

(No. 076)

(1072)

**REPUBLIC OF KENYA****TWELFTH PARLIAMENT – (FOURTH SESSION)****THE NATIONAL ASSEMBLY****ORDERS OF THE DAY****TUESDAY, NOVEMBER 17, 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 – 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 Departmental 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** on the National Policy for the Eradication of Female Genital Mutilation.

(Questions to be put)

9*. MOTION - ANNULMENT OF THE SPECIAL ECONOMIC ZONES (AMENDMENT) REGULATIONS, 2020

(The Chairperson, Committee on Delegated Legislation)

THAT, this House **adopts** the Report of the Committee on Delegated Legislation on its consideration of the Special Economic Zones (Amendment) Regulations, 2020 *laid on the Table of the House on Tuesday, November 03, 2020*, and pursuant to sections 18 of the Statutory Instruments Act, 2013 and Standing Order 210 (4) (b), **annuls in entirety** the Special Economic Zones (Amendment) Regulations, 2020 (*Legal Notice No. 33 of 2020*).

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10*. MOTION - ANNULMENT OF THE CROPS (SUGAR) (GENERAL) REGULATIONS, 2020

(The Chairperson, Committee on Delegated Legislation)

THAT, this House **adopts** the Report of the Committee on Delegated Legislation on its consideration of the Crops (Sugar) (General) Regulations, 2020, *laid on the Table of the House on Tuesday, November 03, 2020*, and pursuant to sections 18 of the Statutory Instruments Act, 2013 and Standing Order 210(4) (b) **annuls in entirety** the Crops (Sugar) (General) Regulations, 2020 (*Legal Notice No. 99 of 2020*).

11*. MOTION – APPROVAL OF NOMINEES TO VARIOUS NG-CDF CONSTITUENCY COMMITTEES

(The Chairperson, Select Committee on NG-CDF)

THAT, pursuant to the provisions of section 43(4) of the National Government Constituency Development Fund Act, 2015 and paragraphs 5(2) and (10) of the National Government Constituencies Development Fund Regulations, 2016, this House approves the list of nominees for appointment to the following eight (8) Constituency Committees of the National Government Constituency Development Fund, *laid on the Table of the House on Wednesday, August 5, 2020*: -

1. AINABKOI CONSTITUENCY

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	Isaac Kiprono Kotut	Representative of Persons Living with Disability	Fresh appointment, pursuant to Sec.43(3)

2. BOMET EAST CONSTITUENCY

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	Collins Kibet Yegon	Male Youth Representative	Fresh appointment, pursuant to Sec.43(3)
2.	David Kipkirui Waitage	Male Adult Representative	Re-appointment, pursuant to Sec.43(8)
3.	Chepkirui Dorcas	Female Youth Representative	Fresh-appointment, pursuant to Sec.43(3)
4.	Rose Chelangat Bor	Female Adult Representative	Fresh-appointment, pursuant to Sec.43(3)
5.	Lily Chepkemoi	Representative of Persons Living with Disability	Re-appointment, pursuant to Sec.43(8)
6.	Joseph Chirchir	Nominee of the Constituency Office (Male)	Fresh-appointment, pursuant to Sec.43(3)

7. Chepkoech Christine Nominee of the Fresh-appointment, pursuant to Constituency Office Sec.43(3) (Female)

3. BUURI CONSTITUENCY

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	Fredrick Mwiti Kithinji	Male Youth Representative	Re-appointment, pursuant to Sec.43(8)
2.	Charles Kinyua Kiara	Male Adult Representative	Re-appointment, pursuant to Sec.43(8)
3.	Elosy Kendi	Female Youth Representative	Re-appointment, pursuant to Sec.43(8)
4.	Lucy Nkirote Mbobua	Female Adult Representative	Re-appointment, pursuant to Sec.43(8)
5.	Joshua Murithi Mwarania	Representative of Persons Living with Disability	Re-appointment, pursuant to Sec.43(8)
6.	Leslie Murithi Mwarania	Nominee of the Constituency Office (Male)	Re-appointment, pursuant to Sec.43(8)
7.	Mary Gacheri Mwathe	Nominee of the Constituency Office (Female)	Re-appointment, pursuant to Sec.43(8)

4. DAGORETTI NORTH CONSTITUENCY

(Re-Submitted to complete list of Nominees as earlier submission had only six nominees)

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	Catherine Akinyi Mwangi	Female Adult Representative	Fresh appointment, pursuant to Sec.43(3)

5. DAGORETTI SOUTH CONSTITUENCY

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	Geoffrey Moturi	Male Youth Representative	Fresh appointment, pursuant to Sec.43(3)
2.	Joseph Chege Wainaina	Male Adult Representative	Re-appointment, pursuant to Sec.43(8)
3.	Mary Wambui Waichigo	Female Youth Representative	Re-appointment, pursuant to Sec.43(8)
4.	Salome Wanjiku Mbugua	Female Adult Representative	Re-appointment, pursuant to Sec.43(8)

6. ELDAMA RAVINE CONSTITUENCY

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	Alberto Kimeli Munji	Male Youth Representative	Fresh appointment, pursuant to Sec.43(8)
2.	Joseph Kibor Aiyabei	Male Adult Representative	Re-appointment, pursuant to Sec.43(8)
3.	Nancy Jeptoo Koech	Female Youth Representative	Re-appointment, pursuant to Sec.43(8)
4.	Anne Mwiwaki Mwangi	Female Adult Representative	Re-appointment, pursuant to Sec.43(8)
5.	Elijah Kamiti Kamau	Representative of Persons Living with Disability	Re-appointment, pursuant to Sec.43(8)
6.	John Kipkoen Suge	Nominee of the Constituency Office (Male)	Fresh -appointment, pursuant to Sec.43(8)
7.	Veronica C Kaptich	Nominee of the Constituency Office (Female)	Re-appointment, pursuant to Sec.43(8)

7. KITUTU CHACHE SOUTH CONSTITUENCY

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	Benard Makuru Ongeru	Male Youth Representative	Fresh-appointment, pursuant to Sec.43(3)
2.	James Mokaya Maobe	Male Adult Representative	Re-appointment, pursuant to Sec.43(8)
3.	Winfridah Kemunto Maisiba	Female Youth Representative	Re-appointment, pursuant to Sec.43(8)
4.	Mellen Nyomenda Kebati	Female Adult Representative	Re-appointment, pursuant to Sec.43(8)
5.	John Ongeru Ondieki	Representative of Persons Living with Disability	Re-appointment, pursuant to Sec.43(8)
6.	James Omonywa Orito	Nominee of the Constituency Office (Male)	Re-appointment, pursuant to Sec.43(8)
7.	Pacifica Onyango Mora	Nominee of the Constituency Office (Female)	Re-appointment, pursuant to Sec.43(8)

8. NYERI TOWN CONSTITUENCY

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION
1.	Kelvin Njaramba	Nderitu Male Youth Representative	Fresh-appointment, pursuant to Sec.43(3)
2.	Richard Mwangi	Kanyoro Male Adult Representative	Fresh-appointment, pursuant to Sec.43(3)
3.	Teresa Mwangi	Nyokabi Female Adult Representative	Fresh-appointment, pursuant to Sec.43(3)

12*. MOTION – INQUIRY INTO THE USE OF THE STANDARD GAUGE RAILWAY

(The Chairperson, Departmental Committee on Transport, Public Works and Housing)

THAT, this House **adopts** the Report of the Departmental Committee on Transport, Public Works and Housing on its Inquiry into the Use of the Standard Gauge Railway (SGR), *laid on the Table of the House on Tuesday, September 22, 2020.*

(Resumption of debate interrupted on Tuesday, November 10, 2020)

(Balance of time – 1 hour 30 minutes)

13*. MOTION – INQUIRY INTO THE STATUS OF STADIA IN KENYA

(The Chairperson, Departmental Committee on Sports, Culture and Tourism)

THAT, this House **adopts** the Report of the Departmental Committee on Sports, Culture and Tourism on the Inquiry into the Status of Stadia in Kenya, *laid on the Table of the House on Tuesday, October 13, 2020.*

14*. MOTION – INQUIRY INTO THE UTILIZATION OF THE FUNDS APPROPRIATED TO THE MINISTRY OF HEALTH IN THE FINANCIAL YEAR 2019/20 FOR THE COVID-19 PANDEMIC

(The Chairperson, Departmental Committee on Health)

THAT, this House **adopts** the Report of the Departmental Committee on Health on its Inquiry into the Utilization of the Funds Appropriated to the Ministry of Health in the Financial Year 2019/20 for the Control and Management of the COVID-19 Pandemic, with Focus on the Kenya Medical Supplies Authority (KEMSA), *laid on the Table of the House on Thursday, October 1, 2020.*

15*. MOTION – CONSIDERATION OF THE PUBLIC PETITION ON
RE-CONSIDERATION OF A RESOLUTION OF THE
HOUSE

(The Chairperson, Committee on Implementation)

THAT, this House **adopts** the Report of the Committee on Implementation on its consideration of the Public Petition on Re-consideration of a Resolution of the House on the Report on the Crisis facing the Sugar Industry in Kenya, *laid on the Table of House on Wednesday, August 5, 2020.*

*** Denotes Orders of the Day***

...../Notices*

NOTICE**The House resolved on Tuesday, November 03, 2020 as follows-****Limitation of Debate on Bills, Motions (including Special 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 November 3, 2020 up to and including December 3, 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 I*

NOTICE PAPER

Tentative business for

Thursday (Morning) November 19, 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), November 19, 2020-

MOTION - **DEBATE ON THE PRESIDENT'S ADDRESS (DAY 1)**
(The Leader of the Majority Party)

*...../Notice Paper II**

NOTICE PAPER II

Tentative business for

Thursday (Afternoon) November 19, 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), November 19, 2020-

MOTION - **DEBATE ON THE PRESIDENT'S ADDRESS (DAY 2)**
(The Leader of the Majority Party)

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

226/2020

The Member for Kabondo Kasipul (Hon. Eve Obara, MP) to ask the Cabinet Secretary for Energy: -

- (i) Could the Cabinet Secretary explain the reasons for the frequent power blackouts in Kabondo Kasipul Constituency, which have been lasting for many days?
- (ii) Could the Cabinet Secretary also explain the steps taken by the Ministry to resolve the problem of defective transformers at *Chagere Primary School, Kadie Clean Water Project, Siany Secondary and Nyandolo Primary School* in Kabondo Kasipul Constituency, some of which have not been functioning well for the last 7 years and why a transformer which was installed at *Oriri Primary School* is yet to be connected to power?
- (iii) What is the Ministry doing to ensure that under-utilized transformers such as the ones located near *God Agak and Opanga Primary Schools* are fully utilized to serve neighbouring homes as requested by the area community?
- (iv) What steps is the Ministry taking to ensure that collapsed poles and a transformer which was retrieved in January 2020 at a location between *Omuga TTI and Kolweny Kingsway Secondary School* in Kabondo Kasipul Constituency, and which also serves *Wang'apala Secondary School* water pump is re-installed to avert a crisis in the area, given that the problem is affecting a community population of over 2000 families?

(To be replied before the Departmental Committee on Energy)

288/2020

The Member for Meru County (Hon. Bishop. Kawira Mwangaza, MP) to ask the Attorney General-

- (i) What measures has the Attorney General put in place in the Department of Justice to ensure that disputes relating to inheritance and succession are amicably managed and resolved among individuals, families and residents nationally and in Meru County, to avoid situations where courts appear to be the immediate and only alternative for handling succession disputes?

- (ii) What is the status of all registered inheritance and succession cases in Meru County and when will they be resolved?
- (iii) Could the Attorney General clarify whether there are any other Alternative Dispute Resolution (ADR) mechanisms in place to resolve inheritance and succession disputes in the Meru County, and if so, what is the criteria for admission of cases to be resolved using such mechanisms?

(For Written Reply by the Attorney General)

306/2020

The Member for Mwatate (Hon. Andrew Mwadime, MP) to seek for Written Response from the Teachers Service Commission-

- (i) What criteria was used by the Teachers Service Commission during the October 2020 recruitment of teachers across the country?
- (ii) What measures were undertaken by the Commission to ensure that recruitment is transparent and fair in all parts of the country as stipulated under the Constitution of Kenya?
- (iii) Could the Commission provide a list of all the residents of the administrative locations of Mwatate *Sub-County* who were recruited by the Commission in 2019 and 2020?

(Question for Written Reply by the Teachers Service Commission)

320/2020

The Member for Kwale County (Hon. Zuleikha Hassan, MP) to ask the Cabinet Secretary for the National Treasury and Planning: -

- (i) Could the Cabinet Secretary explain why the thirty four (34) retired civil servants from Coast Region whose Personal numbers are here under have not been paid their pension dues to date- *(Personal No.s 021492, 029116, 030373, 034166, 034383, 031139 and 034084 who retired in year 2014; 1977054282, 030474, 034514, 019420 and 061982 who retired in year 2015; 034386, 059038, 057976, 030366 and 034604 who retired in year 2016; 034167, 034068 and 019400 who retired in year 2017; 053274, 058219, 034295, 034631 and 198206890 who retired in year 2018; and, 050566, 034185, 037177, 030474, 034320, 034163, 034268, 050507 and 034554 who retired in year 2019)?*
- (ii) What measures is the Ministry putting in place to ensure that the said dues are paid to the beneficiaries?

(To be replied before the Departmental Committee on Finance & National Planning)

322/2020

The Member for Lagdera (Hon. Mohamed Hire Garane, MP) to ask the Cabinet Secretary for Health-

- (i) What measures has the Ministry put in place to ensure that contractual obligations owed to various contractors in the country with regard to construction and upgrade of various health facilities in the marginalized areas under the *Equalization Projects Programme* since January 2018 are fulfilled?
- (ii) Could the Ministry provide a list of the various health facilities whose construction or upgrade was done under the *Equalization Projects Programme* and indicate the completion and handover dates for each?

(To be replied before the Departmental Committee on Health)

323/2020

The Member for Bondo (Hon. Dr. Gideon Ochanda, MP) to ask the Cabinet Secretary for Devolution and ASALs-

- (i) Could the Cabinet Secretary list the sublocations affected by floods and related natural disasters in Bondo Constituency this year and indicate the form and nature of intervention or mitigation measures instituted by the Government, if any, in each case?
- (ii) Could the Cabinet Secretary further clarify whether the bursting of *River Yala's banks* that occurred in May 2020 was categorized as catastrophic and further explain why dykes and riverbanks have not been restored in the area to date?
- (iii) What immediate and long-term measures is the Ministry putting in place to address perennial flooding in Bondo Constituency and further in the restoration of affected riverbanks and dykes?

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

326/2020

The Member for Tigania West (Hon. (Dr.) John Kanyuithia Mutunga, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works-

- (i) Could the Ministry consider re-constructing the section of *Kirindine – Miathene Road* in Tigania West Constituency which is currently in deplorable state despite being constructed using *Probase Technology* as a pilot project?
- (ii) Could the Cabinet Secretary explain why the contractors, M/s *Double X and Gantt Construction Companies* have delayed completion

of the project, having constructed only about 15% of their respective 2 kilometres sections of the *Miathene - Mikinduri Road*, over a period of 3 years?

(iii) When does the Ministry plan to have the entire road project completed including the un-tarmacked 2kilometre section, which lies in between two tarmacked sections?

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

332/2020

The Nominated Member, (Hon. Godfrey Osotsi, MP) to ask the Cabinet Secretary for Environment and Forestry: -

- (i) When will the Government degazette the *Shiru and Shaviringa Settlement Schemes* in Kakamega Forest which were set aside in 1988 as part of the Government's compensation to residents of *Mbale, Kegoye, Buganda, Vokoli, Mululu among other villages* in Vihiga County, who surrendered their ancestral land to pave way for setting up of Government facilities in Vihiga headquarters, including the District Headquarters, the District Hospital, the Police Headquarters and Prison, amongst others?
- (ii) Is the Cabinet Secretary aware that some of the initial landowners are yet to surrender the original title deeds to facilitate transfer of land to Government implying that, part of the public facilities now lie on private land?
- (iii) What steps has the Ministry taken to fast-track demarcation and surveying of the 134.8 hectares of the Settlements boundaries, alteration of *Kakamega Forest Boundaries* and issuance of title deeds to the intended beneficiaries ?

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