



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – FOURTH SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, APRIL 29, 2020**

1. The House assembled at Ten O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Hon. Deputy Speaker
4. **PAPERS**

The following Papers were laid on the Table of the House–

- (i) The Ministry of Public Service, Youth and Gender Annual Performance Report for the Financial year 2018/2019 (*pursuant to Article 153 (4)(a) & (b) of the Constitution*)
- (ii) The Public Health (COVID-19 Restriction of Movement of Persons and Related Measures) Variation Rules, 2020 – L.N. 56/2020 and its Explanatory Memorandum
- (iii) The Public Health (COVID-19 Restriction of Movement of Persons and Related Measures) Variation Rules, No. 2 of 2020 – L.N. 58/2020 and its Explanatory Memorandum  
*(Leader of the Majority Party)*
- (iv) Report of the Committee on Finance of the Parliamentary Service Commission on the Estimates of Recurrent and Development Expenditure of the Parliamentary Service Commission for the Year ending 30<sup>th</sup> June 2021 and Projections for 2021/2022-2023

*(Hon. Adan Keynan- Chairperson, Committee on Finance of the Parliamentary Service Commission)*

- (v) Report of the Select Committee on the National Government Constituencies Development Fund on the vetting of Nominee for appointment as the Chief Executive Officer to the National Constituencies Development Fund Board

*(Hon. Maoka Maore- Chairperson, Select Committee on the National Government Constituencies Development Fund)*

- (vi) Report of the Departmental Committee on Finance and National Planning on its consideration of the Public Finance Management (Amendment) Bill (National Assembly Bill No. 2 of 2020)

*(Hon. Joseph Limo- Chairperson, Departmental Committee on Finance & National Planning)*

- (vii) Report of the Departmental Committee on Justice and Legal Affairs on its consideration of the Small Claims Court (Amendment) Bill (National Assembly Bill No. 4 of 2020)

*(Hon. William Cheptumo, - Chairperson, Departmental Committee on Justice and Legal Affairs)*

## 5. **NOTICES OF MOTION**

The following Notices of Motion were given –

- (i) **Report on the Vetting of a Nominee for Appointment as the Chief Executive Officer of the National Government Constituencies Development Fund Board**

**THAT**, taking into consideration the findings of the Select Committee on the National Government Constituencies Development Fund in its Report on the Vetting of a Nominee for Appointment as the Chief Executive Officer of the National Government Constituencies Development Fund Board, laid on the Table of the House on Wednesday, April 29, 2020, and pursuant to section 20(1) of the National Government Constituencies Development Fund Act, 2015 and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House approves the appointment of Mr. Yusuf Mbuno as the Chief Executive Officer of the National Government Constituencies Development Fund Board.

*(Hon. Maoka Maore- Chairperson, Select Committee on the National Government Constituencies Development Fund)*

- (ii) **Establishment of an Ad-Hoc Committee on COVID-19 Prevention, Response and Management**

**THAT**, AWARE THAT the Coronavirus disease (COVID-19) was declared by the World Health Organization (WHO) to be a Public Health Emergency of International concern; DEEPLY CONCERNED THAT, the serious threat posed to the health and social-economic lives of Kenyans by the continued the spread of the COVID-19 pandemic; APPRECIATING THAT, both the National and County Governments have put in place

some targeted interventions to respond and manage the COVID-19 pandemic through among others, enhanced medical and public health actions, mitigating social-economic shocks arising from the impact of the pandemic, creation of **a National Emergency Response Fund** to bolster the national response to the pandemic, and formation of a National Emergency Response Committee on Coronavirus which is tasked with among other things, to coordinate Kenya's preparedness, prevention and response to the threat of COVID-19, and develop mitigation strategies with regard to the disease; COGNIZANT THAT, some of the policy measures and targeted interventions put in place by the Government are yet to be anchored in legislation and approved by Parliament.

**NOW THEREFORE**, this House resolves as follows –

- (i) to acknowledge and appreciate individuals and corporate entities, development partners and multinational institutions for local and international technical, financial and human assistance efforts and support in response to the pandemic;
- (ii) to establish an ad-hoc Committee to be known as the Select Committee on Coronavirus (COVID-19) Prevention, Response and Management, whose mandate will be as follows-
  - a) Develop necessary legislative measures, guidelines and any other related matter on COVID-19 prevention, response and management through which Kenya anchors the efforts by the Government to prevent, combat and respond to the pandemic, and to future pandemics, including but not limited to, ensuring enhanced medical and public health actions and facilities, cushioning the country from the effects of such a pandemic, social protection measures, economic stimulus for the Micro, Small and Medium Enterprises, and public order measures for the Country to maintain competent functions during and after such pandemic;
  - b) Coordinate closely with the National Emergency Response Committee on Coronavirus which is tasked with among other things, coordinating the country's preparedness, prevention and response in the actions and measures taken to ensure that the Committee delivers on its mandate more effectively;
  - c) Consider funding needs and requirements on COVID-19 prevention, combat, response and management; and
  - d) to report and make recommendations on items (a), and (c) above and any other related matter within seven (7) days, and give a progress report on item (b) weekly until the end of the pandemic.
- (iii) that the Membership of the Committee be as follows-
  - 1) The Hon. M. D. Ngunjiri Wambugu, M.P.
  - 2) The Hon. (Dr.) Amos Kimunya, M.P.
  - 3) The Hon. (Dr.) Makali Mulu, M.P.
  - 4) The Hon. Yusuf Hassan, M.P.
  - 5) The Hon. Alice Wahome, M.P.
  - 6) The Hon. Florence Mutua, M.P.
  - 7) The Hon. Peris Tobiko, M.P.
  - 8) The Hon. Peter Kaluma, M.P.

- 9) The Hon. Mishi Khamisi, M.P.
- 10) The Hon. Beatrice Nyaga, M.P.
- 11) The Hon. Janet Ongera, M.P.
- 12) The Hon. (Dr.) Otiende Amollo, M.P.
- 13) The Hon. Gathoni Wamuchomba, M.P.
- 14) The Hon. Godfrey Osotsi, M.P.
- 15) The Hon. Didmus Barasa, M.P.
- 16) The Hon. Joshua Kandie, M.P.
- 17) The Hon. (Dr.) Daniel Kamuren Tuitoek, M.P.
- 18) The Hon. Patrick Munene, M.P.
- 19) The Hon. Anthony Oluoch, M.P.
- 20) The Hon. John Kiarie, M.P.
- 21) The Hon. Abdi Omar Shurie, M.P.
- 22) The Hon. Major (Rtd) Bashir Abdullaih, M.P.
- 23) The Hon. Teddy Mwambire, M.P.

*(Hon. Ngunjiri Wambugu- Member for Nyeri Town)*

## **6. STATEMENTS**

Pursuant to Standing Order 44 (2) (c), the following Statements were requested—

- (i) The Member for Teso North (Hon. Oku Kaunya) sought a Statement from the Chairperson of the Departmental Committee on Health regarding measures undertaken by the Government in Malaba Border on management of spread of Corona Virus Disease (COVID- 19). The Chairperson undertook to respond to the matter in a Statement to be issued during the afternoon sitting;
- (ii) The Member for Kisumu Town West (Hon. Olago Aluoch) sought a Statement from the Chairperson of the Departmental Committee on Communication, Information and Innovation regarding failure of the Cabinet Secretary to Gazette the Media Complaints Commission under Section 27 of the Media Council Act. The Leader of Majority Party undertook to respond to the matter in a week's time;
- (iii) The Member for Kiminini (Hon. Chrisanthus Wamalwa) sought a Statement from the Chairperson of the Departmental Committee on Health regarding alleged demolition of a top scientist, Dr. Joel Lutomiah, at the Kenya Medical Research Institute(KEMRI). The Chairperson undertook to respond to the matter in a Statement to be issued during the afternoon sitting; and
- (iv) The Member for Ugenya (Hon. David Ochieng) sought a Statement from the Chairperson of the Departmental Committee on Administration and National Security regarding violation of human rights in the country during the COVID- 19 pandemic period. A Member of the Committee undertook that the Committee would respond to the matter in a week's time.

7. **PROCEDURAL MOTION – REDUCTION OF PUBLICATION PERIOD FOR A SPECIFIED BILL**

Motion made and Question proposed -

**THAT**, notwithstanding the provisions of Standing Order 120, this House resolves to reduce the publication period of the Supplementary Appropriation Bill (National Assembly Bill No. 9 of 2020) from 7 days to 2 days.

*(The Chairperson, Budget & Appropriations Committee)*

There being no debate arising;

Question put and **agreed to.**

8. **THE SUPPLEMENTARY APPROPRIATION BILL (NATIONAL ASSEMBLY BILL NO. 9 OF 2020)**

Order for First Reading read;

*(The Chairperson, Budget & Appropriations Committee)*

Bill read a First Time and ordered to be read a Second Time today.

9. **THE SUPPLEMENTARY APPROPRIATION BILL (NATIONAL ASSEMBLY BILL NO. 9 OF 2020)**

Order for Second Reading read;

Motion made and Question proposed –

**THAT**, the Supplementary Appropriation Bill (National Assembly Bill No. 9 of 2020) be now read a Second Time.

*(The Chairperson, Budget and Appropriations Committee)*

Debate arising;

*(Change of Chair from the Deputy Speaker to the Fourth Chairperson of Committees)*

Rising in his place on a Point of Order pursuant to Standing Order 95, the Member for Endebess (Hon. (Dr.) Robert Pukose) claimed to move “that the Mover be now called upon to reply”;

And the Speaker not acceding to the claim, debate continued;

Rising in his place on a Point of Order pursuant to Standing Order 95, the Member for Gatundu South (Hon. Moses Kuria) claimed to move “that the Mover be now called upon to reply”;

And the Speaker having acceded to the claim;

Question put and agreed to;

Thereupon, Mover replied;

Question put and agreed to.

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

10. **THE SMALL CLAIMS COURT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2020)**

Order for Second Reading read;

Motion made and Question proposed –

**THAT**, the Small Claims Court (Amendment) Bill (National Assembly Bill No. 4 of 2020) be now read a Second Time.

*(Leader of the Majority Party)*

There being no debate arising;

And Rising in his place on a Point of Order pursuant to Standing Order 95, the Member for Endeless (Hon. (Dr.) Robert Pukose) claimed to move “that the Mover be now called upon to reply”;

And the Speaker having acceded to the claim;

Question put and agreed to;

Thereupon, Mover replied;

Question put and agreed to.

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

11. **THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2020)**

Order deferred to tomorrow.

12. **SPECIAL MOTION– APPROVAL OF NOMINEES FOR APPOINTMENT TO THE TEACHERS SERVICE COMMISSION**

Motion made and Question proposed –

**THAT**, taking into consideration the resolution of the House made during the Morning Sitting of Wednesday, 22nd April, 2020 rejecting a *Special Motion proposing the rejection of Nominees for Appointment to the Teachers Service Commission* and taking cognizance of the provisions of Articles 250(2)(b) and 259(11) of the Constitution and pursuant to the provisions of section 8 of the Teachers Service Commission Act, 2012, this House now **approves** the appointment of the following persons as **Members** of the Teachers Service Commission:

(i) Mr. Mbage Njuguna Ng’ang’a; and

(ii) Ms. Leila Abdi Ali.

*(Leader of the Majority Party)*

There being no debate arising;

And Rising in his place on a Point of Order pursuant to Standing Order 95, the Member for Tharaka (Hon. George Murugara) claimed to move “that the Mover be now called upon to reply”;

And the Speaker having acceded to the claim;

Question put and agreed to;

Thereupon, Mover replied;

Question put and agreed to.

And the time being One O' clock, the Fourth Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

13. **HOUSE ROSE** - at One O'clock.

**MEMORANDUM**

The Speaker will take the Chair on  
Wednesday, April 29, 2020 at 2.30 p.m.

---x---