



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FOURTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, JUNE 25, 2020 (SECOND SITTING)

1. The House assembled at forty-five minutes past Six O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the First Chairperson
4. **COMMUNICATION FROM THE CHAIR**

The Speaker issued the following communication-

**COMMITTAL OF DIFFERENT PROVISIONS OF THE STATUTE LAW
(MISCELLANEOUS AMENDMENTS) BILL, 2020 TO VARIOUS DEPARTMENTAL
COMMITTEES**

“Hon. Members,

As you are aware, the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 15 of 2020) was published on 5th June, 2020 and read a first time on Tuesday, 23rd June, 2020. The Bill, which is sponsored by the Majority Party, seeks to make amendments to various statutes which do not warrant the publication of separate Bills.

Hon. Members, the Bill proposes amendments to Thirty Eight (38) statutes. In accordance with the provisions of Standing Order 127, the said omnibus Bill is hereby referred to the various relevant Departmental Committees for consideration and public participation as follows —

- 1) **The Departmental Committee on Justice and Legal Affairs** will deal with the following provisions —
 - (a) The Interpretation and General Provisions Act (Cap. 2);
 - (b) The Records Disposal Act (Cap. 14);
 - (c) The Penal Code (Cap. 63);
 - (d) The Criminal Procedure Code (Cap. 75);
 - (e) The Evidence Act (Cap. 80);
 - (f) The Anti-Corruption and Economic Crimes Act, 2003 (Act No. 3 of 2003);
 - (g) The Public Officer Ethics Act, 2003 (Act No. 4 of 2003);

- (h) The Proceeds of Crime and Anti-Money Laundering Act, 2009 (Act No. 9 of 2009);
- (i) The Judicial Service Act, 2011 (Act No. 1 of 2011);
- (j) The Political Parties Act 2011 (Act No. 11 of 2011)p
- (k) The Kenya National Commission on Human Rights Act 2011 (Act No. 14 of 2011);
- (l) The Employment and Labour Relations Court Act, 2011 (Act No. 20 of 2011);
- (m) The Ethics and Anti-Corruption Commission Act, 2011 (Act No. 22 of 2011);
- (n) The Public Appointments (Parliamentary Approval) Act, 2011 (Act No. 33 of 2011);
- (o) The Leadership and Integrity Act, 2012 (Act No. 19 of 2012);
- (p) The Kenya Law Reform Commission Act, 2013 (Act No. 19 of 2013);
- (q) The Court of Appeal (Organisation and Administration) Act, 2015 (Act No. 28 of 2015);
- (r) The Bribery Act, 2016 (Act No. 47 of 2016); and,
- (s) The Witness Protection Act, 2018 (Act No. 16 of 2018).

2) The Departmental Committee on Administration and National Security, will deal with the following provisions of the Bill —

- (a) The Firearms Act (Cap. 114);
- (b) The Official Secrets Act (Cap. 187);
- (c) The Counter-Trafficking in Persons Act, 2010 (Act No. 8 of 2010);
- (d) The National Police Service Commission Act, 2011 (Act No. 30 of 2011); and
- (e) The Kenya Coast Guard Service Act, 2018 (Act No. 11 of 2018).

3) The Departmental Committee on Finance and National Planning, will consider the following provisions of the Bill —

- (a) The Statistics Act, 2006 (Act No. 4 of 2006);
- (b) The Accountants Act, 2008 (Act No. 15 of 2008);
- (c) The Retirement Benefits (Deputy President and Designated State Officers) Act, 2015 (Act No. 8 of 2015);
- (d) The Investment and Financial Analysts Act, 2015 (Act No. 13 of 2015); and
- (e) The Public Procurement and Asset Disposal Act, 2015 (Act No. 33 of 2015).

4) The Departmental Committee on Labour and Social Welfare, will consider the provisions of the Bill proposing to amend The Public Holidays Act (Cap. 109), and The Employment Act, 2007 (Act No. 11 of 2007).

5) The Departmental Committee on Transport, Public Works and Housing will consider the provisions of the Bill proposing to amend The Housing Act (Cap. 117), and The Kenya Roads Board Act, 1999 (Act No. 7 of 1999).

6) The Departmental Committee on Education and Research, will consider the provisions of the Bill proposing to amend The Universities Act, 2012 (Act No. 42 of 2012), and the Basic Education Act, 2013 (Act No. 14 of 2013), whereas **The Departmental Committee on Communication, Information and Innovation** is to deal with the provisions proposing to amend The Films and Stage Plays Act

(Cap. 222). **The Departmental Committee on Trade, Industry and Cooperatives** will consider the provisions amending the Scrap Metal Act, 2015 (Act No. 1 of 2015). Finally, Hon. Members, **The Departmental Committee on Energy** will consider the provisions of the *omnibus* Bill proposing to amend The Energy Act, 2019 (Act No. 1 of 2019).

Hon. Members, the cited Committees should move and consider their relevant portions of the Bill and facilitate public participation, following which they should file their respective Reports with the Departmental Committee on Justice and Legal Affairs which will be the lead Committee on the Bill. The lead Committee is thereafter expected to table the Consolidated Report in the House prior to commencement of the Second Reading on the Bill.

The House is accordingly informed.

I thank you!"

5. **MOTION – REPORT ON THE THIRD SUPPLEMENTARY ESTIMATES FOR THE FY 2019/2020**

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Budget and Appropriations Committee on the Third Supplementary Estimates for the Financial Year 2019/2020, *laid on the Table of the House on Thursday, June 25, 2020*, and pursuant to the provisions of Article 223 of the Constitution of Kenya, section 44 of the Public Finance Management Act, 2012, Public Finance Management Regulation 40 and Standing Order 243-

- (i) **approves** an increment of the **total recurrent expenditure** for Financial Year 2019/2020 by **Kshs. 9,232,000,000** in respect of the Votes specified;
- (ii) **approves** an increment of the **total development expenditure** for Financial Year 2019/2020 by **Kshs. 2,068,000,000** in respect of the Votes specified;
- (iii) **approves** an overall **increase** in the total budget for Financial Year 2019/2020 by **Kshs. 11,300,000,000** in respect of the Votes as specified; and
- (iv) **rejects** the reallocations in the said Third Supplementary Estimates, including those intended to affect the ring-fenced funds under the Ministry of Health and necessary adjustments be made before publication of the resultant Supplementary Appropriation Bill, 2020.

(The Vice-Chairperson, Budget and Appropriations Committee)

Debate arising

Rising in his place on a Point of Order pursuant to Standing Order 95, the Member for Limuru (Hon. Peter Mwathi) 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 forty-two minutes past Eight O'clock, the First Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

5. **HOUSE ROSE** - at forty-two minutes past Eight O'clock.

MEMORANDUM

The Speaker will take the Chair on
Tuesday, June 30, 2020 at 10.00 a.m.