



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, NOVEMBER 28, 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*. COMMITTEE OF THE WHOLE HOUSE

- (i) The Public Finance Management (Amendment) (No. 3) Bill (National Assembly Bill No. 44 of 2024)
(The Leader of the Majority Party)

(If not concluded on Thursday, November 28, 2024 – Morning Sitting)

- (ii) The Public Finance Management (Amendment) (No. 4) Bill (National Assembly Bill No. 45 of 2024)
(The Leader of the Majority Party)

(If not concluded on Thursday, November 28, 2024 – Morning Sitting)

- (iii) The Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 48 of 2024)
(The Chairperson, Departmental Committee on Finance and National Planning)

(If not concluded on Thursday, November 28, 2024 – Morning Sitting)

9*. THE HIGHER EDUCATION LOANS BOARD (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 58 OF 2022)

(The Hon. Joyce Kamene, M.P.)

Second Reading

(If not concluded on Thursday, November 28, 2024 - Morning Sitting)

10*. 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* **subject to—**

(a) deletion of paragraph 212 appearing on page 41 of the report and substituting therefor the following new paragraph –

“The Committee recommends that the irregular cash payments made for the casual works done amounting to Kshs. 2,308,996 be surcharged to the Governing Council of Kisumu National Polytechnic. The amount is to be paid within six months after the adoption of this report by the House;

(b) deletion of paragraph 216 appearing on page 41 of the report and substituting therefor the following new paragraph –

“The Committee recommends that the long outstanding imprest of Kshs. 37,800 be written off from the institution’s books of accounts since no money was lost; it was as a result of demise of the employee”; and,

(c) effecting the consequential amendments in the report.”

(If not concluded on Thursday, November 28, 2024 - Morning Sitting)

11*. THE POLITICAL PARTIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2022)

(The Vice Chairperson, Procedure and House Rules Committee)

Second Reading

(If not concluded on Thursday, November 28, 2024 - Morning Sitting)

12*. 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, November 28, 2024 - Morning Sitting)

13*. THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2022)

(The Vice Chairperson, Procedure and House Rules Committee)

Second Reading

(If not concluded on Thursday, November 28, 2024 - Morning Sitting)

14*. 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.*

(If not concluded on Thursday, November 28, 2024 - Morning Sitting)

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

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

THAT, this House **adopts** the Third Report of the Public Investments Committee on Social Services, Administration and Agriculture on its consideration of the Report of the Auditor-General on the Financial Statements of the following State Corporations, *laid on the Table of the House on Tuesday, 30th July 2024—*

- (i) Kenyatta National Hospital, FY 2018/2019 and 2019/2020;
- (ii) Kenya Medical Supplies Authority, FY 2017/2018 and 2018/2019;
- (iii) Kenya Veterinary Board, FY 2018/2019, 2019/2022 and 2020/2021;
- (iv) National Authority for the Campaign against Alcohol and Drug Abuse, FY 2017/2018, 2018/2019, 2019/2020 and 2020/2021; and

- (v) Kenya Broadcasting Corporation, FY 2000/2001, 2001/2002, 2002/2003, 2003/2004, 2004/2005, 2005/2006, 2006/2007, 2007/2008, 2008/2009, 2009/2010, 2010/2011, 2011/2012 and 2012/2013.

(If not concluded on Thursday, November 28, 2024 – Morning Sitting)

16*. THE UNIVERSITIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2023)

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

Second Reading

(If not concluded on Thursday, November 28, 2024 – Morning Sitting)

17*. 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.*

(If not concluded on Thursday, November 28, 2024 – Morning Sitting)

18*. MOTION – REPORT ON THE PERFORMANCE AUDIT REPORT ON THE PROVISION OF SERVICES TO PERSONS WITH DISABILITIES BY THE NATIONAL COUNCIL FOR PERSONS WITH DISABILITIES

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

THAT, this House **adopts** the Report of the Public Investments Committee on Social Services, Administration and Agriculture on its consideration of the Performance Audit Report by the Auditor-General on the Provision of Services to Persons with Disabilities by the National Council for Persons with Disabilities, *laid on the Table of the House on Tuesday, 30th July 2024.*

(If not concluded on Thursday, November 28, 2024 – Morning Sitting)

**19*. THE NATIONAL POLICE SERVICE COMMISSION (AMENDMENT)
BILL (NATIONAL ASSEMBLY BILL NO. 23 OF 2024)**

(The Hon. Peter Masara, M.P.)

Second Reading

Denotes Orders of the Day

NOTICES

I. THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) (NO. 3) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2024)

- 1) Notice is given that the Chairperson of the Departmental Committee on Finance and National Planning intends to move the following amendments to the Public Finance Management (Amendment) (No. 3) Bill, 2024 at the Committee Stage—

LONG TITLE

THAT, the long title of the Bill be amended by inserting the words “the two levels of government pursuant to” immediately after the word “between”.

NEW CLAUSES 1A & 1B

THAT, the Bill be amended by inserting the following new clauses immediately after Clause 1—

Amendment of section 94 of Cap. 412A.

1A. Section 94 of the Public Finance Management Act is amended in subsection (1) (a) by inserting the following new subparagraph immediately after subparagraph (ii)—

“(iia) has persistently delayed or failed to remit employee salaries statutory deductions including taxes, pension, social health insurance and cooperative societies deductions;”

Amendment of section 109 of Cap. 412A.

1B. Section 109 of the Public Finance Management Act is amended by inserting the following new subsections immediately after subsection (7)—

(7A) The Controller of Budget shall not approve any withdrawals from the County Revenue Fund if—

- (a) a county government has committed persistent material breach as defined in section 96 of this Act;
- (b) has persistently delayed or failed to remit statutory deductions including taxes, pension contributions, social health insurance, and cooperative societies deductions.

(7B) A county government shall, every quarter, submit the following additional documents to the Controller of Budget and the National Treasury—

- (a) a statement of statutory deductions status;
- (b) a statement on the county government's progress in implementing the previous year's plan for paying its outstanding statutory deductions;
- (c) a certification of payment of previous statutory deductions issued by the relevant statutory institutions; and
- (d) a statement of the county government's plan for repaying the statutory deductions which shall be accompanied by an agreement signed by the relevant statutory institution accepting the repayment plan.

CLAUSE 2

THAT, Clause 2 of the Bill be amended in the proposed new section 186G (1) by deleting the words “the County Treasury” appearing immediately after the words “Controller of Budget;” and substituting therefor the words “the National Treasury”.

- 2) Notice is given that the Leader of the Majority Party intends to move the following amendment to the Public Finance Management (Amendment) (No. 3) Bill, 2024 at the Committee Stage—

NEW CLAUSE 1A

THAT, the Bill be amended by inserting the following new Clause immediately after Clause 1—

Amendment of
section 117 Cap.
412A

1A. Section 117 of the Public Finance Management Act
is amended—

- (a) in subsection (1) by deleting the expression “by the 28th February” appearing immediately after the words “county assembly,” and substituting therefor the expression “by the 7th March”;
 - (b) in subsection (6) by deleting the word “fourteen” appearing immediately after the words “not later than” and substituting therefor the word “twenty-one”.
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II. THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) (NO. 4) BILL (NATIONAL ASSEMBLY BILL NO. 45 OF 2024)

- 1) Notice is given that the Chairperson of the Departmental Committee on Finance and National Planning intends to move the following amendments to the Public Finance Management (Amendment) (No. 4) Bill, 2024 at the Committee Stage—

CLAUSE 2

THAT, Clause 2 of the Bill be amended—

- (a) in paragraph (a) the proposed new subsection (2C) by deleting the word “Act” and substituting therefor with the word “provision”; and
- (b) in paragraph (b) in the proposed new subsection (2CA) by deleting the words “, not later than five years from the date of coming into force of this Act,”.

CLAUSE 3

THAT, Clause 3 of the Bill be amended—

- (a) in paragraph (a)—
 - (i) by deleting the words “paragraph (g)” and substituting therefor the words “paragraph (e)”;
 - (ii) by renumbering the proposed new paragraph (h) as paragraph (ea);
 - (iii) by renumbering the proposed new paragraph (i) as paragraph (eb);
- (b) in paragraph (b) in the proposed new subsection (6)—
 - (i) by deleting the words “subsection (1) (h)” appearing immediately after the words “contemplated under” and substituting therefor the words “subsection (1) (ea);
 - (ii) by deleting the words “subsection (1) (h) appearing immediately after the words “commencement of” and substituting therefor the words “subsection (1) (ea).

- 2) Notice is given that the Leader of the Majority Party intends to move the following amendments to the Public Finance Management (Amendment) (No. 4) Bill, 2024 at the Committee Stage—

NEW CLAUSE 1A

THAT, the Bill be amended by inserting the following new Clause immediately after Clause 1—

Amendment of section 25 of Cap. 412A **1A.** Section 25 of the Public Finance Management Act is amended—

- (a) in subsection (7) by deleting the word “fourteen” appearing immediately after the words “not later than,” and substituting therefor the word “twenty-one”;
 - (b) in subsection (9) by deleting the word “fifteen” appearing immediately after the words “not later than,” and substituting therefor the word “twenty-two”;
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III. THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 48 OF 2024)

- 1) Notice is given that the Chairperson of the Departmental Committee on Finance and National Planning intends to move the following amendments to the Public Procurement and Asset Disposal (Amendment) Bill, 2024 at the Committee Stage—

CLAUSE 2

THAT, Clause 2 of the Bill be amended—

- (a) by deleting paragraph (a) and substituting therefor the following new paragraph—

“(a) in the definition of “asset” by inserting the words “or virtual or digital assets” immediately after the words “proprietary rights”;

- (b) in paragraph (b) by deleting the definition of “local firm” and substituting therefor the following new definition—

Cap. 486. “local firm” means a company incorporated in Kenya under the Companies Act or any other written law whose shareholding is wholly owned by a Kenyan citizen.

CLAUSE 3

THAT, Clause 3 of the Bill be amended in the proposed new subsection (4) by—

- (a) deleting the word “under” appearing immediately after the word “doubt, except” and substituting therefor the word “where a”; and
(b) inserting the word “for” immediately after the word “provides”.

CLAUSE 9

THAT, Clause 9 of the Bill be amended—

- (a) in paragraph (a) by deleting the proposed new subsection (4) and substituting therefor the following new subsection

“(4) A debarment under this section shall be for a specified period of time of not less than three years and not exceeding six years.”

- (b) in paragraph (b) by deleting the expression “(5)” and substituting therefor the expression “(4A)”

CLAUSE 11

THAT, Clause 11 of the Bill be amended—

- (a) in paragraph (a) in the proposed new subsection (6A) by deleting the words “less than” and substituting therefor the words “up to”;
- (b) in paragraph (b) in the proposed new subsection 15—
 - (i) by inserting the words “exhibiting unfair competition” immediately after the word “A foreigner”;
 - (ii) by deleting the words “exhibiting unfair competition” appearing immediately after the words “as being Kenyan”.

CLAUSE 18

THAT, Clause 18 of the Bill be amended in the proposed new subsection (1A) by deleting the word “Authority” and substituting therefor the words “accounting officer”.

CLAUSE 21

THAT, Clause 21 of the Bill be amended—

- (a) in the proposed new subsection (3) by deleting the word “Authority” and substituting therefor the words “accounting officer”;
- (b) in the proposed new subsection (4) (b) by deleting the word “Authority” and substituting therefor the words “accounting officer”.

CLAUSE 24

THAT, Clause 24 of the Bill be amended in paragraph (a) by deleting the expression “(7)(a)” and substituting therefore the expression “(8)(a)”.

CLAUSE 26

THAT, Clause 26 of the Bill be amended in paragraph (a) by deleting paragraph (ii).

CLAUSE 27

THAT, Clause 27 of the Bill be amended in the proposed new section 177 in subsection (1)(a) (i) by deleting the words “not less than” appearing immediately after the words “a term of” and substituting therefor the words “not exceeding”.

LIMITATION OF DEBATE

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

Limitation of Debate on Motions

- IV. THAT**, each speech in a debate on any **Motion, including a Special motion** be limited in the following manner: A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each 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 ten (10) minutes before the expiry of the time, the Mover be called upon to reply; and that priority in speaking 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 Individual Members' Bills

- V. THAT**, each speech in a debate on **Bills NOT 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 three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of 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; 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 Bills sponsored by Parties or Committees

- VI. 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** 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 Other Committee Reports

VII. 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 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 Audit Committee Reports

VIII. 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

Friday, November 29, 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 Friday, November 29, 2024 –

A. COMMITTEE OF THE WHOLE HOUSE

- (i) The County Governments (Revenue Raising Process) Bill (National Assembly Bill No. 11 of 2023)
(The Leader of the Majority Party)

- (ii) The Cooperatives Bill (National Assembly Bill No. 7 of 2024)
(The Leader of the Majority Party)

B. THE HIGHER EDUCATION LOANS BOARD (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 58 OF 2022)

(The Hon. Joyce Kamene, M.P.)

Second Reading

(If not concluded on Thursday, November 28, 2024 – Afternoon Sitting)

C. 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, November 28, 2024 – Afternoon Sitting)

D. THE POLITICAL PARTIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2022)

(The Vice Chairperson, Procedure and House Rules Committee)

Second Reading

(If not concluded on Thursday, November 28, 2024 – Afternoon Sitting)

E. 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, November 28, 2024 – Afternoon Sitting)

F. THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2022)

(The Vice Chairperson, Procedure and House Rules Committee)

Second Reading

(If not concluded on Thursday, November 28, 2024 – Afternoon Sitting)

G. MOTION- CONSIDERATION OF AGREEMENT ON THE ESTABLISHMENT OF THE GLOBAL GREEN GROWTH INSTITUTE (GGGI)

(The Chairperson, Departmental Committee on Environment, Forestry and Mining)

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, November 28, 2024 – Afternoon Sitting)

I. MOTION – THIRD REPORT ON CONSIDERATION OF THE AUDITED ACCOUNTS OF SPECIFIED STATE CORPORATIONS

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

(If not concluded on Thursday, November 28, 2024 – Afternoon Sitting)

J. THE UNIVERSITIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2023)

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

Second Reading

(If not concluded on Thursday, November 28, 2024 – Afternoon Sitting)

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

(Member of the Pan-African Parliament)

(If not concluded on Thursday, November 28, 2024 – Afternoon Sitting)

L. MOTION - REPORT ON THE PERFORMANCE AUDIT REPORT ON THE PROVISION OF SERVICES TO PERSONS WITH DISABILITIES BY THE NATIONAL COUNCIL FOR PERSONS WITH DISABILITIES

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

(If not concluded on Thursday, November 28, 2024 - Afternoon Sitting)

M. THE NATIONAL POLICE SERVICE COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 23 OF 2024)

(The Hon. Peter Masara, M.P.)

Second Reading

(If not concluded on Thursday, November 28, 2024 - Afternoon Sitting)

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.	Demotion and compulsory leave imposed on senior staff members at the University of Nairobi by its council	<i>Hon. David Kiplagat, MP (Soy)</i>	Education
2.	Deplorable state of the <i>Wajir Hadado</i> to <i>Lolakuta</i> road and <i>Griffith</i> road in Wajir West	<i>Hon. Yussuf Farah, MP (Wajir West)</i>	Transport and Infrastructure

(ii) responded to—

No.	Subject	Member	Relevant Committee
1.	Disbursement of the Presidential Secondary School Bursary	<i>Hon. Protus Akujab, MP (Loima)</i>	Social Protection
