

(No. 053)



(914)

REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

TUESDAY, SEPTEMBER 8, 2020 AT 2.30 P.M.

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Questions and Statements

8*. PROCEDURAL MOTION – LIMITATION OF DEBATE
(The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 97(1) and notwithstanding the resolution of the House of February 18, 2020, the House **further Orders** that, during the Sittings of the House of **September 8, 2020 up to and including October 15, 2020**, each speech in **debate on Bills, Motions (including Special Motions), Sessional Papers and Committee Reports**, shall be limited as follows:- a maximum of **two and half hours** 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, except for the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Committee who shall be limited to a maximum of ten (10) minutes, 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.

9*. MOTION – ALTERATION OF THE CALENDAR
(The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 28(4), and taking cognizance of the continued spread of COVID-19 Pandemic in the Country, this House **resolves to further alter** its Calendar for the Fourth Session (*Regular Sessions*), as amended on July 28, 2020 and therefore **orders** as follows **with respect to the Sittings of the House during the period September 9 to October 15, 2020** -

- (a) that, the House will hold afternoon Sittings on **Tuesdays** commencing at 2.30 p.m., *Morning* and *Afternoon* Sittings on **Thursdays** commencing at 10.00 a.m. and at 2.30 p.m., respectively;
- (b) that, with effect from Wednesday, September 9, 2020, the sittings of the House of Wednesdays (*Morning* and *Afternoon*) stands **suspended**; and,
- (c) that, notwithstanding the provisions of Standing Order 40(3), on Thursday *Mornings*, business **not** sponsored by the Majority, the Minority Party or a Committee shall have **precedence** over all other business, in such order as the House Business Committee shall determine.

10*. THE HEALTH (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL No. 64 OF 2019)

(The Hon. Swarup Mishra, M.P.)

Second Reading

(Resumption of debate interrupted on Wednesday, August 12, 2020 – Afternoon Sitting)
(Balance of time – 1 hour 56 minutes)

11*. MOTION – AUDITED FINANCIAL STATEMENTS FOR STATE CORPORATIONS

(The Chairperson, Public Investments Committee)

THAT, this House **adopts** the Twenty Third Report of the Public Investment Committee on its consideration of the Auditor General's Reports on Financial Statements of State Corporations, *laid on the Table of the House on Thursday, July 02, 2020.*

(Resumption of debate interrupted on Wednesday, August 5, 2020 – Afternoon Sitting)
(Balance of time – 1 hour 40 minutes)

12*. THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (SENATE BILL NO. 3 OF 2019)

(The Chairperson, Departmental Committee on Finance & National Planning)

Second Reading

13*. MOTION - AUDITED FINANCIAL STATEMENTS FOR THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND FOR THE CONSTITUENCIES IN KIAMBU COUNTY

(The Chairperson, Special Funds Accounts Committee)

THAT, this House **adopts** the Ninth Report of the Special Funds Accounts Committee on the Audited Financial Statements for the National Government Constituencies Development Fund (NG-CDF) for the Constituencies in Kiambu County, *laid on the Table of the House on Tuesday, February 25, 2020.*

14*. MOTION - SPECIAL AUDIT REPORT ON PROCUREMENT OF PRE-EXPORT VERIFICATION OF CONFORMITY TO STANDARD SERVICES FOR USED MOTOR VEHICLES MOBILE EQUIPMENT AND USED SPARE PARTS BY KENYA BUREAU OF STANDARDS

(The Chairperson, Public Investments Committee)

THAT, this House **adopts** the Report of the Public Investment Committee on its consideration of the Special Audit Report on Procurement of Pre-Export Verification of Conformity to Standard Services for Used Motor Vehicles, Mobile Equipment and Used Spare Parts by Kenya Bureau of Standards, *laid on the Table of the House on Tuesday, June 02, 2020.*

*** Denotes Orders of the Day**

NOTICES

The House resolved on Tuesday, February 18, 2020 as follows-

I. Limitation of Debate on Bills (Party Sponsored or Committee)

THAT, notwithstanding the provisions of Standing Order 97(4), this House orders that, each speech in a debate on **Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** be limited as follows:- A maximum of forty five (45) minutes for the Mover, in moving and fifteen minutes (15) in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee), and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each (if the Bill is not sponsored by either of them); and that priority in speaking 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.

II. Limitation of Debate on Motions (Including Special Motions)

THAT, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on any **Motion, including a Special Motion** shall be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking 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.

Limitation of Debate on Reports of Committees

- III. THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in debate on **Reports of Committees**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House for which limitation of time has not been specified, shall be limited as follows:- A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority in speaking be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

Limitation of Debate on Individual Member Bills

- IV. THAT**, notwithstanding the provisions of Standing Order 97(4), this House orders that, each speech in a debate on **Bills NOT sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** be limited as follows:- A maximum of three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each; and that priority in speaking 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.
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NOTICE PAPER I

Tentative business for

Thursday (Morning), September 10, 2020

(Published pursuant to Standing Order 38(1))

It is notified that the House Business Committee has approved the following *tentative* business to appear in the Order Paper for Thursday (Morning), September 10, 2020-

A. THE CANCER PREVENTION AND CONTROL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL No. 65 OF 2019)

(The Hon. Gladys Wanga, M.P.)

Second Reading

B. THE PUBLIC SERVICE COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 27 OF 2019)

(The Hon. Benjamin G. Mwangi, M.P.)

Second Reading

C. THE NATIONAL DISASTER MANAGEMENT AUTHORITY BILL (NATIONAL ASSEMBLY BILL NO. 10 OF 2019)

(The Hon. Kimani Ichung'wa, M.P.)

Second Reading

D. THE PUBLIC ORDER (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2019)

(The Hon. Simon King'ara, M.P.)

Second Reading

E. THE CROPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 25 OF 2019)

(The Hon. Kassim Sawa Tandaza, M.P.)

Second Reading

NOTICE PAPER II

Tentative business for

Thursday (Afternoon), September 10, 2020

(Published pursuant to Standing Order 38(1))

It is notified that the House Business Committee has approved the following ***tentative*** business to appear in the Order Paper for Thursday (Afternoon), September 10, 2020-

A. THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (SENATE BILL NO. 3 OF 2019)

(The Chairperson, Departmental Committee on Finance & National Planning)

Second Reading

(If not concluded on Tuesday, September 8, 2020)

B. MOTION- INQUIRY INTO THE STATUS OF DAMS IN KENYA

(The Chairperson, Departmental Committee on Environment and Natural Resources)

*(Resumption of debate interrupted on Thursday, July 30, 2020 – Morning sitting)
(Balance of time – 43 minutes)*

C. MOTION- INQUIRY INTO THE DEATH OF ELEVEN BLACK RHINOS AFTER TRANSLOCATION TO THE TSAVO EAST NATIONAL PARK SANCTUARY

(The Chairperson, Departmental Committee on Environment and Natural Resources)

*(Resumption of debate interrupted on Thursday, July 30, 2020 – Afternoon sitting)
(Balance of time – 2 hours 20 minutes)*

D. MOTION - AUDITED FINANCIAL STATEMENTS FOR THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND FOR THE CONSTITUENCIES IN KIAMBU COUNTY

(The Chairperson, Special Funds Accounts Committee)

(If not concluded on Tuesday, September 8, 2020)

E. MOTION - SPECIAL AUDIT REPORT ON PROCUREMENT OF PRE-EXPORT VERIFICATION OF CONFORMITY TO STANDARD SERVICES FOR USED MOTOR VEHICLES MOBILE EQUIPMENT AND USED SPARE PARTS BY KENYA BUREAU OF STANDARDS

(The Chairperson, Public Investments Committee)

(If not concluded on Tuesday, September 8, 2020)

**F. THE COUNTY WARDS (EQUITABLE DEVELOPMENT) BILL
(SENATE BILL NO. 34 OF 2018)**

(The Chairperson, Select Committee on NG-Constituencies Development Fund)

Second Reading

**G. THE COUNTY STATUTORY INSTRUMENTS BILL (SENATE BILL
NO. 21 OF 2018)**

(The Chairperson, Committee on Delegated Legislation)

Second Reading

**H. THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (SENATE
BILL NO. 24 OF 2018)**

(The Chairperson, Committee on Delegated Legislation)

Second Reading



APPENDIX

ORDER NO.7 - QUESTIONS

Pursuant to the provisions of Standing Order 42A (5) the following Members will ask **questions** for reply before the specified Departmental Committees:-

QUE NO.

QUESTIONS BY PRIVATE NOTICE

**QPN
20/2020**

The Member for Alego Usonga (Hon. Samuel Atandi, MP) to ask the Cabinet Secretary for Foreign Affairs -

- (i) What measures is the Government putting in place to assist the many Kenyan citizens who were living and working in the People's Republic of China and returned to Kenya during the Chinese New Year (Winter and Spring break) and are now unable to travel back to China due to invalidation of all Visas issued before 28th March 2020?
- (ii) When will the Government intervene in the matter by diplomatically engaging the Government of the People's Republic of China so as to facilitate the affected Kenyans to travel back to China as soon as possible, considering that some of them are at a risk of losing their jobs, businesses and livelihoods?

(To be replied before the Departmental Committee on Defence and Foreign Relations)

**QPN
21/2020**

Nominated Member (Hon. Dennitah Ghati, MP) to ask the Cabinet Secretary for Education and Research-

- (i) Could the Cabinet Secretary outline the mechanisms the Ministry has put in place and the facilities it has availed, if any, to ensure that students with various forms of disabilities are able to efficiently access online learning during the period of the COVID-19 Pandemic when learning institutions are closed?
- (ii) What guidelines and framework have been put in place to guide the eventual re-opening of schools with respect to all public and private institutions providing special education in the Country?

(To be replied before the Departmental Committee on Education and Research)

QUE NO.**ORDINARY QUESTIONS**

155/2020

The Member for Isiolo South (Hon. Abdi Koropu Tepo, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -

Could the Cabinet Secretary-

- (i) Provide the status of investigations into the death of the late Ms. Shakalle Hussein Diba, a young mother who was allegedly abducted, raped, stabbed to death, had her eyes gouged out and body burnt and dumped in the neighbouring Igembe North Constituency on 17th July 2020?
- (ii) Explain why there is an increase in incidences of insecurity and crime in areas where the National Police Reservists were recently disarmed?
- (iii) State why the number of National Police Reservists in Isiolo South Constituency was scaled down and some reservists disarmed?
- (iv) Consider reinstating, scaling up and arming the National Police Reservists in areas occupied by pastoralist communities to curb insecurity in these areas?

(To be replied before the Departmental Committee on Administration and National Security)

158/2020

The Member for Uriri (Hon. Mark O. Nyamita, MP) to ask the Cabinet Secretary for Environment and Forestry: -

- (i) Could the Cabinet Secretary explain the measures put in place by the National Environment Management Authority (NEMA) to ensure that *M/s Sukari Industries Ltd*, a Sugar Milling Company located in Uriri Constituency, immediately stops the illegal dumping of hazardous waste materials and other environmental pollutants?
- (ii) When will the Ministry respond to and address the various complaints raised regarding the activities of the said Milling Company including the irregular construction of a concrete wall that has led to flooding in the area, and the huge negative impact of Company's activities to the health of the residents and ecosystem?

(To be replied before Departmental Committee on Environment and Natural Resources)

163/2020

The Member for Tetu (Hon. James Gichuhi, M.P.) to ask the Cabinet Secretary for Labour and Social Protection: -

When will the persons who worked in *Nyayo Tea Zones* in Tetu Constituency between the years 1990 to 1996 be paid their outstanding salaries and terminal dues as recommended by a Ministry of Labour in 2005 in a Report on the matter and later by the National Assembly in 2011 through a Parliamentary Report?

(To be replied before the Departmental Committee on Labour and Social Welfare)

168/2020

The Member for Kathiani (Hon. Robert Mbui, M.P.) to ask the Cabinet Secretary for Labour and Social Protection: -

- (i) What steps is the Cabinet Secretary taking to ensure that, one Steve Nzuki Muinde of ID No. 9478799 (Employment P/No. 101343) who was irregularly dismissed from service by the Kenya National Examination Council on 30th May, 2012 is reinstated by the Council since on 14th December, 2018, the Employment and Labour Relations Court declared his termination as having been irregular and unfair and ordered his reinstatement?
- (ii) Could the Cabinet Secretary consider bringing the matter to its fair and logical conclusion soonest by having the officer's benefits for the period paid to him as well as his reinstatement effected?

(To be replied before the Departmental Committee on Labour and Social Welfare)

167/2020

The Member for Kuresoi South (Hon. Joseph K. Tonui, M.P.) to ask the Cabinet Secretary for Sports, Culture and the Arts: -

- (i) Why has the construction of *Olunguruone Stadium* in Nakuru County which was funded by the National Government and inaugurated in 2014 stalled?
- (ii) When will the construction of the said project resume, and when is the new completion date?

(To be replied before the Departmental Committee on Sports, Culture and Tourism)

The Member for Ol Jorok (Hon. Michael Muchira, M.P.) to ask the Cabinet for Tourism and Wildlife-

- (i) Could the Cabinet Secretary explain the measures the Ministry has put in place to address the human-wildlife conflict in Ol Jorok Constituency particularly involving Hippopotamuses in the areas near Lake Ol Bolossat?
- (ii) Are there any measures in place by the Ministry to facilitate compensation of the residents for losses incurred as a result of destruction of crops and other properties by the said wildlife?

(To be replied before the Departmental Committee on Environment and Natural Resources)
