



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

SUPPLEMENTARY

TUESDAY, MARCH 21, 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 – REDUCTION OF PUBLICATION PERIOD OF A BILL

(The Chairperson, Budget and Appropriations Committee)

THAT, pursuant to the provisions of Standing Order 120, this House **resolves** to reduce the publication period of the Division of Revenue Bill (National Assembly Bill No. 9 of 2023) from **seven (7) days to one (1) day**.

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.

(Question to be put)

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—

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 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)

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

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	<i>Male Youth Representative</i>	Appointment, pursuant to Sec.43(2)(b)
2.	Tapaiya Punyua	<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 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	<i>Nominee of the Constituency Office (Female)</i>	Appointment, pursuant to Sec.43(2)(e)

*(Question to be put)***11*. THE STATUTORY INSTRUMENTS (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 2 OF 2023)***(The Chairperson, Committee on Delegated Legislation)*

First Reading

12*. THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 9 OF 2023)

(The Chairperson, Budget and Appropriations Committee)

First Reading

13*. MOTION - ALTERATION OF THE CALENDAR OF THE HOUSE

(The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 28(4), this House, **resolves to alter** its Calendar for the Second Session (*Regular Sessions*), as adopted on Wednesday, February 15, 2023 by varying the period for the Short Recess with respect to the First Part of the Session so that-

- (a) the Short Recess commences on Friday, 24th March, 2023 and ends on Monday, 10th April, 2023; and
- (b) the House resumes Regular Sittings on Tuesday, 11th April 2023 to continue with the First Part of the Session.

14*. THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 9 OF 2023)

(The Chairperson, Budget and Appropriations Committee)

Second Reading

15*. COMMITTEE OF THE WHOLE HOUSE

The Division of Revenue Bill (National Assembly Bill No. 9 of 2023)

(The Chairperson, Budget and Appropriations Committee)

16*. 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 Thursday, March 9, 2023)

(Balance of time - 53 minutes)

17*. 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 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)

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

(Member of the Pan-African Parliament)

THAT, this House **notes** the Report of the Kenya Delegation to the Pan-African Parliament (PAP) on the Proceedings of the First Ordinary Session of the Sixth Parliament, *laid on the Table of the House on Tuesday, 28th February 2023*.

19*. MOTION – REPORTS OF THE 144TH & 145TH ASSEMBLIES OF THE INTER-PARLIAMENTARY UNION (IPU)

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

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

20*. 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

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 Bills sponsored by Parties or Committees

- II. **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.

Limitation of Debate on Other Committee Reports

- III. **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

IV. 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.

NOTICE PAPER I

Tentative business for

Wednesday (Morning), March 22, 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 Wednesday (Morning), March 22, 2023 –

**A. THE NATIONAL YOUTH COUNCIL (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 1 OF 2023)**

(The Hon. Joshua Kandie, M.P.)

First Reading

**B. HOJA – KUPIGA MARUFUKU UZUNGUMZIAJI, UCHAPISHAJI NA
USAMBAZAJI WA TAARIFA ZINAZOKUZA MAHUSIANO YA
JINSIA MOJA**

(Mhe. Mohamed Ali, MB.)

*(Kurejelewa kwa majadala uliokatizwa Jumatano, tarehe 15 Machi, 2023 – Kikao cha
Asubuhi)*

(Muda Uliosalia –Dakika 17)

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

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

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

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

**E. MOTION – ESTABLISHMENT OF A NATIONAL CANCER
PREVENTION AND CONTROL FUND**

(The Hon. Timothy Toroitich, M.P.)

**F. MOTION – NATIONAL POLICY ON DEWORMING OF SCHOOL-
GOING CHILDREN**

(The Hon. Machua Waithaka, M.P.)

**G. MOTION – DEVELOPMENT AND IMPLEMENTATION OF A
CHILDCARE PROGRAMME FOR CHILDREN WHOSE
MOTHERS ARE IN LAWFUL CUSTODY**

(The Hon. Brighton Yegon, M.P.)

H. MOTION – REGULATION OF THE BETTING INDUSTRY

(The Hon. Duncan Mathenge, M.P.)

I. MOTION – DEVELOPMENT AND IMPLEMENTATION OF A PROGRAMME FOR REGULARIZATION OF LAND OCCUPIED BY SQUATTERS FOR A PRESCRIBED PERIOD

(The Hon. Mark Mwenje, M.P.)



NOTICE PAPER II

Tentative business for

Wednesday (Afternoon), March 22, 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 Wednesday (Afternoon), March 22, 2023—

A. **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 Tuesday, March 21, 2023)

B. **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 21, 2023)

C. **MOTION – REPORT OF THE PROCEEDINGS OF THE FIRST ORDINARY SESSION OF THE SIXTH PAN-AFRICAN PARLIAMENT (PAP)**

(Member of the Pan-African Parliament)

(If not concluded on Tuesday, March 21, 2023)

D. **MOTION – REPORTS OF THE 144TH & 145TH ASSEMBLIES OF THE INTER-PARLIAMENTARY UNION (IPU)**

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

(If not concluded on Tuesday, March 21, 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 Tuesday, March 21, 2023)

...../Appendix*

A P P E N D I X

NOTICE OF PETITIONS, QUESTIONS & STATEMENTS

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

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 Army 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)

052/2023

The Member for Kirinyaga County (Hon. Njeri Maina, MP) to ask the Cabinet Secretary for Health: -

- (i) Could the Cabinet Secretary state the physical and technological infrastructure that the Ministry has put in place for the care and rehabilitation of people with mental health issues in the country, particularly those in Kirinyaga County?
- (ii) What measures has the Ministry instituted to support full implementation of the legal and policy framework contained in the Mental Health Act, 2022 regarding mental health?
- (iii) What action has the Ministry taken to ensure that all persons suffering from mental health issues in Kirinyaga County are registered to enable them to benefit from public programs and access information on care and management of mental health?

(To be replied before the Departmental Committee on Health)

053/2023

The Member for Tana River County (Hon. Amina Dika, MP) to ask the Cabinet Secretary for Education: -

- (i) Could the Cabinet Secretary explain the reasons why primary and secondary schools in Tana River County which have less than thirty candidates are not national examination centres despite the schools being duly registered by the Ministry?
- (ii) What measures has the Ministry put in place to address challenges faced by candidates and their parents and guardians in Tana River County who are compelled to commute for long distances or temporarily seek accommodation around approved examinations centres?
- (iii) Could the Ministry consider allowing all candidates in Tana River County to take their national examinations from registered schools where they are enrolled?

(To be replied before the Departmental Committee on Education)

054/2023

The Member for Kibwezi West (Hon. Mwengi Mutuse, MP) to ask the Cabinet Secretary for Lands, Public Works, Housing and Urban Development: -

Considering that the value attached to lands and plots compulsorily acquired for construction of *Kibwezi - Kitui Road* in 2017 and Lorry parking in Kibwezi Town have since appreciated over time, could the Cabinet Secretary –

- (i) state whether the Government has any plans to review the compensation upwards given that payment of awarded value has been delayed since 2017?
- (ii) explain the reasons as to why the Ministry and the National Land Commission have delayed payment to affected land owners since the year 2017?
- (iii) commit on when owners of the compulsorily acquired parcels of the land and plots will be compensated?

(To be replied before the Departmental Committee on Lands)

055/2023

The Member for Starehe (Hon. Amos Mwago, MP) to ask the Cabinet Secretary for Interior and National Administration: -

Could the Cabinet Secretary –

- (i) explain the circumstances under which the National Police Service unfairly terminated the service of Sergeant *Suleiman Bilali Wanjau*, aka “*Selle*” of Service No. 72242/97046796, a celebrated Kenyan boxer who won twelve medals for the country, among them two Gold Medals, and confiscated his personal belongings yet the officer had been undergoing medication and rehabilitation from mental illness at the time?
- (ii) outline the steps, if any, that have been taken to support Mr. *Selle* in order to assist him to fully recover and resume duties, including catering for his treatment and psychosocial support for mental illness suffered due to boxing?
- (iii) cause the reinstatement of *Mr. Suleiman Bilali Wanjau* and allow him to honourably retire early and pay his retirement benefits in full in honour of the seventeen years of his continuous service in the Police force and outstanding representation of the country in world boxing?
- (iv) clarify whether the National Police Service handed back to *Mr. Wanjau* all the personal belongings confiscated from him, including medals and certificates and if not, state when the belongings will be surrendered to him?
- (v) state the measures that have been put in place for the welfare of police officers who are recruited for their sports talents, especially when they cease active participation in sports or suffer adverse sports-related health effects?

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

056/2023

The Member for Thika Town (Hon. Alice Ng’ang’a, MP) to ask the Cabinet Secretary for Interior and National Administration: -

Could the Cabinet Secretary –

- (i) Provide the status of investigations into the circumstances that led to the death of one *Mr. Jeff Mwachhi* in the wee hours of 23rd February 2023 in Kasarani, Nairobi under unclear circumstances?

- (ii) Explain why no arrests have been made so far despite the case being reported at the Kasarani Police Station under *OB No. 365/2023* on 23rd February 2023 and available evidence being found at the scene?
- (iii) Consider offering any necessary financial assistance to the affected family?

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

ORDER NO.7 - STATEMENTS

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

No.	Subject	Member	Relevant Committee
1.	Issuance of Diplomatic Passports to Kenyan Athletes	<i>Hon. Cynthia Muge, M.P. (Nandi County)</i>	D.C. on Sports and Culture
