



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – THIRD SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**THURSDAY, NOVEMBER 28, 2024 AT 2:30 PM**

1. The House assembled at Thirty Minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Honourable Speaker

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

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

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

5. **COMMUNICATION FROM THE CHAIR**

The Speaker issued the following Communications to the House —

**(i) Recognition of a Delegation from the Parliament of Uganda**

**“Honourable Members,** “I am pleased to introduce to you a delegation from the Committee on Rules, Privileges, and Discipline in the Parliament of Uganda, seated in the Speaker’s Row. They are:

- (i) Hon. Rev.Fr. Charles Onen, MP (Leader of the Delegation);
- (ii) Hon. Mutembuli Yusuf, MP;
- (iii) Hon. Ssebikali Joel, MP;
- (iv) Hon. Prof. Elijah Mushemeza, MP; and
- (v) Hon. Makhoha Margaret, MP.

**Honourable Members,** the delegation, accompanied by one (1) member of staff, is on a benchmarking visit to share best practices and experiences with the Procedure and House Rules Committee of this House, ahead of reviewing the rules of Procedure of their Parliament.

**Honourable Members,** on my behalf and that of the National Assembly, I welcome the delegation to the National Assembly and wish them fruitful engagements during their time in our country. I thank you!”

**(ii) Speaker’s Kamukunji on SHA-SHIF transitional issues**

**“Honourable Members,** I have received a request which I have acceded to, from the Cabinet Secretary for the Ministry of Health and her team, to have an engagement with Parliament, to explain the process of implementation of the Social Health Authority (SHA) and Social Health Insurance Fund (SHIF) in transition. We will have a breakfast *Kamukunji* on Tuesday, 3<sup>rd</sup> December 2024 at 07:00 a.m. to engage with the Ministry, the Cabinet Secretary, Principal Secretaries and the Director-General up to 9:15 a.m. before we proceed to the morning sitting. I have requested the Cabinet

Secretary and her team to appear and answer as many questions as possible and clarify on questions the public is asking. I thank you!”

## **6. MESSAGES**

The Speaker reported the following Message from the Senate —

### **Message from the Senate on passage of two Senate Bills**

“**Honourable Members**, Pursuant to the provisions of Standing Order 41(1), I wish to report to the House that I have received two (2) Messages from the Senate regarding passage of two Senate Bills.

**Honourable Members**, the first Message conveys that the Senate considered and passed the Meteorology Bill (Senate Bill No. 45 of 2023) on 19<sup>th</sup> November 2024, **with amendments**. It is a Bill seeking to establish the Kenya Meteorological Service Authority and provide for the regulation, co-ordination, management, provision and meteorological services.

**Honourable Members**, the second Message conveys that the Senate considered and passed the Election Offences (Amendment) (No. 2) Bill (Senate Bill No. 28 of 2024) on 19<sup>th</sup> November 2024, **with amendments**. It is a Bill seeking to amend the Election Offences Act, CAP. 66 to give effect to recommendations and views of the public on electoral justice and related matters as submitted during the national dialogue discourse.

In accordance with the provisions of Article 110(4) of the Constitution, the Senate has referred the two (2) Bills to the National Assembly for consideration.

**Honourable Members**, in order for the House to commence consideration of the Bills, I have directed the Clerk to schedule the Bills for First Reading at the next Sitting of the House. Thereafter, the Bills will stand committed to the following committees for consideration—

- (a) The Meteorology Bill (Senate Bill No. 45 of 2023) to the **Departmental Committee on Environment, Forestry and Mining**; and
- (b) The Election Offences (Amendment) (No. 2) Bill (Senate Bill No. 28 of 2024) to the **Departmental Committee on Justice and Legal Affairs**.

The relevant committees are requested to prioritize the Bills in their agenda and report to the House as soon as is practicable to enable the House to proceed with the next stages of the Bill. The House is accordingly guided. I thank you!”

## **7. RE-ORGANISATION OF BUSINESS**

Pursuant to Standing Order 40(2), the Speaker reordered the sequence of proceedings as follows –

- Consideration of **Order No. 8** (*Motion- Report of the Committee of the Whole House on Public Finance Management (Amendment) (No.3) Bill (National Assembly Bill No. 44 of 2024)*), **Order No. 9** (*Motion- Report of the Committee of the Whole House on the Public Finance Management (Amendment) (No.4) Bill (National Assembly Bill No. 45 of 2024)*), **Order No. 10** (*Motion- Report of the Committee of the Whole House on the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 48 of 2024)*) and **Order No. 11** (*The Higher Education Loans Board (Amendment) Bill (National Assembly Bill No. 58 of 2022)*) to be undertaken before consideration of Order No. 7 (*Questions and Statements*).

8. **MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) (NO.3) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2024)**

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 Public Finance Management (Amendment) (No.3) Bill (National Assembly Bill No. 44 of 2024).

*(Leader of the Majority Party)*

Question put and agreed to.

Motion made and Question proposed –

**THAT**, the Public Finance Management (Amendment) (No.3) Bill (National Assembly Bill No. 44 of 2024) be now read a Third Time.

*(Leader of the Majority Party)*

There being no debate arising;

Question put and agreed to.

Bill read a Third Time and **passed**.

9. **MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) (NO.4) BILL (NATIONAL ASSEMBLY BILL NO. 45 OF 2024)**

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 Public Finance Management (Amendment) (No.4) Bill (National Assembly Bill No. 45 of 2024).

*(Leader of the Majority Party)*

Question put and agreed to.

Motion made and Question proposed –

**THAT**, the Public Finance Management (Amendment) (No.4) Bill (National Assembly Bill No. 45 of 2024) be now read a Third Time.

*(Leader of the Majority Party)*

There being no debate arising;

Question put and agreed to.

Bill read a Third Time and **passed**.

10. **MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 48 OF 2024)**

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 Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 48 of 2024).

*(Leader of the Majority Party)*

Question put and agreed to.

Motion made and Question proposed –

**THAT**, the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 48 of 2024) be now read a Third Time.

*(Leader of the Majority Party)*

There being no debate arising;

Question put and agreed to.

Bill read a Third Time and **passed**.

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

Order for Second Reading read;

Motion made and Question proposed;

**THAT**, the Higher Education Loans Board (Amendment) Bill (National Assembly Bill No. 58 of 2022) be now Read a Second Time.

*(Hon. Joyce Kamene)*

Debate on the Motion having been concluded on Friday, 18<sup>th</sup> October 2024 (Morning Sitting);

Question put and agreed to.

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

### **12. PAPERS**

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

- (i) Reports of the Auditor-General and Financial Statements for the year ended 30<sup>th</sup> June, 2024 and the certificates therein in respect of the following institutions: -
  - (a) Mombasa-Nairobi-Addis Ababa Road Corridor Development Project: (Isiolo/Merille/Moyale Road) – Kenya National Highways Authority;
  - (b) Roads 2000 Phase Two – Central Kenya Rural Roads Improvement and Maintenance Project (AFD Credit No. CKE 101201B, Credit No. CKE 104601J and Credit No. CKE 109401 M) – Kenya Rural Roads Authority;
  - (c) Timboroa-Eldoret Road Rehabilitation Project No. P-KE-DBO-019 (Loan No.2100150023344) – Kenya National Highways Authority;
  - (d) Dualling of Magongo Road (A109L): Phase II (FIDIC EPC/Turnkey based) - Kenya National Highways Authority;
  - (e) Capacity Development Project for Enhancement of Rice Production in Irrigation Schemes (CaDRPERP) (Project Number 1161001009) - State Department for Agriculture;
  - (f) Mombasa Port area Road Development Project Loan No. KE-P29 & KE-P32 – Kenya National Highways Authority;
  - (g) A case study on Integrated Delivery of Selected No-Communicable Diseases in Kenya (PHGF Grant No. TFOA5636) – Moi Teaching and Referral Hospital;

- (h) Eastern Africa Regional Transport, Trade and Development Facilitation Project Credit No.5638-KE IDA – State Department for Roads;
- (i) Upgrading of “Gilgil Machinery” Road Project – Kenya Rural Roads Authority;
- (j) Support to Roads Sector Policy: 10th EDF Rural Roads Rehabilitation Project in Kenya (Agreement No.KE/FED/023/-571) – Kenya Rural Roads Authority; and
- (k) Nuno-Modogashe Road project (Credit No. Kuwait-813; SFD-N/A; of ID-1331P; Badea-N/A; ADFD-N/A) - Kenya National Highways Authority.

*(Deputy Majority Party Whip)*

- iii) Report of the Departmental Committee on Defence, Intelligence and Foreign Relations on its consideration of the Treaty Making and Ratification (Amendment) (No.2) Bill 2024.

*(Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations)*

- iv) Reports of the Departmental Committee on Social Protection on its consideration of:
  - (a) The Social Assistance (Amendment) Bill (National Assembly Bill No. 80 of 2023); and
  - (b) The Breastfeeding Mothers Bill (National Assembly Bill No. 8 of 2024).

*(Chairperson, Departmental Committee on Social Protection)*

**13. REQUESTS FOR STATEMENTS PURSUANT TO STANDING ORDER 44(2)(c)**

- a) Pursuant to the provisions of Standing Order 44(2)(c), the following Members requested for Statements:

- (i) The Member for Machakos County (Hon. Joyce Kamene) requested for a Statement from the Chairperson of the Departmental Committee on Blue Economy, Water and Irrigation regarding the status of *Mavoko* water supply project; and
- (ii) The Member for Soy (Hon. David Kiplagat) requested for a Statement from the Chairperson of the Departmental Committee on Education, regarding demolition and compulsory leave imposed on senior staff members at the University of Nairobi by its council.

- b) A request for statement by the Member for Wajir West (Hon. Yussuf Farah) from the Chairperson of the Departmental Committee on Transport and Infrastructure, regarding the deplorable state of the *Wajir Hadado to Lolakuta Road and Griffitu* road in Wajir West was dropped.

**14. STATEMENT PURSUANT TO THE PROVISIONS OF STANDING ORDER 43**

Pursuant to the provisions of Standing Order 43, the Member for Ikolomani (Hon. Bernard Shinali) made a Statement regarding the demise of Mr. Absalom Castro Wendo, a former Serjeant-at-arms, who was awarded the Head of State Commendation in 2010 for his exemplary work and unwavering devotion to duty in the National Assembly.

**15. RESPONSE TO STATEMENT PURSUANT TO STANDING ORDER 44(2)(c)**

The Chairperson of the Departmental Committee on Social Protection deferred the response to a Statement requested by the Member for Loima Constituency (Hon. Protus Akuja) regarding disbursement of the Presidential Secondary School Bursary.

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

Pursuant to the provisions of Standing Order 44(2)(a), the Leader of the Majority Party issued a Statement regarding the business of the House for the week commencing Monday, 2<sup>nd</sup> December 2024.

*(Change of Chair from the Speaker to the Deputy Speaker)*

**17. POINT OF ORDER**

Rising in his place on a point of Order, pursuant to Article 27 and Article 38(2) (b) of the Constitution, the Member for Embakasi West (Hon. Mark Mwenje) brought to the attention of the Speaker of a video circulating on social media by a religious leader who claimed that persons from a certain ethnic community were not allowed to vie for a political position in Lamu. Noting that such divisive utterances have a ripple effect of creating tension among residents from various ethnic groups residing in Metropolitan constituencies, the Member sought directive by the Speaker.

The Speaker directed that the Member for Embakasi West provides the clip to the Clerks at the Table, and undertook to give guidance on the matter on Monday 2<sup>nd</sup> December, 2024.

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

(Chairperson, Public Investments Committee on Governance and Education)

Order Read.

Order deferred.

**19. THE STARTUP BILL (SENATE BILL NO. 14 OF 2022)**

Order for Second Reading read;

Motion made and Question proposed;

**THAT**, the Startup Bill (Senate Bill No. 14 of 2022) be now Read a Second Time.

*(Hon. Irene Mayaka- Co-Sponsor)*

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

Debate arising;

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

**QUORUM OF THE HOUSE**

Rising in his place on a Point of Order pursuant to the provisions of Standing Order 35, the Member for Central Imenti (Hon. Moses Kirima) objected that there was no Quorum present in the House;

(No.111)

**THURSDAY, NOVEMBER 28, 2024**

(1175)

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

There being no Quorum attained at the expiry of the ten minutes;

And the time being seven minutes to Seven O'clock, the Fourth Chairperson adjourned the House without Question put pursuant to Standing Order 35(2)(a).

20. **HOUSE ROSE** - at seven Minutes to Seven O'clock,

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

The Speaker will take the Chair on,  
Friday, November 29, 2024, at 9.30 a.m.

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