

**REPUBLIC OF KENYA****THIRTEENTH PARLIAMENT – SECOND SESSION****THE NATIONAL ASSEMBLY****VOTES AND PROCEEDINGS****THURSDAY, MARCH 02, 2023**

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Honourable Speaker

4. PETITIONS

The Speaker reported the following Petitions –

i) Regarding Amendment to the Kenya Information and Communications Act

'Honourable Members, Article 119 of the Constitution accords any person the right to petition Parliament to consider any matter within its authority. Further, Standing Order 225(2)(b) requires the Speaker to report to the House any Petition other than those presented by a Member.

In this regard, **Honourable Members**, I wish to report to the House that my office has received a petition from one Mr. Patrick Kaberia, Director of PAWA Africa, a civil society organization engaging in civic leadership, social justice, socio economic development, sustainability and Governance regarding amendment to the Kenya Information and Communications Act.

The Petitioner observes that due to rapid growth of the ICT and Digital Economy, there is an urgent need to amend the Kenya Information & Communications Act No. 2 of 1998 (Rev. 2020) to align it with the current and emerging realities of a connected digital world to enhance Growth and expansion of both Economic and social sectors of the nation.

The petitioner further highlights emerging issues in the digital economy such as Information/cyber security threats, copyrights issues, content creation, broadcast and communication, misinformation, online and mobile transactions, global competition and digital transformation that need to be regulated. This will enable the deriving of maximum benefits while averting possible threats from the IT and digital economy trends and maintaining Internet Governance.

Hon. Members, the petitioner therefore prays that the National Assembly introduces amendments to the Kenya Information & Communications Act to govern the Digital Economy.

Honourable Members, having established that the matter raised in the Petition is well within the authority of this House; and further, that the matters raised in this Petition are not pending before any court of law, constitutional or legal body, I hereby commit the Petition to the Public Petitions Committee for consideration pursuant to Standing Order 208A.

The Committee is required to consider the Petition and report its findings to the House and to the Petitioner in accordance with Standing Order 227(2). **I thank you**’.

ii) Regarding Gazettement of Rachuonyo North as a Hardship Area

’Hon. Members, in this regard, I wish to report to the House that my Office has received a Petition from one Mr. Fredrick Gaya of P.O. Box 10, Kendu-Bay, calling for the gazettement of Rachuonyo North Sub-County as a hardship area in order to improve education standards through infrastructure development, digitalization, career progression and provision of adequate number of teachers in the area.

The petitioner avers that Rachuonyo North Sub-County is currently hamstrung by prevailing hardship conditions that are a direct result of dire poverty levels in the area. Subsequently, this has adversely affected both teachers and learners in various and extensive ways.

Further, the petitioner observes that schools in Rachuonyo North Sub-County are understaffed with poorly motivated teachers who have been denied hardship allowances whilst providing the same facilities to Suba North and Suba South sub-counties despite the fact that all three sub-counties are located in Homa Bay County.

Hon. Members, the petitioner highlights the plights plaguing Rachuonyo North Sub-County as being exemplified by lack of factories, barren sandy soils, rugged and rocky terrain, poor rainfall, perennial floods, and devastating poverty that continues to affect education standards in the area. He thus seeks the intervention of this House, among other things, securing the gazettement of Rachuonyo North Sub-County as a hardship area in order to improve education standards through infrastructure development, digitisation of basic education, career progression and provision of adequate number of teachers in the area.

Honourable Members, having established that the matter raised in the Petition is well within the authority of this House; and further, that the matters raised in this Petition are not pending before any court of law, constitutional or legal body, I hereby commit the Petition to the Public Petitions Committee for consideration pursuant to Standing Order 208A.

The Committee is required to consider the Petition and report its findings to the House and to the Petitioner in accordance with Standing Order 227(2). **I thank you**.’

5. PAPERS LAID

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

- i) Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 2020 and the certificates therein:
 - a) Rangwe Technical and Vocational College;
 - b) Omuga Technical and Vocational College;
 - c) Kericho Township Technical and Vocational College;
 - d) Seme Technical and Vocational College; and
 - e) Institute of Human Resource Management.

- ii) Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June, 2021 and the certificates therein:
- a) Godoma Technical Training Institute;
 - b) Bondo Technical Training Institute;
 - c) Siala Technical Training Institute;
 - d) Seme Technical and Vocational College;
 - e) Mabera Technical and Vocational College;
 - f) Ugenya Technical and Vocational College;
 - g) Kericho Township Technical and Vocational College;
 - h) Taveta Technical and Vocational College;
 - i) Asumbi Teachers Training College;
 - j) Jaramogi Oginga Odinga University of Science and Technology;
 - k) Maseno University;
 - l) Kisumu National Polytechnic; and
 - m) Kenya Forest Service.

- iii) Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June, 2022 and the certificates therein:

- a) Infrastructure Finance and Public Private Partnerships Project – Additional Financing (IDA Credit No. 6121-KE);
- b) Kenya Off-Grid Solar Access Project for underserved counties (IDA CR.NO.6135-KE) – Rural Electrification and Renewable Energy Corporation;
- c) Mombasa-Nairobi-Addis Ababa road corridor development project: (Isiolo/Merille/Moyale Road);
- d) Capital Markets Authority; and
- e) State Department for East African Community.

(Leader of the Majority Party)

- iv) Report of the Kenya Delegation to the 145th Assembly of the Inter-Parliamentary Union (IPU) and related meetings held in Kigali, Rwanda, from 11th to 15th October, 2022. *(Subject to Speaker's approval)*

(Hon. John Kiarie – Member of Delegation to the 145th IPU Assembly)

6. NOTICES OF MOTION

The following Notice of Motion were given -

- a) **THAT**, pursuant to the provisions of Standing Order 33, the House **do adjourn** for purposes of discussing a definite matter of urgent national importance regarding the rising cases of insecurity in the North Rift Counties.

(Hon. Cecilia Ngitit)

- *And the requirements of Standing Order 33(3) having been met, the Speaker directed that the House adjourns today, Thursday, March 2, 2023 after conclusion of business appearing as Order No. 10 or one hour before the rise of the House whichever comes earlier, for purposes of discussing discuss the rising cases of insecurity in the North Rift Counties.*

- b) **THAT**, this House **notes** the Report of the Kenya Delegation to the 145th Assembly of the Inter-Parliamentary Union (IPU) and related meetings, held in Kigali Rwanda

from 11th to 15th October 2022, laid on the Table of the House on Thursday, 2nd March 2023.

(Hon. John Kiarie – Member of Delegation to the 145th IPU Assembly)

7. QUESTIONS

a) The following Question was asked –

- **Question No. 11/2023** by the Member for Suna West (Hon. Peter Masara) regarding career progression of P1 Teachers who have attained qualifications of Bachelor's Degrees in Education and are still teaching in primary schools.

(To be replied to be replied to by the Teachers Service Commission before the Departmental Committee on Education)

b) The following Question was deferred –

- **Question No. 012/2023** by the Member for Lamu East (Hon. Ruweida Obo) regarding digital exclusion of *Siu, Shanga* and *Mkokoni* in Lamu East Constituency.

8. STATEMENTS

- a) Pursuant to Standing Order 44(2)(c), the Member for Lafey (Hon. Abdirahman Mohamed Abdi) requested for a Statement from the Chairperson of the Departmental Committee on Social Protection regarding implementation of Older Persons Cash Transfer Programme (OPCT), and
- b) Pursuant to Standing Order 44(2)(a), the Leader of the Majority Party issued a Statement regarding the business for the House for the week commencing Tuesday, March 07, 2023.

9. PROCEDURAL MOTION – EXTENSION OF PERIOD FOR CONSIDERATION OF THE BUDGET POLICY STATEMENT

Motion made and Question proposed –

THAT, notwithstanding the provisions of Standing Order 232(7) relating to *presentation of Budget Policy Statement*, this House **resolves** to extend the period for consideration of the Budget Policy Statement, 2023 by a **period of fourteen (14) days** from 1st March 2023.

(The Chairperson, Budget & Appropriations Committee)

There being no Member wishing to contribute;

Question put and agreed to.

10. PROCEDURAL MOTION – EXTENSION OF PERIOD FOR CONSIDERATION OF THE DEBT MANAGEMENT STRATEGY

Motion made and Question proposed –

THAT, notwithstanding the provisions of Standing Order 232A (4) relating to *presentation of Debt Management Strategy*, this House **resolves** to extend the period for consideration of the Debt Management Strategy, 2023 by a **period of ten (10) days** from 1st March 2023.

There being no Member wishing to contribute;

Question put and agreed to.

(The Chairperson, Public Debt & Privatization Committee)

(Change of Chair from the Hon. Speaker to the Sixth Chairperson of the Committees)

11. **SPECIAL MOTION – CONSIDERATION OF A NOMINEE FOR APPOINTMENT AS THE SOLICITOR- GENERAL**

Motion made and Question Proposed

THAT, taking into consideration the findings of the Departmental Committee on Justice & Legal Affairs in its report on the vetting of a nominee for the appointment as the Solicitor General of the Republic of Kenya, *laid on the Table of the House on Wednesday, March 01, 2023* and pursuant to the provisions of section 9 of the Office of Attorney General Act, 2012 and section 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Hon. Shadrack John Mose** as the Solicitor-General of the Republic of Kenya.

(The Chairperson, Departmental Committee on Justice & Legal Affairs)

Debate arising;

Rising in his place pursuant to Standing Order 95, the Member for Gatundu South (Hon. Gabriel Kagombe) claimed to move that “The Mover be now called upon to reply”;

And the Speaker acceding to the claim;

Question put and agreed to;

Thereupon Mover replied;

Question put and agreed to.

12. **ADJOURNMENT OF THE HOUSE PURSUANT TO STANDING ORDER 33 TO DISCUSS THE RISING CASES OF INSECURITY IN THE NORTH RIFT COUNTIES**

Motion made –

THAT, this House do now adjourn to discuss a definite matter of urgent national importance regarding the rising insecurity in the North Rift Counties.

(Hon. Cecilia Ngitit)

Debate arising;

(Change of Chair from the Sixth Chairperson to the Third Chairperson of the Committee)

Debate arising;

Debate concluded.

And the time being seven O'clock the Third Chairperson adjourned the House without Question put pursuant to the Standing Orders.

13. **HOUSE ROSE** - at seven O'clock

MEMORANDUM

The Speaker will take the Chair on
Tuesday, March 07, 2023 at 2.30pm

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