



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – SECOND SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, OCTOBER 16, 2024 2.30 PM

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 Rt. Honourable Speaker issued the following Communication to the House–

Appointment of Members to Mediation Committees on the Mung Beans Bill (Senate Bill No. 13 of 2022) & Equalisation Fund Appropriation (No. 2) Bill (Senate Bill No. 30 of 2023)

“Honourable Members,

You may recall that on Tuesday, 24th September 2024, this House negatived the Question for Second Reading of the Mung Beans Bill (Senate Bill No. 13 of 2022). Consequently, the Bill was referred to a mediation committee pursuant to Article 112 of the Constitution and Standing Order 149.

Further, **Honourable Members**, you may recall that on Tuesday, 8th October 2024, I reported to this House a Message from the Senate conveying that on Tuesday, 17th September 2024, the Senate rejected the National Assembly’s amendments to the Equalisation Fund Appropriation (No.2) Bill (Senate Bill No. 30 of 2023). The decision of the Senate remitted the Bill to a mediation committee pursuant to Article 112 of the Constitution.

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 each appoint an equal number of Members to attempt to develop a version of the Bill for consideration by the Houses of Parliament.

In this regard, **Honourable Members**, I have consulted with the Leader of the Majority Party and the Leader of the Minority Party and appointed Members to represent this House in the mediation committees to attempt to develop versions of the two Bills that both Houses will pass.

Honourable Members, with respect to the Mung Beans Bill (Senate Bill No. 13 of 2022), I have appointed the following Members—

1. The Hon. Justice Kemei, MP;
2. The Hon. Gabriel Kagombe, MP;
3. The Hon. Ferdinand Wanyonyi, MP;
4. The Hon. Monicah Marubu, MP;
5. The Hon. Jared Okello, MP;
6. The Hon. Geoffrey Odanga, MP; and
7. The Hon. Sabina Chege, MP.

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.

Honourable Members, with respect to the mediation committee on the Equalisation Fund Appropriation (No. 2) Bill (Senate Bill No. 30 of 2023), I have appointed the following Members—

1. The Hon. Mary Emaase, MP;
2. The Hon. David Ochieng, CBS, MP;
3. The Hon. Michael Muchira, MP;
4. The Hon. Bashir Sheikh Abdullahi, MP;
5. The Hon. Naisula Lesuuda, MP;
6. The Hon. Ali Wario Guyo, MP; and
7. The Hon. Danson Mwashako, MP.

Honourable Members, you may recall that on Tuesday, 8th October 2024, I reported to this House that the Senate had appointed seven Senators to the committee on the Bill. In this regard, the Mediation Committee is now fully constituted. I therefore urge the Members of this House to reach out to their Senate counterparts for purposes of commencing the mediation process.

It is hoped that the two Mediation Committees will embark on an attempt to develop versions of the respective Bills for consideration by the Houses of Parliament in accordance with Article 113 of the Constitution.

The House is accordingly guided. I thank you!”

5. PAPERS

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

- (i) Report of the Select Committee on Parliamentary Broadcasting and Library on the Study Visit to the Parliament of Zambia from 9th to 16th June 2024.

(Chairperson, Parliamentary Broadcasting and Library Committee)

- (ii) Report of the National Government Constituencies Development Fund Board for the First Quarter of 2024/25 financial year; and
- (iii) Report of the Auditor-General and financial statements of Local Authorities Provident Fund for the year ended 30th June 2024.

(Majority Party Whip)

- (iv) Report of the Mediation Committee on the Sugar Bill (National Assembly Bill No. 34 of 2022)

(Chairperson, Mediation Committee on Sugar Bill, 2022 – Hon. Emmanuel Wangwe)

6. NOTICES OF MOTION

The following Notice of Motion was given by the **Chairperson, Mediation Committee on Sugar Bill, 2022 (Hon. Emmanuel Wangwe)** –

THAT, pursuant to the provisions of Article 113(2) of the Constitution and Standing Order 150(3), this House **adopts** the Report of the Mediation Committee on the Sugar Bill (National Assembly Bill No. 34 of 2022), laid on the Table of the House on Wednesday, 16th October 2024, and **approves** the Mediated version of the Sugar Bill (National Assembly Bill No. 34 of 2022).

7. STATEMENT PURSUANT TO STANDING ORDER 43

Pursuant to the provisions of Standing Order 43(1), the Member for Uasin Gishu County (Hon. Gladys Boss) issued a General Statement regarding the exemplary performance of Kenyan athletes at the 2024 Chicago Marathon.

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

Pursuant to the provisions of Standing Order 44(2)(c), the Member for Embakasi West (Hon. Mark Mwenje) requested for a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding the status of funds allocated to the Kenya Rural Roads Authority in the financial year 2023/24.

The Speaker directed that the Statement be redrafted into a Question for response by the Cabinet Secretary for Roads and Transport.

9. MOTION – CONSIDERATION OF THE MEDIATED VERSION OF THE WATER (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 33 OF 2023)

Motion made and Question proposed—

THAT, pursuant to the provisions of Article 113(2) of the Constitution and Standing Order 150(3), this House **adopts** the Report of the Mediation Committee on the Water (Amendment) Bill (National Assembly Bill No. 33 of 2023), laid on the Table of the House on Tuesday, 15th October 2024, and **approves** the Mediated version of the Water (Amendment) Bill (National Assembly Bill No. 33 of 2023).

(Hon. David Bowen – Chairperson, Mediation Committee on the Water (Amendment) Bill, 2023 – 16.10.2024)

Debate having been concluded on Wednesday, October 16, 2024 – Morning Sitting;
Mover having replied;
Question put and agreed to.

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

Motion made and Question proposed—

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

(Leader of the Majority Party – 15.10.2024)

Debate having been concluded on Tuesday, October 15, 2024;
Mover having replied;
Question put and agreed to.

MOTION – INQUIRY INTO IRREGULAR AND ILLEGAL GRANT OF TAX EXEMPTIONS TO A COMPANY UNDER THE SPECIAL OPERATING FRAMEWORK AGREEMENT

Motion made and Question proposed—

THAT, this House **adopts** the Report of the Committee on Delegated Legislation on the inquiry into irregular and illegal grant of tax exemptions to a company under the Special Operating Framework Agreement, *laid on the Table of the House on Thursday, 26th September 2024.*

(Chairperson, Committee on Delegated Legislation– 16.10.2024)

Debate interrupted on Wednesday, October 16, 2024 (Morning Sitting) resumed;

(Change of Chair from the Rt. Honourable Speaker to the Deputy Speaker)

Amendment proposed—

THAT, the Motion be amended by inserting the following phrases immediately after the expression “2024.”—

“Subject to—

- (i) insertion of the following new sentence at the end of paragraph 124 under Part 5.0 “Committee Recommendations” appearing on page 30 of the Report—

“In particular, the House recommends that—

- (a) the Directors of Blue Nile Rolling Mills Ltd. be prosecuted for abetting tax evasion;
 - (b) the Treasury and Trade officers who purportedly authorised the Special Operating Framework Agreement be prosecuted; and
 - (c) the waived taxes be recovered in full”
- (ii) effecting the consequential amendments in the Report.”

(Hon. Samuel Atandi)

Rising in his place on a Point of Order pursuant to Standing Order 96, the Member for Endebess (Hon. (Dr.) Robert Pukose) claimed to move “THAT, the debate be now adjourned.”

Thereupon, Question put and agreed to;

Debate adjourned.

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

Motion made and Question proposed-

THAT, the Kenya National Library Service Bill (National Assembly Bill No. 20 of 2023) be now read a Second Time.

(Chairperson, Departmental Committee on Sports and Culture – 09.10.2024)

Debate interrupted on Wednesday, October 9, 2024 (Afternoon Sitting) resumed;

Mover replied;

Question put and agreed to.

Bill read a Second Time and committed to Committee of the whole House tomorrow.

THE KENYA INFORMATION AND COMMUNICATIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 52 OF 2022)

Order for Second Reading read;
Motion made and Question proposed-

THAT, the Kenya Information and Communications (Amendment) Bill (National Assembly Bill No. 52 of 2022) be now read a Second Time.

(Hon. Elisha Odhiambo)

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

Debate arising;
Mover replied;
Question deferred

12. THE COMMUNITY HEALTH WORKERS BILL (NATIONAL ASSEMBLY BILL NO. 53 OF 2022)

Order for Second Reading read;
Motion made and Question proposed-

THAT, the Community Health Workers Bill (National Assembly Bill No. 53 of 2022) be now read a Second Time.

(Hon. Martin Peters Owino)

Debate arising;
(Change of Chair from the Third Chairperson of Committees to the Fifth Chairperson of Committees)

Mover interrupted when replying;

QUORUM OF THE HOUSE

Rising in his place on a Point of Order pursuant to the provisions of Standing Order 35, the Member for West Mugirango (Hon. Stephen Mogoka) objected that there was no Quorum present in the House;

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

And Quorum having not been attained at the expiration of the ten (10) minutes;
And the time being thirty-five minutes past Seven O'clock, the Fifth Chairperson adjourned the House without Question put pursuant to the Standing Orders.

13. HOUSE ROSE - at thirty-five minutes past Seven O'clock

M E M O R A N D U M

The Speaker will take the Chair on,
Thursday, 17th October 2024 at 2:30 p.m.