



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, OCTOBER 01, 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*. MOTION - REPORT ON THE STATUS OF IMPLEMENTATION OF LEGISLATIONS, PETITIONS AND RESOLUTIONS

(The Chairperson, Committee on Implementation)

THAT, this House adopts the Report of the Committee on Implementation on the status of Implementation of Legislations, Petitions and Resolutions passed by the House, *laid on the Table of the House on Tuesday, June 30, 2020.*

(Question to be put)

9*. THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILL NO. 7 OF 2020)

(The Chairperson, Budget & Appropriations Committee)

First Reading

...../10*

10*. MOTION - THE STATUS OF IMPLEMENTATION OF THE RESOLUTION OF THE HOUSE REGARDING CONDITIONAL APPROVAL OF A NOMINEE FOR APPOINTMENT AS AMBASSADOR

(The Chairperson, Committee on Implementation)

THAT, this House **notes** the Report of the Committee on Implementation on its *Examination of the Implementation Status of the Resolution of the House of 6th June, 2019 regarding the Conditional Approval of Ms. Mwendu Mwinzi for Appointment as Ambassador of Kenya to Seoul, South Korea, laid on the Table of the House on November 27, 2019*, and given that **Ms. Mwendu Mwinzi** failed to fulfil the conditions set by the House on 6th June 2019, regarding her renouncement of the United States of American citizenship, this House-

- (i) **rejects** the appointment of **Ms. Mwendu Mwinzi** as an Ambassador of Kenya to Seoul, South Korea; and
- (ii) **recommends** that the appointing authority initiates the process of nomination of an Ambassador of Kenya to Seoul, South Korea.

11*. THE PUBLIC PARTICIPATION BILL (NATIONAL ASSEMBLY BILL NO. 69 OF 2019)

(The Chairperson, Committee on Parliamentary Broadcasting and Library)

Second Reading

*(Resumption of debate interrupted on Tuesday, September 29, 2020)
(Balance of time – 2 hours 10minutes)*

12*. THE PUBLIC FUNDRAISING APPEALS BILL (NATIONAL ASSEMBLY BILL NO. 66 OF 2019)

(The Chairperson, Constitutional Implementation Oversight Committee)

Second Reading

13*. THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 13 OF 2018)

(The Chairperson, Departmental Committee on Administration and National Security)

Second Reading

14*. MOTION - SPECIAL AUDIT REPORT ON PROCUREMENT OF PRE-EXPORT VERIFICATION OF CONFORMITY TO STANDARD SERVICES BY THE 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 the Kenya Bureau of Standards, *laid on the Table of the House on Tuesday, June 02, 2020.*

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

(The Chairperson, Committee on Delegated Legislation)

Second Reading

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

(The Chairperson, Committee on Delegated Legislation)

Second Reading

17*. MOTION - REPORT ON A PUBLIC PETITION ON THE INQUIRY INTO THE CRISIS FACING SUGAR INDUSTRY IN KENYA

(The Chairperson, Committee on Implementation)

THAT, this House **adopts** the Report of the Committee on Implementation on its consideration of a Public Petition on Inquiry into the Crisis Facing Sugar Industry in Kenya, *laid on the Table of House on Thursday, June 20, 2019.*

*** Denotes Orders of the Day***

..... /Notices*

NOTICES

I. PROPOSED AMENDMENTS TO THE MOTION ON 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 THE KENYA BUREAU OF STANDARDS

- 1) Notice is given that the Member for Homa Bay Town (Hon. Peter Kaluma) intends to move the following amendment to the Motion on 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 the Kenya Bureau of Standards: -

THAT, the Motion be amended by inserting the following words after the figure “2020”-

“Subject to the following-

- a) deletion of **Recommendations (ii), (iii) and (iv)** appearing under ‘Committee Recommendations’ under Chapter 5 on page 61 of the Report; and,
- b) deletion of **Recommendation (v)** appearing under ‘Committee Recommendations’ under Chapter 5 on page 63 of the Report and substitution thereof with the following recommendation-

(v) The Directorate of Criminal Investigations (DCI) and the Ethics and Anti-Corruption Commission (EACC) should expeditiously investigate the circumstances under which the KEBS entered into contract with M/s EAA Company Limited and M/s Auto Terminal Japan and report their findings to the National Assembly.

- 2) Notice is given that the Member for Makueni (Hon. Daniel Maanzo, MP) intends to move the following amendment to the Motion on 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 the Kenya Bureau of Standards: -

THAT, the Motion be amended by inserting the following words after the figure “2020”-

“Subject to deletion of Recommendations (ii), (iii), (iv) and (v) appearing under ‘Committee Recommendations’ under Chapter 5 on pages 61 to 63 of the Report.”

II. The House resolved on Tuesday, September 8, 2020 as follows-

Limitation of debate on Bills, Motions, Sessional Papers and Committee Reports

THAT, pursuant to the provisions of Standing Order 97(1) and notwithstanding the resolution of the House of February 18, 2020, 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.

...../Notice Paper*

NOTICE PAPER

Tentative business for
Tuesday, October 06, 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 Tuesday, October 06, 2020-

A. THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILL NO. 7 OF 2020)

(The Chairperson, Budget & Appropriations Committee)

Second Reading

B. COMMITTEE OF THE WHOLE HOUSE

The County Allocation of Revenue Bill (Senate Bill No. 7 of 2020)

(The Chairperson, Budget & Appropriations Committee)

C. MOTION - THE STATUS OF IMPLEMENTATION OF THE RESOLUTION OF THE HOUSE REGARDING CONDITIONAL APPROVAL OF A NOMINEE FOR APPOINTMENT AS AMBASSADOR

(The Chairperson, Committee on Implementation)

(If not concluded on Thursday, October 01, 2020)

D. THE PUBLIC PARTICIPATION BILL (NATIONAL ASSEMBLY BILL NO. 69 OF 2019)

(The Chairperson, Committee on Parliamentary Broadcasting and Library)

Second Reading

(Resumption of debate interrupted on Tuesday, September 29, 2020)

(Balance of time – 2 hours 10minutes)

E. THE PUBLIC FUNDRAISING APPEALS BILL (NATIONAL ASSEMBLY BILL NO. 66 OF 2019)

(The Chairperson, Constitutional Implementation Oversight Committee)

Second Reading

(If not concluded on Thursday, October 01, 2020)

F. THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 13 OF 2018)

(The Chairperson, Departmental Committee on Administration and National Security)

Second Reading

(If not concluded on Thursday, October 01, 2020)

G. MOTION - SPECIAL AUDIT REPORT ON PROCUREMENT OF PRE-EXPORT VERIFICATION OF CONFORMITY TO STANDARD SERVICES BY THE KENYA BUREAU OF STANDARDS

(The Chairperson, Public Investments Committee)

(If not concluded on Thursday, October 01, 2020)

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

(The Chairperson, Committee on Delegated Legislation)

Second Reading

(If not concluded on Thursday, October 01, 2020)

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

(The Chairperson, Committee on Delegated Legislation)

Second Reading

(If not concluded on Thursday, October 01, 2020)

J. MOTION - REPORT ON A PUBLIC PETITION ON THE INQUIRY INTO THE CRISIS FACING SUGAR INDUSTRY IN KENYA

(The Chairperson, Committee on Implementation)

(If not concluded on Thursday, October 01, 2020)

...../Appendix

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:-

ORDINARY QUESTIONS

243/2020 **The Member for Wundanyi (Hon. Danson Mwashako, M.P.) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works: -**

- (i) Could the Cabinet secretary provide a list of all constituencies in the country without a single kilometer of road or with less than 5Km of road of Bitumen Standards commonly referred as *tarmac*, stating whether it is of low volume seal or otherwise; and, further list of all constituencies without a single kilometer of *KeRRA Roads* of bitumen standards?
- (ii) What is the status of implementation of the road construction under low volume seal program in Kenya and how many kilometers of road under this program have been done in each county, and which Constituencies are yet to benefit?
- (iii) What plans has the Ministry put in place to ensure that roads are constructed to Bitumen Standards in Wundanyi Constituency considering that the Constituency doesn't even have a single kilometer of tarmac road?
- (iv) What is the status of construction of the 55km *Bura - Mghange-Werugha – Mbale – Mtomwagodi* road considering that it was launched for construction in 2017 by the President to serve Wundanyi and Mwatate Constituencies and when will it be completed?

(To be replied before the Departmental Committee on Transport, Public Works and Housing)

248/2020 **The Member for Gilgil (Hon. Martha Wangari, M.P.) to ask the Cabinet Secretary for Education: -**

- (i) How many Primary and Secondary schools are to benefit from the supply of the locally assembled desks for schools in the FY2020/2021 and how many will be left out of the programme?
- (ii) What criteria was used in identifying the schools to benefit from the program?

- (iii) What special considerations is the Ministry taking to ensure equity among Sub-Counties considering that the number of schools vary from one Sub-County to another?

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

249/2020 The Member for Kwale County (Hon. Zuleikha Juma Hassan M.P.) to ask the Cabinet Secretary for Environment and Forestry: -

- (i) Could the Cabinet Secretary explain the measures in place to ensure that complaints raised by the community in *Mwavurubo* Ward, Kinango Constituency regarding the release of hazardous waste by *M/s SBNP Ventures Limited* in Kenya are addressed?
- (ii) Could the Cabinet Secretary confirm whether due process was followed in the issuance of licenses to *M/s SBNP Ventures Limited*, particularly on environmental matters and waste disposals; and whether they adhere to set laws and regulations?
- (iii) What steps has the Ministry taken to ascertain the risks posed by the hazardous waste to the health of the population and ecosystem, and what immediate measures the Ministry has taken to mitigate on the effects of the waste released, if any?

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

250/2020 The Member for Sabatia (Hon. Alfred Agoi, M.P.) to ask the Cabinet Secretary for Interior and Coordination of National Government: -

- (i) What is the status of compensation for the victims of the terrorist attacks at Dusit D2 Hotel on 15th January, 2019, West Gate on 21st September, 2013 and the United States Embassy Bombing of 7th August, 1998?
- (ii) What measures is the Government putting in place to ensure that the said victims are compensated fully in time?
- (iii) Could the Cabinet Secretary explain whether there are plans so far to curb these terror attacks and consequently assure Kenyans of absolute security against such attacks and what

have been put in place by the Government to assist persons affected by such attacks?

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

252/2020

The Member for Lamu East (Hon. Sharif A. Ali, M.P.) to ask the Cabinet Secretary for interior and Coordination of National Government -

- (i) Could the Cabinet Secretary state when will the Kenya-Somalia Border at *Kiunga* Border Point be opened to enable trading among the residents of Lamu East Constituency noting that *Kbat* (Miraa) traders from neighbouring counties are operating at the Border point?
- (ii) When will the residents of Lamu East be allowed to conduct business and trade activities along the Kiunga- Somali Border so as to enhance cooperation and improve on their livelihoods?

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

254/2020

The Member for Tharaka Nithi County (Hon. Beatrice Nkatha, M.P.) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works: -

- (i) What steps has the Ministry taken to ensure the construction of the 28.5km *Chuka-Kaamwa-Kareni* Road, a project funded by the European Union and the Government of Kenya and started in 2014 is completed noting the EU commitment ends in 20121?
- (ii) Could the Cabinet secretary Consider urgent improvements of the said road as it is in a deplorable state before actual construction commences?

(To be replied before the Departmental Committee on Transport, Public Works and Housing)

257/2020

The Member for Bureti (Hon. Japheth Mutai, M.P.) to ask the Cabinet Secretary for Environment and Forestry: -

- (i) Could the Cabinet Secretary explain what caused the delay in the construction of *Bosto Dam* in Bureti Constituency

funded through a loan agreement between the Government of Kenya and *Exim Bank of China* which has since stalled despite having the requisite clearance from NEMA?

- (ii) Could the Cabinet Secretary explain and provide details whether the Government of Kenya has commenced repayment of the loans for the said project?
- (iii) Could the Cabinet Secretary further explain other causes for the delay in the constructing the dam and whether the Kenya Forest Service has played part in delay to construction of the project, and if so, what steps has the Cabinet Secretary undertaken to ensure that the construction of the *Boston Dam* is completed and by when?

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

260/2020

The Member for Webuye West (Hon. Daniel WanyamaSitati, M.P.) to ask the Cabinet Secretary for Water, Sanitation and Irrigation: -

- (i) Could the Cabinet secretary provide a progress report on the call for tenders for the design and construction of *Kakamega–Bungoma* Bulk Water Supply and Sanitation Project under *Lake Victoria* North Water Works Development Agency considering that a list of firms who had express interest on the project was published in March 2020?
- (ii) When will the construction of the said project commence, indicating stages and timelines of implementations to the various phases of construction?
- (iii) What measures will the Ministry put in place to ensure that the said project is constructed to the required standard and completed within stipulated time so as to expeditiously assist thousands of households in the Counties of *Bungoma* and *Kakamega* to access clean water?

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