



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, JULY 24, 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 Rt. Honourable Speaker.
4. **Communication from the Chair**

The Hon. Speaker issued the following Communication:

Appointment of Members to a Mediation Committee on the National Rating Bill, 2022

“Honourable Members,

You will recall that on Wednesday, 12th June 2024, the House rejected Senate’s amendments to the National Rating Bill (National Assembly Bill No. 55 of 2022). Consequently, the said Bill was referred to a Mediation Committee in accordance with 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 appoint an equal number of Members of each Houses to attempt to develop a version of the Bill that Houses will pass.

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–

- i) The Hon. Joash Nyamoko, MP;
- ii) The Hon. Jayne Kihara, MP;
- iii) The Hon. Josses Lelmengit, MP;
- iv) The Hon. Joseph Gitari, MP;
- v) The Hon. Mathias Robi, MP;
- vi) The Hon. Paul Katana, MP;
- vii) The Hon. (Eng.) Thuddeus Nzambia, MP;
- viii) The Hon. Zamzam Mohamed, MP; and
- ix) The Hon. Fatuma Jehow, MP.

Honourable Members, we shall 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 mediated version of the Bill in accordance with Article 113 of the Constitution.

The House is accordingly guided. I thank you!”

5. **MESSAGES**

The Rt. Hon. Speaker reported the following Message from the President to the House
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Nomination of persons for appointment to the Offices of Cabinet Secretaries

“Honourable Members,

Standing Order 42(1) relating to ‘Messages from the President’ provides that-

“The Speaker shall read to the House any message from the President delivered to the Speaker for communication to the House”.

In this regard, I wish to convey to the House that this afternoon, I have received a further Message from His Excellency the President, notifying the nomination of various persons for appointment to the Offices of Cabinet Secretaries. The names are in addition to the ones I conveyed to the House yesterday.

In the Message, Honourable Members, His Excellency the President conveys that, in exercise of powers conferred on him by Articles 152(2) of the Constitution, as read together with sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, 2011, he nominates various persons for appointment to the aforementioned offices.

For clarity, Article 152(2) of the Constitution states and I quote -

“152 (2) The President shall nominate and, with the approval of the National Assembly, appoint Cabinet Secretaries.”

The names of persons submitted to this House for approval for appointment as Cabinet Secretaries are as follows—

	NOMINEE	MINISTRY/OFFICE
(1)	Hon. John Mbadi Ng'ongo, EGH	Cabinet Secretary, The National Treasury and Economic Planning
(2)	Hon. Salim Mvurya Mgala, EGH	Cabinet Secretary, Ministry of Investments, Trade & Industry
(3)	Ms. Rebecca Miano, EGH	Cabinet Secretary, Ministry of Tourism and Wildlife
(4)	Hon. James Opiyo Wandayi, EGH	Cabinet Secretary, Ministry of Energy and Petroleum
(5)	Hon. Onesimus Kipchumba Murkomen, EGH	Cabinet Secretary, Ministry of Youth Affairs, Creative Economy & Sports
(6)	Hon. Hassan Ali Joho, EGH	Cabinet Secretary, Ministry of Mining, Blue Economy and Maritime Affairs
(7)	Hon. (Dr.) Alfred Nganga Mutua, EGH	Cabinet Secretary, Ministry of Labour and Social Protection
(8)	Hon. Wycliffe Ambetsa Oparanya, EGH	Cabinet Secretary, Ministry of Co-operatives and Micro, Small & Medium Enterprises (MSMEs) Development
(9)	Hon. Justin Bedan Njoka Muturi, EGH	Cabinet Secretary, Ministry of Public Service & Human Capital Development
(10)	Ms. Stella Soi Lang'at	Cabinet Secretary, Ministry of Gender, Culture, The Arts & Heritage

In view of the foregoing and pursuant to the provisions of section 8 of the Public Appointments (Parliamentary Approval) Act, of 2011 as read together with Standing Order 42(3), I hereby refer the Message from the President, together with the curriculum vitae of the nominees to the Committee on Appointments.

Honourable Members, section 8 of the Public Appointments (Parliamentary Approval) Act, 2011 provides that, unless otherwise provided in law, the Committee to which such nomination is referred shall consider the matter and table a report in the House within twenty-eight (28) days. It is therefore imperative that the Committee on Appointments consolidates the names contained in the two lists and immediately commences the process of consideration of the nominees.

The Committee is expected to immediately notify the nominees and the general public, commence the necessary approval hearings and table its report in the House soonest, to enable the House consider the nominees within the stipulated timelines. I thank you!"

6. PAPERS

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

- (a) 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) Tiaty;
 - ii) Malava;
 - iii) Funyula;
 - iv) Lurambi;
 - v) Moiben;
 - vi) Tinderet;
 - vii) Emgwen;
 - viii) Turbo;
 - ix) Lugari;
 - x) Mt. Elgon;
 - xi) Kabuchai;
 - xii) Matungu;
 - xiii) Chesumei; and
 - xiv) Laisamis.

(The Majority Party Whip)

- (b) Report of the Public Debt and Privatization Committee on its consideration of the Consolidated Fund Services for the Supplementary Estimates I For FY 2024/2025.

(The Chairperson, Public Debt and Privatization Committee)

7. NOTICES OF MOTION

The following Notice of Motion was given—

THAT, this House adopts the Report of the Public Debt and Privatization Committee on its consideration of the Consolidated Fund Services for the Supplementary Estimates I for FY 2024/2025, *laid on the Table of the House on Wednesday, 24th July 2024.*

(The Chairperson, Public Debt and Privatization Committee)

8. STATEMENTS PURSUANT TO STANDING ORDER 44 (2)(C)

- (a) The following Members requested for Statements as follows —

- (i) The Member for Konoin Constituency (Hon. Brighton Yegon, MP) from the Chairperson, Departmental Committee on Administration and Internal Security regarding the disappearance of *Ms. Frenda Chepng'eno*, a student at Catholic University of East Africa (CUEA);
- (ii) The Member for Kisii County (Hon. Dorice Donya, MP) from the Chairperson, Departmental Committee on Communication, Information and Innovation regarding compensation by internet service providers during internet outages; and

- (iii) The Nominated Member (Hon. Irene Mayaka, MP) from the Chairperson, Departmental Committee on Sports and Culture regarding the position of the Kenyan National U-17 Football Team.
- (b) The Chairperson, Departmental Committee on Administration and Internal Security issued a response to the Statement requested by the Member for Kisii County (Hon. Dorice Donya, MP) regarding spate of killings in Kisii County.
- (c) The Hon. Kibet Komingoi, MP on behalf of the Chairperson of the Departmental Committee on Transport and Infrastructure responded to three (3) Statements requested by the following:
 - i) The Member for Likoni Constituency (Hon. Mishi Mboko, MP) regarding commencement of Mombasa Gate Bridge Construction Project;
 - ii) The Member for Malindi Constituency (Hon. Amina Mnyazi, MP) regarding the status of issuance of seafarers' identity documents; and
 - iii) The Member for West Pokot County (Hon. Rael Kasiwai, MP) regarding status of Kapenguria – Lodwar Road.

9. THE DIVISION OF REVENUE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2024)

(The Chairperson, Budget and Appropriations Committee)

Order for First reading read;

Bill read a First Time and committed to the relevant committee pursuant to Standing Order 127(1).

MOTION – CONSIDERATION OF SENATE AMENDMENTS TO THE CONFLICT OF INTEREST BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2023)

(The Leader of Majority Party)

Motion made and Question proposed –

THAT, the Senate amendments to the Conflict of Interest Bill (National Assembly Bill No. 12 of 2023) be now considered.

Debate Arising;

Mover replied;

Question put and Negatived.

10. MOTION – CONSIDERATION OF THE FIRST SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 2024/2025

(The Chairperson, Budget and Appropriations Committee)

Motion having been made and Question proposed –

THAT, this House **adopts** the Report of the Budget and Appropriations Committee on its consideration of the Supplementary Estimates for the Financial Year 2024/2025, *laid on the Table of the House on Tuesday, 23rd July 2024*, and pursuant to the provisions of Article 223 of the Constitution, section 39 of the Public Finance Management Act, 2012 and Standing Order 243-

- (i) **approves a decrease** of the **current expenditure** for FY 2024/2025 by **Ksh. 38,896,358,312** in respect of the Votes contained in the **FIRST SCHEDULE**;
- (ii) **approves a decrease** of the total **capital expenditure** for FY 2024/2025 by **Ksh. 107,445,697,478** in respect of the Votes contained in the **FIRST SCHEDULE**;
- (iii) **approves an overall decrease** in the total budget for FY 2024/2025 by **Kshs. 146,342,055,790** in respect of the Votes contained in the **FIRST SCHEDULE**, subject to paragraph (vi) (*Committee of Supply*);
- (iv) makes the policy resolutions as contained in the **FOURTH SCHEDULE**;
- (v) **resolves that** the **FIRST SCHEDULE** forms the basis for the introduction of the Supplementary Appropriation Bill, 2024; and
- (vi) orders that **“The Speaker do now leave the Chair”** to facilitate the consideration of the said Budget Estimates with respect to each Vote and Programme in the *Committee of Supply* as contemplated under Standing Order 240 (*Consideration of Supplementary Estimates in the Committee of Supply*).

Debate interrupted on Wednesday, July 24, 2024 – Morning Sitting resumed;

(Change of Chair from the Rt. Hon. Speaker to the First Chairperson)

(Change of Chair from the First Chairperson to the Fifth Chairperson)

11. **HOUSE ROSE** - at 9.34 p.m.

MEMORANDUM

The Speaker will take the Chair on,
Thursday, July 25, 2024 at 2.30 p.m.

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