



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, MARCH 23, 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\*. PROCEDURAL MOTION –

EXTENSION OF PERIOD OF  
CONSIDERATION OF A  
LEGISLATIVE PROPOSAL TO AMEND  
THE CONSTITUTION

(The Co-Chairperson, Joint Parliamentary Ad Hoc Committee on a Proposal to amend the Constitution to entrench certain specialized funds)

**THAT**, in furtherance to the resolution of the House of 24<sup>th</sup> November, 2022 on the *Establishment of a Joint Parliamentary Ad Hoc Committee on a Proposal to amend the Constitution to Entrench certain Specialized Funds (NG-CDF, Senate Oversight Fund and NGAAF)*, this House **further resolves** to extend the timeline for the consideration of the Proposals by a period of **ninety (90) days** from **Tuesday, 11<sup>th</sup> April, 2023**.

9\*. PROCEDURAL MOTION – EXTENSION OF PERIOD OF CONSIDERATION OF A NOMINEE FOR APPOINTMENT TO A PUBLIC OFFICE

(The Chairperson, Departmental Committee on Social Protection)

**THAT**, pursuant to the provisions of section 13 of the Public Appointments (Parliamentary Approval) Act, 2011 relating to *extension of period of consideration of nominees for appointment to a public office*, this House **resolves** to extend the period for consideration of the nominee submitted by His Excellency the President for appointment as a member of the National Gender and Equality Commission by a period of **ten (10) days** from **5<sup>th</sup> April 2023**.

10\*. MOTION – APPROVAL OF NOMINEES TO TWO 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 on two (2) Constituency Committees, *laid on the Table of the House on Tuesday, 21<sup>st</sup> 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 **two (2)** Constituency Committees of the National Government Constituency Development Fund—

1. SAMBURU EAST CONSTITUENCY (Replacement)

No.	Name	Category	Statutory Provision for Assumption of Position
1.	Lalaigwanani Lkaaso	Mathew <i>Male Adult Representative</i>	Appointment, pursuant to Sec.43(2)(b)

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

**2. KANDARA CONSTITUENCY**

No.	Name	Category	Statutory Provision for Assumption of Position
1.	Timothy Nganga Ndungu	<i>Male Youth Representative</i>	Appointment, pursuant to Sec.43(2)(b)
2.	Samuel Kagwa Gichuru	<i>Male Adult Representative</i>	Appointment, pursuant to Sec.43(2)(b)
3.	Sarah Nyanjuki Kamandi	<i>Female Youth Representative</i>	Appointment, pursuant to Sec. 43(2)(c)
4.	Roselynn Nduta Gitau	<i>Female Adult Representative</i>	Appointment, pursuant to Sec.43(2)(c)
5.	Anthony Mwangi Kiguru	<i>Representative of Persons with Disability</i>	Appointment, pursuant to Sec. 43(2)(d)
6.	Sammy Mburu Chege	<i>Nominee of the Constituency Office (Male)</i>	Appointment, pursuant to Sec.43(2)(e)
7.	Esther Muthoni Kinuthia	<i>Nominee of the Constituency Office (Female)</i>	Appointment, pursuant to Sec.43(2)(e)

**11\*. MOTION – REPORTS OF THE 144<sup>TH</sup> & 145<sup>TH</sup> ASSEMBLIES OF THE INTER-PARLIAMENTARY UNION (IPU)**

(Member of the Kenya Delegations to the 144<sup>th</sup> & 145<sup>th</sup> Assemblies of the IPU)

**THAT**, this House **notes** the Reports of the Kenya Delegations to the 144<sup>th</sup> and 145<sup>th</sup> Assemblies of the Inter-Parliamentary Union and related Meetings, held in Nusa Dua, Indonesia from 20<sup>th</sup> to 24<sup>th</sup> March 2022 and in Kigali, Rwanda from 11<sup>th</sup> to 15<sup>th</sup> October 2022, *laid on the Table of the House on Tuesday, 7<sup>th</sup> March 2023 and Thursday, 2<sup>nd</sup> March 2023*, respectively.

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 9<sup>th</sup> 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

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**\*Denotes Orders of the Day\***

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...../Notices\*

# **NOTICES**

## **LIMITATION OF DEBATE**

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

### **Limitation of Debate on Motions**

- I. THAT**, each speech in a debate on any **Motion, including a Special motion** 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 Other Committee Reports**

- II. 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, 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**

- III. 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* 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**

- IV. 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.

## **ADJOURNMENT**

**V. NOTIFICATION OF RECESS (24<sup>th</sup> March, 2023 – 10<sup>th</sup> April, 2023)**

Pursuant to the provisions of Standing Order 28(3) relating to the Calendar of the Assembly, and the resolutions of the House of Wednesday, 15<sup>th</sup> February, 2023 and Tuesday, 21<sup>st</sup> March, 2023, the Speaker notifies that, upon the rise of the House at the appointed time today, regular sittings will resume on **Tuesday, 11<sup>th</sup> April, 2023 at 2:30 p.m.**

*(Thereafter, the House to adjourn without question put)*

# **NOTICE PAPER**

## **Tentative business for**

**Tuesday, April 11, 2023**

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*(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, April 11, 2023—

- A. **MOTION** – **RATIFICATION OF THE AFRICAN UNION TREATY FOR THE ESTABLISHMENT OF THE AFRICAN MEDICINES AGENCY (AMA)**  
(The Chairperson, Departmental Committee on Health)
- B. **MOTION** – **RATIFICATION OF THE AGREEMENT BETWEEN KENYA AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND ON DEFENCE COOPERATION**  
(The Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations)
- C. **MOTION** – **REPORTS OF THE 144<sup>TH</sup> & 145<sup>TH</sup> ASSEMBLIES OF THE INTER-PARLIAMENTARY UNION**  
(Member of the Kenya Delegations to the 144<sup>th</sup> & 145<sup>th</sup> Assemblies of the IPU)  
*(If not concluded on Thursday, March 23, 2023)*
- D. **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 23, 2023)*
- E. **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 23, 2023)*

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...../Appendix\*

# **APPENDIX**

## **NOTICE OF PETITIONS, QUESTIONS & STATEMENTS**

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### **ORDER NO. 7 - QUESTIONS**

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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**

018/2023

**The Member for Machakos County (Hon. Joyce Kamene, MP) to ask the Cabinet Secretary for Roads and Transport: -**

What measures has the Ministry put in place to provide for pedestrian footbridges along an approximately 2-kilometre stretch of Mombasa Road, especially the crossing at Hilton Garden Inn and the Syokimau Railway Station/Nairobi SGR Terminus and the stretch between *KAPPA* Industries and Mastermind?

*(To be replied to before the Departmental Committee on Transport and Infrastructure)*

069/2023

**The Member for Elgeyo Marakwet (Hon. Caroline Ng'elechei, MP) to ask the Cabinet Secretary for Environment, Climate Change and Forestry: -**

Could the Cabinet Secretary-

- (i) Explain the rationale behind the ban on maize cultivation in Plantation Establishment and Livelihood Improvement Scheme (PELIS) areas?
- (ii) Explain why there is a massive decrease in forest cover percentage in Elgeyo Marakwet County despite the ban on maize cultivation under PELIS?
- (iii) Explain the pros and cons of maize cultivation under the PELIS system, and clarify whether the area residents can revert to the initial maize cultivation in PELIS areas?

*(To be replied before the Departmental Committee on Environment, Forestry and Mining)*



**070/2023**      **The Member for Lunga Lunga (Hon. Chiforomodo Mangale, MP) to ask the Cabinet Secretary for Public Service, Gender and Affirmative Action: -**

Could the Cabinet Secretary expound on the status of approval of payment of hardship allowances to public servants in Lunga Lunga Sub County given the extreme working conditions in the area?

*(To be replied before the Departmental Committee on Labour)*

**071/2023**      **The Member for Kaiti (Hon. Joshua Kimilu, MP) to ask the Cabinet Secretary for Information, Communications and Digital Economy: -**

- (i) Considering that the Government of Kenya is the largest shareholder in *Safaricom PLC*, could the Cabinet Secretary explain why the Company has not been paying residues to its dealers according to the contractual terms, as is the case for non-payment of dues for the period from January 2023 to date?
- (ii) What steps is the Government taking to ensure that *Safaricom PLC* provides its employees with a conducive working environment that is compliant with fair labour practices, including checking on sudden change of workstations without adequate notice which is disruptive?

*(To be replied before the Departmental Committee on Communication, Information and Innovation)*

**072/2023**      **The Member for Rongo (Hon. Paul Abuor, M.P) to ask the Cabinet Secretary for Roads and Transport: -**

Could Cabinet Secretary –

- (i) explain the circumstances under which construction of the *Riosiri-Rongo University-Cham Gi Wadu Road* has stalled for the last two years?
- (ii) explain plans that the Ministry has put in place to ensure that the contractor resumes construction of the said road?  
and
- (iii) state the timeline for completion of the said Road?

*(To be replied before the Departmental Committee on Transport and Infrastructure)*

073/2023

**The Member for Teso South (Hon. Mary Emaase, MP) to ask the Cabinet Secretary for Education: -**

- (i) What actions is the Ministry taking to address the contradiction in Guideline 8.6(i) of *the Guidelines for Implementation of Junior Secondary School (JSS) Education* which states that provision of school meals in JSS will be the responsibility of parents or guardians and Guideline 8.6(iii) requiring the leadership of JSS to ensure that no learner drops out of school as a result of failure to pay the lunch programme fees?
- (ii) Considering that Guideline No. 8.6(iii) obligates the leadership of Junior Secondary Schools (JSS) to ensure that no child drops out of school as a result of failure to pay lunch fees, which in most schools is nearly Kshs. 15,000 per term, could the Cabinet Secretary outline measures put in place to ensure that children from needy backgrounds whose parents or guardians cannot afford the lunch fees remain in school?

*(To be replied before the Departmental Committee on Education)*

074/2023

**The Member for Gilgil (Hon. Martha Wangari, MP) to ask the Cabinet Secretary for Interior and Co-ordination of National Government: -**

- (i) Could the Cabinet Secretary explain why there is a shortage of birth registration materials (also known as B1 forms) in health facilities across the country?
- (ii) Could the Cabinet Secretary explain why mothers in public hospitals, especially those on the National Government *Linda Mama* Programme, are subjected to unnecessary detention after discharge as a result of unregistered births of their babies due to the above-mentioned shortage, yet it is a duty of the Government to provide the B1 forms?
- (iii) What steps has the Ministry taken to ameliorate the situation and ensure that mothers who are due for discharge are not forced to incur additional bills due to unjust detention in hospitals owing to the Government's incapacity to promptly register births as a result of lack of birth registration forms?

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

075/2023

**The Member for Kabuchai (Hon. Majimbo Kalasinga, MP)  
to ask the Independent and Electoral Boundaries  
Commission (IEBC): -**

- (i) Could the Commission explain why payments to Presiding Officers, Deputy Presiding Officers and Clerks that oversaw the Bungoma By-Elections for the Senatorial Seat in December 2022 have delayed up to date?
- (ii) What plans does the Commission have to compensate the Presiding Officers, Deputy Presiding Officers, and Clerks whose payments are long overdue given the high cost of living?

*(To be replied before the Departmental Committee on Justice and Legal  
Affairs)*

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