



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – THIRD SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, MARCH 20, 2019**

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Hon. Speaker
4. **PAPERS LAID**

The following Papers were laid on the Table –

- a) Reports of the Auditor General on the financial statements in respect of the following institutions for the year ending 30<sup>th</sup> June, 2017 and the certificates therein: -
  - i. Egerton University
  - ii. Kisumu West constituency
  - iii. Awendo constituency
  - iv. Kitutu Chache
- b) Reports of the Auditor General on the financial statements in respect of the following institutions for the year ending 30<sup>th</sup> June, 2018 and the certificates therein: -
  - i. Judicial Service Commission
  - ii. Kirinyaga University
  - iii. Karatina University
  - iv. Office of the Controller of Budget
  - v. Outstanding Obligations guaranteed by the Kenya Government

*(The Majority Party Whip)*

5. **NOTICE OF MOTION** – (Hon. Muturi Kigano)

The following Notice was given –

THAT, aware of our ethnic, cultural and religious diversity as recognized by the Constitution; further aware that Article 27(4) of the Constitution provides that the State shall not discriminate directly or indirectly against any person on any ground, including religion; noting that Article 32 of the Constitution provides that every person has the right to freedom of religion; cognizant of the fact that the rights and freedoms under Articles 27 and 32 of the Constitution are not absolute but are rights and freedoms that can be limited; concerned that the Country has been experiencing a proliferation and emergence of cults and sects under the guise of religious institutions; further concerned that the general public and revenue collection agencies have often fallen prey to fraudulent and unscrupulous persons acting as religious leaders; also concerned that the growth of these religious institutions remain largely unregulated including on matters such as the registration, standards of operation, requirements for establishment, appointment and qualifications for religious leaders, among other things; this House resolves that the Office of the Attorney General –

- (i) Forthwith undertakes an audit of all religious institutions in Kenya including examining their bank accounts and qualifications of the religious leaders, with a view to formulating self-regulatory mechanisms; and,
- (ii) Submits a report to the House on the audit within ninety (90) days of passage of this Motion.

## 6. **QUESTIONS**

The following Questions were asked –

- (i) **Question by Private Notice No. 012/2019** by the Member for Kakamega County (Hon. Elsie Muhanda, MP) regarding distribution of Sanitary towels in Butere, Navakholo, Mumias West and Malava Constituencies in Kakamega County

*(To be replied by the Cabinet Secretary for Public Service, Youth and Gender Affairs before Departmental Committee on Education and Research)*

- (ii) **Question No. 127/2019** by the Member for Trans Nzoia County (Hon. Janet Nangabo Wanyama, MP) regarding fresh claims of abuse of migrants in the Middle East that has led to loss of lives.

*(To be replied by the Cabinet Secretary for Labour and Social Protection before the Departmental Committee on Labour and Social Welfare)*

- (iii) **Question No. 130/2019** by the Nominated Member (Hon. Dennitah Ghati, MP) regarding criteria used in determining the beneficiaries of the fund for Persons with Severe Disabilities Fund in the country.

*(To be replied by the Cabinet Secretary for Labour and Social Protection before the Departmental Committee on Labour and Social Welfare)*

The following Question was deferred –

- (iv) **Question No. 129/2019** by the Member for West Mugirango Constituency (Hon. Vincent Kemosi Mogaka, MP) regarding increased cases of insecurity in West Mugirango Constituency, particularly in Bogichora Ward.

7. **PROCEDURAL MOTION - LIMITATION OF DEBATE ON BUSINESS UNDER STANDING ORDER 146**

Motion made and Question proposed –

**THAT**, pursuant to the provisions of Standing Order 97(1), this House orders that, each speech in the general debate contemplated under Standing Order 146 (*Consideration of Senate amendments to Bills originating in the National Assembly*) be limited as follows:- a maximum of one hour and thirty minutes, with not more than fifteen minutes (15) for the Mover in moving, fifteen minutes (15) for the Chairperson of the relevant Departmental Committee, and five (5) minutes for any other Member speaking, including the Leader of the Majority Party and the Leader of the Minority Party (if the Bill is not a party-sponsored Bill), and that five (5) minutes before the expiry of the time, the Mover shall be called upon to reply; and further that priority in speaking shall be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

*(The Majority Party Whip)*

Question put and agreed to.

8. **SPECIAL MOTION - REPORT ON THE VETTING OF THE NOMINEE FOR APPOINTMENT AS THE CABINET SECRETARY FOR EDUCATION**

Motion made and Question proposed –

**THAT**, taking into consideration the findings of the Committee on Appointments in its Report on the *Vetting of the Nominee for Approval as the Cabinet Secretary for the Ministry of Education, laid on the Table of the House on Tuesday, March 19, 2019*, and pursuant to the provisions of Article 152(2) of the Constitution and sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Prof. George Albert Omoro Magoha** as the Cabinet Secretary for the Ministry of Education.

*(The Leader of the Minority Party)*

Debate arising;

Mover replied;

Question put and agreed to.

9. **THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2019)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Division of Revenue Bill, (National Assembly Bill No. 11 of 2019) be read a Second Time.

*(Chairperson, Budget and Appropriations Committee)*  
*(Change of Chair from the Speaker to the Second Chairperson)*

Debate arising;

Rising in his place pursuant to Standing Order 95, the Hon. Oyoo James claimed that the mover be called upon to reply;

Question proposed that the mover be called upon to reply;

Question put and agreed to.

Thereupon mover replied;

Putting of question deferred to another day.

10. **COMMITTEE OF THE WHOLE HOUSE**

The Division of Revenue Bill (National Assembly Bill No. 11 of 2019)  
(The Chairperson, Budget & Appropriations Committee)

Order deferred to another day

11. **MOTION - REPORT ON A MEETING TO PROMOTE AND POPULARIZE THE RATIFICATION OF THE PROTOCOL ON THE FREE MOVEMENT OF PERSONS AND ITS IMPLEMENTATION ROADMAP**

**THAT**, this House **notes** the Report of the Departmental Committee on Defence and Foreign Relations on a meeting with the Member States and Secretaries of the Economic Community of West African States and East African Community to promote and popularize the Ratification of the Protocol on the Free Movement of Persons and its Implementation Roadmap, *laid on the Table of the House on Wednesday, November 21, 2018.*

Order deferred to another day

12. **MOTION – RATIFICATION OF THE REVISED CONSTITUTION OF THE AFRICAN CIVIL AVIATION COMMISSION**

**THAT**, this House adopts the Report of Departmental Committee on Transport, Public Works and Housing on its consideration of the Revised Constitution of the African Civil Aviation Commission (AFCAC) for Ratification, *laid on the Table of House on Tuesday, March 12, 2019*, and pursuant to section 8 of the Treaty Making and Ratification Act, 2012 **approves** the Ratification of the Revised Constitution of the African Civil Aviation Commission.

Order deferred to another day

13. **MOTION - REPORT ON AN INSPECTION VISIT TO THENAMANGA ONE STOP BORDER POST IN KAJIADO COUNTY**

**THAT**, this House **adopts** the Report of the Committee on Regional Integration on Inspection Visit of the Namanga One Stop Border Post, Kajiado County held from 7th to 10th April 2018, *laid on the Table of the House on Tuesday, November 13, 2018.*

Order deferred to another day

And the time being twenty eight minutes past six O'clock, the Second Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

14. **HOUSE ROSE** - at twenty eight minutes past six O'clock

**M E M O R A N D U M**

The Speaker will take the Chair on  
Thursday, March 21, 2019 at 2.30 p.m.

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