

(No. 082)



(994)

REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FIFTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

TUESDAY, AUGUST 17, 2021 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 – EXEMPTION OF BUSINESS FROM PROVISIONS OF THE STANDING ORDERS

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

THAT, pursuant to the provisions of Standing Order 256 relating to Exemption of business from Standing Orders, this House **resolves** to exempt the Reports of the Departmental Committee on Administration and National Security on the Public Petitions listed hereunder, *laid on the Table of the House on Wednesday, August 11, 2021*, from the provisions of Standing Order 227(2) (*Committal of Petitions*) with respect to debate—

- (i) Public Petition regarding insecurity in Saku Constituency and the Larger Marsabit County;
- (ii) Public Petition by Residents of Wajir and Garissa Counties regarding lack of access to Citizen Registration Services; and,
- (iii) Public Petition regarding Recognition of the Pemba People of Kenya as Citizens of the Republic of Kenya.

9*. COMMITTEE OF THE WHOLE HOUSE

The Foreign Service Bill (National Assembly Bill No. 8 of 2021)
(The Chairperson, Departmental Committee on Defence and Foreign Relations)

10*. THE NATIONAL HOSPITAL INSURANCE FUND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2021)

(The Leader of the Majority Party)

Second Reading

(Resumption of debate interrupted on Thursday, August 12, 2021)

11*. THE IRRIGATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2021)

(The Leader of the Majority Party)

Second Reading

12*. THE HEALTH LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2021)

(The Leader of the Majority Party)

Second Reading

13*. THE NATIONAL COHESION AND PEACE BUILDING BILL (SENATE BILL NO. 35 OF 2018)

(The Chairperson, Committee on National Cohesion and Equal Opportunity)

Second Reading

14*. THE SOCIAL ASSISTANCE (REPEAL) BILL (NATIONAL ASSEMBLY BILL NO. 16 OF 2020)

(The Leader of the Majority Party)

Second Reading

15*. THE LANDLORD AND TENANT BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2021)

(The Leader of the Majority Party)

Second Reading

*** Denotes Orders of the Day**

NOTICES

I. THE FOREIGN SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 8 OF 2021)

Notice is given that the Chairperson of the Departmental Committee on Defence and Foreign Relations intends to move the following amendments to the Foreign Service Bill, 2021 at the Committee Stage—

CLAUSE 2

THAT, Clause (2) of the Bill be amended—

- (a) in the definition “attaché” by deleting the word “mainstream” appearing immediately after the words “other than a”
- (b) by deleting the definition “dependant child” and substituting therefor the following new definition—
“dependant child” means a biological offspring or a legally adopted child who is not married—
 - (a) and is under the age of twenty-two years;
 - (b) is in school and is under the age of twenty-four years; or
 - (c) has special needs and is wholly dependent on an officer.
- (c) in the definition “locally engaged staff” by deleting the words “abroad or within the Republic” appearing at the end of the definition;
- (d) by deleting the definition “Mission” and substituting therefor the following new definition—
“Mission” means a Kenyan Embassy, High Commission, Consulate-General or a duly accredited representational office abroad or within the Republic;
- (e) by deleting the definition “Officer” and substituting therefor the following new definition—
“Officer” means a Foreign Service officer;
- (f) in the definition “spouse” by inserting the words “and recognized under the Marriage Act” at the end of the definition;
- (g) by deleting the definition “tour of duty” and substituting therefor the following new definition—
“tour of duty” means the period of time between—
 - (a) when an appointed Officer reports to a Mission; and
 - (b) when the Officer is recalled to Ministry Headquarters”

- (h) by inserting the following new definitions in proper alphabetical sequence—
- “career diplomat” means an Officer of the rank eligible for appointment as a high commissioner, ambassador, diplomatic or consular representative;
- “Headquarters” means the administrative centre of the Service in Kenya;
- “Honorary Consul” means an official representative of one country in the territory of another and does not include a career diplomat;
- “Service” means the Foreign Service of the Republic of Kenya established under Section 3;
- “service staff” means persons recruited to offer technical and administrative support to the Service other than foreign service officers;
- “special needs” means a physical or mental condition which necessitates special care for a dependant child.

CLAUSE 3

THAT, Clause 3 of the Bill be amended—

- (a) by deleting subclause (2) and substituting therefor the following new subclause—
-
- “(2) The Foreign Service shall be headed by the Cabinet Secretary.”
- (b) in subclause (3) by inserting the words “, international law and customs of diplomatic practice” immediately after the word “Constitution”.

CLAUSE 4

THAT, the Bill be amended by deleting Clause 4 and substituting therefor the following new clause—

Composition of the
Foreign Service.

- 4.** (1) The Service shall comprise officers serving at the headquarters and in Missions, who shall include—
- (a) high commissioners, ambassadors and diplomatic and consular representatives;
- (b) Special envoys;
- (c) Honorary Consuls;
- (d) foreign service officers; and
- (e) any other officer as may be designated by any written law or by the Cabinet Secretary in writing.
- (2) The composition of the Service shall reflect the gender, regional and other diversities of the people of Kenya.

CLAUSE 5

THAT, the Bill be amended by deleting Clause 5 and substituting therefor the following new clause—

Functions of the
Foreign Service.

5. In addition to any other responsibilities designated in writing by the President to the Ministry, the Service shall—

- (a) be responsible for the development and management of Kenya's foreign policy;
- (b) conduct and coordinate the international relations and cooperation of the Republic at bilateral, regional and multilateral levels;
- (c) enhance protection of Kenya's sovereignty and territorial integrity;
- (d) enhance national, regional and international peace, security and stability;
- (e) protect, promote and project national interests globally;
- (f) establish and maintain good relations between the Republic and other countries, and international organizations;
- (g) manage the Republic's Missions;
- (h) serve and promote the legitimate interests of Kenyans living abroad;
- (i) administer diplomatic privileges and immunities;
- (j) administer all foreign representations in the Republic;
- (k) be the primary interface between the Republic and foreign states and international organizations or entities;
- (l) facilitate negotiation and conclusion of international treaties and agreements in consultation with relevant ministries;
- (m) maintain custody of ratified international treaties and agreements;
- (n) facilitate the integration of Kenya's foreign policy in national security;
- (o) coordinate, monitor and report on the implementation of the Republic's international obligations;
- (p) coordinate and provide protocol services to designated foreign and national dignitaries as prescribed;
- (q) provide consular services as prescribed;
- (r) coordinate relevant agencies in emergency evacuation of distressed Kenyans abroad; and
- (s) perform any other function as may be necessary for the discharge of its mandate as prescribed by any written law.

CLAUSE 6

THAT, the Bill be amended by deleting Clause 6 and substituting therefor the following new clause—

Powers and functions of the
Cabinet Secretary.

6. In addition to any powers or functions designated in writing by the President, the Cabinet Secretary shall—
- (a) be the principal advisor to the President on matters relating to foreign policy;
 - (b) provide strategic leadership and policy guidance to the Service;
 - (c) consult and advise the Public Service Commission on appropriate officers to be appointed to the Foreign Service;
 - (d) ensure that the Service and Missions pursue the foreign policy objectives of the Republic, in coordination with other ministries and agencies in the Republic;
 - (e) advise the Cabinet on the establishment of Missions of the Republic;
 - (f) provide policy advice to the Government on matters relating to foreign policy;
 - (g) establish such consultative coordination mechanisms as may be necessary for the effective implementation of this Act;
 - (h) conduct and coordinate communications between the government of the Republic and governments of other countries and intergovernmental organizations and agencies;
 - (i) oversee and implement directives by the President relating to the appointment or recall of high commissioners, ambassadors and diplomatic and consular representatives;
 - (j) administer, manage and develop the capacity of the Service;
 - (k) issue guidelines on the coordination and alignment of matters relating to foreign affairs to National and County Governments;
 - (l) approve the accreditation of a high commissioner, ambassador, diplomatic or consular representative to serve more than one country or jurisdiction; and
 - (m) ratify international agreements on behalf of the Republic subject to approval by the National Assembly.

CLAUSE 7

THAT, the Bill be amended by deleting Clause 7 and substituting therefor the following new clause—

Functions of the
Principal Secretary.

7. The Principal Secretary in the ministry responsible for matters relating to foreign affairs shall be responsible to the Cabinet Secretary and shall—

- (a) provide administrative supervision to the Service;
- (b) co-ordinate the performance management of the Service;
- (c) oversee implementation of programmes;
- (d) provide foreign policy advice to the Cabinet Secretary;
- (e) be the principal accounting officer and ensure efficient utilization of funds and other public resources;
- (f) act as the point of contact for the Service;
- (g) advise the Cabinet Secretary on human resource matters; and
- (h) perform any other functions as delegated by the Cabinet Secretary.

CLAUSE 9

THAT, Clause 9(1) of the Bill be amended by inserting the following new paragraph immediately after paragraph (b)—

“(ba) providing legal advice and handling compliance matters;”

CLAUSE 10

THAT, the Bill be amended by deleting Clause 10 and substituting therefor the following new clause—

Establishment of
Missions of the
Republic.

10. (1) The Cabinet Secretary may recommend, and upon approval by Cabinet, establish a Mission in accordance with the provisions of the Vienna Convention on Diplomatic Relations, 1961, the Vienna Convention on Consular Relations, 1963, and the provisions of treaties and conventions establishing intergovernmental organizations and agencies.

(2) In recommending the establishment of a Mission and any office of the Foreign Service abroad, the Cabinet Secretary shall be guided by the Kenyan foreign policy.

(3) The Cabinet Secretary shall, with the approval of Cabinet—

- (a) prescribe the territorial accreditation boundaries of a Mission;
- (b) amalgamate two or more Missions; or
- (c) close or downgrade a Mission.

CLAUSE 11

THAT, the Bill is amended by deleting Clause 11.

PART IV-TITLE

THAT, the title to Part IV of the Bill be amended by deleting the words “STAFFING AND CONDITIONS OF SERVICE” and substituting therefor the words “MANAGEMENT OF THE SERVICE”.

CLAUSE 12

THAT, the Bill be amended by deleting Clause 12 and substituting therefor the following new clause—

Recruitment.

12. (1) The Cabinet Secretary shall, in consultation with the Public Service Commission —

- (a) determine the terms and conditions of service for members of the Service; and
- (b) establish a Foreign Service Personnel Scheme which shall guide the criteria relating to the recruitment and career progression within the Service.

(2) A person shall not be recruited into the Service unless the person—

- (a) is a Kenyan citizen; and
- (b) has undertaken and passed Foreign Service Examinations administered by the Academy.

(3) Recruitment and promotion in the Service shall be conducted through a competitive process to determine the competence, fitness and aptitude of candidates to serve in the foreign service.

(4) The Public Service Commission shall, in consultation with the Cabinet Secretary, recruit—

- (a) suitably qualified officers to execute the functions of the Foreign Service; and
- (b) service staff to provide technical and support services to the Service.

(5) The recruitment and appointment procedure under this Act shall comply with the values and principles of Public Service enshrined in the Constitution and the Public Service (Values and Principles) Act.

(No. 1A of 2015)

CLAUSE 13

THAT, Clause 13 of the Bill be amended by deleting subclause (3).

CLAUSE 14

THAT, Clause 14 of the Bill be amended by deleting the words “Principal Secretary” appearing at the beginning of the clause and substituting therefor the words “Cabinet Secretary”.

CLAUSE 15

THAT, the Bill be amended by deleting Clause 15 and substituting therefor the following new clause—

Deployment of
officers to Missions.

15. (1) The Cabinet Secretary may, with notification to the Public Service Commission, assign any officer of the Service to any Mission.

(2) The Cabinet Secretary may extend or terminate any overseas assignment under subsection (1), and require an officer to return to headquarters.

(3) Any officer of the Ministry assigned overseas shall, in addition to provisions under his or her employment contract, continue to be bound by the regulations governing the public service.

(4) The Cabinet Secretary may recall an officer assigned to serve at a Mission prior to the end of his or her term as prescribed in regulations.

CLAUSE 16

THAT, the Bill be amended by deleting Clause 16 and substituting therefor the following new clause—

Training.

16. (1) The Cabinet Secretary shall ensure that all officers receive appropriate diplomatic and other training relevant to their rank under the personnel scheme.

(2) The training and capacity building of officers shall be undertaken by the Academy and such other institutions as may be authorized by the Principal Secretary.

CLAUSE 17

THAT, the Bill be amended by deleting Clause 17 and substituting therefor the following new clause—

Secondment of officers
from other Ministries.

17. (1) The Public Service Commission may, with the concurrence of the relevant Cabinet Secretary and the Cabinet Secretary, second staff from any other ministry to any Mission.

(2) Where a person is seconded to a Mission under subsection (1), the Cabinet Secretary and the relevant Cabinet Secretary shall agree on the employment and financial conditions that shall apply for the duration of secondment.

CLAUSE 18

THAT, Clause 18 of the Bill be amended—

(a) in subclause (2) by deleting the words “including obtaining criminal records and relevant qualifications and references from previous employers”;

(b) by deleting subclause (3) and substituting therefor the following new subclause—

“(3) The terms and conditions of employment of locally engaged staff shall be in accordance with the labour laws of the host country.”;

(c) by deleting subclause (4);

(d) by deleting subclause (5).

CLAUSE 19

THAT, Clause 19 of the Bill be amended by—

- (a) renumbering the existing provision as subclause (1);
- (b) inserting the following new subclauses immediately after subclause (1)—
 - “(2) A person who abuses any privilege or immunity granted under this section shall be subjected to disciplinary action as appropriate.
 - (3) A person shall not waive the privileges and immunities granted under this section without the express approval of the Cabinet Secretary.”

CLAUSE 20

THAT, the Bill be amended by deleting Clause 20.

CLAUSE 21

THAT, Clause 21 of the Bill be amended—

- (a) in subclause (1) by deleting the words “independent contractors” appearing immediately after the words “officers and” and substituting therefor the words “service staff”;
- (b) by deleting subclause (2).

CLAUSE 22

THAT, the Bill be amended by deleting Clause 22.

CLAUSE 23

THAT, the Bill be amended by deleting Clause 23 and substituting therefor the following new clause—

- Appointment.
- 23.** (1) The Office of a high commissioner, ambassador, diplomatic or consular representative shall be a State office for purposes of Article 260 of the Constitution.
- (2) Pursuant to Article 132 (2) (e) of the Constitution, the President shall nominate, and subject to the approval of the National Assembly, appoint high commissioners, ambassadors and diplomatic or consular representatives.
- (3) A nomination under sub section (2) shall reflect—
- (a) a fair balance between career diplomats and other appointees; and
 - (b) the gender, regional and other diversities of the people of Kenya.
- (4) A person nominated for appointment under subsection (2) shall be—
- (a) a citizen of Kenya; and
 - (b) of a reputable character and standing.

NEW CLAUSE

THAT, the Bill be amended by inserting the following new clause immediately after clause 23—

Head of
Mission.

23A. The Head of a Mission shall—

- (a) actively pursue the foreign policy objectives of the Republic in the host country;
- (b) act as the personal representative of the Head of State in the host country;
- (c) act as an official representative of the Republic at official functions in the host country;
- (d) be responsible for the management and administration of the Mission and all members of the Foreign Service located at the Mission, including the locally engaged staff in the Mission;
- (e) be accountable for any expenditure of the Mission and ensure that the budget of the Mission is administered in accordance with the Public Finance Management Act, 2012 and all other applicable laws and regulations.

No. 18 of 2012.

(2) A Mission may have more than one person designated to serve as ambassador or high commissioner.

(3) Where a Mission has more than one ambassador or high commissioner, the ambassador or high commissioner designated as ambassador extraordinary and plenipotentiary shall be the Head of Mission.

CLAUSE 24

THAT, Clause 24 of the Bill be amended by deleting subclause (4).

CLAUSE 25

THAT, Clause 25 of the Bill be amended by deleting subclause (2).

CLAUSE 27

THAT, Clause 27 of the Bill be amended by deleting subclause (3) and substituting therefor the following new subclause—

“(3) Each Honorary Consul shall report directly to—

- (a) the Head of Mission responsible for that country; or
- (b) where there is no Head of Mission, to the Cabinet Secretary.”

PART VI-TITLE

THAT, the title to Part VI of the Bill be deleted.

CLAUSE 29

THAT, Clause 29 of the Bill be amended by—

- (a) deleting subclause (2);
- (b) deleting subclause (3).

CLAUSE 30

THAT, the Bill be amended by deleting Clause 30.

CLAUSE 32

THAT, the Bill be amended by deleting clause 32 and substituting therefor the following new clause—

Functions of the
Academy.

32. The Academy shall—

- (a) be the principal institution for training and capacity building of members of the foreign service;
- (b) undertake foreign policy consultancy, research and analysis for the Service, Government and clients in the private and public sector;
- (c) develop and conduct periodic evaluation of training programmes to ensure relevance, quality and effectiveness;
- (d) undertake continuous foreign service training and other programmes to enhance skills, capacity and professionalism of Officers;
- (e) offer induction courses to all newly employed persons to help them transition into a career in the Service;
- (f) administer entry and promotional examinations within the Service;
- (g) undertake training of members of the Service before deployment for a tour of duty;
- (h) conduct examinations for the grant of such professional and academic awards as may be prescribed;
- (i) develop and maintain a repository of research resources on foreign policy and related issues;
- (j) develop linkages and collaborations with institutions of learning, professional organizations, private sector and other similar institutions across the world;
- (k) control the publication and use of research findings of the Service; and
- (l) perform all other acts necessary for the proper performance of its functions under this Act, which may lawfully be done or performed by a body corporate.

CLAUSE 33

THAT, Clause 33 (1) of the Bill be amended—

- (a) by deleting paragraph (d) and substituting therefor the following new paragraph—

“(d) three persons competitively recruited and appointed by the Cabinet Secretary, one of whom shall be a person who teaches diplomacy or international relations in a university recognized in Kenya;”

- (b) by deleting paragraph (e);
- (c) in paragraph (h) by deleting the words “and secretary to the Council” appearing immediately after the words “ex officio member”;
- (d) in subclause (3) by inserting the words “appointed under subsection (1)(d)” immediately after the words “members of the Council”.

CLAUSE 37

THAT, Clause 37 of the Bill be amended in subclause (1) by deleting the words “by the Cabinet Secretary, on recommendation” appearing immediately after the word “appointed”.

CLAUSE 38

THAT, the Bill be amended by deleting Clause 38 and substituting therefor the following new clause—

Functions of Director-General.

38. The Director-General shall be—

- (a) the accounting officer of the Academy; and
- (b) responsible for—
 - (i) implementing the decisions of the Council;
 - (ii) efficient administration of the Academy;
 - (iii) preparing annual reports on activities of the Academy;
 - (iv) the day-to-day administration and management of the affairs of the Academy; and
 - (v) the performance of such other duties as may be assigned by the Council or as may be prescribed by this Act, or any other written law.

NEW CLAUSE

THAT, the Bill be amended by inserting the following new clause immediately after Clause 38—

Corporation Secretary.

38A. (1) There shall be a Corporation Secretary of the Academy who shall be the secretary to the Council.

(2) The terms and conditions of service of the Corporation Secretary shall be determined by the Council in consultation with the Salaries and Remuneration Commission.

CLAUSE 46

THAT, Clause 46(2) of the Bill be amended by deleting the opening statement and substituting therefor the following—

“Within a period of three months from the end of each financial year, the Council shall submit to the Auditor-General the accounts of the Academy together with—”

PART IX - TITLE

THAT, the title to Part IX of the Bill be amended by inserting the word “PROVISIONS” immediately after the word “MISCELLANEOUS”.

NEW CLAUSE

THAT, the Bill be amended by inserting the following new clause immediately after clause 49—

Diplomatic
notifications
communications.

reporting,
and

49A. (1) Unless otherwise directed by the Cabinet Secretary—

- (a) all diplomatic or official correspondences sent directly to the Republic’s Missions shall be forwarded to or channeled through the Ministry headquarters;
 - (b) all diplomatic or official correspondences originating from Embassies within the Republic to any Ministry or agency in the Republic shall be forwarded or channeled through the Ministry headquarters; and
 - (c) all diplomatic or official correspondences originating from domestic Ministries, agencies, or Missions and international organizations that are channeled through Ministry headquarters shall, where appropriate, be forwarded to relevant Embassies for their information.
- (2) The Head of a Mission or his or her designate shall be the first point of contact for a Mission of the Republic.
- (3) The Principal Secretary shall be the first point of contact for the Ministry headquarters.

CLAUSE 50

THAT, clause 50(1) of the Bill be amended by inserting the following new paragraphs immediately after paragraph (b)—

- “(ba) procedure for administering foreign service examinations, including written, oral, physical, foreign language, and other examinations for appointment to the Service;
- (bb) procedure for termination or recall of officers assigned to Missions;
- (bc) the terms and conditions applicable to a special envoy;
- (bd) the provision of protocol services to designated foreign and national dignitaries;
- (be) the provision of consular services;”
-

LIMITATION OF DEBATE

The House resolved on Wednesday, February 10, 2021 as follows-

Limitation of Debate on Bills sponsored by Parties or Committees

- II. 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** shall 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 shall 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 Motions

- III. THAT**, 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 shall 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.

NOTICE PAPER I

Tentative business for

Wednesday (Morning), August 18, 2021

(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 Wednesday (Morning), August 18, 2021-

**A. THE ALCOHOLIC DRINKS CONTROL (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 70 OF 2019)**

(The Hon. Silvanus Osoro, M.P.)

Second Reading

(Question to be put)

B. COMMITTEE OF THE WHOLE HOUSE

The Sugar Bill (National Assembly Bill No. 68 of 2019)

(The Hon. Wafula Wamunyinyi, M.P.)

**C. THE CONSTITUTION OF KENYA (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 19 OF 2019)**

(The Hon. Florence Mutua, M.P.)

Second Reading

(Resumption of debate interrupted on Wednesday, August 11, 2021 – Morning Sitting)

(Balance of time – 1 hour 22 minutes)

**D. THE KENYA DEPOSIT INSURANCE (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 43 OF 2020)**

(The Hon. Abdul Rahim Dawood, M.P.)

Second Reading

**E. THE COMPUTER MISUSE AND CYBERCRIMES (AMENDMENT)
BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2021)**

(The Hon. Aden Duale, M.P.)

Second Reading

**F. THE COMMUNITY HEALTH WORKERS BILL (NATIONAL
ASSEMBLY BILL NO. 30 OF 2020)**

(The Hon. Martin Peters Owino, M.P.)

Second Reading

G. THE LABOUR RELATIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 18 OF 2019)

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

Second Reading

H. THE PHARMACY AND POISONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2021)

(The Hon. Alfred Keter, M.P.)

Second Reading

I. THE KENYA INFORMATION AND COMMUNICATIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2019)

(The Hon. Elisha Odhiambo, M.P.)

Second Reading

*(Resumption of debate interrupted on Thursday, March 04, 2021 – Morning Sitting)
(Balance of time – 1 hour 39 minutes)*

J. THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 45 OF 2020)

(The Hon. David Gikaria, M.P.)

Second Reading

K. THE PENSIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2020)

(The Hon. Didmus Barasa, M.P.)

Second Reading

L. THE HEALTH (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2021)

(The Hon. Mwambu Mabongah, M.P.)

Second Reading

M. THE EMPLOYMENT (AMENDMENT)(No.2) BILL (NATIONAL ASSEMBLY BILL NO. 79 OF 2019)

(The Hon. Gideon Keter, M.P.)

Second Reading

NOTICE PAPER II

Tentative business for

Wednesday (Afternoon), August 18, 2021

(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 Wednesday (Afternoon), August 18, 2021-

A. THE CENTRAL BANK OF KENYA (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 10 OF 2021)

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

Second Reading

(Resumption of debate interrupted on Wednesday, August 11, 2021 – Afternoon Sitting)

B. THE KENYA ROADS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 13 OF 2021)

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

Second Reading

C. THE TRUSTEES (PERPETUAL SUCCESSION) (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 23 OF 2021)

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

Second Reading

D. THE RADIOGRAPHERS BILL (NATIONAL ASSEMBLY BILL NO. 47 OF 2019)

(The Chairperson, Departmental Committee on Health)

Second Reading

E. COMMITTEE OF THE WHOLE HOUSE

The Referendum (No.2) Bill (National Assembly Bill No. 14 of 2020

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

F. THE PERPETUITIES AND ACCUMULATIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.24 OF 2021)

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

Second Reading

G. MOTION – SESSIONAL PAPER NO. 1 OF 2021 ON THE NATIONAL WATER POLICY

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



APPENDIX

NOTICE OF QUESTIONS & STATEMENTS

ORDER NO.7 - QUESTIONS

It is notified that, pursuant to the provisions of Standing Order 42A (5), the following Members will ask **questions** for reply before the specified Committees-

QUE NO.

ORDINARY QUESTIONS

276/2021

The Member for Kisii County (Hon. Janet Ongera, MP) to ask the Cabinet Secretary for Public Service and Gender: -

- (i) What steps is the Ministry taking to end Gender Based Violence cases, which have significantly increased during the period of the COVID-19 Pandemic, despite a Presidential directive to stem the vice?
- (ii) What steps is the Ministry taking to ensure that victims of Gender-Based Violence are protected and that they have access to counseling and other support services particularly during the period of the COVID-19 Pandemic?
- (iii) Could the Cabinet Secretary provide details of the Gender Based Violence protection centers available in the country and indicate whether there are plans to establish more such centers, at least in every constituency?

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

295/2021

The Member for Kibra (Hon. Benard Okoth, MP) to ask the Cabinet Secretary for Lands and Physical Planning: -

- (i) Could the Cabinet Secretary provide the status of settlement of the award granted by the Environment and Land Court (Kisumu) on June 9, 2021 to one *Shabban Opiyo Kassim* of ID No. 24865553, following a judgement under Petition No. 94 of 2019?
- (ii) When is the Ministry expecting to settle the payment as awarded by the Court?

(To be replied before the Departmental Committee on Lands)

299/2021 The Member for Soy (Hon. Caleb Kositany, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -

Could the Cabinet Secretary outline the measures put in place to ensure that issuance and renewal of Passports and National Identification Cards to citizens of Kenya in the diaspora is done promptly?

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

305/2021 The Member for Kasarani (Hon. Mercy Gakuya, MP) to ask the Cabinet Secretary for Environment and Forestry: -

- (i) What steps is the Ministry taking to stop the use of waste water and effluent from the sewerage system in Nairobi for food production, considering that the practice is alleged to account for production of more than 20% of the total food consumed in Nairobi City County, particularly vegetables and legumes?
- (ii) Could the Cabinet Secretary explain the measures put in place to minimize river pollution particularly in towns and cities across the country?

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

308/2021 The Member for Kabuchai (Hon. Majimbo Kalasinga, MP) to ask the Cabinet Secretary for Education: -

- (i) What steps is the Ministry taking to address the cases of missing marks in public universities, where students are not awarded marks, forcing them to apply for special exams or retake the courses in order to graduate?
- (ii) Could the Cabinet Secretary explain the rationale behind the requirement of settlement of all fees as a condition to sitting university exams in public universities?
- (iii) Could the Cabinet Secretary provide details on statues of Government funding to students in Technical and other middle level colleges?

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

309/2021

The Member for Awendo (Hon. Walter Owino, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -

- (i) Could the Cabinet Secretary explain why the following administrative units, which were established in Awendo Sub-County in Migori County on June 21st 2017 *vide Gazette Notice No.5853*, are yet to be operationalized- *Mirima Division; Waundha, Wawire, Kanyamgony, Kadera Kwoyo, and Kabondo Locations; West Waundha, Waware Central, Wanga, Nyarago, Waora, Wawire North, Kamaure, Kadera Kwoyo East, Kve and Waundha Sub-Locations,*?
- (ii) Could the Ministry consider operationalizing the said units during the 2021/2022 financial year to bring administrative services closer to the people?

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

311/2021

The Member for Subukia (Hon. Samuel Gachobe, MP) to ask the Cabinet Secretary for Education: -

- (i) Could the Cabinet Secretary explain the criteria used in allocation and disbursement of monies under the School Infrastructure Fund in the country?
- (ii) Could the Cabinet Secretary provide a breakdown of the disbursement of the funds to primary and secondary schools in Subukia Constituency during the period June 2017 to June 2021?
- (iii) Could the Cabinet Secretary provide the timelines for the disbursement of the funds for the current financial year (2021/2022) in Subukia Constituency?

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

313/2021

The Member for Teso North (Hon. Oku Kaunya, MP) to ask the Cabinet Secretary for Education: -

- (i) Considering the high cost of school uniform in the country, which has in turn significantly led to the increased cost of learning in schools, could the Ministry consider regulating and standardizing the cost of school uniforms to make them affordable?
- (ii) What measures is the Ministry putting in place to ensure that children are not denied an opportunity to join school, learn and complete their education for lack of uniform?

- (iii) Could the Cabinet Secretary consider the use of existing institutions such as National Youth Service, Rivatex East Africa Limited, Kenya Prisons Service workshops or such other established institutions for production of school uniform at subsidized prices that the majority of parents can afford?
- (iv) What is the Ministry's policy regarding the provision of other items required of pupils and students as part of tuition, boarding and core curriculum materials?

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

326/2021

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

- (i) Could the Cabinet Secretary provide a detailed list of licenced alcoholic drinks manufacturers in Kenya, indicating the names of the firms or persons, respective production costs, selling price, Excise Duty payable, Value-Added Tax (VAT) payable and recommended retail price of all liquor brands of 250 ml?
- (ii) Could the Cabinet Secretary provide details on the amount of Excise Duty and VAT collected from the said products in the financial years 2017/2018, 2018/2019, 2019/2020, 2020/2021?
- (iii) Could the Cabinet Secretary indicate the total number of Excise Duty Stamps sold by Kenya Revenue Authority (KRA) to each of the licensed alcoholic drinks manufacturers during the period 2017/2018, 2018/2019, 2019/2020 and 2020/2021?
- (iv) What measures has the Ministry taken to deal with manufacturers and distributors of illegal alcoholic drinks who continue to engage in illicit and uncompetitive business practices leading to loss of tax revenue and putting consumers at risk?
- (v) What measures has KRA taken to deal with its staff who are involved in abetting the illicit trade by aiding and protecting illegitimate manufacturers and distributors of alcoholic drinks?

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

ORDER NO.7 - STATEMENTS

It is **notified** that, pursuant to the provisions of Standing Order 44(2) (c) the following Statement will be requested –

No.	Subject	Member	Relevant Committee
1.	Construction of the Nairobi Western Bypass	<i>The Hon. John Njuguna Wanjiku, M.P. (Kiambaa)</i>	D.C. on Transport, Public Works and Housing
