



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FOURTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, APRIL 22, 2020

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

4. **MESSAGES**

The Speaker conveyed the following Message from the Senate –

Passage by the Senate of the Division of Revenue Bill (National Assembly Bill No. 3 of 2020)

“Honourable Members, as you are aware, Standing Order 41(5) of the National Assembly Standing Orders requires the Speaker to cause the transmission of any Message received from the Senate at a time when the House is not in Session to every Member and later report such Message to the House at its next sitting. In this regard, on April 16, 2020, I did notify you of a Message from the Senate regarding the passage of the Division of Revenue Bill (National Assembly Bill No. 3 of 2020).

Honourable Members, the Message conveyed that the Senate considered and passed the said Bill on Tuesday, 14th April, 2020 with amendments to Clause 4 and the Schedule, and now seeks the concurrence of the National Assembly on the said amendments in accordance with the provisions of Article 112 (1)(b) of the Constitution.

Honourable Members, upon notification to all Members pursuant to the provisions of Standing Order 41(5) and (6), I did refer the Message to the Budget and Appropriations Committee for consideration. I am aware, that the Committee is already seized of the matter and will submit its Report this morning to guide the House during its consideration of the Senate amendments to the Bill.

Honourable Members, given the urgent need to pass this Bill, the House Business Committee has scheduled the amendments for consideration by the House this afternoon, and they will be considered in the manner provided for under Standing

Orders 145, 146 and 147 (consideration of Senate amendments to Bills originating in the National Assembly).

I thank you!"

5. PAPER LAID

The following Paper was laid on the Table of the House –

- (i) Legal Notice No. 32 of 2020 relating to the Law Society (General) Regulations, 2020 and the Explanatory Memorandum;
- (ii) Legal Notice No. 33 of 2020 relating to the Special Economic Zones (Amendment) Regulations, 2020 and the Explanatory Memorandum;
- (iii) Legal Notice No. 40 of 2020 relating to the Capital Markets (Coffee exchange) Regulations, 2020 and the Explanatory Memorandum;
- (iv) Legal Notice No. 41 of 2020 relating to the Capital Markets (Commodity Markets) Regulations, 2020 and the Explanatory Memorandum;
- (v) Legal Notice No. 50 of 2020 relating to the Public health (Covid-19 Restriction of Movement of Persons and Relate Measures) Rules, 2020 and the Explanatory Memorandum;
- (vi) Legal Notice No. 51 of 2020 relating to the Public health (Covid-19 Restriction of Movement of Persons and Relate Measures) (Nairobi Metropolitan Area) Order, 2020 and the Explanatory Memorandum;
- (vii) Legal Notice No. 52 of 2020 relating to the Public health (Covid-19 Restriction of Movement of Persons and Relate Measures) (Mombasa County) Order, 2020 and the Explanatory Memorandum;
- (viii) Legal Notice No. 53 of 2020 relating to the Public health (Covid-19 Restriction of Movement of Persons and Relate Measures) (Kilifi County) Order, 2020 and the Explanatory Memorandum;
- (ix) Legal Notice No. 54 of 2020 relating to the Public health (Covid-19 Restriction of Movement of Persons and Relate Measures) (Kwale County) Order, 2020 and the Explanatory Memorandum;
- (x) Annual Performance Report for the financial year 2017/2018 from the Ministry of Public Service, Youth and Gender;
- (xi) Reports of The Mediation Committee on its consideration of the following Bills: -
 - a) The County Governments (Amendment) (No. 2) Bill (Senate Bill No. 7 of 2017);
and
 - b) The County Governments (Amendment) Bill (Senate Bill No. 11 of 2017).

(The Leader of the Majority Party)

- (xii) The Report of the Budget and Appropriations Committee on the Supplementary Estimates II for the Financial Year 2019/2020; and
- (xiii) The Report of the Budget and Appropriations Committee on Senate Amendments to the Division of Revenue Bill, 2020.

(The Chairperson, Budget and Appropriations Committee)

6. NOTICES OF MOTION

The following Notice of Motion was given –

THAT, this House adopts the Report on the Budget and Appropriations Committee on the Supplementary Estimates II for the Financial Year 2019/2020, laid on the Table of the House on Tuesday, April 14, 2020.

(Budget and Appropriations Committee)

7. STATEMENTS

Pursuant to the provisions of Standing Order 44 (2)(c), the Chairperson, Departmental Committee on Health made responses to the following Requests for Statements –

- i. Statement requested by the Member for Ugenya (Hon. David Ochieng) regarding improper handling and disposal of the body of the late James Oyugi Onyango of Kamalunga in Ugenya Sub-County who allegedly passed on due to Corona Virus Disease related complications; and
- ii. Statement requested by the Member for Githunguri (Hon. Gabriel Kago) regarding the public health measures being taken by the Government to reduce the risk of contracting Covid-19 in country.

8. PROCEDURAL MOTION - LIMITATION OF DEBATE

Motion made in amended form and Question proposed –

THAT, pursuant to the provisions of Standing Order 97(1) and notwithstanding the resolution of the House of February 18, 2020, each speech in any debate during the Sittings of the House on Wednesday, April 22, Wednesday, April 29 and Wednesday, May 6, 2020, shall be limited as follows:- a maximum of one hour and thirty minutes with not more than **ten (10)** minutes for the Mover in moving and five (5) minutes in replying and a maximum of five (5) minutes for any other Member speaking, and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and Chairperson of the relevant Committee, in that order.

(The Leader of the Majority Party)

There being no debate arising;

Question put and agreed to.

9. THE TAX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2020

Motion made and Question proposed –

THAT, the Tax Laws (Amendment) Bill (National Assembly Bill No. 3 of 2020) be read a Second Time;

(The Leader of the Majority Party)

Debate arising;

Rising in her place on a Point of Order pursuant to Standing Order 95, the Member for Homa Bay County (Hon. Gladys Wanga) claimed to move “that the Mover be now called upon to reply”;

And the Deputy Speaker having acceded to the claim;

Thereupon Question out and agreed to;

Mover replied;

Question put and agreed to;

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

10. MOTION - CONSIDERATION OF NOMINEES FOR APPOINTMENT TO THE TEACHERS SERVICE COMMISSION

Motion having been made and question proposed;

THAT, taking into consideration the findings of the Departmental Committee on Education and Research in its Report on the vetting of Nominees for Appointment to the Teachers Service Commission, *laid on the Table of the House on Tuesday, April 14, 2020*, cognizant 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 rejects 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.

(The Chairperson, Departmental Committee on Education and Research)

Debate interrupted on debate interrupted on Tuesday, April 14, 2020, resumed;

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

Mover replied;

Question out and agreed to.

Thereupon, the Second Chairperson pronounced that, in the afternoon sitting, the Speaker would guide the House on the implication of the decision and the way forward

regarding rejection, by the House, of the motion asking the House to reject the approval of the affected nominees for appointment as Members of the Teachers Service Commission.

And the time being one minute past One O'clock, the Speaker interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

11. HOUSE ROSE - at one minute past One O'clock.
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M E M O R A N D U M

The Speaker will take the Chair on
Wednesday, April 22, 2020 at 2.30 p.m.

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