



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, MARCH 16, 2023 AT 2.30 P.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*. SPECIAL MOTION – CONSIDERATION OF NOMINEES FOR APPOINTMENT AS MEMBERS OF THE NATIONAL CLIMATE CHANGE COUNCIL
(The Chairperson, Departmental Committee on Environment, Forestry and Mining)

THAT, taking into consideration the findings of the Joint Committee of the National Assembly Departmental Committee on Environment, Forestry and Mining and the Senate Standing Committee on Land, Environment and Natural Resources in its report on the Vetting of Nominees for Appointment as Members of the National Climate Change Council, *laid on the Table of the House on Tuesday, 14th March, 2023*, and pursuant to Article 132 (2)(f) of the Constitution, section 7(4) of the Climate Change Act, sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 216 (5) (f) of the National Assembly and the Senate Standing Order 228 (4)(f)-

...../8*(Cont'd)

- (a) **approves** the appointment of the following persons as **Members** of the National Climate Change Council –
- (i) Ms. Emily Mwendu Waita;
 - (ii) Mr. John Kioli Kalua; and
 - (iii) Prof. George Odera Outa.
- (b) **rejects** the appointment of Ms. Umra Omar as a Member of the National Climate Change Council.

(Question to be put)

- 9*. **MOTION – REPORT ON THE CONSIDERATION OF THE DRAFT SALARIES AND REMUNERATION COMMISSION (REMUNERATION AND BENEFITS OF STATE AND OTHER PUBLIC OFFICERS) REGULATIONS, 2022**
(The Chairperson, Committee on Delegated Legislation)

THAT, this House **adopts** the Report of the Committee on Delegated Legislation on its consideration of the *Draft Salaries and Remuneration Commission (Remuneration and Benefits of State and other Public Officers) Regulations, 2022* laid on the Table of the House on Wednesday, 8th March, 2023, and pursuant to the provisions of section 26(2) of the Salaries and Remuneration Commission Act, 2011 **rejects** the *Draft Salaries and Remuneration Commission (Remuneration and Benefits of State and other Public Officers) Regulations, 2022*.

(Resumption of debate interrupted on Tuesday, March 14, 2023)

(Balance of time – 1 hour 56 minutes)

- 10*. **MOTION – APPROVAL OF NOMINEES TO THREE NATIONAL GOVERNMENT CONSTITUENCY DEVELOPMENT FUND COMMITTEES**
(The Chairperson, Select Committee on National Government Constituencies Development Fund)

THAT, this House **adopts** the Report of the National Government Constituency Development Fund Committee on three (3) Constituency Committees laid on the Table of the House on Wednesday, 15th March, 2023, and pursuant to the provisions of section 43(4) of the National Government Constituency Development Fund Act, 2015 and paragraphs 5(2) and (10) of the National Government Constituencies Development Fund Regulations, 2016 **approves** the list of nominees for appointment to the following **three (3)** Constituency Committees of the National Government Constituency Development Fund—

...../10*(Cont'd)

1. GARISSA TOWNSHIP CONSTITUENCY

No.	Name	Category	Statutory Provision for Assumption of Position
1.	Farah Yussuf Ollow	<i>Male Youth Representative</i>	Appointment, pursuant to Sec.43(2)(b)
2.	Hassan Osman Shurie	<i>Male Adult Representative</i>	Appointment, pursuant to Sec.43(2)(b)
3.	Maryan Somo Hussein	<i>Female Youth Representative</i>	Appointment, pursuant to Sec. 43(2)(c)
4.	Fatuma Ahmed Kosar	<i>Female Adult Representative</i>	Appointment, pursuant to Sec.43(2)(c)
5.	Siyat Hared Muhumed	<i>Representative of Persons Living with Disability</i>	Appointment, pursuant to Sec. 43(2)(d)
6.	Mahamud Ahmed Dayib	<i>Nominee of the Constituency Office (Male)</i>	Appointment, pursuant to Sec.43(2)(e)
7.	Haretha Kahiya Saman	<i>Nominee of the Constituency Office (Female)</i>	Appointment, pursuant to Sec.43(2)(e)

2. MBEERE NORTH CONSTITUENCY *(Additional names)*

No.	Name	Category	Statutory Provision for Assumption of Position
1.	Brian Wallen Muteti Njiru	<i>Male Youth Representative</i>	Appointment, pursuant to Sec.43(2)(b)
2.	Jervasius Nyombyekothe Ngungi	<i>Male Adult Representative</i>	Appointment, pursuant to Sec.43(2)(b)

3. NAROK EAST CONSTITUENCY

No.	Name	Category	Statutory Provision for Assumption of Position
1.	Oropi Ole Meshuko	Matuyia <i>Male Youth Representative</i>	Appointment, pursuant to Sec.43(2)(b)
2.	Tapaiya Punyua	Olngashar <i>Male Adult Representative</i>	Appointment, pursuant to Sec.43(2)(b)
3.	Hanah Naishipae	Kusero <i>Female Youth Representative</i>	Appointment, pursuant to Sec. 43(2)(c)
4.	Gladys Wanjiru	Soitara <i>Female Adult Representative</i>	Appointment, pursuant to Sec.43(2)(c)
5.	Leshinka Mututua	<i>Representative of Persons Living with Disability</i>	Appointment, pursuant to Sec. 43(2)(d)
6.	John Salaton Swakei	<i>Nominee of the Constituency Office (Male)</i>	Appointment, pursuant to Sec.43(2)(e)
7.	Pilale Ene Kisotu	Kashanga <i>Nominee of the Constituency Office (Female)</i>	Appointment, pursuant to Sec.43(2)(e)

11*. MOTION – REPORT OF SESSIONS OF THE ORGANIZATION OF AFRICA, CARIBBEAN AND PACIFIC STATES AND THE EUROPEAN UNION JOINT PARLIAMENTARY ASSEMBLY

(Leader of the Kenya Delegation to the OACPS-EU JPA)

THAT, this House **notes** the Report of the 61st Session of the Organization of Africa, Caribbean and Pacific (OACPS) Parliamentary Assembly and the 42nd Session of the ACP-EU Joint Parliamentary Assembly, *laid on the Table of the House on Wednesday, November 30, 2022.*

*(Resumption of debate interrupted on Wednesday, March 15, 2023 – Afternoon Sitting)
(Balance of time - 53 minutes)*

...../12*

12*. MOTION – GENERAL DEBATE ON THE PROPOSAL TO
PARLIAMENT TO CONSIDER AMENDING THE
CONSTITUTION AND THE STANDING ORDERS

(The Leader of the Majority Party)

THAT, noting the contents of a Memorandum submitted to Parliament by His Excellency the President asking Parliament to consider initiating amendments to the Constitution; **Acknowledging that**, actualization of the proposals which relate to, *inter alia*, the composition of Parliament as provided for in Articles 97 and 98 of the Constitution in order to attain the two-thirds gender principle, the creation of the office of Leader of Official Opposition in Parliament, and the inclusion of various funds in the Constitution, would necessitate amendment to the Constitution, while the restructuring of parliamentary oversight to allow for Cabinet Secretaries to appear before the Houses of Parliament to respond to Questions by Members would require the amendment of Standing Orders; **Further acknowledging that**, the Speaker, vide a Notification issued on 9th December 2022 referred the matters raised in the Memorandum to the *Departmental Committee on Justice and Legal Affairs* with regard to proposals relating to the implementation of the Two-Thirds Gender principle and the establishment of the Office of the Leader of Official Opposition; *The Joint Parliamentary Ad Hoc Committee* with regard to proposals to amend the Constitution to entrench the Constituency Development, Senate Oversight and National Government Affirmative Action Funds; and *The Procedure & House Rules Committee* with regard to proposals to amend the Standing Orders to strengthen parliamentary oversight of the Executive, so as to facilitate public participation pursuant to Article 118 of the Constitution; **NOW THEREFORE**, pursuant to the provisions of Articles 1(2) and 95(2) of the Constitution, this House **notes, considers and makes general comments** on the proposals contained in the Memorandum by His Excellency the President.

(Resumption of debate interrupted on Wednesday, March 8, 2023 – Afternoon Sitting)

13*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL
(NATIONAL ASSEMBLY BILL NO. 60 OF 2022)

(The Leader of the Majority Party)

Second Reading

Denotes Orders of the Day

...../Notices*

NOTICES

LIMITATION OF DEBATE

The House resolved on Wednesday, February 15, 2023 as follows—

Limitation of Debate on Other Committee Reports

- I. **THAT**, each speech in a debate on **Other Committee Reports**, 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 Leader of the Majority Party and the Leader of the Minority Party and the Chairperson of the relevant Committee (if the Committee Report is not moved by the Chairperson of the relevant Committee), 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 on General Debate on the Proposal to Parliament to consider amending the Constitution and the Standing Orders

- II. **THAT**, each speech on the debate on the Motion on the *General Debate on the Proposal to Parliament to Consider Amending the Constitution and the Standing Orders* shall be limited as follows: A maximum of twenty (20) minutes for the Mover in moving and ten (10) minutes in replying, and 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 in speaking 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

- III. **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** 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 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.



NOTICE PAPER

Tentative business for

Tuesday, March 21, 2023

(Published pursuant to Standing Order 38(1))

It is notified that the following business is tentatively scheduled to appear in the Order Paper for Tuesday, March 21, 2023–

A. THE DIVISION OF REVENUE BILL, 2023

(The Chairperson, Budget and Appropriations Committee)

First Reading

(Subject to publication)

B. MOTION – REPORT OF SESSIONS OF THE ORGANIZATION OF AFRICA, CARIBBEAN AND PACIFIC STATES AND THE EUROPEAN UNION JOINT PARLIAMENTARY ASSEMBLY

(Leader of the Kenya Delegation to the OACPS-EU JPA)

(If not concluded on Thursday, March 16, 2023)

C. MOTION – GENERAL DEBATE ON THE PROPOSAL TO PARLIAMENT TO CONSIDER AMENDING THE CONSTITUTION AND THE STANDING ORDERS

(The Leader of the Majority Party)

(If not concluded on Thursday, March 16, 2023)

D. MOTION – REPORT OF THE PROCEEDINGS OF THE FIRST ORDINARY SESSION OF THE SIXTH PAN-AFRICAN PARLIAMENT

(Member of the Pan-African Parliament)

E. MOTION – REPORTS OF THE 144TH & 145TH ASSEMBLIES OF THE INTER-PARLIAMENTARY UNION

(Member of the Kenya Delegations to the 144th & 145th Assemblies of the IPU)

F. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL
(NATIONAL ASSEMBLY BILL NO. 60 OF 2022)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, March 16, 2023)



APPENDIX

NOTICE OF PETITIONS, QUESTIONS & STATEMENTS

ORDER NO. 4 - PETITIONS

It is **notified** that, pursuant to the provisions of Standing Order 225, the following Petitions will be presented –

No.	Subject	Petitioner(s)	Relevant Committee
10/2023	Resettlement of residents of Muthanga Farm	<i>To be presented by the Hon. Mary Wamauna, MP (Maragwa) on behalf of the residents of Muthanga Farm Company Limited</i>	Public Petitions
12/2023	Desiltation of Matinga Dam in Kitui West Constituency	<i>To be presented by the Hon. Edith Nyenzi, MP (Kitui West) on behalf of residents of Kitui West Constituency</i>	Public Petitions
13/2023	Access roads for residents of Narok East Constituency	<i>To be presented by the Hon. Aramat Lemanken, MP (Narok East) on behalf of residents of Narok East Constituency</i>	Public Petitions

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

ORDER NO. 7 - QUESTIONS

It is notified that, pursuant to the provisions of Standing Order 42A (5), the following Members will ask **questions** for reply before the specified Committees-

QUE. NO.

ORDINARY QUESTIONS

047/2023

The Member for Dagoretti North (Hon. Beatrice Elachi, MP) to ask the Cabinet Secretary for Education: -

Could the Cabinet Secretary –

- (i) report on the state of preparedness for implementation of the Competence Based Curriculum in Junior Secondary Schools located in informal settlements, particularly those in Nairobi City County?
- (ii) explain the measures that have been put in place to address the inadequacy of facilities such as laboratories and recreation facilities in Junior Secondary Schools, especially those located in informal settlements in Nairobi City County?
- (iii) provide details on the number of teachers who have been trained and deployed to teach in junior secondary schools nationally, specify the number that has been deployed to junior secondary schools in informal settlements in Nairobi City County, and state whether the teacher allocation meets the recommended student-teacher ratio?

(To be replied before the Departmental Committee on Education)

048/2023

The Member for Suba South (Hon. Caroli Omondi, MP) to ask the Cabinet Secretary for Public Service, Gender and Affirmative Action: -

Could the Cabinet Secretary –

- (i) state when the Government intends to *gazette* Suba South and Suba North Sub Counties as hardship areas for the purposes of enabling the Teachers Service Commission (TSC) to implement the Collective Bargaining Agreement (CBA) that declared the two Sub-Counties as hardship areas?

- (ii) confirm that the Government is committed to facilitating the TSC to pay the teachers in the said Sub-Counties all outstanding hardship allowances that ought to have become payable from the date the CBA became effective?

(To be replied before the Departmental Committee Administration and Internal Security)

049/2023 The Member for Wajir East (Hon. Aden Mohamed, MP) to ask the Cabinet Secretary for Defence: -

- (i) Could the Cabinet Secretary confirm whether there are plans to set up a foreign Military Base at Wajir International Airport and state whether the Government undertook any public participation prior to granting approval for the setting up of the said Base?
- (ii) Will the setting up of the foreign Military Base make the Wajir Airport a no-go zone for citizens who regularly use the airport for aviation purposes?

(To be replied before the Departmental Committee on Defence, Intelligence and Foreign Relations)

050/2023 The Nominated Member (Hon. Sabina Chege, MP) to ask the Cabinet Secretary for Water, Sanitation and Irrigation: -

Could the Cabinet Secretary –

- (i) provide details regarding the contract sum and period for construction of *Mirira* Dam in Murang'a County and the number of households that the dam was supposed to benefit?
- (ii) give the status of construction of the *Mirira* Dam and state when it will be completed?

(To be replied before the Departmental Committee on Blue Economy, Water and Irrigation)

051/2023 The Member for Kinango (Hon. Gonzi Rai, MP) to ask the Cabinet Secretary for Lands, Public Works, Housing and Urban Development: -

- (i) Could the Cabinet Secretary provide details of the ownership of *Taru Ranch* and confirm whether the parcel of land is validly registered?

- (ii) Could the Cabinet Secretary explain why there was a grant of extension of lease of *Taru Ranch* without the necessary stakeholder approvals required before such grant is given?
- (iii) Could the Cabinet Secretary consider taking appropriate interventions through the Lands Registrar, Kwale County to undertake investigations into the new title number CR66309 provided to *Taru Ranch* and order revocation of the title deed to its rightful owners?

(To be replied before the Departmental Committee on Lands)
