



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SIXTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, MAY 18, 2022 AT 9.30 A.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 PENAL CODE (AMENDMENT) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 47 OF 2021)

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

Second Reading
(*Question to be put*)

9*. COMMITTEE OF THE WHOLE HOUSE

- (i) The Public Service Commission Bill (National Assembly Bill No. 27 of 2019)
(The Hon. Benjamin Mwangi, MP)
- (ii) The Alcoholic Drinks Control (Amendment) Bill (National Assembly Bill No. 70 of 2019)
(The Hon. Silvanus Osoro, MP)
- (iii) The Higher Education Loans Board (Amendment) Bill, (National Assembly No. 37 of 2020)
(The Hon. John Mwirigi, MP)
- (iv) The Information Communication Technology Practitioners Bill (National Assembly Bill No. 38 of 2020)
(The Hon. Godfrey Osotsi, M.P.)

10. THE HIGHER EDUCATION LOANS BOARD (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 52 OF 2021)**

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

Second Reading

11. THE WHISTLEBLOWER PROTECTION BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2021)**

(The Hon. Irene Kasalu, M.P.)

Second Reading

12*. THE SEXUAL OFFENCES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2020)**

(The Hon. Gathoni Wamuchomba, M.P.)

Second Reading

13*. THE HIGHER EDUCATION LOANS BOARD (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 29 OF 2020)**

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

Second Reading

14*. THE ALCOHOLIC DRINKS CONTROL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2020)**

(The Hon. Danson Mwakuwona, M.P.)

Second Reading

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

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

Second Reading

16*. THE POVERTY ERADICATION AUTHORITY BILL (NATIONAL ASSEMBLY BILL NO. 13 OF 2020)**

(The Hon. John Waluke, M.P.)

Second Reading

17*. THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2020)**

(The Hon. Patrick Wainaina, M.P.)

Second Reading

18*. THE HEALTH (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 28 OF 2020)**

(The Hon. Alice Wahome, M.P.)

Second Reading

19*. THE INSTITUTE OF SOCIAL WORK PROFESSIONALS BILL (NATIONAL ASSEMBLY BILL NO. 31 OF 2020)**

(The Hon. Joshua Kimilu, M.P.)

Second Reading

20*. THE BIRTH AND DEATH REGISTRATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 32 OF 2020)**

(The Hon. Martha Wangari, M.P.)

Second Reading

21*. THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 34 OF 2020)**

(The Hon. Richard Tongi, M.P.)

Second Reading

22*. THE CRIMINAL PROCEDURE CODE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 41 OF 2020)**

(The Hon. Nelson Koech, M.P.)

Second Reading

23*. THE CHILDREN (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 46 OF 2020)**

(The Hon. Peter Kaluma, M.P.)

Second Reading

(Subject to decision of the House on NA Bill No. 38 of 2021)

24*. THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) (NO.3) BILL (NATIONAL ASSEMBLY BILL NO. 49 OF 2020)**

(The Hon. Benjamin Mwangi, M.P.)

Second Reading

25*. THE PHARMACY AND POISONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2021)**
(The Hon. Alfred Keter, M.P.)

Second Reading

26*. THE PUBLIC SERVICE INTERNSHIP BILL (NATIONAL ASSEMBLY BILL NO. 25 OF 2021)**
(The Hon. Naisula Lesuuda, M.P.)

Second Reading

27*. THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 34 OF 2021)**
(The Hon. Tindi Mwale, M.P.)

Second Reading

28*. THE PENAL CODE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 40 OF 2021)**
(The Hon. Nimrod Mbai, M.P.)

Second Reading

Denotes Orders of the Day

**** Denotes Orders of the Day for which Committee Report is yet to be tabled**

*****Denotes Bills whose Second Reading was deferred**

...../Notice*

NOTICES**I. THE PUBLIC SERVICE COMMISSION BILL (NATIONAL ASSEMBLY BILL NO. 27 OF 2019)**

Notice is given that the Chairperson of the Departmental Committee on Administration and National Security intends to move the following amendments to the Public Service Commission (Amendment) Bill, 2019, National Assembly Bills No.27 at the Committee Stage—

CLAUSE 2

THAT, the Bill be amended by deleting clause 2 and substituting therefor the following new clause —

Amendment
of section 34
of No. 10 of
2017.

2. Section 34 of the “principal Act” is amended by inserting the following new subsection immediately after subsection (3)—

“(3A) An appointing authority who fails to fill a vacant position under subsection (3) within six months, commits an offence, and shall, on conviction, be liable to a fine of not exceeding five hundred thousand shillings or imprisonment for a term of not exceeding six months, or to both.”

CLAUSE 3

THAT, the Bill be amended by deleting clause 3 and substituting therefor the following new clause —

Amend
ment of
section
80 of
No. 10
of
2017.

3. Section 80 of the “principal Act” is amended—

(a) in subsection (1)—

(i) by deleting the words “as may be prescribed in the regulations” and substituting therefor the words “of fifty five years and for persons with disabilities the mandatory age of sixty years”;

(ii) by inserting the following new subsections immediately after subsection (1)—

“(1A) A person who appoints a retired public officer in a State office or Public office commits an offence, and shall, on conviction, be liable to a fine of not exceeding five hundred thousand shillings or imprisonment for a term of not exceeding six months, or to both.”

(1B) The Cabinet Secretary may prescribe a period not exceeding three years—

- (a) exempting any person or class of persons from compliance with this section; or
- (b) extending the time for compliance by any person or class of persons with this section.

(b) by deleting subsection (2).

NEW CLAUSE

THAT, the Bill be amended by inserting a new clause immediately after clause 1—

Amendment
of section 2
of No.10 of
2017.

1A. Section 2 of the Public Service Commission Act, 2017 (in this Act referred to as the “principal Act”) is amended by deleting the definition of “public officer” and substituting therefor the following new definition—

“public officer” means any person other than a state officer who holds a public office or a state officer who holds a public office or state office but not a state officer who holds an elective position.

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

- 1) Notice is given that the Chairperson of the Departmental Committee on Administration and National Security intends to move the following amendments to the Alcoholic Drinks Control (Amendment) Bill, 2019, National Assembly Bills No.70 at the Committee Stage—

CLAUSE 1

THAT, the Bill be amended by deleting clause 1.

CLAUSE 2

THAT, the Bill be amended by deleting clause 2.

CLAUSE 3

THAT, the Bill be amended by deleting clause 3.

TITLE

THAT, the title to the Bill be deleted.

2) Notice is given that Hon. Jennifer Shamalla intends to move the following amendments to the Alcoholic Drinks Control (Amendment) Bill, 2019, National Assembly Bills No.70 at the Committee Stage—

CLAUSE 3

THAT, the Bill be amended by deleting clause 3 and substituting therefor the following new clause—

Amendment of section 68 of No.4 of 2010

3. Section 68 of the Alcoholic Drinks Control Act, 2016 is amended in subsection (2) by—

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

“ (d) prescribe the zones and hours within which the sale of alcoholic drinks shall be permitted;”

(b) by inserting the following new paragraph immediately after paragraph (d)—

“(da) prescribe the hours within which electronic advertisement of alcoholic drinks shall be done;”

III. THE HIGHER EDUCATION LOANS BOARD (AMENDMENT) BILL, (NATIONAL ASSEMBLY NO. 37 OF 2020

Notice is given that the Chairperson of the Departmental Committee on Education and Research, intends to move the following amendments to the Higher Education Loans Board (Amendment) Bill, 2020 (National Assembly Bills No. 37 of 2020) at the Committee Stage—

LONG TITLE

THAT the Bill be amended by deleting the long title.

CLAUSE 1

THAT the Bill be amended by deleting Clause 1.

CLAUSE 2

THAT the Bill be amended by deleting Clause 2.

LIMITATION OF DEBATE

The House resolved on Wednesday, February 2, 2022 as follows-

Limitation of Debate on Individual Members' Bills

- IV. THAT**, each speech in a debate on **Bills NOT 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 three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of 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; and **THAT** priority in speaking 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.
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NOTICE PAPER I

Tentative business for

Wednesday (Afternoon), May 18, 2022

(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), May 18, 2022-

A. SPECIAL MOTION - CONSIDERATION OF NOMINEES FOR APPOINTMENT TO THE ETHICS AND ANTI-CORRUPTION COMMISSION

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

(Question to be put)

B. MOTION - REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE CHILDREN BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2021)

(The Leader of the Majority Party)

(Question to be put)

C. MOTION - ALTERATION OF CALENDAR OF THE ASSEMBLY (REGULAR SESSIONS) FOR THE SIXTH SESSION

(The Leader of the Majority Party)

D. COMMITTEE OF THE WHOLE HOUSE

The Children Bill (National Assembly Bill No.38 of 2021)

(The Leader of the Majority Party)

(To resume from New Clause 35C)

E. MOTION - ESTABLISHMENT OF A PARLIAMENTARY HEALTH SERVICES UNIT

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

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

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

G. THE PROMPT PAYMENT BILL (SENATE BILL NO. 16 OF 2021)

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

Second Reading

H. THE MUNG BEANS BILL (SENATE BILL NO. 9 OF 2020)

(The Chairperson, Departmental Committee on Agriculture and Livestock)

Second Reading

I. THE COUNTY BOUNDARIES BILL (SENATE BILL NO. 20 OF 2021)

(The Chairperson, Departmental Committee Justice and Legal Affairs)

Second Reading



APPENDIX

NOTICE OF PETITIONS, 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

122/2022

The Member for Ruiru (Hon. Simon Kingára, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works: -

- (i) What measures has the Ministry put in place to address the numerous road accidents occurring along the newly constructed *Ruiru - Uplands Road (formerly C65 and now B116)* and the rehabilitated the *Ruiru - Kamiti Road (formerly C63 and now B115)* that have led to many fatalities?
- (ii) When will the Ministry erect adequate bumps as well as install sufficient pedestrian crossings on the two roads to avert further loss of lives along the said roads?

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

123/2022

The Member for Marsabit County (Hon. Safia Adan, MP) to ask the Cabinet Secretary for Water, Sanitation and Irrigation: -

Could the Cabinet Secretary state the plans in place by the Ministry, if any, to ensure establishment of more water supply projects particularly, sinking of boreholes and construction of water pans and dams in *Marsabit County* specifically in *Saku Constituency* to address acute water shortage experienced in the area, and resource-based conflicts amongst communities in the County?

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