



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – SECOND SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**THURSDAY, MARCH 09, 2023**

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Deputy Speaker
4. **QUORUM AT COMMENCEMENT OF THE HOUSE**  
There being no quorum present at the commencement of the House, the Deputy Speaker ordered the bell to be rung for ten minutes, and quorum having been attained within the ten minutes, business commenced.
5. **COMMUNICATION FROM THE CHAIR**

The Deputy Speaker issued the following Communications: -

**a) Recognition of a delegation from the Kingdom of Eswatini**

**“Honourable Members,** I wish to introduce to you a delegation from the Parliamentary Service Board of the Kingdom of Eswatini. The delegation comprises of the following:

- |                                       |   |
|---------------------------------------|---|
| 1. The Rt. Hon. Madam Lindiwe Dlamini | -Senate President                             |
| 2. The Hon. Mphatfwa Dlamini          | -Senator                                      |
| 3. The Hon. Victor Malambe            | -Member of the House of<br>Assembly           |
| 4. Mrs. Jabulile Mashwama             | -Board Member, Parliamentary<br>Service Board |
| 5. Ms. Hlobisile Ndlovu               | -Board Member, Parliamentary<br>Service Board |
| 6. Mr. Benedict Xaba                  | -Clerk, Parliament of Eswatini                |

**Honourable Members,** the delegation is also accompanied by Members of Staff and Members who are partners of the Parliament of Eswatini's building capital project.

**Honourable Members,** the delegation is in the country on a visit to learn about the process and approaches that the Kenyan Parliament undertook to have all its facilities in place, understand the roles and duties of Kenya's Parliamentary Service Commission and the synergy between the Commission and the larger public service.

**Honourable Members**, on my own behalf and that of the National Assembly, I welcome them to Parliament and wish them fruitful engagements during their stay in the country.

**I thank you!"**

## **6. PAPERS LAID**

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

1. The Minamata Convention on Mercury and the Explanatory Memorandum from Ministry of Foreign and Diaspora Affairs.
2. Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June, 2020 and the certificates therein:-
  - a) Nyakach Technical and Vocational College;
  - b) Runyenjes Technical and Vocational College;
3. 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) Kenya Universities and Colleges Central Placement Service;
  - b) Centre for Mathematics, Science and Technology Education in Africa;
  - c) Narok West Technical Training Institute;
  - d) Maasai Mara Technical and Vocational College;
  - e) Nuu Technical and Vocational College;
  - f) Okame Technical and Vocational College;
  - g) Sirisia Technical and Vocational College;
  - h) Kiptaragon Technical and Vocational College; and
  - i) Kenya National Highways Authority – Road Maintenance Levy Fund.
4. 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) East Africa Skills Transformation and Regional Integration Project (EASTRIP) Grant/Credit No. IDA 6334-KE;
  - b) Horn of Africa Gateway Development Project (IDA Credit No.6768) – Kenya Revenue Authority;
  - c) Public Financial Management Reforms Program (Credit Nos. DANIDA FY06, SIDA 51110081, IDA GESDEK-6133-KE, AFD/CKE 1130 & PASEDE CRISNO:041-658) – The National Treasury;
  - d) Infrastructure Finance and Public Private Partnerships Project – IDA Credit No.5157-KE; - The National Treasury;
  - e) UNICEF-Kenya Generation Unlimited (GENU) Project (Programme No. 2400/A0/A6) – Executive Office of the President;
  - f) Horn of Africa Gateway Development Project (IDA Credit No.6768 KE) – National Transport and Safety Authority; and
  - g) Kenya- - EU Partnership for the Implementation of the National Strategy to counter violent extremism in Kenya – National Counter Terrorism Centre.

*(Leader of the Majority Party)*

5. Report of the Public Debt and Privatization Committee on the 2023 Medium Term Debt Management Strategy.

*(The Chairperson, Public Debt and Privatization Committee (Hon. Abdi Shurie, MP))*

## **7. NOTICES OF MOTION**

The following Notices of Motions were given –

- i) **NATIONAL POLICY ON DEWORMING OF SCHOOL-GOING CHILDREN**

**THAT**, aware that Article 43(1)(a) of the Constitution provides that every person has the right to the highest attainable standard of health including the right to health care services; **further aware** that the relationship between health and education plays a significant role in school attendance rates; **concerned that** the negative effects of poor sanitation, such as parasite infestations, particularly among school children lead to anaemia, stunted-growth and other salient problems which in turn lead to low school attendance and impact education standards; **recognizing that**, according to research, school-based deworming is one of the most cost-effective interventions that provides a huge range of wholistic and social benefits, such as increased school attendance and healthier kids who do better in school, while utilizing already-existing school structures in administering deworming treatment to school pupils; **recalling that**, previous programmes conducted by the Ministry of Health in partnership with a non-governmental organization called *Evidence Action* have only been piloted in a few selected counties and that the deworming efforts have been uncoordinated and dependent on external support with no clear policy or budgetary framework; **now therefore**, this House **urges** that the National Government, through the Ministry of Health, develops a national policy on deworming school-going children as a crucial part of mainstreaming of healthcare access in the Country.

*(Hon. John Machua Waithaka, MP (Member Kiambu))*

ii) **CONSIDERATION OF THE REPORT OF THE 2023 MEDIUM TERM DEBT MANAGEMENT STRATEGY**

**THAT**, this House **adopts** the Report of the Public Debt & Privatization Committee on its consideration of the 2023 Medium Term Debt Management Strategy, *laid on the Table of the House on Thursday, 9<sup>th</sup> March, 2023*

*(The Chairperson, Public Debt and Privatization Committee (Hon. Abdi Shurie, MP))*

8. **QUESTIONS**

The following Questions were asked –

- a) **Question No. 031/2023** by the Member for Saboti (Hon. Caleb Amisi, MP), regarding rebranding and registration of *Barclay Bank of Kenya Limited* as *Absa Kenya Limited* in 2017.

*(To be replied to be replied by the Attorney General before the Departmental Committee on Justice and Legal Affairs)*

- b) **Question No. 033/2023** by the Member for Mwingi West (Hon. Charles Ngusya, MP), regarding electricity connection and stalled electrification projects to public institutions in Mwingi West Constituency under the Last Mile Connectivity Programme and Rural Electrification and Renewable Corporation.

*(To Be Replied by the Cabinet Secretary for Energy and Petroleum before the Departmental Committee on Energy)*

- c) **Question No. 034/2023** by the Member for Mandera South (Hon. Abdul Haro, MP) regarding percentage contribution of livestock farming to Kenya's Gross Domestic Product (GDP).

*(To be replied by the Cabinet Secretary for Agriculture and Livestock Development to be replied before the Departmental Committee on Agriculture and Livestock)*

- d) **Question No. 035/2023** by the Member for Kipipiri (Hon. Wanjiku Muhia, MP) regarding facilitation of elderly persons in the country whenever they are invited to the Beneficiary Welfare Committee Meetings.

*(To be replied by Cabinet Secretary for Labour and Social Protection before the Departmental Committee on Labour and Social Protection)*

e) **The following Question was deferred –**

Question No. 032/2023 by the Member for Homa Bay Town (Hon. Peter Kaluma, MP), to the *Teachers Service Commission* regarding details of the the last recruitment of primary and secondary teachers in the country.

**9. STATEMENTS**

- i) Pursuant to Standing Order 44(2)(a), the Leader of the Majority Party (Hon. Kimani Ichung'wah, MP) issued a Statement regarding the business for the House for the week commencing Tuesday, March 14, 2023.
- ii) Pursuant to Standing Order 44(2)(b), the Chairperson of the Public Investments Committee on Governance and Education, (Hon. Wanami Wamboka, MP) made a statement on The State of Audit Reports of Public Universities.

**10. RE-ORDERING OF BUSINESS IN THE ORDER PAPER**

Pursuant to Standing Order 40(2), the Deputy Speaker ordered for re-ordering of the sequence of Business in the Order Paper to the sequence of Order No. 9, 10 and 8 respectively.

**11. MOTION - REPORT ON THE CONSIDERATION OF THE AMENDMENTS TO THE STANDING ORDERS**

Motion made and Question proposed –

**THAT**, this House adopts the Sixth Report of the Procedure and House Rules Committee on Amendments to the Standing Orders, *laid on the Table of the House on Wednesday, 8<sup>th</sup> March, 2023* and pursuant to the provisions of Article 124(1) of the Constitution and Standing Order 265-

- (i) **approves** the proposed amendments to the Standing Orders as contained in Annex 3 of the Report;
- (ii) **resolves** that the amendments agreed to in Committee of the whole House and approved by the House shall take effect on Thursday, 23<sup>rd</sup> March 2023; and
- (iii) **further resolves** that the Questions pending Reply as at the commencement date shall be disposed of by the respective Committees.

*(The Chairperson, Committee on Procedure and House Rules)*

Debate arising

Question put and agreed to.

**12. COMMITTEE OF THE WHOLE HOUSE**

Order for Committee Read;

**IN THE COMMITTEE**

The Hon. Deputy Speaker in the Chair

**Amendments to the National Assembly Standing Orders**

**Committee of the Whole House on Amendments to the National Assembly Standing Orders**

**STANDING ORDER 4 – amendment proposed**

**THAT**, the Standing Order be amended by deleting Standing Order 4 and substituting therefor the following new Standing Order—

**Election of Speaker after a General Election**

4. A Speaker shall be elected when the House first meets after a General Election and before the House proceeds with the dispatch of any other business, except the administration of the Oath or Affirmation of Office to Members present.

*(1<sup>st</sup> Chairperson of Committees)*

Question of the amendment proposed;

Question put and agreed to;

Standing Order 4 as amended - agreed to.

**STANDING ORDER 25A-** amendment proposed

**THAT**, Standing Order 25A be amended by deleting paragraph (b) and substituting therefor the following new paragraphs—

“(b) a Cabinet Secretary to expound on government policy, reply to Questions and provide Reports concerning matters under his or her control;

(c) other persons to make submissions or presentations before the House.”

*(1<sup>st</sup> Chairperson of Committees)*

Question of the amendment proposed;

Question put and agreed to;

Standing Order 25A as amended - agreed to.

**STANDING ORDER 30-** amendment proposed

**THAT**, Standing Order 30 be amended by deleting paragraph (2) and substituting therefor the following new paragraph—

(2) Unless the Speaker or the Chairperson (as the case may be) directs earlier or later interruption of business for the convenience of the House, the Speaker or the Chairperson of Committees shall interrupt the business then under consideration and if the House is in Committee the Chairperson shall leave the Chair and report progress and ask leave to sit again—

(a) at 1.00 p.m. during a morning sitting;

(b) at 7.00 p.m. during an afternoon sitting on Tuesday and Thursday;

(c) at 9.00 p.m. during an afternoon sitting on Wednesday; or

(d) if it is an Allotted Day—

(i) at 7.30 p.m. during an afternoon sitting on Tuesday and Thursday;

(ii) at 9.30 p.m. during an afternoon sitting on Wednesday.

*(1<sup>st</sup> Chairperson of Committees)*

Question of the amendment proposed;

Question put and agreed to;

Standing Order 30 as amended - agreed to.

**STANDING ORDER 39 -** amendment proposed

**THAT**, the Standing Orders be amended by deleting Standing Order 39 and substituting therefor the following new Standing Order—

**39.** The Clerk shall prepare and publish on the parliamentary website a tentative list of Cabinet Secretaries scheduled to reply to Questions and provide Reports to

the House, a weekly programme showing the business of the House and a schedule of sittings of the various committees; and shall circulate such programmes to Members, State Departments, and the media not later than the Friday of the week preceding such business.

*(1<sup>st</sup> Chairperson of Committees)*

Question of the amendment proposed;

Question put and agreed to;

Standing Order 39 as amended - agreed to.

**STANDING ORDER 40-** amendment proposed

**THAT**, Standing Order 40 be amended by inserting the following new paragraph immediately after paragraph (3)—

“(3A) On Wednesday afternoon, Questions and Reports by Cabinet Secretaries shall have precedence over all other business for a period not exceeding three hours.”

*(1<sup>st</sup> Chairperson of Committees)*

Question of the amendment proposed;

Question put and agreed to;

Standing Order 40 as amended - agreed to.

**STANDING ORDER 42A-** amendment proposed

**THAT**, Standing Order 42A be amended—

(a) by deleting paragraph (5) and substituting therefor the following new paragraphs—

“(5) A Member shall ask his or her Question on the day it is scheduled in the Order Paper.

(5A) The Leader of the Majority Party shall inform the House of the date, time and order in which Cabinet Secretaries shall appear to reply to Questions and provide Reports to the House and committees, subject to paragraph (6).”;

(b) by inserting the following new paragraphs immediately after paragraph (6)—

“(6A) The Speaker may, on request of the Leader of the Majority Party vary the order in which Questions shall be disposed of, or defer a Question scheduled to be responded to.

(6B) A Cabinet Secretary shall attend and answer any Question concerning matters for which the Cabinet Secretary is responsible.”

(c) in paragraph (7) by deleting the expression “paragraph (5) and (6)” appearing immediately after the words “duties under” and substituting therefor the expression “paragraph (5A), (6) and (6A)”.

*(1<sup>st</sup> Chairperson of Committees)*

Question of the amendment proposed;

Question put and agreed to;

Standing Order 42A as amended - agreed to.

**STANDING ORDER 42B-** amendment proposed

**THAT**, Standing Order 42B be amended—

- (a) in paragraph (1) by deleting the words “and Questions referred to Committees for reply” appearing immediately after the word “House” and substituting therefor the words “and replied to in the House or before a committee”;
  - (b) in paragraph (4) by deleting the word “Committee” appearing immediately after the words “referred to a” and substituting therefor the words “Cabinet Secretary”;
  - (c) by deleting paragraph (5A) and substituting therefor the following new paragraph—
- (5A) A Member scheduled to ask a Question in the House may—
- (a) request the Speaker to defer a Question to another time or day;
  - (b) withdraw a Question where it has been overtaken by events; or
  - (c) at least two hours before a sitting, nominate another Member to ask the Question in his or her absence by notifying the Speaker in writing.
- (d) by inserting the following new paragraph immediately after paragraph (6)—
- “(7) A Question may include a request for a Report from a Cabinet Secretary concerning matters under the control of the Cabinet Secretary.”
- (1<sup>st</sup> Chairperson of Committees)*

Question of the amendment proposed;

Question put and agreed to;

Standing Order 42B as amended - agreed to.

**STANDING ORDER 42C- amendment proposed**

**THAT**, the Standing Orders be amended by deleting Standing Order 42C and substituting therefor the following new Standing Order—

**Manner of disposing of Questions**

- 42C.** (1) A Cabinet Secretary shall provide physical and electronic copies of the reply to a Question at least a day before appearing before the House.
- (2) Subject to Standing Order 42A (Notice of Question), the House shall dispose of a Question in the sequence it appears in the Schedule of Questions or as the Speaker may direct.
- (3) The Speaker may—
- (a) permit the Member who raised a Question to ask a maximum of two supplementary Questions that relate to the original Question;
  - (b) permit a Member other than the Member who asked a Question to ask a further supplementary Question that relates to the original Question;
  - (c) direct a Cabinet Secretary to provide additional information or a further reply to a Question or supplementary Questions to the relevant committee of the House; or
  - (d) defer a Question to a different time or day from its scheduled time and day.
- (4) A Cabinet Secretary shall reply to a Question on the day it is scheduled for reply notwithstanding the absence of the Member who raised the Question.

*(1<sup>st</sup> Chairperson of Committees)*

Question of the amendment proposed;

Question put and agreed to;

Standing Order 42C as amended - agreed to.

**STANDING ORDER 42E- amendment proposed**

**THAT**, Standing Order 42E be amended—

- (a) in paragraph (1) by deleting the words “thirty days of referral of a Question to a Committee” appearing immediately after the words “within” and substituting therefor the words “fourteen days of referral of the Question”
- (b) in paragraph (2) by deleting the words “three days of referral of a Question to a Committee” appearing immediately after the words “within” and substituting therefor the words “forty-eight hours of referral of the Question”.

*(1st Chairperson of Committees)*

Question of the amendment proposed;

Question put and agreed to;

Standing Order 42E as amended - agreed to.

**STANDING ORDER 42G-** amendment proposed

**THAT**, the Standing Orders be amended by deleting Standing Order 42G and substituting therefor the following new Standing Order—

**Questions to Commissions and Independent Offices**

**42G.** (1) Subject to paragraph (2) this Part shall apply to a Question directed to a Commission or Independent Office with necessary modifications.

(2) A Commission or Independent Office to which a Question is directed shall reply before the relevant Committee of the House.

*(1st Chairperson of Committees)*

Question of the amendment proposed;

Question put and agreed to;

Standing Order 42G as amended - agreed to.

**STANDING ORDER 216-** amendment proposed

**THAT**, Standing Order 216 be amended by inserting the following new paragraph immediately after paragraph (7)—

“(8) Where the Minority Party is the party forming the National Government, the duties under paragraph (6) and (7) shall be undertaken by the Leader of the Minority Party.”

*(1st Chairperson of Committees)*

Question of the amendment proposed;

Question put and agreed to;

Standing Order 216 as amended - agreed to.

**SCHEDULES**

**SECOND SCHEDULE -** amendment proposed

**THAT**, the Second Schedule to the Standing Orders be amended—

- i. in the item relating to the Departmental Committee on Administration and Internal Affairs by deleting the word “Affairs” appearing in the first column and substituting therefor the word “Security”; and



- ii. in the item relating to the Departmental Committee on Blue Economy and Irrigation by deleting the words “Blue Economy and Irrigation” appearing in the first column and substituting therefor the words “ Blue Economy, Water and Irrigation”.

*(1st Chairperson of Committees)*

Question of the amendment proposed;

Question put and agreed to;

The Second Schedule as amended - agreed to.

Amendments to Standing Orders to be reported.

**13. HOUSE RESUMED** - the Deputy Speaker in the Chair

**(i) The Amendments to the National Assembly Standing Orders**

Amendments to Standing Orders reported;

Motion made and Question proposed –

THAT, the House do agree with the Committee in the said report;

*(1st Chairperson of Committees)*

Question put and agreed to.

**14. 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**

Motion made and Question proposed -

**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.*

*(Hon. Dido Raso, MP)*

*(Change of Chair from the Deputy Speaker to the 1<sup>st</sup> Chairperson)*

Debate Arising;

Rising in his place on a Point of Order under Standing Order 35, the Member for Kajiado Central (Hon. Elijah Memusi) claimed that there was not a Quorum present.

Having determined that there was no Quorum present in the House, the 1<sup>st</sup> Chairperson ordered that the Quorum Bell be rung for ten minutes; And Quorum having not been attained at the expiry of the ten Minutes;

And the time being twenty minutes to six O'clock, the 1<sup>st</sup> Chairperson of Committees interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

**15. HOUSE ROSE** - at twenty minutes to six O'clock.

**M E M O R A N D U M**

The Speaker will take the Chair on  
Tuesday, March 14, 2023 at 2.30 p.m.