

Thirteenth Parliament  
(No.17)  
)

First Session

(130)



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – FIRST SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, NOVEMBER 3, 2022

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. Presiding – the Hon. Speaker
4. **COMMUNICATION FROM THE CHAIR**
  - i. **Schedules of Entities falling within Mandates of various Audit Committees**

**“Honourable Members,**

Standing Order 205A establishes the Special Funds Accounts Committee. The Committee is mandated to, among other things; examine the reports of the Auditor General on specific Funds established by statute or by subsidiary legislation; the Equalization Fund; the Equalization Fund Advisory Board; and the Political Parties Fund.

Paragraph (6) of the said Standing Order requires the Speaker to publish a Schedule specifying the Funds falling within the mandate of the said Committee at the beginning of every term of Parliament or at such other time as may be appropriate.

In addition, Standing Orders 206, 206A and 206B establish the Public Investment Committees on **Governance and Education; Commercial Affairs and Energy**; and **Social Services, Administration and Agriculture**.

Similarly, **Hon. Members** the Speaker is required under the Standing Orders establishing these three (3) Audit Committees to issue Schedules specifying the State Corporations falling within the mandate each Committee at the beginning of every term of Parliament or at such other time as may be appropriate.

In this regard **Hon. Members**, I wish to notify the House that today, I have issued the required Schedules specifying the Funds falling within the mandate of the Special Funds Accounts Committee, and the State Corporations to whose audited reports are to be examined by the three (3) Public Investments Committees. I have also authorized the Clerk of the National Assembly to publish the Schedules on the **Parliamentary Website** and to circulate them to the Chairpersons of the Committees for the convenience of Members. Thank you. The House is accordingly guided.”

**ii. Postponement of Election of Chairperson and Vice Chairperson of the Select Committee on National Cohesion and Equal Opportunity**

**“Honourable Members,**

I wish to inform the House that I am in receipt of a letter from the Leader of the of the Majority Party, The Hon. Kimani Ichung’wa, CBA MP, seeking deferment of election of Chairperson and Vice Chairperson of the Select Committee on National Cohesion and Equal Opportunity, scheduled for tomorrow, Friday 4<sup>th</sup> November, 2022.

The request for deferment arose from a consultative meeting with the between himself and the Leader of Minority Party on the need to allow for further consultations and to permit more interested Members to submit their candidature for election as Chairperson or Vice Chairperson to the said Committee. To this end, the Leader of the Majority now seeks deferment of the elections to Tuesday, 8<sup>th</sup> November 2022.

**Honourable Members**, having acceded to the request, **I order that the election of Chairperson and Vice Chairperson of the Select Committee on National Cohesion and Equal Opportunity stands deferred to Tuesday, 8<sup>th</sup> November 2022.** The Director, Audit, Appropriations and Other Select Committees is directed to designate and notify Members of the place and time for the said elections.

The House is accordingly guided. **I thank you!”**

**5. MESSAGES**

The following messages were conveyed –

**i. DEPLOYMENT OF KENYA DEFENCE FORCES TO EAST AFRICA COMMUNITY REGIONAL FORCE – DEMOCRATIC REPUBLIC OF CONGO**

**“Honourable Members,**

Pursuant to the provisions of Standing Order 42(4) relating to *Messages received from a Cabinet Secretary*, I wish to convey to the House that I have received a Message from the Cabinet Secretary for Defence.

**Honourable Members**, in the Message, the Cabinet Secretary is requesting the National Assembly to consider and approve the rapid deployment of Kenya Defence Forces personnel to the East Africa Community Regional Force to the Democratic Republic of Congo (EACRF-DRC) for peace-keeping operations,

pursuant to the provisions of Article 240(8)(a) of the Constitution and Section 18(c) and 36(2)(a) of the Kenya Defence Force Act, 2012.

**Honourable Members, the matter** now stands committed to the Departmental Committee on Intelligence and Foreign Relations for consideration. The Committee should **table its Report on Tuesday, 8<sup>th</sup> November, 2022 to allow the House to consider the Memorandum by Wednesday, 9<sup>th</sup> November 2022.**

The House is accordingly guided. **I thank you!**"

**ii. MESSAGE FROM THE PRESIDENT ON NOMINATION OF APPOINTMENTS TO THE OFFICES OF PRINCIPAL SECRETARIES**

**“Honourable Members,**

Standing Order 42(1) relating to **Messages from the President** provides that –

*“The Speaker shall read to the House any message from the President delivered to the Speaker for communication to the House”.*

Further, Article 132(2)(d) of the Constitution states that –

***“The President shall nominate and, with the approval of the National Assembly, appoint, Principal Secretaries”;***

In this regard, **Hon. Members,** I wish to convey the following Message from His Excellency the President, regarding nomination of a various persons for appointment as Principal Secretaries.

**Honourable Members,**

In the Message, His Excellency the President, conveys that, in exercise of powers conferred on him by Article 132(2)(d) of the Constitution, as read together with sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, 2011, he has nominated the following persons for appointment to the aforementioned offices –

<b>No.</b>	<b>Nominee</b>	<b>State Department / Ministry</b>
1.	Julius Korir	State Department for Cabinet Affairs, Office of the Deputy President
2.	Teresia Mbaika Malokwe	State Department for Devolution, Office of the Deputy President

<b>No.</b>	<b>Nominee</b>	<b>State Department / Ministry</b>
3.	Esther Ngero	State Department for Performance and Delivery Management, Office of the Prime Cabinet Secretary
4.	Aurelia Rono	State Department for Parliamentary Affairs, Office of the Prime Cabinet Secretary
5.	Raymond Omollo	State Department for Interior & National Administration, Ministry of Interior & National Administration
6.	Caroline Nyawira Murage	State Department for Correctional Services, Ministry of Interior & National Administration
7.	Amb. (Prof.) Julius Bitok	State Department for Citizen Services, Ministry of Interior & National Administration
8.	Dr. Chris Kiptoo	The National Treasury, The National Treasury & Economic Planning
9.	James Muhati	State Department for Economic Planning, The National Treasury & Economic Planning
10.	Patrick Mariro	Defence
11.	Dr. Korir Sing'oei	State Department for Foreign Affairs, Ministry of Foreign Affairs & Diaspora Affairs
12.	Roseline Njogu	State Department for Diaspora Affairs, Ministry of Foreign Affairs & Diaspora Affairs
13.	Amos Gathecha	State Department for Public Service, Ministry of Public Service Gender & Affirmative Action
14.	Veronica Mueni Nduva	State Department for Gender & Affirmative Action, Ministry of Public Service Gender & Affirmative Action
15.	Joseph Mungai Mbugua	State Department for Roads, Ministry of Roads and Transport
16.	Mohamed Dhagar	State Department for Transport, Ministry of Roads and Transport

<b>No.</b>	<b>Nominee</b>	<b>State Department / Ministry</b>
17.	Nixon Korir	State Department for Lands & Physical Planning, Ministry of Lands, Public Works, Housing & Urban Development
18.	Charles Hinga	State Department for Housing & Urban Development, Ministry of Lands, Public Works, Housing & Urban Development
19.	Joel Arumonyang	State Department for Public Works, Ministry of Lands, Public Works, Housing & Urban Development
20.	Prof. Edward Kisiangani	State Department for Broadcasting & Telecommunications, Ministry of Information, Communication & Digital Economy
21.	Eng. John Kipchumba Tanui	ICT & The Digital Economy, Ministry of Information, Communication & Digital Economy
22.	Eng. Peter Tum	State Department for Medical Services, Ministry of Health
23.	Dr. Josephine Mburu	State Department for Health Standards and Professional Management, Ministry of Health
24.	Dr. Belio Kipsang	State Department for Basic Education, Ministry of Education
25.	Esther Thaara Muhoria	State Department for Technical and Vocational Education and Training, Ministry of Education
26.	Beatrice Inyangala	State Department for Higher Education & Research, , Ministry of Education
27.	Phillip Kello Harsama	State Department for Crop Development, Ministry of Agriculture & Livestock Development
28.	Harry Kimutai	State Department for Livestock Development, Ministry of Agriculture & Livestock Development
29.	Alfred K'Ombundo	State Department for Trade, Ministry of Investments, Trade & Industry

<b>No.</b>	<b>Nominee</b>	<b>State Department / Ministry</b>
30.	Abubakar Hassan	State Department for Investment Promotion, Ministry of Investments, Trade & Industry
31.	Juma Mukhwana	State Department for Industry, Ministry of Investments, Trade & Industry
32.	Patrick Kiburi Kilemi	State Department for Co-operatives, Ministry of Cooperatives and Micro, Small and Medium Enterprises
33.	Susan Mangeni	State Department for Micro, Small and Medium Enterprises Development, Ministry of Cooperatives and Micro, Small and Medium Enterprises
34.	Ismail Madey	State Department for Youth Affairs, Ministry of Youth Affairs, Sports & The Arts
35.	Jonathan Mueke	State Department for Sports & The Arts, Ministry of Youth Affairs, Sports & The Arts
36.	Festus Ngeno	State Department for Environment. Ministry of Environment and Forestry
37.	Ephantus Kimotho	State Department for Forestry, Ministry of Environment and Forestry
38.	John Ololtuaa	State Department for Tourism, Ministry of Tourism, Wildlife & Heritage
39.	Sylvia Naseya Muhoro	State Department for Wildlife, Ministry of Tourism, Wildlife & Heritage
40.	Umyy Mohammed Bashir	State Department for Culture & Heritage, Ministry of Tourism, Wildlife & Heritage
41.	Dr. Paul Ronoh	State Department for Water & Sanitation, Ministry of Water, Sanitation & Irrigation
42.	Gitonga Mugambi	State Department for Irrigation, Ministry of Water, Sanitation & Irrigation

<b>No.</b>	<b>Nominee</b>	<b>State Department / Ministry</b>
43.	Alex Wachira	State Department for Energy, Ministry of Energy & Petroleum
44.	Mohamed Liban	State Department for Petroleum, Ministry of Energy & Petroleum
45.	Geoffrey Kaituko	State Department for Labour & Skills Development, Ministry Labour & Social Protection
46.	Joseph Mugosi Mutavi	State Department for Social Protection & Senior Citizen Affairs, Ministry Labour & Social Protection
47.	Abdi Dubart	State Department for East African Community Affairs, Ministry of East African Community (EAC), The ASALS & Arid Development
48.	Idris Dogota	State Department for The ASALS & Regional Development, Ministry of East African Community (EAC), The ASALS & Arid Development
49.	Elijah Mwangi	State Department for Mining, Ministry of Mining, Blue Economy & Maritime Affairs
50.	Betsy Muthoni Njagi	State Department for Blue Economy & Fisheries, Ministry of Mining, Blue Economy & Maritime Affairs
51.	Shadrack Mwadime	State Department for Shipping & Maritime Affairs, Ministry of Mining, Blue Economy & Maritime Affairs

**Honourable Members,**

His Excellency the President now seeks the approval of the National Assembly on the nominees for appointment for the said positions.

**Honourable Members,**

In accordance with the provision of Standing Order 45 (1) which requires that upon receipt of notification of nomination for appointments, such nominations shall stand committed to the relevant Departmental Committees for consideration. Therefore, the names of nominees are hereby referred to the respective Departmental Committees as follows-

No.	Departmental Committee	Nominee
1.	Administration and Internal Affairs	1. Julius Korir 2. Aurelia Rono 3. Raymond Omollo 4. Amb. (Prof.) Julius Bitok 5. Esther Ngero
2.	Agriculture & Livestock	1. Phillip Kello Harsama 2. Harry Kimutai
3.	Blue Economy & Irrigation	1. Dr. Paul Ronoh 2. Gitonga Mugambi 3. Betsy Muthoni Njagi
4.	Communication, Information and Innovation	1. Prof. Edward Kisiangani 2. Eng. John Kipchumba Tanui
5.	Defence, Intelligence and Foreign Relations	1. Patrick Mariro 2. Dr. Korir Sing'oei 3. Roseline Njogu 4. Abdi Dubart
6.	Education	1. Dr. Belio Kipsang 2. Esther Thaara Muhoria 3. Beatrice Inyangala
7.	Energy	1. Alex Wachira 2. Mohamed Liban
8.	Environment, Forestry & Mining	1. Festus Ngeno 2. Ephantus Kimotho 3. Elijah Mwangi
9.	Finance and National Planning	1. Dr. Chris Kiptoo 2. James Muhati
10.	Health	1. Eng. Peter Tum 2. Dr. Josephine Mburu
11.	Housing, Urban Planning and Public Works	1. Charles Hinga 2. Joel Arumonyang
12.	Justice and Legal Affairs	1. Caroline Nyawira Murage
13.	Labour	1. Geoffrey Kaituko 2. Amos Gathecha
14.	Lands	1. Nixon Korir



No.	Departmental Committee	Nominee
15.	Regional Development	1. Idris Dogota 2. Teresia Mbaika Malokwe
16.	Social Protection	1. Joseph Mugosi Mutavi 2. Veronica Mueni Nduva 3. Ismail Madey
17.	Sports & Culture	1. Jonathan Mueke 2. Umy Mohammed Bashir
18.	Tourism & Wildlife	1. John Ololtuaa 2. Sylvia Naseya Muhoro
19.	Trade, Industry and Cooperatives	1. Alfred K'Ombundo 2. Abubakar Hassan 3. Juma Mukhwana 4. Patrick Kiburi Kilemi 5. Susan Mangeni
20.	Transport and Infrastructure	1. Joseph Mungai Mbugua 2. Mohamed Dhagar 3. Shadrack Mwadime

**Honourable Members,**

Section 8 of the Public Appointments (Parliamentary Approval) Act requires the National Assembly consider such nominees **within twenty eight (28) days.**

**Honourable Members,**

In this regard, and to enable the House conclude this exercise, I direct the Clerk of the National Assembly to take the necessary action by notifying the nominees and the general public by placing an advert in the daily newspapers of national circulation and the Parliamentary Website of the time and place of holding the approval hearings tomorrow, **Friday, 4<sup>th</sup> November, 2022**, following which the vetting hearings should commence on **Monday, 14<sup>th</sup> November 2022** and end by **Friday, 18<sup>th</sup> November, 2022.**

Thereafter, the Departmental Committees should table their reports in the House not later than **Tuesday, 22<sup>nd</sup> November, 2022** in order for the House to consider the nominees **within the statutory timelines. I thank you!**

**6. PAPERS LAID**

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

- (i) Report of the Assumption of the Office of President Committee; and
- (ii) Legal Notice No. 175 of 2022 relating the Capital Markets (Investment – Based Crowdfunding) Regulations, 2022 and the Explanatory Memorandum from the National Treasury and Planning.

*(The Leader of the Majority Party)*

**7. NOTICES OF MOTION**

The following Notice of Motion was given –

**THAT**, pursuant to Article 5 of the Protocol to the Treaty establishing the African Economic Community and relating to the Pan-African Parliament, this House **approves** the appointment of the following Members of Parliament to the Pan-African Parliament-

- i. The Hon. Rahab Mukami Wachira, MP;  
The Hon. Joseph Kalasinga Majimbo, MP;  
The Hon. Esther Muthoni Passaris, OGW, MP;
- ii. Sen. (Prof.) Margaret Kamar, EGH, MP, and
- iii. Sen. Danson Mungatana, MGH, MP  
*(The Leader of the Majority Party)*

**8. STATEMENTS**

- i.) Pursuant to SO. 44(2)(a) the Leader of the Majority Party presented a statement informing the House of the business coming before the House in the following week.
- ii.) Pursuant to Standing Order 44(2)C, the Member for Kamkunji (the Hon. Abdi Yusuf Hassan) requested for a Statement from the Chairperson Departmental Committee on Trade, Industry and Cooperatives regarding the alleged ban of sale of *mtumba* clothing by the Cabinet Secretary for Trade, Investment and Industry.

**9. PROCEDURAL MOTION – EXTENSION OF SITTING**

Motion made and Question proposed –

**THAT**, pursuant to the provisions of Standing Order 30(3) and notwithstanding the provisions of Standing Order 97(1) on Limitation of Debate on Motions, this House resolves to extend its Sitting time today, Thursday, 3<sup>rd</sup> November, 2022 until 9.00 p.m.

*(The Leader of the Majority Party)*

There being no debate arising;

Question put and agreed to.

**10. MOTION - REVIEW OF THE TEACHER DEPLOYMENT POLICY**

Motion made –

**THAT**, aware that, education is a key enabler of national development and realization of Kenya's Vision 2030 and the Sustainable Development Goals; appreciating the invaluable role that teachers play in actualizing the national goals of education; noting that a conducive working environment for teachers enhances performance; recalling that, the delocalization of teachers commenced in 2018 by the Teachers Service Commission immensely disrupted teachers' lives, lowered teacher morale and caused untold trauma to many teachers

countrywide; concerned that, the exercise was not supported with a clear policy framework and was initiated without the participation of teachers or their unions, contrary to Articles 118 and 132 of the Constitution on public participation and involvement of the people in the process of policy making; cognizant of the fact that, delocalization of teachers is inconsistent with the United Nations Educational, Scientific and Cultural Organization (UNESCO) teacher deployment practice, which treats education as a culture process conducted within a people's cultural context at the local level; this House resolves that the Teachers Service Commission-

- i. immediately reverses the ongoing delocalization of teachers;
- ii. initiates a comprehensive review of the teacher deployment policy with the involvement of teachers in order to make the policy consistent with International Labour Organization (ILO) and UNESCO laws and practices on teacher management and deployment; and,
- iii. reviews the teacher recruitment policy with a view to devolving it to zonal level as the point of recruitment.

***(Motion as amended)***

Debate on the Motion having been concluded on Wednesday, 2<sup>nd</sup> November 2022;

Question put and agreed to.

**11. MOTION - APPOINTMENT OF MEMBERS TO THE PAN- AFRICAN PARLIAMENT**

Motion made and Question proposed -

**THAT**, pursuant to Article 5 of the Protocol to the Treaty establishing the African Economic Community and relating to the Pan-African Parliament, this House **approves** the appointment of the following Members of Parliament to the Pan-African Parliament-

- iv. The Hon. Rahab Mukami Wachira, MP;  
The Hon. Joseph Kalasinga Majimbo, MP;  
The Hon. Esther Muthoni Passaris, OGW, MP;
- v. Sen. (Prof.) Margaret Kamar, EGH, MP, and
- vi. Sen. Danson Mungatana, MGH, MP  
*(The Leader of the Majority Party)*

There being no debate arising;

Question put and agreed to.

**12. STATEMENTS ON THE LEGISLATIVE PROPOSAL TO AMEND THE CONSTITUTION UNDER STANDING ORDER 114 (7A)**

PURSUANT to the provisions of Standing Order 114(7A), it is notified that, on Wednesday, 2<sup>nd</sup> November, 2022, the Speaker accorded an opportunity

to the Member for Gichugu (The Hon. Gichimu Githinji) and the Member for Matungulu (The Hon. Stephen Mule) to make statements on the *Legislative Proposal* to amend the Constitution to entrench the National Government Constituencies Development Fund, the National Government Affirmative Action Fund, the Senate Oversight Fund, and the Economic Stimulus and Empowerment Fund in the Constitution;

*(The Hon. Gichimu Githinji, M.P. and the Hon. Stephen Mule, M.P - Wednesday, November 02, 2022.)  
(Co-Sponsors)*

Resumption of debate;

*Change of Chair to 3<sup>rd</sup> Chairperson*

*Change of Chair to 6<sup>th</sup> Chairperson*

*Change of Chair to 2<sup>nd</sup> Chairperson*

Debate interrupted;

And the time being five minutes past nine O'clock, the 2<sup>nd</sup> Chairperson of Committees interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

**13. HOUSE ROSE** - at five minutes past nine O'clock

**MEMORANDUM**

The Speaker will take the Chair on  
Tuesday, November 8<sup>th</sup>, 2022 at 2.30 p.m.

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