



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FIFTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, AUGUST 11, 2021

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

The Speaker conveyed the following Petition –

Petition Regarding negligence by the Department of Immigration to enforce COVID-19 protocols on workers of Kibos Sugar Factory arriving from India

“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 Mr. Charles Ochieng of I.D No. 11154191 and 91 other residents of *Miwani* in Kisumu County.

Honourable Members, the petitioners claim that in May, 2021, the Ministry of Health reported the first 5 cases of the Indian COVID 19 variant in the country. The results of these cases were from samples obtained from returning workers who had travelled to India and working in Kisumu. The petitioners aver that the 5 persons were employees of Kibos Sugar Factory who continued to work at the factory despite the threat they posed to their colleagues and the danger posed to the community. The petitioners believe that the failure to enforce the laid down COVID 19 protocols contributed to the exponential rise in infections within counties in the Lake region.

Honourable Members, the petitioners state that in the recent past, several cases of COVID 19 continue to be reported in *Kajulu* and *Chiga* areas within Kisumu East Constituency, which are home to majority of the employees of Kibos Sugar Factory. Despite being aware of the containment measures put in place by the National Government on 17th June 2021, the company has not taken measures to address the matter.

Honourable Members, the Petitioners therefore pray that the National Assembly intervenes by conducting an inquiry into the allegations that negligence on the part of the Department of Immigration resulted in the rise of COVID 19 cases and that the management of Kibos Sugar

Factory should be held responsible for contributing to the spread of COVID 19 in the Western region.

Honourable Members, pursuant to the provisions of Standing Order 227(1), this Petition stands committed to the Departmental Committee on Health. 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!"

5. PAPERS LAID

The following Papers were laid on the Table of the House –

- (i) Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June, 2019 and the certificates therein: -
 - a) Kenya Copyright Board;
 - b) Kenya-European Union Partnership for the Implementation of the National Strategy for Counter Violent Extremism in Kenya;
 - c) National Crime Research Centre; and
 - d) Kenyatta University.
- (ii) Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June, 2020 and the certificates therein: -
 - a) Masinde Muliro University; and
 - b) Kenyatta University.
- (iii) Reports of the Departmental Committee on Finance and National Planning on its consideration of –
 - a) The Poverty Eradication Authority Bill (National Assembly Bill No. 13 of 2020); and
 - b) The Tax Appeals Tribunal (Amendment) Bill (National Assembly Bill No. 19 of 2021).

(The Hon. Emmanuel Wangwe - Majority Party Whip)

(The Hon. Gladys Wanga - Chairperson, Departmental Committee on Finance & National Planning)

- (iv) Reports of the Departmental Committee on Administration & National Security on its consideration of –
 - a) Public Petition regarding insecurity in Saku Constituency and the larger Marsabit County;
 - b) Public Petition by residents of Wajir and Garissa Counties regarding lack of access to citizen registration services;
 - c) Public Petition regarding recognition of the Pemba People of Kenya as citizens of the Republic of Kenya; and
 - d) Public Petition Regarding amendment of the Firearms Act, Cap 114.

(The Hon. Peter Mwathi - Chairperson, Departmental Committee on Administration & National Security)

Thereupon, the Speaker directed that the Public Petitions on insecurity in Saku Constituency and the larger Marsabit County; on lack of access to citizen registration services by residents of Wajir and Garissa Counties; and on recognition of the Pemba people as citizens of the Republic of Kenya be scheduled for debate in the House during the week commencing on Monday, 16th August, 2021.

- (v) Report of the Select Committee on Members' Services and Facilities on establishment of a Parliamentary Health Services Unit.

(The Hon. Ezekiel Machogu - Chairperson, Select Committee on Members' Services & Facilities)

6. NOTICES OF MOTION

The following Notice of Motion was given –

Report of the Select Committee on Members' Services and Facilities on Establishment of a Parliamentary Health Services Unit

Chairperson of the Select 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.*

7. QUESTIONS

(a) The following Questions were asked –

- (i) **Ordinary Question No.287/2021** by the Member for Endebess (Hon. Robert Pukose) regarding the circumstances that led to the formation and *gazettement* of a Taskforce by the Trans Nzoia County Government to look into issues affecting public land and whether the action was carried out in accordance with the provisions of the National Land Commission Act.

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

- (ii) **Ordinary Question No. 296/2021** by the Member for Bomachoge Chache (Hon. Alfah O. Miruka) regarding the status of construction of the 75-kilometer *Omoringamu - Kenyinya-Ibhicho - Mogambi - Nyamasega - Ogombo - Okoba - Misesi - Otonto - Ogimbo Road* in Bomachoge Constituency, and the expected completion date.

(To be replied to by the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works before the Departmental Committee on Transport, Public Works & Housing)

- (iii) **Ordinary Question No. 297/2021** by the Member for Subukia (Hon. Samuel Gachobe) regarding the reasons for the closure of four (4) police posts in Subukia Constituency namely *Mbogoini Police Post, Kwa Gitao Police Post, Sidai Police Post, and Magomano Police Post* in Subukia Constituency.

(To be replied to by the Cabinet Secretary for Interior & Coordination of National Government before the Departmental Committee on Administration and National Security)

- (iv) **Ordinary Question No. 315/2021** by the Member for Embakasi Central (Hon. Benjamin G. Mwangi) regarding the the procedure used by the Government in 1996 to allocate Komarock Estate Land Development Project to the then Kenya Building Society, which was later transformed into Housing Finance Company Kenya Ltd (HFCK), in *Komarock Ward*, Embakasi Central Constituency and the current status of the project.

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

- (v) **Ordinary Question No. 317/2021** by the Member for Mwea (Hon. Kabinga Wachira) regarding the the status of ownership of a parcel of land measuring approximately 0.75

acres originally preserved for construction of a Cattle Dip at *Diffathas Township in Mwea Constituency, Kirinyaga County* which has allegedly been illegally acquired by a private developer.

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

(b) The following Question was deferred –

Ordinary Question No. 319/2021 by the Member for Kamukunji (Hon. Yusuf Hassan) to the Chairperson of the Teachers Service Commission regarding the the circumstances that led to the denial of leave of absence to one *James Kipkosgei Kemei of TSC No. 664932*, a teacher at the Moi Forces Academy, Nairobi who won the *Fulbright Distinguished Awards in Teaching for International Teachers* and was scheduled to travel to the United States of America on 10th August 2021 for Intensive Professional Development Training.

8. RESPONSES TO STATEMENTS PURSUANT TO STANDING ORDER 44(2)(c)

The Chairperson of the Departmental Committee on Administration & National Security issued responses to the following requests for Statements –

- (i) Statement sought by the Member for Alego Usonga (Hon. Samuel Atandi) regarding Insecurity in Dond Koki Market in Alego Usonga Constituency;
- (ii) Statement sought by the Member for Igembe South (Hon. John Paul Mwirigi) regarding the security of Miraa traders in northern Kenya; and
- (iii) Statement sought by the Member for Turkana East (Hon. Mohamed Lokiru) regarding Cattle Rustling and Killings in Turkana East Constituency.
- (iv) Statement sought by the Member for Saku (Hon. Dido Rasso) regarding incidences of insecurity in Marsabit and Isiolo Counties.

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 Hon. Abdullswamad Nassir - Chairperson, Public Accounts Committee)

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

Debate arising;

Rising in his place on a point of order pursuant to Standing Order 95, the nominated Member (Hon. David Ole Sankok) claimed to move “that the mover be now called upon to Reply”;

And the Speaker having acceded to the claim;

Thereupon question put and agreed to;

Mover replied;

Question of the Motion deferred.

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

Order for Second Reading read;

Motion made and question proposed –

THAT, the Central Bank of Kenya (Amendment) Bill (National Assembly Bill No. 10 of 2021) be now read a Second time.

(The Hon. Gladys Wanga - Chairperson, Departmental Committee on Finance & National Planning)

Debate arising;

Debate to resume.

11. HOUSE ROSE - at Seven O'clock.

MEMORANDUM

The Speaker will take the Chair on
Thursday, August 12, 2021 at 2.30 p.m.

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