

PARLIAMENT OF KENYA**THE NATIONAL ASSEMBLY****THE HANSARD****Wednesday, 8th June 2022**

The House met at 9.30 a.m.

[The Deputy Speaker (Hon. Moses Cheboi) in the Chair]

PRAYERS

QUORUM

Hon. Deputy Speaker: Hon. Members, we do not have the required quorum. Therefore, I order that the Quorum Bell be rung for 10 minutes.

(The Quorum Bell was rung)

Hon. Deputy Speaker: Order, Members! The three Members who are standing out there to, kindly, come in. You are the ones we are waiting for.

(Loud consultations)

Hon. (Dr.) Robert Pukose (Endebess, JP): We now have quorum.

Hon. Deputy Speaker: We can now proceed.

PAPERS LAID

Hon. Deputy Speaker: I can see that there are quite a number of Chairs of Committees who want to lay their Papers. The Chairperson of the Departmental Committee on Lands! He seems not ready. The Chairman of the Public Accounts Committee (PAC), are you ready?

Hon. Opiyo Wandayi (Ugunja, ODM): Thank you, Hon. Deputy Speaker. Kindly, give me about ten minutes or so.

Hon. Deputy Speaker: Okay. The Chairperson, Departmental Committee on Sports, Culture and Tourism.

Hon. Patrick Makau (Mavoko, WDM-K): Thank you, Hon. Deputy Speaker.

First of all, I know that tomorrow is the last day. I wish all Members of this House a comeback and peaceful campaigns. I know that times were hard during nominations and now that we are settled, let me wish them prosperous campaigns and a comeback.

Hon. Deputy Speaker, I beg to lay the following Paper on the Table of the House:

The Exit Report of the Departmental Committee on Sports, Culture and Tourism for the 12th Parliament, 2017/2018.

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I thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Very well. Next is the Chairperson of the Departmental Committee on Administration and National Security. I cannot see him.

The Vice-Chairperson of the Departmental Committee on Finance and National Planning, Hon. Waihenya Ndirangu. He is one of the oldest Members of this House. I think he came to the House way before Hon. Jimmy Nuru Angwenyi. He is senior in terms of having come to this House earlier than the rest of us. He was here in 1992, and I am not sure if Hon. Jimmy was still in the University of Nairobi then doing the chalk work. Proceed!

(Hon. Jimmy Angwenyi spoke off-record)

Hon. Isaac Ndirangu (Roysambu, JP): Thank you, Hon. Deputy Speaker. I beg to lay the following Papers on the Table of the House:

The Report of the Departmental Committee on Finance and National Planning, on its consideration of the Kenya Revenue Authority (Amendment) Bill (National Assembly Bill No. 24 of 2022).

The Exit Report of the Departmental Committee on Finance and National Planning for the 12th Parliament.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Very well. Hon. Jimmy Angwenyi, however, agrees that you might have come here way earlier, but you also, hold a record of being the Member who stayed away too long. You only came back after a very long grace period –almost two decades as he claims.

I do not think there is any other Chairperson who is ready to do that bit. So, we will move to the next Order.

PROCEDURAL MOTION

RESOLUTION TO HOLD A THURSDAY MORNING SITTING

Hon. Deputy Speaker: Majority Whip.

Hon. Emmanuel Wangwe (Navakholo, JP): Thank you, Hon. Deputy Speaker. On behalf of the Leader of the Majority Party, I beg to move:

THAT, pursuant to the provisions of Standing Order 30(3)(b), this House resolves to hold a Morning Sitting on Thursday, June 9, 2022 commencing at 9.30 a.m. for purposes of considering priority Business ahead of the *sine die* recess.

As we are all aware, this House intends to adjourn *sine die* tomorrow in the afternoon Sitting. However, there are crucial Bills and Motions that we intend to clear before we proceed to the *sine die* recess. Tomorrow afternoon, we purpose to engage colleagues to specifically pass welfare messages to each other. We want Members to think about what they have gone through, how they propose the future to be, how they see the politics of the time, and how they wish each other to proceed. It has been a long journey. Being that tomorrow will be a short day, we seek to have one more Session in the morning so that we process, especially matters on finance. The Deputy Leader of the Majority Party and the Chair of the Budget and Appropriations Committee are here and are well conversant with finance issues. That should be canvassed and concluded tomorrow. I ask the Hon. Jimmy Angwenyi to second.

Hon. Deputy Speaker: Hon. Angwenyi.

Hon. Jimmy Angwenyi (Kitutu Chache North, JP): Hon. Deputy Speaker, I rise to second the Motion. It is important that we clear all priority items in our programme before we go for the *sine die* recess. I second.

(Question proposed)

Hon. Members: Put the Question.

Hon. Deputy Speaker: Okay, very briefly Leader of the Minority Party. I hear many Members saying that they want to wish each other well in terms of coming back here and so forth. I am giving you the opportunity to hear what you have to say.

Hon. John Mbadi (Suba South, ODM): Thank you, Hon. Deputy Speaker. I want to support this Motion that we have Parliament sit tomorrow although I am a bit engaged. Unfortunately, I will not be there tomorrow to contribute. I, therefore, want to take advantage of this time. Probably, this could be the last time I am speaking on the Floor of this House, at least for the next five years. I am not sure if after that I will want to come back again.

It has been an eventful career for me. I have enjoyed the 15 years that the great people of Suba South have given me to represent them in this House. I know as a human being I have not lived to the expectations of Kenyans in certain aspects, but I have done my best. I wish my colleagues who are seeking re-election the best of luck regardless of their parties. Of course, I would want my party to win more seats in this House and I believe we are going to do so. Those who are on the other side, we have been friends and I wish you well in your endeavours.

Thank you, I support.

(Question put and agreed to)

(Hon. (Dr.) Robert Pukose consulted loudly)

Hon. Deputy Speaker: Hon. Pukose, if you really want to wish your colleague, Hon. Mbadi well, you still have the afternoon sitting and tomorrow's Sittings to do so. It has been recorded anyway. Equity treats as done that which ought to be done. So, we can move to the next Order.

Before we move to next Order, let us see if the Chair of the Parliamentary Accounts Committee (PAC) and the Chair of Departmental Committee on Administration and National Security can table their Reports quickly, then we will move to the next Order. Members, please, let us maintain the numbers. We have to put Questions on a few other items. I do not want to say that no Member will be allowed to leave the House. I encourage Members not to leave the Chamber at least for the next 10 minutes.

Proceed.

PAPERS LAID

Hon. Opiyo Wandayi (Ugunja, ODM): Thank you, Hon. Deputy Speaker. I beg to lay the following Paper on the Table of the House:

The Report of the PAC on the examination of the Report of the Auditor- General on the Financial Statements for the national Government for the Financial Year 2019/2020.

Thank you.

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Hon. Deputy Speaker: Well, we will have the Chair of the Departmental Committee on Administration and National Security then we will give you an opportunity to give your notice of Motion.

Hon. Peter Mwathi (Limuru, JP): Thank you, Hon. Deputy Speaker. I beg to lay the following Papers on the Table of the House:

Reports of the Departmental Committee on Administration and National Security on its consideration of:

- (i) The Public Petition No. 006 of 2022 regarding state of insecurity in Samburu North Constituency.
- (ii) The Public Petition No. 078 of 2021 on intervention on incessant insecurity and banditry attacks in Laikipia County.
- (iii) The Public Petition No. 050 of 2021 regarding inclusion of the national prayer day as a public holiday.
- (iv) The Public Petition No. 040 of 2021 regarding compensation for injuries and loss of property as a result of politically instigated skirmishes in Githunguri, Kiambu County in 1997.

Thank you.

Hon. Deputy Speaker: Very well. So we can now have the PAC Chairman to give notice. I can see Hon. Githiaka in the House.

NOTICE OF MOTION

ADOPTION OF PAC REPORT ON FINANCIAL STATEMENTS FOR FY 2019/2020

Hon. Opiyo Wandayi (Ugunja, ODM): Hon. Deputy Speaker, I beg to give notice of the following Motion.

THAT, this House adopts the Report of the PAC on the examination of the Report of the Auditor-General on the Financial Statements for the national Government for the Financial Year 2019/2020 laid on the Table of the House, today.

Hon. Deputy Speaker: Alright. We go to the next Order.

BILL

Second Reading

THE APPROPRIATION BILL

(Hon. Kanini Kega on 7.6.2022)

(Debate concluded on 7.6.2022)

Hon. Deputy Speaker: Hon. Members, be still. Order, Hon. Jimmy Nuru Angwenyi!

(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the whole House today by leave of the House)

Hon. Deputy Speaker: Next Order!

MOTIONS

ADOPTION OF REPORT ON SECOND SUPPLEMENTARY ESTIMATES FOR FINANCIAL YEAR 2021/2022

THAT, this House adopts the Report of the Budget and Appropriations Committee on the Supplementary Estimates II for the Financial Year 2021/2022 laid on the Table of the House on Tuesday, 7th June 2022, and pursuant to the provisions of Article 223 of the Constitution and Standing Order No.243:

(i) approves an increment of the total expenditure for Financial Year 2021/2022 by Kshs70,847,524,597 being Current Estimates of Kshs65,012,661,186 and Capital Estimates of Kshs5,861,863,411 in respect of the Votes as contained in the attached Schedule I;

(ii) approves Kshs27,257,307,265 for Financial Year 2021/2022 spent under Article 223 of the Constitution and as contained in the attached Schedule II; and,

(iii) resolves that the attached Schedules form the basis for the introduction of the Second Supplementary Appropriation Bill, 2022.

SCHEDULE I

<u>VOTE CODE</u>	<u>VOTE/PROGRAMME CODES & TITLE</u>	<u>FINAL SUPPLEMENTARY II BUDGET ESTIMATES FY 2021/22</u>		
		<u>GROSS CURRENT ESTIMATES</u>	<u>GROSS CAPITAL ESTIMATES</u>	<u>GROSS TOTAL ESTIMATES</u>
	Executive Office of the President	3,525,873,881	928,890,557	4,454,764,438
	0702000 Cabinet Affairs	84,884,646	-	84,884,646
	0703000 Government Advisory Services	63,819,000	(71,109,443)	(7,290,443)
1011	0704000 State House Affairs	3,306,902,252	-	3,306,902,252
	0734000 Deputy President Services	70,267,983	-	70,267,983
	0745000 Nairobi Metropolitan Services	-	1,000,000,000	1,000,000,000

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<u>VOTE CODE</u>	<u>VOTE/PROGRAMME CODES & TITLE</u>	<u>FINAL SUPPLEMENTARY II BUDGET ESTIMATES FY 2021/22</u>		
		<u>GROSS CURRENT ESTIMATES</u>	<u>GROSS CAPITAL ESTIMATES</u>	<u>GROSS TOTAL ESTIMATES</u>
1021	State Department for Interior and Citizen Services	(255,000,000)	200,000,000	(55,000,000)
	0601000 Policing Services	(485,000,000)	-	(485,000,000)
	0603000 Government Printing Services	-	-	-
	0605000 Migration & Citizen Services Management	31,000,000	200,000,000	231,000,000
	0625000 Road Safety	100,000,000	-	100,000,000
	0626000 Population Management Services	(100,000,000)	-	(100,000,000)
	0629000 General Administration and Support Services	199,000,000	-	199,000,000
	0630000 Policy Coordination Services	-	-	-
1023	State Department for Correctional Services	(800,000,000)	-	(800,000,000)
	0623000 General Administration, Planning and Support Services	-	-	-
	0627000 Prison Services	(800,000,000)	-	(800,000,000)
	0628000 Probation & After Care Services	-	-	-
1032	State Department for Devolution	600,000,000	-	600,000,000
	0712000 Devolution Services	613,348,672	-	613,348,672
	0732000 General Administration, Planning and Support Services	(13,348,672)	-	(13,348,672)

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1035	State Department for Development of the ASAL	-	(232,000,000)	(232,000,000)
	0733000 Accelerated ASAL Development	-	(232,000,000)	(232,000,000)
1041	Ministry of Defence	1,760,000,000	-	1,760,000,000
	0801000 Defence	1,800,000,000	-	1,800,000,000
	0802000 Civil Aid	-	-	-
	0803000 General Administration, Planning and Support Services	(40,000,000)	-	(40,000,000)
	0805000 National Space Management	-	-	-
1052	Ministry of Foreign Affairs	999,470,555	-	999,470,555
	0714000 General Administration Planning and Support Services	16,800,000	-	16,800,000
	0715000 Foreign Relation and Diplomacy	982,670,555	-	982,670,555
	0741000 Economic and Commercial Diplomacy	-	-	-
	0742000 Foreign Policy Research, Capacity Development and Technical Cooperation	-	-	-
1064	State Department for Vocational and Technical Training	47,970,156	-	47,970,156
	0505000 Technical Vocational Education and Training	53,770,156	-	53,770,156
	0507000 Youth Training and Development	-	-	-
	0508000 General Administration, Planning and Support Services	(5,800,000)	-	(5,800,000)
1065	State Department for University Education	1,405,692,309	32,598,600	1,438,290,909
	0504000 University Education	1,329,060,309	32,598,600	1,361,658,909

	0506000 Research, Science, Technology and Innovation	73,132,000	-	73,132,000
	0508000 General Administration, Planning and Support Services	3,500,000	-	3,500,000
	State Department for Early Learning & Basic Education	94,227,000	1,457,022,388	1,551,249,388
1066	0501000 Primary Education	12,600,000	1,365,022,388	1,377,622,388
	0502000 Secondary Education	-	92,000,000	92,000,000
	0503000 Quality Assurance and Standards	-	-	-
	0508000 General Administration, Planning and Support Services	81,627,000	-	81,627,000
1068	State Department for Post Training and Skills Development	-	-	-
	0508000 General Administration, Planning and Support Services	(4,546,813)	-	(4,546,813)
	0512000 Work Place Readiness Services	5,302,898	-	5,302,898
	0513000 Post Training Information Management	(756,085)	-	(756,085)
1069	State Department for Implementation of Curriculum Reforms	-	-	-
	0514000 Coordination of the Curriculum Reform Implementation	-	-	-
1071	The National Treasury	(978,500,000)	2,386,830,906	1,408,330,906
	0203000 Rail Transport	-	10,381,493,477	10,381,493,477
	0204000 Marine Transport	-	(2,240,000,000)	(2,240,000,000)
	0717000 General Administration Planning and Support Services	1,116,464,418	-	1,116,464,418
	0718000 Public Financial Management	(2,109,854,787)	(5,314,662,571)	(7,424,517,358)

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	0719000 Economic and Financial Policy Formulation and Management	12,912,646	(440,000,000)	(427,087,354)
	0720000 Market Competition	-	-	-
	0740000 Government Clearing services	1,977,723	-	1,977,723
	State Department for Planning	7,500,000	-	7,500,000
	0706000 Economic Policy and National Planning	1,777,564	-	1,777,564
	0707000 National Statistical Information Services	-	-	-
	0708000 Public Investment Management Monitoring and Evaluation Services	(770,718)	-	(770,718)
	0709000 General Administration Planning and Support Services	6,493,154	-	6,493,154
	Ministry of Health	877,569,230	(4,650,105,729)	(3,772,536,499)
	0401000 Preventive, Promotive & Reproductive Health	78,640,660	(4,061,780,050)	(3,983,139,390)
	0402000 National Referral & Specialized Services	812,717,552	50,430,770	863,148,322
	0403000 Health Research and Development	-	100,000,000	100,000,000
	0404000 General Administration, Planning & Support Services	188,787,953	-	188,787,953
	0405000 Health Policy, Standards and Regulations	(202,576,935)	(738,756,449)	(941,333,384)
	State Department of Infrastructure	(450,000,000)	27,152,000,000	26,702,000,000
	0202000 Road Transport	(450,000,000)	27,152,000,000	26,702,000,000
	State Department of Transport	-	-	-
	0201000 General Administration, Planning and Support Services	-	-	-
	0204000 Marine Transport	-	-	-

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	0205000 Air Transport	-	-	-
	0216000 Road Safety	-	-	-
1093	State Department for Shipping and Maritime	-	(80,000,000)	(80,000,000)
	0220000 Shipping and Maritime Affairs	-	(80,000,000)	(80,000,000)
	State Department for Housing and Urban Development	230,351,630	(2,550,000,000)	(2,319,648,370)
1094	0102000 Housing Development and Human Settlement	(42,100,000)	(2,750,000,000)	(2,792,100,000)
	0105000 Urban and Metropolitan Development	269,075,821	200,000,000	469,075,821
	0106000 General Administration Planning and Support Services	3,375,809	-	3,375,809
	State Department for Public Works	(31,900,000)	-	(31,900,000)
	0103000 Government Buildings	(13,180,285)	(1,920,370)	(15,100,655)
1095	0104000 Coastline Infrastructure and Pedestrian Access	-	1,920,370	1,920,370
	0106000 General Administration Planning and Support Services	(10,719,715)	-	(10,719,715)
	0218000 Regulation and Development of the Construction Industry	(8,000,000)	-	(8,000,000)
	Ministry of Environment and Forestry	(25,000,000)	(75,000,000)	(100,000,000)
1108	1002000 Environment Management and Protection	40,000,000	-	40,000,000
	1010000 General Administration, Planning and Support Services	-	-	-
	1012000 Meteorological Services	(65,000,000)	-	(65,000,000)
	1018000 Forests and Water Towers Conservation	-	(75,000,000)	(75,000,000)

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1109	Ministry of Water, Sanitation and Irrigation	(29,653,052)	(3,755,500,000)	(3,785,153,052)
	1001000 General Administration, Planning and Support Services	(12,355,545)	-	(12,355,545)
	1004000 Water Resources Management	-	-	-
	1017000 Water and Sewerage Infrastructure Development	(17,297,507)	(3,645,500,000)	(3,662,797,507)
	1014000 Irrigation and Land Reclamation	-	-	-
	1015000 Water Storage and Flood Control	-	(200,000,000)	(200,000,000)
	1022000 Water Harvesting and Storage for Irrigation	-	90,000,000	90,000,000
1112	Ministry of Lands and Physical Planning	51,200,000	238,000,000	289,200,000
	0101000 Land Policy and Planning	51,200,000	238,000,000	289,200,000
1122	State Department for Information Communication and Technology & Innovation	-	(1,500,000,000)	(1,500,000,000)
	0207000 General Administration Planning and Support Services	440,612	-	440,612
	0210000 ICT Infrastructure Development	1,490,388	(1,500,000,000)	(1,498,509,612)
	0217000 E-Government Services	(1,931,000)	-	(1,931,000)
1123	State Department for Broadcasting & Telecommunications	-	-	-
	0207000 General Administration Planning and Support Services	-	-	-
	0208000 Information and Communication Services	-	-	-
	0209000 Mass Media Skills Development	-	-	-
	0221000 Film Development Services Programme	-	-	-

1132	State Department for Sports	5,500,000	-	5,500,000
	0901000 Sports	5,500,000	-	5,500,000
1134	State Department for Culture and Heritage	44,200,000	-	44,200,000
	0902000 Culture / Heritage	-	-	-
	0903000 The Arts	-	-	-
	0904000 Library Services	44,200,000	-	44,200,000
	0905000 General Administration, Planning and Support Services	-	-	-
1152	Ministry of Energy	(50,000,000)	(8,347,000,000)	(8,397,000,000)
	0211000 General Administration Planning and Support Services	(2,973,000)	-	(2,973,000)
	0212000 Power Generation	(15,000,000)	-	(15,000,000)
	0213000 Power Transmission and Distribution	(18,027,000)	(8,481,000,000)	(8,499,027,000)
	0214000 Alternative Energy Technologies	(14,000,000)	134,000,000	120,000,000
1162	State Department for Livestock	(51,900,000)	(60,100,000)	(112,000,000)
	0112000 Livestock Resources Management and Development	(51,900,000)	(60,100,000)	(112,000,000)
1166	State Department for Fisheries, Aquaculture & the Blue Economy	(13,200,000)	170,000,000	156,800,000
	0111000 Fisheries Development and Management	(11,681,211)	(80,000,000)	(91,681,211)
	0117000 General Administration, Planning and Support Services	(1,518,789)	-	(1,518,789)
	0118000 Development and Coordination of the Blue Economy	-	250,000,000	250,000,000
1169	State Department for Crop Development & Agricultural Research	(21,900,000)	(5,076,943,800)	(5,098,843,800)

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	0107000 General Administration Planning and Support Services	33,000,000	393,203,560	426,203,560
	0108000 Crop Development and Management	(49,900,000)	(5,217,147,360)	(5,267,047,360)
	0109000 Agribusiness and Information Management	(2,000,000)	(228,000,000)	(230,000,000)
	0120000 Agricultural Research & Development	(3,000,000)	(25,000,000)	(28,000,000)
1173	State Department for Cooperatives	201,955,567	58,110,151	260,065,718
	0304000 Cooperative Development and Management	201,955,567	58,110,151	260,065,718
1174	State Department for Trade and Enterprise Development	52,500,000	(80,000,000)	(27,500,000)
	0307000 Trade Development and Promotion	52,500,000	(80,000,000)	(27,500,000)
1175	State Department for Industrialization	28,000,000	140,000,000	168,000,000
	0301000 General Administration Planning and Support Services	20,000,000	-	20,000,000
	0302000 Industrial Development and Investments	8,000,000	164,917,000	172,917,000
	0303000 Standards and Business Incubation	-	(24,917,000)	(24,917,000)
1184	State Department for Labour	63,335,000	(63,335,000)	-
	0910000 General Administration Planning and Support Services	5,900,000	-	5,900,000
	0906000 Promotion of the Best Labour Practice	400,000	-	400,000
	0907000 Manpower Development, Employment and Productivity Management	57,035,000	(63,335,000)	(6,300,000)
1185	State Department for Social Protection, Senior	1,040,000,000	473,700,000	1,513,700,000

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	Citizen Affairs & Special Programs			
	0908000 Social Development and Children Services	(12,904,464)	150,000,000	137,095,536
	0909000 National Social Safety Net	1,050,000,000	323,700,000	1,373,700,000
	0914000 General Administration, Planning and Support Services	2,904,464	-	2,904,464
	State Department for Petroleum and Mining	49,292,440,886	-	49,292,440,886
	0215000 Exploration and Distribution of Oil and Gas	49,309,440,886	-	49,309,440,886
1194	1007000 General Administration Planning and Support Services	(17,000,000)	-	(17,000,000)
	1009000 Mineral Resources Management	-	(5,928,894)	(5,928,894)
	1021000 Geological Surveys and Geoinformation Management	-	5,928,894	5,928,894
	State Department for Tourism	678,889,000	-	678,889,000
1202	0306000 Tourism Development and Promotion	678,889,000	-	678,889,000
	State Department for Wildlife	1,790,000,000	-	1,790,000,000
1203	1019000 Wildlife Conservation and Management	1,790,000,000	-	1,790,000,000
	State Department for Gender	6,023,200	5,521,800	11,545,000
1212	0911000 Community Development	-	-	-
	0912000 Gender Empowerment	-	5,521,800	5,521,800
	0913000 General Administration, Planning and Support Services	6,023,200	-	6,023,200
1213	State Department for Public Service	7,000,000	100,100,000	107,100,000

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	0710000 Public Service Transformation	1,000,000	100,100,000	101,100,000
	0709000 General Administration Planning and Support Services	6,000,000	-	6,000,000
	0747000 National Youth Service	-	-	-
1214	State Department for Youth Affairs	(13,000,000)	(1,333,683,462)	(1,346,683,462)
	0711000 Youth Empowerment	(13,000,000)	(1,333,683,462)	(1,346,683,462)
1221	State Department for East African Community	19,429,278	-	19,429,278
	0305000 East African Affairs and Regional Integration	19,429,278	-	19,429,278
1222	State Department for Regional & Northern Corridor Development	50,000,000	503,000,000	553,000,000
	1013000 Integrated Regional Development	50,000,000	503,000,000	553,000,000
1252	State Law Office and Department of Justice	40,000,000	6,500,000	46,500,000
	0606000 Legal Services	16,000,000	-	16,000,000
	0607000 Governance, Legal Training and Constitutional Affairs	-	6,500,000	6,500,000
	0609000 General Administration, Planning and Support Services	24,000,000	-	24,000,000
1271	Ethics and Anti-Corruption Commission	260,000,000	-	260,000,000
	0611000 Ethics and Anti-Corruption	260,000,000	-	260,000,000
1281	National Intelligence Service	1,300,000,000	-	1,300,000,000
	0804000 National Security Intelligence	1,300,000,000	-	1,300,000,000
1291	Office of the Director of Public Prosecutions	-	-	-
	0612000 Public Prosecution Services	-	-	-
1311	Office of the Registrar of Political Parties	969,000,000	-	969,000,000

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	0614000 Registration, Regulation and Funding of Political Parties	969,000,000	-	969,000,000
1321	Witness Protection Agency	(20,000,000)	-	(20,000,000)
	0615000 Witness Protection	(20,000,000)	-	(20,000,000)
2011	Kenya National Commission on Human Rights	(9,000,000)	-	(9,000,000)
	0616000 Protection and Promotion of Human Rights	(9,000,000)	-	(9,000,000)
2021	National Land Commission	(7,000,000)	-	(7,000,000)
	0116000 Land Administration and Management	(7,000,000)	-	(7,000,000)
2031	Independent Electoral and Boundaries Commission	-	-	-
	0617000 Management of Electoral Processes	-	-	-
	0618000 Delimitation of Electoral Boundaries	-	-	-
2061	The Commission on Revenue Allocation	(19,589,554)	-	(19,589,554)
	0737000 Inter-Governmental Transfers and Financial Matters	(19,589,554)	-	(19,589,554)
2071	Public Service Commission	-	-	-
	0725000 General Administration, Planning and Support Services	-	-	-
	0726000 Human Resource Management and Development	-	-	-
	0727000 Governance and National Values	-	-	-
	0744000 Performance and Productivity Management	-	-	-
2081	Salaries and Remuneration Commission	-	-	-

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	0728000 Salaries and Remuneration Management	-	-	-
	Teachers Service Commission	2,221,286,774	-	2,221,286,774
2091	0509000 Teacher Resource Management	2,088,286,774	-	2,088,286,774
	0510000 Governance and Standards	-	-	-
	0511000 General Administration, Planning and Support Services	133,000,000	-	133,000,000
2101	National Police Service Commission	-	-	-
	0620000 National Police Service Human Resource Management	-	-	-
2111	Auditor General	41,000,000	(194,000,000)	(153,000,000)
	0729000 Audit Services	41,000,000	(194,000,000)	(153,000,000)
2121	Office of the Controller of Budget	(6,500,000)	-	(6,500,000)
	0730000 Control and Management of Public Finances	(6,500,000)	-	(6,500,000)
2131	Commission on Administrative Justice	(10,000,000)	-	(10,000,000)
	0731000 Promotion of Administrative Justice	(10,000,000)	-	(10,000,000)
2141	National Gender and Equality Commission	-	7,257,000	7,257,000
	0621000 Promotion of Gender Equality and Freedom from Discrimination	-	7,257,000	7,257,000
2151	Independent Policing Oversight Authority	(14,410,674)	-	(14,410,674)
	0622000 Policing Oversight Services	(14,410,674)	-	(14,410,674)
-	<u>Sub-Total: Executive</u>	<u>64,903,861,186</u>	<u>5,861,863,411</u>	<u>70,765,724,597</u>
1261	The Judiciary	122,000,000	-	122,000,000

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	0610000 Dispensation of Justice	122,000,000	-	122,000,000
2051	Judicial Service Commission	(13,200,000)	-	(13,200,000)
	0619000 General Administration, Planning and Support Services	(13,200,000)	-	(13,200,000)
-	<u>Sub-Total: Judiciary</u>	<u>108,800,000</u>	<u>-</u>	<u>108,800,000</u>
2041	Parliamentary Service Commission	-	-	-
	0722000 Senate Affairs	-	-	-
2042	National Assembly	-	-	-
	0721000 National Legislation, Representation and Oversight	-	-	-
2043	Parliamentary Joint Services	-	-	-
	0723000 General Administration, Planning and Support Services	-	-	-
	0746000 Legislative Training Research & Knowledge Management	-	-	-
-	<u>Sub-Total: Parliament</u>	<u>-</u>	<u>-</u>	<u>-</u>
-	<u>TOTAL</u>	<u>65,012,661,186</u>	<u>5,861,863,411</u>	<u>70,874,524,597</u>

SCHEDULE II

SUMMARY OF THE APPROVALS GRANTED UNDER ARTICLE 223 OF THE CONSTITUTION IN THE FY 2021/2022 SUPPLEMENTARY ESTIMATES NO.2

Vote and Programme Details	National Treasury Approval Dates	Amount Disbursed/ Payment	Disbursement Dates	Remarks/Purpose
1021 State Department for Interior and Citizen Services		260,000,000		
0629000 General Administration and Support Services	4/25/2022	260,000,000		

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Vote and Programme Details	National Treasury Approval Dates	Amount Disbursed/ Payment	Disbursement Dates	Remarks/Purpose
2211300 Other Operating Expenses		260,000,000		Funds were granted to cater for the State Burial of the third President of Republic of Kenya
1032 State Department for Devolution		200,000,000		
0712000 Devolution Services	13/05/2022	200,000,000	13/05/2022	Provision for the Africities. Ksh200million funded by exchequer and Ksh.400million funded through AIA
2210801 Catering services		80,000,000		
2210600 Rental of Produced ASSETS				
2211311 Contracted Technical services		120,000,000		
1071 The National Treasury		1,000,000,000		
0203000 Rail Transport	25/03/2022	1,000,000,000		Naivasha Inland Container depot-Longonot station
2630201 Capital grants		1,000,000,000		
1091 State Department for Infrastructure	-	8,650,000,000		
0202000 Road Transport	31/03/2022&16/5/2022	8,650,000,000	6/3/2022&2/6/2022	Funds for completion of ongoing roads construction

Vote and Programme Details	National Treasury Approval Dates	Amount Disbursed/ Payment	Disbursement Dates	Remarks/Purpose
2630201 Capital grants		8,650,000,000		Funds for completion of ongoing roads construction & Kshs.650 million for the Compensation of Kenya Railways Retirees
1169 State Department for Crop Development & Agricultural Research		1,000,000,000		
0108000 Crop Development and Management	4/4/2022	1,000,000,000	5/5/2022	Provision to cater for the fertilizer subsidy
2630201 Capital grants		1,000,000,000		
1185 State Dpt for Social Protection, Senior Citizens Affairs & Special Programs		337,866,379		
0909000 National Social Safety Net	14/4/2022	337,866,379		Relief food interventions to mitigate the effects of drought
2211307 Transport Costs and Charges				
2211399 Other Operating Expenses				
2640201 Emergency Relief		337,866,379		
1194 Ministry of Petroleum and Mining	-	15,809,440,886		

Vote and Programme Details	National Treasury Approval Dates	Amount Disbursed/ Payment	Disbursement Dates	Remarks/Purpose
0215000 Exploration and Distribution of Oil and Gas	13/04/2022 & 24/03/2022 & 25/5/2022	15,809,440,886	13/04/2022 & 24/03/2022 & 25/5/2022	Funds to cater for fuel price stabilization
2520202 Oil Market Price Stabilization		7,539,440,886		
2520203 Refund to Petroleum Development Fund (PDL)		8,270,000,000		
GRAND TOTAL		27,257,307,265		

(Hon. Kanini Kega on 7.6.2022)

(Debate concluded on 7.6.2022)

(Question put and agreed to)

ADOPTION OF REPORT ON ELECTION-RELATED REGULATIONS

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of five sets of Draft Election-Related Regulations, laid on the Table of the House on Thursday, 2nd June 2022, and pursuant to the provisions of Section 109(3) of the Elections Act, 2011 resolves to REJECT the following-

- (i) the Draft Elections (Registration of Voters)(Amendment) Regulations, 2022;
- (ii) the Draft Elections (General)(Amendment) Regulations, 2022;
- (iii) the Draft Elections (Voter Education) (Amendment) Regulations, 2022;
- (iv) the Draft Elections (Party Nominations and Party Lists)(Amendment) Regulations, 2022; and,
- (v) the Draft Elections (Technology)(Amendment) Regulations, 2022.

(Hon. Kassait Kamket on 7.6.2022)

(Debate concluded on 7.6.2022)

(Question put and agreed to)

BILL*First Reading*

THE OPTICIANS BILL

(Order for First Reading read – Read the First Time and ordered to be referred to the relevant Departmental Committee)

COMMITTEE OF THE WHOLE HOUSE*(Order for Committee read)**[The Deputy Speaker (Hon. Moses Cheboi) left the Chair]*

IN THE COMMITTEE

[The Temporary Deputy Chairman (Hon. Christopher Omulele) took the Chair]

THE APPROPRIATION BILL

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Members, we are now in the Committee of the whole House to consider the Appropriation Bill (National Assembly Bill No.31 of 2022).

Clause 2

The Temporary Deputy Chairman (Hon. Christopher Omulele): Let us have the Chairman.

Hon. Kanini Kega (Kieni, JP): Just a minute. Let me find the amendments.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Go to page 1710 of the Order Paper.

Hon. Kanini Kega (Kieni, JP): Thank you, Hon. Temporary Deputy Chairman, for your indulgence. The Member for Mukurweini was asking what is there for Mukurweini.

Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 2 of the Bill be amended by deleting the words “one trillion six hundred two billion seven hundred thirty-one million three hundred thirty-seven thousand seven hundred and sixty-four” appearing immediately after the words “Kenya Shillings” and substituting therefor the words “one trillion six hundred eighteen billion one hundred fifty-one million three hundred thirty-seven thousand seven hundred sixty-four”

Thank you, Hon. Temporary Deputy Chairman. My apologies.

(Question of the amendment proposed)

(Question, that the words to be left be left out,

put and agreed to)

*(Question, that the words to be inserted in place thereof
be inserted, put and agreed to)*

(Clause 2 as amended agreed to)

(Clauses 3 and 4 agreed to)

Schedule

The Temporary Deputy Chairman (Hon. Christopher Omulele): Chair, you have a proposal to amend this.

Hon. Kanini Kega (Kieni, JP): Thank you, Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Schedule be amended—

- (a) in respect of Vote R1134 (State Department for Culture and Heritage) under Programme 0902000 (Culture/Heritage) by deleting the expression “Kshs. 1,651,040,327,” and substituting therefor the expression “Kshs.1,711,040,327”;
- (b) in respect of Vote R1194 (Ministry of Petroleum and Mining) under Programme 1007000 (General Administration Planning and Support Services) by deleting the expression “Kshs.5,121,567,906” and substituting therefor the expression “Kshs.20,481,567,906”.

In (a) there is a variance of Kshs60 million which will be going to the museum. Now, (b) is in respect of the fuel levy, to which we are adding about Kshs15 billion. Thank you, Hon. Temporary Deputy Chairman.

(Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

*(Question, that the words to be inserted in place thereof
be inserted, put and agreed to)*

(Schedule as amended agreed to)

(Title agreed to)

(Clause 1 agreed to)

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Members, we have completed that task. We will move to the next one. As per the Order Paper, we were to consider the Public Service Commission (Amendment) Bill (National Assembly Bill No.27 of 2019). I have just received communication that the Speaker has approved the deferral of this business. Therefore, the business appearing as Order No.13 (ii) stands deferred at the request of the owner of the Bill, Hon. Benjamin Gathiru Mwangi, Member for Embakasi Central.

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(Consideration of Bill deferred)

So, we will move on to the next business which is Order No.13 (iii), the Alcoholic Drinks Control (Amendment) Bill (National Assembly Bill No.70 of 2019). This Bill is sponsored by Hon. Sylvanus Osoro, who is not in the House. I will stand it down for the moment, so we deal with the next one. I hope Hon. Sylvanus Osoro will have found his way to the plenary, after we finish with the next business.

(Consideration of Bill deferred)

So, we will move on to the next business that appears as Order No. 13(iv), the Higher Education Loans Board (Amendment) Bill (National Assembly Bill No. 37 of 2020). This Bill is sponsored by Hon. John Mwirigi who I see in the House. Are you ready to do business?

Hon. John Mwirigi (Igembe South, Independent): Just a minute, Hon. Temporary Deputy Chairman.

The Temporary Deputy Chairman (Hon. Christopher Omulele): All right. As Hon. Mwirigi prepares himself to prosecute his Bill, Hon. Osotsi, the business that appears as Order No. 13(v) is yours. So, prepare. Also, we will have Hon. Benjamin Washiali prosecuting the business appearing as Order No.13 (vi). We will follow that order.

Hon. Wangwe, are you standing in for the Chair of the Departmental Committee on Education and Research? Hon. Members, I have a little difficulty in proceeding with these proposals. This is because I do not see the Chairs of the Committees concerned with the proposals by Members. Let me hear from Hon. Wangwe on how to proceed with this. Hon. Wangwe.

Hon. Emmanuel Wangwe (Navakholo, JP): Thank you, Hon. Temporary Deputy Chairman. The Chair of the Departmental Committee on Education and Research and the Chair of the Departmental Committee on Communication, Information and Innovation are absent. I am categorical about the Chair of the Departmental Committee on Education and Research with respect to the deletion which is being proposed by the Committee. There is no Member present. I am not in copy as to why they decided to undertake the deletion.

It is my humble request and submission to you, Hon. Temporary Deputy Chairman, that we drop the Higher Education Loans Board (Amendment) Bill and the Information, Communication Technology Practitioners Bill for now.

(Hon. Mark Nyamita spoke off-record)

Hon. Temporary Deputy Chairman, I can see that Hon. Nyamita is trying to speak. Maybe he has a contrary view. I was not able to reach the Chair. So, with your permission, you can give direction. As for the Higher Education Loans Board (Amendment) Bill, I am afraid...

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Wangwe, I am having difficulty accepting to go towards the direction that you are suggesting. The Movers are here. They are owners of these proposals. You can imagine how difficult it is to come up to this point.

It is incumbent on the Chairs to take their duties seriously and prosecute the Government's agenda on these proposals. For that reason, I am giving direction that if the Movers, who are the owners of these proposals are in the House, we shall proceed. What will stand dropped are the proposals to amend or delete by the Chairs or their representatives if they are not available to

prosecute those proposals for amendment. We shall, therefore, move in this manner: we shall call each Order so that we deal with each at a time.

I had deferred the one by Hon. Osoro, and we are now on The Higher Education Loans Board (Amendment) Bill. If the Mover, Hon. John Mwirigi is ready, we can proceed.

Hon. Mwirigi, are you ready to proceed?

Hon. John Paul Mwirigi (Igembe South, Independent): I am ready, Hon. Temporary Deputy Chairman.

THE HIGHER EDUCATION LOANS BOARD (AMENDMENT) BILL

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Members, just for a clean proceeding, we are now in the Committee of the whole House to Consider the Higher Education Loans Board (Amendment) Bill (National Assembly Bill No.37 of 2020).

Clause 2

The Temporary Deputy Chairman (Hon. Christopher Omulele): There is a proposal by the Chair of the Departmental Committee on Education and Research to delete the amendments. The Chair is desiring not to be in the House. The proposal to delete stands dropped.

(Proposed amendments by Hon. (Ms.) Florence Mutua dropped)

(Clause 2 agreed to)

(Proposed amendment to Title dropped)

(Title agreed to)

(Proposed amendment to Clause 1 dropped)

(Clause 1 agreed to)

Hon. Members, we have completed the work that was to be done on the Higher Education Loans Board (Amendment) Bill (National Assembly No.37 of 2020).

I will, therefore, move to Order No. 13 before we move to the Order by Hon. Osotsi. Hon. Mwirigi, you may now wish to move the Reporting.

Hon. John Paul Mwirigi (Igembe South, Independent): Thank you, Hon. Temporary Deputy Chairman.

I beg to move that the Committee does report to the House its consideration of the Higher Education Loans Board (Amendment) Bill (National Assembly No. 37 of 2020) and its approval thereof without amendment.

Thank you.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Very well.

(Question proposed)

(Question put and agreed to)

The Temporary Deputy Chairman (Hon. Christopher Omulele): We will move to the next business which is Order No.13(V).

THE INFORMATION COMMUNICATION TECHNOLOGY PRACTITIONERS BILL

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Osotsi, are you ready to proceed?

Hon. Godfrey Osotsi (Nominated, ANC): Hon. Temporary Deputy Chairman, I am lucky to be having my Vice-Chair here. He is the sponsor of the amendment, but since I am a Member of the Committee, we will assist each other. We can proceed.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Very well. Let us proceed.

Clause 3

Hon. Mark Nyamita (Uriri, ODM): Hon. Temporary Deputy Chairman, I beg to move: THAT, Clause 3 of the Bill be amended by deleting paragraph (e).

I am just waiting for some matrix here from my Clerk. Please, just give me a few minutes. I think it is already here.

The justification is that Clause 3(e) of the Bill provides for one of the objects of the Acts to prescribe the offences for non-compliance with the requirements of registration and licensing as set out in the Act. The proposed amendment is in conformity with the Committee's proposed amendment to Clause 19 of the Bill proposing that registration of an ICT practitioner should be voluntary.

I propose.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Osotsi.

Hon. Godfrey Osotsi (Nominated, ANC): Hon. Temporary Deputy Chairman, as I said earlier, I was part of the process that agreed on these amendments and so I agree.

(Question of the amendment proposed)

(Question, that the words to be left out

be left out, put and agreed to)

(Clause 3 as amended agreed to)

(Clause 4 agreed to)

Clause 5

Hon. Mark Nyamita (Uriri, ODM): Hon. Temporary Chairman, I beg to move: -

THAT, Clause 5 of the Bill be amended —

(a) in sub-clause (1) (f) by deleting subparagraph (iii) and substituting therefore the following new subparagraph—

“(iii) the Telecommunications Service Providers of Kenya;”

(b) in sub-clause (6) by inserting the word “, age” immediately after the word “gender,”.

Clause 5 (f) (b) part (iii) provides for a non-existent body. The right body should be the Telecommunications Service Providers of Kenya.

The amendment further provides that one of the factors in consideration during the appointment of members of the council of the ICT practitioners institute shall be age, so as to include the youths of this country.

I submit, Hon. Temporary Deputy Chairman.

(Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

*(Question, that the words to be inserted in place thereof
be inserted, put and agreed to)*

(Clause 5 as amended agreed to)

(Clauses 6,7,8,9,10,11 and 12 agreed to)

Clause 13

Hon. Mark Nyamita (Uriri, ODM): Hon. Temporary Deputy Chairman, I beg to move: -

THAT, Clause 13 of the Bill be amended by deleting sub-clause (2) (d).

The justification is that the paragraph provides for additional functions of Chief Executive Officer which are not prescribed in the Bill.

I submit, Hon. Temporary Deputy Chairman.

(Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

(Clause 13 as amended agreed to)

(Clauses 14,15, 16,17 and 18 agreed to)

Clause 19

Hon. Mark Nyamita (Uriri, ODM): Hon. Temporary Deputy Chairman, I beg to move: -

THAT, Clause 19 of the Bill be amended—

- (a) in paragraph (b) by deleting the words “and has at least one-year post qualification experience in ICT practice”;
- (b) in paragraph (c) by deleting the word “three years post qualification experience in ICT field” appearing immediately after the words “has at least” and substituting therefor the word “two years post qualification experience in ICT practice”;
- (c) in paragraph (d) by deleting the word “field” appearing immediately after the words “in ICT” and substituting therefor the words “ICT practice”;

- (d) by renumbering the existing provision as sub-clause (1);
- (e) by inserting the following new sub-clause immediately after the renumbered new sub-clause (1)—

“(2) Despite the provisions of subsection (1), a person may elect not to be registered as an ICT practitioner.”

The justification to the proposed amendments addresses the concerns raised by some stakeholders, that the qualification and experience requirements will lock out ICT practitioners. The amendments lower the requirement and further provides for voluntary registration as an ICT practitioner. Further, the amendment seeks to provide the use of ICT practice instead of ICT field which is not defined in the Bill. I move, Hon. Temporary Deputy Chairman.

(Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

*(Question, that the words to be inserted in place thereof
be inserted, put and agreed to)*

*(Question, that the words to be inserted be inserted,
put and agreed to)*

(Clause 19 as amended agreed to)

(Clauses 20 and 21 agreed to)

Clause 22

Hon. Mark Nyamita (Uriri, ODM): Hon. Temporary Deputy Chairman, I beg to move: -
THAT, Clause 22 of the Bill be amended in sub-clause (3) (ii) by deleting the words “and all avenues of appeal have been exhausted”.

The justification for this is, the provision raises the concern on, in case one does not appeal, are they allowed to remain on the register?

Furthermore, the provision creates the impression that a convicted person should then appeal even when there might not be need to do that in order to fulfil the requirements.

I move, Hon. Temporary Deputy Chairman.

Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

(Clause 22 as amended agreed to)

(Clauses 23 and 24 agreed to)

Clause 25

Hon. Mark Nyamita (Uriri, ODM): Hon. Temporary Deputy Chairman, I beg to move: -
THAT, Clause 25 of the Bill be amended in sub-clause (3) by inserting the words “if satisfied that the ICT practitioner is guilty of professional misconduct or is in breach of any provisions of the Act” at the end of the sub-clause.

The justification is that Clause 25 (3) fails to provide the grounds under which the council’s decision to issue or to refuse to renew the license and therefore leaving it to the council to make a decision without any parameters this could lead to abuse.

I propose.

(Question of the amendment proposed)

*(Question, that the words to be inserted be inserted,
put and agreed to)*

(Clause 25 as amended agreed to)

(Clause 26 agreed to)

Clause 27

Hon. Mark Nyamita (Uriri, ODM): Hon. Temporary Deputy Chairman, I beg to move: -
THAT, Clause 27 of the Bill be deleted.

As I indicated earlier, the proposed amendment is aligned to the proposed amendment to Clause 19 which provides for voluntary registration of ICT practitioners.

I beg to move.

Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

(Clause 27 deleted)

(Clause 28 agreed to)

Clause 29

Hon. Mark Nyamita (Uriri, ODM): Hon. Temporary Deputy Speaker, I beg to move; -
THAT, Clause 29 of the Bill be amended—

- (a) by deleting paragraph (e);
- (b) in paragraph (f) by deleting the words “, such as a character defect or an emotional disturbance”.

The justification is that paragraph (e) is proposed to be deleted because the paragraph is subjective and not objective as required. Further, it is proposed that paragraph (f) be amended to delete the words such as a character defect or an emotional disturbance which are ambiguous and subjective.

(Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

(Clause 29 as amended agreed to)

(Clause 30 agreed to)

Clause 31

Hon. Mark Nyamita (Uriri, ODM): Hon. Temporary Deputy Chairman, I beg to move: -

THAT, Clause 31 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (1)—

“(1A) Despite subsection (1), the Council may notify a member through other means indicated in the register where a person does not have a registered mail.”

The justification is, the proposed amendment seeks to broaden the avenues in which a person can be informed of his or her removal from the register.

I propose

(Question of the amendment proposed)

*(Question, that the words to be inserted
be inserted, put and agreed to)*

(Clause 31 as amended agreed to)

(Clauses 32,33,34,35,36,37,38,39,40,41 and 42 agreed to)

First schedule

The Temporary Deputy Chairman (Hon. Christopher Omulele): Let us have the Vice-Chairman of the Departmental Committee on Communication, Information and Innovation.

Hon. Mark Nyamita (Uriri, ODM): Hon. Temporary Deputy Chairman, I beg to move:

THAT, the First Schedule to the Bill be amended in paragraph (1) by inserting the words “for a further term of three years” at the end of the paragraph.

The justification is that the paragraph does not state the length of tenure of reappointment, and if reappointment can take place. The amendment clarifies the same.

(Question of the amendment proposed)

(Question, that the words to be inserted be inserted, put and agreed to)

(First Schedule as amended agreed to)

(Second Schedule agreed to)

Clause 2

The Temporary Deputy Chairman (Hon. Christopher Omulele): Let us have the Vice Chairman of the Departmental Committee on Communication, Information and Innovation.

Hon. Mark Nyamita (Uriri, ODM): Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 2 of the Bill be amended—

(a) in the definition “practicum” by inserting the words “professional qualification” immediately after the words “any degree”;

(b) by inserting the following new definition in proper alphabetical sequence—

“association” means an association duly established under the prevailing law consisting of persons with the objective of addressing interests and concerns of a particular subject or field in ICT practice;

The justification is that the amendment seeks to recognise professional qualifications in ICT offered by various examination bodies, both nationally and globally, such as the Certified Information Communication Technologist (CICT) and the Certified Information Systems Solutions Expert (CISSE) offered by the Kenya Accountants and Secretaries National Examinations Board (KASNEB).

Further, there is a proposed amendment providing for the definition of the word “association”. It should be defined.

(Question of the amendment proposed)

(Question, that the words to be inserted be inserted, put and agreed to)

(Clause 2 as amended agreed to)

(Title agreed to)

(Clause 1 agreed to)

The Temporary Deputy Chairman (Hon. Christopher Omulele): We have now completed that business and we shall now move to reporting. Let us have Hon. Osotsi.

Hon. Godfrey Osotsi (Nominated, ANC): Hon. Temporary Deputy Chairman, I beg to move that the Committee doth report to the House its consideration of the Information Communication Technology Practitioners Bill (National Assembly Bill No.38 of 2020) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

THE APPROPRIATION BILL

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Members, we will just take a little step back. We had not done the reporting on the Appropriation Bill. I direct that

we do that now, so that we complete that business. So, we are moving back to the Appropriation Bill (National Assembly Bill No.31 of 2022) for the purposes of reporting progress.

Let us have the Mover, the Chairman of the Budget and Appropriations Committee.

Hon. Kanini Kega (Kieni, JP): Hon. Temporary Deputy Chairman, I beg to move that the Committee doth report to the House its consideration of the Appropriation Bill (National Assembly Bill No.31 of 2022) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

THE INSURANCE PROFESSIONALS REGISTRATION BILL

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Members, we will now consider the Insurance Professionals Registration Bill (National Assembly Bill No.25 of 2020) by Hon. Jomo Washiali in the Committee of the whole House. Hon. Washiali, are you ready to proceed?

Hon. Benjamin Washiali (Mumias East, JP): Thank you, Hon. Temporary Deputy Chairman. I am ready.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Very well. Let us do it.

(Clause 3 agreed to)

Clause 4

The Temporary Deputy Chairman (Hon. Christopher Omulele): There are amendments to this. Hon. Wangwe, you were standing in for the Chairman of the Departmental Committee on Finance and National Planning on this one. So, you will be prosecuting the amendments by the Departmental Committee on Finance and National Planning. Hon. Wangwe, you may proceed.

Hon. Emmanuel Wangwe (Navakholo, JP): Thank you, Hon. Temporary Deputy Chairman. I was to sit in for the Chairman of the Departmental Committee on Finance and National Planning, but the Vice-Chairman confirmed that he has the mandate to do so.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Is he here?

Hon. Emmanuel Wangwe (Navakholo, JP): He is around. I have called him, and he says he is coming, but he has not. He said that he is the one with the mandate to do that. I am afraid I will not be able to sit in for the Chairman of the Departmental Committee on Finance and National Planning, because those are two contradicting instructions which I would not want to...

The Temporary Deputy Chairman (Hon. Christopher Omulele): I see him running out there and I do not know why.

Hon. Emmanuel Wangwe (Navakholo, JP): I am happy he is here.

The Temporary Deputy Chairman (Hon. Christopher Omulele): That is okay. Let us give him a moment to settle down. Hon. Waihenya Ndirangu, we are waiting for you. Take a minute to settle down and then we shall prosecute this business. Are we ready to go? Vice-Chair just to bring you to speed, we had dealt with Clause 3 and now we are in Clause 4. Hon. Washiali had moved his proposal and you are also proposing to amend.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move that clause 4 be amended as...

The Temporary Deputy Chairman (Hon. Christopher Omulele): Let me help you so we can move quickly. There are quite a number of amendments to clause 4. For purposes of clear and clean moving of this, it is proposed you deal with subsections (1), (2)(a) and (b) first, before going to (2)(c) which will be dealt with on its own.

Hon. Isaac Ndirangu (Roysambu, JP): Thank you, Hon. Temporary Deputy Chairman for your guidance.

I beg to move that clause 4 (a), (1), (2) and (3) be amended.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Vice-Chair move your proposals to amend clause 4(1), (2)(a) and (b) first. Then we shall deal with the others singularly as we move on. Hon. Waihenya can you see in your Order Paper where it is indicated clause 4(1), (2)(a), (b) and (c)?

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, we have agreed with Hon. Washiali, I step down the amendments to clause 4 in entirety.

The Temporary Deputy Chairman (Hon. Christopher Omulele): So, you are stepping down those amendments. Just go on record clearly so we have it.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, we are in agreement with the initiator of this Bill, I step down amendments to clause 4(1), 2(a), (b), (c), (d) and (3).

The Temporary Deputy Chairman (Hon. Christopher Omulele): For the record, it is noted that the Committee has withdrawn its proposals to amend Clause 4. Hon. Washiali, you need to go on record because you also had proposals countering the ones by the Committee.

(Proposed amendments by Hon. Isaac Ndirangu dropped)

Hon. Benjamin Washiali (Mumias East, JP): Thank you, Hon. Temporary Deputy Chairman. I beg to move:

THAT, Clause 4 of the Bill be amended in sub-clause (2) by—

- (a) deleting paragraph (c);
- (b) deleting paragraph (d); and
- (c) deleting paragraph (e).

(Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

(Clause 4 as amended agreed to)

Clause 5

The Temporary Deputy Chairman (Hon. Christopher Omulele): The Vice-Chair.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move: THAT, the Bill be amended in Clause 5-

- (a) in subsection (1) by deleting paragraphs (d), (e), (g) and (h);
- (b) in subsection (1) (f) by inserting the word “development” immediately the words

“Continuous Professional”.

The amendments are removing all functions of the institute which relate to preservice training.

(Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

(Question, that the words to be inserted be inserted, put and agreed to)

(Clause 5 as amended agreed to)

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Washiali, you also have proposals to amend this. So, you will not move your amendments in regard to (1)(g). This is because it has been deleted by the action the Chair has taken by having his proposals accepted. Hon. Washiali you may move your proposals in regards to 1(f) and (j).

Hon. Benjamin Washiali (Mumias East, JP): Thank you, Hon. Temporary Deputy Chairman. I beg to move:

THAT, Clause 5 of the Bill be amended in sub-clause (1) —

- (a) by deleting paragraph (f) and substituting therefor the following new paragraph—
“(f) co-ordinate and oversee continuous professional development of insurance professionals;”
- (b) in paragraph (g) by deleting the words “Technical and Vocational Education and Training Authority” and substituting therefor the words “Examinations Board”; and
- (c) by inserting the following new paragraph immediately after paragraph (j);
“(ja)advise the Registration Committee on matters relating to grant of practicing certificates;”

I move that Clause 5 of the Bill be amended in sub-clause (1)(f) and (g)...

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Washiali sub-clause (1)(g) is gone and not available for you to amend because it has been deleted. You may move amendments to (1)(j).

Hon. Benjamin Washiali (Mumias East, JP): Also, be amended in sub-clause (1)(j).

(Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

*(Question, that the words to be inserted in place thereof
be inserted, put and agreed to)*

(Clause 5 as amended agreed to)

Clause 6

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move:
THAT, the Bill be amended in Clause 6 by-

(a) inserting the word “comprise” immediately after the word “shall” in the opening statement;

(b) inserting the words “who shall not vote at meetings” at the end of paragraph (f).

The justification is that these amendments provide that the Executive Director shall not vote at meetings. This is because he is a person who runs the day-to-day operations of the institute.

The Temporary Deputy Chairman (Hon. Christopher Omulele): The Chair, and Hon. Washiali, in this particular one, you seem to be aiming for the same thing but in different wordings. One is saying “who shall not vote” while the other is saying “who shall be some Ex-officio.” If you could synchronise so that we have one, we shall then be able to move because the effect of your proposal is the same.

Hon. Benjamin Washiali (Mumias East, JP): Hon. Temporary Deputy Chairman, there is a give and take in law making. In this case, let me allow the Chair to have his day.

(Question of the amendment proposed)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 6 as amended agreed to)

The effect of that, the proposal by Hon. Washiali stands dropped because we have carried the one by the Chair.

(Proposed amendments by Hon. Benjamin Washiali dropped)

(Clauses 7, 8 and 9 agreed to)

Clause 10

The Temporary Deputy Chairman (Hon. Christopher Omulele): Chair.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move: THAT, the Bill be amended in Clause 10 by inserting the following new subsections immediately after subsection (5)-

(6) The Executive Director may be removed from office for-

(a) inability to perform the functions of the office arising out of mental or physical infirmity;

(b) gross misconduct; or

(c) bankruptcy.

(7) The Executive Director shall hold office for a period of four years’ renewable once.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Washiali, you have something to say to this or I put the Question?

Hon. Benjamin Washiali (Mumias East, JP): Hon. Temporary Deputy Chairman, I agree. This is just but aligning the Bill to the normal practice of hiring and firing. I, therefore, have no objection.

(Question of the amendment proposed)

(Question, that the words to be inserted be inserted, put and agreed to)

(Clause 10 as amended agreed to)

(Clauses 11 and 12 agreed to)

Clause 13

The Temporary Deputy Chairman (Hon. Christopher Omulele): Chair.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move: THAT, the Bill be amended in Clause 13 by deleting –

(a) the words “of Insurance Professionals” appearing in subsection (1);

(b) paragraph (c).

The justification is that this amendment cleans up the Title of the Registration Committee by removing the words “Insurance professionals” which have not been used elsewhere in the Bill.

(Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

The Temporary Deputy Chairman (Hon. Christopher Omulele): Do we have a re-take on that? Hon. Washiali and the Chair, this is your Business. If you do not want to have this amendment, then you should not... you better be prepared to support it. I will have a re-take on Clause 13.

(Clause 13 as amended agreed to)

(Clauses 14 and 15 agreed to)

Part V

The Temporary Deputy Chairman (Hon. Christopher Omulele): Chair.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to withdraw this amendment in favour of Hon. Washiali’s.

(Proposed amendment by Hon. Isaac Ndirangu withdrawn)

(Clause 16 agreed to)

Clause 17

Hon. Benjamin Washiali (Mumias East, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 17 of the Bill be amended in sub-clause (1)—

(a) (a) by deleting paragraph (f); and

- (b) in paragraph (g) by deleting the word “two” and substituting therefor the word “three”.

(Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

*(Question, that the word to be inserted in place thereof
be inserted, put and agreed to)*

(Clause 17 as amended agreed to)

Clause 18

Hon. Benjamin Washiali (Mumias East, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 18 of the Bill be amended

- (a) in sub-clause (1) by deleting the word “to” and substituting therefor the word “of”;
- (b) in sub-clause (2) by deleting the word “to” and substituting therefor the word “of”;
- and
- (c) in sub-clause (4) by deleting the words “Registrar to” and substituting therefor the word “Registrar of”.

Hon. Temporary Deputy Chairman this just cleaning up the entire Bill. Thank you.

(Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

*(Question, that the words to be inserted in place thereof
be inserted, put and agreed to)*

(Clause 18 as amended agreed to)

Clause 19

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Washiali.

Hon. Benjamin Washiali (Mumias East, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 19(1) of the Bill be amended —

- (a) in paragraph (b) by inserting the words “insurance professionals” immediately after the word “to”;
- (b) in paragraph (c) by inserting the words “for insurance professionals” immediately after the word “requirements”; and
- (c) in paragraph (d) by inserting the words “for insurance professionals” immediately after the word “examinations”.

The amendment cleans up the whole Bill. This was based on what Members deliberated on, when we were going through the Second Reading. Therefore, we are cleaning up the Bill, so that it makes a lot of sense.

(Question of the amendment proposed)

*(Question, that the words to be inserted
be inserted, put and agreed to)*

(Clause 19 as amended agreed to)

Clause 20

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move:
THAT, the Bill be amended by deleting Clause 20.

This provision is being deleted because it has been moved to the miscellaneous provisions of the Bill.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Clause 20 deleted)

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Washiali, you note that you have nothing to amend. So, you cannot prosecute your amendment.

Hon. Benjamin Washiali (Mumias East, JP): Hon. Temporary Deputy Chairman, I will propose a new clause. If you look at my amendment, you will agree with me that I had also proposed to delete Clause 20 and introduce a new clause which I want to move. Can I do it?

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Washiali, you are in trouble. Your amendment seeks to delete sub-clause 1 of Clause 20 and substitute therefor a new sub-clause. However, the Chair has deleted Clause 20. So, it does not exist.

Hon. Benjamin Washiali (Mumias East, JP): Ok.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Very well.

Clause 21

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Washiali, you have an amendment.

Hon. Benjamin Washiali (Mumias East, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 21 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (2) —

(2) Despite subsection (1) and subsection (2) a person who is duly registered as an agent under the Insurance Act, shall be deemed not to be in breach of Section 20 where they sell

or market insurance products or services either on their own account, or on behalf of an insurer, a re-insurer, an insurance broker or in association with others.

The amendment adds flesh to this Clause to clarify what an agent is supposed to do. Thank you.

(Question of the amendment proposed)

(Question, that the words to be inserted be inserted, put and agreed to)

(Clause 21 as amended agreed to)

(Clause 22 agreed to)

Clause 23

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move: THAT, the Bill be amended in Clause 23—

(a) in subsection (1) by-

(i) deleting the expression “Section 23” and substituting therefor the expression “Section 22”;

(ii) inserting the following new paragraph immediately after paragraph (b)-

“(ba) is in good standing with the Institute;”

(b) in subsection (2) by deleting the words “Registration Committee” and substituting therefor the word “Council”.

The amendment removes the clause referencing in the clause. It also provides that a Member shall only be issued with a practising certificate, if he or she is in good standing with the Institute.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Washiali and Hon. Chairman, you have similar proposals in this Clause. They only differ in one regard. While the Chair is proposing that there shall be an Institute, Hon. Washiali proposes to have a Council. So, you can agree on one of the two.

(Hon. Benjamin Washiali and Hon. Isaac Ndirangu consulted)

Hon. Benjamin Washiali (Mumias East, JP): Hon. Temporary Deputy Chairman, we have agreed with the Chair that the Institute can have its way which is different from what I had preferred to do.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Thank you. For clarity sake, Hon. Washiali had proposed to have the “Institute” and the Committee had proposed a “Council”. Sorry for that.

Hon. Benjamin Washiali (Mumias East, JP): Hon. Temporary Deputy Chairman, it should be the “Institute”.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Therefore, the Committee will withdraw their amendment, so that we move with your amendment. That will be neat. Chair.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, we agreed to amend Clause 23 as proposed by Hon. Washiali.

Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended in Clause 23–

(b) in subsection (2) by deleting the words “Registration Committee” and substituting therefor the word “Institute”.

The Temporary Deputy Chairman (Hon. Christopher Omulele): This means that we will now have the word “Institute”. So, you have moved the amendment in an amended form, so that you can have the word “Institute”.

(Proposed amendment by Hon. Isaac Ndirangu withdrawn)

(Question of the amendment proposed)

(Question, that the words to be left out be left out put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Question, that the words to be inserted be inserted, put and agreed to)

By dint of this, the amendment by Hon. Washiali is taken care of. Are you satisfied, Hon. Washiali?

Hon. Benjamin Washiali (Mumias East, JP): Hon. Temporary Deputy Chairman, my amendment was in Clause 23(2).

The Temporary Deputy Chairman (Hon. Christopher Omulele): It is the same thing. It has the same effect.

Hon. Benjamin Washiali (Mumias East, JP): Fine.

(Clause 23 as amended agreed to)

Clause 24

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended in Clause 24–

(a) in subsection (1) by deleting the words “and shall remain in force unless it ceases to be in force under subsection (2),(4) and (5);

(b) in subsection (3) by deleting the words “pursuant to section 30(5) and (6);

(c) by deleting subsection (4) and substituting therefor the following new

subsection–

“(4) A practicing certificate ceases to be in force during the period which it is suspended.”

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

Question, that the words to be inserted in place thereof be inserted, put and agreed to)

The Temporary Deputy Chairman (Hon. Christopher Omulele): We now move on to amendments by the Hon. Washiali.

Hon. Benjamin Washiali (Mumias East, JP): Thank you Hon. Temporary Deputy Chairman. I beg to move:

THAT, Clause 24 of the Bill be amended by deleting sub-clause (3).

(Loud consultations)

Is that the same thing?

The Temporary Deputy Chairman (Hon. Christopher Omulele): Yes. You are in order. The Chair has only moved the first part and so you are quite in order to propose what you are doing. Please go on.

Hon. Benjamin Washiali (Mumias East, JP): Yes, I have proposed by deleting sub-clause (3) as a whole.

Thank you, Hon. Temporary Deputy Chairman.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Loud consultations)

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Chair, now you need to move your proposal to sub-clause (4) of this Clause 24.

Hon. Isaac Ndirangu (Roysambu, JP): Thank you, Hon. Temporary Deputy Chairman. I beg to move:

THAT, the Bill be amended in clause 24-

- (a) in subsection (1) by deleting the words “and shall remain in force unless it ceases to be in force under subsection (2),(4) and (5);
- (b) in subsection (3) by deleting the words “pursuant to section 30(5) and (6);
- (c) by deleting subsection (4) and substituting therefor the following new subsection-
“(4) A practicing certificate ceases to be in force during the period which it is suspended.”

(Question of the amendment proposed)

(Question, that the words to be left out be left out put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Loud consultations)

The Temporary Deputy Chairman (Hon. Christopher Omulele): Just hold on. Before we go to Clause 25, I will put the global question on Clause 24.

(Clause 24 as amended agreed to)

Clause 25

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Chair.
Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended in clause 25 by deleting subsection (3) and substituting therefor the following new subsection-

(3) Where an application is made by a person in accordance with this section, the Registration Committee shall approve the application if the person meets the qualifications set out in section 26.

This is to correct the cross-referencing in this section.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 25 as amended agreed to)

Clause 26

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Chairman.
Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended in clause 26-

(a) in subsection (1) by deleting paragraph (a) and substituting therefor the following new paragraph-

“(a) has been certified the relevant examination body as having qualified in insurance practice;

(b) in subsection (1) by deleting paragraph (c);

(c) in subsection (2) by deleting the words “approve qualifications, which it considers sufficient to allow a person to be registered, and may,

in the same manner, withdraw any such approval” and substituting therefor the words “prescribe the qualifications for registration”.

The reason for this amendment is to remove reference to the examination body which has been deleted from the Bill.

(Question of the amendment proposed)

The Temporary Deputy Chairman (Hon. Christopher Omulele): The Hon. Washiali.

Hon. Benjamin Washiali (Mumias East, JP): Hon. Temporary Deputy Chairman, I just wanted to clarify with the Deputy Chairperson of the Committee on Finance and National Planning that he withdrew the clause that was to remove the examination body. Therefore, if he withdrew, he cannot now be correcting something that is already back in the Bill. Therefore, the examination body is not withdrawn.

The Temporary Deputy Chairman (Hon. Christopher Omulele): You are absolutely right Hon. Washiali. Hon. Deputy Chairman, you took it away and, therefore, you cannot have your cake and eat it.

Hon. Isaac Ndirangu (Roysambu, JP): Agreed, Hon. Temporary Deputy Chairman. It is true we had removed that in Clause (2).

Therefore, I drop the amendment.

(Proposed amendment by Hon. Ndirangu to clause 26 withdrawn)

(Clause 26 agreed to)

Clause 27

Hon. Isaac Ndirangu (Roysambu, JP): I beg to move:

THAT, the Bill be amended in clause 27 –

- (a) in subsection (1) by deleting paragraph (d) and substituting therefor the following new paragraph-
 - (d) subject to the recommendations of the Disciplinary Committee under section 34;
- (b) by deleting subsection (2);
- (c) by deleting subsection (3);
- (d) by deleting subsection (4).

This amendment is for reasons that it corrects the cross-referencing. In addition, it also deletes sub-sections (2), (3), and (4) because they contradict sub-section (1).

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 27 as amended agreed to)

Clause 28

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Deputy Chairman.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended in clause 28 (1) -

- (a) in paragraph (a) by deleting the expression “section 26” and substituting therefor the expression “section 25”;
- (b) by deleting paragraph (b) and substituting therefor the following new paragraph –
 - (b) the particulars of the practicing certificate including the practicing certificate number;

This is for the same reasons of correcting the cross referencing.

(Question for the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 28 as amended agreed to)

Clause 29

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Chairman.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended in Clause 29 by deleting –

- (a) sub-section (1) and substituting the following new subsection-
 - (1) Subject to this section, the Registration Committee may cancel the registration of a member if the Institute-
 - (a) on the recommendation of the Disciplinary Committee under section 32;
 - (b) if the person becomes ineligible for registration under section 27.
- (b) subsection (2);
- (c) subsection (5);
- (d) subsection (6).

It should be amended all the way to (a), (b), (c) and (d). This is for the same reasons of correcting cross-referencing and moving provisions for a further hearing because the matter has been determined by the disciplinary committee and the right to be heard applied.

Further, it seeks to recognise that the right for appeal is a legal right and, therefore, it needs not be legislated in the Bill.

(Question of the amendment proposed)

The Temporary Deputy Chairman (Hon. Christopher Omulele): The Hon. Washiali.

Hon. Benjamin Washiali (Mumias East, JP): Hon. Temporary Deputy Chairman, I just wanted to mention generally that most of these deletions were meant to support the removal of the examination body.

For record purposes, I just wanted to point that we will look at this Bill again in detail or rather the Act; if it will be assented to, so that we can correct the omissions.

This is because, we are doing it on our feet and may not do it as effectively as we would have wished to, to know which clause is affecting what.

However, for purposes of record, I just want to point out that most of these deletions are based on the withdrawal or the removal of the examination body which, I am sure will affect the effectiveness of this Act. I support but with that understanding that when it has been done, then we will stand to amend the Bill.

The Temporary Deputy Chairman (Hon. Christopher Omulele): You are perfectly in order Hon. Washiali. You will have a chance even before the Bill is read the Third time to recommit. You may actually recommit. Therefore, once this is done, you can go through it and make up your mind on those parts that you wish to recommit for reconsideration of the plenary.

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 29 as amended agreed to)

(Clause 30 agreed to)

Clause 31

The Temporary Deputy Chairman (Hon. Christopher Omulele): Chair.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended in Clause 31-

(a) in paragraph (a) by deleting the word “deliberately”;

(b) in paragraph (b) by deleting the words “refuses” and “neglects”;

(c) by deleting paragraph (p);

(d) by inserting the following new subsection after the existing subsection-

(2) Without prejudice to subsection (1), the Institute may adopt specific codes of conduct for the respective Insurance Professionals.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agree to)

*(Question, that the words to be inserted
be inserted, put and agree to)*

(Clause 31 as amended agreed to)

Clause 32

The Temporary Deputy Chairman (Hon. Christopher Omulele): There is a proposed amendment by the Hon. Chair and the Hon. Washiali. We will begin with the Chair.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT. the Bill be amended in Clause 32-

(a) in subsection 2(a) by deleting the words “or any court of competent jurisdiction”; and,

(b) in subsection (2) (d) by inserting the words “one of whom shall be a Member of the Institute of Arbitrators;”

This amendment is to provide for an arbitrator in the membership of the disciplinary committee.

(Question of the amendment proposed)

*(Question, that the words to be left
out be left out, put and agree to)*

*(Question, that the words to be inserted
be inserted, put and agree to)*

The Temporary Deputy Chairman (Hon. Christopher Omulele): The Hon. Washiali, you may move yours now.

Hon. Benjamin Washiali (Mumias East, JP): Thank you Hon. Temporary Deputy Chairman. Mine is not in conflict with what the Vice-Chair has moved.

Hon. Temporary Deputy Chairman, I beg to move:

THAT. Clause 32(2) of the Bill be amended in paragraph (d) by inserting the word “by” immediately after the word “appointed”.

This is just a typographic error and cleaning up the Bill.

(Question of the amendment proposed)

(Question, that the word to be inserted be inserted, put and agreed)

(Clause 32 as amended agreed to)

(Clause 33 agreed to)

Clause 34

The Temporary Deputy Chairman (Hon. Christopher Omulele): Chair.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended in Clause 34–

(a) in subsection (1) by deleting the words “under section 34 into an alleged professional misconduct of a member of the Institute” and substituting therefor the words “under section 33”;

(b) in subsection (1) by deleting paragraphs (a), (b), (c), (d) and (e) and substituting therefor the following paragraphs–

(a) dismiss the matter;

(b) reprimand the member;

(c) recommend to the Registration Committee the cancellation of the member’s registration;

(d) recommend to the Registration Committee the suspension of the member;

(e) recommend to the Registration Committee that the practicing certificate of the member be suspended.

(c) by deleting subsection (2)

This is in order to clean the provision and correct the cross-referencing.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agree to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 34 as amended agreed to)

Clause 35

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended in Clause 35–

(a) in subsection (1) by deleting the expression “section 35” and substituting the following expression “section 34”;

(b) in subsection (1) by deleting the words “make one of, or more than one, of the following determinations”;

(c) in subsection (1) by deleting paragraph (c);

(d) in subsection (1) (d) by deleting the words “and direct that the member be not registered for such period as is specified”;

(e) in subsection (2) by deleting the word “Council” and substituting therefor the words “Disciplinary Committee” and by deleting the words “and the Council shall comply with the requirement”.

- (f) by deleting subsection (3);
- (g) by deleting subsection (4);
- (h) by deleting subsection (6).

This is a further correction of cross-referencing. The amendment also serves to remove the re-opening of the decision of the disciplinary committee.

Further, sub-section 6 is deleted because everybody has a right to appeal.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agree to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 35 as amended agreed to)

Clause 36

The Temporary Deputy Chairman (Hon. Christopher Omulele): Chair, you have a proposal to this one.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move: THAT, the Bill be amended by deleting Clause 36.

This amendment deletes provisions on appeal because the Bill should not legislate the procedure of the High Court.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agree to)

(Clause 36 deleted)

The Temporary Deputy Chairman (Hon. Christopher Omulele): The Hon. Washiali, you note that yours now has no legs to stand on.

Hon. Benjamin Washiali (Mumias East, JP): Hon. Temporary Deputy Chairman, I wish to withdraw it now that we have adopted the decision.

(Proposed amendment to Clause 36 by Hon. Benjamin Washiali withdrawn)

The Temporary Deputy Chairman (Hon. Christopher Omulele): Thank you. Let us proceed.

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Clause 37

The Temporary Deputy Chairman (Hon. Christopher Omulele): Chair.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move: THAT, the Bill be amended by deleting Clause 37.

There already exist rules on the conduct of matters in the High Court and there is no need to legislate the same in the Bill.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agree to)

(Clause 37 deleted)

The Temporary Deputy Chairman (Hon. Christopher Omulele): The Hon. Washiali, for the same reason, your falls.

(Proposed amendment to Clause 37 by Hon. Benjamin Washiali dropped)

Let us make progress.

(Clause 38 agreed to)

Clause 39

The Temporary Deputy Chairman (Hon. Christopher Omulele): Chair, you have a proposal to this.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended in Clause 39 –

(a) in subsection (1) by deleting the expression “section 39” and substituting therefor the expression “section 38”;

(b) by deleting subsection (2).

This is for the same reason. It corrects the cross-referencing.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agree to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 39 as amended agreed to)

Clause 40

The Temporary Deputy Chairman (Hon. Christopher Omulele): Chair.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move: THAT, the Bill be amended by deleting Clause 40 and substituting therefor the following new section—

Funds of the
Institute

40. The funds of the Institute shall consist of –
 (a) monies payable to the Institute under this Act;
 (b) subscription fees;
 (c) donations, gifts and endowments from lawful sources;
 (d) grants.

This amendment removes the requirement for Parliament to appropriate funds for a private entity.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agree to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 40 as amended agreed to)

Clause 41

The Temporary Deputy Chairman (Hon. Christopher Omulele): Chair.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move: THAT, the Bill be amended by deleting Clause 41.

This amendment is a consequence of the removal of public funding under clause 40. Therefore, there is no need for a public audit.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agree to)

(Clause 41 deleted)

Clause 42

The Temporary Deputy Chairman (Hon. Christopher Omulele): Chair.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move:

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THAT, the Bill be amended by deleting Clause 42.

This is as a consequence of deleting Clauses 40 and 41. The reason is that we have removed public funding under clause 40 for private entities.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agree to)

(Clause 42 deleted)

Clause 43

The Temporary Deputy Chairman (Hon. Christopher Omulele): Chair.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move: THAT, the Bill be amended in Clause 43 in the marginal note by deleting the word “by an association”.

This is in the marginal note for the reason that the reference of an association is in error.

(Question of the amendment proposed)

The Temporary Deputy Chairman (Hon. Christopher Omulele): Before I proceed, Hon. Washiali also has a proposal to it. It is not similar.

Hon. Benjamin Washiali (Mumias East, JP): The amendments are similar. So, the one for the Chair can be carried.

The Temporary Deputy Chairman (Hon. Christopher Omulele): You have some other amendments that are not similar to the Chair’s.

Hon. Benjamin Washiali (Mumias East, JP): Can I then just move?

The Temporary Deputy Chairman (Hon. Christopher Omulele): No. Let me finish with the one for the Chair and then I will give you an opportunity because they are different. That is so that we clean it up properly.

(Question, that the words to be left out be left out, put and agreed to)

Hon. Washiali, you may now move the others while dropping the one similar to the Chair’s.

Hon. Benjamin Washiali (Mumias East, JP): I beg to move:

THAT, clause 43 of the Bill be amended —

- (a) in the marginal note by deleting the words “an association” and substituting therefor the words “a member”;
- (b) in sub-clause (1) —
 - (i) by deleting paragraph (c);
 - (ii) by deleting paragraph (e); and
 - (iii) by deleting paragraph (f).

That sub-clause (a) is the amendment about which I am in agreement with the Chair. In (b) sub-clause (1), I propose the deletions.

(Question of the amendment proposed)

*(Question, that the words to be left out
be left out, put and agreed to)*

*(Question, that the words to be inserted in
place thereof be inserted, put and agreed to)*

(Clause 43 as amended agreed to)

Clause 44

Hon. Isaac Ndirangu (Roysambu, JP): I beg to move:

THAT, the Bill be amended in Clause 44 by deleting the words “or Examinations Board”.

This is to remove reference to the Examinations Board since the clauses establishing the Board have been deleted from the Bill.

(Question of the amendment proposed)

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Washiali, you may now have a go at it.

Hon. Benjamin Washiali (Mumias East, JP): This is the confusion we are likely to experience because the Vice-Chair dropped the removal of the Examination Board. If you removed the description, I do not think it will be making sense and yet, the Examination Board is carried. So, I really wish the Vice-Chair removes or withdraws that amendment.

The Temporary Deputy Chairman (Hon. Christopher Omulele): You are right, Hon. Washiali. Hon. Vice-Chair, how do you want to deal with it?

Hon. Isaac Ndirangu (Roysambu, JP): I support Hon. Washiali’s amendment.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Vice-Chair, you will have to drop yours because you have already taken it out.

Hon. Isaac Ndirangu (Roysambu, JP): I do. I support that Hon. Washiali’s opinion be carried.

(Applause)

(The proposed amendment by Hon. Ndirangu to clause 44 withdrawn)

(Clause 44 agreed to)

Clause 45

The Temporary Deputy Chairman (Hon. Christopher Omulele): There are two amendments to this. We will first go by the Vice-Chair’s.

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Hon. Isaac Ndirangu (Roysambu, JP): I beg to move:

THAT, the Bill be amended in Clause 45 (1) by deleting the word “Council” and substituting therefor the word “Cabinet Secretary”.

This is to provide for the CS who shall be making regulations in accordance with the Statutory Instruments Act.

(Question of the amendment proposed)

*(Question, that the word to be left out
be left out, put and agreed to)*

*(Question, that the words to be inserted in place
thereof be inserted, put and agreed to)*

Hon. Washiali, you also have something on this. You may move it.

Hon. Benjamin Washiali (Mumias East, JP): I beg to move:

THAT, Clause 45 (2) of the Bill be amended by inserting the following new paragraphs immediately after paragraph (a) —

“(aa) procedure and fees for registration of members of the Institute;

(ab) a detailed scheme outlining procedures for qualification, issuing and revocation of practicing certificates under this Act;

(ac) a detailed scheme or code of conduct and ethics specifying acts that amount to professional misconduct in addition to those specified under this Act.”

This is just providing a way forward so that the Board can gazette its regulations.

(Question of the amendment proposed)

*(Question, that the words to be inserted
be inserted, put and agreed to)*

(Clause 45 as amended agreed to)

New Clause 44A

Hon. Isaac Ndirangu (Roysambu, JP): I beg to move:

THAT, the Bill be amended by inserting the following new clause immediately after Clause 44-

Transitional
provision

44A. (1) After the expiration of twelve months or such longer period as the Cabinet Secretary may declare, by notice in the Gazette after the commencement of this Act, that no person shall practise as an Insurance Professional unless he or she is a holder of a practising certificate that is in force.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and liable to a fine not exceeding fifty thousand or imprisonment for a period not exceeding six months.

The justification is so that we can provide for a transitional provision.

(Question of the new clause proposed)

(New clause read the First Time)

(Question, that the new clause be read a Second Time, proposed)

(Question, that the new clause be read a Second Time, put and agreed to)

(The new clause was read a Second Time)

(Question, that the new clause be added to the Bill, put and agreed to)

First Schedule

Hon. Isaac Ndirangu (Roysambu, JP): I beg to move:

THAT, the Bill be amended in the First Schedule in Item 2 by deleting-

(a) subparagraph (3);

(b) subparagraph (4).

This is to remove erroneous provisions.

(Question of the amendment proposed)

(Question, that the word to be left out be left out, put and agreed to)

(First Schedule as amended agreed to)

(Second Schedule agreed to)

Third schedule

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Chairperson.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended by deleting the Third Schedule.

This in order for the Bill to be compliant and compatible with the withdrawal of Clause 2.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Washiali.

Hon. Benjamin Washiali (Mumias East, JP): Hon. Temporary Deputy Chairman, I think it would have been better if we would know the contents of the Third Schedule. The Third Schedule is about the Examination Board which we have all agreed that it should be reinstated in the Bill. So, how do we delete the Third Schedule yet it is supposed to guide the Examination Board. It is important that we know what the Schedule contains.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Washiali, you may wish to recommit the Third Schedule. Look at it and if you are in tandem with the Chair, then there is the route for recommitment.

Hon. Benjamin Washiali (Mumias East, JP): We had already agreed. It is just a mix up in presentation as we had agreed here that we do not need the Third Schedule because we have the Examination Board.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Washiali, let me help you. I had not yet put the global Question on this. If you are in agreement with the Chair, we can have a retake on it now so that we can retain it. The Chair can withdraw his proposal.

I will give you a minute to consult.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I drop that amendment and reinstate the Third Schedule.

(Proposed amendment by Hon. Isaac Ndirangu withdrawn)

(Third Schedule agreed to)

(Fourth Schedule agreed to)

Clause 2

The Temporary Deputy Chairman (Hon. Christopher Omulele): There are amendments to this from both the Chair and Hon. Washiali.

Hon. Isaac Ndirangu (Roysambu, JP): Thank you, Hon. Temporary Deputy Chairman, I wish to withdraw all these amendments.

(Proposed amendments by Hon. Isaac Ndirangu withdrawn)

The Temporary Deputy Chairman (Hon. Christopher Omulele): Very well. Hon. Washiali, you may move your amendment.

Hon. Benjamin Washiali (Mumias East, JP): Thank you, Hon. Temporary Deputy Chairman, I want to thank the Vice Chairperson of the Departmental Committee on Finance and National Planning on the understanding that we have had throughout this Committee of the Whole House. I beg to move –

THAT, clause 2 of the Bill be amended by inserting the following new definition in the proper alphabetical sequence—

“professional prequalification” means a certificate in insurance studies that is issued by an institution approved or recognized by the Commission for University Education established under the Universities Act, 2012 or the Technical and Vocational Education and Training Authority established under the Technical and Vocational Education and

Training Act, 2013 which certificate shall be required by the Examinations Board as a requirement for candidates who apply to sit the insurance professional examinations;”

We need this explanatory note to take care of colleges that have been training insurance professionals, so that they can take care of their businesses as they have done before. Later on, in terms of recognition of the professionals in the insurance sector, the institute will do it. The Examination Board that has been reinstated by this House will do it.

Thank you.

(Question of the amendment proposed)

*(Question, that the words to be inserted be inserted,
put and agreed to)*

(Clause 2 as amended agreed to)

Long Title

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Chair.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Chairman, I beg to drop the long title.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Very well. The proposal by the Chair to amend the Title stands dropped.

(Proposed amendment by Hon. Isaac Ndirangu withdrawn)

Hon. Washiali you also a proposed amendment to this.

Hon. Benjamin Washiali (Mumias East, JP): Hon. Temporary Deputy Chairman, I beg to move –

THAT, the heading of the long title of the Bill be amended by deleting the word “REGISTRATION”.

The Bill as it is reads, “The Insurance Professionals’ Registration Bill 2020”. However, registration is part of the many other objects of the Bill for example, provision of examination, regulations of standards and the practice of insurance professionals. Therefore, I seek to remove the word “registration” from the Bill so that it reads: “The Insurance Professional Bill 2020.”

(Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

(Long Title as amended agreed to)

Clause 1

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Washiali.

Hon. Benjamin Washiali (Mumias East, JP): Do I have an amendment on Clause 1? I am lost. I do not know whether I have an amendment to Clause 1.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Yes, you have an amendment to Clause 1. You may move it. It is on page 1722 of the Order Paper. It is to the same effect of registration.

Hon. Benjamin Washiali (Mumias East, JP): Thank you, Hon. Temporary Deputy Chairman, I beg to move –

THAT, clause 1 of the Bill be amended by deleting the word “Registration”.

This is for the same explanation that I made earlier on. That the Bill has more objects than just registration alone.

The Temporary Deputy Chairman (Hon. Christopher Omulele): That is quite in order.

(Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

(Clause 1 as amended agreed to)

Hon. Members, that will be it for the business listed as the Insurance Professionals Registration Bill (National Assembly Bill No. 25 of 2020). We will now move to reporting progress. Let us have the Mover to report progress.

Hon. Benjamin Washiali (Mumias East, JP): Hon. Temporary Deputy Chairman, I beg to move that the Committee doth report to the House its consideration of the Insurance Professionals Registration Bill (National Assembly Bill No.25 of 2020) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

Hon. Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Members, at the start, we had stepped down the business listed as Order No.13(iii). Hon. Osoro has not made his way to the House yet and so, that business stands stepped down. That will be it for purposes of Order No.13.

(The House resumed)

*[The Hon. Temporary Deputy Speaker (Hon.
Christopher Omulele)]in the Chair]*

REPORTS

THE APPROPRIATION BILL

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): We shall now have reporting for all those matters that we have considered in Committee, starting with the Appropriation Bill (National Assembly Bill No.31 of 2022). Let us have Hon. Amos Kimunya.

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Hon. Amos Kimunya (Kipipiri, JP): Hon. Temporary Deputy Speaker, I beg to report that the Committee of the whole House has considered the Appropriation Bill (National Assembly Bill No.31 of 2022), and approved the same with amendments.

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): Let us have the Mover.

Hon. Kanini Kega (Kieni, JP): Hon. Temporary Deputy Speaker, I beg to move that the House doth agree with the Committee in the said report. I request Hon. Shinali to second the Motion for the Agreement with the Committee of the whole House.

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Shinali.

Hon. Benard Shinali (Ikolomani, JP): Hon. Temporary Deputy Speaker, I second.

(Question proposed)

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Members, I direct that the next steps in this regard be undertaken when this matter will be set down on the Order Paper again.

(Putting of the Question deferred)

THE HIGHER EDUCATION LOANS
BOARD (AMENDMENT) BILL

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): We shall now consider the Higher Education Loans Board (Amendment) Bill (National Assembly No.37 of 2020) for reporting. Let us have the Chairperson.

Hon. Amos Kimunya (Kipipiri, JP): Hon. Temporary Deputy Speaker, I beg to report that the Committee of the whole House has considered the Higher Education Loans Board (Amendment) Bill (National Assembly No.37 of 2020), and approved the same with amendments.

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): Let us have the Mover.

Hon. Kanini Kega (Kieni, JP): Hon. Temporary Deputy Speaker, I beg to move that the House doth agree with the Committee in the said report. I request Hon. Shinali to second the Motion for the Agreement with the Committee of the whole House.

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Shinali.

Hon. Benard Shinali (Ikolomani, JP): Hon. Temporary Deputy Speaker, I second.

(Question proposed)

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Members, I also direct that the next steps be undertaken when this matter will be set down on the Order Paper.

(Putting of the Question deferred)

THE INFORMATION COMMUNICATION
TECHNOLOGY PRACTITIONERS BILL

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): We shall now consider the Information Communication Technology Practitioners Bill (National Assembly Bill No. 38 of 2020). Let us have the chairperson.

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Hon. Amos Kimunya (Kipipiri, JP): Hon. Temporary Deputy Speaker, I beg to report that the Committee of the whole House has considered the Information Communication Technology Practitioners Bill (National Assembly Bill No. 38 of 2020) and approved the same with amendments.

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): Let us have the Mover.

Hon. Kanini Kega (Kieni, JP): Hon. Temporary Deputy Speaker, I beg to move that the House doth agree with the Committee in the said report. I also request Hon. Shinali to second the Motion for the Agreement with the Committee of the whole House.

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Shinali.

Hon. Benard Shinali (Ikolomani, JP): Hon. Temporary Deputy Speaker, I second.

(Question proposed)

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): In the same regard, I direct that the next necessary steps be undertaken when business will be set down on the Order Paper next.

(Putting of the Question deferred)

THE INSURANCE PROFESSIONALS REGISTRATION BILL

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): The next one is the Insurance Professionals Registration Bill (National Assembly Bill No.25 of 2020). Let us have the Chairperson.

Hon. Amos Kimunya (Kipipiri, JP): Hon. Temporary Deputy Speaker, I beg to report that the Committee of the whole House has considered the Insurance Professionals Registration Bill (National Assembly Bill No.25 of 2020) and approved the same with amendments.

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): Let us have the Mover.

Hon. Benjamin Washiali (Mumias East, JP): Hon. Temporary Deputy Speaker, I beg to move that the House doth agree with the Committee in the said report. I also request Hon. Waihenya Ndirangu to second the Motion for the Agreement with the Committee of the whole House.

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): Chairperson, Hon. Ndirangu.

Hon. Isaac Ndirangu (Roysambu, JP): Hon. Temporary Deputy Speaker, I beg to second.

(Question proposed)

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): I direct that the next necessary steps be undertaken when the matter will be set down on the Order Paper next.

(Putting of the Question deferred)

Next business.

BILL*Second Reading*

THE KENYA REVENUE AUTHORITY (AMENDMENT) BILL

Hon. Amos Kimunya (Kipipiri, JP): Hon. Temporary Deputy Speaker, I beg to move that the Kenya Revenue Authority (Amendment) Bill (National Assembly Bill No.24 of 2022) be now read a Second Time.

Hon. Temporary Deputy Speaker, as Members would be aware, during the budget highlights, the Cabinet Secretary for the National Treasury and Planning did indicate that there was a need to reenergise the Kenya Revenue Authority.

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): The Leader of the Majority Party, sorry to interrupt you. There is a report that needs to be tabled by the Chair of the Departmental Committee on Lands. Kindly let us allow her to do that, so that you can now move. Let us have the Chair of the Departmental Committee on Lands.

PAPERS LAID

Hon. Rachael Nyamai (Kitui South, JP): Thank you very much, Hon. Temporary Deputy Speaker.

I beg to lay the following Papers on the Table of the House.

Report of the Departmental Committee on Lands on its consideration of a public Petition No.71 of 2021 by the Board of Management and parents of Changamwe Primary School, Changamwe Secondary School and Changamwe Girls Secondary School regarding encroachment of school land.

Exit Report of the Departmental Committee on Lands for the 12th Parliament, 2017 to 2022.
Thank you very much, Hon. Temporary Deputy Speaker.

(Hon. (Ms.) Rachael Nyamai laid the Papers on the Table)

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): The Leader of the Majority Party, now you may take up the matter.

(Resumption of Debate)

Hon. Amos Kimunya (Kipipiri, JP): Thank you, Hon. Temporary Deputy Speaker. As I was indicating, this Bill is very straightforward. It basically seeks to change the name of the Kenya Revenue Authority to the Kenya Revenue Service (KRS). This is to emphasise the core objective of the revenue body, which is to provide a service of collecting revenue and facilitating the taxpayers to make their fair contribution in taxes to the development of this country.

Hon. Temporary Deputy Speaker, it is also born out of the fact that the name “Authority” seems to have this commandeering effect. That is why the Kenya Revenue Authority has become unpopular in some quarters, as much as they have been trying to be very friendly. They keep advertising for taxpayers’ workshops to train various people. They have rebranded themselves, but there is still that notion that they are an Authority which is feared, and yet it is supposed to work

in partnership with the taxpayers. The Bill is basically meant to change that name wherever it appears within the current laws, like within anti-counterfeit, gaming, Income Tax and air passenger. All the laws that have KRA as a player will now be changed to reflect this new thinking of having it as a service.

The Bill also seeks to clean up some references to ‘minister’ and ‘permanent secretary’ that have not been cleaned up yet, and to convert them to the current nomenclature of cabinet secretary and principal secretary respectively.

I really do not want to get into a lot of details in terms of what the KRA does. We all know it. It has been quite successful in boosting the revenues of this country. We hope that when we change the name, they will become much more friendly and accessible. People who fear them will not have that feeling that they are dealing with an Authority that can take all their assets and money, but one that can facilitate them. I know that Hon. Members have been affected by this. As we are considering this Bill, I would like to ask the people at the KRA to serve Members of Parliament well. I do not know how many of you have gone for your tax compliance certificates and received them at the first instance. There is always an issue. There is an issue of reconciliation between Parliament and KRA, because the two systems do not work together. As we support them to change into a service, I want them to start thinking of integrating their systems. When we pay taxes through our payroll here in Parliament, it should be reflected simultaneously in the KRA.

The Integrated Financial Management Information System (IFMIS) and the KRA systems do not also agree. If any Member of Parliament or public servant goes for his tax clearance certificate on the first or second day of the next month, he should receive it without being told to go and bring some stamped P9 Forms from Parliament, so that they can see that the money was deducted and paid. The two systems should work together. I want to appeal to the KRA that as we change them, let them also do some of those basic things so that people are not delayed unnecessarily. This happened the other day to a Member whom we appointed as an ambassador or one of the commissioners of the EACC. He was told that he was not tax compliant just because of the same issues. I would like to ask them to address it.

Like I said, this Bill is straightforward. We are only changing the name of the KRA, and some of those bits and pieces in terms of where there is reference to a minister to change it to cabinet secretary or permanent secretary to make it principal secretary. I do not want to belabour the point and keep talking about the obvious.

Hon. Temporary Deputy Speaker, I beg to move and ask the Vice-Chair of the Departmental Committee on Finance and National Planning to second.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Waihenya.

Hon. Isaac Ndirangu (Roysambu, JP): Thank you, Hon. Temporary Deputy Speaker. I beg to second the Second Reading of the KRA (Amendment) Bill (National Assembly Bill No.24 of 2022). As indicated by the Leader of the Majority Party, it is true that this is a very short Bill. Its essence is just changing the name to the Kenya Revenue Service, so that it sounds friendly.

I wish to congratulate the KRA and in particular the Commissioner General, Dr. Githii Mburu, and his team of Commissioners and officers. For the last 10 years, revenues which are collected by the KRA have grown from Kshs800 billion to close to Kshs1.8 trillion to date. The growth in revenues and their investment in Information and Communications Technology (ICT) is phenomenal. A lot of bad things have been said about the KRA by people who have been trying to evade taxes. It is important that we support the KRA because it is the one that lays the golden egg. If the KRA was not doing a good job, we would not read all these huge budgets.

Hon. Temporary Deputy Speaker, I beg to second the Bill so that we can rename KRA to the Kenya Revenue Service. Thank you.

(Question proposed)

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Shinali, Member for Ikolomani.

Hon. Benard Shinali (Ikolomani, JP): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to add my voice on the KRA (Amendment) Bill, 2022. The KRA has a huge task of collecting revenue and making sure that the Government is running. We have to collect revenue that will be used for development and recurrent expenditure for the country.

The KRA has improved a lot, because it has been a while since we hit our revenue collection targets. It has improved for the past two financial years. It has proved to us that it is important to facilitate them by giving them more resources and making them work better. I support that the KRA Act be amended and give it a friendly title for Kenyans to be relaxed when they are paying their taxes. We will also make sure that the Executive executes their mandate so that we can get services.

Hon. Temporary Deputy Speaker, I will go to the Bill. We are giving the Board authority to delegate duties to the Commissioner-General, so that he can allocate duties to officers and departments that he feels will perform them in a better way and generate or collect more revenue for our country. Finally, on the appointment of officers in different departments, the Bill also gives the Commissioner-General the authority to determine their payment in terms of salaries and working conditions.

As I conclude, we have seen revenue collection going up every year. I just want to urge the Kenya Revenue Authority to double their efforts in collecting revenue. They need to use modern ways of engaging the taxpayers, ensure they update their skills and are not slapping bills to the taxpayers who are not supposed to be slapped with such bills. I urge the KRA that now that this House is debating how to name them, the approach when collecting revenue should be friendly to the taxpayer, so that he/she can appreciate and recognise why they have to pay taxes. In addition, they should invest more in training and cooperation with the taxpayer, so that it is easy to collect taxes and meet their intended revenue targets.

With that, Hon. Temporary Deputy Speaker, I support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Kipyegon Ngeno, Member for Emurua Dikirr.

Hon. Kipyegon Ng'eno (Emurua Dikirr, KANU): Thank you, Hon. Temporary Deputy Speaker. I also wish to weight in a little bit on this issue of changing the name of the Authority to Service. Someone once said that you can change the forest, but the monkeys will still remain the same. Even if we change the name of the monkeys from monkey to monkey whatever and they are still monkeys, they will remain monkeys. I am relating this one to the change of name. I wish to state clearly that I will support, even if the KRA will change into KRS, I will support only with one assurance from the Leader of the Majority Party, that let us not grapple with the...

The Temporary Deputy Speaker (Hon. Christopher Omulele): The Member for Emurua Dikirr, what are you saying? Did I hear KARES or KRS?

Hon. Kipyegon Ng'eno (Emurua Dikirr, KANU): KRS, not KARES.

(Laughter)

The Temporary Deputy Speaker (Hon. Christopher Omulele): Oh, very well. Proceed.

Hon. Kipyegon Ng'eno (Emurua Dikirr, KANU): Instead of KRA, they will change to KRS.

Hon. Temporary Deputy Speaker, I am supporting this Bill with the assurance of the Hon. Leader of the Majority Party that he is not just going to look at the change of name, but he should look at harnessing the functions of the KRA. You know what happens with these departments, the money we are relying on in this country, especially when doing budgets, is from collection of revenue. Many people are paying taxes in this country. People do many efforts to ensure that we have enough money to run the country. However, we are facing two problems here. One of them is the collection of the revenues by the people who are concerned with the collection of revenues. This is where I wanted the Leader of the Majority Party to take note, not necessarily the change of name.

For instance, we changed the Kenya Police Force to the Kenya Police Service. However, the police are still performing the duties they were performing before the name was changed. I want the Leader of the Majority Party to look into harnessing the process of collection of revenue. There are many people who are not paying taxes. Many businesses are not being taxed. No one is collecting revenues from them and in the process of collecting the revenues, most of the people working in the particular departments are extremely corrupt such that when they collect revenue, they have two sets of receipts. One is an official receipt which ends up at the office, and of course, they release the money collected. However, there is another set which remains with them after the collection, and that is where we are losing millions of money.

Hon. Temporary Deputy Speaker, we have in our county an area where county governments rely on collecting revenues to run the county, for example, the Maasai Mara. Before the introduction of electronic system of revenue collection, there were two sets of receipts where people collect money from morning to afternoon, and from afternoon to evening, they use another set of receipts. These other sets of receipts belong to certain individuals who used to enrich themselves until the introduction of electronic system.

Even when the electronic system was introduced, we still have the same problem because at some point, we are told that the electronic machines are not working or that there is a collapse of the electronic machines. Therefore, they resort to manual collection. This is exactly what is happening with this Authority.

Therefore, I wish to inform the Leader of the Majority Party that we will support him to change the name, but he should bring changes to the way the Authority has been collecting revenue. If we are assured that it is going to be collected electronically, obviously, we will have a way of auditing the collections which have been made and, of course, the Government will not be losing millions of money through the collection.

Hon. Temporary Deputy Speaker, the Leader of the Majority Party should also look at the wastage of the revenue collected. We could collect as much as possible from Kenyans, but how do we spend the money that is collected? That is where we have a problem because corruption in the country is not through direct stealing of funds, but wastage and undue ways of spending the revenues collected. We know people sweat and toil. They do businesses day and night just to put food on the table, and the Government comes and over taxes them. Well, we will not mind being over taxed, but we mind proper expenditure of the money that is collected by the Government.

Therefore, I support and tell the Leader of the Majority Party to look at how we can change the process, the means and the methods used in collecting revenue by the Authority.

I support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Oyula Maero, Member for Butula.

Hon. Joseph Oyula (Butula, ODM): Thank you, Hon. Temporary Deputy Speaker. I also want to take this opportunity to contribute to the KRA (Amendment) Bill that is geared towards changing the name from KRA to KRS. While I support the change, I would not agree with the idea of giving the Commissioner-General more powers from the Board, because that will amount to almost creating a dictatorial Authority or Service. The Board should maintain its position of controlling the services of the Kenya Revenue Authority.

Hon. Temporary Deputy Speaker, the other thing I want to mention here is that in the old Act, the Kenya Revenue Authority (KRA) staff were given a commission of 2 per cent for any revenue collected above the budgeted amount. I am sure that used to create a lot of enthusiasm among the staff because they knew that if they worked very hard, they would get commission at the end of the year. That should be looked into so that they are encouraged to work hard and avoid corruption. If they do not consider that commission, the staff will continue looking for what they can do to make money for themselves. The KRA junior staff also need to be motivated. They do a lot of work but all the consideration goes to the bosses. That leaves a loophole for them to look for their own money. To reduce corruption in KRA, we also need to look for a way to motivate the junior staff and recognise them for the work they do. This recognition came about when they were getting a commission at the end of the year for any revenue collected above the targeted amount. I want that to be looked into so that the staff can be motivated and encouraged to work specifically for the development of this country.

With those remarks, Hon. Temporary Deputy Speaker, I support the change of name. Thank you.

The Temporary Deputy Speaker (Hon. Christopher Omulele): The Hon. Nyenze, Member for Kitui West.

Hon. (Ms.) Edith Nyenze (Kitui West, WDM-K): Thank you Hon. Temporary Deputy Speaker for giving me this opportunity. At the outset, I support the amendment to the KRA Act of changing its name from, “Authority” to “Services”: Kenya Revenue Authority to Kenya Revenue Services.

The KRA is an agency that is tasked with collection of revenue for the Government. It is also responsible for the assessment, collection and accounting for all the revenue they collect for the Government. They want to be friendly to the taxpayer by changing their name. I congratulate them because over the years they have increased revenue collection. This is very important because that funds the Government. If the KRA continues to increase the revenue, it will reach a point where we will reduce the amount of Government debt.

I support the amendment but note that they can broaden the tax bracket by being friendly especially by educating the tax payers and also ensuring that they help in improvement of businesses. As KRA collects revenue, of late, I have noticed some of the small businesses have closed. That means that revenue reduces as the businesses close. As I support the change of name to be more friendly, they should educate taxpayers, especially the small businesses, on how to improve their businesses so that as they go to collect revenue from them, the business would be strong enough and grow and revenue grows instead of closing. Most of the small businesses close down because of taxation from KRA, especially on Excise Duty. They should also take responsibility of cooperating with business owners and ensure that they do not close down but grow.

They should also embrace IT systems in their operations especially in collection of revenue. We know that especially in county governments, revenue is collected manually. If KRA can be involved in collection of county governments' revenue, which they would do so electronically, I am sure that county governments would benefit a lot from their own revenue. This would also ensure that instead of the national Government giving county governments so much money, they could also benefit from their own revenue.

As my colleague said, they should motivate their staff. KRA employs so many people but many of them are on contract. Such staff serve on contract for a very long time. They are involved in collection of a lot of money but they get very little pay, which can tempt them to become corrupt because they are not well motivated. The KRA should motivate their staff and not keep them under contract for a very long time. Let them employ them and remunerate them in the right way.

I support the change of name from "Authority" to "Services". They should improve their services.

Thank you.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Washiali Jomo, Member for Mumias East.

Hon. Benjamin Washiali (Mumias East, JP): Thank you, Hon. Temporary Deputy Speaker. Allow me to join my colleagues in supporting the change of name. This should have been done earlier because I remember when we were changing them from the defunct Customs Department to customs services and domestic taxes, that should have been the right time when this should have followed so that we change the meaning. With the new Constitution, many of the authoritarian titles have been reduced. That is why I support this.

Like the other Members have pointed out, it is not enough to change the name. We must change the title but at the same time change the manner in which they approach businesses. In an authority it is an authoritarian kind of approach but with a service, they must listen to their clients who are majorly taxpayers. I was listening to political news the other day where politicians were complaining that the Nairobi City Council used to collect more revenue in service charge taxes than today when we have the KRA. I did not understand how that would have happened when we expect that KRA should do much better than the Council. I am sure that with the change of name and change of attitude, the manner in which they handled the Keroche Industries where they forced a closure would have been different.

As we agree with the Commissioner-General to change the name from "Authority" to "Services", we request him to retrain his staff so that they change from the manner in which they approach tax collection.

I support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Baya Yaa, Member for Kilifi North.

Hon. Owen Baya (Kilifi North, ODM): Thank you, Hon. Temporary Deputy Speaker. First, I support the amendment of changing the name of this organisation from Kenya Revenue Authority (KRA) to Kenya Revenue Services (KRS).

When you are changing a name from an authority to a service, there is something fundamental that you are doing. You are also saying we are changing the theory of management of that entity. We are also changing the way the entity is managed. It is not just rebranding. If you look at that Bill, it is very heavy. We are removing "authority" because it connotes a commandeering body, substituting therefor with a friendly and service oriented word. The change of name does not change the way operations are done, unless there is a deliberate policy shift from

authority to service. That policy shift is very important. Douglas McGregor, the guy who developed Theory X and Y of management, said there is a way in which you manage people and you achieve certain results using the theory of management—whether you coerce, push, punish or cajole them until you get the results from a negative perspective. There is the Y part that says you can talk to the people well, motivate them and receive or achieve better results. That is what Douglas McGregor says.

What we have seen of the current KRA is that they are very punitive. They are always pushing people. They want to achieve results by force. What that has done is that a negative has been their result. People are shunning away from paying taxes. People are closing businesses. People are evading tax because this is a rogue guy following up money you have made yourself. Change of name alone will not make KRA a better institution. They need to change the theory of management and mindset on how they manage the institution. There is a correlation between the huge public debts we are incurring and the way KRA is being managed. If KRA does not collect enough resources, it means we have to borrow more to bridge the gap. If KRA is not managed properly to collect taxes very well and ensure we have enough money, the reverse is the result. Because we have a gap in revenue, this country will continue to borrow externally and internally to bridge that gap if KRS as we want to name it today does not collect that money.

In a nutshell, KRA needs to change not only the name but also operations. I will give you a very interesting incident. I have very many and nice beach hotels in my constituency but the investor who has invested a lot of his money tells you I will close down and take away my investment to another place because KRA is not giving me breathing space. Several hotels have been closed down. What happens are two things. If they close down, one, the Government loses on the revenue that could have emanated from the proprietor. What also happens is that every staff who was working there, 2000 staff who were working in that organisation, also lose their salaries and, therefore, this Government does not get the taxes these employees would have paid. Therefore, KRA has a double loss—they lose excise duty and other taxes, but also lose income tax from the people who were working in the institutions. That is the sad story.

I am saying that there is a correlation between debt rise in this country and the performance of KRA. If we are giving them change, a new name, a new brand, and a new lease of life, we also would like to see them work better in ensuring that they have a good relationship with business people and companies. That good relationship can shore up the revenue they are trying to collect.

I will give you an incident of one of my friends who is an investor in Watamu. He has been a very faithful tax payer, for many years. One day, the records were not done properly. This guy arrives at the airport from Italy and when he is in Mombasa, there are people and *askaris* from KRA waiting for him. They arrested him, for the first time, and told him “you are a tax evader and you know you have not paid taxes for this much.” They put handcuffs on him and took him to court. When they checked the records, the problem was not that he did not pay taxes. It was that filing had not been done on time. This guy promised me: “Owen, I am closing down. I am selling and moving out of this country.” That is exactly what he did.

What I would like to say, as we move forward to changing the name and make KRA the KRS, let them also change the management of how they do their jobs so that we can collect enough taxes. If they collect enough taxes, we will reduce public debt. Like Kibaki said, we want to be self-reliant. I think we used to have the slogan “*Kulipa Ushuru ni Kujitegemea*”. Let Kenyans get the spirit that they are paying taxes *ili waendeleo kujitegemea*.

I thank you and support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Mwalyo Mbithi, Member for Masinga.

Hon. Joshua Mwalyo (Masinga, WDM-K): Thank you, Hon. Temporary Deputy Speaker, for giving me an opportunity to air my views on the change of the name of KRA to KRS.

This is a good idea. This is because, after some time or years, the institutions normally rebrand themselves to do some innovations and attract customers. For this institution, this is a service they render to Kenyans. The service is to collect revenue from the incomes that companies make and the VAT's and so forth. Therefore, they need to appeal to their customers who are the tax payers so that they can attract them and be more friendly. This is a service they render to us simply because whatever they collect is what we develop our country with. It is what makes the country to continue servicing the Budget. This is a good idea, to do the changes by way of rebranding to KRS.

The people there also need to rebrand themselves. Even if they change the logos to be attractive and show they are working for Kenyans, they are working for the wellbeing of this country so that they can be appealing to each one of us. The KRA is friendly nowadays. Although they have tightened the noose, they have become stricter, even when you are late with a few shillings, they even send you an email. Even if you are late with Kshs50 or Kshs100, they remind you have not paid taxes for Kshs1,000. That is efficient. What they need is to collect more for them to be more efficient. Many of the Members have mentioned that the junior staff need to be motivated because they work more than the bosses. The bosses only delegate. These junior officers are the ones who go to institutions to discuss how these institutions can pay their taxes even in installments.

Sometimes Kenya Revenue Authority (KRA) revokes tax compliance certificates of companies such that the companies are not able to trade or bid for tenders for contractors. The act of revoking tax compliance certificates from customers means that they cannot collect taxes from the same companies for them to earn more revenue to Kenyans. So, they need to be friendlier even as we change their name to 'Services'. Their services should be seen to work for Kenyans. This will woo Kenyans to support the Kenya Revenue Services (KRS) as they will be paying taxes for their own good.

With those few remarks, I support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Finally, let us have Hon. Oundo as the Mover prepares to reply.

Hon. Wilberforce Oundo (Funyula, ODM): Thank you, Hon. Temporary Deputy Speaker for this opportunity to contribute to the amendment Bill on the Floor of this House today.

Hon. Temporary Deputy Speaker, payment of taxes is a responsibility of every citizen in any jurisdiction or any country. That is why all governments have a body mandated with collecting and disbursing of collected taxes. KRA is proposing to change from KRA to KRS. This is indeed what we call changing the forest but the monkeys remain the same. We just hope and pray that the monkeys do not remain the same as they change the forest.

We have the responsibility to pay the taxes. Indeed, KRA needs to change its mindset, from an authoritarian organ to one that serves the people of Kenya.

With those few remarks, I support the Bill.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Majority Leader, you may now reply.

Hon. Amos Kimunya (Kipipiri, JP): Thank you, Hon. Temporary Deputy Speaker. I am happy that so many Members have contributed to this Bill. It looks so simplistic that we are just

changing a name but obviously, as Members have expressed, the change of name is one thing and it needs to be accompanied by change of attitude and the change of doing things. I totally agree with the Members and I am sure that KRA has heard.

I forgot to say this, I know you like some of these stories. Some years, back, this story was told to us around 1990 in the United Kingdom (UK). It was to express why the tax man will never let you walk scot free and they will use all manner of ways ... It happened that, as you know, income from illegal activities cannot be taxed. There is this chap who was making a lot of money and the tax officers went to him and said that they had noticed that he made a lot of money without a declaration. He said: "I want to be honest with you. My money comes from illegal activities which you are not entitled to. If I make a declaration you are going to report me to other authorities." Even in Kenya, tax declarations cannot be shared to other agencies. The tax man then told him: "Since I need my portion, let us agree on how we describe your business." The guy was a burglar and they agreed that he names his occupation as a 'freelance furniture remover.' He would then pay a percentage of whatever he would make from moving furniture from one house and reselling to another. You can pay tax on it. So that is basically how the taxman can be very innovative. I am sure we would want KRA or KRS to have the same innovative ways of getting all the incomes from the different people. The more income we have, as Hon. Baya has reminded us, the more we are able to rely on ourselves and sort out the growth of this country.

So, without having to repeat myself again and again, I am very happy that we have worked out the framework for the rebranding of the KRA to the Kenya Revenue Service and I would want to see the Service taking root immediately so that the Kenyan people can enjoy making their contribution to nation building. I do not like looking at it as paying taxes but it is making their humble contribution to the building of this nation.

With those remarks, I beg to reply.

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): Very well done, Leader of the Majority Party. That is a job that is completed. I will direct that the next necessary steps with regard to that particular business be undertaken when the matter will be set down on the Order Paper again.

(Putting of the Question deferred)

However, I must say that this has been a very fruitful morning. We have been able to transact quite a bit of business today. I am grateful to those Members who have taken their time to just be present and to prosecute the business that we have prosecuted. This also being that time when we are likely to close business tomorrow, if I do not sit again, I want to wish all the membership a good ride in the coming elections and hope that all of us will find our way back here to continue doing what we do best. I wish you the best of luck if I do not have an opportunity to sit again. It has been quite nice serving you and you have been kind to me when I have been in this seat. May God bless you all. For the convenience of the House, I direct that we call it a wrap on this particular morning session.

ADJOURNMENT

Hon. Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Members, the time being 12.57 p.m., the House stands adjourned until 2.30 p.m.

The House rose at 12.57 p.m.

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