



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

TUESDAY, MARCH 7, 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\*. 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

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

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 Tuesday, February 28, 2023)*

9\*. MOTION – REPORT OF THE 42<sup>ND</sup> SESSION 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 61<sup>st</sup> Session of the Organization of Africa, Caribbean and Pacific (OACPS) Parliamentary Assembly and the 42<sup>nd</sup> Session of the ACP-EU Joint Parliamentary Assembly, *laid on the Table of the House on Wednesday, November 30, 2022.*

10\*. 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

## LIMITATION OF DEBATE

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

### Limitation on General Debate on the Proposal to Parliament to consider amending the Constitution and the Standing Orders

- I. **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 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, 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 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

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

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.

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# **NOTICE PAPER I**

## **Tentative business for**

**Wednesday (Morning), March 8, 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 Wednesday (Morning), March 8, 2023 –

**A. MOTION – DEVELOPMENT OF POLICY ON STANDARDIZATION AND PRODUCTION OF SCHOOL UNIFORMS IN THE COUNTRY**

(The Hon. Gathoni Wamuchomba, M.P.)

*(Question to be put)*

**B. THE PENAL CODE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 56 OF 2022)**

(The Hon. David Gikaria, M.P.)

First Reading

**C. THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 62 OF 2022)**

(The Hon. Benjamin Gathiru, M.P.)

First Reading

**D. THE PUBLIC SERVICE INTERNSHIP BILL (NATIONAL ASSEMBLY BILL NO. 63 OF 2022)**

(The Hon. Naisula Lesuuda, M.P.)

First Reading

**E. MOTION – CONTINUOUS REGISTRATION OF BENEFICIARIES TO THE OLDER PERSONS CASH TRANSFER PROGRAMME IN THE COUNTRY**

(The Hon. Thuddeus Nzambia, M.P.)

*(Resumption of debate interrupted on Wednesday, March 1, 2023 – Morning sitting)*

*(Balance of time - 13 minutes)*

**F. MOTION – REDUCTION OF COST OF ELECTRICITY IN THE COUNTRY**

(The Hon. Jane Kagiri, M.P.)

**G. MOTION – POLICY FORMULATION ON IMPLEMENTATION AND ENHANCEMENT OF EPZ PROGRAMMES IN THE COUNTRY**

(The Hon. Beatrice Elachi, M.P.)

**H. MOTION – DEVELOPMENT OF A POLICY AND FUNDING FOR JUNIOR SECONDARY SCHOOLS**

(The Hon. Geoffrey Ruku, M.P.)



# **NOTICE PAPER II**

## **Tentative business for**

### **Wednesday (Afternoon), March 8, 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 Wednesday (Afternoon), March 8, 2023 –

A. **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 Tuesday, March 7, 2023)*

B. **MOTION – REPORT OF THE 42<sup>ND</sup> SESSION OF THE ORGANIZATION OF AFRICA, CARIBBEAN & PACIFIC STATES AND THE EUROPEAN UNION JOINT-PARLIAMENTARY ASSEMBLY**

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

*(If not concluded on Tuesday, March 7, 2023)*

C. **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 Tuesday, March 7, 2023)*

# **APPENDIX**

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

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### **ORDER NO. 4 - PETITIONS**

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

<b>No.</b>	<b>Subject</b>	<b>Petitioner(s)</b>	<b>Relevant Committee</b>
08/2023	Enactment of Legislation to criminalize and prescribe penalties for the crime of enforced disappearance	<i>To be reported by the Hon. Speaker on behalf of Dr. Annette Mbogoh, the Executive Director of Kituo cha Sheria Legal Advice Centre</i>	Public Petitions
09/2023	Regarding the State of Food security in the Country	<i>To be reported by the Hon. Speaker on behalf of Mr. Shadrack Agaki</i>	Public Petitions

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



# **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**

012/2023

**The Member for Lamu East (Hon. Ruweida Obo, MP) to ask the Cabinet Secretary for Information, Communication and the Digital Economy: -**

- (i) Could the Cabinet Secretary explain why *Suu, Shanga* and *Mkokoni* in Lamu East Constituency are suffering from digital exclusion by not being connected to the mobile phone network?
- (ii) Could the Cabinet Secretary further explain the reasons why the entire Lamu East Constituency is still served by 2G Network when the rest of the country is on 4G Network and is soon transitioning to 5G Network?
- (iii) What plans does the Ministry have to ensure that *Suu, Shanga* and *Mkokoni* areas are connected to the mobile phone network and that the network coverage in Lamu East Constituency upgraded from the current 2G to 4G?

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

013/2023

**The Member for Embakasi Central (Hon. Benjamin Gathiru, MP) to ask the Cabinet Secretary for Labour and Social Protection: -**

- (i) Could the Cabinet Secretary provide the status of the *Inua Jamii* Programme, detailing the number of current beneficiaries and those who have exited the programme?
- (ii) Could the Cabinet Secretary explain why there are delays in the disbursement of cash transfers to beneficiaries under *Inua Jamii* Programme and state what plans the Ministry has put in place to ensure timely disbursement of the funds?
- (iii) What mechanisms is the Ministry instituting to ensure timely replacement of beneficiaries of the *Inua Jamii* Programme who exit the fund through death as well as orphans and vulnerable children (OVC) who attain the age of 23 years which is set as the exit age, and when does the Ministry intend to carry out

mass registration of fresh beneficiaries noting that many Kenyans have attained the eligibility age of 70 years, and others have become orphans while some are now living with disabilities?

*(To be replied to before the Departmental Committee on Social Protection)*

**014/2023**

**The Member for Konoin (Hon. Brighton Yegon, MP) to ask the Cabinet Secretary for Roads and Transport: -**

- (i) What plans has the Ministry put in place to re-carpet the busy *Changoi–Kimulot–Kaptengecha* Road in Konoin Constituency which has been in a deplorable state for several years?
- (ii) When does the Ministry intend to restore the said Road to motorable condition in order to reduce the number of road accidents and enhance movement of people, goods and services within the region served by this road?

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

**015/2023**

**The Member for Kirinyaga Central (Hon. Joseph Gitari, MP) to ask the Cabinet Secretary for Education: -**

- (i) Could the Cabinet Secretary state whether the criteria used for placement of students in form one, particularly in day schools, takes into consideration the proximity of learners to schools?
- (ii) What measures has the Ministry put in place to ensure that day scholars who walk for distances of over 10kms to school in the wee hours of the morning and evening are guaranteed security from potential dangers such as attacks by criminal gangs, abductions and vulnerability to incidences of rape?

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

**016/2023**

**The Member for Westlands (Hon. Timothy Wanyonyi, MP) to ask the Cabinet Secretary for Roads and Transport: -**

Could the Cabinet Secretary -

- (i) Provide details of the approved design of *Waiyaki* Way, including the road profiles, all road signages, road lighting, service lanes and pedestrian walkways and crossings; and clarify whether the ongoing construction works on the named road are being carried out in accordance with the approved design?

- (ii) State the timeline for completion of the *Kangemi* and *Ndumboini* overpasses and restoration of access roads destroyed during construction?
- (iii) Explain why there are no footbridges, pedestrian walkways and road markings on the said road, and further explain why the provided pedestrian crossings are kilometres apart from each other, thereby escalating road accidents on the said road and disadvantaging school going children, the elderly, persons with disabilities and emergency response teams?
- (iv) Explain why the Ministry approved the construction of the Westlands roundabout footbridge without incorporating a ramp for persons with disabilities and state whether there are any plans to have one installed?

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

**017/2023**

**The Member for Nakuru Town East (Hon. David Gikaria, MP) to ask the Cabinet Secretary for Energy and Petroleum: -**

- (i) Could the Cabinet Secretary explain in detail the circumstances that led to the termination of 30 employees by the Geothermal Development Company in April, 2022, including the reasons for dissolution of each employee's contract and clarify whether due process was followed?
- (ii) Could the Ministry indicate if there are plans to reinstate these employees, and provide an expected date for their return, including any planned compensation for them?

*(To be replied to before the Departmental Committee on Energy)*

**018/2023**

**The Member for Machakos County (Hon. Joyce Kamene, MP) to ask the Cabinet Secretary for Ministry of 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 Transport and Infrastructure)*

019/2023

**The Member for Nyatike (Hon. Tom Odege, MP) to ask the Cabinet Secretary for Roads and Transport: -**

Could the Cabinet Secretary -

- (i) Provide details of persons or firms who participated in the tenders KeNHA/2579/2022 and KeNHA/2580/2022 for construction of *Masara-Muhuru Bay* Road advertised by the Kenya National Highways Authority (KeNHA)?
- (ii) Provide details of the contractor awarded the tender for the named project including the contract sum and clarify whether the due process prescribed in law was followed in awarding the tender?
- (iii) State the reasons why works on the said road have not commenced, the expected time of commencing the works and the measures put in place to expedite completion of the named Road within the contract period?

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

020/2023

**The Member for Embakasi West (Hon. Mark Mwenje, MP) to ask the Cabinet Secretary for Interior and National Administration: -**

Could the Cabinet Secretary –

- (i) explain why the Betting Control and Licensing Board is no longer processing new applications for licenses given that their Service Level Agreement indicates that the application and issuance license process takes 6 Months?
- (ii) state when the Board will resume the processing of new and pending applications, including licences that the Board had cleared for renewal for the year 2022/2023?
- (iii) explain measures instituted to ensure that where the Board had ceased to process and issue licences with an expiration date of 30<sup>th</sup> June 2023, any dealers applying for renewal of licences in the next financial year would not be required to submit current licences as proof of compliance?

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

021/2023

**The Member for Alego Usonga (Hon. Samuel Atandi, MP) to ask the Cabinet Secretary for Information, Communication and Digital Economy: -**

Could the Cabinet Secretary -

- (i) shed light on the allegations of interference by the Ministry and conflict of interest by the Selection Panel with regard to the ongoing recruitment of members of the Board of the Media Council of Kenya and provide details of the measures that have been put in place to guarantee integrity of the recruitment process?
- (ii) provide details of the Report of State Corporations Advisory Committee (SCAC) on the assessment of the outgoing Board members and indicate if any of the members qualified for renewal of their term?
- (iii) state whether a legal advisory has been provided by the Attorney General on independence of the Council and whether the advisory has been taken into account in the ongoing recruitment?
- (iv) explain the measures the Ministry has taken to address loopholes in the recruitment process of the Board of the Media Council which previously led to court cases in 2013, 2014 and 2019, including the three current cases in 2023?

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

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# **ORDER NO.7 - STATEMENTS**

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It is **notified** that, pursuant to the provisions of Standing Order 44(2)(c), the following Statements will be requested –

<b>No.</b>	<b>Subject</b>	<b>Member</b>	<b>Relevant Committee</b>
1.	Stalled Kirandich Dam Water Supply Project Phase II in Baringo Central Sub-County	<i>The Hon. Joshua Kandie, MP (Baringo Central Constituency)</i>	D.C. on Environment, Forestry and Mining

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