



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, OCTOBER 16, 2024 AT 9:30 AM

1. The House assembled at Thirty Minutes past Nine O'clock.
2. The Proceedings were opened with Prayer.
3. **Presiding** – the 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, business commenced.

5. **QUESTIONS**

Pursuant to the provisions of Standing Order 42G the following Questions were asked to Constitutional Commissions—

- (a) Member for Nyandarua County (Hon. Faith Gitau) asked the following Questions:

Qsn No. 134/2024 to the National Police Service Commission

- (i) When will Police Constable Nelson Wahome (PF No: 36703), who was unfairly dismissed from the service in September 1990, be re-instated despite being acquitted by the Bungoma Court vide Case No. 2076 of 1990?
- (ii) State the timelines within which Mr. Wahome will be receive payment for outstanding salaries and benefits for the period he has been out of employment, as well as compensation for the unwarranted violation of his labour rights as guaranteed under Article 41 of the Constitution?

- (b) Member for Mbeere North (Hon. Geoffrey Ruku,) asked the following Questions—

Qsn. No. 135/2024 to the Teachers Service Commission:

- (i) Outline specific measures in place to ensure that teacher recruitment procedures are inclusive and provide adequate affirmative action safeguards to accord teachers from marginalized groups such as the Mbeere community opportunity for equitable employment, particularly in the ongoing recruitment, in line with the fulfilment of Articles 10(2)(b), 27(6) and (8) of the Constitution?

- (ii) Provide the list of teachers from marginalized groups and communities, including the Mbeere community, who have been recruited on account of affirmative action in the past five years?

Qsn. No. 136/2024 to the Public Service Commission:

- (i) Provide a report on the actions that the Commission has taken to mainstream marginalized groups and communities in the public service through recruitment, placement and promotion in line with Article 232 of the Constitution and the Public Service (Values and Principles) Act, CAP 185A?
- (ii) Clarify whether there are established recruitment quotas or targets for marginalized groups in the public service and if so, provide details on the progress made in meeting these quotas and targets?

6. REQUEST FOR STATEMENT PURSUANT TO STANDING ORDER 44(2)(c)

The following Statements were requested pursuant to the provisions of Standing Order 44(2)(c)—

- (i) The Member for Isiolo South (Hon. Mohamed Bidu) requested a Statement from the Chairperson, Departmental Committee on Administration and Internal Security regarding tenure and transfer of the Deputy County Commissioner for Garbatulla in Isiolo South Constituency;
- (ii) The nominated Member (Hon. Abubakar Talib) requested a Statement from the Chairperson, Departmental Committee on Finance and National Planning regarding termination of insurance business by Directline Assurance Company Limited;
- (iii) The Member for Machakos County (Hon. Joyce Kamene) requested a Statement from the Chairperson, Departmental Committee on Social Protection regarding Delay in disbursement of the National Government Affirmative Action Fund for Machakos County; and

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

- (iv) The Member for Mandera South (Hon. Abdul Haro) requested a Statement from the Chairperson, Departmental Committee on Tourism and Wildlife regarding increase in wildlife attacks in Mandera County.

7. RESPONSES TO STATEMENTS PURSUANT TO STANDING ORDER 44(2)(c)

Pursuant to the provisions of Standing Order 44(2)(c), the following Statements were responded to—

- (i) The Chairperson of the Departmental Committee on Administration and Internal Security responded to a Statement requested by the Member for Tiatiy (Hon. William Kamket) regarding review of the scheme of service for appointment of chiefs and assistant chiefs in marginalized areas; and
- (ii) A Member of the Departmental Committee on Education responded to a Statement requested by the Member for Kisii County (Hon. Dorice Donya) regarding best school start time for school going children.

8. **PROCEDURAL MOTION – EXEMPTION OF BUSINESS FROM THE PROVISIONS OF STANDING ORDER 40(3)**

Motion made and Question proposed;

THAT, this House resolves to exempt the business appearing as Order No's 9, 10, 11 and 12 in today's Order Paper from the provisions of Standing Order 40(3), being a Wednesday Morning, a day allocated for Business not sponsored by the Majority or Minority Party or Business sponsored by a committee.

(The Majority Party Whip – 16.10.2024)

Debate arising;

Question put and agreed to.

9. **MOTION – CONSIDERATION OF SENATE AMENDMENTS TO THE DIVISION OF REVENUE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2024)**

Motion having been made and Question proposed;

THAT, the Senate amendments to the Division of Revenue (Amendment) Bill (National Assembly Bill No. 38 of 2024) be now considered.

(The Chairperson, Budget and Appropriations Committee – 15.10.2024)

Debate having been concluded on Tuesday, October 15, 2024;

Mover having replied;

Question put and negatived.

10. **MOTION – ALTERATION OF THE CALENDAR AND RESOLUTION TO SIT ON A SPECIFIED FRIDAY**

Motion made and Question proposed;

THAT, pursuant to the provisions of Standing Orders 28(4) (Calendar of the House) and 30(3)(c) (Hours of Meeting), this House resolves to commence the short recess on Tuesday, 22nd October 2024 and hold Sittings on Friday, 18th October 2024, commencing at 9.30 a.m. for the morning sitting and 2.30 p.m. for the afternoon sitting, for purposes of considering priority business, including mediated Bills.

(The Majority Party Whip)

No debate arising;

Question put and agreed to.

11. **MOTION – CONSIDERATION OF 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).

(The Chairperson of the Departmental Committee on Blue Economy and Irrigation)

Debate arising;

Mover having replied;

Putting of the Question deferred.

12. 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.

(Member, Committee on Delegated Legislation)

Debate arising.

Rising on a Point of Order pursuant to Standing Order 95, the Member for Ainabkoi (Hon. Samuel Chepkong'a) claimed to move that the Mover be called upon to reply;

And the Chair acceding to the request;

Question put and negatived;

Debate resumed;

And the time being One O'clock, the Sixth Chairperson adjourned the House without Question put pursuant to the Standing Orders.

13. HOUSE ROSE – at one O'clock.

MEMORANDUM

The Speaker will take the Chair on
Wednesday, October 16, 2024 at 2.30pm

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