



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, SEPTEMBER 26, 2024 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*. MOTION – RATIFICATION OF THE PROTOCOL TO THE CONSTITUTIVE ACT OF THE AFRICAN UNION RELATING TO THE PAN-AFRICAN PARLIAMENT

(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 Protocol to the constitutive act of the African Union relating to the Pan-African Parliament, *laid on the Table of the House on Thursday, 19th September 2024*, and pursuant to the provisions of section 8(4) of the Treaty Making and Ratification Act, CAP 4D, **approves** the *Ratification of the Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament.*

*(Resumption of debate adjourned on Wednesday, September 25, 2024 – Afternoon Sitting)
(Balance of time – 2 hours 6 minutes)*

9*. THE TECHNOPOLIS BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2024)

(The Leader of the Majority Party)

Second Reading

(Resumption of debate interrupted on Wednesday, September 25, 2024 – Afternoon Sitting)

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10*. THE ETHICS AND ANTI-CORRUPTION COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2024)
(The Leader of the Majority Party and the Leader of the Minority Party)

Second Reading

11*. THE KENYA NATIONAL LIBRARY SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2023)
(The Chairperson, Departmental Committee on Sports and Culture)

Second Reading

12*. MOTION – CONSIDERATION OF SENATE AMENDMENTS TO THE FOOD AND FEED SAFETY CONTROL CO-ORDINATION BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2023)
(The Leader of the Majority Party)

THAT, the **Senate amendments** to the Food and Feed Safety Control Co-ordination Bill (National Assembly Bill No. 21 of 2023) be now considered.

(Schedule of Senate Amendments to the Bill is published in the Notices)

13*. MOTION – CONSIDERATION OF SENATE AMENDMENTS TO THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2023)
(The Chairperson, Committee on Delegated Legislation)

THAT, the **Senate amendments** to the Statutory Instruments (Amendment) Bill (National Assembly Bill No. 2 of 2023) be now considered.

(Schedule of Senate Amendments to the Bill is published in the Notices)

14*. COMMITTEE OF THE WHOLE HOUSE

(i) Consideration of Senate amendments to the Food and Feed Safety Control Co-ordination Bill (National Assembly Bill No. 21 of 2023)
(The Leader of the Majority Party)

(Subject to Order No. 12)

(ii) Consideration of Senate amendments to the Statutory Instruments (Amendment) Bill (National Assembly Bill No. 2 of 2023)
(The Chairperson, Committee on Delegated Legislation))

(Subject to Order No. 13)

15*. MOTION – FIRST REPORT ON THE IMPLEMENTATION STATUS OF HOUSE RESOLUTIONS ON COMMITTEE REPORTS AND PUBLIC PETITIONS

(The Chairperson, Committee on Implementation)

THAT, this House **adopts** the First Report of the Select Committee on Implementation on the Implementation Status of Reports on Petitions and Resolutions passed by the House, *laid on the Table of the House on Thursday, 26th October 2023.*

*(Resumption of debate interrupted on Thursday, September 19, 2024)
(Balance of time – 2 hours 12 minutes)*

16*. MOTION – ALLEGED UNFAIR TRADE PRACTICES BY FOREIGN INVESTORS IN KENYA

(The Chairperson, Departmental Committee on Trade, Industry and Cooperatives)

THAT, this House **adopts** the Report of the Departmental Committee on Trade, Industry and Cooperatives on the Inquiry into Alleged Unfair Trade Practices by Foreign Investors in Kenya, *laid on the Table of the House on Thursday, 7th March 2024.*

17*. MOTION – SECOND REPORT ON EMPLOYMENT DIVERSITY AUDIT IN PUBLIC INSTITUTIONS

(The Chairperson, Committee on National Cohesion and Equal Opportunity)

THAT, this House **adopts** the Second Report of the Select Committee on National Cohesion and Equal Opportunity on the Employment Diversity Audit in Public Institutions, *laid on the Table of the House on Thursday, 21st March 2024.*

18*. MOTION – REPORT OF THE EXTRAORDINARY SESSION OF THE SIXTH PAN-AFRICAN PARLIAMENT (PAP)

(Member of the Pan-African Parliament)

THAT, this House **notes** the Report of the Kenya Delegation to the Extraordinary Session of the Sixth Parliament of the Pan-African Parliament, held in Midrand, South Africa, from 20th to 27th March 2024, *laid on the Table of the House on Thursday, 2nd May 2024.*

19*. THE EQUALISATION FUND (ADMINISTRATION) BILL (SENATE BILL NO. 14 OF 2023)

(The Chairperson, Departmental Committee on Finance and National Planning)

Second Reading

20*. MOTION – CONSIDERATION OF REPORTS ON FINANCIAL STATEMENTS OF STATE CORPORATIONS (NYANZA REGION)

(The Chairperson, Public Investments Committee on Governance and Education)

THAT, this House **adopts** the Report of the Public Investments Committee on Governance and Education on its Examination of the Reports of the Auditor-General on the Financial Statements of State Corporations (Nyanza Region) for the financial year 2018/2019, 2019/2020 and 2020/2021, *laid on the Table of the House on Thursday, 25th July 2024.*

Denotes Orders of the Day

NOTICES

I. SENATE AMENDMENTS TO THE FOOD AND FEED SAFETY CONTROL CO-ORDINATION BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2023)

It is notified that the Senate made the following amendments to the Food and Feed Safety Control Co-ordination Bill (National Assembly Bill No. 21 of 2023)

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CLAUSE 22

Senate Amendment

THAT, Clause 22 of the Bill be amended in sub-clause (2) by deleting the words “conduct risk management” appearing immediately after the words “ the Controller may” and substituting therefor the words “advise on the appropriate risk management measures ”.

(The Committee recommends approval of the Senate amendment)

CLAUSE 25

Senate Amendment

THAT, Clause 25 of the Bill be amended in sub-clause (3) by inserting the following new sub- clause—

3A. On receipt of the report under subsection (3)(b), the governor shall submit the report to the respective County Assembly.

(The Committee recommends approval of the Senate amendment)

FIRST SCHEDULE

Senate Amendment

THAT, the First Schedule be amended by inserting the following new items immediately after item no. 3 —

3A. Each county government department dealing with matters relating to agriculture;

3B. Each county government department dealing with matters relating to health;

(The Committee recommends rejection of the Senate amendment)



II. SENATE AMENDMENTS TO THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2023)

It is notified that the Senate made the following amendments to the Statutory Instruments (Amendment) Bill (National Assembly Bill No. 2 of 2023) –

CLAUSE 2

Senate Amendment

THAT, Clause 2 of the Bill be amended by deleting the proposed new subsection (5) and substituting therefor the following new subsection —

(5) Where it comes to the attention of the Committee that a Cabinet Secretary responsible for a regulation making authority has failed to submit a statutory instrument in accordance with subsection (1), the Committee may, by a resolution, require the Cabinet Secretary to —

- (a) publish a notice in the Gazette within seven days from the date of the resolution, to the effect that the statutory instrument is a nullity; and
- (b) submit the published notice to Parliament.

(The Committee recommends approval of the Senate amendment)

CLAUSE 3

Senate Amendment

THAT, Clause 3 of the Bill be deleted.

(The Committee recommends approval of the Senate amendment)

CLAUSE 4

Senate Amendment

THAT, Clause 4 of the Bill be deleted.

(The Committee recommends approval of the Senate amendment)

CLAUSE 5

Senate Amendment

THAT, Clause 5 of the Bill be amended by deleting the clause and substituting therefor the following clause —

Amendment
of section 19
of Cap 2A.

5. The principal Act is amended by deleting section 19 substituting therefor the following new section 19 —

Requirements
publishing
annulment.

for
an

19. (1) Where Parliament has adopted a report or a resolution that a statutory instrument be annulled—

(a) the instrument shall stand annulled; and

(b) the Clerk of the relevant House shall publish the annulment in the Parliamentary website and shall convey the resolution of the House to the regulation making authority.

(2) Upon receipt of the communication from the Clerk in accordance with this section, the regulation making authority shall publish the annulment in the Gazette within fourteen days.

(The Committee recommends approval of the Senate amendment)

CLAUSE 6

Senate Amendment

THAT, Clause 6 of the Bill be deleted.

(The Committee recommends approval of the Senate amendment)

CLAUSE 7

Senate Amendment

THAT, Clause 7 of the Bill be amended by deleting the clause and substituting therefor the following clause —

Amendment
of section 11
of Cap 2A.

7. Section 24 of the principal Act is amended in subsection (5) by deleting the words “twenty thousand shillings” appearing immediately after the words “penalty not exceeding” and substituting therefor the words “one million shillings”.

(The Committee recommends approval of the Senate amendment)



LIMITATION OF DEBATE

The House resolved on Wednesday, February 14, 2024 as follows—

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 of Debate on the Senate Amendments to Bills Originating in the National Assembly

- IV. THAT**, each speech in the general debate contemplated under Standing Order 146 (**Consideration of Senate amendments to Bills originating in the National Assembly**) shall be limited as follows:- a maximum of one hour and thirty minutes, with not more than fifteen minutes (15) for the Mover in moving, fifteen minutes (15) for the Chairperson of the relevant Departmental Committee, and five (5) minutes for any other Member speaking, including the Leader of the Majority Party and the Leader of the Minority Party (if the Bill is not party-sponsored), and that five (5) 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, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, 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 shall 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 Audit Committee Reports

VI. **THAT**, each speech in debate on **Reports of Audit Committees** be limited as follows: A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, 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 (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

NOTICE PAPER

Tentative business for **Tuesday, October 1, 2024**

(Published pursuant to Standing Order 38(1))

It is notified that the following business is *tentatively* scheduled to appear in the Order Paper for Tuesday, October 01, 2024 –

A. THE TECHNOPOLIS BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2024)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, September 26, 2024)

B. THE ETHICS AND ANTI-CORRUPTION COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2024)

(The Leader of the Majority Party and the Leader of the Minority Party)

Second Reading

(If not concluded on Thursday, September 26, 2024)

C. THE KENYA NATIONAL LIBRARY SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2023)

(The Chairperson, Departmental Committee on Sports and Culture)

Second Reading

(If not concluded on Thursday, September 26, 2024)

D. MOTION – CONSIDERATION OF SENATE AMENDMENTS TO THE FOOD AND FEED SAFETY CONTROL CO-ORDINATION BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2023)

(The Leader of the Majority Party)

(If not concluded on Thursday, September 26, 2024)

E. MOTION – CONSIDERATION OF SENATE AMENDMENTS TO THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2023)

(The Chairperson, Committee on Delegated Legislation)

(If not concluded on Thursday, September 26, 2024)

F. COMMITTEE OF THE WHOLE HOUSE

- (i) Consideration of Senate amendments to the Food and Feed Safety Control Co-ordination Bill (National Assembly Bill No. 21 of 2023)

(The Leader of the Majority Party)

(Subject to Order No. D)

- (ii) Consideration of Senate amendments to the Statutory Instruments (Amendment) Bill (National Assembly Bill No. 2 of 2023)
(The Chairperson, Committee on Delegated Legislation)

(Subject to Order No. E)

- G. MOTION – FIRST REPORT ON THE IMPLEMENTATION STATUS OF HOUSE RESOLUTIONS ON COMMITTEE REPORTS AND PUBLIC PETITIONS**
(The Chairperson, Committee on Implementation)
(If not concluded on Thursday, September 26, 2024)
- H. MOTION – ALLEGED UNFAIR TRADE PRACTICES BY FOREIGN INVESTORS IN KENYA**
(The Chairperson, Departmental Committee on Trade, Industry and Cooperatives)
(If not concluded on Thursday, September 26, 2024)
- I. MOTION – SECOND REPORT ON EMPLOYMENT DIVERSITY AUDIT IN PUBLIC INSTITUTIONS**
(The Chairperson, Committee on National Cohesion and Equal Opportunity)
(If not concluded on Thursday, September 26, 2024)
- J. MOTION – REPORT OF THE EXTRAORDINARY SESSION OF THE SIXTH PAN-AFRICAN PARLIAMENT (PAP)**
(Member of the Pan-African Parliament)
(If not concluded on Thursday, September 26, 2024)
- K. THE EQUALISATION FUND (ADMINISTRATION) BILL (SENATE BILL NO. 14 OF 2023)**
(The Chairperson, Departmental Committee on Finance and National Planning)

Second Reading
(If not concluded on Thursday, September 26, 2024)
- L. MOTION – CONSIDERATION OF REPORTS ON FINANCIAL STATEMENTS OF STATE CORPORATIONS (NYANZA REGION)**
(The Chairperson, Public Investments Committee on Governance and Education)
(If not concluded on Thursday, September 26, 2024)
- M. MOTION – CONSIDERATION OF SESSIONAL PAPER NO. 5 OF 2023 ON THE NATIONAL POLICY ON LABOUR MIGRATION**
(The Chairperson, Departmental Committee on Labour)

APPENDIX

NOTICE OF PETITIONS, QUESTIONS & STATEMENTS

ORDER NO. 7 - STATEMENTS

It is **notified** that, pursuant to the provisions of Standing Order 44(2)(c), the following Statements will be—

(i) requested—

No.	Subject	Member	Relevant Committee
1.	Leasing of Agricultural Development (ADC) Land Corporation	<i>Hon. Sarah Korere, MP (Laikipia North)</i>	Agriculture and Livestock
2.	Implementation of the National Water Harvesting and Storage Strategy (2020-2025)	<i>Hon. Joshua Mwalyo, MP (Masinga)</i>	Blue Economy, Water and Irrigation
3.	Status of the report by the Kenya Medical Research Institute on the probe into high prevalence of cancer in Meru County	<i>Hon. John Mwirigi, MP (Igembe South)</i>	Health
4.	Payment of last expense and life group claim to the parents of a deceased child in Kathiani Constituency	<i>Hon. Robert Mbui, MP (Kathiani)</i>	Health
5.	Gazettement of Lunga Lunga sub-county as a hardship area	<i>Hon. Chiforomodo Mangale, MP (Lunga Lunga)</i>	Labour
6.	Erosion of Sirima-Loiyangalani road	<i>Hon. Joseph Lekuton, MP (Laisamis)</i>	Transport and Infrastructure
7.	Expansion of the Leseru-Kitale-Kortum highway	<i>Hon. David Kiplagat, MP (Soy)</i>	Transport and Infrastructure

(ii) responded to—

No.	Subject	Member	Relevant Committee
1.	Disappearance of Hon. Yussuf Hussein, Della Ward MCA	<i>Hon. Adan Keynan, MP (Eldas)</i>	Administration and Internal Security
2.	Insecurity in Taita Taveta	<i>Hon. Danson Mwashako, MP (Wundanyi)</i>	Administration and Internal Security
3.	Insecurity in Fafi Constituency	<i>Hon. Farah Salah, MP (Fafi)</i>	Administration and Internal Security
4.	Strategy to resolve conflicts between the Turkana and Pokot Communities	<i>Hon. (Dr.) Ariko Namoit, MP (Turkana South)</i>	Administration and Internal Security
5.	Lack of facilities specializing in treatment of endometriosis	<i>Hon. Irene Mayaka, MP (Nominated)</i>	Health
6.	Implementation of Hindi-Magogoni Phase II Settlement Scheme in Lamu	<i>Hon. Monicah Marubu, MP (Lamu County)</i>	Lands
7.	Compensation of residents of Dongo-Kundu Bypass road	<i>Hon. Kassim Tандаза, MP (Matuga)</i>	Transport and Infrastructure
8.	Collapsed Membrely Bridge in Ruiru Constituency	<i>Hon. Simon King'ara, MP (Ruiru)</i>	Transport and Infrastructure
