



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, OCTOBER 02, 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. **PETITIONS**

The following petitions were presented –

- (i) Petition reported by the Speaker –

REGARDING LENIENCY IN REQUIREMENTS FOR ACCESSING PUBLIC SECTOR EMPLOYMENT OPPORTUNITIES

“Honourable Members, Standing Order 225(2) (b) requires the Speaker to report to the House any Petition, other than those presented by a Member. I therefore wish to report to the House that my office has received a Petition, submitted by Mr. Machuka Nyarieko from Nyamasibi Location, Kisii County. The Petitioner seeks to indulge the National Assembly to address the plight of citizens who are not able to access to employment in the public sector due to stringent requirements for accessing employment opportunities.

Honourable Members, the Petitioner states that pre-employment requirements to acquire such as obtaining clearance certificates from the Higher Education Loans Board (HELB) and the Credit Reference Bureau (CRB); a Tax Compliance Certificate from the Kenya Revenue Authority (KRA); a Integrity Certificate from the Ethics and Anti-Corruption Commission (EACC) and a Certificate of Good Conduct from the Police Service impede poor citizens from seeking employment on account of compliance. The Petitioner is concerned that the process of repeatedly obtaining the documents, which have an expiry period, is costly and even after the arduous task of obtaining the documents, there is no guarantee of landing the job sought. The Petitioner is of the opinion that such documents should not be used as hindrances in obtaining employment and instead, emphasis should be on merit, so as unemployed citizens, some of them potential HELB loan defaulters, to meet their obligations upon obtaining a source of income.

Honourable Members, the Petitioner therefore prays that the House, through the Departmental Committee on Labour and Social Welfare, intervenes with a view to ensuring that the Government ease the rigorous documentation requirements to be complied with by job seekers and to, inter alia, comply with Article 55(c) of the Constitution requiring the

state to take measures to ensure that youth access to employment and Article 56(c) obligating the state to take affirmative action programmes to ensure youths, as marginalised group, are provided with special opportunities for access to employment.”

- (ii) Petition presented by the Member for Ikolomani (Hon. Benard Shinali) on behalf of concerned residents regarding delayed compensation of land acquired for the expansion of *Sigalagala–Musoli–Bukura–Butere* Road; and
- (iii) Petition presented by the Member for Hamisi (Hon. Charles Gimose) on behalf of concerned residents of Vihiga County on settlement and compensation of families dispossessed of land in Vihiga County.

Petitions referred to relevant Departmental Committees pursuant to Standing Order 227.

5. PAPERS LAID

The following Papers were laid on the Table –

- (i) The 2018/19 Annual Public Debt Management Report from the National Treasury and Planning;
- (ii) The Reports of the Auditor-General on the Financial Statements in respect of the following constituencies for the year ended 30th June, 2018 and the certificates therein-
 - a) Butere;
 - b) Vihiga;
 - c) Kisumu East;
 - d) Matungu;
 - e) Mumias West;
 - f) Sirisia;
 - g) Subukia; and
 - h) Tongaren.

(Majority Party Whip)

- (iii) The Report of the Committee on Delegated Legislation on its consideration of –
 - a) The Retirement Benefits (Occupational Retirement Benefits Schemes) (Amendment) Regulations, 2019 (Legal Notice No. 88 of 2019); and
 - b) The Insurance (Motor Vehicles Third Party Risks) (Certificate of Insurance) (Amendment) Rules, 2019 (Legal Notice No. 92 of 2019).

(Hon. Gladys Shollei- Chairperson, Committee on Delegated Legislation)

6. NOTICES OF MOTION

The following Notices of Motion were given -

- (i) **Report on the Retirement Benefits (Occupational Retirement Benefits Schemes) (Amendment) Regulations, 2019**

THAT, this House adopts the Report of the Committee on Delegated legislation on its consideration of the Retirement Benefits (Occupational Retirement Benefits Schemes) (Amendment) Regulations, 2019 (Legal Notice No. 88 of 2019), laid on the table of the House on Wednesday, October 02, 2019, 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.

(Hon. Gladys Sholei- Chairperson, Committee on Delegated Legislation)

(ii) **Report on the Insurance (Motor Vehicles Third Party Risks) (Certificate of Insurance) (Amendment) Rules, 2019 (Legal Notice No. 92 of 2019)**

THAT, this House adopts the Report of the Committee on Delegated legislation on its consideration of the Insurance (Motor Vehicles Third Party Risks) (Certificate of Insurance) (Amendment) Rules, 2019 (Legal Notice No. 92 of 2019), laid on the table of the House on Wednesday, October 02, 2019, 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.

(Hon. Gladys Sholei- Chairperson, Committee on Delegated Legislation)

(iii) **Motion for Adjournment of the House to discuss a definite matter of urgent National importance regarding the recent tragic likoni ferry accident where a car with two occupants slithered off a ferry into the ocean**

Rising in her place on a Point of Order, the Member for Likoni (Hon. Mishi Mboko) claimed to move a Motion for adjournment of the House under the provisions of Standing Order 33 in order to discuss a definite matter of urgent national importance regarding the recent tragic likoni ferry accident where a car with two occupants slithered off a ferry into the ocean;

And the Speaker acceding to the claim;

And there being sufficient number of Members rising in their places in support of the claim;

Thereupon the Speaker directed that the Motion be moved at 5.00 p.m. today.

7. **QUESTIONS**

The following Questions were asked –

- (i) **Question No. 433/2019** by the Member for Tigania West (Hon. John Kanyuithia, MP) regarding escalation of crime rates in areas where National Police Reservists were disarmed.

(To be replied by the Cabinet Secretary for Interior and Coordination of National Government before the Departmental Committee on Administration and National Security)

- (ii) **Question No. 434/2019** by the Member for Tharaka (Hon. George Murugara, MP) concerning inordinate delays in the release of electrification construction materials imported into the Country by Kenya Power's contractors.

(To be replied by the Cabinet Secretary for Energy before the Departmental Committee on Energy)

- (iii) **Question No. 436/2019** by the Member for Butere (Hon. Tindi Mwale, MP) regarding increasing the number of police officers in Butere Constituency.

(To be replied by the Cabinet Secretary for Interior and Coordination of National Government before the Departmental Committee on Administration and National Security)

The following Question was deferred –

Question No. 435/2019 by the Member for Kipkelion West (Hon. Hillary Kosgey, MP) concerning the case of Police Constable Rebecca Moraa of Service No. 117166, who was suspended from service in April 2019 under unclear circumstances.

8. STATEMENTS

- (i) The following Statements were issued by the Hon. Paul Koinange, Chairperson of Departmental Committee on Administration and National Security in response to requests made Members for Endebess, Laikipia West and Laikipia County pursuant to Standing Orders 44(2)(c) –

- a) Statement by the Member for Endebess (Hon. Robert Pukose) on alleged forceful eviction of residents of Mowlem area, Endebess Constituency and the killing of a minor; and
- b) Statement by the Member for Laikipia West (Hon. Patrick Mariru) on insecurity in Laikipia West Constituency.

- (ii) The response to a Request for a Statement by the Member for Laikipia County (Hon. Catherine Waruguru) on issuance of work permits to foreign nationals was laid on the Table of the House as the Member was absent.

9. THE EARLY CHILDHOOD EDUCATION BILL (SENATE BILL NO.26 OF 2018)

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Early Childhood Education Bill (Senate Bill No.26 of 2018) be now read a Second time

(Chairperson, Departmental Committee on Education and Research – 26.09.2019)

Debate on the Second Reading having been concluded on Tuesday, October 01, 2019;

Question put and agreed to;

Bill read a Second Time and committed to the Committee of the whole House, tomorrow.

10. MOTION - RATIFICATION OF THE AGREEMENT FOR THE ESTABLISHMENT OF THE INTERNATIONAL ANTI-CORRUPTION ACADEMY AS AN INTERNATIONAL ORGANIZATION

Motion made and Question proposed –

THAT, this House adopts the Report of the Departmental Committee on Justice and Legal Affairs on its consideration of the Instrument for Ratification of the Agreement for the Establishment of the International Anti-Corruption Academy as an International Organization, *laid on the Table of the House on Wednesday, June 26, 2019*, and pursuant to section 8 of the Treaty Making and Ratification Act, 2012 **approves** the Ratification of the Agreement for the Establishment of the International Anti-Corruption Academy as an International Organization.

(Chairperson, Departmental Committee on Justice & Legal Affairs)

Debate arising;

(Change of Chair from the Speaker to the Third Chairperson)

At 5.00 pm, being the time nominated by the Speaker, the Second Chairperson adjourned debate without Question put to allow the Member for Likoni (Hon. Mishi Mboko) to move a Motion of Adjournment of the House pursuant to Standing Order 33 to discuss a definite matter of urgent national importance regarding the recent Likoni Ferry car tragedy.

11. ADJOURNMENT OF THE HOUSE TO DISCUSS A DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE REGARDING THE RECENT LIKONI FERRY CAR TRAGEDY

Motion made –

THAT, the House do now adjourn to discuss a definite matter of urgent national importance regarding the recent Likoni Ferry car tragedy and delayed recovery of the car and bodies of its occupants;

(Hon. Mishi Mboko)

(Change of Chair from the Third Chairperson to the Second Chairperson)

Debate arising;

And the time being Seven o'clock, the Second Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

12. HOUSE ROSE - at Seven o'clock

MEMORANDUM

The Speaker will take the Chair on
Thursday, October 03, 2019 at 2.30 p.m.