



**REPUBLIC OF KENYA**  
**THIRTEENTH PARLIAMENT – (SECOND SESSION)**  
**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**WEDNESDAY, APRIL 12, 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 FOR  
CONSIDERATION OF A SPECIAL  
MOTION ON APPROVAL OF  
APPOINTMENT**

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

**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 a special motion relating to the approval of a nominee submitted by His Excellency the President for appointment as **the Chairperson of the Ethics and Anti-Corruption Commission** by a period of **fourteen (14) days from 12<sup>th</sup> April 2023.**

**9\*. THE POLITICAL PARTIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2022)**

(The Chairperson, Procedure and House Rules Committee)

First Reading

**10\*. THE PARLIAMENTARY POWERS AND PRIVILEGES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2022)**

(The Chairperson, Procedure and House Rules Committee)

First Reading

**11\*. SPECIAL MOTION – CONSIDERATION OF NOMINEE FOR APPOINTMENT AS A MEMBER OF THE NATIONAL GENDER AND EQUALITY COMMISSION (NGEC)**

(The Chairperson, Departmental Committee on Social Protection)

**THAT**, taking into consideration the findings of the Departmental Committee on Social Protection in its Report on the vetting of a nominee for the appointment as a member of the National Gender and Equality Commission, *laid on the Table of the House on Tuesday, 11<sup>th</sup> April 2023*, and pursuant to the provisions of Article 250(2) of the Constitution, section 11(7) of the National Gender Equality Commission Act, 2011 and section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Dr. Margaret Karungaru** as a Member of the National Gender and Equality Commission.

**12\*. MOTION – RATIFICATION OF THE AGREEMENT BETWEEN KENYA AND THE UNITED KINGDOM ON DEFENCE COOPERATION**

(The Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations)

**THAT**, this House **adopts** the Report of the Departmental Committee on Defence, Intelligence and Foreign Relations on its consideration of the Agreement between the Government of the Republic of Kenya and the Government of the United Kingdom of Great Britain and Northern Ireland on Defence Cooperation, *laid on the Table of the House on Tuesday, 21<sup>st</sup> March 2023*, and pursuant to the provisions of section 8(4) of the Treaty Making and Ratification

...../12\*(Cont'd)

Act, 2012, **approves** *the Ratification of the Agreement between the Government of the Republic of Kenya and the Government of the United Kingdom of Great Britain and Northern Ireland on Defence Cooperation*, subject to the following reservations:

- (i) Article 6 (5) of the Agreement be amended by inserting a new paragraph immediately after paragraph (h) to include murder as one of the offences which are under the jurisdiction of the Host Nation; and
- (ii) Article 23 of the Agreement be amended to include Corporate Social Responsibility.

*(Resumption of debate interrupted on Tuesday, April 11, 2023)*

*(Balance of time - 1 hour 8 minutes)*

**13\*. MOTION – RATIFICATION OF THE AFRICAN UNION TREATY FOR THE ESTABLISHMENT OF THE AFRICAN MEDICINES AGENCY (AMA)**

*(The Chairperson, Departmental Committee on Health)*

**THAT**, this House **adopts** the Report of the Departmental Committee on Health on its consideration of the Ratification of the African Union Treaty for the Establishment of the African Medicines Agency (AMA), *laid on the Table of the House on Tuesday, 21<sup>st</sup> March 2023*, and pursuant to the provisions of section 8(4) of the Treaty Making and Ratification Act, 2012, **approves** *the Ratification of the African Union Treaty for the Establishment of the African Medicines Agency*.

**14\*. 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.

*(Resumption of debate interrupted on Thursday, March 23, 2023)*

*(Balance of time - 1 hour 45 minutes)*

15\*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL  
(NATIONAL ASSEMBLY BILL NO. 60 OF 2022)

(The Leader of the Majority Party)

Second Reading

16\*. 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 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)*

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

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...../Notices\*

**NOTICES****NOT LATER THAN 3.00 P.M.****I. QUESTION TIME IN PLENARY: -**

**PURSUANT** to the provisions of Standing Order 42(A)(6B), the Speaker will today, not later than 3.00 p.m., invite the Cabinet Secretary for Interior and National Administration to respond to Questions as appearing in the Appendix.

**LIMITATION OF DEBATE**

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

**Limitation of Debate on Motions**

- II. THAT**, each speech in a debate on any **Motion, including a Special motion** shall 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**

- 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.

**Limitation of Debate on Bills sponsored by Parties or Committees**

- V.** **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** shall 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.

# **NOTICE PAPER**

## **Tentative business for** **Thursday, April 13, 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 Thursday, April 13, 2023—

- A. **THE STATUTORY INSTRUMENTS (AMENDMENT) BILL**  
**(NATIONAL ASSEMBLY BILL NO. 37 OF 2022)**  
(The Chairperson, Procedure and House Rules Committee)

First Reading

- B. **THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL**  
**(NATIONAL ASSEMBLY BILL NO. 38 OF 2022)**  
(The Chairperson, Procedure and House Rules Committee)

First Reading

- C. **SPECIAL MOTION -** **CONSIDERATION OF NOMINEE FOR**  
**APPOINTMENT AS CHAIRPERSON OF THE**  
**KENYA FISH MARKETING AUTHORITY**  
(The Chairperson, Departmental Committee on Blue Economy, Water and Irrigation)

*(Subject to tabling of Committee Report and Notice of Motion)*

- D. **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)

*(If not concluded on Wednesday, April 12, 2023 – Afternoon Sitting)*

- 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 Wednesday, April 12, 2023 – Afternoon Sitting)*

**F. 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 Wednesday, April 12, 2023 – Afternoon Sitting)*

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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(6B), the **Cabinet Secretary for Interior and National Administration** will respond to the following Questions in plenary on Wednesday (Afternoon), April 12, 2023 –

#### **QUE. NO**

#### **QUESTION BY PRIVATE NOTICE**

**QPN  
005/2023**

**The Member for Chuka Igambang'ombe (Hon. Patrick Munene, MP) to ask the Cabinet Secretary for Interior and National Administration: -**

Could the Cabinet Secretary –

- (i) explain the circumstances that led to the killing of *Mr. Daniel Mutembei* on the 18<sup>th</sup> of March 2023 in *Nkwegu* village within *Rubate* Location, Tharaka Nithi County which was reported to the police under OB 07/19/03/2023?
- (ii) indicate whether the perpetrators of the criminal act have been apprehended since the locals thereafter staged demonstrations against police inaction in arresting the suspect(s)?
- (iii) state the measures in place to protect the applicants in the Criminal Application No. E007 of 2023 filed in the High Court of Kenya in *Chuka*, from threats of impending arrests without formal charges being preferred against them and threats to their lives leading them to be immobile and unable to be united with their families?
- (iv) state the circumstances that led to the fatal shooting of the chairperson of the boda-boda operators allegedly by a police officer during the said demonstrations on 18<sup>th</sup> of March 2023 and clarify whether the police officer has been identified, arrested and charged?

**QUE. NO****ORDINARY QUESTIONS**

074/2023

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

- (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?

105/2023

**The Member for Mandera South (Hon. Abdul Haro, MP) to ask the Cabinet Secretary for Ministry of Interior and National Administration: -**

Could the Cabinet Secretary:-

- (i) state the measures being taken to establish civil registration centres in every sub-county in the country, so as to ease access to civil registration services?
- (ii) state the measures the Ministry is putting in place to immediately set up a civil registration at *Elwak* and *Kotulo* Sub-Counties in Mandera South to serve the huge population in the region considering that the closest civil registration centre to Mandera South Constituency is located nearly 220 kilometres away from Mandera Town and also serves Mandera North, Mandera West, Banissa and Lafey Constituencies?

106/2023

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

Could the Cabinet Secretary: -

- (i) Clarify whether Occurrence Book Nos. OB No 10/11/01/2022 at 1805 Hrs. and 07/9/05/2022 at 1125Hrs reported at *Kagumo* Police Post; OB No. 14/24/9/2022 and OB No. 09/10/12/2021 reported at *Kabonge* Police Post in the name of one *Laban Rukanya Munene* relate to the same person?
- (ii) explain under what circumstances did the above-mentioned person, with all the four entries in the Occurrence Books, has only been arrested once and failed to attend Court for Case No. 356/22 despite having a warrant of arrest in his name?
- (iii) state the reasons as to why the said person was released from *Kagumo* Police Post in September 2022 despite having serious pending cases against him?

107/2023

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

Could the Cabinet Secretary -

- (i) explain the measures the Ministry has instituted to address the emergence of criminal gangs or groups with terror links or affiliated to terror groups in the country, including action being taken against those that are facilitating, with links or sponsoring such groups ?
  - (ii) describe the strategies the Ministry has put in place to deal with the emergence of criminal gangs in major towns of Nakuru, Nairobi, and Mombasa and other towns, and in particular the criminal gangs known as *Wicame* militia group that is terrorizing residents in *Kagumo* Town in Kirinyaga Central Constituency?
  - (iii) explain the security measures that the Ministry has put in place to address rampant insecurity incidences in Kerugoya Town, especially along *Mwinga-Iri* Road and the road to *Kimari* area?
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