

(No. 095)



(1195)

REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FIFTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, SEPTEMBER 30, 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*. THE COFFEE BILL (SENATE BILL NO. 22 OF 2020)

(The Chairperson, Departmental Committee on Agriculture and Livestock)

First Reading

9*. THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILL NO. 30 OF 2020)

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

First Reading

10*. THE PARLIAMENTARY POWERS AND PRIVILEGES (AMENDMENT) BILL (SENATE BILL NO. 33 OF 2020)

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

First Reading

11*. THE COMMUNITY HEALTH SERVICES BILL (SENATE BILL NO. 34 OF 2020)

(The Chairperson, Departmental Committee on Health)

First Reading

12*. THE NATIONAL FLAG, EMBLEMS AND NAMES (AMENDMENT) BILL (SENATE BILL NO. 36 OF 2020)

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

First Reading

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

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

Second Reading

14*. MOTION – RATIFICATION OF VARIOUS PROTOCOLS UNDER THE MARITIME LABOUR CONVENTION AND THE INTERNATIONAL LABOUR ORGANIZATION AND THE AMENDMENTS THEREIN

(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 the Ratification of the 2014 and 2018 Amendments to the Maritime Labour Convention, 2006; the International Labour Organization Convention C185 (Amended Convention on Seafarers Identity Documents, 2003); the International Labour Organization Convention C188 (Work in Fishing Convention, 2007); the International Convention on the Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995; and the Cape Town Agreement of 2012 on Safety of Fishing Vessels, *laid on the Table of the House on Thursday, September 23, 2021*, and pursuant to the provisions of section 8(4) of the Treaty Making and Ratification Act, 2012, **approves** the *Ratification of –*

- (i) *the Amendments to the Maritime Labour Convention, 2006 (2014 and 2018 Amendments);*
- (ii) *the International Labour Organization Convention C185 (Amended Convention on Seafarers Identity Documents, 2003);*
- (iii) *the International Labour Organization Convention C188 (Work in Fishing Convention, 2007);*
- (iv) *the International Convention on the Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995; and,*
- (v) *the Cape Town Agreement of 2012 on Safety of Fishing Vessels.*

15*. MOTION - REPORT ON A PUBLIC PETITION REGARDING
RECOGNITION OF THE PEMBA PEOPLE OF KENYA
AS CITIZENS OF THE REPUBLIC OF KENYA

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

THAT, this House **adopts** the Report of the Departmental Committee on Administration and National Security on its consideration of a Public Petition regarding Recognition of the Pemba People of Kenya as Citizens of the Republic of Kenya, *laid on the Table of the House on Wednesday, August 11, 2021.*

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

(The Chairperson, Departmental Committee on Health)

Second Reading

17*. MOTION - ESTABLISHMENT OF A PARLIAMENTARY HEALTH
SERVICES UNIT

(The Chairperson, Committee on Members' Services and Facilities)

THAT, this House adopts the Report of the Select Committee on Members' Services and Facilities on Establishment of a Parliamentary Health Services Unit, *laid on the Table of the House on Wednesday, August 11, 2021.*

18*. MOTION - REPORT ON A PUBLIC PETITION REGARDING
INSECURITY IN SAKU CONSTITUENCY AND THE
LARGER MARSABIT COUNTY

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

THAT, this House **adopts** the Report of the Departmental Committee on Administration and National Security on its consideration of a Public Petition regarding insecurity in Saku Constituency and the larger Marsabit County, *laid on the Table of the House on Wednesday, August 11, 2021.*

*(Resumption of debate interrupted on Thursday, September 23, 2021)
(Balance of time – 53 minutes)*

19*. MOTION - REPORT ON A PUBLIC PETITION BY RESIDENTS OF WAJIR AND GARISSA COUNTIES REGARDING LACK OF ACCESS TO CITIZEN REGISTRATION SERVICES

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

THAT, this House **adopts** the Report of the Departmental Committee on Administration and National Security on its consideration of a Public Petition by residents of Wajir and Garissa Counties regarding lack of access to Citizen Registration Services, *laid on the Table of the House on Wednesday, August 11, 2021.*

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

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

Second Reading

21*. MOTION - ROLL-OUT OF COVID-19 ECONOMIC STIMULUS PROGRAMME (Party-Sponsored Motion)

(The Hon. Abdullswamad Nassir, M.P.)

THAT, aware that the COVID-19 Pandemic continues to devastate the Kenyan economy as exemplified by its staggering effects on economic growth that have led to massive losses of jobs and unprecedented layoffs, an underperforming financial market, distortion of monetary and fiscal policies, instability of the Kenyan shilling, fluctuating global trade, and general strain on medical facilities countrywide; **concerned that** reports from the Kenya National Bureau of Statistics reveal a substantial decline in the number of employed Kenyans as well as reduced employment opportunities; **deeply concerned that** the frequent lockdowns instituted by the Executive with the objective of countering the spread of the pandemic are a key cause of the underperforming economy despite the noble intention behind their implementation; **further aware that** the current unprecedented challenges call for extraordinary but necessary solutions, **this House urges the National Government to roll out a COVID-19 Economic Stimulus Programme that incorporates an enhanced *Kazi Mtaani* concept in urban areas and a new *Kazi Mashambani* concept in rural areas, enhances Cash Transfer Packages to the elderly, orphans, the vulnerable and the destitute, eliminates all forms of lockdowns, curfews and travel restrictions and replaces them with less stringent yet equally effective and economy-friendly containment measures including provision of Personal Protective Equipment and sanitization protocols, and rolls out a mass vaccination campaign that includes restriction of access to work premises by non-vaccinated employees, among other similarly effective interventions to stimulate economic recovery and national growth.**

22*. MOTION - STUDY VISIT TO THE LEGISLATIVE ASSEMBLY OF ALBERTA, CANADA

(The Chairperson, Committee on Members' Services and Facilities)

THAT, this House **adopts** the Report of the Committee on Members' Services and Facilities on a Study Visit to the Legislative Assembly of Alberta, Canada undertaken from 14th to 18th October 2020, *laid on the Table of the House on Tuesday, December 1, 2020.*

*** Denotes Orders of the Day**

NOTICES

I. PROPOSED AMENDMENTS TO THE MOTION ON THE REPORT ON A PUBLIC PETITION REGARDING INSECURITY IN SAKU CONSTITUENCY AND THE LARGER MARSABIT COUNTY

Notice is hereby given that the Member for Saku (Hon. Dido Rasso, MP) intends to move the following amendments to the Motion on the Report on a Public Petition regarding insecurity in Saku Constituency and the larger Marsabit County -

THAT, the Motion be amended by inserting the following after the figure “2021”-

“Subject to the following-

- a) deletion of **Recommendation 2** appearing under ‘Recommendations’ in Part 5 on page 90 of the Report;
- b) deletion of the words **“including; Ambalo, Badan Rero, Elle Bor, Elle Dimtu and Kubi Qallo”** after the word ‘County’ in **Recommendation 4** appearing under ‘Recommendations’ in Part 5 on page 90 of the Report;
- c) deletion of Recommendation 8 appearing under ‘Recommendations’ in Part 5 on page 91 of the Report and substitution with the following-
 - 8. The Cabinet Secretary for Interior and Co-ordination of National Government, as a matter of urgency, ensures adequate National Police Service personnel are deployed to Marsabit and any existing gaps to be filled by Kenya Police Reservists in coordination and consultation with the National Police Service.**
- d) deletion of the words **“in Kosso Banchale, Salesa and Isacko Umuro”** after the words ‘displaced persons’ in Recommendation 4 appearing under ‘Recommendations’ in Part 5 on page 91 of the Report;
- e) insertion of the following new **Recommendations** under ‘Recommendations’ in Part 5 on page 92 of the Report -
 - 17. The Cabinet Secretary for Lands and Physical Planning and the National Land Commission, as a matter of urgency, should address the disputes and clearly demarcate Administrative and Communal Boundaries in Marsabit County.**

...../Notices*(Cont'd)

18. *The Cabinet Secretary for Interior and Coordination of National Government should rationalize the creation of new sub-Counties in Marsabit County, and address the current imbalance across the four Constituencies, that is, Saku, Laisamis, North Horr and Moyale, as a matter of urgency.*
19. *The Cabinet Secretary for Interior and Coordination of National Government should facilitate the return of Kenyan refugees in Ethiopia.*
20. *The National Government should compensate victims for loss of lives, properties and livelihoods as a result of this conflict.*
21. *A Commission of Inquiry should be established pursuant to the provisions of the Commissions of Inquiry Act (Cap.103) to comprehensively look into the perennial security problems of Marsabit County and come up with a lasting solution.*



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 Committee Reports

- III. THAT**, each speech in a debate on **Committee Reports (except for Reports of Audit 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 two and a half hours, with not more than twenty (20) minutes for the Mover in moving and five (5) minutes for any other Member speaking, **including** the Leader of the Majority Party and the Leader of the Minority Party and the Chairperson of the relevant Committee (if the Committee Report is not moved by the Chairperson of the relevant Committee), and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and further **THAT** priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in **THAT** order.

Limitation of Debate on Sessional Papers

- IV. THAT**, each speech in a debate on any **Sessional Paper** shall be limited as follows:- A maximum of two and a half hours, with not more than twenty (20) minutes for the Mover in moving and five (5) minutes for any other Member speaking, **including** the Leader of the Majority Party and the Leader of the Minority Party and the Chairperson of the relevant Committee (if the Sessional Paper is not moved by the Chairperson of the relevant Committee), 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 and the Leader of the Minority Party, in **THAT** order.

The House further resolved on Thursday, September 23, 2021 as follows-

Limitation of Debate on Reports of Petitions

- V. THAT**, following the resolution of the House of August 17, 2021 with respect to debate on three specified Reports of Petitions, each speech in a debate on **Reports of Petitions** shall be limited as follows:- A maximum of one hour and twenty minutes, with not more than fifteen (15) minutes for the Mover in moving and five (5) minutes for any other Member speaking, **including** the Leader of the Majority Party and the Leader of the Minority Party, and **THAT** five (5) minutes before the expiry of the time, the Mover shall be called upon to reply; and further **THAT** priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in **THAT** order.
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...../Notice Paper*

NOTICE PAPER

Tentative business for **Tuesday, October 05, 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 Tuesday, October 05, 2021-

A. COMMITTEE OF THE WHOLE HOUSE

- (i) Consideration of the **President's Reservations** to the Refugees Bill
(National Assembly Bill No. 62 of 2019)
(The Leader of the Majority Party)
- (ii) The Tax Appeals Tribunal (Amendment) Bill (National Assembly Bill No. 19 of 2021)
(The Leader of the Majority Party)

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

(The Leader of the Majority Party)

Second Reading

(Resumption of debate interrupted on Wednesday, September 29, 2021 – Afternoon sitting)

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

(The Leader of the Majority Party)

Second Reading

D. MOTION – RATIFICATION OF VARIOUS PROTOCOLS UNDER THE MARITIME LABOUR CONVENTION AND THE INTERNATIONAL LABOUR ORGANIZATION AND THE AMENDMENTS THEREIN

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

(If not concluded on Thursday, September 30, 2021)

E. MOTION - RATIFICATION OF THE AGREEMENT AMENDING THE AIR TRANSPORT AGREEMENT BETWEEN KENYA AND THE UNITED STATES OF AMERICA

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

F. MOTION – RATIFICATION OF PROTOCOLS TO THE AFRICAN CHARTER ON HUMAN AND PEOPLE’S RIGHTS ON THE RIGHTS OF OLDER PERSONS AND THE RIGHTS OF PERSONS WITH DISABILITIES
(The Chairperson, Departmental Committee on Defence and Foreign Relations)

G. MOTION – SESSIONAL PAPER NO. 1 OF 2021 ON THE NATIONAL WATER POLICY
(The Chairperson, Departmental Committee on Environment and Natural Resources)



...../Appendix*

APPENDIX

NOTICE OF PETITIONS, QUESTIONS & STATEMENTS

ORDER NO.4 - PETITIONS

It is **notified** that, pursuant to the provisions of Standing Order 225, the following Petition will be presented -

No.	Subject	Petitioner(s)	Relevant Committee
044/2021	Proposal to amend the National Construction Authority Act to provide for inclusion of the cost of public funded projects on project sign boards (<i>to be presented pursuant to S.O.225(2)(b)</i>)	<i>To be reported by the Speaker on behalf of Mr. Boniface Mwai Gachunga</i>	D.C. on Transport, Public Works and Housing

...../Appendix*(Cont'd)

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

QUESTIONS BY PRIVATE NOTICE

004/2021 The Member for Rarieda (Hon. (Dr.) Otiende Amollo, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -

- (i) Could the Cabinet Secretary explain the status of investigations into the disappearance of *Chief Inspector Francis Isaac Oyaró of P/No. 7723*, a ranger with the Kenya Wildlife Service (KWS) stationed in Marsabit and a resident of Rarieda Constituency, who went missing on the 28th August, 2021, immediately on arrival in *Nanyuki* at around 1:00 p.m. from his work station where he then took a public service vehicle, a *4NTE Sacco Matatu. Reg. No KCU 905Q*, headed for Nakuru but on reaching *Naromoru*, the Matatu was blocked by individuals alleged to be police officers in a black *Subaru* vehicle who forcefully bundled him into the car and sped-off?
- (ii) How many suspects have been apprehended or questioned in connection with the disappearance of *Mr. Francis Isaac Oyaró*?
- (iii) Could the Cabinet Secretary explain when *Mr. Francis Isaac Oyaró* will be presented to his family considering that his disappearance has caused immense psychological suffering to his friends, family and the wider Rarieda Constituency?
- (iv) Could the Cabinet Secretary state how many officers serving in other branches of the disciplined forces in the country have disappeared in similar circumstances and what specific measures has the Government put in place to protect Kenyans from the spate of abductions and subsequent disappearances that have been rampant in the country in the recent past?

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

005/2021 The Member for Kaloleni (Hon. Paul Katana, MP) to ask the Cabinet Secretary for Tourism and Wildlife: –

- (i) Could the Cabinet Secretary state when the family of *Mr. Chivatsi Meri Mwadzine of ID No. 11376806*, a resident of *Mwezà Village* in Kaloleni Constituency, will be compensated for the death of his daughter, *Margaret Chivatsi, daughter*, who was killed by an elephant near *Ndatani Primary School in Kaloleni Sub County* on *Thursday, 23rd September 2021* and the incident reported at *Mariakani Police Station* under *OB 25/24/9/2021*?

- (ii) What action is the Ministry taking to address the perennial human-wildlife conflicts in Kaloleni Constituency?

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

QUE NO

ORDINARY QUESTIONS

343/2021

The Member for Lamu West (Hon. Stanley Muthama, MP) to ask the Cabinet Secretary for Devolution: -

- (i) Could the Cabinet Secretary explain the Government's preparedness and measures in place to mitigate the effects of famine facing the residents of *Lamu West Constituency* in view of the drought currently being experienced in the area?
- (ii) What steps has the Government taken to ensure transparency and fair disbursement of relief food distributed through local administrators, village elders and *Nyumba Kumi* officials particularly to the vulnerable and most affected populations?
- (iii) Could the Government consider allocating more relief food to *Lamu West Constituency* given the extent of famine in the area, to prevent starvation and cushion the vulnerable population, especially women and children?

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

364/2021

The Member for Matuga (Hon. Kassim Tandaza, MP) to ask the Cabinet Secretary for Education: -

- (i) What measures has the Ministry put in place to ensure smooth implementation of the Competency Based Curriculum (CBC) in all schools?
- (ii) Could Cabinet Secretary confirm whether all stakeholders were involved in the development of the new curriculum and its rollout?
- (iii) Could the Cabinet Secretary provide a list of all secondary school teachers undergoing training for the new curriculum across the country and explain how the training is being rolled out particularly in Matuga Constituency?
- (iv) Could the Cabinet Secretary avail the number of infrastructure projects such as workshops, laboratories and sports fields that the Government is putting up, if any, to support the success of CBC across the country and in particular in Matuga Constituency?

- (v) Could the Cabinet Secretary provide the status of the implementation of the initiatives in paragraph (iv) above, indicating the commencement dates, amount of money utilized so far, and the expected completion dates?

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

ORDER NO.7 - STATEMENTS

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

No.	Subject	Member	Relevant Committee
1.	Recognition and protection of the family by the state	<i>The Hon. (Prof.) Jacqueline Oduol, MP</i>	D.C. on Labour and Social Welfare
2.	Rationale used in declaration of Kajiado Central and parts of Baringo County as non-hardship areas	<i>The Hon. Elijah Kanchory, MP</i>	D.C. on Education and Research
3.	Termination of employment of a former Kenya Wildlife Service (KWS) ranger	<i>The Hon. Kubai Iringo, MP</i>	D.C on Environment and Natural Resources
