



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – THIRD SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**THURSDAY, AUGUST 01, 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 Honourable Deputy Speaker.

4. **QUORUM AT COMMENCEMENT OF THE HOUSE**

There being no Quorum present to commence business, the Deputy Speaker ordered that the Quorum Bell be rung for ten minutes;

And Quorum having been attained within the ten minutes, proceedings commenced.

5. **MESSAGES**

The Deputy Speaker reported the following Message from the President—

**Nomination of a person for appointment as the Inspector-General of the National Police Service**

**“Honourable Members,** Pursuant to the provisions of Standing Order 42(1), I wish to report to the House that I have received a Message from His Excellency the President regarding nomination of a person for appointment as the **Inspector-General of the National Police Service.**

In the Message, Honourable Members, His Excellency the President conveys that in exercise of powers conferred by Article 245(2)(a) of the Constitution and Section 12(2) of the National Police Service Act, 2011 as read together with Section 5 of the Public Appointments (Parliamentary Approval) Act, 2011, he nominates **Mr. Douglas Kanja Kirocho** for appointment as the Inspector-General of the National Police Service. The President therefore seeks approval of the nominee by Parliament.

Honourable Members, for clarity, Article 245(2)(a) of the Constitution states and I quote:

“The Inspector-General is appointed by the President with the approval of Parliament.”

Honourable Members, it is notable that the approval of the nominee is among those that the Constitution requires to be undertaken by the two Houses of Parliament. In this regard, the vetting of the candidate will be done by a joint Sitting of the relevant committees of both Houses of Parliament, in accordance with the established practice.

For clarity, Honourable Members, the vetting process shall proceed in the following manner:

- (i) **THAT**, the vetting of the nominee proposed for appointment as Inspector-General of the National Police Service shall be conducted jointly by the National Assembly Departmental Committee on Administration and Internal Security and the relevant Senate Standing Committee;
- (ii) **THAT**, the Chairpersons of the two Committees will co-chair the joint sittings and the secretariat will comprise officers of the two Houses;
- (iii) **THAT**, the quorum of the Joint sittings of the Committees will be the respective quorums of each of the committees as stipulated in the Standing Orders of the respective Houses;
- (iv) **THAT**, as contemplated under Rule 9(6) of the Joint Rules unless a decision is reached by consensus, any vote to be taken in the joint sittings of the Committees shall be by separate Houses. This will ensure that the numerical difference of the individual Members representing the Houses in the joint sittings has no effect on the decisions of the joint sittings of the Committees;
- (v) **THAT**, the joint Committees shall, having concluded the vetting hearings, submit a Joint Report to the respective Houses in the manner contemplated by the Standing Orders of the respective Houses; and
- (vi) **THAT**, the approval process shall be conducted in accordance with the provisions of the Public Appointments (Parliamentary Approval) Act, 2011.

Honourable Members, the timeline for consideration of a nominee for appointment as the Inspector-General of the National Police Service is prescribed in section 12(7) of the National Police Service Act, 2011, which provides as follows:

“Parliament shall, within fourteen days after it first meets after receiving the name of the nominee—

- (a) vet and consider the nominee, and may either approve or reject the nomination, and
- (b) notify the President as to its approval or rejection.”

A plain reading of the said provision suggests that the fourteen (14) days will start counting on Wednesday, 7<sup>th</sup> August 2024 being the day after the House first meets following receipt of the name of the nominee. In this regard, the fourteen (14) days will lapse on Tuesday, 20<sup>th</sup> August 2024.

Honourable Members, I am aware that the National Assembly is scheduled to proceed for recess from Friday, 9<sup>th</sup> August 2024. Ordinarily, I would have ordered that the counting of days with respect to the consideration of the nominee ceases during the recess period and resumes when the House first sits upon resumption, being Tuesday, 10<sup>th</sup> September 2024.

However, Honourable Members, conscious of the critical duties bestowed upon the Inspector-General of the National Police Service under Article 245(2)(b) of the Constitution, the Joint Committee will be expected to expedite the approval hearing within the statutory timelines. Upon conclusion, I implore the Leader of the Majority Party to consult with his counterpart in the Senate for purpose of requesting for a Special Sitting of the respective Houses to receive and consider the report of the Joint Committee.

Honourable Members, this Message, together with the resume of the nominee, will now stand committed to the Departmental Committee on Administration and Internal Security of the National Assembly jointly with the relevant Senate Standing Committee for consideration. The Committee are expected to forthwith jointly commence the approval process; notify the nominee and the general public of the time and place for holding the approval hearings, and upon conclusion, table the report within statutory timelines. I thank you!"

## **6. PAPERS**

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

- (i) Legal Notice No. 118 of 2024 relating to the Supplies Practitioners Management (Continuous Professional Development Programmes) Guidelines, 2024, Regulatory Impact Statement, explanatory memorandum, notices and Report of public participation from the Kenya Institute of Supplies Management;
- (ii) Business transacted by the East African Legislative Assembly (EALA) at the 4th Meeting of the 2<sup>nd</sup> Session of the 5th Assembly from 23<sup>rd</sup> June – 4<sup>th</sup> July, 2024 in Arusha, Tanzania as follows –
  - a) Report of the Committee on General Purpose on the assessment of the implementation of the East African Community Budget for the FY 2023/2024;
  - b) Report of the Committee on General Purpose on the East African Community Budget request and the EAC Supplementary Appropriation Bill, 2024;
  - c) Report of the Committee on the onspot assessment of the implementation of the projects and plans by the Lake Victoria Basin Commission and Lake Victoria Fisheries Organisation;
  - d) Report of the Committee on Regional Affairs and Conflict Resolution on the oversight activity to assess the processes, regulations and challenges of conducting national general election;
  - e) Report of the Fifth Parliamentary Dialogue & General Assembly Meeting Nairobi - Kenya;
  - f) A resolution of the Assembly paying tribute to the late Honourable Dr. Shogo Richard Mlozi; and
  - g) The East African Community Appropriation Bill, 2023.

*(Hon. Naomi Waqo - Deputy Majority Party Whip)*

- (iii) Report of the Select Committee on National Government Constituencies Development Fund on list of nominees to the National Government Constituency Development Fund Committees for Webuye West, Isiolo South, Nandi Hills and Mumias East Constituencies.

*(Hon. Kassim Tandaza - Vice Chairperson, Select Committee on National Government Constituencies Development Fund)*

*(Change of Chair from the Deputy Speaker to the Sixth Chairperson of Committees)*

**7. NOTICES OF MOTION**

The following Notice of Motion was given –

**THAT**, this House **adopts** the Report of the Select Committee on National Government Constituencies Development Fund on the list of nominees to the National Government Constituency Development Fund Committees for Webuye West, Isiolo South, Nandi Hills and Mumias East Constituencies, *laid on the Table of the House on Thursday, 1<sup>st</sup> August 2024.*

*(Hon. Kassim Tandaza - Vice Chairperson, Select Committee on National Governments Constituencies Development Fund)*

**8. STATEMENT PURSUANT TO STANDING ORDER 44(2)(C)**

Pursuant to the provisions of Standing Order 44(2)(c), the Member for Garissa Township Constituency (Hon. Barrow Dekow) requested for a Statement from the Chairperson of the Departmental Committee on Administration and National Security regarding unexplained abductions and disappearance of several persons from Garissa Township.

**9. STATEMENT PURSUANT TO STANDING ORDER 44(2)(a)**

Pursuant to the provisions of Standing Order 44(2)(a), the Majority Party Whip issued a Statement regarding the business of the House for the week commencing Tuesday, 6<sup>th</sup> August 2024.

**10. MOTION – 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)**

Motion made and Question proposed –

**THAT**, this House do agree with the Report of the Committee of the Whole House on its consideration of the Senate Amendments to the Sugar Bill (National Assembly Bill No. 34 of 2022).

*(Hon. Emmanuel Wangwe)*

Question put and agreed to.

**11. MOTION – REPORTS OF THE AUDITOR-GENERAL ON THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND FOR NINE CONSTITUENCIES IN BUNGOMA COUNTY**

Motion made and Question proposed –

**THAT**, this House **adopts** the Report of the Decentralized Funds Accounts Committee on its consideration of the Reports of the Auditor-General on the Financial Statements for the National Government Constituencies Development Fund for nine Constituencies in Bungoma County for Financial Years 2013/2014, 2014/2015 and 2015/2016, *laid on the Table of the House on Thursday, 7<sup>th</sup> March 2024.*

*(Chairperson, Decentralized Funds Accounts Committee – 23.07.2024)*

Debate on the Motion having been concluded on Wednesday July 31, 2024 (Afternoon Sitting);

Question put and agreed to.

**12. SPECIAL MOTION – CONSIDERATION OF NOMINEE FOR APPOINTMENT AS THE DIRECTOR-GENERAL FOR HEALTH**

Motion made and Question proposed –

**THAT**, taking into consideration the findings of the Joint Committee of the National Assembly Departmental Committee on Health and the Senate Standing Committee on Health in its Report on the vetting of a nominee for appointment as the Director-General for Health, *laid on the Table of the House on Wednesday, 31<sup>st</sup> July 2024*, and pursuant to section 16(2) of the Health Act, 2017 and section 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Dr. Patrick Omwanda Amoth** as the Director-General for Health.

*(Co-Chairperson, Joint Committee of the National Assembly Departmental Committee on Health & the Senate Standing Committee on Health)*

Debate arising;

Rising in his place on a point of order pursuant to Standing Order 95, the Member for Nyando (Hon. Jared Okelo) claimed to move *‘That the Mover be now called upon to reply’*;

And the Sixth Chairperson acceding to the claim;

Question put and agreed to;

Thereupon, the Mover replied;

Question put and agreed to.

**13. MOTION – REPORT ON CONSIDERATION OF THE AUDITED ACCOUNTS OF SPECIFIED STATE CORPORATIONS**

Motion made and Question proposed –

**THAT**, this House **adopts** the Second Report of the Public Investments Committee on Social Services, Administration and Agriculture on its consideration of the Reports of the Auditor-General on the Financial Statements of the Kenya Medical Training College for Financial Years 2017/2018 to 2020/2021; the Kenyatta University Teaching Referral and Research Hospital for Financial Years 2019/2020; the Kenya Medical Research Institute for Financial Years 2012/2013 and 2013/2014; the Kenya Medical Laboratory Technicians and Technologists Board for Financial Years 2014/2015 to 2020/2021; and the Kenya Medical Practitioners and Dentists Council for Financial Years 2017/2018 to 2020/2021, *laid on the Table of the House on Thursday, 22<sup>nd</sup> February 2024*.

*(The Chairperson, Public Investments Committee on Social Services, Administration and Agriculture)*

*(Change of Chair from the Sixth to the Fourth Chairperson of Committees)*

Mover replied;

Question put and agreed to.

14. **MOTION – ENHANCING REPORTING OF PARLIAMENTARY BUSINESS ON ONLINE PLATFORMS**

Order Read and deferred.

15. **MOTION – INSPECTION VISIT TO SEMI-AUTONOMOUS INSTITUTIONS OF THE EAST AFRICAN COMMUNITY IN UGANDA**

Order Read and deferred.

16. **MOTION – IMPLEMENTATION STATUS OF REPORTS ON PETITIONS AND RESOLUTIONS PASSED BY THE HOUSE**

Order Read and deferred.

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

Order Read and deferred.

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

Order Read and deferred.

19. **THE COFFEE BILL (SENATE BILL NO. 10 OF 2023)**

Order for Second Reading read;

Order Read and deferred.

20. **MOTION – PUBLIC PETITION ON FUNDS SPENT CONTRARY TO THE PROVISIONS OF ARTICLE 223 OF THE CONSTITUTION**

Order Read and deferred.

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

Order Read and deferred.

And the time being Seven minutes to Seven O'clock, the Fourth Chairperson of adjourned the House without Question put pursuant to the Standing Orders.

22. **HOUSE ROSE** - at Seven minutes to Seven O'clock.

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

The Speaker will take the Chair on,  
Tuesday, August 6, 2024 at 02.30 p.m.