



(No. 56)

(1780)

REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SIXTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, JUNE 09, 2022 AT 9.30 A.M.

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Questions and Statements

8*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE SUPPLEMENTARY APPROPRIATION (No.2) BILL (NATIONAL ASSEMBLY BILL NO. 33 OF 2022)

(The Chairperson, Budget and Appropriations Committee)

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Supplementary Appropriation (No.2) Bill (National Assembly Bill No. 33 of 2022).

(Question to be put and Third Reading)

(Notice of recommittal is indicated under Notice I)

9*. MOTION – CONSIDERATION OF THE REPORT ON THE FINANCIAL STATEMENTS FOR THE NATIONAL GOVERNMENT FOR THE FY 2019/2020

(The Chairperson, Public Accounts Committee)

THAT, this House **adopts** the Report of the Public Accounts Committee 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 on Wednesday, June 8, 2022.*

(Question to be put)

10*. MOTION - RATIFICATION OF AGREEMENT BETWEEN THE KINGDOM OF DENMARK AND THE REPUBLIC OF KENYA ON DEFENCE COOPERATION

(The Leader of the Majority Party)

THAT, pursuant to the provisions of sections 7 and 8 of the Treaty Making and Ratification Act, 2012, this House approves **Ratification of the Defence Cooperation between the Kingdom of Denmark and the Republic of Kenya**, *laid on the Table of the House on Tuesday, September 22, 2020.*

(Question to be put)

11*. THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILL NO. 1 OF 2022)

(The Chairperson, Budget and Appropriations Committee)

First Reading

12*. THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILL NO. 1 OF 2022)

(The Chairperson, Budget and Appropriations Committee)

Second Reading

13*. COMMITTEE OF THE WHOLE HOUSE

- (i) The Supplementary Appropriation (No.2) Bill (National Assembly Bill No. 33 of 2022)

(The Chairperson, Budget and Appropriations Committee)

(Subject to committal)

- (ii) The County Allocation of Revenue Bill (Senate Bill No. 1 of 2022)

(The Chairperson, Budget and Appropriations Committee)

- (iii) The Kenya Revenue Authority (Amendment) Bill (National Assembly Bill No. 24 of 2022)

(The Leader of the Majority Party)

14*. MOTION - CONSIDERATION OF REPORT ON ANNULMENT OF THE SCRAP METAL DEALERS RULES, 2022

(The Chairperson, Committee on Delegated Legislation)

THAT, this House **adopts** the Report of the Committee on Delegated Legislation on its consideration of the Scrap Metal Dealers Rules, 2022, *laid on the Table of the House on Wednesday, June 8, 2022*, and pursuant to the provisions of section 18 of the Statutory Instruments Act, 2013, **annuls** the Scrap Metal Dealers Rules, 2022, published as *Legal Notice No. 84 of 2022*.

15*. MOTION - REPORT ON THE LAKE TURKANA WIND POWER PROJECT

(The Chairperson, Public Investments Committee)

THAT, this House **adopts** the Report of the Public Investments Committee on its consideration of the Special Audit Report on the Lake Turkana Wind Power Project, *laid on the Table of the House on Thursday, June 2, 2022.*

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

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

THAT, this House adopts the Report of the Committee on Members’ Services and Facilities on a Study Visit to the Legislative Assembly of Alberta, Canada undertaken from 14th to 18th October 2019, *laid on the Table of the House on Tuesday, December 1, 2020.*

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

(The Chairperson, Departmental Committee on Agriculture and Livestock)

Second Reading

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

(The Chairperson, Departmental Committee Justice and Legal Affairs)

Second Reading

Denotes Orders of the Day

N O T I C E S

I. THE SUPPLEMENTARY APPROPRIATION (No.2) BILL (NATIONAL ASSEMBLY BILL NO. 33 OF 2022)

- 1) Notice is given that the Chairperson of the Budget and Appropriation Committee intends to move that the Motion for Agreement with the Report of the Committee of the Whole House on the Supplementary Appropriation (No. 2) Bill, 2022-

THAT, the Motion for Agreement with the Report of the Committee of the whole House on its consideration of the Supplementary Appropriation (No. 2) Bill, 2022 be amended by inserting the words “**subject to the recommittal of the First and Second Schedule.**”

AT COMMITTEE OF THE WHOLE HOUSE-

- 2) Notice is given that the Chairperson of the Budget and Appropriation Committee intends to move the following amendments to the Supplementary Appropriation (No. 2) Bill, 2022—

(a) **FIRST SCHEDULE**

THAT, the First Schedule to the Supplementary Appropriation (No. 2) Bill, 2022 be amended with respect to **Vote No. D1175 (State Department for Industrialization)** under Programme 0303000 (Standards and Business Incubation) by deleting the expression “Kshs. (24,917,000)” and substituting therefor the expression “Kshs. 10,083,000”;

(b) **SECOND SCHEDULE**

THAT, the Second Schedule to the Supplementary Appropriation (No. 2) Bill, 2022 be amended with respect to **Vote No. D1174 (State Department for Trade and Enterprise Development)** under Programme 0307000 (Trade Development and Promotion) by deleting the expression “Kshs. (80,000,000)” and substituting therefor the expression “Kshs. (115,000,000)”;

- (c) **THAT**, Consequential amendments be effected in the affected Sub-class, Class and Grand Totals in the two Schedules.

II. THE KENYA REVENUE AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2022)

Notice is given that the Member for Garissa Township (Hon. Aden Duale) intends to move the following amendments to the Kenya Revenue Authority (Amendment) Bill, 2022 at the Committee Stage-

CLAUSE 5

THAT, clause 5 of the Bill be amended by inserting the following new subsection immediately after subsection (5) –

(5A) A person who, immediately before the commencement of this Act, held the office of Commissioner General, member of the Board or Commissioner shall continue to hold office only for the unexpired period of their term.

NEW CLAUSE

THAT, the Bill be amended by inserting the following new clause immediately after clause 5-

Amendment of section
6 of No.2 of 1995

5A. Section 6 of the principal Act is amended in subsection (2) by inserting the word "who shall be an ex- officio member" immediately after the word "Commissioner-General".

Amendment of section
11 of No.2 of 1995

5B. Section 11 of the principal Act is amended –

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

(1) There shall be a Commissioner-General of the Service who shall be recruited by the Board through a competitive process and appointed by the President on approval of the National Assembly.

(b) by inserting the following new subsections immediately after subsection (1)-

(1A) The Commissioner-General shall hold office for a period of four years and shall be eligible for re-appointment for one further term of four years, subject to satisfactory performance.

(1B) The Commissioner-General shall be appointed on such terms and condition of service as the Board may determine in the instrument of appointment, upon advice of the Salaries and Remuneration Commission.

(1C) The Commissioner-General shall not have a right to vote at any meeting of the Board and shall not be counted for purposes of quorum of the Board.

(1D) The Commissioner-General shall, subject to the directions of the Board, be responsible for the day today management of the affairs of the Service.

(1E) A person shall be eligible for appointment as Commissioner-General, if the person-

- (a) is a citizen of Kenya;
- (b) has satisfied the requirements of Chapter Six of the Constitution;
- (c) is a member of a professional body recognized in Kenya;
- (d) holds a degree in taxation, economics, finance, accounting, law, banking, trade, supply chain, actuarial science, business management or public administration;
- (e) holds a postgraduate degree;
- (f) has knowledge, competence and at least fifteen years experience in a senior managerial capacity in revenue management, taxation, business administration, banking, accounting, supply chain, public administration, accounting.

(1F) A person shall not be eligible for appointment as Commissioner General, if the person-

- (a) is directly or indirectly or through representatives, engaged as a director, employee, officer or shareholder of an insurance company, brokerage, insurance agency, or in any other business relating to public revenue collection;
- (b) has been previously involved in the management or administration of any institution which is deregistered, wound-up or placed under statutory management for any failure on the part of the management or administration; and
- (c) has been convicted of any offence involving fraud, theft, dishonesty, breach of trust or moral turpitude.

LIMITATION OF DEBATE

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

Limitation of Debate on Motions

- III. THAT**, each speech in a debate on any **Motion, including a Special motion** shall be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and **THAT** ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and **THAT** priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in **THAT** order.

Limitation of Debate on Committee Reports

- IV. THAT**, each speech in a debate on **Committee Reports (except for Reports of Audit Committees)**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House for which limitation of time has not been specified, shall be limited as follows:- A maximum of two and a half hours, with not more than twenty (20) minutes for the Mover in moving and five (5) minutes for any other Member speaking, **including** the Chairperson of the relevant Committee (if the Committee Report is not moved by the Chairperson of the relevant Committee) **except** for the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of ten (10) minutes each, and **THAT** ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and further **THAT** priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in **THAT** order.

Limitation of Debate on Bills sponsored by Parties or Committees

- V. THAT**, each speech in a debate on **Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** shall be limited as follows:- A maximum of forty five (45) minutes for the Mover, in moving and fifteen minutes (15) in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee), and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each (if the Bill is not sponsored by either of them); and **THAT** priority in speaking shall be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in **THAT** order.

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

Limitation of Debate on Reports of Audit Committees

- VI. THAT**, each speech in debate on **Reports of Audit Committees (PIC, PAC & SFAC)** shall be limited as follows:- A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and **THAT** priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in **THAT** order.
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NOTICE PAPER

Tentative business for

Thursday (Afternoon), June 09, 2022

(Published pursuant to Standing Order 38(1))

It is notified that the House Business Committee has approved the following ***tentative*** business to appear in the Order Paper for Thursday (Afternoon), June 09, 2022-

A. COMMITTEE OF THE WHOLE HOUSE

- (i) The Universities (Amendment) Bill (National Assembly Bill No. 35 of 2021)
(The Leader of the Majority Party)
(Subject to the provisions of S.O. 47(3)(a) and (b))
- (ii) The Huduma Bill (National Assembly Bill No. 57 of 2021)
(The Leader of the Majority Party)

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

(The Chairperson, Departmental Committee on Agriculture and Livestock)

Second Reading

(If not concluded on Thursday, June 9, 2022 – Morning Sitting)

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

(The Chairperson, Departmental Committee Justice and Legal Affairs)

Second Reading

(If not concluded on Thursday, June 9, 2022 – Morning Sitting)

D. SINE DIE ADJOURNMENT OF THE HOUSE IN ACCORDANCE WITH THE CALENDAR

(The Leader of the Majority Party)

APPENDIX

NOTICE OF PETITIONS, QUESTIONS & STATEMENTS

ORDER NO.7 - QUESTIONS

Pursuant to the provisions of Standing Order 42A (5) the following Member will ask a **question** for reply before the specified Departmental Committee-

QUE. NO.

ORDINARY QUESTIONS

119/2022

The Member for Kwale County (Hon. Zuleikha Hassan, MP) to ask the Cabinet Secretary for Public Service, Gender, Senior Citizens Affairs and Special Programmes: -

- (i) Could the Cabinet Secretary provide a status report on the utilization of the National Government Affirmative Action Fund (NGAAF) monies across the country with regard to projects and other development-related undertakings?
- (ii) Could the Cabinet Secretary explain when the proposals for the operationalization of a Milk Processing Plant in *Lunga Lungu* Constituency and installation of Cashew Nuts Processing Machines in *Matuga* Constituency under NGAAF will be approved considering that, it is now almost 3 years since the proposals were first submitted to the NGAAF Board?

(For written reply by the Cabinet Secretary for Public Service, Gender, Senior Citizens Affairs and Special Programmes)
