



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, OCTOBER 15, 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 – CONSIDERATION OF CERTAIN
BUSINESS RECEIVED DURING THE
MONTH OF OCTOBER/NOVEMBER
2020 RECESS PERIOD**

(The Leader of the Majority Party)

THAT, notwithstanding the provisions of Standing Orders 41 and 42 relating to conveying of Messages from the Senate and from the President or the National Executive and Standing Orders 120, 122 and 126 relating to Publication, Procedure upon Publication and First Reading of Bills, this House orders that, during the period of the Short Recess (October 16th – November 2nd, 2020)-

- (a) upon receipt of any Message from the Senate, or upon receipt of any name of a person nominated for appointment to a state or public office from the President or any other office in the National Executive, the Speaker shall forthwith refer such Message to the relevant Committee for consideration, without having to recall the House;
- (b) should a Bill be published during the period, or a published Bill becomes due for First Reading during the period, the Speaker shall, upon lapse of seven days following the publication of the Bill, forthwith refer such Bill to the relevant Committee for consideration pursuant to the provisions of Standing Order 127 (*Committal of Bills to Committees and public participation*) and, upon resumption of the House, cause the Bill to be read a First Time and the Second Reading may be taken forthwith, or on such other day as the House Business Committee may determine; and,

- (c) should the Speaker receive a Message relating to the Senate's Amendments to a Bill originating in the National Assembly, the Speaker shall forthwith refer the Schedule of the Senate Amendments to the relevant Committee for consideration pursuant to the provisions of Standing Order 145 (*Senate amendments to Bills originating in the National Assembly*), and, upon resumption of the House, report such fact to the House.

9*. PROCEDURAL MOTION –EXTENSION OF TIME FOR CONSIDERATION OF A NOMINEE FOR APPOINTMENT AS THE DATA COMMISSIONER

(The Chairperson, Departmental Committee on Communication, Information and Innovation)

THAT, pursuant to the provisions of Section 13 of the Public Appointments (Parliamentary Approval) Act, 2011 relating to *extension of period for consideration of nominees for appointment to a public office*, this House **resolves** to extend the period for consideration of the nominee submitted by H.E. the President for appointment as the **Data Commissioner** by a further period of **14 days** with effect from **28th October, 2020**.

10*. PROCEDURAL MOTION –EXTENSION OF TIME FOR CONSIDERATION OF SPECIFIED PETITIONS

(The Chairperson, Departmental Committee on Lands)

THAT, notwithstanding the provisions of Standing Order 227(2)(*Committal of Petitions*), this House **resolves** to extend the period for consideration of the Public Petitions specified hereunder by the Departmental Committee on Lands by a further period of **sixty (60) days** with effect from **13th October 2020-**

- (i) Public Petition on Irregular Transfer of the Ownership of *Chenze Ranch* presented by The Hon. Stephen Tayari, MP on behalf of the Petitioners;
- (ii) Public Petition on Historical Land Injustices in Nandi County submitted by the Governor of Nandi County on behalf of the Petitioners;
- (iii) Public Petition on Historical land Injustices in *Chepchas* area of Bomet and Kericho Counties presented by The Hon. Brighton Yegon, MP on behalf of the Petitioners; and,
- (iv) Public Petition on Usage of Gituamba Land in *Kinyona Ward* of Murang'a County presented by The Hon. Sabina Chege, MP on behalf of the Petitioners.

11*. PROCEDURAL MOTION- EXTENSION OF TIME FOR APPOINTMENT OF MEMBERS TO COMMITTEES

(The Chairperson, Committee on Selection)

THAT, noting the recent changes in the membership of Committees of the House and pursuant to the provisions of Standing Order 256A (*Extension of Period Prescribed*), this House **resolves** to extend the time for filling of the vacancies in the affected Committees until **12th November, 2020**.

12*. MOTION - APPROVAL OF AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF KENYA AND THE GOVERNMENT OF THE ITALIAN REPUBLIC

(The Chairperson, Departmental Committee on Defence and Foreign Relations)

THAT, this House **adopts** the Report of the Departmental Committee on Defence and Foreign Relations on its consideration of the Agreement between the Government of the Republic of Kenya and the Government of the Italian Republic on the *Luigi-Broglio Malindi Space Centre*, laid on the Table of the House on Wednesday, 26th June, 2019, and pursuant to the provisions of section 8(4) of the Treaty Making and Ratification Act, 2012 **approves** the *Agreement between the Government of the Republic of Kenya and the Government of the Italian Republic on the Luigi-Broglio Malindi Space Centre*.

(Resumption of debate interrupted on Tuesday, October 13, 2020)

13*. MOTION - CONSIDERATION OF SENATE AMENDMENTS TO THE INDEPENDENT ELECTORAL & BOUNDARIES COMMISSION (AMENDMENT) (No.3) BILL (NATIONAL ASSEMBLY BILL NO.35 OF 2019)

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

THAT, the Senate Amendments to the Independent Electoral & Boundaries Commission (Amendment) (No.3) Bill (National Assembly Bill No. 35 of 2019) be now considered.

14*. COMMITTEE OF THE WHOLE HOUSE

Senate Amendments to the Independent Electoral & Boundaries Commission (Amendment) (No.3) Bill (National Assembly Bill No.35 of 2019)

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

15*. MOTION - SESSIONAL PAPER NO. 2 OF 2019 ON THE NATIONAL POLICY ON GENDER AND DEVELOPMENT

(The Chairperson, Departmental Committee on Labour and Social Welfare)

THAT, this House **adopts** the Report of the Committee on Labour and Social Welfare on its consideration of the Sessional Paper No. 2 of 2019 on the National Policy on Gender and Development, *laid on the Table of the House on Thursday, October 8, 2020* and further **approves Sessional Paper No. 2 of 2019.**

16*. MOTION - SESSIONAL PAPER NO. 3 OF 2019 ON THE NATIONAL POLICY FOR THE ERADICATION OF FEMALE GENITAL MUTILATION

(The Chairperson, Departmental Committee on Labour and Social Welfare)

THAT, this House **adopts** the Report of the Committee on Labour and Social Welfare on its consideration of the Sessional Paper No. 3 of 2019 on the National Policy for the Eradication of Female Genital Mutilation, *laid on the Table of the House on Thursday, October 8, 2020* and further **approves Sessional Paper No. 3 of 2019.**

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

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

Second Reading

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

(The Chairperson, Committee on Delegated Legislation)

Second Reading

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

(The Chairperson, Committee on Delegated Legislation)

Second Reading

20*. THE IMPEACHMENT PROCEDURE BILL (SENATE BILL NO. 15 OF 2018)

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

Second Reading

*** Denotes Orders of the Day***

NOTICES

I. SENATE AMENDMENTS TO THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (AMENDMENT)(No.3) BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2020)

Notice is given that the Chairperson of the Departmental Committee on Justice & Legal Affairs intends to move the following Senate amendments to the Independent Electoral and Boundaries Commission (Amendment)(No.3) Bill, 2019 at the Committee Stage—

SENATE AMENDMENT TO CLAUSE 2

THAT, clause 2 of the Bill be amended—

- (a) in paragraph (a) by deleting the word “eleven” appearing immediately after the words “therefor the words” and substituting therefor the word “seven”;
- (b) by deleting paragraph (b) and substituting therefor the following new paragraph—
 - (b) by deleting paragraph 1(2) and substituting therefor the following new subparagraph—
 - (2) The selection panel shall consist of—
 - (a) two men and two women nominated by the Parliamentary Service Commission;
 - (b) one person nominated by the Law Society of Kenya; and
 - (c) two persons nominated by the Inter-religious Council of Kenya.
- (c) by inserting the following new paragraph immediately after paragraph (b)—
 - (ba) by inserting the following new paragraph immediately after paragraph 1(2)—
 - (2A) A person is qualified for appointment as a member of the selection panel if such person—
 - (a) is a citizen of Kenya;
 - (b) meets the requirements of leadership and integrity set out in Chapter Six of the Constitution; and
 - (c) holds a degree from a university recognised in Kenya.

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.

ADJOURNMENT

III. NOTIFICATION OF RECESS (October 16, 2020 – November 02, 2020)

Pursuant to the provisions of Standing Order 28(3) relating to Calendar of the National Assembly, the Speaker notifies that, upon the rise of the House today at the appointed time, regular sittings will resume on **Tuesday, November 03, 2020 at 2:30 p.m.**

(Thereafter, the House to adjourn without question put)

...../Notice Paper*

NOTICE PAPER

Tentative business for **Tuesday, November 3, 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, November 3, 2020-

A. MOTION - SESSIONAL PAPER NO. 2 OF 2019 ON THE NATIONAL POLICY ON GENDER AND DEVELOPMENT

(The Chairperson, Departmental Committee on Labour and Social Welfare)

(If not concluded on Thursday, October 15, 2020)

B. MOTION - SESSIONAL PAPER NO. 3 OF 2019 ON THE NATIONAL POLICY FOR THE ERADICATION OF FEMALE GENITAL MUTILATION

(The Chairperson, Departmental Committee on Labour and Social Welfare)

(If not concluded on Thursday, October 15, 2020)

C. 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 15, 2020)

D. 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 15, 2020)

E. 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 15, 2020)

F. THE IMPEACHMENT PROCEDURE BILL (SENATE BILL NO. 15 OF 2018)

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

Second Reading

(If not concluded on Thursday, October 15, 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:-

Question No. ORDINARY QUESTIONS

253/2020 The Member for Westlands (Hon. Timothy Wanyonyi, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works: -

- (i) Could the Cabinet Secretary explain why the construction of a foot Bridge at *Githogoro* Village along the Nairobi Northern Bypass is yet to be undertaken despite the Ministry having given an undertaking to do so?
- (ii) Could the Cabinet Secretary further explain when will a pedestrian foot bridge be constructed on Waiyaki way, along the Nairobi – Nakuru Road near the *ABC Place- APDK/ Red Hill Road Junction* to facilitate easy access of APDK Offices by persons with disabilities?
- (iii) Could the Cabinet Secretary explain why the Ministry does not incorporate social inclusion as part of the road designs during construction of major road projects and whether there are plans any to do so?

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

256/2020 The Member for Kathiani (Hon. Robert Mbui, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -

- (i) Is the Cabinet Secretary aware that one *Peter Nzioki Munyao* of ID No. 0752089, the Village headsman for *Makumbini* in *Ithaeni* Sub- location, *Kaewa* Location, Kathiani Constituency broke his leg while enforcing the curfew imposed during this COVID – 19 pandemic period?
- (ii) Could the Cabinet Secretary explain the measures the Ministry will take to assist the officer to settle the expenses and the medical bills incurred as a result of the incident, considering that the officer got injured while on duty?

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

270/2020 The Member for Mwingi West (Hon. Charles Ngusya Nguna, MP) to ask the Cabinet Secretary for Education: -

- (i) Could the Cabinet Secretary explain when the Ministry intends to pay one *Rebecca Kilyungi* of ID No. 0402320 compensation of Kshs.3,385,800, which was awarded by the Magistrate's Court in Mwingi Vide Civil Case No. 188 of 2008?
- (ii) What has caused the delay in effecting the said compensation, which was awarded following the death of one *Lucas Mutuku Kilyungi*, who passed on following a road accident involving a Ministry of Education Motor Vehicle, Registration No. GK A945G?

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

287/2020 The Member for Meru County (Hon. Kawira Mwangaza, M.P.) to ask the Cabinet Secretary for Interior and Coordination of National Government –

- (i) Could the Cabinet Secretary provide a list of all gender-based violence cases that are recorded to have taken place in Meru County since January 2019?
- (ii) What is the status of investigations into the said gender-based cases and progress of prosecution of the culprits, if any?
- (iii) What measures has the Ministry put in place to bring to an end the rising cases of gender - based violence in the country?

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

289/2020 The Member for Voi, (Hon. Jones Mlolwa, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works: -

- (i) When will the construction and refurbishment works on the *Voi - Taveta One-Metre Gauge Railway (MGR) Line* commence considering that the Government is keen on revamping railway transport in the country?
- (ii) Could the Cabinet Secretary provide plans on refurbishment of the said railway line considering its importance in boosting transport network and improving the economy of the region?

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

296/2020

The Member for Nyando (Hon. Jared Odoyo Okelo, MP) to ask the Cabinet Secretary for Public Service, Gender and Youth Affairs-

- (i) What specific policy plans does the Ministry have for interns engaged by various State Departments for a year and whose tenures is about to end?
- (ii) In view of the service rendered to the public by the interns, could the Government consider renewing the 2019/2020 internship engagement or absorbing the interns permanently in the public service?

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