



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, AUGUST 15, 2024 AT 2.30 P.M

1. The House assembled at Thirty Minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Second Chairperson of Committees
4. **COMMUNICATIONS FROM THE CHAIR**

The Speaker issued the following Communication—

On Appointment of Members to the Mediation Committee on the Sugar Bill, 2022

“Honourable Members, As you are all aware, on Thursday, 1st August 2024, the House approved the Motion on the Report of the Committee of the Whole House on the consideration of the Senate amendments to the Sugar Bill (National Assembly Bill No. 34 of 2022). Notably, the Committee had rejected some of the Senate amendments to the Bill. This decision consequently committed the Bill to a Mediation Committee in accordance with the provisions of Article 112 of the Constitution and Standing Order 149.

Honourable Members, Article 113 of the Constitution requires that whenever a Bill is referred to a mediation committee, the Speakers of the Houses of Parliament shall appoint an equal number of Members from both Houses to attempt to develop a version of the Bill for consideration by the Houses of Parliament.

In this regard, **Honourable Members,** having consulted with the Leader of the Majority Party and the Leader of the Minority Party, I have appointed the following Members to represent the National Assembly in the Mediation Committee on the Sugar Bill, 2022—

- (1)The Hon. Emmanuel Wangwe, CBS, MP;
- (2)The Hon. (Dr.) John Mutunga, MP;
- (3)The Hon. Justice Kemei, MP;
- (4)The Hon. John Okwisia Makali, MP;
- (5)The Hon. Nabii Nabwera Daraja, MP;
- (6)The Hon. John Walter Owino, MP; and
- (7)The Hon. Peter Masara, MP.

Honourable Members, the aforementioned Members will await the appointment of Senators to the Mediation Committee for the Committee to be fully constituted, for purposes of commencing the mediation process. Once I receive a Message from the Senate to that effect, I will convey the same to the House.

Thereafter, the Mediation Committee will embark on an attempt to develop a version of the Bill for consideration by the Houses of Parliament in accordance with Article 113 of the Constitution. **I thank you!"**

5. PAPERS

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

- (a) The Draft Public Procurement and Asset Disposal (Amendment) Proposed Regulations, 2024 and related annexures from the National Treasury;
- (b) The Quarterly Economic and Budgetary Review Reports in the 2023/24 Financial Year from the National Treasury;
- (c) Insurance Industry Annual Report of 2022 from the National Treasury;
- (d) Monetary Policy Committee Report for April 2024 from the National Treasury;
- (e) Annual Report for the Financial Year 2022/2023 from the Office of the Director of Public Prosecutions;
- (f) Audited Finance Statements for the year 2022/2023 from Laikipia University; and
- (g) Annual Report for Financial Year 2022/2023 from the Salaries and Remuneration Commission.
- (h) Reports of the Auditor-General and Financial Statements for the year ended 30th June, 2023 and the certificates therein in respect of the following institutions:
 - (i) Geothermal Development Company Limited;
 - (ii) Lake Victoria South Water Works Development Agency;
 - (iii) Kenya Petroleum Refineries Limited;
 - (iv) Kenya Meat Commission;
 - (v) Kenya Wildlife Service;
 - (vi) National Museums of Kenya;
 - (vii) National Oil Corporation of Kenya Limited; and
 - (viii) Nzoia Sugar Company Limited.
- (i) Reports of the Auditor-General and Financial Statements for the year ended 31st December 2023 and the certificates therein in respect of the following institutions:

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 - (i) ADCAFC Development Limited Liability Partnership; and
 - (ii) Institute of certified investment and financial analysis.
- (j) Reports of the Auditor-General and Financial Statements of the National Governments Constituencies Development Fund (NG-CDF) for the year ended 30th June, 2023 and the certificates therein in respect of the following Constituencies:

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(i) Chepalungu;	(vii) Narok North;
(ii) Kisumu East;	(viii) Kilome;
(iii) Mwingi North;	(ix) Kinangop;
(iv) Mwingi West;	(x) Mukurweini;
(v) Nakuru Town West;	(xi) Ol Jorook; and
(vi) Kaiti;	(xii) Maragua.

(Deputy Leader of the Majority Party)

- (k) Report of the Departmental Committee on Administration and Internal Security on its attendance of the Commission on Narcotic Drugs held in Vienna, Austria from 14th to 22nd March 2024.

(Vice Chairperson, Departmental Committee on Administration and Internal Security)

- (l) Report of the Diaspora and Migrant Workers Committee on the Inquiry into the role and conduct of private employment agencies in the recruitment of migrant workers and placement of students abroad.

(Chairperson, Diaspora and Migrant Workers Committee)

- (m) Report of the Departmental Committee on Lands on its' Consideration of the Land Control Bill (National Assembly Bill No. 39 of 2023)

(Hon. Joseph Gitari - Member, Departmental Committee on Lands)

NOTICES OF THE MOTION

The following notices of Motion were given –

- (i) **Inquiry into the role and conduct of private employment agencies in the recruitment of migrant workers and placement of students abroad**

THAT, this House **adopts** the Report of the Diaspora and Migrant Workers Committee on the inquiry into the role and conduct of private employment agencies in the recruitment of migrant workers and placement of students abroad, *laid on the Table of the House on Thursday, 15th August 2024.*

(Chairperson, Diaspora and Migrant Workers Committee)

- (ii) **Motion on comprehensive Reform of Education Bursary Schemes to ensure free Basic Education in Kenya**

THAT, aware that Article 43(1) as read together with the Article 53(1)(b) of the Constitution provides that every person has the right to education and enshrines the right of every child to free and compulsory basic education; further aware that Kenya Vision 2030 identifies education as a crucial component for transforming the country into a globally competitive nation; appreciating that bursaries play a vital role in supplementing funding for enhancing access to education, particularly for students from disadvantaged backgrounds and contributes to the realization of universal basic education; noting that various education bursaries exist in the country including ward-based level bursary, County Government's bursary, National Government Constituencies Development Fund (NG-CDF), the National Government Affirmative Action Fund (NGAAF) and the Presidential Secondary School bursary (PSSB); further noting that the evolution of bursary schemes from centralized to community-based administration aimed to enhance educational access, equity and responsiveness to local needs; concerned that despite these efforts, the current bursary system faces numerous challenges including lack of standardized and transparent selection criteria, delay in disbursement of funds and insufficient coverage of education costs leading to gaps in support; further concerned that these challenges have resulted in persistent disparities in education access, increased dropout rates particularly in secondary schools due to financial constraints and strain on household incomes as families struggle to meet educational expenses not covered by bursaries; acknowledging that the implementation of community-based bursary scheme has not fully achieved its intended objective hence the need to re-evaluate the current bursary systems with a view to ensure equitable and free access to quality education for all students; cognizant that the duty of the government to provide free basic education can best be achieved by consolidating education funds and directly remitting to public schools; now therefore, this House **urges** that the government, through the Ministry of Education, in collaboration with the relevant stakeholders, undertakes a comprehensive overhaul of the education bursary system with a view to collapse all bursary schemes and allocate the funds to the State Department of Education for provision of free basic education through capitation to be directly remitted to schools.

(Hon. Esther Passaris)

6. REQUESTS FOR STATEMENTS PURSUANT TO STANDING ORDER 44(2)(c)

Pursuant to the provisions of Standing Order 44(2)(c), the following Members requested for Statements:

- (i) The Member for Kandara (Hon. Chege Njuguna) requested for a Statement from the Chairperson of the Departmental Committee on Administration and Internal

Security regarding the appointment and conduct of the Chairperson of the Betting, Control and Licensing Board;

- (ii) The Member for North Horr (Hon. Adhe Wario) requested for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the tragic attack on civilians along the Kenya-Ethiopia border in Marsabit County;
- (iii) The Member for Fafi (Hon. Farah Yakub) requested for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding insecurity in Fafi Constituency;
- (iv) The Member for Garsen (Hon. Ali Wario) requested for a Statement from the Chairperson of the Departmental Committee on Tourism and Wildlife regarding indefinite closure of *Malka-Halaku* corridor;
- (v) The Member for Lurambi (Hon. Titus Khamala) requested for a Statement from the Chairperson of the Departmental Committee on Agriculture and Livestock regarding reduction of sugarcane prices by the Agriculture and Food Authority (AFA);
- (vi) The Member for Kakamega County (Hon. Elsie Muhanda) requested for a Statement from the Chairperson of the Departmental Committee on Agriculture and Livestock regarding the interim cane prices for the month of August 2024 set by the Agriculture and Food Authority (AFA);
- (vii) The Member for Kisii County (Hon. Dorice Donya) requested for a Statement from the Chairperson of the Departmental Committee on Education regarding school start time for school-going children;
- (viii) The Member for Ijara (Hon. Abdi Ali Abdi) requested for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding brutal attack of herders in *Gababa* location in *Ijara* Constituency;

[Change of Chair from the Second Chairperson to the Sixth Chairperson of Committees]

- (ix) The Nominated Member (Hon. Sulekha Harun) requested for a Statement from the Chairperson of the Departmental Committee on Energy regarding the status of *Ashabito* Mini-Grid in Mandera County;
- (x) The Member for Laisamis (Hon. Joseph Lekuton) requested for a Statement from the Chairperson of the Departmental Committee on Finance and National Planning regarding the operations and performance of the Unclaimed Financial Assets Authority;
- (xi) The Member for Baringo Central (Hon. Joshua Kandie) requested for a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding dilapidated state of roads in Baringo Central;
- (xii) The Member for Embu County (Hon. Njoki Njeru) on behalf of the Member for Sigowet Soin (Hon. Justice Kemei) requested for a Statement from the Chairperson of the Departmental Committee on Health regarding the recent outbreak of Mpox in East and Central Africa;
- (xiii) The Member for Bumula (Hon. Wanami Wamboka) requested for a Statement from the Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations regarding the disparities in the recruitment by the Kenya Defence Forces;
- (xiv) The Member for Wundanyi (Hon. Danson Mwashako) requested for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding insecurity in Taita -Taveta County;

- (xv) The Member for Kitutu Masaba (Hon. Clive Gisairo) requested for a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding Aircraft Safety in the country; and
- (xvi) The Member for Turkana South (Hon. Ariko Namoit) requested for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the long-standing conflicts between the Turkana and Pokot communities.

7. STATEMENT PURSUANT TO STANDING ORDER 43

Pursuant to the provisions of Standing Order 43, the Member for Manyatta (Hon. John Mukunji) issued a Statement regarding the 2024 Kenya Young Parliamentarians Association (KYPA) Bunge Youth Dialogue held on Monday, 12th August, 2024 in Nairobi.

8. STATEMENT PURSUANT TO STANDING ORDER 44(2)(a)

Pursuant to the provisions of Standing Order 44(2)(a), the Deputy Leader of the Majority Party issued a Statement regarding the business of the House for the week commencing Tuesday, 17th September 2024.

9. MOTION – APPOINTMENT OF A FIRM TO PROVIDE EXTERNAL AUDIT SERVICES TO THE OFFICE OF THE AUDITOR-GENERAL

Motion made and Question proposed-

THAT, this House **adopts** the Report of the Public Accounts Committee on the Procurement of External Audit Services for the Office of the Auditor-General for the Financial Years 2022/2023, 2023/2024 and 2024/2025, *laid on the Table of the House on Wednesday, 14th August 2024*, and pursuant to the provisions of Article 226(4) of the Constitution and section 43 of the Public Audit Act, CAP 412B, **appoints M/s PKF Kenya LLP** for purposes of providing external audit services to the Office of the Auditor General (OAG) with respect to—

- (i) the Accounts of the Office of the Auditor General for the period 2022/2023, 2023/2024 and 2024/2025; and
- (ii) the Financial Statements for the Staff Mortgage and Car Loan Scheme of the Office of the Auditor General for the Financial Years 2022/2023, 2023/2024 and 2024/2025.

(Vice Chairperson, Public Accounts Committee – 14.08.2024)

Debate on the Motion having been concluded on Wednesday, 14th August 2024 (Afternoon sitting);

Question put and agreed to.

10. THE KENYA REVENUE AUTHORITY (AMENDMENT) (No. 2) BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2024)

(The Leader of the Majority Party)

Order for First Reading Read;

Bill Read a First Time and committed to the relevant Departmental Committee pursuant to Standing Order 127(1).

11. THE MUNG BEANS BILL (SENATE BILL NO. 13 OF 2022)

Motion made and Question proposed-

THAT, the Mung Beans Bill (Senate Bill No. 13 of 2022) be now read a second time.
(Hon. Paul Nzengu – Co-Sponsor – 14.08.2024)

Debate adjourned on Wednesday, 14th August 2024 (Afternoon sitting) resumed;

QUORUM OF THE HOUSE

Rising in his place on a Point of Order pursuant to Standing Order 35, the Member for Funyula (Hon. (Dr.) Wilberforce Oundo) drew the attention of the Sixth Chairperson to the fact that there was no Quorum in the House;

And the Sixth Chairperson having ascertained the claim, ordered the Quorum Bell to be rung for ten (10) minutes;

And Quorum having not been attained at the expiry of ten (10) minutes;

And the time being nineteen minutes past Five O'clock;

The Sixth Chairperson adjourned the House without Question put pursuant to the Standing Orders.

12. HOUSE ROSE - at nineteen minutes past Five O'clock

M E M O R A N D U M

The Speaker will take the Chair on,
Tuesday, 17th September 2024 at 2.30 p.m.

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