



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – FIFTH SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**THURSDAY, AUGUST 12, 2021**

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Hon. Speaker

4. **MESSAGE**

The Speaker conveyed the following Message –

**Nomination of persons to the office of Member of Teachers' Service Commission**

“Honourable Members,

Pursuant to the provisions of Standing Order No. 42, I wish to convey a Message which was received in my office today, Thursday, 12<sup>th</sup> August, 2021, from His Excellency the President relating to the nomination of persons for appointment to the Offices of Member of the Teachers Service Commission (TSC).

Honourable Members, the Message conveys that, in accordance with the provisions of Article 250(2)(b) of the Constitution and the procedure set out in section 8 of the Teachers Service Commission Act, 2012 as read together with sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, 2011, H.E. the President, having received the report of the Selection Panel appointed vide *Gazette Notice No. 6205 of 2021*, has nominated the following persons for appointment as Members of the Teachers Service Commission-

1. Dr. Nicodemus Ojuma Anyang;
2. Ms. Christine K. Kahindi;
3. Ms. Sharon Jelagat Kisire;
4. Ms. Annceta G. Wafukho; and,
5. Mr. Salesa Adano Abudo

In this regard, His Excellency the President now seeks the approval of the nominations by this House.

Honourable Members, sections 7 and 8 of the Teachers Service Commission Act (No. 20 of 2012 provide as follows-

***“(7) The President shall, within seven days of receipt of the names forwarded under subsection (6), nominate one person and eight others for appointment***

***as chairperson and members of the Commission and forward the names to the National Assembly for approval.***

***(8) The National Assembly shall, within twenty one days of its sitting, consider each nomination received under subsection (7) and approve or reject any of them.”***

In this regard **Honourable Members**, pursuant to the provisions of Standing Order 45, I hereby refer the Message, together with the Report of the Selection Panel as well as the *Curriculum Vitae* and other testimonials of the nominees to the Departmental Committee on Education and Research for consideration.

**Honourable Members**, conscious of the central role of the Commission in the education sector and noting the unprecedented nature of the early learning and basic education calendar for the years 2020, 2021 and 2022, H.E. the President has requested the National Assembly to consider the nominees on a **priority basis**.

To this end **Honourable Members**, noting that the House will proceed on its normal long recess from 20<sup>th</sup> August, 2021 in accordance with its published Calendar, the Committee should expeditiously notify the nominees and the general public of the time and place for holding the approval hearings and thereafter, upon conclusion of the hearings and adoption of its Report, submit the same to enable the House to consider the matter within the statutory timelines.

Thank you”.

## **5. PETITION**

The Speaker conveyed the following petition –

### **Recognition and Incorporation of Representatives of Tour Guides in Tourism Related Boards**

“Honourable Members,

Standing Order 225(2)(b) requires the Speaker to report to the House any petition, other than those presented by a Member. Further, Article 119 of the Constitution provides for the right of any person to petition Parliament to consider any matter within its authority, including petitioning the House to enact, amend or repeal any legislation.

In this regard, Honourable Members, I wish to report to the House that my office has received a petition from an organization known as *The East Africa Tour Guides and Drivers Association* of P.O. Box 26176, Nairobi calling for “*the entrenchment of the definition of ‘tour guides’ in the Tourism Act as well as the inclusion of a tour guides representative in the Tourism Board and other tourism-related boards.*”

The petitioners, Honourable Members, introduce themselves as an association that represents trained and licensed practicing tour guides and drivers within Kenyan and East African touristic circuits, and which is mandated to undertake advocacy, training, skills development and sustainability of tourism partnership and collaboration. They decry the fact that the Tourism Act, 2011 fails to recognize tour guides as exemplified by the fact that

it does not define who a tour guide is, thereby affecting professionals who engage in this industry in terms of remuneration, capacity building and advocacy. This lack of recognition is additionally blamed for their non-inclusion in the Board of Directors of the Tourism Board.

Consequently, Honourable Members, the petitioners seek the intervention of this House in amending the Tourism Act, 2011 so as to define tour guides as is the case in Rwanda, Uganda and Tanzania. The petitioners also seek the amendment of section 32(1)(f) of the said Act to include tour guide associations as part of membership of the Board of Directors of the Tourism Board and of other related boards.

Honourable Members, pursuant to the provisions of Standing Order 227(1), this Petition stands committed to the Departmental Committee on Sports, Culture and Tourism. The Committee is requested to consider the petition and report its findings to the House and to the petitioners in accordance with Standing Order 227(2).

I thank you”.

## **6. PAPERS**

The following Papers were laid on the Table –

- (i) Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30<sup>th</sup> June, 2019 and the certificates therein: -
  - a) Garissa University;
  - b) Nairobi Technical Training Institute;
  - c) Kasarani Technical Vocational College;
  - d) Technical University of Kenya; and
  - e) P.C. Kinyanjui Technical Training Institute.

*(The Deputy Majority Whip)*

## **7. QUESTIONS**

(a) The following Questions were asked –

- (i) Question 109/2021 by the Member for Loima (Hon. Jeremiah Lomorukai) regarding food and relief items kept in stock for emergencies;  
*(To be replied to by the Cabinet Secretary for Devolution before the Departmental Committee on Administration and National Security)*
- (ii) Question 283/2021 by the Member for Homa Bay Town (Hon. Peter Kaluma) regarding details of teachers employed during the last recruitment exercise;  
*(To be to replied in writing by the Teachers’ Service Commission)*
- (iii) Question 304/2021 by the Member for Kasarani (Hon. Mercy Gakuya) regarding ownership of land currently occupied by squatters in Chokaa, Ruai Ward, Maili Saba and Njiru Estates

*(To be replied to by the Cabinet Secretary for Lands and Physical Planning before the Departmental Committee on Lands)*

- (b) The following Questions were deferred –
- (i) Question 229/2021 by the Member for Kwale County (Hon. Zuleikha Hassan) regarding status of the National Coroners Service Act, 2017;
  - (ii) Question 306/2021 by the Member for Kathiani (Hon. Robert Mbui) regarding delays in payment of salaries for part time lecturers in both public and private universities; and
  - (iii) Question 300/2021 by the Member for Kuria East (Hon. Marwa Maisori) regarding measures in place to ensure all indigenous languages in the country are protected from extinction.
- (c) The following Questions were dropped –
- (i) Question 298/2021 by the Member for Soy (Hon. Caleb Kositany) regarding measures in place in all Kenyan Missions abroad for prompt services to Kenyans abroad; and
  - (ii) Question 303/2021 by the Member for West Pokot County (Hon. Lilian Tomitom) regarding status of investigations into the killing of Mr. Losokolian Chepusa and Deomoruk Kaiponi;

#### **8. STATEMENTS PURSUANT TO STANDING ORDER 44(2)**

- (a) The following statements were requested –
- (i) The Member for Funyula (Hon. Ojiambo Oundo) requested for a Statement from the Chairperson of the Departmental Committee on Administration and National Security regarding status of drug abuse, treatment and rehabilitation in the county;
  - (ii) The Member for Kikuyu (Hon. Kimani Ichung'wa) requested for a Statement from the Chairperson of the Departmental Committee on Administration and National Security regarding illegal arrest and detention of a Turkish national; and
  - (iii) The Member for Suna West (Hon. Peter Masara) requested for a Statement from the Chairperson of the Departmental Committee on Administration and National Security regarding provision of counselling and psychosocial support services to police officers.
- (b) The following statements were deferred –
- (i) by the Member for Kamukunji (Hon. Yusuf Hassan) from the Chairperson of the Departmental Committee on Defence and Foreign Relations regarding the status of United States of America troops within the Kenyan territory; and,

(ii) by the Member for Kiamba (Hon. John Njuguna) from the Chairperson of the Departmental Committee on Transport, Public Works and Housing regarding construction of the Nairobi Southern Bypass.

(c) Statement made pursuant to Standing Order 44(2)(a) -

Pursuant to the provisions of Standing Order 44(2)(a), the Leader of the Majority Party issued a Statement regarding Business of the House for the week commencing Tuesday, August 17, 2021.

**9. MOTION – PROCUREMENT OF EXTERNAL AUDIT SERVICES FOR THE OFFICE OF THE AUDITOR-GENERAL FOR THE FINANCIAL YEARS 2018/2019 AND 2019/2020**

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Public Accounts Committee on procurement of external audit services for the Office of the Auditor-General for the financial years 2018/2019 and 2019/2020, *laid on the Table of the House on Thursday, August 5, 2021*, and pursuant to the provisions of Article 226(4) of the Constitution and section 43 of the Public Audit Act (No. 35 of 2015), **approves the appointment** of *M/s. Ronalds Limited Liability Partnership (LLP)* to audit the accounts of the Office of the Auditor-General for the financial years 2018/2019 and 2019/2020.

*(The Chairperson, Public Accounts Committee – 11.08.2021)*

Debate on the Motion having been concluded on Wednesday, August 11, 2021 (Afternoon Sitting);

Question put and agreed to.

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

Order for Second Reading read;

Motion made and Question proposed –

THAT, the National Hospital Insurance Fund (Amendment) (National Assembly Bill No.21 of 2021) be now read a Second Time

*(The Majority Party Whip – 04.08.2021)*

Debate interrupted on Tuesday, August 10, 2021 resumed;

*(Change of Chair from the Speaker to the Fourth Chairperson)*

*(Change of Chair from the Fourth to the Second Chairperson)*

**QUORUM OF THE HOUSE**

Rising on a Point of Order pursuant to Standing Order 35, the Member for Baringo Central (Hon. Joshua Kandie) drew the attention of the Second Chairperson to the fact that there was no Quorum present in the House;

And the Second Chairperson having confirmed that there was no Quorum present in the House, ordered the Division Bell to be rung for ten minutes;

And there being **NO** Quorum present in the House after expiry of ten minutes;

And the time being fifteen minutes past Five O'clock, the Second Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

11. HOUSE ROSE - at fifteen minutes past Five O'clock

**M E M O R A N D U M**

The Speaker will take the Chair on  
Tuesday, August 17, 2021 at 2.30 p.m.

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