989,658,856	28,200,451,885
0707000 National Statistical Information Services	2,333,333,297	1,454,800,000	3,788,133,297	0	(5,800,000)	(5,800,000)			0	2,333,333,297	1,449,000,000	3,782,333,297
0708000 Monitoring and Evaluation Services	128,163,530	128,180,800	256,344,330	0	(60,000,000)	(60,000,000)			0	128,163,530	68,180,800	196,344,330
0709000 General Administration Planning and Support Services	349,705,548	0	349,705,548	30,759,448	0	30,759,448			0	380,464,996	0	380,464,996
1013000 Integrated Regional Development	1,462,018,831	1,315,875,000	2,777,886,831	314,700,000	4,813,651,100	5,128,351,100			0	1,776,718,831	6,129,526,100	7,906,237,931
1041 Ministry of Defence	105,261,384,819	45,000,000	105,306,384,819	1,574,000,000	7,429,995,045	9,003,995,045	0	0	0	106,835,384,819	7,474,995,045	114,310,379,864
0801000	103,941,	45,000,0	103,986,	1,500,00	7,429,99	8,929,99			0	105,441,	7,474,995,	112,915,99

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Defence	000,000	00	000,000	0,000	5,045	5,045				000,000	045	5,045
0802000 Civil Aid	200,000,000	-	200,000,000	0	-	0			0	200,000,000	0	200,000,000
0803000 General Administration, Planning and Support Services	1,120,384,819	-	1,120,384,819	74,000,000	-	74,000,000			0	1,194,384,819	0	1,194,384,819
1052 Ministry of Foreign Affairs	14,570,071,499	247,499,999	14,817,571,498	1,864,490,000	208,197,739	2,072,687,739	0	0	0	16,434,561,499	455,697,738	16,890,259,237
0714000 General Administration Planning and Support Services	2,703,598,372	75,000,000	2,778,598,372	341,054,675	17,552,500	358,607,175			0	3,044,653,047	92,552,500	3,137,205,547
0715000 Foreign Relations and Diplomacy	11,693,435,950	172,499,999	11,865,935,949	1,451,153,336	190,645,239	1,641,798,575			0	13,144,589,286	363,145,238	13,507,734,524
0741000 Economic and Commercial Diplomacy	43,635,750	-	43,635,750	54,886,989	-	54,886,989			0	98,522,739	0	98,522,739
0742000 Foreign Policy Research, Capacity Dev and Technical Cooperation	129,401,427	-	129,401,427	17,395,000	-	17,395,000			0	146,796,427	0	146,796,427

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n												
1063 State Department for Basic Education	83,269,399,585	7,256,718,600	90,526,118,185	1,905,000,000	2,656,940,396	4,561,940,396	100,000,000	0	100,000,000	85,274,399,585	9,913,658,996	95,188,058,581
0501000 Primary Education	16,966,664,925	4,471,955,600	21,438,620,525	(10,425,202)	2,015,000,000	2,004,574,798	100,000,000		100,000,000	17,056,239,723	6,486,955,600	23,543,195,323
0502000 Secondary Education	57,799,711,118	2,651,375,500	60,451,086,618	(27,484,066)	341,940,396	314,456,330			0	57,772,227,052	2,993,315,896	60,765,542,948
0503000 Quality Assurance and Standards	4,142,484,757	83,000,000	4,225,484,757	12,732,671	300,000,000	312,732,671			0	4,155,217,428	383,000,000	4,538,217,428
0508000 General Administration, Planning and Support Services	4,360,538,785	50,387,500	4,410,926,285	1,930,176,597	0	1,930,176,597			0	6,290,715,382	50,387,500	6,341,102,882
1064 State Department for Vocational and Technical Training	2,535,356,993	14,002,901,000	16,538,257,993	32,800,000	(3,177,990,092)	(3,145,190,092)	0	0	0	2,568,156,993	10,824,910,908	13,393,067,901
0505000 Technical Vocational Education and Training	2,333,479,487	11,873,901,000	14,207,380,487	14,500,000	(3,185,349,543)	(3,170,849,543)			0	2,347,979,487	8,688,551,457	11,036,530,944

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VOTE, PROGRAM ME CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
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0507000 Youth Training and Developme nt	50,563,4 48	2,129,00 0,000	2,179,56 3,448	600,000	7,359,45 1	7,959,45 1			0	51,163,4 48	2,136,359, 451	2,187,522,8 99
0508000 General Administrati on, Planning and Support Services	151,314, 058	-	151,314, 058	17,700,0 00	-	17,700,0 00			0	169,014, 058	0	169,014,05 8
1065 State Department for University Education	90,755,3 04,284	5,435,84 9,998	96,191,1 54,282	5,746,00 0,000	(1,317,0 34,706)	4,428,96 5,294	0	0	0	96,501,3 04,284	4,118,815, 292	100,620,11 9,576
0504000 University Education	87,148,0 05,550	5,284,34 9,998	92,432,3 55,548	5,786,00 0,000	(1,243,4 18,203)	4,542,58 1,797			0	92,934,0 05,550	4,040,931, 795	96,974,937, 345
0506000 Research, Science, Technology and Innovation	3,064,41 8,082	151,500, 000	3,215,91 8,082	0	(73,616, 503)	(73,616, 503)			0	3,064,41 8,082	77,883,49 7	3,142,301,5 79
0508000 General Administrati on, Planning and Support Services	542,880, 652	-	542,880, 652	(40,000,0 00)	-	(40,000, 000)			0	502,880, 652	0	502,880,65 2
1071 The National Treasury	81,434,4 54,275	46,749,0 13,082	128,183, 467,357	(37,931,8 05,652)	(22,134, 716,461)	(60,066, 522,113)	(963,00 0,000)	0	(963,0 00,000)	42,539,6 48,623	24,614,29 6,621	67,153,945, 244
0717000 General Administrati	76,202,4 71,629	6,775,59 5,102	82,978,0 66,731	(41,916,1 11,226)	(3,732,3 50,321)	(45,648, 461,547)	(300,00 0,000)		(300,0 00,000)	33,986,3 60,403	3,043,244, 781	37,029,605, 184

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VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
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on Planning and Support Services												
0718000 Public Financial Management	3,878,662,007	38,580,314,180	42,458,976,187	3,943,375,027	(18,088,058,830)	(14,144,683,803)	(663,000,000)		(663,000,000)	7,159,037,034	20,492,255,350	27,651,292,384
0719000 Economic and Financial Policy Formulation and Management	952,775,318	1,338,103,800	2,290,879,118	46,071,079	(300,557,310)	(254,486,231)	0		0	998,846,397	1,037,546,490	2,036,392,887
0720000 Market Competition	340,000,000	55,000,000	395,000,000	0	(13,750,000)	(13,750,000)			0	340,000,000	41,250,000	381,250,000
0740000 Government Clearing Services	60,545,321	-	60,545,321	(5,140,532)	-	(5,140,532)			0	55,404,789	0	55,404,789
1081 Ministry of Health	30,877,376,247	30,022,431,054	60,899,807,301	18,132,970,003	(641,153,040)	17,491,816,963	0	0	0	49,010,346,250	29,381,278,014	78,391,624,264
0401000 Preventive, Promotive & RMNCAH	1,588,381,257	7,262,824,415	8,851,205,672	461,373,510	(1,645,305,640)	(1,183,932,130)			0	2,049,754,767	5,617,518,775	7,667,273,542
0402000 National Referral & Specialized Services	15,954,152,328	9,847,363,400	25,801,515,728	9,824,727,558	308,340,510	10,133,068,068			0	25,778,879,886	10,155,703,910	35,934,583,796

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0403000 Health Research and Development	5,497,16 3,179	473,000, 000	5,970,16 3,179	3,263,08 2,105	0	3,263,08 2,105			0	8,760,24 5,284	473,000,0 00	9,233,245,2 84
0404000 General Administration, Planning & Support Services	6,101,96 5,750	2,014,90 5,265	8,116,87 1,015	394,514, 093	(496,637 ,647)	(102,123 ,554)			0	6,496,47 9,843	1,518,267, 618	8,014,747,4 61
0405000 Health Policy, Standards and Regulations	1,735,71 3,733	10,424,3 37,974	12,160,0 51,707	4,189,27 2,737	1,192,44 9,737	5,381,72 2,474			0	5,924,98 6,470	11,616,78 7,711	17,541,774, 181
1091 State Department of Infrastructure	53,820,6 32,071	129,987, 591,571	183,808, 223,642	0	(34,364, 140,326)	(34,364, 140,326)	0	0	0	53,820,6 32,071	95,623,45 1,245	149,444,08 3,316
0202000 Road Transport	53,820,6 32,071	129,987, 591,571	183,808, 223,642	0	(34,364, 140,326)	(34,364, 140,326)			0	53,820,6 32,071	95,623,45 1,245	149,444,08 3,316
1092 State Department of Transport	6,327,13 1,343	88,969,4 32,000	95,296,5 63,343	2,060,00 0,000	15,092,3 68,000	17,152,3 68,000	0	0	0	8,387,13 1,343	104,061,8 00,000	112,448,93 1,343
0201000 General Administration, Planning and Support Services	689,346, 875	783,000, 000	1,472,34 6,875	0	(345,000 ,000)	(345,000 ,000)			0	689,346, 875	438,000,0 00	1,127,346,8 75
0203000 Rail	248,310, 000	75,284,0 00,000	75,532,3 10,000	0	18,177,0 00,000	18,177,0 00,000			0	248,310, 000	93,461,00 0,000	93,709,310, 000

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VOTE, PROGRAM ME CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
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Transport												
0204000 Marine Transport	364,600, 324	6,800,00 0,000	7,164,60 0,324	0	(152,200 ,000)	(152,200 ,000)			0	364,600, 324	6,647,800, 000	7,012,400,3 24
0205000 Air Transport	4,580,07 6,187	5,802,43 2,000	10,382,5 08,187	2,060,00 0,000	(2,587,4 32,000)	(527,432 ,000)			0	6,640,07 6,187	3,215,000, 000	9,855,076,1 87
0216000 Road Safety	444,797, 957	300,000, 000	744,797, 957	0	0	0			0	444,797, 957	300,000,0 00	744,797,95 7
<b>1093 State Departmen t for Maritime Affairs</b>	218,589, 618	0	218,589, 618	41,700,1 53	0	41,700,1 53	0	0	0	260,289, 771	0	260,289,77 1
0220000 Shipping and Maritime Affairs	218,589, 618	-	218,589, 618	41,700,1 53	-	41,700,1 53			0	260,289, 771	0	260,289,77 1
<b>1094 State Departmen t for Housing &amp; Urban Developm ent</b>	1,608,76 8,601	13,237,0 65,000	14,845,8 33,601	652,560, 000	2,948,59 9,394	3,601,15 9,394	0	0	0	2,261,32 8,601	16,185,66 4,394	18,446,992, 995
0102000 Housing Developme nt and Human Settlement	432,434, 189	5,725,00 0,000	6,157,43 4,189	490,507, 353	376,724, 895	867,232, 248			0	922,941, 542	6,101,724, 895	7,024,666,4 37
0105000 Urban and Metropolita n Developme nt	224,977, 551	7,479,56 5,000	7,704,54 2,551	(28,571,5 89)	2,576,64 0,474	2,548,06 8,885			0	196,405, 962	10,056,20 5,474	10,252,611, 436

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VOTE, PROGRAM ME CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
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0106000 General Administrati on Planning and Support Services	238,120, 895	-	238,120, 895	47,124,2 36	-	47,124,2 36			0	285,245, 131	0	285,245,13 1
0218000 Regulation and Developme nt of the Constructio n Industry	713,235, 966	32,500,0 00	745,735, 966	143,500, 000	(4,765,9 75)	138,734, 025			0	856,735, 966	27,734,02 5	884,469,99 1
1095 State Department for Public Works	789,575, 117	544,022, 500	1,333,59 7,617	25,700,0 00	170,467, 753	196,167, 753	0	0	0	815,275, 117	714,490,2 53	1,529,765,3 70
0103000 Governmen t Buildings	339,230, 686	509,890, 000	849,120, 686	10,000,0 00	146,467, 753	156,467, 753			0	349,230, 686	656,357,7 53	1,005,588,4 39
0104000 Coastline Infrastructu re and Pedestrian Access	79,889,1 45	34,132,5 00	114,021, 645	3,000,00 0	24,000,0 00	27,000,0 00			0	82,889,1 45	58,132,50 0	141,021,64 5
0106000 General Administrati on Planning and Support Services	370,455, 286	-	370,455, 286	12,700,0 00	-	12,700,0 00			0	383,155, 286	0	383,155,28 6
1103 State Department for Water Services	4,404,06 8,971	32,252,5 16,698	36,656,5 85,669	(1,079,35 3,987)	2,869,89 0,355	1,790,53 6,368	50,000, 000	(80 ,00 0,0 00)	(30,00 0,000)	3,374,71 4,984	35,042,40 7,053	38,417,122, 037

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VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
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1001000 General Administration, Planning and Support Services	593,451, 456	151,000, 000	744,451, 456	8,748,48 2	(25,645, 178)	(16,896, 696)	50,000, 000		50,000, 000	652,199, 938	125,354,8 22	777,554,76 0
1004000 Water Resources Management	1,564,55 8,928	6,187,60 0,000	7,752,15 8,928	0	3,003,49 6,521	3,003,49 6,521			0	1,564,55 8,928	9,191,096, 521	10,755,655, 449
1017000 Water and Sewerage Infrastructure Development	2,246,05 8,587	25,913,9 16,698	28,159,9 75,285	(1,088,10 2,469)	(107,960 ,988)	(1,196,0 63,457)		(80, 00 0,0 00)	(80,000, 000)	1,157,95 6,118	25,725,95 5,710	26,883,911, 828
1104 State Department for Irrigation	901,423, 540	12,458,3 00,000	13,359,7 23,540	44,900,4 13	1,152,32 2,640	1,197,22 3,053	0	0	0	946,323, 953	13,610,62 2,640	14,556,946, 593
1014000 Irrigation and Land Reclamation	896,163, 609	6,628,30 0,000	7,524,46 3,609	44,900,4 13	708,056, 783	752,957, 196			0	941,064, 022	7,336,356, 783	8,277,420,8 05
1015000 Water Storage and Flood Control	-	5,830.00 0,000	5,830.00 0,000	-	444,265, 857	444,265, 857			0	0	6,274,265, 857	6,274,265,8 57
1016000 General Administration, Planning and Support Services	5,259,93 1	-	5,259,93 1	0	-	0			0	5,259,93 1	0	5,259,931

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VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
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1105 State Department for Environment	2,743,44 1,011	2,165,62 5,000	4,909,06 6,011	489,300, 000	(569,291 ,125)	(79,991, 125)	25,000, 000	0	25,000 ,000	3,257,74 1,011	1,596,333, 875	4,854,074,8 86
1002000 Environment Management and Protection	1,334,70 7,697	1,890,55 0,000	3,225,25 7,697	449,300, 000	(869,291 ,125)	(419,991 ,125)			0	1,784,00 7,697	1,021,258, 875	2,805,266,5 72
1010000 General Administration, Planning and Support Services	330,536, 643	-	330,536, 643	0	-	0			0	330,536, 643	0	330,536,64 3
1012000 Meteorologi cal Services	1,078,19 6,671	275,075, 000	1,353,27 1,671	40,000,0 00	300,000, 000	340,000, 000	25,000, 000		25,000 ,000	1,143,19 6,671	575,075,0 00	1,718,271,6 71
1106 State Department for Natural Resources	12,892,4 49,917	3,214,07 0,990	16,106,5 20,907	543,512, 398	(463,192 ,678)	80,319,7 20	15,800, 000	0	15,800 ,000	13,451,7 62,315	2,750,878, 312	16,202,640, 627
1003000 Natural Resources Management and Protection	12,892,4 49,917	3,214,07 0,990	16,106,5 20,907	543,512, 398	(463,192 ,678)	80,319,7 20	15,800, 000		15,800 ,000	13,451,7 62,315	2,750,878, 312	16,202,640, 627
1112 Ministry of Lands and Physical Planning	2,312,56 8,601	3,563,37 5,000	5,875,94 3,601	16,800,0 00	(765,779 ,266)	(748,979 ,266)	0	0	0	2,329,36 8,601	2,797,595, 734	5,126,964,3 35
0101000 Land Policy and	2,312,56 8,601	3,563,37 5,000	5,875,94 3,601	16,800,0 00	(765,779 ,266)	(748,979 ,266)			0	2,329,36 8,601	2,797,595, 734	5,126,964,3 35

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Planning												
1122 State Department for Information Communications and Technology & Innovation	985,318,078	13,447,478,834	14,432,796,912	133,247,981	(1,482,459,766)	(1,349,211,785)	0	0	0	1,118,566,059	11,965,019,068	13,083,585,127
0207000 General Administration Planning and Support Services	214,359,507	-	214,359,507	28,789,850	-	28,789,850			0	243,149,357	0	243,149,357
0210000 ICT Infrastructure Development	217,079,529	12,590,750,000	12,807,829,529	70,000,000	(1,242,576,196)	(1,172,576,196)	0		0	287,079,529	11,348,173,804	11,635,253,333
0217000 E-Government Services	553,879,042	856,728,834	1,410,607,876	34,458,131	(239,883,570)	(205,425,439)			0	588,337,173	616,845,264	1,205,182,437
1123 State Department for Broadcasting & Telecommunications	1,957,173,235	191,000,000	2,148,173,235	1,406,217,602	189,483,438	1,595,701,040	0	0	0	3,363,390,837	380,483,438	3,743,874,275
0207000 General Administration Planning and Support Services	233,770,111	-	233,770,111	94,664,401	-	94,664,401			0	328,434,512	0	328,434,512

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0208000 Information And Communication Services	1,515,953,124	135,750,000	1,651,703,124	1,311,553,201	191,417,188	1,502,970,389			0	2,827,506,325	327,167,188	3,154,673,513
0209000 Mass Media Skills Development	207,450,000	55,250,000	262,700,000	0	(1,933,750)	(1,933,750)			0	207,450,000	53,316,250	260,766,250
1132 State Department for Sports Development	3,748,333,817	2,950,000,000	6,698,333,817	(1,163,564,646)	(703,100,019)	(1,866,664,665)	0	0	0	2,584,769,171	2,246,899,981	4,831,669,152
0901000 Sports	3,748,333,817	2,950,000,000	6,698,333,817	(1,163,564,646)	(703,100,019)	(1,866,664,665)			0	2,584,769,171	2,246,899,981	4,831,669,152
1133 State Department for Arts and Culture	2,865,775,296	641,250,000	3,507,025,296	164,900,000	(91,314,173)	73,585,827	0	0	0	3,030,675,296	549,935,827	3,580,611,123
0902000 Culture	1,336,613,161	95,000,000	1,431,613,161	134,783,164	(15,009,750)	119,773,414			0	1,471,396,325	79,990,250	1,551,386,575
0903000 The Arts	692,010,890	23,750,000	715,760,890	8,500,000	(1,610,189)	6,889,811			0	700,510,890	22,139,811	722,650,701
0904000 Library Services	698,764,569	522,500,000	1,221,264,569	0	(74,694,234)	(74,694,234)			0	698,764,569	447,805,766	1,146,570,335
0905000 General Administration, Planning and Support Services	138,386,676	-	138,386,676	21,616,836	-	21,616,836			0	160,003,512	0	160,003,512

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1152 State Department for Energy	2,052,500,000	82,548,497,961	84,600,997,961	101,500,000	(7,598,572,709)	(7,497,072,709)	0	0	0	2,154,000,000	74,949,925,252	77,103,925,252
0211000 General Administration Planning and Support Services	354,889,337	327,000,000	681,889,337	69,300,000	(5,839,285)	63,460,715			0	424,189,337	321,160,715	745,350,052
0212000 Power Generation	786,987,274	14,560,499,652	15,347,486,926	23,500,000	(4,810,499,653)	(4,786,999,653)			0	810,487,274	9,749,999,999	10,560,487,273
0213000 Power Transmission and Distribution	790,303,296	60,837,308,309	61,627,611,605	2,400,000	(3,979,600,596)	(3,977,200,596)			0	792,703,296	56,857,707,713	57,650,411,009
0214000 Alternative Energy Technologies	120,320,093	6,823,690,000	6,944,010,093	6,300,000	1,197,366,825	1,203,666,825			0	126,620,093	8,021,056,825	8,147,676,918
1153 State Department for Petroleum	195,232,407	4,276,875,000	4,472,107,407	14,077,333	(341,177,000)	(327,099,667)	0	0	0	209,309,740	3,935,698,000	4,145,007,740
0215000 Exploration and Distribution of Oil and Gas	195,232,407	4,276,875,000	4,472,107,407	14,077,333	(341,177,000)	(327,099,667)			0	209,309,740	3,935,698,000	4,145,007,740
1161 State Department for Agriculture.	14,116,298,340	16,419,094,148	30,535,392,488	1,928,100,000	(4,142,453,000)	(2,214,353,000)	0	0	0	16,044,398,340	12,276,641,148	28,321,039,488

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VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	CHANGE IN GROSS CURRENT ESTIMATES	CHANGE IN GROSS CAPITAL ESTIMATES	CHANGE IN GROSS TOTAL ESTIMATES	Recurrent	Capital	Gross	Recurrent	Capital	Gross
0107000 General Administration Planning and Support Services	4,462,88 5,676	810,250, 000	5,273,13 5,676	4,925,00 0	(317,059 ,849)	(312,134 ,849)			0	4,467,81 0,676	493,190,1 51	4,961,000,8 27
0108000 Crop Development and Management	9,489,66 5,191	14,521,5 77,422	24,011,2 42,613	1,933,50 0,000	(3,240,3 07,123)	(1,306,8 07,123)			0	11,423,1 65,191	11,281,27 0,299	22,704,435, 490
0109000 Agribusiness and Information Management	163,747, 473	1,087,26 6,726	1,251,01 4,199	(10,325,0 00)	(585,086 ,028)	(595,411 ,028)			0	153,422, 473	502,180,6 98	655,603,17 1
1162 State Department for Livestock.	7,114,15 0,771	3,693,33 2,750	10,807,4 83,521	(84,800,0 00)	2,084,23 5,095	1,999,43 5,095	0	0	0	7,029,35 0,771	5,777,567, 845	12,806,918, 616
0112000 Livestock Resources Management and Development	7,114,15 0,771	3,693,33 2,750	10,807,4 83,521	(84,800,0 00)	2,084,23 5,095	1,999,43 5,095			0	7,029,35 0,771	5,777,567, 845	12,806,918, 616
1164 State Department for Fisheries and the Blue Economy	1,844,46 5,848	420,920, 000	2,265,38 5,848	66,728,2 61	(106,943 ,196)	(40,214, 935)	11,000, 000	0	11,000 ,000	1,922,19 4,109	313,976,8 04	2,236,170,9 13
0111000 Fisheries Development and Management	1,549,91 2,465	407,670, 000	1,957,58 2,465	1,382,55 5	(101,797 ,020)	(100,414 ,465)			0	1,551,29 5,020	305,872,9 80	1,857,168,0 00

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VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	CHANGE IN GROSS CURRENT ESTIMATES	CHANGE IN GROSS CAPITAL ESTIMATES	CHANGE IN GROSS TOTAL ESTIMATES	Recurrent	Capital	Gross	Recurrent	Capital	Gross
nt												
0117000 General Administration, Planning and Support Services	132,687,033	-	132,687,033	55,102,405	-	55,102,405	11,000,000		11,000,000	198,789,438	0	198,789,438
0118000 Development and Coordination of the Blue Economy	161,866,350	13,250,000	175,116,350	10,243,301	(5,146,176)	5,097,125			0	172,109,651	8,103,824	180,213,475
1172 State Department for Investment and Industry	2,189,243,808	3,218,930,120	5,408,173,928	82,149,968	3,416,158,369	3,498,308,337	0	0	0	2,271,393,776	6,635,088,489	8,906,482,265
0301000 General Administration Planning and Support Services	386,652,659	180,000,000	566,652,659	37,237,368	(100,000,000)	(62,762,632)			0	423,890,027	80,000,000	503,890,027
0302000 Industrial Development and Investments	849,783,149	1,997,493,120	2,847,276,269	34,912,600	3,840,271,997	3,875,184,597			0	884,695,749	5,837,765,117	6,722,460,866
0303000 Standards and Business Incubation	952,808,000	1,041,437,000	1,994,245,000	10,000,000	(324,113,628)	(314,113,628)			0	962,808,000	717,323,372	1,680,131,372

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VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
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1173 State Department for Cooperatives	737,987,448	385,000,000	1,122,987,448	51,510,981	170,000,000	221,510,981	0	0	0	789,498,429	555,000,000	1,344,498,429
0304000 Cooperative Development and Management	737,987,448	385,000,000	1,122,987,448	51,510,981	170,000,000	221,510,981			0	789,498,429	555,000,000	1,344,498,429
1174 State Department for Trade	2,164,310,293	71,250,000	2,235,560,293	54,600,000	(23,683,043)	30,916,957	0	0	0	2,218,910,293	47,566,957	2,266,477,250
0307000 Trade Development and Promotion	2,164,310,293	71,250,000	2,235,560,293	54,600,000	(23,683,043)	30,916,957			0	2,218,910,293	47,566,957	2,266,477,250
1183 State Department for East African Integration	1,356,495,896	65,000,000	1,421,495,896	222,458,663	0	222,458,663	69,800,000	0	69,800,000	1,648,754,559	65,000,000	1,713,754,559
0305000 East African Affairs and Regional Integration	1,356,495,896	65,000,000	1,421,495,896	222,458,663	0	222,458,663	69,800,000		69,800,000	1,648,754,559	65,000,000	1,713,754,559
1184 State Department for Labour	1,792,943,512	636,024,999	2,428,968,511	24,000,000	(182,388,128)	(158,388,128)	14,500,000	0	14,500,000	1,831,443,512	453,636,871	2,285,080,383
0910000 General Administration Planning and Support	478,154,933	-	478,154,933	33,006	-	33,006	14,500,000		14,500,000	492,687,939	0	492,687,939

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VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	CHANGE IN GROSS CURRENT ESTIMATES	CHANGE IN GROSS CAPITAL ESTIMATES	CHANGE IN GROSS TOTAL ESTIMATES	Recurrent	Capital	Gross	Recurrent	Capital	Gross
Services												
0906000 Promotion of the Best Labour Practice	466,033,781	50,250,000	516,283,781	8,920,918	(6,468,488)	2,452,430			0	474,954,699	43,781,512	518,736,211
0907000 Manpower Development, Employment and Productivity Management	848,754,798	585,774,999	1,434,529,797	15,046,076	(175,919,640)	(160,873,564)	0	0	0	863,800,874	409,855,359	1,273,656,233
1185 State Department for Social Protection	15,218,012,572	14,663,955,283	29,881,967,855	(44,736,486)	(1,646,000,000)	(1,690,736,486)	0	0	0	15,173,276,086	13,017,955,283	28,191,231,369
0908000 Social Development and Children Services	3,010,258,449	894,975,000	3,905,233,449	(104,736,774)	0	(104,736,774)			0	2,905,521,675	894,975,000	3,800,496,675
0909000 National Social Safety Net	12,056,421,924	13,767,230,283	25,823,652,207	7,000,000	(1,646,000,000)	(1,639,000,000)			0	12,063,421,924	12,121,230,283	24,184,652,207
0914000 General Administration, Planning and Support Services	151,332,199	1,750,000	153,082,199	53,000,288	0	53,000,288			0	204,332,487	1,750,000	206,082,487
1191 Ministry of Mining	1,287,594,267	1,650,821,429	2,938,415,696	164,715,359	(1,442,753,205)	(1,278,037,846)	100,000,000	0	100,000,000	1,552,309,626	208,068,224	1,760,377,850

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VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	CHANGE IN GROSS CURRENT ESTIMATES	CHANGE IN GROSS CAPITAL ESTIMATES	CHANGE IN GROSS TOTAL ESTIMATES	Recurrent	Capital	Gross	Recurrent	Capital	Gross
1007000 General Administration Planning and Support Services	790,690, 898	15,000,0 00	805,690, 898	240,269, 669	(1,689,9 64)	238,579, 705	100,000, 000		100,000, 000	1,130,96 0,567	13,310,03 6	1,144,270,6 03
1008000 Resources Surveys and Remote Sensing	170,572, 219	90,250,0 00	260,822, 219	(29,170,0 46)	(45,222, 012)	(74,392, 058)			0	141,402, 173	45,027,98 8	186,430,16 1
1009000 Mineral Resources Management	326,331, 150	1,545,57 1,429	1,871,90 2,579	(46,384,2 64)	(1,395,8 41,229)	(1,442,2 25,493)			0	279,946, 886	149,730,2 00	429,677,08 6
1201 Ministry of Tourism	2,777,45 8,614	980,250, 000	3,757,70 8,614	(148,700, 000)	0	(148,700, 000)	80,000, 000	0	80,000, 000	2,708,75 8,614	980,250,0 00	3,689,008,6 14
0306000 Tourism Development and Promotion	2,777,45 8,614	980,250, 000	3,757,70 8,614	(148,700, 000)	0	(148,700, 000)	80,000, 000		80,000, 000	2,708,75 8,614	980,250,0 00	3,689,008,6 14
1211 State Department for Public Service and Youth Affairs	14,455,9 17,402	11,891,8 99,727	26,347,8 17,129	61,000,0 00	(37,807, 348)	23,192,6 52	0	0	0	14,516,9 17,402	11,854,09 2,379	26,371,009, 781
0710000 Public Service Transformation	1,586,84 7,286	1,781,21 1,684	3,368,05 8,970	13,000,0 00	(182,015 ,256)	(169,015 ,256)			0	1,599,84 7,286	1,599,196, 428	3,199,043,7 14
0709000 General Administration	5,551,58 5,773	-	5,551,58 5,773	24,000,0 00	-	24,000,0 00			0	5,575,58 5,773	0	5,575,585,7 73

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Planning and Support Services												
0711000 Youth Empowerment	7,317,484,343	10,110,688,043	17,428,172,386	24,000,000	144,207,908	168,207,908			0	7,341,484,343	10,254,895,951	17,596,380,294
1212 State Department for Gender	1,424,218,371	3,187,750,000	4,611,968,371	(94,232,530)	0	(94,232,530)	0	0	0	1,329,985,841	3,187,750,000	4,517,735,841
0911000 Community Development	470,000,000	2,130,000,000	2,600,000,000	0	0	0			0	470,000,000	2,130,000,000	2,600,000,000
0912000 Gender Empowerment	753,026,131	1,057,750,000	1,810,776,131	(94,875,396)	0	(94,875,396)			0	658,150,735	1,057,750,000	1,715,900,735
0913000 General Administration, Planning and Support Services	201,192,240	-	201,192,240	642,866	-	642,866			0	201,835,106	0	201,835,106
1252 State Law Office and Department of Justice	4,383,634,769	388,178,571	4,771,813,340	152,000,000	(256,075,375)	(104,075,375)	0	0	0	4,535,634,769	132,103,196	4,667,737,965
0606000 Legal Services	1,953,662,838	3,500,000	1,957,162,838	(65,245,128)	(1,000,000)	(66,245,128)			0	1,888,417,710	2,500,000	1,890,917,710
0607000 Governance, Legal Training and Constitution	1,747,977,029	360,000,000	2,107,977,029	1,800,000	(250,000,000)	(248,200,000)			0	1,749,777,029	110,000,000	1,859,777,029

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VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	CHANGE IN GROSS CURRENT ESTIMATES	CHANGE IN GROSS CAPITAL ESTIMATES	CHANGE IN GROSS TOTAL ESTIMATES	Recurrent	Capital	Gross	Recurrent	Capital	Gross
al Affairs												
0609000 General Administration, Planning and Support Services	681,994,902	24,678,571	706,673,473	215,445,128	(5,075,375)	210,369,753			0	897,440,030	19,603,196	917,043,226
1261 The Judiciary	12,361,768,912	3,248,975,000	15,610,743,912	350,000,000	(1,308,850,184)	(958,850,184)	0	0	0	12,711,768,912	1,940,124,816	14,651,893,728
0610000 Dispensation of Justice	12,361,768,912	3,248,975,000	15,610,743,912	350,000,000	(1,308,850,184)	(958,850,184)			0	12,711,768,912	1,940,124,816	14,651,893,728
1271 Ethics and Anti-Corruption Commission	3,068,540,000	1,268,000,000	4,336,540,000	0	0	0			0	3,068,540,000	1,268,000,000	4,336,540,000
0611000 Ethics and Anti-Corruption	3,068,540,000	1,268,000,000	4,336,540,000	0	0	0			0	3,068,540,000	1,268,000,000	4,336,540,000
1281 National Intelligence Service	29,754,000,000	0	29,754,000,000	2,203,500,000	0	2,203,500,000	0	0	0	31,957,500,000	0	31,957,500,000
0804000 National Security Intelligence	29,754,000,000	-	29,754,000,000	2,203,500,000	-	2,203,500,000			0	31,957,500,000	0	31,957,500,000
1291 Office of the Director of Public Prosecutions	1,944,442,462	2,550,000,000	1,946,992,462	0	2,010,500,000	2,010,500,000	0	0	0	1,944,442,462	4,560,500,000	1,949,002,962
0612000 Public	1,944,442,462	2,550,000,000	1,946,992,462	0	2,010,500,000	2,010,500,000			0	1,944,442,462	4,560,500,000	1,949,002,962

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VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	CHANGE IN GROSS CURRENT ESTIMATES	CHANGE IN GROSS CAPITAL ESTIMATES	CHANGE IN GROSS TOTAL ESTIMATES	Recurrent	Capital	Gross	Recurrent	Capital	Gross
Prosecution Services	2,462	0	2,462		0	0				2,462		62
1311 Office of the Registrar of Political Parties	798,527,310	0	798,527,310	10,000,000	0	10,000,000	50,000,000	0	50,000,000	858,527,310	0	858,527,310
0614000 Registration, Regulation and Funding of Political Parties	798,527,310	-	798,527,310	10,000,000	-	10,000,000	50,000,000		50,000,000	858,527,310	0	858,527,310
1321 Witness Protection Agency	442,380,483	0	442,380,483	0	0	0	0	0	0	442,380,483	0	442,380,483
0615000 Witness Protection	442,380,483	-	442,380,483	0	-	0			0	442,380,483	0	442,380,483
2011 Kenya National Commission on Human Rights	389,766,300	0	389,766,300	9,000,000	0	9,000,000	0	0	0	398,766,300	0	398,766,300
0616000 Protection and Promotion of Human Rights	389,766,300	-	389,766,300	9,000,000	-	9,000,000			0	398,766,300	0	398,766,300
2021 National Land Commission	1,093,767,550	0	1,093,767,550	40,400,000	173,000,000	213,400,000	0	0	0	1,134,167,550	173,000,000	1,307,167,550

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VOTE, PROGRAM ME CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
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0113000 Land Administrati on and Managemen t	202,117, 228	-	202,117, 228	10,400,0 00	-	10,400,0 00			0	212,517, 228	0	212,517,22 8
0114000 General Administrati on, Planning and Support Services	820,095, 345	-	820,095, 345	24,000,0 00	-	24,000,0 00			0	844,095, 345	0	844,095,34 5
0115000 Land Disputes and Conflict Resolutions	52,097,4 56	-	52,097,4 56	0	-	0			0	52,097,4 56	0	52,097,456
0116000 National Land Information Managemen t System	19,457,5 21	-	19,457,5 21	6,000,00 0	173,000, 000	179,000, 000			0	25,457,5 21	173,000,0 00	198,457,52 1
2031 Independe nt Electoral and Boundaries Commissio n	32,860,4 77,459	712,210, 000	33,572,6 87,459	(200,000, 000)	0	(200,000, 000)	0	0	0	32,660,4 77,459	712,210,0 00	33,372,687, 459
0617000 Managemen t of Electoral Processes	32,860,4 77,459	712,210, 000	33,572,6 87,459	(200,000, 000)	0	(200,000, 000)			0	32,660,4 77,459	712,210,0 00	33,372,687, 459
2041 Parliament ary Service Commissio n	10,287,0 68,157	2,637,50 0,000	12,924,5 68,157	(160,000, 000)	(1,100,0 00,000)	(1,260,0 00,000)	160,000 ,000	65 0,0 00, 00	810,00 0,000	10,287,0 68,157	2,187,500, 000	12,474,568, 157

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VOTE, PROGRAM ME CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	CHANGE IN GROSS CURRENT ESTIMATES	CHANGE IN GROSS CAPITAL ESTIMATES	CHANGE IN GROSS TOTAL ESTIMATES	Recurrent	Capital	Gross	Recurrent	Capital	Gross
0722000 Senate Affairs	5,290,53 9,449	-	5,290,53 9,449	(160,000, 000)	-	(160,000, 000)	160,000, 000		160,000, 000	5,290,53 9,449	0	5,290,539,4 49
0723000 General Administration, Planning and Support Services	4,996,52 8,708	2,637,50 0,000	7,634,02 8,708	0	(1,100,0 00,000)	(1,100,0 00,000)		65 0,0 00, 00	650,00 0,000	4,996,52 8,708	2,187,500, 000	7,184,028,7 08
<b>2042 National Assembly</b>	19,591,0 48,577	0	19,591,0 48,577	(840,000, 000)	0	(840,000, 000)	840,000, 000	0	840,000, 000	19,591,0 48,577	0	19,591,048, 577
0721000 National Legislation, Representation and Oversight	19,591,0 48,577	-	19,591,0 48,577	(840,000, 000)	-	(840,000, 000)	840,000, 000		840,000, 000	19,591,0 48,577	0	19,591,048, 577
<b>2051 Judicial Service Commission</b>	183,537, 700	0	183,537, 700	100,000, 000	0	100,000, 000	0	0	0	283,537, 700	0	283,537,70 0
0619000 General Administration, Planning and Support Services	183,537, 700	-	183,537, 700	100,000, 000	-	100,000, 000			0	283,537, 700	0	283,537,70 0
<b>2061 The Commission on Revenue Allocation</b>	391,711, 063	0	391,711, 063	0	0	0	0	0	0	391,711, 063	0	391,711,06 3
0724000 Inter- Governmental	391,711, 063	-	391,711, 063	0	-	0			0	391,711, 063	0	391,711,06 3

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VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	CHANGE IN GROSS CURRENT ESTIMATES	CHANGE IN GROSS CAPITAL ESTIMATES	CHANGE IN GROSS TOTAL ESTIMATES	Recurrent	Capital	Gross	Recurrent	Capital	Gross
Revenue and Financial Matters												
<b>2071 Public Service Commission</b>	1,351,425,000	15,000,000	1,366,425,000	7,575,000	(6,013,221)	1,561,779	0	0	0	1,359,000,000	8,986,779	1,367,986,779
0725000 General Administration, Planning and Support Services	1,024,568,639	15,000,000	1,039,568,639	(7,425,000)	(6,013,221)	(13,438,221)			0	1,017,143,639	8,986,779	1,026,130,418
0726000 Human Resource management and Development	202,189,957	-	202,189,957	0	-	0			0	202,189,957	0	202,189,957
0727000 Governance and National Values	124,666,404	-	124,666,404	15,000,000	-	15,000,000			0	139,666,404	0	139,666,404
<b>2081 Salaries and Remuneration Commission</b>	609,634,499	0	609,634,499	18,898,501	0	18,898,501	0	0	0	628,533,000	0	628,533,000
0728000 Salaries and Remuneration Management	609,634,499	-	609,634,499	18,898,501	-	18,898,501			0	628,533,000	0	628,533,000

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VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	CHANGE IN GROSS CURRENT ESTIMATES	CHANGE IN GROSS CAPITAL ESTIMATES	CHANGE IN GROSS TOTAL ESTIMATES	Recurrent	Capital	Gross	Recurrent	Capital	Gross
nt												
<b>2091 Teachers Service Commission</b>	201,893,457,400	118,000,000	202,011,457,400	16,342,000,000	25,000,000	16,367,000,000	0	0	0	218,235,457,400	143,000,000	218,378,457,400
0509000 Teacher Resource Management	195,473,566,350	-	195,473,566,350	16,257,000,000	143,000,000	16,400,000,000			0	211,730,566,350	143,000,000	211,873,566,350
0510000 Governance and Standards	53,988,812	-	53,988,812	0	-	0			0	53,988,812	0	53,988,812
0511000 General Administration, Planning and Support Services	6,365,902,238	118,000,000	6,483,902,238	85,000,000	(118,000,000)	(33,000,000)			0	6,450,902,238	0	6,450,902,238
<b>2101 National Police Service Commission</b>	467,393,780	0	467,393,780	80,194,457	0	80,194,457	0	0	0	547,588,237	0	547,588,237
0620000 National Police Service Human Resource Management	467,393,780	-	467,393,780	80,194,457	-	80,194,457			0	547,588,237	0	547,588,237
<b>2111 Auditor General</b>	5,110,767,700	171,250,000	5,282,017,700	82,498,542	(128,412,116)	(45,913,574)	0	60,000,000	60,000,000	5,193,266,242	102,837,884	5,296,104,126

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VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	CHANGE IN GROSS CURRENT ESTIMATES	CHANGE IN GROSS CAPITAL ESTIMATES	CHANGE IN GROSS TOTAL ESTIMATES	Recurrent	Capital	Gross	Recurrent	Capital	Gross
								00				
0729000 Audit Services	5,110,767,700	171,250,000	5,282,017,700	82,498,542	(128,412,116)	(45,913,574)		60,000,000	60,000,000	5,193,266,242	102,837,884	5,296,104,126
<b>2121 Controller of Budget</b>	494,931,000	0	494,931,000	26,148,350	0	26,148,350	0	0	0	521,079,350	0	521,079,350
0730000 Control and Management of Public finances	494,931,000	-	494,931,000	26,148,350	-	26,148,350			0	521,079,350	0	521,079,350
<b>2131 The Commission on Administrative Justice</b>	416,789,402	0	416,789,402	(4,000,000)	0	(4,000,000)	0	0	0	412,789,402	0	412,789,402
0731000 Promotion of Administrative Justice	416,789,402	-	416,789,402	(4,000,000)	-	(4,000,000)			0	412,789,402	0	412,789,402
<b>2141 National Gender and Equality Commission</b>	352,824,207	0	352,824,207	(7,300,000)	0	(7,300,000)	0	0	0	345,524,207	0	345,524,207
0621000 Promotion of Gender Equality and Freedom from Discrimination	352,824,207	-	352,824,207	(7,300,000)	-	(7,300,000)			0	345,524,207	0	345,524,207

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VOTE, PROGRAM CODES & TITLE	Revised 2017/18 Estimates			Proposed Increase/ Reduction 2017/18			BAC Adjustments			Final Supplementary No. 2 Estimates		
	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	CHANGE IN GROSS CURRENT ESTIMATES	CHANGE IN GROSS CAPITAL ESTIMATES	CHANGE IN GROSS TOTAL ESTIMATES	Recurrent	Capital	Gross	Recurrent	Capital	Gross
2151 Independent Policing Oversight Authority	695,860,000	0	695,860,000	0	0	0	0	0	0	695,860,000	0	695,860,000
0622000 Policing Oversight Services	695,860,000	-	695,860,000	0	-	0			0	695,860,000	0	695,860,000
<b>Total</b>	1,054,000,641,966	617,997,651,359	1,671,998,293,325	23,210,518,617	40,833,242,172	17,622,723,555	853,100,000	63,000,000	1,483,100,000	1,078,064,260,583	577,794,409,187	1,655,858,669,770

Next Order!

### COMMITTEE OF THE WHOLE HOUSE

*(Order for Committee read)*

*[The Temporary Speaker  
(Hon. (Ms.) Mbalu) left the Chair]*

#### IN THE COMMITTEE

*[The Temporary Deputy Chairman  
(Hon. Omulele) took the Chair]*

#### THE PHYSICAL PLANNING BILL

**The Temporary Deputy Chairman** (Hon. Omulele): Hon. Members, we are now in Committee of the whole House. We are dealing with the Physical Planning Bill (National Assembly Bill No.34 of 2017).

*(Loud consultations)*

Order Members! Order! Those Members retreating from the Chamber, kindly do so without disrupting the business that is currently going on. Hon. Members, we can now start.

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*Clause 3*

**The Temporary Deputy Chairman** (Hon. Omulele): The Vice-Chair.

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 3 of the Bill be amended by deleting the word “regional” appearing in paragraph (a).

The justification is that the amendment seeks to uphold the provisions of Article 6 and Article 172 of the Constitution which recognise counties as the administrative unit. In this regard, the amendment seeks to delete reference to the term “regional”.

*(Question of the amendment proposed)*

*(Question, that the word to be left out be left out,  
put and agreed to)*

*(Clause 3 as amended agreed to)*

*(Clause 4 agreed to)*

*Clause 5*

**The Temporary Deputy Chairman** (Hon. Omulele): There are two amendments on this. The Vice-Chair will begin followed by the Leader of the Majority Party.

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 5 of the Bill be amended—

- (a) in sub-clause (2) by deleting paragraph (c) and substituting therefor the following new paragraph —
- (b) the Chairperson of the relevant committee of the Council of Governors;
- (c) in sub-clause (3) —
  - (i) by deleting the expression “(2), (k), (l), (m) and (n)” and substituting therefor the expression “(2), (k), (l), (m), (n), (o) and (p)”
  - (ii) by inserting the words “in accordance with the provisions of the First Schedule” immediately after the words “members of the Forum”.

The justification is that the amendment seeks to create clarity on the representative of the Council of Governors (CoG) at the consultative forum by specifying that it is the Chairperson of the relevant committee of the CoG. Further, it seeks to give reference to the First Schedule which prescribes the procedure for appointing a member of the consultative forum.

*(Question of the amendment proposed)*

*(Question, that the words to be left out  
be left out, put and agreed to)*

*(Question, that the words to be inserted in place  
thereof be inserted, put and agreed to)*

*(Question, that the words to be inserted*

*be inserted, put and agreed to)*

**The Temporary Deputy Chairman** (Hon. Omulele): We will now proceed with the one which is proposed by the Leader of the Majority Party.

**Hon. A. B. Duale:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 5 of the Bill be amended in sub-clause (2) by inserting the following new paragraph immediately after paragraph (j)—

(ja) the Cabinet Secretary for the time being responsible for matters related to defence;

This amendment just seeks to include the Cabinet Secretary (CS) responsible for matters related to the defence in the composition of the National Physical Planning Consultative Forum and that forum is mainly responsible for the national physical development plan that will contain the framework for guiding the location and development of strategic and infrastructural development.

We are bringing this amendment because the defence forces have certain strategic infrastructural developments that are key to national security. That is why we are saying the representative of the CS for Defence should be part of the consultative forum.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 5 as amended agreed to)*

*Clause 6*

**The Temporary Deputy Chairman** (Hon. Omulele): Leader of the Majority Party, you have a proposed amendment.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause of the Bill be amended by inserting the words “consider national security and” at the beginning of paragraph (d);

That amendment seeks to ensure that the National Physical Planning Consultative Forum first considers national security in the execution of its functions on advising the strategic physical development project of the national Government, inter-county and, of course, that deals with trans-national importance. So, again, we are trying to make sure that this forum must be cognisant of the existence of certain national strategic development taking place within the land forum. So, it is just to make sure that this forum is cognisant of that.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 6 as amended agreed to)*

*(Clause 7 agreed to)*

*Clause 8*

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 8 of the Bill be amended—

- (a) by deleting paragraph (a) and substituting therefor the following new paragraph—
  - (a) monitor and oversee land use planning throughout the country;
- (b) by deleting paragraph (b) and substituting therefor the following new paragraph—
- (c) prepare reports on the status of land use planning and forward to the President and Parliament as provided for in Article 254 of the Constitution.
- (d) by inserting the following new paragraphs immediately after paragraph (c) —
  - “(d)publish and publicise the national land use planning report in accordance with the provisions of Article 35(3) of the Constitution.”
  - “(e)encourage the use of traditional dispute resolution mechanisms in land use planning.”

*(Question of the amendment proposed)*

*(Question, that the words to be left out  
be left out, put and agreed to)*

*(Question, that the words to be inserted in place  
thereof be inserted, put and agreed to)*

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 8 as amended agreed to)*

*(Clause 9 agreed to)*

*Clause 10*

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 10 of the Bill be amended—

- (a) in sub-clause (1) by deleting the words “shall be” and substituting therefor the word “is”.
- (b) inserting the following new sub-clause immediately after sub-clause (2) —
  - “(3) The National Director of Physical Planning shall hold office for a term of three years, renewable once.”

The amendment seeks to create a term limit of three years renewable once for the National Director of Physical Planning. Also, for the purpose of efficiency, the amendment also

provides that the director should be competitively appointed by the Public Service Commission (PSC).

*(Question of the amendment proposed)*

*(Question, that the words to be left out  
be left out, put and agreed to)*

*(Question, that the word to be inserted in place  
thereof be inserted, put and agreed to)*

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 10 as amended agreed to)*

#### *Clause 11*

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 11 of the Bill be amended by deleting the words “possesses a postgraduate degree” appearing in paragraph (b) and substituting therefor the words “holds a bachelor’s degree”.

The justification is the amendment seeks to delete reference to the postgraduate degree as a qualification for the appointment of the National Director of Physical Planning and replace it with a bachelor’s degree which is the case in all the qualification requirements of most professions coupled with certain number of years of experience. This will also increase the scope of the applicants. At least, we will accommodate many applicants.

*(Question of the amendment proposed)*

*(Question, that the words to be left out  
be left out, put and agreed to)*

*(Question, that the words to be inserted in place  
thereof be inserted, put and agreed to)*

*(Clause 11 as amended agreed to)*

#### *Clause 12*

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 12 of the Bill be amended by deleting the word “regional” appearing in paragraph (d) and substituting therefor the word “Inter-County”.

The amendment basically seeks to uphold the provisions of Article 6 and Article 176 of the Constitution, which recognise counties as administrative units. In this regard, the amendment seeks to delete reference to the term “regional” and replace it with “Inter-County”.

*(Question of the amendment proposed)*

*(Question, that the word to be left out  
be left out, put and agreed to)*

*(Question, that the word to be inserted in place  
thereof be inserted, put and agreed to)*

*(Clause 12 as amended agreed to)*

### Clause 13

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 13 of the Bill be amended—

(a) by deleting paragraph (b);

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

“(c) monitoring and overseeing the technical arm at the county level in the performance of their functions.”

The justification is that this amendment seeks to specify the role of approval of plans, which lies with the county assemblies and further re-word paragraph (c) to avoid the potential conflict with Article 67 of the Constitution, which provides that the NLC is in charge of monitoring and overseeing land use planning throughout the country. The amendment specifies that the role of the County Executive Member is to monitor and oversee the technical arm at the county level in the performance of their functions.

*(Question of the amendment proposed)*

*(Question, that the words to be left out  
be left out, put and agreed to)*

*(Question, that the word to be inserted in place  
thereof be inserted, put and agreed to)*

*(Clause 13 as amended agreed to)*

*(Clause 14 agreed to)*

### Clause 15

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended by deleting clause 15 and substituting therefor the following new clause—

Qualifications of the County Director of

15.(1) A person is qualified for appointment as the

Physical Planning.

County Director of Physical Planning if that person—

- (a) is a citizen of Kenya;
- (b) holds a bachelor's degree in urban and regional planning or related discipline from a recognised university;
- (c) is registered as a physical planner under the Physical Planners Registration Act, 1996;
- (d) has at least five years' post-qualification professional experience in physical planning; and
- (e) is not otherwise disqualified under the provisions of Chapter 6 of the Constitution or any other written law.

No. 3 of 1996.

The amendment seeks to provide for the qualifications for appointment of the County Director of Physical Planning which are not defined and provided by the Bill.

*(Question of the amendment proposed)*

*(Question, that the words to be left out be left out, put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted, put and agreed to)*

*(Clause 15 as amended agreed to)*

#### Clause 16

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 16 of the Bill be amended by deleting the word “regional” appearing in paragraph (e) and substituting therefor the word “Inter-County”.

The amendment seeks to uphold the provisions of Article 6 and Article 176 of the Constitution which recognise counties as the administrative units. In this regard, the amendment seeks to delete reference to the term “regional” and substitute it with “Inter-County”.

*(Question of the amendment proposed)*

*(Question, that the word to be left out be left out, put and agreed to)*

*(Question, that the word to be inserted in place thereof be inserted, put and agreed to)*

*(Clause 16 as amended agreed to)*

*(Clause 17 agreed to)*

*Clause 18*

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 18 of the Bill be amended by deleting the word “regional” appearing in paragraph (f) and substituting therefor the word “inter-county”.

The amendment seeks to uphold the provisions of Article 6 and Article 176 of the Constitution which recognise counties as the administrative units. In this regard, the amendment seeks to delete reference to the term “regional” and substitute it with “inter-county”.

*(Question of the amendment proposed)*

*(Question, that the word to be left out be left out,  
put and agreed to)*

*(Question, that the word to be inserted in place thereof  
be inserted, put and agreed to)*

*(Clause 18 as amended agreed to)*

*Clause 19*

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 19 of the Bill be amended in sub-clause (2) by deleting the words “publish a notice in the Gazette and in at least two newspapers of national circulation” and substitute therefor “publish a notice in the *Gazette*, in at least two newspapers of national circulation and through electronic media”.

The amendment seeks to provide for the publication of notice by the planning authorities through electronic media in addition to publication in the *Gazette* and the local daily newspapers of national circulation. Electronic media is an efficient but expensive mode of communication.

*(Question of the amendment proposed)*

*(Question, that the words to be left out be left out,  
put and agreed to)*

*(Question, that the words to be inserted in place thereof  
be inserted, put and agreed to)*

**The Temporary Deputy Chairman** (Hon. Omulele): Leader of the Majority Party, you also have a proposed amendment.

**Hon. A. B. Duale:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 19 of the Bill be amended in sub-clause (1) by inserting the following new paragraph immediately after paragraph (a)—

(aa) promote the safeguarding of national security;

This amendment seeks to ensure that when the national physical development plan is being prepared, the Director of Physical Planning is under obligation to ensure that the national security of the nation is safeguarded not only for security purposes but also for public safety.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted be inserted,  
put and agreed to)*

*(Clause 19 as amended agreed to)*

*(Clause 20 agreed to)*

Clause 21

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 21 of the Bill be amended—

- (a) in sub-clause (1) by deleting the words “publish a notice in the Gazette and in at least two newspapers of national circulation” and substituting therefor the words “publish a notice in the Gazette, in at least two newspapers of national circulation and through electronic media”.
- (b) by deleting sub-clause (2) and substituting therefor the following new sub-clause—  
“(2) The Cabinet Secretary shall consider the comments made on the National Physical Development Plan and may incorporate the comments in the plan.”
- (c) in sub-clause (3) by deleting the words “Any person” and substituting therefor the words “A person”.

The amendment seeks to provide for publication of notices by the planning authorities through electronic media in addition to publication in the *Gazette* and local daily newspapers of national circulation. Electronic media is an efficient but expensive mode of communication. The other amendment seeks to correct typographical errors.

*(Question of the amendment proposed)*

*(Question, that the words to be left out be left out,  
put and agreed to)*

*(Question, that the words to be inserted in place thereof  
be inserted, put and agreed to)*

*(Clause 21 as amended agreed to)*

Clause 22



**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 22 of the Bill be amended—

(a) by inserting the following new sub-clause immediately after sub-clause (3) —

“(3A) Upon approval by the Cabinet, the Cabinet Secretary shall submit the plan to Parliament for consideration and approval.”

(b) by deleting sub-clause (4) and substituting therefor the following new sub-clause—

“(4) Upon approval by Parliament, the Cabinet Secretary, shall publish the approved plan in the *Gazette*, in at least two newspapers of national circulation and through electronic media within fourteen days of the approval of the National Physical Development Plan”.

The amendment seeks to provide for the approval of the national physical development plan by Parliament. The plan forms a basis upon which physical planning shall be undertaken in the country. The amendment further seeks to provide for publication of the plan through electronic media in addition to publication in the *Gazette* and the local daily newspapers of national circulation. Electronic media is an efficient but very expensive mode of communication.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted be inserted,  
put and agreed to)*

*(Question, that the words to be left out be left out,  
put and agreed to)*

*(Question, that the words to be inserted in place thereof  
be inserted, put and agreed to)*

*(Clause 22 as amended agreed to)*

### Clause 23

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 23 of the Bill be amended by deleting the word “regional” appearing in sub-clause (1) and substituting therefor the word “Inter-County”.

The amendment seeks to uphold the provisions of Article 6 and Article 176 of the Constitution which recognise counties as the administrative units. In this regard, the amendment seeks to delete reference to the term “regional” and replace it with “inter-county”.

**The Temporary Deputy Chairman** (Hon. Omulele): Before I put the Question Chair, I can see the reasons for quite a number of the proposed amendments are the same.

**Hon. Mwashetani:** They are the same because the amendments are consistent.

**The Temporary Deputy Chairman** (Hon. Omulele): To enable us to move as swiftly as possible, after you move the clauses, say that the reasons for the amendments have already been provided above.

*(Question of the amendment proposed)*

*(Question, that the word to be left out be left out,  
put and agreed to)*

*(Question, that the word to be inserted in place thereof  
be inserted, put and agreed to)*

*(Clause 23 as amended agreed to)*

*Clause 24*

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 24 of the Bill be amended—

(a) by deleting sub-clause (1) and renumbering the existing sub-clause (2) as sub-clause (1);

(b) by inserting the following sub-clause immediately after sub-clause (1) —

“(2) The status reports submitted under this section shall be published by the National Land Commission on its website for information.”

The amendment seeks to delete sub-clause 1 which is adversely repeated. It further promotes the provision of Article 35 of the Constitution on access to information. The status report which is submitted by public institutions must be published by the National Land Commission (NLC) on its website for the purpose of accessing information.

*(Question of the amendment proposed)*

*(Question, that the words to be left out be left out,  
put and agreed to)*

*(Question, that the words to be inserted in place thereof  
be inserted, put and agreed to)*

*(Question, that the words to be inserted be inserted,  
put and agreed to)*

*(Clause 24 as amended agreed to)*

*Clause 25*

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 25 of the Bill be amended—

(a) in sub-clause (1) by deleting the words “a regional” and substituting therefor the words “an inter-county”;

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

(2) In the preparation of the Inter-County physical development plan, the counties shall form an Inter-County Physical Planning Committee.

(c) in sub-clause (3) by deleting the word “regional” and substituting therefor the word “Inter-County” wherever it appears;

(d) in sub-clause (4) by deleting the word “regional” and substituting therefor the word “Inter-County”;

(e) in the marginal note by deleting the word “regional” and substituting therefor the word “Inter-County”.

These amendments are the same as the ones which we have amended.

*(Question of the amendment proposed)*

*(Question, that the words to be left out be left out, put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted, put and agreed to)*

*(Clause 25 as amended agreed to)*

#### Clause 26

**The Temporary Deputy Chairman** (Hon. Omulele): Hon. Chairman.

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 26 of the Bill be amended—

(a) by renumbering the existing clause as sub-clause (1);

(b) in the opening statement by deleting the words “a Regional” and substituting therefor the words “An Inter-County”.

(c) in the marginal note by deleting the word “regional” and substituting therefor the word “Inter-County”.

The rationale of amending has been explained.

*(Question of the amendment proposed)*

*(Question, that the words to be left out be left out, put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted, put and agreed to)*

*(Clause 26 as amended agreed to)*

#### Clause 27

**The Temporary Deputy Chairman** (Hon. Omulele): Hon. Chairman.

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 27 of the Bill be amended—

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

“(1) The Inter-County Physical Planning Joint Committee preparing an Inter-County Physical Development Plan shall publish a notice of intention to prepare a plan in the *Gazette*, in at least two newspapers with a national circulation and through electronic media.

(b) in sub-clause (2) by deleting the word “Regional” and substituting therefor the word “Inter-County”.

(c) in sub-clause (3) by deleting the word “regional” and substituting therefor the word “Inter-County”;

(d) in sub-clause (4) by deleting the word “regional” and substituting therefor the word “inter-county”;

(e) in the marginal note by deleting the word “regional” and substituting therefor the words “the Inter-County”.

It is the same with the amendments we have done for Clauses 24, 25 and 26.

*(Question of the amendment proposed)*

*(Question, that the words to be left out be left out, put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted, put and agreed to)*

**The Temporary Deputy Chairman** (Hon. Omulele): Leader of the Majority Party, you have an amendment.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 27 of the Bill be amended in sub-clause (4) by inserting the words “consider national security” immediately after the word “publish”;

This amendment seeks to ensure that even the regional physical planning joint committees are under obligation to consider national security when they are preparing their Regional Physical Development Plan not only for security, but also for public safety. Certain national security installations are found in the regional parts of the country. It is to make sure that national security interests supersede everything. They are under obligation to put it into account when they are preparing their Regional Physical Development Plan.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted be inserted, put and agreed to)*

*(Clause 27 as amended agreed to)*

*Clause 28*

**The Temporary Deputy Chairman** (Hon. Omulele): Mover.

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 28 of the Bill be amended—

(a) in sub-clause (1) by deleting the words “Within thirty days of the completion of a Regional Physical Development Plan, the Regional” and substituting therefor the words “Within thirty days of the completion of an Inter-County Physical Development Plan, the Inter-County”;

(b) in sub-clause (2) by deleting the word “Regional” and substituting therefor the word “Inter-County”;

(c) in sub-clause (3) by deleting the word “Regional” and substituting therefor the word “Inter-County”;

(d) in the marginal note by deleting the word “a Regional” and substituting therefor the words “an Inter-County”

The amendment has been explained.

*(Question of the amendment proposed)*

*(Question, that the words to be left out  
be left out, put and agreed to)*

*(Question, that the words to be inserted in place  
thereof be inserted, put and agreed to)*

*(Clause 28 as amended agreed to)*

*Clause 29*

**The Temporary Deputy Chairman** (Hon. Omulele): Hon. Chairman.

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 29 of the Bill be amended—

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

(1) The County Executive Committee members of all counties participating in the Inter-County Physical Development Plan shall separately submit the plans to the respective County Assemblies for approval and thereafter submit the same to the National Director of Physical Planning for processing and certification.

(b) in sub-clause (2) —

(i) by deleting the word “a Regional” appearing immediately after the words  
“completion of a” and substituting therefor the word “an Inter-County”

(ii) by deleting the word “the Regional” appearing immediately after the words “and publish” and substituting therefor the words “the Inter-County”;

(c) in sub-clause (3) by deleting the word “Regional” and substituting therefor the word “Inter-County” wherever it appears;

(d) in sub-clause (4) by deleting the word “regional” and substituting therefor the word “inter county”

(e) in the marginal note by deleting the word “Regional” and substituting therefor the words “an Inter-County”.

The amendment is the same on substitution. Further, the amendment recognises the role of the county assemblies in approving the plans in terms of Article 185(4) of the Constitution and Section 87 of the County Government Act, 2012.

*(Question of the amendment proposed)*

*(Question, that the words to be left out be left out, put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted, put and agreed to)*

*(Clause 29 as amended agreed to)*

#### Clause 30

**The Temporary Deputy Chairman** (Hon. Omulele): Hon. Chairman.

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 30 of the Bill be amended—

(a) in sub-clause (1) by deleting the “Regional” and substituting therefor the word “Inter-County” wherever it appears;

(b) in sub-clause (2) —

(i) by deleting the word “a Regional” appearing immediately after the words “Plan and” and substituting therefor the word “an Inter-County”;

(ii) by deleting the word “Regional” appearing immediately after the words “the relevant” and substituting therefor the word “Inter-County”;

(c) in the marginal note by deleting the word “Regional” and substituting therefor the word “Inter-County”.

It is the same amendment.

*(Question of the amendment proposed)*

*(Question, that the words to be left out be left out, put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted, put and agreed to)*

*(Clause 30 as amended agreed to)*

*Clause 31*

**The Temporary Deputy Chairman** (Hon. Omulele): Hon. Chairman.

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 31 of the Bill be amended—

(a) by deleting the words “a Regional Physical Development Plan shall submit a report on the implementation of the Regional” and substituting therefor the words “an Inter-County

(b) Physical Development Plan shall submit a report on the implementation of the Inter-County”;

(c) in the marginal note by deleting the word “Regional” and substituting therefor the word “Inter-County”.

It is the same.

*(Question of the amendment proposed)*

*(Question, that the words to be left out be left out, put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted, put and agreed to)*

*(Clause 31 as amended agreed to)*

*Clause 32*

**The Temporary Deputy Chairman** (Hon. Omulele): Hon. Chairman.

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 32 of the Bill be amended in sub-clause (2) by deleting the word “Regional” and substituting therefor the word “Inter-County”.

It is about substitution.

*(Question of the amendment proposed)*

*Question, that the word to be left out be left out, put and agreed to)*

*(Question, that the word to be inserted in place thereof be inserted, put and agreed to)*

*(Clause 32 as amended agreed to)*

*Clause 33*

**The Temporary Deputy Chairman** (Hon. Omulele): Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 33 of the Bill be amended by inserting the following new paragraph immediately after paragraph (g)—

(ga) promote the safeguarding of national security;

Again, this amendment seeks to ensure that one of the objects or purpose of the anticipated County Physical Development Plan will be to promote the safeguarding of national security or for the purpose of security and public safety.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 33 as amended agreed to)*

#### Clause 34

**The Temporary Deputy Chairman** (Hon. Omulele): Mover.

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 34 of the Bill be amended in sub-clause (2) by deleting the words “fourteen days” and substituting therefor the words “twenty-one days”

The amendment seeks to increase the period for display of notice from 14 days to 21 days at the office of the county government to allow for broad public participation and the preparation of the County Physical Development Plan.

*(Question of the amendment proposed)*

*(Question, that the words to be left out  
be left out, put and agreed to)*

*(Question, that the words to be inserted in place  
thereof be inserted, put and agreed to)*

*(Clause 34 as amended agreed to)*

*(Clause 35 agreed to)*

#### Clause 36

**The Temporary Deputy Chairman** (Hon. Omulele): Hon. Chair.

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 36 of the Bill be amended—

(a) in sub-clause (1) by deleting the words “publish a notice in the *Gazette* and in at least two newspapers of national circulation” and substitute therefor the words “publish a notice in the *Gazette*, in at least two newspapers of national circulation and through electronic media”;

(b) in sub-clause (3) by deleting the words “or may not”;



(c) in sub-clause (4) by deleting the words “Any person” and substituting therefor the words “A person”.

The amendment seeks to provide for the publication of notice by the planning authorities through electronic media in addition to the publication in the local dailies with national circulation. Electronic media is an efficient but very expensive mode of communication. Further, the amendment seeks to correct typographical and grammatical errors to create clarity.

*(Question of the amendment proposed)*

*(Question, that the words to be left out be left out, put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted, put and agreed to)*

*(Clause 36 as amended agreed to)*

#### *Clause 37*

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 37 of the Bill be amended in sub-clause (2) by inserting the words “for approval” immediately after the words “the county assembly”.

The amendment seeks to recognise the role of the county assemblies in approving plans in terms of Article 185(4) of the Constitution and Section 87 of the County Government Act, 2012.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted be inserted, put and agreed to)*

*(Clause 37 as amended agreed to)*

#### *Clause 38*

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, clause 38 of the Bill be amended—

(a) in sub-clause (2) by deleting the words “publish a notice in the *Gazette* and in at least two newspapers of national circulation” and substituting therefor the words “publish a notice in the *Gazette*, in at least two newspapers of national circulation and through electronic media”;

(b) in sub-clause (3) by deleting the words “Inter-County Physical Development Plan and any existing regional development plan” and substituting therefor the words “and Inter-County Physical Development Plan”.

The amendment seeks to uphold the provisions of Article 6 and Article 176 of the Constitution, just like the other amendments. Further, the amendment seeks to provide for the publication of notices by the planning authorities through media in addition to publication in *Gazette* and local daily newspapers with national circulation. Electronic media is an efficient and inexpensive mode of communication.

*(Question of the amendment proposed)*

*(Question, that the words to be left out  
be left out, put and agreed to)*

*(Question, that the words to be inserted in place  
thereof be inserted, put and agreed to)*

*(Clause 38 as amended agreed to)*

*(Clauses 39, 40, 41, 42 and 43 agreed to)*

#### *Clause 44*

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, clause 44 of the Bill be amended in sub-clause (1) by deleting the words “publish a notice in the *Gazette* and in at least two newspapers of national circulation” and substituting therefor the words “publish a notice in the *Gazette*, in at least two newspapers of national circulation and through electronic media”;

The amendment seeks to provide for publication of notice by the planning authorities through electronic media in addition to publication in the *Gazette* and local daily newspapers.

*(Question of the amendment proposed)*

*(Question, that the words to be left out  
be left out, put and agreed to)*

*(Question, that the words to be inserted in place  
thereof be inserted, put and agreed to)*

*(Clause 44 as amended agreed to)*

#### *Clause 45*

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 45 of the Bill be amended in sub-clause (1) by deleting the words “publish a notice in the *Gazette* and in at least two newspapers of national circulation” and substituting therefor the words “publish a notice in the *Gazette*, in at least two newspapers of national circulation and through electronic media”;

It is the same amendment as Clause 44.

*(Question of the amendment proposed)*

*(Question, that the words to be left out  
be left out, put and agreed to)*

*(Question, that the words to be inserted in place  
thereof be inserted, put and agreed to)*

*(Clause 45 as amended agreed to)*

*(Clauses 46, 47 and 48 agreed to)*

*Clause 49*

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 49 of the Bill be amended by—

(a) renumbering the existing clause as sub-clause (1);

(b) inserting the following new paragraph immediately after (d) —

“(da) to promote public safety and health”.

(c) by inserting the following new sub-clause immediately after sub-clause (1) —

“(2) In addition to the provisions of sub-section (1), development

control may also relate to the matters specified in the

Fourth

Schedule.”

This amendment seeks to expand the objective of development control including promotion, public safety and further gives reference which outlines the matters that may relate to development control.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

**The Temporary Deputy Chairman** (Hon. Omulele): I see further amendment by the Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, clause 49 of the Bill be amended by inserting the following new paragraph immediately after paragraph (f)—

(g) promote the safeguarding of national security;

One of the objectives of any development control is to promote and safeguard national security not only for security purposes but also for public safety.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 49 as amended agreed to)*

*Clause 50*

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, clause 50 of the Bill be amended by inserting the following new paragraph immediately after paragraph (f)—

(g) consider and determine development planning applications made in respect of land adjoining or within reasonable vicinity of safeguarding areas.”

This amendment seeks to ensure that planning authorities, be they at the national Government or at the county government will have the powers within their areas of jurisdiction to consider and make a determination on development planning applications that they receive in respect of particular pieces of land that are adjoining within reasonable vicinity of safeguarding national security. This is in order to safeguard against the mushrooming of uncontrolled development and escalation of encroachment into military establishments that are prejudicial to national security and public safety not only in the military but also the airport strategic communication installations. So, all installations that can be referred to as of national security interest, this amendment tries to insulate and help those who are receiving these applications to make sure there is no encroachment or grabbing of national security installations’ land, keeping in mind that the distance is taken care of.

*(Question of the amendment proposed)*

**The Temporary Deputy Chairman** (Hon. Omulele): I see interest from Hon. Oundo.

**Hon. (Dr.) Oundo:** Hon. Temporary Deputy Chairman, as much as the proposals made by the Leader of the Majority Party are sound and responsible in the circumstances to safeguard national security, we must appreciate that the owners of the land adjoining any so-called safeguarding areas should be allowed as per the Constitution to develop their land subject to some reasonable planning regulations instead of being inhibited to develop the land to the fullest in regard to the highest and best use.

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 50 as amended agreed)*

*(Clause 51 agreed to)*

*Clause 52*

**Hon. (Ms.) Nyamai:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 52 of the Bill be amended by inserting the following new sub-clauses immediately after sub-clause (6) —

“(7) A person applying for development permission shall also notify the public of the development project being proposed to be undertaken in a certain area in such a manner as the Cabinet Secretary shall prescribe.”

“(8) The notification referred to under sub-section (7), shall invite the members of the public to submit any objections on the proposed development project to the relevant planning authorities for consideration.”

This amendment recognises the need for developers to involve the public prior to undertaking a development project, as projects may have negative or positive impacts within communities. In this regard, the amendment creates a requirement that permits a person applying for development to notify the public.

Further, the amendment provides that the notification shall invite members of public to submit any objections they may have.

*(Question of the amendment proposed)*

**The Temporary Deputy Chairman** (Hon. Omulele): Hon. Oundo, are you still interested in this one?

**Hon. (Dr.) Oundo:** Again, I believe those who are in this practice of real estate and development are aware that one of the reasons we have so many unplanned developments in this country is that the cost of getting approval has been found to be prohibitive. Even an advert in the newspaper costs a substantial amount of money because it must reach as many people as possible.

Secondly, when you need to print the necessary adverts and place them all over, it costs money. If you have to assemble the people, it also becomes a problem. Remember there is also a provision under the Environmental Management and Co-ordination Act (EMCA) that such a process must also be subjected to. My prayers are that the drafters of the Bill, if possible, put up a provision that allows the regulations put by the Cabinet Secretary be not prohibitive to discourage development.

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 52 as amended agreed to)*

*Clause 53*

**Hon. (Ms.) Nyamai:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 53 of the Bill be amended by deleting the words “and validly registered” appearing in sub-clause (1) and substituting therefor the words “and licensed”.

The amendment seeks to remove a typographical error. It also seeks to make it aligned to the Physical Planning Registration Act, 1996 which gives reference to “registered and licenced persons” and not “registered and validly registered persons.”

*(Question of the amendment proposed)*

*(Question, that the words to left  
out be left out, put and agreed to)*

*(Question, that the words to be inserted in place thereof  
be inserted, put and agreed to)*

*(Clause 53 as amended agreed to)*

*Clause 54*

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 54 of the Bill be amended in sub-clause (1) by inserting the following new paragraph immediately after paragraph (f)—

(fa) national security in respect of land adjoining or within reasonable vicinity of safeguarding areas;

This is an amendment that takes care of national security. It seeks to ensure that the relevant authorities must consider national security in respect of any land which is adjoining or close to any security installation by safeguarding those areas when considering an application for development. It is very simple.

Today, for those areas around Wilson Airport, the number of floors one can build is regulated. So, if one is building or developing a property around the defence headquarters, the application of that development must be restricted to how close to that installation one can build. The defence headquarters, the national intelligence headquarters, the airports, the air force headquarters and all such are national security areas. How close to security installations can a private developer develop? That is the essence of this amendment. It will help us so that nobody encroaches or goes closer to build around these areas.

I will give a good example. In 2014, my security guard was shot in one of the estates near the air force fence at Eastleigh. There is a big slum near that fence. That criminal just ran to that adjacent mushrooming slum near the airbase.

This is best practice. Even in the US, those of us who have gone to Washington have seen the distance given to installations like the Pentagon which is the defence headquarters. This is just to make sure that we safeguard our national security installations. This amendment gives powers to those who are to approve certain applications for development to be cognisant of the security of the nation. It is national security.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 54 as amended agreed to)*

*Clause 55*

**Hon. (Ms.) Nyamai:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 55 of the Bill be amended in sub-clause (1) by inserting the following new paragraph immediately after paragraph (c) —

“(ca) shall take into consideration the comments made by the members of the public on the application for development permission made by the person seeking to undertake development in a certain area”.

The purpose of this amendment is to create a requirement that a planning authority shall consider an application for development after considerations that have been raised by members of public. This gives an opportunity to the members of public to participate. This amendment will also allow consultations and public involvement before decisions are made.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted be inserted, put and agreed to)*

*(Clause 55 as amended agreed to)*

*(Clauses 56 and 57 agreed to)*

#### *Clause 58*

**Hon. (Ms.) Nyamai:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 58 of the Bill be amended in sub-clause (1) by deleting the words “two years” and substituting therefor the words “three years”.

The amendment seeks to increase the timelines for lapsing of development permission from two years to three years. Basically, this is to the advantage of the investors so that they have more time to act.

*(Question of the amendment proposed)*

*(Question, that the words to left out be left out, put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted, put and agreed to)*

*(Clause 58 as amended agreed to)*

*(Clauses 59, 60, 61, 62, 63 and 64 agreed to)*

#### *Clause 65*

**Hon. (Ms.) Nyamai:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 65 of the Bill be amended in sub-clause (5) by deleting the words “one hundred thousand shillings” and substituting therefor the words “five hundred thousand shillings”.

The purpose of the amendment is to increase the penalty for non-compliance with the enforcement notice issued where a developer has commenced development or any other land use without development permission, from Kshs 100,000 to Kshs500,000.

*(Question of the amendment proposed)*

*(Question, that the words to be left out be left out,  
put and agreed to)*

*(Question, that the words to be inserted in place thereof  
be inserted, put and agreed to)*

*(Clause 65 as amended agreed to)*

#### Clause 66

**Hon. (Ms.) Nyamai:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 66 of the Bill be deleted.

The purpose of amending this clause is to ensure that this Bill does not have a retrospective effect which will disadvantage investors and which may also be misused and allow for witch hunt. So, the purpose is just to make sure that we do not affect people backwards.

**The Temporary Deputy Chairman** (Hon. Omulele): So you are deleting?

**Hon. (Ms.) Nyamai:** Yes I am.

*(Question of the amendment proposed)*

*(Question, that the words to be left out be left out,  
put and agreed to)*

*(Clause 66 deleted)*

*(Clauses 67 and 68 agreed to)*

#### Clause 69

**Hon. (Ms.) Nyamai:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 69 of the Bill be amended in sub-clause (2) by deleting the word “regional” appearing in paragraph (c) and substituting therefor the word “Inter-County”. This is the one that we have been raising. We are now removing regions for counties.

*(Question of the amendment proposed)*

*Question, that the word to be left  
out be left out, put and agreed to)*



*(Question, that the word to be inserted in place thereof be inserted, put and agreed to)*

*(Clause 69 as amended agreed to)*

*(Clause 70 agreed to)*

*Clause 71*

**Hon. (Ms.) Nyamai:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, clause 71 of the Bill be amended—

(a) in sub-clause (1) —

(i) by inserting the words “with seven years’ post-qualification experience” immediately after the words “physical planner” in paragraph (c);

(ii) by inserting the words “with seven years’ post-qualification experience” immediately after the words “registered architect” in paragraph (d);

(iii) by inserting the words “with seven years’ post-qualification experience” immediately after the words “registered surveyor” in paragraph (e).

(b) in sub-clause (2) by inserting the words “a maximum of five” immediately after the words “may co-opt”.

(c) by inserting the following new sub-clause immediately after sub-clause (3) —

“(4)The members of the County Physical Planning Liaison Committee appointed under sub-section (1)(a), (c), (d), (e) and (f) shall serve for a term not exceeding three years, renewable once.”

The purpose of this amendment is to create qualifications of seven years of experience for persons to be nominated as members of the County Physical Planning Liaison Committee and to ensure that persons nominated to the County Physical Planning Liaison Committee are competent and highly experienced. It further seeks to provide that a maximum of five persons can be co-opted to the Liaison Committee to avoid leaving the option of co-opting many persons who may render the operations of the committee inefficient.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted be inserted, put and agreed to)*

*(Clause 71 as amended agreed to)*

*Clause 72*

**Hon. (Ms.) Nyamai:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 72 of the Bill be amended by inserting the following new paragraph immediately after paragraph (b) —

“(ba) advise the County Executive Committee Member on broad physical planning policies, strategies and standards.”

This amendment seeks to include an additional role akin to the one provided for the National Physical Planning Liaison Committee in terms of Clause 69(1)(a). The County Physical

Planning Liaison Committee shall therefore advise the County Executive Member on broad physical planning policies and strategies.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted be inserted,  
put and agreed to)*

*(Clause 72 as amended agreed to)*

*Clause 73*

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, the amendment to Clause 73 is not in the Report but it came afterwards.

Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 73 of the Bill be amended by inserting the following sub- clauses immediately after sub-clause (2) -

“The Member of the County Physical Planning Liaison Committee appointed under subsection (1) (a), (c), (d), (e) and (f) shall serve for a term not exceeding three years and it is renewable once.”

The justification of that amendment is to provide a term limit of three years renewable once for the purpose of members of the County Physical Liaison Committee...

This amendment is not in the Order Paper but it is part of the Report.

*(Loud consultations)*

Are we not allowed to make amendments on the Floor, if it appears in the Report?

**Hon. A.B. Duale:** On a point of order, Hon. Temporary Deputy Chairman.

**The Temporary Deputy Chairman** (Hon. Omulele): There is a point of order from the Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairman, First of all, this is my Bill. Secondly, all amendments must be approved and must be in the Order Paper. It is not a further amendment. With a heavy heart I oppose because we must see it.

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I am humbly requesting because if we do not amend it, we will be leaving the term open so that a person can be appointed twice or thrice. This is just for specification because we are allowing for renewal once.

**The Temporary Deputy Chairman** (Hon. Omulele): The Leader of the Majority Party, you are putting the Chair in an awkward position. If it is not in the Order Paper, how do you expect the House to debate it?

**Hon. A.B. Duale:** That is a serious procedural issue but if you allow, after consulting with the legal person of this Committee, we have agreed. We have this at the national level so we just need to replicate it at the county. Now I am convinced. I do not know about the procedure though. The procedure supersedes the concurrence. On procedure it is only you who can rule.

**Hon. Mwashetani:** It has been provided for at the national level, so this is...

**The Temporary Deputy Chairman** (Hon. Omulele): I know it is a good provision. I will first look at the Report. Just give me one minute so that I see if it is the Report that has been

tabled in the House. For the purpose of the HANSARD, Chair, you need to move an amendment.

**Hon. Mwashetani:** It has been moved.

**The Temporary Deputy Chairman** (Hon. Omulele): Let me just confirm that it is in the Report and ensure that the House had sight of it.

Hon. Members, I confirm that I have perused the Report and it appears there. So, the further amendment is quite in order.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 73 as amended agreed to)*

#### *Clause 74*

**The Temporary Deputy Chairman** (Hon. Omulele): Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 74 of the Bill be amended in sub-clause (3) by inserting the words “and published in the *Gazette* or in at least one newspaper of national circulation” at the end of the sub-clause.

This amendment wants to ensure that upon appeal by a person to a county physical planning committee, with respect to an application submitted to the planning authority in that county, the determination is also published in the *Gazette* or in at least one newspaper of national circulation for the public to be aware. The import of this is that they cannot just allocate land very close to serious installations without making the public and agencies concerned aware. So, this is just for public participation.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 74 as amended agreed to)*

*(Clauses 75, 76, 77, 78, 79, 80, 81,  
82, 83, 84, 85 and 86 agreed to)*

#### *Clause 87*

**Hon. (Ms.) Nyamai:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended by deleting clause 87.

The amendment seeks to recognise the role of county assemblies in approving plans in terms of Article 185(4) of the Constitution and Section 87 of the County Governments Act, 2012.

**The Temporary Deputy Chairman** (Hon. Omulele): Chair, are we together in this? The amendment I have is that you are proposing to delete.

**Hon. (Ms.) Nyamai:** We are deleting, Hon. Temporary Deputy Chairman.

*(Question of the amendment proposed)*

*(Question, that the words to be left out  
be left out, put and agreed to)*

*(Clause 87 deleted)*

*New Clause 39A*

**The Temporary Deputy Chairman** (Hon. Omulele): Chair, could you move the second reading of the new clause 39A?

**Hon. (Ms.) Nyamai:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended by inserting the following new clause immediately after Clause 39—

Contents of the National,  
Inter-County and County  
Physical Development Plans.

39A. In addition to the provisions of sections 20, 26 and 35, the National, Inter-County and the County Physical Development Plans shall provide for the matters specified in the Second Schedule.

*(Question of the new clause proposed)*

*(New clause read the First Time)*

*(Question, that the new clause be  
read a Second Time, proposed)*

**The Temporary Deputy Chairman** (Hon. Omulele): Now you can justify, Chair.

**Hon. (Ms.) Nyamai:** Thank you, Hon. Temporary Deputy Chairman. The purpose of this new clause is to create a legal basis for the schedules as used in the Bill.

*(Question, that the new clause be read  
a Second Time, put and agreed to)*

*(The new clause was read a Second Time)*

*(Question, that the new clause be added  
to the Bill, put and agreed to)*

*New Clause 64A*

**The Temporary Deputy Chairman** (Hon. Omulele): Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended by inserting the following new clause immediately after clause 64—

Exemption from application of this Part. 64A. This Part shall not apply in respect of a development by or on behalf of the Kenya Defence Forces.

This amendment seeks to ensure that the provisions regarding development control do not apply to the Kenya Defence Forces (KDF). The KDF has camps and barracks across various parts of the country. These developments house sensitive security installations, military hardware and equipment. This amendment, therefore, asks for those areas to be gazetted as protected areas, permitting limited access to staff and authorised persons only, details of the layout and the designs thereof are not open to public scrutiny and knowledge. If such information is available to the public, national security of our nation will be compromised as equipment, machinery, weapons, classified information may be accessed and used to harm the Kenyan population, especially in this current advent of systematic threat from terrorism.

So, basically it says that in terms of development control, this should not apply to the KDF, their land, camps and barracks because they have very sensitive security installations and military hardware. So, this is just to insulate the information from being accessed by enemies and to forestall any threat that may come to the Kenyan population.

*(Question of the new clause proposed)*

*(New clause read the First Time)*

*(Question, that the new clause be read a Second Time, proposed)*

**The Temporary Deputy Chairman** (Hon. Omulele): I see interest from Hon. Savula.

**Hon. Angatia:** Thank you, Hon. Temporary Deputy Chairman. I support because it is a trend all over the world that you protect your defence forces and their installations.

Thank you.

**The Temporary Deputy Chairman** (Hon. Omulele): Hon. Ojiambo, Member for Funyula.

**Hon. (Dr.) Oundo:** Hon. Temporary Deputy Chairman, I support and with your guidance probably we could expand and include other significant security installations. I look, for example, at the CID headquarters. I do not know if in the wisdom of the Leader of the Majority Party it is included. They are obviously controlled centres in terms of ICT and related issues. I do not know whether at this point in the legislation making we can expand that definition to include quite sensitive security installations from scrutiny by the planning processes.

**The Temporary Deputy Chairman** (Hon. Omulele): Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairman, I want to move a further amendment because the Member did remind me of something.

Hon. Temporary Deputy Chairman, I beg move:

THAT, New Clause 64A be further amended by adding “other security installations” after “the Kenya Defence Forces”.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Question, that the new clause be read  
a Second Time, put and agreed to)*

*(The new clause was read a Second Time)*

*(Question, that the new clause be added  
to the Bill, put and agreed to)*

*New Part VIA*

**Hon. (Ms.) Nyamai:** Hon. Temporary Deputy Chairman, I beg to move -  
THAT, the Bill be amended by inserting the following new part immediately after  
Part VI—

PART VIA-PROVISIONS ON DELEGATED POWERS

- Regulations. 83A. (1) The Cabinet Secretary, may make regulations generally for giving effect to this Act, and for prescribing anything required to be prescribed by or under this Act.
- (2) Without prejudice to the generality of subsection (1), regulations made under that subsection may provide for—
- (a) the forms to be used and fees to be charged under this Act;
  - (b) the norms, guidelines and standards for delivery of physical planning services across the country;
  - (c) guidelines for operations of Inter-County Physical Planning Committees.
  - (d) procedures for the conduct of Physical Planning Liaison Committees.
  - (e) procedure and process of handling applications for development permission;
  - (f) any other matter generally required to give effect to the provisions of this Act.
- (3) For the purposes of Article 94(6) of the Constitution—
- (a) the purpose and objective of the delegation under this section is to enable the Cabinet Secretary to make regulations for better carrying into effect the provisions of this Act;
  - (b) the authority of the Cabinet Secretary to make regulations under this Act will be limited to bringing into effect the provisions of this Act and fulfilment of the objectives specified under this section.

(4) The principles and standards applicable to the delegated power referred to under this Act are those found in—

- No. 23 of 2013. (a) the Statutory Instruments Act, 2013;
- Cap 2. (b) the Interpretation and General Provisions Act;
- (c) the general rules of international law as specified under Article 2(5) of the Constitution; and
- (d) any treaty and convention ratified by Kenya under Article 2(6) of the Constitution.

*(Question of the new part proposed)*

*(New part read the First Time)*

*(Question, that the new part be read a Second Time, proposed)*

**The Temporary Deputy Chairman** (Hon. Omulele): Hon. Maanzo, do you have something to say to this one?

**Hon. Maanzo:** These are regulations under provisions of delegated powers which are made by the Cabinet Secretary in charge of planning and also which are subjected to Parliament especially the Committee on Delegated Legislation which I serve. So it does not escape the scrutiny of Parliament and it is very good if it could be included so that...

**The Temporary Deputy Chairman** (Hon. Omulele): Hon. Maanzo, you may have jumped the gun because what we are just dealing with is the new part, we have not gone to the regulations. We are coming to those under 83A.

**Hon. Maanzo:** I support the inclusion of Part VIA.

**The Temporary Deputy Chairman** (Hon. Omulele): Very well, I will give you a chance to speak to the substantive regulations.

*(Question, that the new part be read a Second Time, put and agreed to)*

*(The new part was read a Second Time)*

*(Question, that the new part be added to the Bill, put and agreed to)*

*New Clause 83(A)*

**Hon. (Ms.) Nyamai:** Hon. Temporary Deputy Chairman, I beg to move that New Clause 83(A) be read a Second Time.

Regulations.

83A. (1) The Cabinet Secretary, may make regulations generally for giving effect to this Act, and for prescribing anything required to be prescribed by or under this Act.

(2) Without prejudice to the generality of subsection (1), regulations made under that subsection may provide for—

(a) the forms to be used and fees to be charged under this Act;

(b) the norms, guidelines and standards for delivery of physical planning services across the country;

(c) guidelines for operations of Inter-County Physical Planning Committees.

(d) procedures for the conduct of Physical Planning Liaison Committees.

(e) procedure and process of handling applications for development permission;

(f) any other matter generally required to give effect to the provisions of this Act.

(3) For the purposes of Article 94(6) of the Constitution—

(a) the purpose and objective of the delegation under this section is to enable the Cabinet Secretary to make regulations for better carrying into effect the provisions of this Act;

(b) the authority of the Cabinet Secretary to make regulations under this Act will be limited to bringing into effect the provisions of this Act and fulfilment of the objectives specified under this section.

(4) The principles and standards applicable to the delegated power referred to under this Act are those found in—

No.23 of  
2013.

Cap.2

(a) the Statutory Instruments Act, 2013;

(b) the Interpretation and General Provisions Act;

(c) the general rules of international law as specified under Article 2(5) of the Constitution; and

(d) any treaty and convention ratified by Kenya under Article 2 (6) of the Constitution.

*(Question of the new clause proposed)*

*(New clause read the First Time)*

*(Question, that the new clause be read a Second Time, proposed)*

**The Temporary Deputy Chairman** (Hon. Omulele): Hon. Oundo, you have something to say to this? Hon. Maanzo what you were saying previously is now relevant.

**Hon. Maanzo:** I was saying this is very important because it is still within the purview of Parliament and that this will guide the fees which will be charged in case of planning and schedules to bring to effect the statute made by the CS, Planning will have to come to the Committee of Parliament on Delegated Legislation. It is proper and I support those amendments.



**Hon. (Ms.) Nyamai:** Hon. Temporary Deputy Chairman, the purpose of this amendment is that the Bill as it is does not have provisions for making regulations. In this regard, the amendment seeks to include provisions on delegated powers of the CS to make regulations

*(Question, that the new clause be read  
a Second Time, put and agreed to)*

*(The new clause was read a Second Time)*

*(Question, that the new clause be added to  
the Bill, put and agreed to)*

#### *First Schedule*

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, the First Schedule to the Bill be amended by deleting the words “or the Governor, as the case shall be” in paragraph 1.

The amendment seeks to remove reference to the term “Governor” as the rule declaring vacancies in the consultative forum lies with the CS and not the governor.

*(Question of the amendment proposed)*

*(Question, that the words to be left out be left out,  
put and agreed to)*

*(First Schedule as amended agreed to)*

#### *Second Schedule*

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Second Schedule to the Bill be amended—

(a) in paragraph 2(1) by deleting the word “regional” and substituting therefor the word “Inter-County”.

(b) in paragraph 9(1) by deleting the word “regional” and substituting therefor the word “Inter-County” wherever it appears.

*(Question of the amendment proposed)*

*(Question, that the words to be left out be left out,  
put and agreed to)*

*(Question, that the words to be inserted  
in place thereof be inserted, put and agreed to)*

*(Second Schedule as amended agreed to)*

*(Third and Fourth Schedule agreed to)*

*Clause 2*

**The Temporary Deputy Chairman** (Hon. Omulele): We have two amendments and we will start with the Chair followed by the Hon. Leader of the Majority Party

**Hon. Mwashetani:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, clause 2 of the Bill be amended—

(a) by deleting the definition “regional physical development plan” and substituting therefor the following new definition—

“Inter-County physical development plan” means a plan for the area covering two or more counties or parts thereof; and

(b) by inserting the following new definition in its alphabetical sequence—

“electronic media” means any electronic medium including television or radio, that may be used to transmit information.”

The amendment seeks to uphold the provisions of Article 6 and Article 176 of the Constitution which recognise the counties as the administrative unit. Further, the amendment seeks to provide publication of notices by the planning authorities through electronic media in addition to publication in the gazetted local dailies or newspapers. Electronic media is efficient but a very expensive mode of communication.

*(Question of the amendment proposed)*

**The Temporary Deputy Chairman** (Hon. Omulele): I see interest from Hon. Oundo.

**Hon. (Dr.) Oundo:** Thank you, Hon. Temporary Deputy Chairman for this opportunity. My only concern is that planning as a discipline has very specific terms used all over the world. I feel in as much as we want to localise our planning procedures and practices, there are some honoured terminologies which we should not tamper with. Probably, we can retain the term “regional plans” but then redefine it in the context of our local situation.

**The Temporary Deputy Chairman** (Hon. Omulele): I will leave it to the plenary to decide.

*(Question, that the words to be left out  
be left out, put and agreed to)*

*(Question, that the words to be inserted in place thereof  
be inserted, put and agreed to)*

*(Question, that the words to be  
inserted be inserted, put and agreed to)*

Let us have the Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairman, I beg to move:

THAT, clause 2 of the Bill be amended by inserting the following new definition in proper alphabetical sequence—

“safe guarding area” means any area adjoining any land owned or occupied by the Kenya Defence Forces”;

I am trying to define what “safeguarding area” means.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted be inserted, put and agreed to)*

*(Clause 2 as amended agreed to)*

*(Title agreed to)*

*(Clause 1 agreed to)*

**The Temporary Deputy Chairman** (Hon. Omulele): I now call upon the Mover to report.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairman, I beg to move that the Committee do report to the House its consideration of the Physical Planning Bill (National Assembly Bill No.34 of 2017) and its approval thereof with amendments.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

*[The Temporary Deputy Speaker  
(Hon. (Ms.) Mbalu) in the Chair]*

## REPORT

### THE PHYSICAL PLANNING BILL

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Order Members! Can the Vice-Chair report to the House.

**Hon. Omulele:** Hon. Temporary Deputy Speaker, I beg to report that a Committee of the whole House has considered the Physical Planning Bill (National Assembly Bill No.34 of 2017) and approved the same with amendments.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): The Leader of the Majority Party as the Mover of the Bill.

**Hon. A.B. Duale:** Hon. Speaker, I beg to move that this House do agree with the report of the Committee of the whole House in its consideration of the Physical Planning Bill (National

Assembly Bill No.34 of 2017). I also request Hon. Nyamai, the Chair of the Departmental Committee on Lands to second the Motion.

**Hon. (Ms.) Nyamai:** I second.

*(Question proposed)*

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Hon. Members for obvious reasons, I will not put the Question. I order that the Question be put at the next appropriate time as approved by the House Business Committee .

*(Putting of the Question deferred)*

Next Order!

*Second Reading*

#### THE SACCO SOCIETIES (AMENDMENT) BILL

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): The Leader of the Majority Party, are you ready?

**Hon. A.B. Duale:** Hon. Temporary Deputy Speaker, concerning the SACCO Societies (Amendment) Bill, the Committee is yet to bring its Report. I ask that we step it down and, of course, the other Orders nos.13 and 14. All of them are my Bills and I need to consult with the Chairs. Maybe the House Business Committee will put them in the next available sitting of the House.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): The Leader of the Majority Party, we will go Order by Order. Thank you for the explanation I am satisfied.

*(Bill deferred)*

*Second Reading*

#### THE WAREHOUSE RECEIPTS SYSTEM BILL

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): The Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Temporary Deputy Speaker, I cannot move the Warehouse Receipts System (Bill No.2 of 2018) because the Chair of that Committee is supposed to second it and, of course, I cannot see him. So we can move it to the next available sitting of the House.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Noted. So, Order No.13 is deferred.

*(Bill deferred)*

Next Order!

*Second Reading*

## THE LAND VALUE INDEX LAWS (AMENDMENT) BILL

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Again, the Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Temporary Deputy Speaker, you can see the Chair and Vice-Chair of the Departmental Committee on Lands are seated next to me. They are taking ages to bring the Report of the Land Value Index Laws (Amendment) Bill to the House. I want to tell them that you will reprimand them as per the Standing Orders. This Bill is more important to the Executive and Government than even the Physical Planning Bill. So, I want to ask Hon. Nyamai, as we defer this Bill to go on HANSARD and tell the House when she will table that Report. It is now close to about two months.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): The Leader of the Majority Party wants Hon. Nyamai to say something. Without the Report we cannot execute Order No.14.

**Hon. (Ms.) Nyamai:** Thank you, Hon. Temporary Deputy Speaker. We know that this is a very important Bill for the country because it touches on matters of compensation. The Committee has already started working on it.

Hon. Temporary Deputy Speaker, I am going to consult with my Committee and I would like to undertake that we are going to do it as soon as possible. I would like the Leader of the Majority Party, who is our senior, to also appreciate that this Bill that we have just finalised today also had a lot of work to be done and you can see the good job that the Departmental Committee on Lands has done. So, I seek your indulgence that we will do it the soonest possible.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): I can see the Leader of the Majority Party is nodding. I do not know if he is appreciating.

**Hon. A.B. Duale:** Hon. Temporary Deputy Speaker, the Standing Orders are very clear. When a Bill is read for the First Time, the Committee has 21 days to submit a report, whether it has many other Bills or not. Hon. Nyamai is one of the best Chairs. Her Vice Chairman is also one of the best but they cannot take indefinite time. I hope they will table the report before we go on recess.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): The Vice Chairman, you wanted to comment something on this.

**Hon. Mwashetani:** I just want to complement the sentiments of my able Chair. We have had so much on our table. These Bills have been going on concurrently with the one we just concluded. So, give us some time. We have a team which is able. We will table it. Give us some time.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): The Chair said the soonest time possible. The Chair and Vice Chair, you are equal to the task and I think it is important we do this so that we can finish.

So, Order No. 14 is stood down again as we wait for the Report to be tabled before the House.

## ADJOURNMENT

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): There is no any other business in the Order Paper. Allow me to congratulate all the Members for the work that you have done today and yesterday in the Committee of the whole House. The time being 6.12 p.m., this House stands adjourned until Wednesday, 2<sup>nd</sup> May 2018, at 2.30 p.m.

The House rose at 6.12 p.m.