



THIRTEENTH PARLIAMENT THE NATIONAL ASSEMBLY



REPORT OF THE SECOND SESSION

(14TH FEBRUARY 2023 – 12TH FEBRUARY 2024)



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FOREWORD BY THE CLERK OF THE NATIONAL ASSEMBLY



Figure 1: Mr. Samuel Njoroge, CBS, Clerk of the National Assembly

...the National Assembly actively engaged with the public through the vetting of State officers, consideration of petitions, and extensive public participation on Bills...

I am delighted to present the report of the Second Session, highlighting notable achievements of the National Assembly in fulfilling its legislative, oversight, and representative roles during the Second Session. This Report covers activities of the National Assembly from February 14, 2023, to February 12, 2024.

By practice, the Second Session is the period when the House settles into its routine, with Members focusing on crucial parliamentary business following the formation of committees and orientation of Members in the First Session. During this period, sixty-nine (69) Bills were introduced, with seventeen (17) and assented to. Key

legislations enacted during the Session include the Finance Act, 2023, the Climate Change (Amendment) Act, 2023, the Digital Health Act, 2023, the Social Health Insurance Act, 2023, and the National Government Constituencies Development Fund (Amendment) Act, 2023.

Additionally, the House deliberated on and passed various Motions, addressing matters such as the appointment of persons to State offices and a Special Motion concerning the deployment of National Police Service officers to the Multinational Security Support Mission in Haiti. A noteworthy development was the approval of amendments to the Standing Orders on March 9, 2023, mandating Cabinet Secretaries to appear before the Plenary every Wednesday afternoon for a maximum of three hours, fostering enhanced oversight and transparency. By the conclusion of the Session, five hundred and forty-three (543) Questions had been processed, covering diverse topics such as the cost of living, national security, and sports management.

Throughout the Second Session, the National Assembly actively engaged with the public through the vetting of State officers, consideration of petitions, and extensive public participation on Bills, underscoring our commitment to inclusive legislative processes in line with Article 118 of the Constitution.

In a nutshell this report outlines a comprehensive overview of the business undertaken by the National Assembly, our initiatives, accomplishments and progress as outlined in the Parliamentary Service Commission Strategic Plan, reaffirming our dedication to democratic values and national progress.

I wish to take this opportunity to thank the Speaker of the National Assembly, the Parliamentary Service Commission, the Leadership of the House and Members for the outstanding contribution to the realization of the legislative, representative and oversight role of the National Assembly. I also wish to thank the staff of the National Assembly for their hard work and team spirit in facilitating Members and Committees of the House during the Session.

SAMUEL NJOROGÉ, CBS
CLERK OF THE NATIONAL ASSEMBLY

CHAPTER 1 - INTRODUCTION

1.1 Background

Article 93 of the Constitution establishes the Parliament of Kenya consisting of the National Assembly and the Senate. Each of the Houses of Parliament performs their respective functions in accordance with the Constitution. The National Assembly consists of—

- (a) two hundred and ninety (290) members, each elected by the registered voters of single member constituencies;
- (b) forty-seven (47) women, each elected by the registered voters of the counties, each county constituting a single member constituency;
- (c) twelve (12) members nominated by parliamentary political parties according to their proportion of Members of the National Assembly to represent special interests including the youth, persons with disabilities and workers; and
- (d) the Speaker, who is an ex officio member.

As at the end of the Second Session, there were twenty-one (21) political parties represented in the National Assembly. Notably, out of the total composition of the House, fourteen (14) Members were elected as Independent Members. Additionally, there are eight-one (81) female Members, a notable increment from the seventy-six (76) Members in the last Parliament.

1.2 Sittings of the Second Session

The Second Session of the 13th Parliament commenced on Tuesday, 14th February 2023 and ended on Monday, 12th February 2024. On Wednesday, 15th February 2023, the House approved the Calendar (Regular Sittings) for the Second Session which provided for one hundred and thirty-two (132) sittings. In the course of the Session, the House altered the calendar three times pursuant to Standing Order 28 in response to emerging priorities. The House also held Special Sittings on 14th September 2023 convened pursuant to Standing Order 29. In total, the House held one-hundred and twenty-four (124) Sittings out of which, one-hundred and twenty-one (121) were ordinary Sittings; two (2) were Special Sittings; while one (1) Joint Sitting of Parliament was held during the occasion of the State of the Nation Address to Parliament by His Excellency the President on 9th November 2023. The Calendar of the House (Regular Sittings) is herein attached as **Annex I**.

Below are the dates and reasons for alteration of the approved Calendar—

Date	Alteration
21 st March 2023	Varying the period for the Short Recess with respect to the First Part of the Session so that the Short Recess commences on Friday, 24 th March 2023 and ends on Monday, 10 th April 2023 and the House resumes Regular Sittings on Tuesday, 11 th April 2023 to continue with the First Part of the Session

Date	Alteration
27 th June 2023	Varying the period for the Short Recess with respect to the Second Part of the Session so that the Short Recess commences on Friday, 7 th July 2023 and ends on Monday, 24 th July 2023 and the House resumes Regular Sittings on Tuesday, 25 th July 2023 to continue with the Second Part of the Session
17 th August 2023	Varying the period for the Long Recess with respect to the Second Part of the Session so that the Long Recess commences on Friday, 25 th August 2023 and ends on Monday, 25 th September 2023 and the House resumes Regular Sittings on Tuesday, 26 th September 2023 to commence the Third Part of the Session

Table 1.1 - Alteration of the Calendar (2023)

1.3 State of the Nation Address

On Thursday, 9th November, 2023, in accordance with the provisions of Article 132 (1) (c) of the Constitution, His Excellency the President addressed a Joint Sitting of the Houses of Parliament. Subsequently, the House debated and adopted the address from 14th November, 2023 to 16th November, 2023.



Figure 3: President Ruto addressing a Special Sitting of Parliament during State of the Nation Address

1.4 Swearing in of Members-Elect

Article 74 of the Constitution requires that before assuming office, State Officers shall take and subscribe the oath or affirmation of office in the manner and form

prescribed by the Third Schedule to the Constitution or under an Act of Parliament. During the Second Session, two (2) Members were sworn in on 14th February 2023 as follows—

Member of Parliament	Details of Seat Status
The Hon. Dekow Barrow, MP	Member for Garissa Township Constituency <i>(As a result of the appointment of Hon. Aden Duale, EGH to the Cabinet)</i>
The Hon. Njuguna Chege, MP	Member for Kandara Constituency <i>(As a result of the appointment of Hon. Alice Wahome, EGH to the Cabinet)</i>

Table 1.2 - Members sworn-in the Second Session



Figure 4: Swearing-in of Hon. Chege Njuguna as Member for Kandara on 14th February 2023



Figure 5: Swearing-in of Hon. Dekow Barrow as Member for Garissa Township on 14th February 2023

1.5 Demise of a Member

During the Second Session, the Speaker reported to the House the untimely demise of the Hon. Kulow Maalim Hassan, MP, Member for Banissa Constituency on 11th April, 2023. The death of the Member occurred on Wednesday, 29th March 2023 while undergoing treatment after being involved in a tragic road accident. The late Hon. Kulow was at the time of demise serving his second term in the National Assembly. He was first elected to the National Assembly in 2017 to represent Banissa Constituency on the Economic Freedom Party (EFP). In 2022, he was re-elected under the United Democratic Movement (UDM) Party. The Hon. Kulow was a member of the Departmental Committee on Trade, Industry and Cooperatives and the Public Accounts Committee. Notably, as at the end of the Session, a by-election had not been held in Banissa Constituency.



Figure 6: The Late Hon. Kulow Maalim, Member for Banissa Constituency

1.6 General Overview of House Business

1.6.1 Bills

During the period under review, sixty-nine (69) Bills were introduced in the National Assembly. Of these, seventeen (17) Bills were passed, and assented to in accordance with Article 115 of the Constitution, while three (3) Bills were lost at various stages. Additionally, and in line with the bicameral consideration of legislation in Parliament, twelve (12) Bills were referred to the House from the Senate, four (4) of which were considered and passed. The rest were at various stages of consideration in the House by the end of the Session.

1.6.2 Legislative proposals to amend the Constitution

During the Second Session, the Speaker of the National Assembly approved pre-publication scrutiny of two legislative proposals seeking to amend the Constitution. The proposals were from the Member for Mandera North Constituency, the Hon. Maj. (Rtd) Bashir Sheikh, MP and the Member of Thika Town Constituency, the Hon. Alice Ng'ang'a, CBS, MP.

The proposal by the Member for Mandera North Constituency seeks to amend Article 88 of the Constitution to provide that, in instances where the Independent Electoral and Boundaries Commission (IEBC) is not fully constituted, the Secretary to the IEBC shall discharge the duties and functions of the Commission with regard to the conduct of by-elections.

The proposal by the Member for Thika Town Constituency seeks to amend Article 89 of the Constitution to require the IEBC to ensure that the review of constituency boundaries does not result in the loss of a constituency that existed before the promulgation of the Constitution.

As at the end of the Second Session, the two Members had issued their respective Statements on the objectives of the respective legislative proposals in line with Standing Orders. During the Third Session, Members of the House are expected to make comments on the Statements by the two Members regarding the legislative proposals.

1.6.3 Petitions

In the Second Session, one hundred and fourteen (114) Petitions were received in the National Assembly. Fifty-four (54) Petitions were presented to the House, of which twenty-six (26) were reported by the Speaker pursuant to Standing Order 227, and twenty-eight (28) were presented by Members pursuant to Standing Order 225(5). The Petitions were committed to the Public Petitions Committee for consideration pursuant to Standing Order 227.

1.6.4 Motions

During the Second Session, two hundred and forty-two (242) Motions were introduced. Of this number, there were one hundred and fifty-four (154) substantive Motions, fifty-one (51) Procedural Motions, twenty-one (21) Special Motions and seventeen (17) Motions for adjournment of the House pursuant to Standing Order 33. The House considered and passed one hundred and fifty-nine (159) Motions during the Session and negatived one (1) Motion.

1.6.5 Papers Laid

During the period under review, two thousand two hundred and sixty (2,260) Papers were laid on the Table of the House. Of this number, two thousand one hundred and sixteen (2,116) were laid by the Leader of the Majority Party. These ranged from audited reports by the Auditor-General, annual and performance reports by Ministries, Departments and Agencies (MDAs), statutory instruments, treaties and sessional papers from the Executive. On the other hand, one hundred and fifty-one (151) papers were laid on the Table of the House by Chairpersons of Committees, Leaders of various delegations as well as by parliamentary caucuses.

1.6.6 Committee Reports

During the Session, one hundred and fifty-one (151) Reports were tabled by various Committees. The Reports were on various matters including reports on Bills, vetting of persons for appointments to various state offices, statutory instruments, inquiries, petitions and audited reports.

1.7 Implementation of specified oversight and representation mechanisms

The National Assembly was committed to the implementation of the Parliamentary Service Commission Strategic Plan for 2019-2030 during the period under review. Specifically, the House contributed to **Strategic Objective 1** on *effective representation, legislation and oversight* by deliberating and passing various Bills, Motions and other resolutions as provided for under Article 95 of the Constitution.

Notably, on Thursday, 9th March 2023, the House approved the **amendments to the Standing Orders** to provide for Cabinet Secretaries to appear before plenary every Wednesday afternoon for a maximum of three hours, to respond to Questions on matters under their respective mandates, marking a pivotal moment in improving the process of **representation and oversight**. This amendment allowed Members to pose pertinent questions, and to actively engage with the Cabinet Secretaries thus enhancing their oversight role and ensuring accountability by the Executive.

In line with **Strategic Pillar III**, which aims to enhance public involvement in legislation and oversight, the National Assembly actively ensured public engagement efforts during vetting processes of State officers and ensuring public participation in legislation. The public was regularly invited to submit memoranda on Bills, treaties, and other legislative business under consideration by Committees of the House. Additionally, Committees conducted **public hearings** on various matters before the House. Notably, the Finance Bill, 2023 received a record number of submissions with more than **one thousand and fifty (1,050) memoranda** being received from across the country during the public participation process.

In fulfilment of **Strategic Pillar IV** on *Embracing and Implementing an e-Parliament*, and Strategic Objective 15 on the *utilization of information and communication technology (ICT)* in Parliament's organizational processes and operations, the National Assembly is currently undertaking an upgrade of the chamber system. The objective of the upgrade is to optimize its effectiveness to enhance efficient service delivery. This upgrade will not only contribute to Parliament's commitment to embracing a

green-compliant Parliament as envisioned in Strategic Pillar V but will also enhance the capacity of Members of Parliament to execute their constitutional mandate of representation, legislation and oversight.

1.8 National Assembly and Parliamentary Diplomacy

One of the Strategic Objectives of Strategic Pillar III (Public Trust) of the Parliamentary Service Commission Strategic Plan is to strengthen parliamentary diplomacy, partnerships and linkages and to enhance parliamentary outreach, and promote the ideals of parliamentary democracy. In order to achieve these objectives, the National Assembly continues to actively participate in the activities of various inter-parliamentary organizations as part of its role in parliamentary cooperation and diplomacy. These inter-parliamentary organizations include the Commonwealth Parliamentary Association (CPA), the East African Legislative Assembly (EALA), the Organisation of African, Caribbean and Pacific States-European Union (OACPS-EU) Joint Parliamentary Assembly, the Pan-African Parliament (PAP), the Inter-Parliamentary Union (IPU), the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR), and the Conference of the Speakers and Presiding Officers of the Commonwealth (CSPOC).

The National Assembly facilitated the hosting of various workshops and conferences during the Second Session including—

- (i) **Workshop on Strengthening Parliamentary Action to Address Gender-Based Violence and Modern Slavery in Supply Chains** which was hosted in Nairobi between 13th and 17th November 2023 by the Parliament of Kenya in collaboration with the CPA Headquarters (UK). The workshop brought together select parliamentarians drawn from the Commonwealth legislatures across the world. The objective of the workshop was to advance development and scrutiny of robust legislation and other measures to reduce gender-based violence (GBV) as well as modern slavery and human trafficking in supply chains.
- (ii) **Fifth Parliamentary Dialogue and General Assembly of the Eastern Africa Parliamentary Alliance on Food Security and Nutrition (EAPA-FSN):** The National Assembly in collaboration with the Food and Agriculture Organisation (FAO) hosted the 5th Parliamentary Dialogue and General Assembly of the Eastern Africa Parliamentary Alliance on Food Security and Nutrition (EAPA-FSN) from 14th to 17th October in Nairobi. The main objective of the dialogue was to explore legal and key parliamentary actions to foster linkages between climate action and food systems transformation in Eastern Africa.
- (iii) **Post-Election Seminar (PES) for Members of the National Assembly:** The Post-Election Seminar (PES) for Members of the National Assembly was organized in conjunction with the Commonwealth Parliamentary Association (CPA) and was held in Mombasa from 30th January to 4th February 2023 under the theme *‘Equipping the 21st Century Legislator for Effective Service Delivery.’* The Seminar was aimed at providing a platform for Members to learn and share experiences as well building synergy amongst the Members, creating a deeper understanding of their work and deepening their exposure and grasp of Parliamentary practice and procedures.

- (iv) **The Commonwealth Parliamentary Association (Kenya Branch) Annual General Meeting**, 10th August 2023, Main Chamber, National Assembly during which election of the officials of the CPA Kenya Branch were held. One of the agendas of the AGM was the election of the Executive Committee which is charged with the management of the Affairs of the CPA Branch.

1.9 Directorates of the National Assembly

To streamline the operations of the National Assembly Service, the Parliamentary Service Commission has established Directorates and Departments. The various directorates, departments and units that render services to the National Assembly Service include the Directorates of Speaker's Office; Legislative & Procedural Services; Departmental Committees; Audit, Appropriations and General-Purpose Committees; Parliamentary Budget Office; Legal Services; Litigation & Compliance Services; Hansard & Audio Services; Serjeant-at-Arms; Hospitality Department; and Liaison & Auxiliary Services Unit.

CHAPTER 2 - PARLIAMENTARY PROCEEDINGS & HOUSE BUSINESS

2.1 Communications from the Chair

Communications from the Chair is a mode in which the Speaker decides, guides or informs the House on a diverse array of topics ranging from procedural to administrative matters. Communications from the Chair may take any of the following forms—

- (i) Considered ruling on procedural or constitutional questions;
- (ii) Information to the House;
- (iii) Guidance to the House;
- (iv) Convocation of Special Sittings;
- (v) Recognition of visiting delegations; and
- (vi) Notification of occurrences.



Figure 7: Speaker Moses Wetang'ula issuing a Communication to the House

In the Second Session, the Speaker conveyed ninety-three (93) Communications on various subject matters and made five (5) notifications regarding the nomination of persons for appointment to State offices, passage of National Assembly Bills and the submission of the Financial Year 2022/23 Supplementary Estimates. The Communications issued during the Session are listed in Table 2.1 below—

S/No.	No. of 2023	SUBJECT	DATE ISSUED
1	001	Business that lapsed at the end of the first Session and reconstitution of Sessional Committees	14/02/2023
2	002	Guidance on the Consideration of the Special Motion on the Appointment of a Parliamentary Service Commissioner who is not a Member of Parliament	14/02/2023
3	003	Security arrangements within the Precincts of Parliament	14/02/2023
4	004A	Election of the 6 th Speaker of EALA	15/02/2023
5	004B	Recognition of a Delegation from the Parliament of the Federal Republic of Germany	16/02/2023
6	006	Recognition of a Delegation of Women Parliamentary Caucus of the Parliament of Namibia	23/02/2023
7	007	Recognition of a Delegation from the National Assembly of the Republic of The Gambia	28/02/2023
8	008	Proposed amendments to the Supplementary Appropriation Bill (National Assembly Bill No. 4 of 2023)	01/03/2023
9	009	Recognition of a Delegation from the Parliament of the Kingdom of Eswatini	09/03/2023
10	010A	Recognition of a Delegation from the County Assembly of Murang'a	09/03/2023
11	010B	Recognition of a Delegation from the Parliament of Zambia	21/03/2023
12	011	Recognition of a Delegation from the Parliament of Namibia	22/03/2023
13	012	Processing of Questions for Response by Cabinet Secretaries before the House	23/03/2023
14	013	Recognition of a Delegation of the East Africa Women's League	23/03/2023
15	014	Demise of the Hon. Kulow Maalim Hassan, MP, Member for Banissa Constituency	11/04/2023
16	016	Removal of Hon. Sabina Chege, MP from the Position of the Deputy Minority Whip	13/04/2023
17	017	Visiting delegation from the National Assembly of Zambia	18/04/2023

S/No.	No. of 2023	SUBJECT	DATE ISSUED
18	018	Appointment of Members of Parliament to represent the Majority Party in the Bipartisan engagements on Parliament	18/04/2023
19	019	Recognition of a Delegation from the National Defence College - United Republic of Tanzania	19/04/2023
20	020	Visiting delegation from the National Assembly of Zambia	25/04/2023
21	021	Recognition of Students from Regis School Runda	26/04/2023
22	022	Visiting delegation from the Pan-African Parliament	26/04/2023
23	023	Recognition of a Visiting delegation from National Assembly of Zambia	02/05/2023
24	024	Guidance on consideration of the Budget Estimates for FY 2023/2024	02/05/2023
25	025	Induction Workshop for Members Personal Assistants	03/05/2023
26	026	Recognition of a Delegation from the County Assembly of Kitui	03/05/2023
27	027A	Recognition of a Delegation from the Kenyatta University School of Law	03/05/2023
28	027B	The Annual National Prayer Breakfast 2023	04/05/2023
29	029	Replacement of the Deputy Minority Whip	04/05/2023
30	030	Appropriate Dress Code for Members of Parliament	11/05/2023
31	031	Resumption of Sittings of the Second Part of the Session and Priority Business	06/06/2023
32	032	Establishment and Recognition of the Bipartisan Talks Committee in Parliament	07/06/2023
33	033	Replacement of Deputy Minority Whip	08/06/2023
34	034	Prioritization of Business during the Supply, and Ways and Means Period	13/06/2023
35	035	Recognition of a delegation from Parliament of Zambia	13/06/2023
36	036	Recognition of a delegation from the County Assembly of Kakamega	13/06/2023
37	037	Recognition of a visiting delegation from the European Union	14/06/2023

S/No.	No. of 2023	SUBJECT	DATE ISSUED
38	038	Pronouncement of the Budget Policy Highlights and revenue-raising measures of the National Government for the FY 2023/24	15/06/2023
39	039	Consideration of the Privatization (Amendment) Bill, 2023	20/06/2023
40	040	Recognition of a delegation from the National Assembly of the Republic of South Africa	20/06/2023
41	041	Guide on Consideration of Proposed Amendment to the Finance Bill, 2023	20/06/2023
42	042	The Manner of Introduction, Consideration, and Passage of a Finance Bill	20/06/2023
43	043	Recognition of a visiting delegation from Zimbabwe Joint Command Staff College	21/06/2023
44	044	Visiting delegation from the Parliament of Uganda	21/06/2023
45	045	Recognition of a delegation from the County Assembly of Kirinyaga	22/06/2023
46	046	Recognition of Members of the County Assembly of Kakamega	27/06/2023
47	047	Recognition of Members of the County Assembly of Kilifi	29/06/2023
48	048	Recognition of Members of Parliament from Various African Countries attending the Global Tuberculosis Caucus - 4 th African TB Summit	27/07/2023
49	049	Recognition of a delegation from the County Assembly Service Board of Elgeyo Marakwet	27/07/2023
50	050	Prioritization of Bills Before Committees	02/08/2023
51	051	Guidance on the Consideration of the Anti-Money Laundering and Combating of Terrorism Financing Laws Bill, 2023	02/08/2023
52	052	Annual General Meeting of the Commonwealth Parliamentary Association Kenya Branch	03/08/2023
53	053	The National Assembly Leadership Retreat 2023	22/08/2023
54	054	Youth Bunge Dialogue, 2023 organized by the Kenya Young Parliamentarians Association (KYPA)	08/08/2023
55	055	Establishment of a Joint Committee to Inquire into the Activities and Operations of World Coin in Kenya	15/08/2023
56	056	Commonwealth Parliamentary Association Kenya Branch Annual General Meeting and Election of Executive Committee	17/08/2023

S/No.	No. of 2023	SUBJECT	DATE ISSUED
57	057	Demise of Hon. James Nakhwanga Osogo, former Member of Parliament and Cabinet Minister	16/08/2023
58	058	Nomination of Members to the Joint Committee to Inquire the Activities and Operations of World Coin in Kenya	17/08/2023
59	059	Recognition of a Delegation from the Assembly of the Republic of Mozambique	17/08/2023
60	060	Recognition of Sports Persons Who Participated in the Special Olympics Games	17/08/2023
61	063	Recognition of Staff from the National Assembly of the Republic of Namibia	22/08/2023
62	064	Recognition of a Delegation from the United Kingdom Parliament	24/08/2023
63	065	Convocation of Special Sittings of the National Assembly on Thursday 14 th September 2023	14/09/2023
64	066	Recognition of a Delegation from the County Assembly of Homabay	14/09/2023
65	067	Appointment of Members to the Mediation Committee on the Public Finance Management (Amendment) Bill, 2023	14/09/2023
66	068	Resumption of Sittings for the Third Part of the Session	26/09/2023
67	069	Recognition of a Delegation from the County Assembly of Kakamega	26/09/2023
68	072	Withdrawal of Specified Provisions contained in the Statute Law (Miscellaneous Amendments) Bill, 2022	28/09/2023
69	073	Recognition of Staff from the Parliaments of Zambia and Namibia	03/10/2023
70	074	Appointment of Senators to the Mediation Committee on the Public Finance Management (Amendment) Bill, 2023	05/10/2023
71	075	Rescheduling of Cabinet Secretaries Appearance to Respond in Questions in the Plenary	11/10/2023
72	076	Speaker's <i>Kamukunji</i> on the Roll out of Digital Hubs and Public WI-FI by Ministry of ICT and Digital Economy	11/10/2023
73	077A	Recognition of a Delegation from the County Assembly of Taita Taveta	19/10/2023
74	077B	Replacement of the Deputy Minority Whip and Jubilee Party Leadership	25/10/2023

S/No.	No. of 2023	SUBJECT	DATE ISSUED
75	077C	Retake of the Motion for Adjournment of the House pursuant to Standing Order 33 by the Member for Kathiani, Hon. Robert Mbui, CBS, MP	25/10/2023
76	078	Referral of a Bill to a Winnowing Process Under Standing Order 131 - The Kenya Drugs Authority Bill, 2022	25/10/2023
77	079	Address to Parliament by His Excellency the President of Kenya	9/11/2023
78	080	Recognition of Students from Starehe Boys Centre and School	8/11/2023
79	081	Consideration of proposed amendments to the Statutory Instruments amendments Bill 2023 in the Committee of the Whole House	8/11/2023
80	082	Dress code, admittance of visitors to parliament and security measures	28/11/2023
81	085	Recognition of a Delegation from Parliament of Uganda	23/11/2023
82	086	Proposed recommittal of the Statutory Instruments (Amendment) Bill, 2023 and the National Government Constituencies Development Fund (Amendment) Bill, 2023	28/11/2023
83	087	Appointment of Members to the Mediation Committee on the County Government Additional Allocations Bill, 2023	29/11/2023
84	088	Notification of Legislative Proposals to amend Articles 88 and 89 of the Constitution	30/11/2023
85	089	Consideration of the Conflict of Interest Bill, 2023	29/11/2023
86	090	Appointment of Senators to the Mediation Committee on the County Government Additional Allocations Bill, 2023	5/12/2023
87	091	Withdrawal of Certain Clauses of the Gambling Control Bill, 2023	6/12/2023
88	092	Consideration of the National Government Administration Laws (Amendment) Bill 2023	7/12/2023
89	093	Suspension of Committee Sittings during the Long Recess	7/12/2023

Table 2.1 - Communications from the Chair

Some of the notable Communications issued during the period under review include—

(a) Replacement of the Deputy Minority Whip and Jubilee Party Leadership

On Wednesday, 25th October 2023, the Speaker issued a Communication on the changes in the Leadership of the National Assembly. The Communication was a culmination of various other directives from the Speaker that had been necessitated by an endeavour by the Minority Party dated 6th April 2023 and 31st May 2023 to remove the Hon. Sabina Chege, CBS, MP from the position of Deputy Minority Whip. In the earlier directives, the Speaker had noted that while the Minority Party had sought to remove the Hon. Chege from the position, the party had not provided a replacement as expected by the rules of procedures. Standing Order 20A provides that a parliamentary party may REPLACE a whip or deputy whip by writing to the Speaker conveying such decision. However, the Speaker had observed that the Minority Party only sought to remove without replacing as required in the Standing Orders and therefore gave the party additional time to regularize its processes.

Following extensive consultations and engagements including judicial processes, the Speaker issued the Communication dated 25th October 2023 conveying the decision of the Azimio La Umoja Coalition to replace the Hon. Sabina Chege as the Deputy Minority Whip with the Hon. Mark Mwenje, MP. In the ruling, the Speaker also recognized the Jubilee Party as a parliamentary party within the meaning of Standing Order 20A. The Hon. Sabina Chege would therefore hold the position of the Jubilee Party Whip in the interim for the purposes of facilitating the continuation of business in the House. In making the decision, the Speaker noted that there was a section of Members of the Jubilee Party comprising twenty-one (21) Members who had sought disassociation from the Minority Party Coalition. The decision was in line with the provisions of Standing Order 20A which provide that the Speaker shall recognize a party or coalition of parties consisting of not less than five (5) percent of the membership of the National Assembly (18 Members) as a parliamentary party.

(b) Dress Code, Admittance of Visitors to Parliament and Security Measures

On Tuesday, 28th November 2023, the Speaker issued a Communication on the enforcement of the Speaker's Rules pertaining to the dress code of Members and staff of Parliament and admittance of visitors to Parliament and security measures. The Communication was issued following concerns expressed by Members over breaches in the established dress code. In the Communication, the Speaker reiterated the need for all persons within the parliamentary precincts to adhere the provisions of Rule No. 9 of the Speaker's Rules relating to the dress code.

Notably, the Speaker observed that while *Kaunda suits* have passed as appropriate dress code in the Chamber over the years, its continued usage had contributed to the negation of the set standards. In this regard, the Speaker directed that *Kaunda suits* and traditional attire would henceforth not be permitted within the Chamber, lounges, and dining areas until there is an agreed national dress and/or the House reviews its sartorial standards to define the bounds applicable to traditional or cultural attire or as the Speaker may otherwise direct. The determination applies to Members of Parliament, staff and all visitors to Parliament.



Figure 8: Members of Parliament in proper dress code as stipulated in the Speaker's Rules

2.1.1 Notifications from the Speaker

A notification is a Communication issued by the Chair during periods when the House is not in session. It serves to convey important information from the Speaker to Members in accordance with the provisions of the Standing Orders. During the period under review, the following five (5) notifications were issued by the Speaker—

S/No.	No. of 2023	SUBJECT	DATE ISSUED
1	001	Demise of the Hon. Kulow Maalim Hassan, MP, Member for Banissa Constituency	29/03/2023
2	002	Nomination of a Person for Appointment as Governor of the Central Bank	16/05/2023
3	003	Nomination of a Person for Appointment as Director - General of the National Intelligence Service	19/05/2023
4	004	Passage of the Climate Change (Amendment) Bill, 2023 and the Public Finance Management (Amendment) Bill by the Senate	06/09/2023
5	005	Establishment of the National Dialogue Committee	06/09/2023

Table 2.2 - Notifications from the Speaker

Additionally, the Speakers of Houses of Parliament issued a **Joint Notification** on 19th May 2023 on the *Establishment of the Bipartisan Talks Committee*.

2.2 Messages

A Message is a means of transmitting information between the two Houses of Parliament on passage of Bills or resolutions requiring bicameral consideration, or between Parliament and the Executive on various matters including reservations on Bills, and referral of nominees for appointment to State or public offices. During the period under review, the National Assembly received and sent Messages regarding various business in line with the provisions of Standing Orders 41 and 42 as follows—

2.2.1 Messages from the President/Executive

During the period under review, the National Assembly received a total of twenty (20) Messages from the President, with eighteen (18) of these relating to the appointment of persons to various State and public offices. The other two (2) Messages related to the Annual State of the Nation Address and a proposal to amend the Constitution.

Additionally, three (3) Messages were received from the Executive, of which two (2) were on the nominations of Members for appointment to the National Government Constituencies Development Fund Board and one (1) was from the National Security Council (NSC) seeking approval of the Multinational Security Support Mission for Haiti. A comprehensive list of the Messages from the President/Executive is itemized in tables 2.3 and 2.4 below—

2.2.1.1 Messages from the President

S/ No.	No. of 2023	SUBJECT	DATE ISSUED
5.	001	Proposals to amend the Constitution and the Standing Orders to actualize the aspirations of Kenyans	14/02/2023
6.	002	Nomination of a Person for Appointment as the Deputy Governor of the Central Bank of Kenya	15/02/2023
7.	003	Nomination of Persons for Appointment as Members of the National Climate Change Council (NCCC)	14/02/2023
8.	004	Nomination of a Person for Appointment as the Solicitor-General of the Government of Kenya	14/02/2023
9.	005	Declaration of vacancies in the Independent Electoral Commission (IEBC)	16/02/2023
10.	006	Nomination of a Person for Appointment as a Member of the National Gender and Equality Commission (NGEC)	15/03/2023
11.	007	Nomination of a Person for appointment as the Chairperson of the Ethics and Anti-Corruption Commission (EACC)	15/03/2023
12.	008	Nomination of a Person for Appointment as the Chairperson of Kenya Fish Marketing Authority	16/03/2023

S/ No.	No. of 2023	SUBJECT	DATE ISSUED
13.	009	Nomination of a Person for Appointment as a Member of the National Police Service Commission	11/04/2023
14.	010	Nomination of a Representative of the Parliamentary Service Commission (PSC) to the Salaries and Remuneration Commission (SRC)	18/04/2023
15.	011	Nomination of Persons for Appointment as Members of the Judicial Service Commission (JSC)	03/05/2023
16.	012	Nomination of Persons for Appointment as Governor of the Central Bank of Kenya and the Director-General of the National Intelligence Service	06/06/2023
17.	013	Nomination of Persons for Appointment to the Salaries and Remuneration Commission (SRC) and the Commission on Revenue Allocation (CRA)	06/06/2023
18.	014A	Nomination of Persons for Appointment as Principal Secretaries	06/06/2023
19.	014B	Nomination of a Person for Appointment as Chairperson of Board of the Central Bank of Kenya	17/08/2023
20.	015	Nomination of a Person for Appointment as the Director of Public Prosecutions (DPP)	17/08/2023
21.	016	Nomination of Persons for Appointment as High Commissioners and Ambassadors	12/10/2023
22.	017	2023 State of the Nation Address to Parliament by His Excellency the President	26/10/2023

Table 2.3 - Messages from the President

2.2.1.2 Messages from the Executive

S/ No.	No. of 2023	SUBJECT	DATE ISSUED
1	001	Nomination of Persons as Members of the National Government Constituencies Development Fund (NGCDF) Board	22/08/2023
2	002	Nomination of a Person as a Member of the National Government Constituencies Development Fund (NGCDF) Board	12/10/2023
3	003	Message from the National Security Council seeking approval of the Multinational Security Support Mission for Haiti	25/10/2023

Table 2.4 - Messages from the Executive

2.2.2 Messages to and from the Senate

The National Assembly received thirteen (13) Messages from the Senate and sent twenty-five (25) Messages to the Senate, all of which were conveying the decisions of either House on Bills under consideration or Special Motions requiring bicameral approval. The tables 2.5 and 2.6 below highlight the received from and sent to the Senate during the Second Session—

2.2.2.1 Messages from the Senate

S/ No.	No. of 2023	SUBJECT	DATE ISSUED
1.	001	Approval of Appointment of a Member to the Parliamentary Service Commission under Article 127(2) (d) of the Constitution	07/03/2023
2.	002	Passage of the Division of Revenue Bill (National Assembly Bill No.9 of 2023)	25/04/2023
3.	004	Passage of the Equalization Fund Appropriation Bill (Senate Bill No. 3 of 2023), the County Vocational Education and Training Bill (Senate Bill No. 3 of 2022) and the County Allocation of Revenue Bill (Senate Bill No. 16 of 2023).	20/06/2023
4.	005A	Passage of the Parliamentary Powers and Privileges (Amendment) Bill (Senate Bill No. 5 of 2022)	22/06/2023
5.	005B	Passage of the Economic and Social Rights Bill (Senate Bill No.7 of 2022)	29/06/2023
6.	006	Passage of the Cotton Industry Development Bill (Senate Bill No. 5 of 2023), the Natural Resources (Benefit Sharing) Bill (Senate Bill No. 6 of 2022) and the Employment (Amendment) Bill (Senate Bill No. 11 of 2022)	16/08/2023
7.	007	Establishment of the National Dialogue Committee (NADCO)	14/09/2023
1.	008	Passage of the Climate Change (Amendment) Bill (National Assembly Bill No. 42 of 2023); and the Public Finance Management (Amendment) Bill (National Assembly Bill No. 16 of 2023)	14/09/2023
2.	009	Approval of a nominee for Appointment as the Chairperson of the Board of the Central Bank of Kenya	28/10/2023
3.	010	Passage of the Facilities Improvement Financing Bill (Senate Bill No. 43 of 2023) and the Primary Health Care Bill (Senate Bill No. 44 of 2023)	03/10/2023

S/ No.	No. of 2023	SUBJECT	DATE ISSUED
4.	011	Passage of the Digital Health Bill (National Assembly Bill No. 57 of 2023) and the Social Health Insurance Bill (National Assembly Bill No. 58 of 2023)	17/10/2023
5.	012A	Extension of the Mandate of the National Dialogue Committee (NADCO)	24/10/2023
6.	012B	Passage of the Learners with Disabilities Bill (Senate Bill No. 4 of 2023); the Equalisation Fund (Administration) Bill (Senate Bill No. 14 of 2023); and the County Governments Additional Allocations Bill (National Assembly Bill No. 23 of 2023)	26/10/2023

Table 2. 5 - Messages from the Senate

2.2.2.2 Messages to the Senate

S/ No.	No. of 2023	SUBJECT	DATE ISSUED
1.	001	Approval of Appointment of a Member to the Parliamentary Service Commission under Article 127(2)(d) of the Constitution	15/02/2023
2.	002	Passage of the Division of Revenue Bill (National Assembly Bill No. 9 of 2023)	22/03/2023
3.	003	Passage of the Equalization Fund Appropriation Bill (Senate Bill No.2 of 2023)	22/06/2023
4.	004	Approval by the National Assembly of the County Allocation of Revenue Bill (Senate Bill No.16 of 2023)	22/06/2023
5.	005	Passage of the County Governments Additional Allocations Bill, 2023	29/06/2023
6.	006	Passage of the Public Finance Management (Amendment) Bill, 2023	29/06/2023
7.	007	Resolution on Establishment of the National Dialogue Committee (NADCO)	17/08/2023
8.	008	Passage of the Food and Feed Safety Control Coordination Bill, 2023	24/08/2023
9.	009	Passage of the Climate Change (Amendment) Bill, 2023	24/08/2023
10.	010	Passage of the Water (Amendment) Bill, 2023	24/08/2023
11.	011	Decision on the Senate Amendments to the Public Finance Management (Amendment) Bill (National Assembly Bill No. 16 of 2023)	14/09/2023

S/ No.	No. of 2023	SUBJECT	DATE ISSUED
12.	012	Passage of the Sugar Bill (National Assembly Bill No. 34 of 2022)	28/09/2023
13.	013	Approval of a nominee for appointment as the Chairperson of the Central Bank of Kenya	14/09/2023
14.	014	Passage of the Digital Health Bill (National Assembly Bill No. 57 of 2023)	28/09/2023
15.	015	Passage of the Social Health Insurance Bill (National Assembly Bill No. 58 of 2023)	28/09/2023
16.	016	Approval of the mediated version of the Public Finance Management (Amendment) Bill (National Assembly Bill No. 16 of 2023)	12/10/2023
17.	016	Approval of the Facilities Improvement Financing Bill (Senate Bill No. 43 of 2023)	17/10/2023
18.	017	Approval of the Primary Health Care Bill, (Senate Bill No. 44 of 2023)	17/10/2023
19.	018	Extension of the Mandate of the National Dialogue Committee (NADCO)	18/10/2023
20.	019	Passage of the National Rating Bill, 2022	26/10/2023
21.	020	Passage of the Public Service Values and Principles (Amendment) Bill, 2022	06/12/2023
22.	021	Passage of the National Construction (Amendment) Bill, 2022	06/12/2023
23.	022	Decision on the Senate Amendments to the County Governments Additional Allocations Bill (National Assembly Bill No. 23 of 2023)	28/11/2023
24.	023	Passage of the Conflict of Interest Bill (National Assembly Bill No. 12 of 2023)	06/12/2023
25.	024	Passage of the Statutory Instruments (Amendment) (No. 2) Bill, 2023	06/12/2023

Table 2. 6 - Messages to the Senate

2.3 Public Petitions

Article 119 of the Constitution accords every person the right to petition Parliament to consider any matter within its authority, including enacting, amending or repealing any legislation. Further, Article 37 of the Constitution provide that every person has the right, peaceably and unarmed, to assemble, to demonstrate, to picket, and to **present Petitions to public authorities**. In facilitating these constitutional provisions, the Petitions to Parliament (Procedure) Act, 2012 provides the procedure for processing of public petitions including on the form and contents of public petitions.



Approved
SNA
4/5/23

REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT (SECOND SESSION)

PUBLIC PETITIONS COMMITTEE

REPORT ON -

(PUBLIC PETITION NO. 7 OF 2022)

BY HON. SAMUEL ATANDI, REGARDING PROBABLE LOSS OF INVESTMENTS IN CYTONN HIGH YIELD SOLUTIONS PLATFORM

APRIL, 2023

THE NATIONAL ASSEMBLY PAPERS L AID	
DATE: 04 MAY 2023	DAY: Thursday
TABLED BY:	Hon. Nimrod Mbei (Chair-person, Public Petitions Committee)
CLERK-AT THE TABLE:	Joyce Kemerelle

CLERK'S CHAMBERS
DIRECTORATE OF LEGISLATIVE AND PROCEDURAL SERVICES
PARLIAMENT BUILDINGS
NAIROBI

0

During the Second Session, **fifty-four (54) public petitions** were presented to the House and referred to the Public Petitions Committee for consideration. Instructively, the subject matters covered in the petitions included **proposals to enactment of legislation, alleged delayed or denied administration of justice under the thematic areas of education, health, technology, environment, land, transport and infrastructure, unfair labour practices, food and agriculture, and gazettement of hardship areas.**

At the end of the Session, the National Assembly had received one-hundred and fourteen (114) petitions. Out of these, twenty-six (26) Petitions were conveyed to the House by the Speaker pursuant to Standing Order 225(2)(b) while twenty-eight (28) were presented by Members pursuant to Standing Order 225 (2)(a) and committed to the Public Petitions Committee pursuant to Standing Order 227. During

the Session, the Public Petitions Committee concluded the consideration of seven (7) Petitions which had been presented in the First Session, four (4) Petitions presented during the Second Session and one (1) report on a Petition was debated pursuant to Standing Order 208A(2) and 227(2A).

Notably, of the one hundred and fourteen (114) Petitions received, forty-eight (48) were **found to be inadmissible** as they did not meet the expected thresholds as set out in law and the Standing Orders. In some cases, Petitions were declared inadmissible as the issues raised were pending before courts or other constitutional or legal bodies. In such instances, the petitioners were duly advised to await conclusion of the processes in the respective entities.

The comprehensive Petitions Tracker may be accessed on <http://tinyurl.com/553vx865> .

2.4 Papers Laid

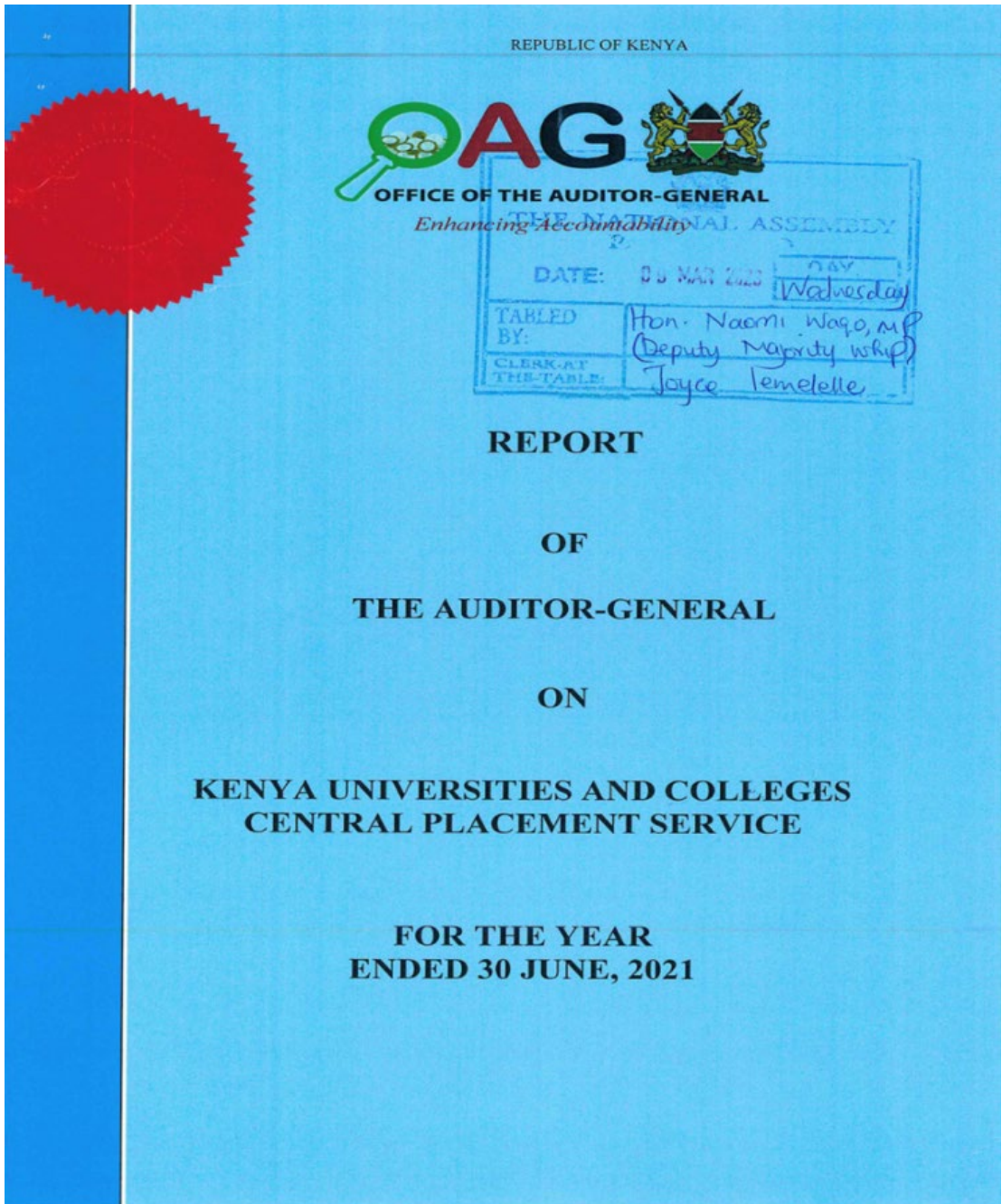
“Papers” are documents presented to a legislature by way of “laying on the Table”. The purpose of laying a paper is to formally make the information in the document available to the House and its Members, and to the public. Once laid, a Paper becomes a record of the House and is distributed as such. Laying of Papers allows for the document to be considered by the House or a Committee of the House. When papers by external bodies are laid in the House, they are committed to the relevant committees for consideration and reporting to the House.

Parliamentary papers fall into various categories including Papers laid before the House from external bodies, such as government departments and independent bodies, often in accordance with statute; and Papers reported to the House by Committees. Additionally, an individual Member of the House may lay a paper either in support of contribution during debate or in substantiation of a claim made by the Member in the House.

During the period under review, **two thousand two hundred and sixty (2,260) Papers** were laid on the Table of the House. Of this number, two thousand one hundred and sixteen (2,116) were laid by the Leader of the Majority Party. These ranged from audited reports by the Auditor-General, annual and performance reports by Ministries, Departments and Agencies (MDAs), statutory instruments, treaties and sessional papers from the Executive. On the other hand, one hundred and fifty-one (151) papers were laid on the Table of the House by Chairpersons of Committees, Leaders of Delegations as well as by parliamentary caucuses. The papers laid on the Table of the House fell in the following broad categories—

- (i) Papers Laid by the Leader of the Majority Party (2,116);
- (ii) Papers Laid by Chairpersons of Committees (137);
- (iii) Papers Laid by Delegations (12); and
- (iv) Papers Laid by Parliamentary Caucuses (2).

A list of the Papers Laid and associated documents are available on <http://tinyurl.com/bdydzdvt>.



2.5 Statutory Instruments

A Statutory Instrument is any rule, order, regulation, direction, form, tariff of costs or fees, letters patent, commission, warrant, proclamation, by-law, resolution, guideline or other statutory instruments issued, made or established in the execution of a power conferred by or under an Act of Parliament under which that statutory instrument or subsidiary legislation is expressly authorized to be issued.

Article 94(5) of the Constitution provides that no person or body, other than Parliament, has the power to make provision having the force of law in Kenya except under authority conferred by the Constitution or by legislation. In line with this constitutional provision, state agencies have been conferred with delegated powers to make regulations and other such statutory instruments for matters that fall under their respective mandate. This, however, must be considered by the House in line with the Statutory Instruments Act, 2013. In considering the instruments, the House takes into account the report by the relevant committee in instances where the Committee recommends partial or full annulment of a statutory instrument. In instances where the committee resolves that the statutory instrument be acceded to, the Clerk conveys that resolution to the relevant state department or regulation making authority.

Notably, specific Acts require positive approval by the House of certain regulations before operationalization. Examples of such regulations include the election-related regulations as provided for in the Elections Act, 2011 and regulations made under the Public Finance Management Act, 2012.

During the period under review, the National Assembly received and registered **thirty-nine (39) statutory instruments**. The House approved twenty-seven (27) statutory instruments, annulled two (2), revoked one (1), and deferred two (2) for further consideration. Additionally, two (2) statutory instruments were withdrawn while one (1) was pending consideration by the House at the end of the Session. Further, eight (8) regulations from the First Session were approved in the Second Session.

Some of the key regulations passed in the Second Session are -

(a) **Charter for the Open University of Kenya**

On 29th June 2023, the House approved the *Open University of Kenya Charter*. The Charter establishes the first fully online public university to provide an avenue for open, distance and e-learning. The Open University of Kenya was commissioned on 3rd August 2023. This is expected to expand access to university education through provision of flexible modes of study in line with the government's commitment to enhancing access to affordable and quality education to all. The Open University of Kenya is expected to offer a chance for ordinary Kenyans to pursue professional training of their choice regardless of their location. It is planned that the university will initially offer seven flagship programmes including five (5) degree and two (2) postgraduate diploma programmes.

Some of the programmes to be offered include Bachelor of Data Science; Bachelor of Cyber Security and Digital Forensics; Bachelor of Entrepreneurship and Business; Bachelor of Technology Education; Bachelor of Economics and Statistics; Postgraduate Diploma in Learning Design and Technology; and, Postgraduate Diploma in leadership and Accountability.



Figure 9: H.E. President William Ruto, CGH, PhD, accompanied by Education CS Ezekiel Machogu during the award of Charter to the Open University of Kenya (OUK) at Konza Technocity, Makeni County

(b) The Value Added Tax (Electronic, Internet and Digital Marketplace Supply) Regulations, 2023

The Value Added Tax (Electronic, Internet and Digital Marketplace Supply) Regulations were approved on 25th July, 2023. The primary objective of the Regulations is to provide a legal framework to enable the government to implement the tax measures necessary for financing its economic development agenda and to address the challenges faced in the digital economy. The regulations are consistent with the changes made in the Finance Act, 2023 that requires that certain suppliers register and account for VAT.

These regulations provide guidance on how to determine whether a supply is made over the internet or through a digital marketplace and how to calculate the amount of VAT owed on such supplies. The Regulations also introduced taxation on the monetization of data generated from users' activities.

(c) The Public Finance Management (National Peace Support Operations Fund) Regulations, 2023 and the Public Finance Management (Ulinzi Prime Health Services Fund) Regulations, 2023

The Public Finance Management (National Peace Support Operations Fund) Regulations were approved on 4th July, 2023. The purpose of the Regulations is to establish funds to support the participation of the Kenya Defence Forces (KDF) in peace support operations. Additionally, on 6th December, 2023, the House approved the Public Finance Management (Ulinzi Prime Health Services Fund) Regulations. The Regulations seek to finance the provision of medical and health services to paying clients of the KDF health facilities. Both sets of Regulations were in support of the Kenya Defence Forces (KDF), for acquisition

and modernization of aging military equipment and improvement of modern healthcare facilities and services offered to the KDF troops and their dependents and other security personnel.

The detailed Statutory Instruments tracker can be accessed through <http://tinyurl.com/nhkza7k6>.

2.6 Sessional Papers

Sessional Papers, being precursors to substantive legislation or overarching government programme, are policy documents prepared by government ministries and departments outlining the government's plan, options and courses of action on a particular thematic area. Sessional Papers require the approval of the House before their implementation aware that some policy actions may involve a change of established practices, or may require budgetary allocation. The following two (2) Sessional Papers were considered and approved by the House during the Second Session—

(a) **Sessional Paper No. 1 of 2023 on the Kenya National Population Policy for Sustainable Development**

The Kenya National Population Policy for Sustainable Development was adopted by the House on 14th November 2023, having been referred to the Departmental Committee on Finance and National Planning, for public participation. The Policy was developed in response to the population dynamics and their implications for socio-economic development. The Policy will contribute to the achievement of broader development goals and the targets of sectoral policies by mainstreaming population issues.

(b) **Sessional Paper No. 2 of 2023 on the National Tax Policy**

Sessional Paper No. 2 of 2023 on the National Tax Policy was adopted by the House on 6th December 2023 having been referred to the Departmental Committee on Finance and National Planning, for public participation. The policy marked the first-ever comprehensive tax policy implemented at the national level aimed at addressing the challenges experienced in application of tax reforms and legislations. The overall objective of the policy is to guide the progressive development and administration of Kenya's tax system.

The policy seeks to address the unpredictability of tax rates and mainstreams the country's tax system. It further provides guidelines that will support economic development, enhance the country's competitive edge, promote economic diversification, establish tax incentives and ensure that taxation supports the climate change mitigation strategies country. Additionally, the policy seeks to enhance public participation in the formulation of tax laws by specifying the role of key institutions in tax policy formulation.

The Sessional Paper No. 5 of 2023 on the National Policy on Labour Migration was under consideration by the relevant Committee as at the end of the session.

The Sessional Papers tracker can be accessed through <http://tinyurl.com/yjvcrbsp>.



THE REPUBLIC OF KENYA

Sessional Paper No. 1 of 2023

on

**Kenya National Population Policy for
Sustainable Development**



**NATIONAL COUNCIL FOR POPULATION AND
DEVELOPMENT**

**MINISTRY OF THE NATIONAL TREASURY AND ECONOMIC
PLANNING**

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2.7 Motions

A Motion is a formal proposal by a Member of Parliament, Committee or a parliamentary party for deliberation by the House to take certain actions or make specified resolutions. Motions may be categorized as—

- (i) Substantive Motions;
- (ii) Special Motions;
- (iii) Procedural Motions; and
- (iv) Motions for Adjournment of the House.

During the Second Session, the following Motions were considered by the House—

2.7.1 Procedural Motions

These are Motions introduced and passed in the House in accordance with its Standing Orders mainly to regulate the internal conduct of legislative business. Traditionally, these Motions are moved at the beginning of every Session to impose limitation of time in respect of Bills, Sessional Papers, Committee Reports and Address by the President. Procedural Motions may also be introduced in the course of a Session or a sitting to afford the House convenience to transact business with ease. Procedural motions relate to allotment of time to certain business, amount of speaking time by a member, hours of sitting, and committal of matters to committees, among other things. In the Second Session, **fifty-one (51) Procedural Motions** were considered and passed in the House.

2.7.2 Motions for Adjournment on Definite Matter of Urgent National Importance

These are Motions moved by a Member upon obtaining the leave of the House to interrupt the normal business on a given sitting day to allow for a discussion of definite matters of urgent national importance.

It is observed that during the period under review, adjournment Motions introduced in the House centered around issues related to **insecurity in various parts of the country, the cost of living, impact of LGBTQ in the society, disease outbreaks in schools, and the education system in the country.** Fifteen (15) Motions for adjournment of the House were debated on various matters including—

- (i) Challenges in the implementation of the competency-based curriculum (CBC);
- (ii) Public interest and national concern on the LGBTQ community;
- (iii) Insecurity in the North Rift Counties;
- (iv) Loss of properties and closure of businesses due to illegal demonstrations;
- (v) State of the economy;
- (vi) Mysterious disease outbreaks in schools in the country;
- (vii) Mysterious killings in *Shakahola*, Kilifi County;
- (viii) Insecurity in Lamu County;
- (ix) Police brutality in the country;
- (x) Security situation in Turkana East Constituency;
- (xi) Financing model for universities, colleges and technical institutions students;
- (xii) Insecurity and killing of *boda boda* riders and business people in Teso South Constituency and other parts of the country;
- (xiii) Demolitions and evictions in Athi River, Machakos County;
- (xiv) Effects of El Nino in Mandera County and in the country; and
- (xv) Irregularities in the 2023 KCPE Exam results.

Notably, two proposed Motions for adjournment on the **skyrocketing fuel prices in the country**; and on the **deployment of Kenya Police to Haiti** were not debated due to lack of quorum at the appointed time.

2.7.3 Special Motions

These are motions that seek a resolution of the House to approve persons nominated for appointment to or removal from public offices in the Constitution, the requirements of the Public Appointments (Parliamentary Approval) Act or other statutes.

During the period under review, the House considered twenty-one (21) Special Motions relating to the approval of the appointment of persons nominated to various State or public offices including—

- (i) Non-MP Member of the Parliamentary Service Commission;
- (ii) Governor and Deputy Governor of the Central Bank of Kenya (CBK);
- (iii) Members of the National Climate Change Council (NCCC);
- (iv) Director-General of the National Intelligence Service (NIS);
- (v) Members of the Judicial Service Commission (JSC);
- (vi) Principal Secretary, State Department for Correctional Services;
- (vii) Principal Secretary, State Department for Performance Management and Delivery Services;
- (viii) Chairperson of the Commission on Revenue Allocation (CRA);
- (ix) Member of the Salaries and Remuneration Commission (SRC);
- (x) Director of Public Prosecutions (DPP);
- (xi) Chairperson of the Central Bank of Kenya (CBK);
- (xii) Members of the National Government Constituencies Development Fund (NGCDF) Board; and
- (xiii) High Commissioners, Permanent Representatives and Ambassadors.

The House also approved a Special Motion on the deployment of officers of the National Police Service to the Multinational Security Support Mission to Haiti.

2.7.4 Substantive Motions

Substantive Motions are self-contained Motions seeking to elicit a decision of the House on a specific matter. Substantive Motions are standalone and not dependent on any other procedural condition precedent, whether in terms of orders of the day or other Motions. Substantive Motions are mainly from individual Members of the House. They may also be introduced by a parliamentary party or a committee of the House. During the Second Session, one hundred and fifty-four (154) substantive Motions were introduced of which one hundred and nine (109) were committee Motions while forty-five (45) were members motions. The subject matter in the Motions included school feeding programmes, access to healthcare in the country, road safety, cost of electricity, investment incentive

in the country as well as social protection measures.

Summary: During the Session, two hundred and forty-two (242) Motions were introduced in the House. Of this number, one hundred and seventy-nine (179) were passed, one (1) was withdrawn, and two (2) adjournment Motions were not debated. Additionally, sixty (60) Motions were awaiting debate by the end of the Session.

A detailed list of the Motions is provided in the Motions Tracker on <http://tinyurl.com/5n6y52ef>.

2.8 Parliamentary Questions

On 9th March 2023, the National Assembly approved amendments to the Standing Orders to provide for Cabinet Secretaries to appear before Plenary every Wednesday afternoon for a maximum of three hours to respond to Questions by Members. This greatly enhanced the representative and oversight role of the House in fulfilment of the PSC Strategic Objective 1. During the Session, five hundred and forty-three (543) Questions were processed of which, five hundred and thirteen (513) were Questions asked to various Ministries, and thirty (30) were directed to the constitutional commissions and independent offices for written reply.

Notably, the Prime Cabinet Secretary, Hon. Musalia Mudavadi, EGH appeared before Plenary on 26th April 2023 to respond to Questions relating to the high cost of living including steps taken by the government to reduce the cost of essential goods and fuel.

Further, it is noteworthy that Cabinet Secretaries appeared before the plenary to not only respond to questions by members but to also provide reports on key issues that were brought forward to the House through Statements. For instance, on 9th August 2023, the Cabinet Secretary for Interior & National Administration, Prof. Kithure Kindiki, EGH, and the Cabinet Secretary for Information, Communications & the Digital Economy, Mr. Eliud Owalo, EGH jointly appeared before the House to provide a report regarding the operations and activities of World Coin in the country relating to an unauthorized cryptocurrency project that sought to verify a user's humanness and uniqueness using their iris biometrics. Following further concerns raised in the matter, an *Ad-hoc* committee was established to conduct an inquiry and report on the activities and operations of *Worldcoin* in Kenya. The Committee tabled a report on Thursday, 28th September 2023 and was awaiting debate as at the end of the Session.



Figure 11: Hon. Mithika Linturi, Cabinet Secretary for Agriculture and Livestock during Question Time

The summary below provided the Questions asked in the House, as well as those that have been processed to be asked to the respective Cabinet Secretaries for responses—

No.	Ministry	Questions to Ministry	Questions responded to	Response date
1.	Office of the Prime Cabinet Secretary and Ministry of Foreign & Diaspora Affairs	8	3	26/04/2023
2.	Interior and National Administration	70	32	12/04/2023 09/08/2023 08/11/2023
3.	Defence	13	9	09/08/2023
4.	The National Treasury and Economic Planning	30	15	27/09/2023
5.	Public Service, Performance and Delivery Management	11	-	-
6.	Roads and Transport	74	18	19/04/2023 06/12/2023

No.	Ministry	Questions to Ministry	Questions responded to	Response date
7.	Lands, Public Works, Housing and Urban Development	25	4	05/07/2023
8.	Information, Communications and the Digital Economy	14	1	09/08/2023
9.	Health	20	12	04/10/2023
10.	Education	70	22	03/05/2023 07/06/2023
11.	Agriculture and Livestock Development	24	5	02/08/2023
12.	Investments, Trade and Industry	9	-	-
13.	Co-operatives and Micro, Small and Medium Enterprises (MSMEs) Development	6	-	-
14.	Youth Affairs, Creative Economy and Sports	10	1	23/08/2023
15.	Environment, Climate Change and Forestry	13	3	19/04/2023
16.	Tourism and Wildlife	21	12	16/08/2023
17.	Gender, Culture, the Arts & Heritage	7	-	-
18.	Water, Sanitation and Irrigation	17	9	26/07/2023
19.	Energy and Petroleum	40	3	03/05/2023
20.	Labour and Social Protection	21	11	-
21.	East African Community (EAC), the ASALs and Regional Development	7	-	-
22.	Mining, Blue Economy and Maritime Affairs	3	-	-
23.	Independent Commissions and Independent Offices	30	7	-
	Total	543	169	

The detailed Questions tracker can be accessed through <http://tinyurl.com/256mhxef>.

2.9 Statements

A Statement is a brief request or pronouncement presented to the House by a Member to convey or seek information on a particular matter. Statements to Committees are tools for legislative oversight of the House over the Executive on matters of concern within the mandate of a committee. Statements are operationalized pursuant to

Standing Orders 43 and 44 by Members and House Leadership either to request for information or to inform Members on various House businesses.

During the Second Session, one hundred and thirty-four (134) Statements were issued falling in the following categorization—

- (a) **General Statements:** Raised by a Member pursuant to Standing Order 43 relating to an issue(s) of topical concern. The following five (5) General Statements were made by Members—
 - (i) Regarding closure of *Nduru* Level 5 Hospital in South Mugaringo Constituency;
 - (ii) International Day against Drug Abuse and Illicit Trafficking;
 - (iii) International Day of Parliamentarism;
 - (iv) Reported mistreatment of female employees at Brown Cheese Company Limited in Limuru, Kiambu County; and
 - (v) Insecurity in Kisumu West Constituency.
- (b) **House Business Committee (HBC) Statements:** Statements made pursuant to Standing Order 44(2)(a) by a designated Member of the HBC, usually Leader of the Majority Party, on the priority business of the House for the current or subsequent week. Twenty-nine (29) HBC Statements were issued.
- (c) **Statements by Assembly Party Leaders and Chairpersons of Committees** made pursuant to Standing Order 44(2)(b) regarding their responsibilities in the House or the activities of a Committee. Eleven (11) Statements were made by Chairpersons of Committees.
- (d) **Statements to Committees:** inquisitive and question-like statements sought by a Member relating to matters under the mandate of a Committee pursuant to Standing Order 44(2)(c). Eighteen (18) Statements were requested by Members directed to various Committees.

Some of the notable Statements requested or issued during the period under review include—

- (i) *The 2023 Special Olympics Games held from 15th to 25th June 2023 in Berlin, Germany* by the Hon. Wanjiku Muhia, MP;
 - (ii) *Reported unauthorized biometric data collection by WorldCoin* by the Hon. John Mukunji, MP;
 - (iii) *The state of preparedness and response to impending El Nino rains* by Hon. Dorice Donya, MP; and
 - (iv) *Clearance by the Kenya Revenue Authority at the Jomo Kenyatta International Airport* by Hon. Irene Mayaka, MP.
- (e) **Personal Statements:** made by a Member pursuant to Standing Order 44(2)(d) on a matter of a personal nature. There were four (4) personal Statements as follows—
- (i) Personal Statement by Member for Nyamira County, the Hon. Jerusha Momanyi, MP on the loss of her mother;

- (ii) Personal Statement by Nominated Member, the Hon. Sabina Chege, CBS, MP on parliamentary decorum;
 - (iii) Personal Statement by Member for Kirinyaga County, the Hon. Jane Njeri, MP on assault on her by unknown persons in Kirinyaga County; and
 - (iv) Personal Statement by Member for Mavoko, the Hon. Patrick Makau, EBS, MP on adverse mention in the dailies regarding demolitions in Mavoko Constituency, Machakos County.
- (f) **Statement regarding notification of demise of a former Member or recognition of an exceptional national, regional or international achievement by a Kenyan:** During the period under review, members notified the House of the following—
- (i) **Demise of the following former members-**

S/ No.	Member	Constituency	Years served
1.	Hon. Ntoitha M’Mithiaru	Igembe North Constituency	2007-2013
2.	Hon. Grace Onyango	Kisumu Constituency	1979-1984
3.	Hon. Silas Muriuki Ruteere	North Imenti Constituency	2013-2017
4.	Hon. Lawrence Simiyu Sifuna	Bungoma South Constituency	1979-1988
5.	Hon. (Dr.) Joseph arap Misoi	Eldoret South Constituency	1988-1992
6.	Hon. Jonathan Katana Nzai	Magarini Constituency	1983 -1997

Table 2. 7 - Statements on demise of former Members

- (ii) Recognition of Kenyan world record holders in athletics, Ms. Faith Kipyegon, EGH (1500m and 5000m), Mr. Ferdinand Omanyala (100m) and Mr. Kelvin Kiptum (Marathon) by the Hon. Caroline Ng’elechei, MP; and
- (iii) Recognition of Dr. Anne-Beatrice Kihara as President-Elect of the International Federation of Gynaecology and Obstetrics (FIGO) by the Hon. Beatrice Elachi, CBS, MP.

The detailed list of Statements can be accessed through <http://tinyurl.com/y4pv9z97>.

2.10 Bills

A Bill is a proposed law for introduction in a House of Parliament seeking to introduce a new legislation, to amend or repeal (an) existing law(s). Article 95 of the Constitution provides for the legislative authority of the National Assembly. Bills may be introduced by Committees of the House, the Leader of the Majority Party on behalf of the Executive (or the Leader of the Minority Party in the case of a minority government), a parliamentary party or by individual Members. During the Second Session, sixty-nine (69) Bills were introduced in the National Assembly. The following seventeen (17) Bills were passed and assented to during this period—

No.	BILL	DATE OF ASSENT
1.	The Independent Electoral and Boundaries Commission (Amendment) Bill, 2022	23/01/2023
2.	The Supplementary Appropriation Bill, 2023	06/03/2023
3.	The Division of Revenue Bill, 2023	27/04/2023
4.	The Appropriation Bill, 2023	26/06/2023
5.	The Supplementary Appropriation (No. 2) Bill, 2023	26/06/2023
6.	The Finance Bill, 2023	26/06/2023
7.	The Anti-Money Laundering and Combating of Terrorism Financing Laws (Amendment) Bill, 2023	01/09/2023
8.	The Climate Change (Amendment) Bill, 2023	01/09/2023
9.	The Privatisation Bill, 2023	09/10/2023
10.	The Public Finance Management (Amendment) Bill, 2023	13/10/2023
11.	The Digital Health Bill, 2023	19/10/2023
12.	The Social Health Insurance Bill, 2023	19/10/2023
13.	The Insurance (Amendment) Bill, 2023	23/11/2023
14.	The Statute Law (Miscellaneous) Amendments Bill, 2022	23/11/2023
15.	The Supplementary Appropriation (No. 3) Bill, 2023	23/11/2023
16.	The National Government Constituencies Development Fund (Amendment) Bill, 2023	11/12/2023
17.	The National Lottery Bill, 2023	11/12/2023

Table 2.8 - Bills passed and assented to

Some of the key Bills considered and passed by the House are:

(a) The Finance Bill, 2023

The Bill provided for the revenue-raising measures by the Government to facilitate the implementation of the financial year 2023/2024 national budget. The Finance Bill, 2023 was read a First Time on 4th May 2023 and committed to the Departmental Committee on Finance and National Planning for public participation. Notably, the Committee received more than one thousand (1000) submissions from the public on the contents of the Bill. The Bill was thereafter passed on 21st June 2023 and was assented to on 26th June 2023.

Notable provisions in the Act included the introduction of an affordable housing levy (AHL) to fund the affordable housing initiative by the Government; lowered the upper threshold for turnover tax to Kshs. 25 million from the previous Kshs. 50 million and increased rate to 3% from the previous 1%. Additionally, the Act introduced tax on the income derived from the transfer or exchange of digital assets such as crypto-currency transactions at a rate of 3% and reduced the residential rental income tax (MRI) rate from 10% to 7.5%.

The Act also made certain additional tax exemptions on various items including –

- (i) *Royalties and interest paid to a non-resident person by a company undertaking the manufacture of human vaccines;*
- (ii) *Investment income from a post-retirement medical fund, whether or not the fund is part of a retirement benefits scheme;*
- (iii) *Income earned by a non-resident contractor, sub-contractor, consultant or employee involved in the implementation of a project financed through a 100% grant under an agreement between the Government and the development partner, to the extent provided for in the Agreement;*
- (iv) *Gains on transfer of property within a special economic zone enterprise, developer and operator; and*
- (v) *Royalties, interest, management fees, professional fees, training fees, consultancy fee, agency or contractual fees paid by a special economic zone developer, operator or enterprise, in the first ten years of its establishment, to a non-resident person.*

(b) The Climate Change (Amendment) Bill, 2023

The Bill sought to provide for the **regulation of carbon markets**, to enhance response to climate change and provide mechanisms and measures to achieve low carbon climate-resilient development. The Bill also established institutions and mechanisms for coordination and implementing climate change activities, and emphasized the need for public participation, vulnerability assessments, emissions, monitoring and integration of climate change considerations into planning processes.

(c) The Digital Health Bill, 2023

The Bill sought to provide for the establishment of the Digital Health Agency; a framework for provision of digital health services, and the establishment of a comprehensive integrated digital health services in the country. The Bill further sought to address the existing legal and regulatory gaps in the framework for the e-health ecosystem and its data lifecycle to guarantee the health and welfare of all Kenyans in accordance with the Constitution. The Bill was assented to on 19th October 2023.

(d) The Social Health Insurance Bill, 2023

The Bill sought to provide for a comprehensive legislative framework to regulate the provision of social health insurance, to establish the Social Health Authority, to promote the implementation of Universal Health Coverage and to ensure that **all Kenyans have access to affordable and comprehensive quality health services**. Notably, the Bill repealed the National Health Insurance Act, No. 9 of 1998 hence repealing the current National Health Insurance Fund

(NHIF) and establishing three new funds: the Primary Healthcare Fund, the Social Health Insurance Fund (SHIF) and the Emergency, Chronic and Critical Illness Fund. The Bill was assented to on 19th October 2023.

(e) The National Government Constituencies Development Fund (Amendment) Bill, 2023

The Bill introduced amendments to the National Government Constituencies Development Fund (NGCDF) Act, 2015 to provide that the Fund is to be used to fund projects falling under the exclusive functions of the National Government as set out in the Fourth Schedule of the Constitution. Notably, the Bill introduced a 3% allocation of the NGCDF to be used in constituency digital hubs to enable the youth acquire technological skills. It further provided that a maximum of 5% of funds allocated per constituency may be used for climate change mitigation activities. The Bill was co-sponsored by the Leader of the Majority Party and the Leader of the Minority Party and was passed by the House on 28th November 2023 and assented by the President on 11th December 2023.

Bills from the Senate

As part of the bicameral consideration of legislation in Parliament, the National Assembly received thirteen (13) Bills from the Senate during the Second Session. Out of these, the following four (4) Bills were considered and passed:

- (i) The Equalisation Fund Appropriation Bill (Senate Bill No. 3 of 2023);
- (ii) The County Allocation of Revenue Bill (Senate Bill No. 16 of 2023);
- (iii) The Facilities Improvement Financing Bill (Senate Bill No. 43 of 2023); and
- (iv) The Primary Health Care Bill (Senate Bill No. 44 of 2023).

Bills Lost

During the reporting period, three (3) Bills were lost at various stages of consideration. The Health (Amendment) (No. 2) Bill, 2022, sponsored by the Member for Kimilili, the Hon. Didmus Barasa, MP was lost at second reading on 14th June 2023. Additionally, on 30th November 2023, the Geriatric Bill, 2022 sponsored by the Member for Githunguri, the Hon. Gathoni Wamuchomba, HSC, MP and the National Youth Council (Amendment) Bill, 2023 sponsored by the Member for Baringo Central, the Hon. Joshua Kandie, MP, were lost at Second Reading and Committee Stage respectively.

A status of all the Bills can be accessed on <http://tinyurl.com/bdzfv56y> .

2.10.1 Management of Legislative Aspects of Mediation Processes

Article 112 of the Constitution provides that if one House passes an ordinary Bill concerning counties, and the second House rejects it, the Bill shall be referred to a mediation committee. On the hand, if the second House passes the Bill in an amended form, the Bill is referred back to the originating House for reconsideration. If, after the originating House has reconsidered a Bill referred back to it and rejects

the Bill as amended, the Bill shall also be referred to a mediation committee as provided for in Article 113 of the Constitution.

During the Second Session, the following Bills were referred to Mediation Committees—

- (i) The Public Finance Management (Amendment) Bill (National Assembly Bill No. 16 of 2023); and
- (ii) The County Governments Additional Allocations Bill (National Assembly Bill No. 23 of 2023).

The mediated version of the Public Finance Management (Amendment) Bill (National Assembly) Bill No. 16 of 2023 was approved by the National Assembly and the Senate on 12th October 2023. The Bill was thereafter assented to on 13th October 2023.

The County Governments Additional Allocations Bill (National Assembly Bill No. 23 of 2023) was undergoing mediation by the end of the Session.

2.11 Treaties, Protocols, Conventions and Agreements

Article 2(6) of the Constitution provides that any treaty or convention ratified by Kenya shall form part of the laws of Kenya. Treaties, protocols, conventions and agreements require parliamentary approval before formal ratification. Section 8 of the Treaty Making and Ratification Act, 2012 provides that once the Cabinet approves the ratification of a treaty, the responsible Cabinet Secretary shall submit the Treaty and a memorandum on the treaty to the Speaker of the National Assembly.

The following nine (9) Treaties, Protocols, Conventions and Agreements were approved during the Second Session:

- (i) The Amended Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean and the Protocol for the Protection of Marine and Coastal Environment of the Western Indian Ocean from land-based Sources and Activities;
- (ii) Agreement between the Government of the Republic of Kenya and the Government of the United Kingdom of Great Britain and Northern Ireland on Defence Co-operation;
- (iii) The Kigali Amendments to the Montreal Protocol on Substance that Deplete the Ozone Layer;
- (iv) Accession of the Bamako Convention on the Import into Africa and the Control of the Transboundary Movement and Management of Hazardous Wastes within Africa;
- (v) The African Union Treaty for the establishment of the African Medicines Agency (AMA);
- (vi) Agreement between the Government of the Republic of Kenya and the Government of the Republic of Seychelles on Defence Co-operation;
- (vii) The Minamata Convention on Mercury;
- (viii) Protocols relating to Amendments to Article 50(a) and Article 56 of the Convention on International Civil Aviation (Chicago Convention); and

- (ix) The East African Community (EAC) Multilateral Agreement on Aircraft Accident and Incident Investigations.

Notably, on 27th April 2023, the House, pursuant to the provisions of section 8 of the Treaty Making and Ratification Act, 2023, refused to approved the ratification of the following Hague Conventions on Private International Law—

- (i) *The Convention on the Civil Aspects of International Child Abduction;*
- (ii) *The Convention on Jurisdiction, applicable law, the recognition, enforcement and co-operation in respect of Parental Responsibility and Measures for the Protection of Children; and*
- (iii) *The Convention on the International Recovery of Child Support and other forms of family maintenance.*

Additionally, the following three (3) Conventions and one (1) Agreement were introduced during the Second Session but were awaiting debate by the House at the end of the Session—

- (i) The African Convention on Cross Border Cooperation (Niamey Convention);
- (ii) Multilateral Convention to implement tax treaty related measures to prevent base erosion and profit shifting; and
- (iii) Agreement on the establishment of the International Vaccine Institute.

A status of all Treaties, Protocols, Conventions and Agreements can be accessed on <http://www.parliament.go.ke/the-national-assembly/house-business/Treaties-Protocol-Sessional-Tracker>.

2.12 State of the Nation Address by His Excellency the President



Figure 12: President Ruto addressing a Special Sitting of Parliament during State of the Nation Address

In fulfilment of Article 132(1)(c) of the Constitution, the President His Excellency, Hon. William S. Ruto, CGH, PhD, delivered the State of the Nation Address to a Joint Sitting of the House of Parliament on Thursday, 9th November 2023.

During the State of the Nation Address, His Excellency the President submitted to Parliament the following three reports as required by Article 132(1)(c) of the Constitution—

- (i) *The 10th Annual Report on the Measures Taken and Progress Achieved in the Realization of National Values and Principles of Governance;*
- (ii) *The 10th Annual Report on the Progress made in Fulfilling the International Obligations of the Republic of Kenya; and,*
- (iii) *The Annual Report to Parliament on the State of National Security.*

The State of the Nation Address was attended by the Deputy President of the Republic of Kenya, the First Lady of the Republic of Kenya, the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs, the Chief Justice and President of the Supreme Court and other Judges of Superior Courts, the Co-Chairperson of the National Dialogue Committee (NADCO), the Hon. Stephen Kalonzo, EGH, Chief of Staff and Head of Public Service, Cabinet Secretaries, Principal Secretaries, Members of the Diplomatic Corps and Heads of Constitutional Commissions and Independent Offices. Pursuant to Standing Order 24(5), the House debated the President’s speech on 14th November 2023, 15th November 2023 and concluded debate on 16th November 2023.

CHAPTER 3 - HIGHLIGHTS ON DIRECTORATES AND DEPARTMENTS IN THE NATIONAL ASSEMBLY

The administration of performance of the mandate of the National Assembly is carried out by the Office of the Clerk of the House as established in Article 128 of the Constitution. The Clerk ensures that the programmes, facilities and services necessary for the achievement of the mandate of National Assembly are provided to Members of Parliament effectively and efficiently. These include legal and procedural advice, secretariat services, fiscal and budget-making advisory, office facilities, security and hospitality. In this regard and to streamline the operations of the National Assembly Service, the Parliamentary Service Commission (PSC) has established Directorates and Departments within the office of the Clerk of the House with specified and segregated mandates.

There are nine (9) Directorates and one (1) Department that render services to the National Assembly Service. During the Second Session, various Directorates undertook activities as follows—

3.1 THE DIRECTORATE OF SPEAKER'S OFFICE

The Directorate facilitated the work of the Speaker of the National Assembly in fulfilling the constitutional and statutory mandate as the head of legislative arm of the Government, the presiding officer of the House, and as the Chairperson of the Parliamentary Service Commission. The Directorate consists of the Department of Public Communications and the Department of Media Relations.

During the Second Session, the Directorate facilitated the various activities including the hosting of several courtesy calls on the Speaker by Ambassadors, High Commissioners, Speakers, Parliamentary delegations, and other foreign dignitaries; attendance of local, continental and international conferences, seminars, working retreats of the Speaker and Speaker's delegations; and attendance of local, regional and international community events in fulfilment of PSC Strategic Objective 13 on enhancing parliamentary outreach and promoting the ideals of parliamentary democracy.

Other activities undertaken by the Directorate during the Session include protocol support services, event management, outreach and public education and media coverage of House and Committee sittings.

In implementing PSC Strategic Objective 8 which aims at strengthening the capacity of staff to facilitate Members in discharging their constitutional duties in an effective and efficient manner, the Directorate facilitated the capacity building of staff to enhance the skill level, improve performance, and create synergy among officers. The directorate also inducted the staff of leadership offices with the aim of creating a greater understanding of the key mandates of the respective leadership offices.



Figure 13: Speaker Wetang'ula leading the Kenyan delegation during a courtesy visit to the Embassy of Kenya in Djibouti, December 2023

3.2 THE DIRECTORATE OF LEGISLATIVE AND PROCEDURAL SERVICES

The Directorate is established to support the National Assembly in fulfilling its constitutional mandate including by providing procedural and legislative support, administrative support, and also acting as an interface between the House and internal and external stakeholders. The directorate is also key in the facilitating plenary sittings of the House.



Figure 14: A sitting of the House during a voting session

During the period under review, facilitated one hundred and twenty-four (124) sittings of the House including Committees of the Whole House on all Bills passed.

The Directorate effectively discharged its duties through preparation of the National Assembly Calendar of regular sittings, circulation of weekly programme of business, Order Papers and resultant Votes and Proceedings, offering procedural advice to the House Leadership, Members, Clerk of the House, staff and members of the public on parliamentary procedures, traditions, practices, conventions and processes. Further, the Directorate facilitated the processing of parliamentary documents and other publications and marshalled various legislative tools in line with various strategic objectives including Strategic Objective 2 aimed at strengthening the capacity of Members of Parliament to execute their constitutional mandate of representation, legislation and oversight.

3.2.1 Summary of Legislative Business

During the Second Session, the Directorate in fulfilment of its mandate marshalled sixty-nine (69) Bills, two hundred and forty-two (242) Motions, one hundred and fourteen (114) Petitions, two thousand two hundred and sixty (2,260) Papers, ninety-three (93) Communications from the Chair, five hundred and forty-three (543) Questions, one hundred and thirty-four (134) Statements, fifty-eight (58) Messages, and five (5) notifications from the Speaker.

Additionally, the Directorate facilitated the House Business Committee (HBC), Procedure and House Rules Committee (PHRC), the Speaker's Panel, Powers and Privileges Committee and the Public Petitions Committee in discharging their various mandates. The Committees held one hundred and eighty-two (182) sittings, considered four (4) Bills and tabled thirteen (13) reports.

3.2.2 Bills

The Directorate facilitated the Powers and Privileges Committee to process the Parliamentary Powers and Privileges (Amendment) Bill (Senate Bill No. 5 of 2022) which was read for a first time on 27th June, 2023. Additionally, three (3) Bills were introduced by the Procedure and House Rules Committee including the Political Parties (Amendment) Bill (National Assembly Bill No. 35 of 2022) read a first time on 12th April, 2023; the Public Finance Management (Amendment) Bill (National Assembly Bill No. 38 of 2022) read a first time on 13th April, 2023; and the Petitions to Parliament (Procedure)(Amendment) Bill (National Assembly Bill No. 51 of 2022) read a first time on 22nd February, 2023.

3.2.3 Committee Sittings



Figure 15: The Speaker addressing a meeting of the Powers and Privileges Committee during a working retreat, March 2023

During the Session, the Directorate provided administrative and technical support to the four (4) Committees. The Committees held one hundred and eighty-one (181) sittings including forty (40) for the House Business Committee, thirty-three (33) for the Speakers' Panel, nine (9) for the Procedure and House Rules Committee, seven (7) for the Powers and Privileges Committee and ninety-two (92) for the Public Petitions Committee.

3.2.4 Committee Reports

During the Session, the Directorate facilitated its committees to consider thirteen (13) reports including eleven (11) on public petitions and two (2) on House procedures. These included the Sixth Report of the Procedure and House Rules Committee on Amendments to the Standing Orders. The Report, which was approved on 9th March 2023, proposed amendments to the Standing Orders to allow Cabinet Secretaries to appear and respond to Questions by Members in Plenary.

Notably, the Report of the Public Petitions Committee on its consideration of Public Petition No. 7 of 2022 by the Member for Alego Usonga, the Hon. Samuel Atandi, MP regarding *Probable Loss of Investments in Cytonn High Yield Solutions Platform* was debated and adopted by the House in line with the new procedure introduced during the termly review of the Standing Orders at the end of the 12th Parliament in June 2022. The Report sought to address the plight of petitioners who were investors in the off-plan real estate schemes by Cytonn Investment Management Company Ltd. which had failed to deliver the promised houses to the investors.

3.2.5 Committee Public Engagements

During the Session, the Committees under the Directorate of Legislative and Procedural Services conducted five (5) site visit inquiries on public petitions. Notably, the Public Petitions Committee conducted a site visit inquiry to the properties owned by Cytonn Investments Ltd on 24th March 2023 following while considering the public petition on the *alleged probable loss of investments in Cytonn High Yield Solutions Platforms*. Additionally, the Committee conducted a site visit inquiry in Narok East Constituency on 23rd June 2023 following a public petition regarding *Access Roads for Residents of Narok East Constituency* by the Hon. Lemanken Aramat, MP.



Figure 16: The Public Petitions Committee led by Chairperson, the Hon. Nimrod Mbai, MP (third from left) during the site visit inquiry at the properties owned by Cytonn Investments Ltd on 24th March 2023

3.3 THE DIRECTORATE OF DEPARTMENTAL COMMITTEES

During the Second Session of the 13th Parliament, the Directorate facilitated Departmental Committees to achieve the following—

3.3.1 Committee Sittings

In the execution of their mandate, Departmental Committees held **one thousand six hundred and twenty-two (1,622) sittings**. These range from witness and public hearings, stakeholder engagements and inquiries as well as planning meetings.

3.3.2 Bills and Legislative Proposals

During the period under review, Departmental Committees **considered one hundred and four (104) Bills** and tabled fifty-four (54) reports on the Bills. The committees also considered **ninety-four (94) legislative proposals** and submitted fifty-eight (58) reports on the proposals to the Speaker in line with provisions of Standing Order 114(7).

3.3.3 Treaties/Protocols/Agreements and Conventions

During the period under review, the Directorate facilitated the consideration of four (4) protocols, seven (7) conventions and six (6) Agreements for ratification. These include—

- (i) *The Amended Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean and the Protocol for the Protection of Marine and Coastal Environment of the Western Indian Ocean from land-based Sources and Activities;*
- (ii) *Agreement between the Government of the Republic of Kenya and the Government of the United Kingdom of Great Britain and Northern Ireland on Defence Co-operation;*
- (iii) *The Kigali Amendments to the Montreal Protocol on Substance that Deplete the Ozone Layer;*
- (iv) *The African Union Treaty for the establishment of the African Medicines Agency (AMA);*
- (v) *The Minamata Convention on Mercury; and*
- (vi) *The East African Community (EAC) Multilateral Agreement on Aircraft Accident and Incident Investigations.*

3.3.4 Sessional Papers

The Directorate considered of three (3) sessional papers and tabled two (2) reports in the House during the period under review. The following two (2) Sessional Papers were considered and respective reports were tabled in the House by the end of the session—

- (i) *Sessional Paper No. 1 of 2023 on the Kenya National Population Policy for Sustainable Development; and*
- (ii) *Sessional Paper No. 2 of 2023 on the National Tax Policy.*

3.3.5 Review of the National Government Budget and Related Processes

During the period under review, the Directorate facilitated the consideration of the Budget Policy Statement (BPS) and Medium-Term Expenditure Framework (MTEF), the Budget Estimates for the FY 2023/2024 and Medium-Term, the Supplementary Budget Estimates for the FY 2022/2023, and Supplementary I FY 2023/24 and submitted respective reports containing the recommendations for incorporation the budget formulation.

3.3.6 Vetting of Nominees

The Directorate facilitated the vetting sessions for Principal Secretaries, members of Independent Commissions, members of the National Climate Change Council, the Director-General of the National Intelligence Service, the Solicitor-General, the Governor and Deputy Governors of Central Bank of Kenya and twenty-seven (27) ambassadors, high commissioners and permanent representatives during the period under review. In carrying out the vetting process, the directorate facilitated public hearings and invited submission of memoranda from the public in line with Article 118 of the Constitution.



Figure 17: Ms. Janet Mwangi ambassadorial nominee to Kigali, Rwanda taking an oath when she appeared before House Committee on Defence, Intelligence and Foreign Relations chaired by Hon. Nelson Koech for vetting

3.3.7 Committee Inquiries

During the period under review, the Directorate undertook fourteen (14) inquiries some of which include—

- (i) **Departmental Committee on Labour:** Inquiry into reports of sexual harassment of female workers in tea estates in Kericho County;
- (ii) **Departmental Committee on Agriculture & Livestock:** Inquiry into maize flour subsidy programme for the financial year 2022/23;
- (iii) **Departmental Committees on Finance & National Planning, and Communication, Information & Innovation:** Joint inquiry on the acquisition of Telkom Kenya by the Government of Kenya;
- (iv) **Ad Hoc Committee:** Inquiry into the activities and operations of World Coin in Kenya; and
- (v) **Departmental Committee on Education:** Inquiry into the alleged malpractices in the 2023 KCSE Examinations.

3.3.8 Memorandum

The Departmental Committee on Agriculture & Livestock jointly with the Departmental Committee on Finance & National Planning considered the Treasury Memorandum on *Action Plans to Revive and Commercialize State-owned Sugar Companies*. The Memorandum included approval of the leasing model for five (5) state-owned sugar companies in line with the provisions of the Public Private Partnerships Act, 2021. The five companies are—

- (i) Chemelil Sugar Company;
- (ii) Nzoia Sugar Company;
- (iii) South Nyanza Sugar Company;
- (iv) Miwani Sugar Company (in receivership); and
- (v) Muhoroni Sugar Company (in receivership).

3.3.9 Questions and Statements

Prior to the approval by the House of amendments to the Standing Orders on 9th March 2023, fifty-eight (58) Questions were processed and fifty-four (54) Questions were responded to before Departmental Committees. Thereafter, Departmental Committees considered thirty (30) Questions directed to Independent Commissions and Independent Offices. Seven (7) of these Questions were responded to.

Additionally, thirty-seven (37) requests for Statements were committed to Committees for consideration. Twenty-seven (27) responses to Statements sought by Members were issued in the House by various chairpersons of departmental committees.

3.3.10 Local and Foreign Committee Engagements

The Committees under the Directorate participated in various activities including forty-one (41) inspection visits, various workshops, retreats, trainings, study visits and conferences in line with their mandates.

3.4 THE DIRECTORATE OF AUDIT, APPROPRIATIONS & OTHER SELECT COMMITTEES

During the Second Session of the 13th Parliament, the Directorate facilitated Audit, Appropriation and Other Select Committees to achieve the following—

3.4.1 Committee Sittings

The Committees under the Directorate held **one thousand and twenty-six (1,026) sittings** to consider various businesses as per their mandate. The Public Accounts Committee and the Public Investments Committee on Social Services, Administration and Agriculture held the highest number of sittings with one hundred and twenty-two (122) and one hundred and twenty (120) sittings respectively.



Figure 18: Public Investments Committee on Commercial Affairs and Energy in session, October 2023

3.4.2 Committee Reports

During the period under review, the Committees under the Directorate tabled **thirty-six (36) reports**. Nine (9) of these reports emanated from the **Committee on Delegated Legislation** on its consideration of statutory instruments.

3.4.3 Statutory Instruments

The Committee on Delegated Legislation considered **twenty-six (26) statutory instruments** in accordance with Standing Order 210(4)(a). The committee concluded consideration of nine (9) statutory instruments and tabled respective reports as required by the enabling statutes. Notably, five (5) statutory instruments are pending before the Committee on request by the Regulatory making Authorities for further consultations on the said regulations. Additionally, **one (1) regulation was withdrawn** by the Ministry of Environment, Climate Change & Forestry for further consultation while two (2) regulations were revoked by the regulatory making authority.

3.4.4 Bills and Legislative Proposals

The Committee on National Government Constituencies Development Fund considered the National Government Constituencies Development Fund (Amendment) Bill, 2023 sponsored by the Leader of the Majority Party and the Leader of the Minority Party. Further, the National Employment Authority (Amendment) Bill, 2023 (Senate Bills No. 48 of 2023), a Bill sponsored by Sen. Crystal Asige, M.P, was read for the first time on 23rd November 2023 and committed for joint consideration by the Diaspora Affairs and Migrant Workers Committee and the Departmental Committee on Labour.

In addition, the Committee on National Cohesion and Equal Opportunity formulated a legislative proposal on proposed amendments to the National Cohesion and Integration Act.

3.4.5 Implementation of House Resolutions on Petitions Tabled

During the Session, the Committee on Implementation considered reports on consideration of ten (10) petitions pursuant to the provisions of Standing Order 209(2).

3.4.6 Vetting

The Committee on National Government Constituencies Development Fund (NGCDF) considered nominees of members of various NGCDF Constituency Committees in line with the NGCDF Act, 2015. Further, the committee considered the nominations of persons for appointment as members of the NGCDF Board. The following were approved for appointment as members of the NGCDF Board—

- (i) Hon. Olago Aluoch, CBS;
- (ii) Hon. Janet Teyiaa;
- (iii) Sen. Masitsa Naomi Shiyonga; and
- (iv) Hon. Gabriel Kago.

3.4.7 Local and Foreign Engagements

The Committees under the Directorate participated in various activities including field visits, inspection visits, workshops, retreats, trainings, study visits, conferences and workshops in line with their various mandates.

3.5 THE DIRECTORATE OF LEGAL SERVICES

The Directorate of Legal Services (DLS) has continued to provide in-house legal services to the National Assembly in fulfilment of its mandate. The provision of legal services to the National Assembly by the DLS contributes greatly to the realization of the Parliamentary Service Commission (PSC) strategic objectives as set out in the PSC Strategic Plan 2019-2030.

The Directorate is mandated to discharge provision of legal advice on legislative and other legal matters to the Speaker of the National Assembly, the Parliamentary Service Commission, the Leader of the Majority Party in the National Assembly and the Clerk of the National Assembly. During the Session, the Directorate provided support to Members and to the forty-four (44) Committees of the National Assembly.

3.5.1 Highlights of activities by the Directorate

The Directorate achieved several milestones during the session:

3.5.1.1 Facilitating Members and Committees to make laws

In fulfilment of the Strategic Objective 2 to strengthen the capacity of Members of Parliament to execute their constitutional mandate under Strategic Pillar I on effective representation, legislation and oversight, the Directorate facilitated the drafting of **one hundred and ninety-seven (197) legislative proposals** for individual Members and Committees. The detailed list of legislative proposals may be accessed on <http://tinyurl.com/n7mzb326> .

3.5.1.2 Admissibility of Petitions submitted to the National Assembly

The Directorate provided legal advice on the admissibility of **seventy-one (71) Petitions** submitted to the National Assembly in line with Strategic Objective 11 to enhance the involvement of the public in legislation and oversight under the PSC Strategic Pillar III on public trust. This ensured that the statutory standards were adhered to in the processing of petitions to the House.

3.5.1.3 Drafting and formulation of legal opinions

During the period under review, the Directorate scrutinized, drafted, formulated and provided **sixty-five (65) legal opinions** on various matters including on statutory instruments presented to Committees pursuant to Article 94(6) of the Constitution, the Statutory Instruments Act, 2013 and Standing Orders 118 and 210.

3.5.1.4 Executive Bills

For effective representation, legislation and oversight and in line with the PSC Strategic Objective 1 (*Improving the process of representation, legislation and oversight*), the Directorate drafted, reviewed and published **thirty-eight (38) executive Bills** during the period under review.

3.6 THE DIRECTORATE OF LITIGATION AND COMPLIANCE SERVICES



The Directorate of Litigation & Compliance Services is responsible for the provision of professional and non-partisan legal services to the National Assembly, Committees of the House, Members of the National Assembly, the Hon. Speaker, Clerk and staff of the National Assembly. These services include litigation and dispute resolution, contract management, drafting of memoranda of understanding and agreements, conveyancing, compliance and related services.

3.6.1 Litigation Matters

In performing its duties, the Directorate of Litigation & Compliance Services was involved in various litigation matters filed against the National Assembly and

officers of the House. These matters have been largely in relation to the mandate of the National Assembly as provided for by the Constitution. The key thematic areas that attracted litigation include the conduct of public participation on matters before the House or its committees, constitutionality of legislation, scrutiny of delegated legislations, judicial review of house decisions, taxation matters including the Finance Bills, public petitions under Article 119 of the Constitution, and the role of Speaker and the Clerk of the House. During the period under review, the following selected court cases were handled by the Directorate and are at different stages—

S/ No.	Case Number & Parties	Summary of Issues
1.	HIGH COURT PETITION NO. E035/2023- Sunday vs. State Law and Speaker of the National Assembly and Another	Seeks the declaration that the failure, refusal and/or neglect to enact legislation prescribing minimum and maximum land holding acreages in respect to private land is a violation of Article 68(c)(i) and the Fifth Schedule of the Constitution.
2.	HIGH COURT PETITION NO. E050/2023- The Law Society of Kenya vs. State Law, Kenya Revenue Authority and Another	Challenges the constitutionality of Regulation 2 of the Excise Duty (Excisable Goods Management System) (Amendment) Regulations, 2023 on grounds of inconsistency with the provisions of Article 2(2), 10, and Article 201(b) of the Constitution.
3.	ELDORET ELRC PETITION NO. E001/2023- Collins Barno and Stanley Kiprotich Bii vs. Hon. Linet Chepkorir alias Toto, Bomet County Women Representative & Parliamentary Service Commission & 7 Others	The Petitioner seeks recognition of the infringement of the right to access information against the MP and PSC for failure to produce integrity report of certain employees of the Bomet CWR Office.
4.	KITUI ELC COURT PETITION NO. E001/2023- Julius Kioko Mutisya and Adija Wanza Musembi vs. Musembi Wambua and The Deputy County Commissioner - Ikutha and 2 Others	Challenges the decision of the Deputy County Commissioner Ikutha sub-ounty in appeal No. 60 of 2017 for land parcel No. 478 & 596 of 2017 in relation to parcel No. 431 Kyautunda adjudication be set aside or quashed for being null & void.
5.	NAIROBI HIGH COURT PETITION NO. E080/2023 (CONSOLIDATED WITH E084 OF 2023)- Eliud Matindi vs. State Law and Office of the Controller of Budget and 2 Others	Challenges the constitutional validity of the decision by the President of the Republic of Kenya, on grounds of unilaterally creating offices in the public service under the Salaries and Remuneration Commission Act, 2011.

S/ No.	Case Number & Parties	Summary of Issues
6.	NAIROBI HIGH COURT PETITION NO. E108/2023- Joseph M. K. Mwingirwa and Kenya Water and Sanitation Civil Society Network vs. State Law	Seeks a declaration that the water use charges provided for in regulation 84 of the water resources regulations 2021 are exorbitant and unaffordable to an extent of being in violation of the right to clean and safe water in adequate quantities enshrined in Article 43(1)(d) of the Constitution.
7.	NAIROBI HIGH COURT PETITION NO. E104/2023- Okiya Omtatah Okiiti vs. Attorney General	Challenges the constitutionality of the Independent Electoral and Boundaries Commission (Amendment) Bill 2022 (National Assembly Bills No. 49 of 2022).
8.	NAIROBI PETITION NO. E153/2023- Azimio La Umoja One Kenya Alliance vs. Independent Policing Oversight Authority and Kenya National Commission on Human Rights And 5 Others	Challenges the constitutionality of the decision by the President of Republic of Kenya in Kenya Gazette Notice No. 5660 made on 4th May 2023, purportedly to establish a Commission of Inquiry called “Commission of Inquiry into the Shakahola Tragedy”
9.	NAIROBI HC PETITION NO. E149 OF 2023 - Stephen Owoko Oganga vs. AG and Others	Challenges the constitutionality of the provisions of the Presidential Retirement Benefits Act on grounds of inconsistency with Article 2(4) and 38 of the Constitution.
10.	NAIROBI HIGH COURT PETITION NO. E199 OF 2023 - Eliud Matindi vs. State Law and National Assembly and Another	Challenged the constitutionality of the nomination and, with the approval of the National Assembly, appointment, by the President of the Republic of Kenya, of Mr. Noordin Haji, to the Office of Director-General, National Intelligence service and his assumption to the office thereto.
11.	NAIROBI HIGH COURT CONSTITUTIONAL PETITION NO. E318 OF 2023 - Yellow Card Kenya Limited vs. Cabinet Secretary, National Treasury and Planning, The Attorney General, The National Assembly and Commissioner General Kenya Revenue Authority	Challenges the constitutionality of Digital Asset Tax in so far as it has failed to define the point of transfer for purposes of the tax.

S/ No.	Case Number & Parties	Summary of Issues
12.	NAIROBI HIGH COURT PETITION NO. E320/2023 - Operation Lind Jamii vs. National Assembly, the Pensions Department and 4 Others	This case challenges the constitutionality of the financial inclusion fund otherwise known as the Hustler fund for being in violation of the Constitution and principles of public finance.
13.	NAIROBI HIGH COURT PETITION NO. E313/2023 - Brian Higgins Mbugua vs. State Law and Independent Electoral and Boundaries Commission and 3 Others	The petitioner seeks a declaration of the violation of Articles 10, 20, 95 (1), 97(1) (a) and Article 101 (4) (b) of the Constitution for failure to conduct a by-election in Banissa Constituency within ninety days of the occurrence of the vacancy
14.	NAIROBI HIGH COURT PETITION NO. E248/2023 - Shadrack Sharu Muyesu and Munase Mukhombwa Klinsman vs. State Law, Office of the Controller of Budget & another	Challenges the constitutionality of the Appropriations Act, 2023 for not clearly stating the country's public debt balance and appropriate funds for settlement of such debt within the financial year.
15.	NAIROBI HIGH COURT PETITION NO. E237/2023 - Dennis Wendo and Mercy Nabwire and 8 Others vs. Commissioner General, Kenya Revenue Authority, The Pensions Department and 2 Others	Challenges the constitutionality of the Finance Act, 2023 and seeking that the Petition is marked as the lead file for the consolidated Petition.
16.	NAIROBI HIGH COURT PETITION NO. E234/2023 - Trade Unions Congress of Kenya & Others V The National Assembly & Others	Challenges the constitutionality of Finance Act, 2023.
17.	NAIROBI HIGH COURT PETITION NO. E233/2023 - Kennedy Kariithi Gachenge and Francis Kinyua Mwangi vs. Cabinet Secretary Ministry of Agriculture, Livestock and Fisheries and Senate and 10 Others	Challenges the constitutionality of Standing Order 25A of the National Assembly Standing Orders (Designation for a place in the Chamber for Cabinet Secretaries and other persons) .

S/ No.	Case Number & Parties	Summary of Issues
18.	NAIROBI HIGH COURT PETITION NO. E232/2023- Robert Gathogo Kamwara Vs State Law and National Assembly	Challenges the constitutionality of Sections 84 of the Finance Act 2023 for lack of an accountable, transparent framework and a governance structure
19.	NAIROBI HIGH COURT PETITION NO. E228/2023- Siasa Place, Tribeless Youth and 5 Others Vs Attorney General, The National Assembly and Another	Challenges the constitutionality of the Finance Act, 2023.
20.	NAIROBI HIGH COURT PETITION NO. E227/2023- Azimio La Umoja One Kenya Alliance vs. State Law	Challenges the constitutionality of the Finance Act, 2023 for failure to have it referred to the Speaker of the Senate as stipulated in Article 110 (4) of the Constitution as it involved and concerned county government functions
21.	NAIROBI HIGH COURT PETITION NO. E217/2023- Clement Edward Onyango vs. State Law, Public Procurement Regulatory Authority and Another	Challenges the constitutionality of the Finance Act 2023 in so far as it threatens food security by imposing a punitive tax on staple food.
22.	NAIROBI HIGH COURT PETITION NO. E211/2023- Peter Odhiambo Agoro vs. State Law, The National Assembly of the Republic of Kenya and 2 Others	Challenges the constitutionality of the Finance Bill, 2023.
23.	NAIROBI HIGH COURT PETITION NO. E202/2023- Kenneth Njagi Njiru vs. State Law, Jubilee Party of Kenya and Others	The Petitioner seeks a declaration on which party/coalition of parties forms the majority party in the 13th Parliament as per the General Elections held on 9th August 2022.
24.	NAIROBI HIGH COURT PETITION NO. E281/2023- Dr. Fredrick Onyango Ogola Vs State Law, Clerk of The National Assembly and 2 Others	Seeks the declaration that the Inspector General of National Police Service is a Member of the National Police Service Commission;

S/ No.	Case Number & Parties	Summary of Issues
25.	NAIROBI HIGH COURT PETITION NO. E371/2023- Issa Elanyi Chemao vs. State Law, Senate and Others	Challenges the constitutionality of the establishment of the National Dialogue Committee to consider issues for amendment of the Constitution without enacting a legal framework.
26.	NAIROBI HIGH COURT PETITION NO. E361/2023- Music Copyright Society of Kenya Ltd vs. State Law, Kenya Copyright Board and Another	Challenges the constitutionality of Sections 26, 28, 30 and 30(B) of the Copyright Act, Number 12 of 2001 as it violates Articles 10(1)(2), 27(1)(2) and 40 (5) of the Constitution to the extent that it excludes Authors, Composers, Arrangers and Publishers of Copyrighted musical works who are members of the Music Copyright Society of Kenya from accessing/sharing Private Copying Remuneration.
27.	NAIROBI ELRC PETITION NO. E038 OF 2023 - Legal Advice Centre & Others vs. the Cabinet Secretary, Ministry of Labour and Social Protection & Others	Seeking restitution for the victims of Middle East against abuse and a declaration that they are entitled to effective protection by the State against modern day slavery, human trafficking, violence, physical injury, threats, deportation, rape, death and other human rights violations and the state failed/ neglected and has abdicated on this responsibility.
28.	NAIROBI HIGH COURT PETITION NO. E389/2023- Thirdway Alliance Kenya and 2 Others vs. Cabinet Secretary Interior and Coordination of National Govt, the Speaker of The National Assembly and 4 Others	Challenges the agreement between Kenya, USA and the United Nations to deploy at least 1,000 police officers in Haiti.
29.	NAIROBI HIGH COURT PETITION NO. E408/2023- Mount Kenya Jurists Association vs. State Law and Azimio La Umoja Kenya One Coalition	Challenges the implementation of the Resolution of the United Nations Security Council passed on 2nd October, 2023 to deploy, inter-alia, about 1000 Kenyan Police Officers to Haiti.

S/ No.	Case Number & Parties	Summary of Issues
30.	NAIROBI HIGH COURT PETITION NO E437/2023 - Dr. Magare Gikenyi J.Benjamin vs. Cabinet Secretary National Treasury & Economic Planning, Cabinet Secretary, Interior & National Administration and 2 Others	Challenges the Gazette Notices No.15239-15242 entitled “review of charges and fees”, that increases charges for various government services as such amounts were increased arbitrary without any formula or public participation whatsoever.
31.	HIGH COURT PETITION NO. E442/2023- Fredrick Bikeri vs. State Law and National Assembly	Challenges the purported review or increase of charges, fees/levies of various services as depicted in <i>Gazette</i> Notices No.15239-15242 dated on/about 6th November 2023 and/or any document purporting to give authority increase or review aforementioned charges, fees, levies in as far as it was done inter alia without public participation and other constitutional provisions and relevant statutes is unconstitutional, null and void.
32.	NAIROBI HIGH COURT PETITION NO E448/2023- Association of Real Estate Holders (RESA) vs. CS Lands, Public Works, Housing and Urban Development & Others	Challenges the constitutionality of the Land Registration (General) (Amendment) Regulations, 2023 and the Survey (Amendment Regulations), 2023 in so far as they seek to increase/review the charges/ fees and levies in the new amendments.
33.	NAIROBI HIGH COURT PETITION NO. E491/2023 - Orange Democratic Movement Party (ODM) vs. Speaker of the National Assembly and Others.	Challenges the Constitutionality of the Treasury’s Gazette Notice identifying certain public assets for privatization under section 21(1) of the Privatization Act, 2023.
34.	NAIROBI HIGH COURT PETITION NO. E494/2023- Orange Democratic Movement Party (ODM) vs. Speaker of the National Assembly and Others	Seeks a declaration for the full provision of funds for the Political Parties fund in accordance with Section 24(1)(a) of the Political Parties Act.
35.	NAIROBI HIGH COURT PETITION NO E505/2023- Azimio la Umoja One Kenya Coalition Party vs. the Speaker of the National Assembly and Jubilee Party/	Challenges the constitutionality of the declarations by the Speaker to recognize Sabina Chege as the whip of the Jubilee Party and at the recognition of Jubilee political party as a parliamentary party separate from the Azimio la Umoja One Kenya Coalition Party.

Table 3.1 - Court cases handled by the Directorate of Litigation

3.6.1.1 Key Highlights: Selected Case

Nairobi High Court - Constitutional Petition No. E181 of 2023 - Okiya Omtatah Okoiti & Others vs. the Cabinet Secretary National Treasury and Planning & Others

The suit was instituted on 2nd June 2023 challenging the constitutionality of the Finance Act, 2023. The matter was consolidated with Petitions E211, E217, E219, E221, E227, E228, E232, E234, E237 and E254, all of 2023 on 7th August 2023. The consolidated Petition was heard on 13th and 14th September 2023 at the High Court. In the judgment delivered on 28th November 2023, the court determined, among other things, that—

- (i) The Finance Act is a money Bill within the meaning of Article 114 of the Constitution;
- (ii) Under Article 220 and 221 of the Constitution, estimates of revenue and estimates of expenditure are part of the budget making process. With regards to the Finance Act 2023, the estimates of revenue were included in the approved estimates contained in the Appropriation Bill, 2023 and the resultant Appropriation Act, 2023 as published in the Kenya Gazette Supplement Nos. 87 and 98 of 15th June 2023 and 26th June 2023 respectively;
- (iii) The failure by the Speaker of the National Assembly to **seek agreement** with the Speaker of the Senate on **the nature of the Finance Bill prior** to its introduction in the National Assembly does not vitiate the resultant Act as such concurrence is not a requirement under Article 114 of the Constitution;
- (iv) There was ample evidence that the National Assembly conducted sufficient public participation in respect of the Finance Act, 2023;
- (v) The introduction of the Housing Levy through an amendment of the Employment Act by section 84 of the Finance Act, 2023 **lacks a comprehensive legal framework** in violation of Articles 10, 201, 206 and 210 of the Constitution. The imposition of the housing levy against persons in formal employment to the exclusion of other non-formal income earners to support the national housing policy is without justification is unfair, discriminatory, irrational, and arbitrary and in violation of Articles 27 and 201(b)(i) of the Constitution.

3.6.2 Contracts

The Directorate has been instrumental in drafting and reviewing contracts, agreements, and MOUs to ensure the interests of the National Assembly are upheld within the law. These include service and maintenance contracts, conveyancing under the Parliamentary Mortgage and Car Loan Schemes, training agreements, contracts relating to auctioneering and valuation services, general insurance and medical insurance services. During the period under review, the Directorate was involved in the drafting and execution of the following agreements and contracts—

- (i) Contract for provision of auctioneering services of defaulted mortgage facilities;
- (ii) Contract for provision of valuation services of defaulted mortgage facilities;
- (iii) Contract for the Provision of Preventive Maintenance of Multimedia Digital Network Congress System (MMDNCS);
- (iv) Contract for the provision of design and printing services;
- (v) Contract for the supply and delivery of general dry foodstuff to the Catering Department; and
- (vi) Contract for the provision of legal service in Nairobi High Court Petition E202 of 2023: *Kenneth Njagi Njiru vs The National Assembly, The Speaker of the National Assembly & Others*.

3.6.3 Legal Advisory

In line with its mandate, the Directorate provided advisory services to both the Speaker and Clerk of the National Assembly, Committees of the National Assembly, and the various Directorates and Departments in the National Assembly. This ensured compliance by all the concerned actors within the National Assembly and thus **reducing legal risks** to the parties. The advisories included on matters relating to office leases for Members of Parliament, management of various contracted services for the National Assembly and compliance with the Data Protection Act, 2019 and attendant regulations.

With regard to compliance with the Data Protection Act, 2019, it was recommended that the Parliamentary Service Commission (PSC) authorizes registration of the PSC, the National Assembly, the Senate and the various Funds as Data Controllers with respect to personal data processed by each of the entities. Additionally, it was proposed that the co-ordination of compliance with the provisions of the Data Protection Act, 2019 be vested in the Accounting Officers of the respective Services within the PSC.

3.6.4 Emerging issues within the Directorate

During the period under review, a number of emerging issues were noted. These include the need for a legal audit in the National Assembly as well as an assessment on the effectiveness of public participation undertaken by the National Assembly in its legislative business.

- (a) **Legal audit of the National Assembly:** the Directorate initiated the procurement of a firm to conduct a legal audit of the National Assembly. The aim of the legal audit is to assess the compliance of the National Assembly to the Constitution, statutes, international laws and regulations applicable to the institution and the internal rules and policies of the organization. Additionally, the legal audit seeks to offer an impartial look at the operations and legal procedures of the Directorate and provide objective advice to protect it from any form of legal risks and possible litigation.

- (b) **Assessment on the effectiveness of public participation in legislative business:** Article 118 of the Constitution requires Parliament to facilitate public participation and involvement in the legislative and other business of the institution. The National Assembly has continued to fulfill this constitutional requirement through carrying out public participation activities for Bills, Sessional Papers, Treaties as well as general hearings on matters before the House. Noting the numerous litigations instituted against the National Assembly questioning the public participation processes, it has become necessary for an assessment of these processes. Notably, there are well over 200 cases relating to various aspects of public participation currently being handled by the Directorate. An assessment of the effectiveness of the public participation undertaken by the House would proffer possible ways of improving the processes. It is expected that the assessment will give an objective and unbiased view of whether the public participation as undertaken by the National Assembly is adequate, meaningful and effective.

3.7 THE DIRECTORATE OF HANSARD AND AUDIO SERVICES

The Directorate of Hansard and Audio Services is mandated to facilitate parliamentary business under Standing Order 248 to publish a verbatim report of all proceedings of the House, and of all proceedings of a committee of the House where evidence is given within forty-eight hours and seventy-two hours, respectively. In fulfilment of this mandate, the Directorate performed timely recording of plenary and committee sittings, transcription, editing and printing of Hansard Reports. The Directorate also assisted in the translation of legislative tools such as Motions, Questions, and Notices of Motions from English to Kiswahili and vice versa.

During the Second Session, the Directorate published **one hundred and twenty-three (123) Hansard reports** of Plenary Sittings available on <http://tinyurl.com/22xcx6h3> and recorded **two thousand and four (2,104) committee sittings** for transcription.

In fulfilment of the PSC Strategic Objective 1 on improving the process of representation, legislation and oversight, the Directorate facilitated internal clients to access the Hansard Reports whenever there was a critical issue in the House such as the Speaker in making various rulings, Committee in preparation of reports, legal department while drafting of Bills, Committee Chairpersons while moving or replying to Bills, and Members of Parliament. Further, the Directorate got requests for copies of the Hansard Reports from external clients including Ministries and Departments implementing House resolutions, courts in determining true proceedings of the House, foreign missions, and schools and research institutions.

The Directorate also assisted in recording and transcribing **forty-one (41) sittings** of the proceedings of the **National Dialogue Committee (NADCO)** which was established to facilitate dialogue and consensus building and recommend appropriate constitutional, legal and policy reforms on issues of concern to the people of Kenya as approved by the House on 16th August 2023.

3.8 THE PARLIAMENTARY BUDGET OFFICE (PBO)

The primary mandate of Parliament is legislation, representation, oversight, and budget making. In this regard, the Parliamentary Budget Office (PBO) continues to discharge its mandate of providing professional services in respect of budget, finance, and economic information to the committees of the National Assembly as provided for in section 10 and Part II of the Public Finance Management Act, 2012. In line with its mandate and provisions of the respective Standing Orders, the PBO also provides support to the Speaker through money Bill determination and costing analysis of various legislative proposals including Motions and draft Members' Bills in accordance with Article 114 of the Constitution and other legal provisions.

The following activities were undertaken by the Directorate during the Second Session -

3.8.1 Money Bill Determination/certification of draft Bills

The Parliamentary Budget Office received **one hundred and thirty-three (133)** legislative proposals for processing under Article 114 of the Constitution. Out of these, one hundred and eleven (111) were proposed amendments to Acts of Parliament. Upon analysis, **seventy-six (76)** were certified as **money Bills** while **fifty-seven (57)** were certified as **non-money Bills**.

3.8.2 Analysis of economic and financial implications of Bills and Statutory Instruments in accordance with Article 114 of the Constitution

The Directorate provided an analysis of **forty (40) Bills**, and **thirty (30) statutory instruments** and provided regular support to the Committee on Delegated Legislation. Some of the notable Statutory Instruments analyzed by the Directorate included the Public Finance Management (Financial Inclusion Fund) Regulations 2022, the Public Finance Management (National Peace Support Operation Fund) Regulations 2022 and the Tax Procedures (Common Reporting Standard) Regulations, 2023, among others.

3.8.3 Technical support to Oversight Committees

The Directorate provided technical back-stopping to oversight Committees as indicated below—

- (i) **Public Accounts Committee:** provided over **one-hundred (100) analytical reports** on various issues in the audit reports relating to financial statements for various MDAs;
- (ii) **Public Investment Committees:** provided analytical reports on various issues in the audit reports on various financial statements for various State Corporations and two (2) reports were tabled; and
- (iii) **Special Funds Account Committee:** provided briefs for the Equalization Fund, Road Annuity Fund and Land Settlement Fund.

3.8.4 Review of budget related documents

During the Session, the Budget Office prepared an analysis report that was presented to the Public Debt and Privatization Committee on the following budget related documents:

- (i) The 2023 Budget Policy Statement (BPS);
- (ii) The 2023 Medium Term Debt Strategy; and
- (iii) The Annual Estimates of Revenue and Expenditure 2023/2024.

The 2023 Medium Term Debt Strategy provided for an evaluation of the borrowing strategy for FY2023/24, FY2024/25, and the Medium Term, while considering the current economic environment. Factors considered in the analysis included Kenya's stock of debt, evaluation of costs and risks on the existing debt and potential borrowing, and the new debt to finance the deficit *vis-à-vis* the debt ceiling.

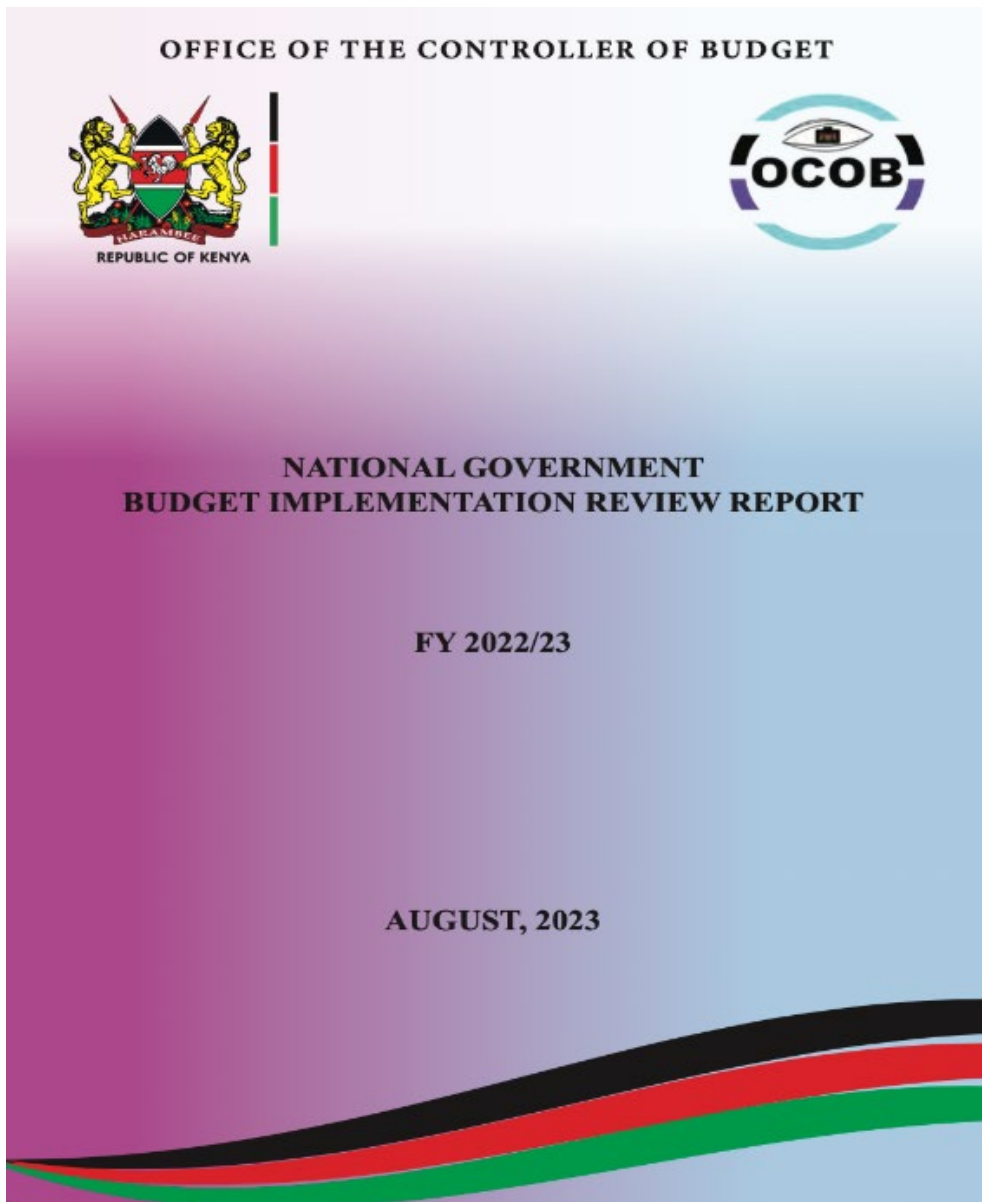
3.8.5 Review and analysis of the Supplementary budgets for FY2022/23 & FY2023/24

The Budget Office also prepared the review and analysis of the Supplementary budgets for the Financial Year 2022/23 and 2023/24 which provided a detailed evaluation of the expenditures incurred under Article 223 of the Constitution and the underlying circumstances for these expenditures. The review provided a snapshot of the reallocations sought and the extent to which the supplementary budgets deviated from the approved FY 2022/23 and 2023/24 Budget. Additionally, the review provided a detailed analysis of compliance and the adherence to the tenets outlined in the law.

3.8.6 Budget oversight

During the Second Session, the PBO facilitated Committees of the House to fulfill their mandates on budget oversight by—

- (a) **Budget Implementation Oversight (BIO) Briefs:** The Directorate provided an analytical brief to the 20 Departmental Committees of the National Assembly. The briefs formed the basis of budget oversight for 2023/24 budget;
- (b) **Annual Appropriation Bill 2023 and Supplementary Appropriation Bills:** PBO actively took lead in the review of Annual Appropriation Bill, 2023 and the two (2) Supplementary Appropriation Bills for the year ending 30th June 2023 as well as Supplementary Appropriation Bill for the year ending 30th June 2024;
- (c) **Review and briefing on the following annual bills—**
 - (i) *Division of Revenue Bill, 2023*
 - (ii) *County Allocation of Revenue Bill, 2023*
 - (iii) *Appropriation Bill 2023 and Supplementary Appropriation Bills for FYs 2022/23 and 2023/24; and*
 - (iv) *County Government Additional Allocation Bill.*



3.8.7 Parliamentary Budget Office Publications

During the Second Session, the Parliamentary Budget Office (PBO) prepared the following publications to assist Departmental Committees to not only develop various sector expenditure options but to also hold the government to account on its promises and enhance efficiency, effectiveness, equity and accountability in the collection and utilization of public finances–

- (a) **Budget Options for 2023/24:** The PBO is mandated to prepare an alternative fiscal framework based on clear baselines which provide the basis for a review of the economic outlook and forecasting of the performance of macroeconomic variables and their impact on the overall economic growth rate. This involves the evaluation of the cost and risks of different policy

options and making appropriate recommendations for consideration during the preceding budget making and budget implementation process. The Directorate prepared the Budget Options for 2023/24 on “*Fiscal Consolidation in the Midst of a Global Recession- What is the Magic?*” which included strategies to support economic growth. The contributions helped the departmental committees to develop various sector expenditure options which were considered during the review of the 2023 Budget Policy Statement and during the approval of the 2023/24 Annual Estimates.

- (b) **Budget Watch:** Following approval of the budget estimates, the Budget Office prepares the *Budget Watch*. This is a report series produced annually that disseminates the assessment of key issues regarding the implementation of the approved budget in a particular financial year. By examining the government’s priority programmes and projects, the Budget Watch is instrumental in holding the government to account on its promises and enhancing efficiency, effectiveness, equity and accountability in the collection and utilization of public finances. It is intended to enrich the oversight role of the Legislature and other stakeholders on management of public resources in line with Strategic Objectives 1 and 2 of the PSC Strategic Pillar I on improving the process of representation, legislation and oversight and strengthening the capacity of Members of Parliament to execute their constitutional mandate.

The two publications were made available to the committees and the public in line with the provisions of Section 10 of the Public Finance Management Act, 2012 and may be accessed on <https://tinyurl.com/3kcyp8yh> for the Budget Options and <https://tinyurl.com/2nxby32v> for the Budget Watch.

3.8.8 Presentation to the National Dialogue Committee on the state of the economy

The other notable activity that the PBO undertook was preparing and making a presentation to the National Dialogue Committee on the state of the economy to assist the Committee in making informed recommendations pursuant to its mandate. The Office in particular made submissions on thematic areas of reduction of the cost of living through decrease of various taxes, reducing government expenditure through State Corporation Reforms, and addressing duplication of functions by various government agencies.

3.8.9 Support to Committees

The Directorate facilitated the Budget and Appropriations Committee (BAC) & the Public Debt and Privatization Committee by providing administrative and technical support to the Committees.

3.9 DIRECTORATE OF SERJEANT-AT-ARMS

The Directorate of Serjeant-at-Arms continued to play its facilitative role in support of the performance of the constitutional mandate of the House. This was through the discharge of ceremonial, custodial, administrative, protocol, and security functions. The Directorate was also involved in maintaining order during Chamber and Committee

sittings in line with directives from the Speaker and/or Chairpersons of Committees, serving of summons to witnesses, estate management and housekeeping, events management, and public education.

In support of the PSC Strategic Pillar I on *effective representation, legislation and oversight*, the Directorate of Serjeant-at-Arms, in line with its mandate, supported all the one hundred and twenty-four (124) plenary sittings of the National Assembly including the State of the Nation Address held on 9th November 2023. Additionally, the Directorate supported Committee activities within and outside the Parliamentary estate including committee sittings, public hearings, and inspection and fact-finding visits. In liaison with the National Police Service (NPS), the Directorate facilitated service of summons and invitations to appear before relevant committees.



Figure 19: Serjeant-at-Arms escorting the Speaker during the procession into the Chamber

3.9.1 Ceremonial activities

During the period under review, the Directorate played a critical role in planning, preparation, and coordination of participation of the National Assembly in national events including Madaraka Day held on 1st June 2023, Mashujaa Day held on 20th October 2023, and Jamhuri Day held on 12th December 2023. The directorate was also involved in the planning and coordination of the Kenya National Prayer Breakfast held on 7th June 2023 at Safari Park Hotel.

3.9.2 Facilitation of Schools and general groups

In fulfilment of the PSC Strategic Objective 13 on the need to enhance parliamentary outreach and promote the ideals of parliamentary diplomacy, the Directorate facilitated approximately 600 schools, and 20 organised groups to visit the National Assembly and attend plenary sittings of the House. Additionally, in collaboration with the other Directorates and Departments, the Directorate

facilitated benchmarking and attachment programmes for staff of over fifteen (15) delegations from various county assemblies as well as delegations from other parliaments including the Parliaments of Uganda, South African Parliament, Zimbabwe, Eswatini, Namibia and the United Kingdom.

3.9.3 Other activities undertaken during the Session

During the Second Session, the Directorate made a number of innovations for the effective facilitation of the House. Notably, new uniforms for use during committee meetings and other official engagements besides Chamber sittings were introduced. The Directorate also facilitated **preventive maintenance** through the inspection of the fire suppression equipment in all the buildings; ensured that all public areas, committee rooms, courtyard, walkways, and parking lots were **cleaned and fumigated**; ensured both interior and exterior plumbing works were **inspected** to detect faults and defects. Additionally, the Directorate was instrumental in coordinating **sustainable waste management** in the National Assembly. This ensured that waste was managed in an environmentally-friendly, and socially acceptable manner by availing adequate supply of polythene paper liners to all offices for waste disposal; creating awareness on the segregation of the office waste; and ensuring timely and regular collection of all waste. This was in line with the Strategic Objective 17 to adopt and implement modern waste recycling technologies in Parliament under Strategic Pillar V on embracing green-compliant Parliament.

3.10 Other Key Departments

Liaison and Auxiliary Services Delivery Unit: The National Assembly also relies on the support of the Liaison and Auxiliary Services Delivery Unit. The Unit is key in facilitating Members in cross-cutting issues including office space management, sports, outreach and wellness, transport, administrative functions and maintenance. During the Second Session, the Liaison and Auxiliary Services Delivery Unit played a pivotal role in achieving Strategic Objective 19 on *provision of adequate facilities to Members and Staff of Parliament* under the Strategic Pillar VI (Provision of modern facilities and secure working environment for Members and staff of Parliament). Further, the Unit, through the Office Space Management Committee, spearheaded the evaluation of office needs for both Members and staff to establish offices, office equipment and facilities required for Members and staff to discharge their mandate.

The unit was also instrumental, in liaison with other departments, in the facilitation and coordination of the participation of National Assembly in the 2023 EALA Games as well as other sporting and wellness activities. The Department maintains strong interdepartmental connections as it delivers essential services to various departments.

Hospitality Department: In execution of the National Assembly's functions, the Hospitality Department plays a vital role in providing support to both Members of Parliament and Staff as they fulfil their respective mandates. The Department provides catering services to Members of Parliament, Committees and staff. The Department has been instrumental in providing catering services whenever Parliament hosts receptions during key parliamentary events and functions. During

the Session, the Department facilitated the Pronouncements of budget highlights in June 2023, the State of the Nation Address in November 2023, the Sustainable Development Goals (SDGs) Open Day in December 2023 and various visits by local and foreign delegations.

CHAPTER 4 - PROCEDURAL DEVELOPMENTS

4.1 Introduction

This Chapter details the procedural developments that were noted in the National Assembly during the Second Session of the Thirteenth Parliament. The key procedural developments noted during the Session include—

- (i) *Consideration of Reports of meetings of Regional Integration Bodies and other Inter-Parliamentary bodies;*
- (ii) *Appearance of Cabinet Secretaries in Plenary to respond to Questions by Members;*
- (iii) *Designation of the Vice Chairperson of the Committee of Powers and Privileges;*
- (iv) *Recognition of Jubilee Party as a Parliamentary Party;*
- (v) *Retake of a Motion for Adjournment;*
- (vi) *Approval of pre-publication scrutiny of legislative proposals to amend the Constitution; and*
- (vii) *Co-sponsorship of Bills.*

4.2 Consideration of Reports of meetings of Regional Integration Bodies and other Inter-Parliamentary bodies

During the Session, a new procedural development was observed regarding the consideration of reports of delegations participating in activities of inter-parliamentary and regional bodies. During the afternoon sitting of Wednesday 22nd March 2023, the Hon. Wanjiku Muhia, MP and Chairperson of the Committee on Regional Integration objected the fact that the records of relevant debates and resolution of the meetings of the Pan-African Parliament (PAP), the OACPS-EU Joint Parliamentary Assembly and other regional integration bodies were tabled in the House and debated without consideration by the Committee on Regional Integration contrary to the provisions of Standing Order 212(2)(d). In response, the Chair issued a considered opinion on the question citing that indeed, such reports ought to be examined by the Committee on Regional Integration before being brought to the floor of the House for debate and adoption in line with the provisions of the Standing Orders.

The Speaker guided that in considering the reports, the Committee may make comments or propose amendments, if any, including approval or rejection of the recommendations of the delegation to the international fora. The House would thereafter proceed taking into consideration the recommendations of the Committee on Regional Integration, being the relevant committee for matters relating to PAP, EALA, OACPS and other regional bodies. Following the directive from the Chair, the Committee on Regional Integration considered and tabled, for the first time, a report on the consideration of the proceedings of the First Session of the Sixth Parliament of the Pan-African Parliament on 26th April 2023. As at the end of the Session, the Pan African Parliament Report was yet to be adopted by the House.

Prior to this new arrangement, delegations to regional and inter-parliamentary bodies would table reports directly for debate and adoption by the House. The Committee on Regional Integration would have no opportunity to consider the recommendations of the respective delegations. The new system therefore seals the procedural gap identified by the Committee on Regional Integration.

Going forward, Reports by delegations to the Regional Integration Bodies and other inter-parliamentary bodies meetings EAC/EALA, Pan-African Parliament, IGFLRC, AU, IPU, CPA, and the Organization of African, Caribbean, and Pacific States - European Union Joint Parliamentary Assembly (OACPS-EU JPA), upon being tabled in the House, would be referred to the Committee on Regional Integration to consider the reports and conclude the process within seven (7) days. The Committee may, during debate in the House, make comments or propose amendments, if any, including approval or rejection of the delegation's recommendations.

4.3 Appearance of Cabinet Secretaries in Plenary

Article 153 of the Constitution provides for responsibility and accountability of the Cabinet and provides that a Cabinet Secretary shall attend before a Committee of the National Assembly, or the Senate, when required by the Committee, and answer any question concerning a matter for which the Cabinet Secretary is responsible. In a bid to operationalize the provisions of the Constitution and achieve PSC Strategic Objective 1 to improve the process of representation, legislation and oversight, the National Assembly approved amendments to the Standing Orders providing for the appearance of Cabinet Secretaries plenary to respond to Questions and provide reports pursuant to the general investigatory mandate of the House and the requirements of Articles 153(2) and 153(4)(b) of the Constitution. The amendments were approved on 9th March 2023 and took effect on 23rd March 2023.

Some of the specific amendments approved related to—

- (a) Standing Order 30 (Hours of meeting): the amendment to Standing Order 30(2) varied the hours of the Wednesday afternoon Sitting from 7.00 p.m. to 9.00 p.m. to allow for the Cabinet Secretaries to answer Questions in Plenary as well as the House to conduct substantive business;
- (b) Standing Order 40 (Sequence of proceedings): the amendment to Standing Order 40 gave priority to Questions and Reports by Cabinet Secretaries every Wednesday afternoon for a period not exceeding three hours.

The first Cabinet Secretary to appear in the Plenary under the new arrangement was the CS in charge of Interior and National Administration, the Hon. (Prof.) Kithure Kindiki, EGH on 12th April 2023.



Figure 20: Prof. Kithure Kindiki, Cabinet Secretary for Interior and National Administration during Question Time

As at the close of the Second Session, sixteen (16) Cabinet Secretaries had appeared before Plenary to respond to one-hundred and sixty-one (161) Questions on various subject matters including security, cost of living, sports, agriculture, roads and infrastructure, among others.

4.4 Designation of the Vice Chairperson of the Committee of Powers and Privileges

The Parliamentary Powers and Privileges Act, 2017 establishes the Committee of Powers and Privileges, consisting of the Speaker and fourteen (14) other Members of the House appointed in accordance with the Standing Orders. The Committee, either of its own motion or as a result of a complaint made by any person, may inquire into the conduct of a Member whose conduct is alleged to constitute breach of privilege as defined in section 16 of the Act.

Section 15 of the Act provides that the Speaker of the National Assembly shall be the Chairperson of the Committee. However, in keeping with the provisions of section 15(3) of the Act giving the Committee the power to regulate its own procedure, the Committee by a resolution approved the Hon. Joseph Lekuton, CBS, MP as the designated Vice Chairperson during the Session. This was occasioned by the recognition of the broad nature of the roles of the Speaker of the National Assembly including presiding over the House, chairing the Committee on Appointments, and the Parliamentary Service Commission (PSC). It was therefore necessary for the Committee to have a designated Chairperson to ensure that the activities of the

Committee proceeded in the absence of the substantive chairperson.



Figure 21: Speaker Moses Wetang'ula with Members of the Committee on Powers and Privileges, March 2023

Further, it was the considered view that in order to avoid a likelihood of conflict of interest, the designated Chairperson would be best placed to sign off reports of the Committee which eventually end up in the House for debate where the Speaker presides.

Notably, this practice began during the 12th Parliament when Question arose regarding the composition of the proposed membership of the Committee on Parliamentary Powers and Privileges during the debate on the Motion for approval of its membership on 9th February 2022. At the time, the Speaker also designated a Member of the Committee for purposes of continuity of the business of the House.

It is noted that during the term review of the Standing Order at the tail-end of the 12th Parliament, the House revised the threshold for the nominations of Members to the Powers and Privileges Committee. Notably, Standing Order 177A (*Selection of committee responsible for privileges and conduct of Members*) now provides that in selecting Members to the Powers and Privileges Committee, the Committee on Selection shall consider, among other things—

- (a) previous service by a Member to the House as Speaker; Leader of the Majority Party; Leader of the Minority Party; Deputy Speaker; or a member of the Chairperson's Panel;
- (b) a Member with the longest cumulative period of service in the National Assembly; or the National Assembly, the Senate and the East African Legislative Assembly; or the Senate; or the East African Legislative Assembly;
- (c) educational or professional background in law, senior public administration, mediation, arbitration, or any other deemed appropriate by the Speaker;

- (d) relevant experience in parliamentary practice and procedure; and
- (e) any contravention of Standing Order 107A (Gross disorderly conduct) or breach of the code of *conduct applicable to a Member of Parliament within the term of Parliament*.



4.5 Recognition of Jubilee Party as a Parliamentary Party

Standing Orders 2 and 20A provide that the Speaker shall recognize a party or a coalition of parties consisting not less than five percent of the membership of the National Assembly as a parliamentary party. Further, a parliamentary party designates from its Members, the leader of the party in the Assembly, a deputy leader of the party, a party whip and a deputy party whip for purposes of the transaction of business in the House.

At the beginning of the First Session on 6th October, 2022, the Speaker issued a Communication on the leadership of the National Assembly in the 13th Parliament. In the Communication, Nominated Member, the Hon. Sabina Chege, CBS, MP noted as being the Deputy Minority Party Whip of the Azimio One Kenya Coalition Party.

However, on Thursday, 13th April 2023, the Speaker issued a Communication following a request received from the Leader of the Minority Party, the Hon. Opiyo Wandayi, EGH, MP conveying the decision of the Azimio La Umoja One Kenya Coalition to the remove the Hon. Sabina Chege, as the Deputy Minority Whip. The Communication also noted that the Hon. Samuel Arama, MP, on behalf of some Members of the Jubilee Party in the House, had sought the Speaker's recognition of the Jubilee Party as a Parliamentary Party in accordance with Standing Orders.

On Thursday, 4th May 2023, the Speaker issued guidance intended to address the requests by the Leader of the Minority Party and the Hon. Samuel Arama. In the guidance, the Speaker observed that the communication received from the Minority Party with regard to the replacement of the Hon. Sabina Chege, as the Deputy Minority Whip was incomplete and therefore did not comply with the requirements of the Standing Order 20A as it did not contain the intended replacement. The Speaker therefore directed the Minority Party to convey the appropriate communication on the replacement of its Deputy Minority Whip within a period of thirty (30) days. Regarding the recognition of the Jubilee Party as a parliamentary party, the Speaker directed that whilst the party met the threshold to be recognized as a parliamentary party, the Speaker ought not be involved in the management of the internal affairs of any political party in the House. The Speaker observed that while the Minority Party had sought to replace the Hon. Chege from the position, the party had not provided a replacement as expected by the rules of procedures. Standing Order 20A provides that a parliamentary party may REPLACE a whip or deputy whip by writing to the Speaker conveying such decision. However, the Speaker had observed that the Minority Party only sought to remove without replacing as required in the Standing Orders and therefore gave the party additional time to regularize its processes.

S/ No.	Member	Particular	Name
1.		Name	The Hon. Mark Mwenje, MP
		Designation	Deputy Minority Whip
		Constituency	Embakasi West
2.		Name	The Hon. Sabina Chege, CBS, MP
		Designation	Jubilee Party Whip
		Constituency	Nominated

Following extensive consultations and engagements including conclusion of judicial processes commenced on the matter, the Speaker issued a Communication dated 25th October 2023 conveying the decision of the Azimio La Umoja Coalition to replace the Hon. Sabina Chege as the Deputy Minority Whip with the Hon. Mark Mwenje, MP. In the ruling, the Speaker also recognized the Jubilee Party as a parliamentary party within the meaning of Standing Order 20A. The Hon. Sabina Chege would therefore hold the position of the Jubilee Party Whip in the interim for the purposes of facilitating the continuation of business in the House. In making the decision, the Speaker noted that there was a section of Members of the Jubilee Party comprising twenty-one (21) Members who had sought disassociation from the Minority Party Coalition. The decision was in line with the provisions of Standing Order 20A which provide that the Speaker **shall recognize a party or coalition of parties consisting of not less than five (5) percent of the membership of the National Assembly (18 Members) as a parliamentary party.**

4.6 Retake of the Motion for Adjournment of the House

Standing Order 33 provides for Adjournment of the House on a definite matter of urgent national importance. A Member may at any time rise in his or her place and seek leave to move the adjournment of the House for the purpose of discussing such a matter.

During the afternoon sitting of Tuesday, 17th October 2023, the Member for Kathiani Constituency and the Deputy Leader of the Minority Party, the Hon. Robert Mbui, CBS, MP gave notice of a Motion seeking the adjournment of the House to discuss an urgent matter of national importance regarding demolition of buildings and eviction

of persons in Mavoko, Machakos County. The Speaker directed that the Motion be moved on Thursday, 19th October 2023 at 5.00 p.m. Ordinarily, such a Motion is to be moved on the same day pursuant to the provisions of Standing Order 33 (3). However, before the appointed time on Thursday, 19th October 2023, the House rose out of lack of quorum pursuant to the provisions of Standing Order 35(2)(a). By practice, once the appointed time is passed, the matter is determined spent.



Figure 22: Hon. Robert Mbui, Member for Kathiani, presenting the Adjournment Motion on demolition of buildings and eviction of persons in Mavoko, Machakos County

However, on 25th October 2023, the Speaker reported to the House that following various representations from Members requesting renewal of the Motion for debate by the House, the Speaker acceded to the request to allow for the renewal of the Motion. This was in recognition of the fact that the matter of the contested ownership of land by East African Portland Cement Company was still alive and the concerns raised remained active. In allowing the retake of the Motion, the Speaker acknowledged the deliberative role of the House as enshrined in Article 95(2) of the Constitution.

4.7 Approval of pre-publication scrutiny of Legislative Proposals to amend the Constitution

Pursuant to the provisions of Standing Order 114(7A), the Speaker of the National Assembly approved pre-publication scrutiny of two (2) legislative proposals seeking to amend the Constitution by the Member for Mandera North Constituency, the Hon. Maj. (Rtd) Bashir Sheikh MP, and the Member for Thika Town Constituency, the Hon. Alice Ng'ang'a, CBS, MP.

The proposal by the Member for Mandera North Constituency sought to amend Article 88 of the Constitution to provide that, in instances where the Independent Electoral and Boundaries Commission (IEBC) is not fully constituted, the Secretary to the IEBC shall discharge the duties and functions of the Commission with regard to the conduct of by-elections. On the other hand, the proposal by the Member for Thika Town Constituency sought to amend Article 89 of the Constitution to require

the IEBC to ensure that the review of constituency boundaries does not result in the loss of a constituency that existed before the promulgation of the Constitution.

Article 256 of the Constitution provides for amendment of the Constitution through parliamentary initiative and Standing Order 114(7A) actualizes the process in the National Assembly including notification of the House by the Speaker of the approval of a pre-publication scrutiny of the proposal. The procedure was introduced during the termly review of the Standing Order in June 2022 and was informed by the decision of the High Court in Petition No. E282 of 2020 which stated that a **Bill proposing to amend the Constitution cannot be amended once published**. The approval of the pre-publication scrutiny enables the collation of as many views as possible from various stakeholders and experts to the publication of a proposal to amend the Constitution.

The two Members issued the Statements on the legislative proposals on 6th December 2023 in line with the provisions of Standing Order 114(7A). It is expected that in the next Session, the Speaker will nominate a time for the House to make general comments on the legislative proposals. Subsequently, the proposals will be referred to the Departmental Committee on Justice and legal Affairs or the Speaker may issue other directions taking into consideration the comments that will be made by Members during the proceedings.

4.8 Co-sponsorship of Bills

During the termly review of the Standing Orders at the end of the 12th Parliament, the House approved amendment of the Standing Orders to allow for co-sponsorship of Bills between two or more Members of the Assembly or between a Member of the National Assembly and a Senator. During the Session, in line with provisions of Standing Order 114, the Leader of the Majority Party and the Leader of the Minority Party co-sponsored the National Government Constituencies Development Fund (Amendment) Bill, 2023. The Bill was passed by the House on 28th November 2023 and assented by the President on 11th December, 2023.

Additionally, the Cotton Industry Development Bill (Senate Bill No. 5 of 2023) which was published in the name of Sen. Beth Syengo, MP, was passed by the Senate on 1st August 2023. The Bill was referred to the National Assembly for consideration under co-sponsorship of Sen. Beth Syengo and the Hon. Mary Emaase, MP where it was read a first time on 17th August 2023.

Article 109(5) provides that a Bill may be introduced by any Member or Committee of the relevant House of Parliament, but a money Bill may be introduced only in the National Assembly in accordance with Article 114 of the Constitution. Therefore, co-sponsorship of Bills by a Member of the National Assembly and a Senator is expected to speed up the processing of Bills between the two Houses of Parliament. Further, co-sponsorship ensures ownership of business in both Houses allowing for ease of moving amendments.

CHAPTER 5 - NATIONAL ASSEMBLY AND PARLIAMENTARY DIPLOMACY

Strategic Objectives 12 and 13 of the PSC Strategic Pillar III on Public Trust seek to strengthen parliamentary diplomacy, partnerships and linkages and to enhance parliamentary outreach and promote ideals of parliamentary democracy. To achieve these objectives, the National Assembly continues to actively participate in the activities of various inter-parliamentary organizations as part of its role in parliamentary cooperation and diplomacy. Some of the inter-parliamentary organizations include the Commonwealth Parliamentary Association (CPA), the East African Legislative Assembly (EALA), Organisation of African Caribbean Pacific States - European Union (OACPS-EU), the Pan-African Parliament (PAP), the Inter-Parliamentary Union (IPU), the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR), Conference of the Speakers and Presiding Officers of the Commonwealth (CSPOC).

5.1 Commonwealth Parliamentary Association (CPA)

The Commonwealth Parliamentary Association (CPA) works to support good governance, democracy and human rights. Its membership comprises national, state, provincial and territorial parliaments and legislatures across the Commonwealth.

Some of the key activities undertaken by CPA during the Session include—

- (i) *Workshop on Strengthening Parliamentary Action to Address Gender-Based Violence and Modern Slavery in Supply Chains* which was hosted in Nairobi between 13th and 17th November 2023 by the Parliament of Kenya in collaboration with the CPA Headquarters (UK). The workshop brought together select parliamentarians drawn from the Commonwealth legislatures across the world with the objective being to advance development and scrutiny of robust legislation and other measures to reduce Gender-Based Violence (GBV) as well as modern slavery and human trafficking in supply chains.
- (ii) Post-Election Seminar (PES) for Members of the National Assembly: the PES was organised in conjunction with the Commonwealth Parliamentary Association (CPA). The seminar was held in Mombasa from 30th January to 4th February 2023 under the theme '*Equipping the 21st Century Legislator for Effective Service Delivery*'. The Seminar was aimed at providing a platform for Members to learn and share experiences as well as building synergy amongst the Members, creating a deeper understanding of their work and deepening their exposure and grasp of parliamentary practice and procedures.
- (iii) The Commonwealth Parliamentary Association (Kenya Branch) Annual General Meeting, 10th August 2023, Main Chamber, National Assembly during which election of the officials of the CPA Kenya Branch were held. One of the agendas of the AGM was the election of the Executive Committee which is charged with the management of the Affairs of the CPA Branch. The team consists 12 Members elected at the bi-Annual General meeting of the Branch, and who hold office until the next bi-Annual General Meeting following their election. Following the elections, the following were elected from the National Assembly: Hon.

Janet Sitienei (Turbo), Hon. Adan Keynan (Eldas), Hon. Caroline Ng'elechei (Elgeyo Marakwet), Hon. Catherine Omanyo (Busia County) and Hon. Musili Mawathe (Embakasi-South) while from the Senate side, Senator Hillary Sigei (Bomet County), Senator Esther Okenyuri (Nominated) and Senator Hezema Lemaletian (Nominated) were elected. The meeting resolved to uphold the appointment of Hon. Beatrice Adagala (Vihiga County) on an interim basis as Kenya's representative to the Commonwealth Women Parliamentarians (CWP) and Hon. John Paul Mwirigi (Imenti South) as the Branch Representative in the region.

- (f) In keeping with the practice, the meeting agreed that the Leader of the Majority and Minority Parties in the National Assembly and the Senate, form part of the Executive Committee on the account of the offices they hold. This means that four out of the twelve (12) positions were not subject to election.

Other activities undertaken by the CPA desk include—

- (i) The Commonwealth Women Parliamentarians Workshop: Champions for Gender Equality, 6th - 8th December 2023, Dar es Salaam, Tanzania;
- (ii) The Commonwealth Conference on Parliamentary Scrutiny and Oversight of National Application for the Commonwealth Parliamentarians with Disabilities (CPwD) Capital Investment Fund 2024, 11th December 2023;
- (iii) The Capacity Building Seminar for Members of Parliament, 27th - 30th November 2023, Lusaka, Zambia;
- (iv) The Capacity Development Workshop for Secretariat Staff and CPA Schedule Officers 13th - 16th November 2023, Arusha, Tanzania;
- (v) The CPA Advanced Parliamentary Development Residency Course, 14th - 22nd October 2023;
- (vi) The 66th Commonwealth Parliamentary Conference, 30th September - 6th October 2023, Accra, Ghana;
- (vii) The CPwD Regional Champions Meeting, 1st October 2023, Accra, Ghana;
- (viii) The Commonwealth Women Parliamentarians (Africa Region) Business Meeting, 20th September 2023 (Virtual);
- (ix) The 85th Executive Committee Meeting of the CPA Africa Region, 3rd - 7th August 2023, Dar es Salaam, Tanzania;
- (x) Women in Trade Workshop (CPA UK), 20th - 22nd June 2023, London, United Kingdom;
- (xi) The Mid-Year Executive Committee Meeting of the CPA -UK, 17th - 20th April 2023, Gibraltar;
- (xii) The 71st Westminster Seminar on Effective Parliaments (CPA UK), 13th - 17th March 2023, London, United Kingdom.



Figure 23: Hon. Amason Kingi, EGH, Joint President and Speaker of the Senate, and Hon. Gladys Boss, MP, Deputy Speaker of the National Assembly, (center) and Members of the CPA-Kenya Branch after the elections of the officials of the CPA Kenya Branch on 10th August 2023.

5.2 The Organisation of African Caribbean Pacific States - European Union (OACPS-EU)

The OACPS-EU Joint Parliamentary Assembly (JPA) brings together the elected representatives of the Africa, Caribbean and Pacific States that have signed the Cotonou Agreement and the EU (the Members of the European Parliament). It exists to promote human rights and democracy and the common values of humanity. The following two activities of the OACPS-EU JPA took place during the Second Session—

- (i) 63rd Session of the OACPS Parliamentary Assembly & the 43rd Session of the ACP-EU JPA, 19th - 28th June 2023, Brussels, Belgium; and
- (ii) 62nd Session of the OACPS Parliamentary Assembly & Inter-Sessional Meetings, 25th February - 2nd March 2023, Brussels, Belgium.

During the 63rd OACPS Parliamentary Assembly and 43rd ACP-EU Joint Parliamentary Assembly, the Assembly adopted various urgent Motions and resolutions on topical issues of importance to Member states including the *security situation in the Democratic Republic of Congo and the Sudan; security and humanitarian situation in Haiti; Treaty on Marine Biological Diversity Areas beyond National Jurisdiction; and Reducing Pesticide Reliance and Risks for Safe and Affordable Food Production and for Sustainable and Resilient Agrifood Systems*. Member States were called upon to exercise political will to tackle common challenges and advance the partnership.

The OACPS-EU partnership dates back to 1957 when the European Economic Community (EEC) was created by the Treaty of Rome. This partnership has morphed

over time from Yaounde (1963), Yaounde II (1969), first Lomé Convention (1975), George Town Agreement (1975), and the Cotonou Agreement (2000).

The Cotonou agreement was initially due to expire in February 2020. Its provisions had been severally extended until the new partnership agreement between the EU and the ACP countries was entered into force.

The new Partnership Agreement was signed on 15th November 2023 in Samoa. The Agreement will serve as an overarching legal framework for the relations between OACPS and EU member states for the next twenty years. The Agreement which succeeds the Cotonou Agreement will be known as the “Samoa Agreement” and will cover subjects such as sustainable development and growth, human rights and peace and security.

5.3 The East African Legislative Assembly (EALA)

The East African Legislative Assembly (EALA) is the legislative arm of the East African Community (EAC) whose functions, among others, is to discuss all matters pertaining to the Community and make recommendations for implementation. The following activities related to the EALA took place during the Second Session—

- (i) The 16th Meeting of the Bureau of the EAC Speakers, 16th November 2023, Juba, South Sudan;
- (ii) 17th Meeting of the Clerks of National Legislatures of the EAC Partner States and the EALA, 14th to 15th November 2023, Juba, South Sudan;
- (iii) Workshop to Draft Bill on the Establishment of the Bureau of the EAC Speakers as an Organ of the Community, 30th to 31st May 2023, Moshi, Tanzania;
- (iv) 15th Meeting of the Bureau of the EAC Speakers of National Legislatures and EALA, 19th May 2023, Arusha, Tanzania; and
- (v) 16th Meeting of the Clerks of National Legislatures of the EAC Partner States and the EALA, 17th to 18th May 2023, Arusha, Tanzania.

During the 16th Meeting of the Bureau of Speakers in Juba, South Sudan, the Bureau agreed to continue engaging their respective Heads of States to have the Summit approve by proclamation the establishment of the Bureau of Speakers as an Organ of the East African Community. This is in line with Article 9(1)(h) of the Treaty for the Establishment of the East African Community. It is noted that during the meeting, the Speaker of the National Assembly, the **Rt. Hon. (Dr.) Moses Wetang’ula, EGH, MP** was appointed as the Chairperson of Bureau of the EAC Speakers taking over from the Speaker of the United Republic of Tanzania.

5.4 The Inter-Parliamentary Union (IPU)

The Inter-Parliamentary Union (IPU) is an international organization of the national Parliaments of sovereign States which works to establish democracy, peace and cooperation among people. The following activities of the IPU took place during the Session—

- (i) 147th Assembly of the Inter-Parliamentary Union (IPU) and Related Meetings, 23rd to 27th October 2023, Luanda, Angola;

- (ii) 9th IPU Global Conference of Young Parliamentarians, 15th to 17th September 2023, Hanoi, Vietnam;
- (iii) Parliamentary Conference on Interfaith Dialogue, 13th to 15th June 2023, Marrakesh, Morocco; and
- (iv) 146th Assembly of the Inter-Parliamentary Union (IPU) and Related meetings, 11th - 15th March 2023, Manama, Bahrain.

5.5 The Pan-African Parliament

The Pan-African Parliament (PAP) is the legislative body of the African Union. It exercises oversight, and has advisory and consultative powers. At the beginning of every term of Parliament, Parliament considers a Motion on the appointment of Members of the Parliament of Kenya to the Pan-African Parliament pursuant to Article 5 of the Protocol to the Treaty establishing the African Economic Community and relating to the Pan-African Parliament.

The 13th Parliament approved the appointment of the following Members of Parliament to the Pan-African Parliament for a term of five years—

- a) The Hon. Rahab Mukami Wachira, MP;
- b) The Hon. Joseph Kalasinga Majimbo, MP;
- c) The Hon. Esther Muthoni Passaris, OGW, MP;
- d) Sen. (Prof.) Margaret Kamar, EGH, MP, and
- e) Sen. Danson Mungatana, MGH, MP.

Below is a list of the activities of the Pan-African Parliament that took place during the Second Session—

- (i) Meetings of the Standing Committees of the Pan - African Parliament, 20th to 24th November 2023, Burundi, South Africa & Ethiopia;
- (ii) Joint AU/PAP Electoral Observation Mission, 18th to 28th August, 2023, Zimbabwe;
- (iii) Second Ordinary Session of the Sixth Parliament of the Pan - African Parliament and Related meetings, 8th May to 2nd June, 2023, Johannesburg, South Africa; and
- (iv) Third Pan African Parliamentarians’ Summit on Climate Policy and Equality, 15th to 17th May 2023, South Africa.

5.6 Forum of Parliaments for the International Conference on the Great Lakes Region

The Forum of Parliaments for the International Conference on the Great Lakes Region (FP-ICGLR) is a regional organization that brings together Member States from Central, Eastern and Southern Africa. The forum works towards attaining peace, security, political stability and development in the Great Lakes Region. The following activities of the Region (FP-ICGLR) took place during the period under review—

- (i) 27th Ordinary Session of the Executive Committee and the first statutory meeting of the Committee on Finance and Resources Mobilization of parliaments of the member States of the International Conference on the FP- ICGLR, 20th to 24th November 2023, Nairobi, Kenya;
- (ii) 4th Phase of the Parliamentary Fact-finding Mission on the Conflict in Eastern Democratic Republic of the Congo (DRC), 12th to 16th September 2023;
- (iii) 11th Statutory meeting of the Committee on Peace and Security, 31st August 2023 to 1st September 2023, Dar Es Salam, Tanzania;
- (iv) 9th Statutory meeting of the Committee on Democracy and Good Governance, 29th to 30th August 2023, Dar Es Salam, Tanzania;
- (v) 7th Joint Statutory Meeting of the Committees on Humanitarian and Social Issues and Gender, Children and Vulnerable Persons, 3rd to 8th August, 2023, Kampala, Uganda;
- (vi) 7th Statutory Meeting of the Committee on Economic Development, Regional Integration and Natural Resources, 31st July to 1st August, 2023, Kampala, Uganda; and
- (vii) 13th Ordinary session of the Plenary Assembly of FP-ICGLR, 31st March 2023 to 1st April 2023, Juba, South Sudan.

5.7 Conference of Speakers and Presiding Officers of the Commonwealth (CSPOC)

The Conference brings together the Speakers and Presiding Officers of the national parliaments of the independent sovereign states of the Commonwealth. It was created in 1969 as an initiative of the then Speaker of the House of Commons of Canada, the Hon. Lucien Lamoureux. Since its inception, Canada has provided CSPOC with a secretariat to support its activities.

The CSPOC is an independent group and operates on a two-year cycle, holding a conference of the full membership every two years, usually in early January, and a meeting of the Standing Committee at the same time the intervening year.

The Conference aims to—

- a) Maintain, foster, and encourage impartiality and fairness on the part of Speakers and Presiding Officers of Parliaments;
- b) Promote knowledge and understanding of parliamentary democracy in its various forms; and
- c) Develop parliamentary institutions.

Some of the CSPOC activities that the National Assembly participated in during the Second Session include—

- (i) 27th Conference of Speakers and Presiding Officers of the Commonwealth, 3rd - 6th January 2024, Kampala, Uganda;
- (ii) 26th Conference of Speakers and Presiding Officers of the Commonwealth, 3rd to 6th January, 2023, Canberra, Australia.

The Rt. Hon. (Dr.) Moses Wetang'ula, EGH, MP was elected as the Africa bloc representative in the Standing Committee of CSPOC by the Africa Region Geo-Political Group in a meeting that was held on the sidelines of the 27th Conference of Speakers and Presiding Officers of the Commonwealth, held on 5th January 2024 in Kampala, Uganda. The mandate of the Standing Committee of the CSPOC includes proposing Draft Agenda for discussion in the next Conference; reviewing standing rules; considering financial matters of CSPOC; and deciding on dates, venues and procedures for the next conference.



Figure 24: Speaker Wetang'ula (second right) during the 27th Conference of Speakers and Presiding Officers of the Commonwealth (CSPOC) held in Kampala, Uganda, January 2024

The National Assembly also participated in the 18th Conference of Speakers and Presiding Officers of the Commonwealth (Africa Region) held between 13th and 22nd July 2023 in Yaounde, Cameroon.

Other activities that the National Assembly participated in during the Second Session include the 67th Session of the UN Commission on the Status of Women, that took place from 6th to 17th March 2023 in New York, USA, and the 78th United Nations General Assembly, that took place from 12th to 22nd September 2023, New York, USA.

5.8 Parliamentary Friendship Groups

The strategic objective on parliamentary diplomacy, partnerships and linkages under the PSC strategic plan is also achieved through a number of bilateral relations initiatives aimed at developing strategic partnerships with other Parliaments. This is in order to afford Members an opportunity to share experiences, strengthen inter-parliamentary cooperation and provide the necessary support for the achievement of the foreign policy objectives of the country. These bilateral engagements are achieved through established Parliamentary Friendship Groups (PFGs).

Some of the currently established PFG in the National Assembly include—

No.	Parliamentary Friendship Group	Date Established or Re-established
1.	Kenya - Serbia	27/02/2023
2.	Kenya - South Korea	28/02/2023
3.	Kenya - Qatar	16/03/2023
4.	Kenya - Saudi Arabia	20/03/2023
5.	Kenya - Ireland	20/03/2023
6.	Kenya - Hungary	21/06/2023
7.	Kenya - Germany	06/07/2023
8.	Kenya - Japan	02/08/2023
9.	Kenya - United Arab Emirates	15/11/2023

Table 5.1 - Parliamentary Friendship groups

The Parliamentary Friendship Groups undertook various bilateral activities during the Second Session of the 13th Parliament key among which included the Kenya-China Inter-Parliamentary Exchange Mechanism on Governance Partnership with the National People’s Congress which took place between 4th and 7th June 2023 in Beijing, China. The meeting was meant to strengthen cooperation and foster collaboration between the two legislatures.

5.9 Parliamentary Caucuses

Standing Order 259A provides that the Speaker may, upon a written request signed by at least ten (10) Members, recognize a parliamentary caucus formed for the purpose of advancing a common legislative objective. To help achieve these objectives, the following are the Parliamentary Caucuses recognised in the National Assembly—

- (i) *Parliamentary Caucus on Evidence-Informed Oversight and Decision-Making;*
- (ii) *Parliamentary Conservation Caucus-Kenya Chapter;*
- (iii) *African Parliamentarians’ Network on Development Evaluation Vision (APNODE)*
- (iv) *Pastoralists’ Parliamentary Group (PPG);*
- (v) *Parliamentary Caucus on Business and Economy;*
- (vi) *Parliamentary Caucus on Sustainable Development Goals and Business (SDGS);*
- (vii) *International Association of Parliamentarians for Peace (IAPP);*
- (viii) *Kenya Young Parliamentarians’ Association (KYPA);*
- (ix) *Kenya Women Parliamentary Association (KEWOPA);*
- (x) *Kenya Disability Parliamentary Association (KEDIPA);*
- (xi) *African Parliamentarians Network Against Corruption (APNAC);*
- (xii) *Parliamentary Caucus on Democracy and Human Rights;*
- (xiii) *Parliamentary Caucus of Independent Members of National Assembly;*

- (xiv) *Parliamentary Caucus on Coffee;*
- (xv) *Parliamentary Caucus on Renewable Energy and Climate Change;*
- (xvi) *Parliamentarians for Global Action (PGA);*
- (xvii) *Parliamentary Caucus on Children;*
- (xviii) *Parliamentary Caucus Against Drug and Substance Abuse;*
- (xix) *Seventh Day Adventist Parliamentary Caucus;*
- (xx) *Parliamentary Caucus for Muslim Members;*
- (xxi) *Parliamentary Caucus on Open Government Partnership;*
- (xxii) *Parliamentary Caucus on Sugar;*
- (xxiii) *The National Assembly General Legislative Caucus;*
- (xxiv) *The Parliamentary Caucus on Tea;*
- (xxv) *World Scout Parliamentary Union Caucus (WSPU);*
- (xxvi) *Caucus on Parliamentary Network of the World Bank and International monetary Fund (IMF);*
- (xxvii) *Parliamentary Caucus on Creative and Performing Arts;*
- (xxviii) *The Kenya Parliamentary Alliance for Food Security and Nutrition (KPA-FSN) Caucus; and*
- (xxix) *Catholic Members of Parliament Spiritual Support Initiative (CAMPSSI).*

5.9.1 Activities of Parliamentary Caucuses

Among the activities that were undertaken by Caucuses in the Second Session include the **5th Parliamentary Dialogue and General Assembly of the Eastern Africa Parliamentary Alliance on Food Security and Nutrition (EAPA-FSN)** which took place from 14th to 17th October in Nairobi. The event brought together participants from Djibouti, Ethiopia, Rwanda, Somalia, South Sudan, Uganda, EAC and IGAD and was hosted by the **Kenya Parliamentary Alliance for Food Security and Nutrition (KPA-FSN) Caucus** in collaboration with the UN Food and Agriculture Organisation (FAO).

The main objective of the dialogue was to explore legal issues and key parliamentary actions to foster linkages between climate action and food systems transformation in Eastern Africa.

The other notable activity undertaken by parliamentary caucuses was the **Parliamentary Open Day on Sustainable Development Goals (SDGs) held on Tuesday, 5th December 2023 at Parliament Buildings**. The SDG Open Day is an annual event held by the Parliamentary Caucus on SDGs and Business and is aimed at bringing together key stakeholders in the implementation of SDGs within Kenya to jointly reflect with Parliamentarians, on the progress of realization and attainment of set-out goals. The 2023 Edition themed “*Partnerships towards realizing Agenda 2030 on Sustainable Development Goals*” was the second similar event. The event was designed to explore development of new collaborations as a strategy to accelerate realization of SDGs, while leveraging parliamentarians as drivers of policy and legislative action.

The table below highlights other activities undertaken by caucuses during the Second Session—

No.	Caucus	Activity	Country/ Venue	Date
1.	Kenya Young Parliamentarians Association (KYPA)	The Seventh African Leadership Forum	Accra, Ghana	25 th - 26 th May 2023
2.	Parliamentarians for Global Action (PGA)	The Parliamentarians for Global Action (PGA) Executive Committee meeting	New York, USA	27 th - 30 th May 2023
3.	African Parliamentarians Network Against Corruption	The Convention Against Corruption,	Doha, Qatar	5 th to 11 th March 2023
		Organization for Economic Cooperation and Development Conference	France	November 2023
		APNAC invitation to the 10th COSP - UNCAC Anti-Corruption Conference	Georgia, USA	11 th -15 th December 2023
4.	World Scout Parliamentary Union Caucus (WSPU)	The 25th World Scout Jamboree	Republic of Korea	1 st - 10 th August 2023
5.	Parliamentary Caucus on Sustainable Development Goals (SDGs) and Business	Parliamentary Open Day and Sustainable Development Goals	Parliament Buildings	5 th December 2023
		2023 SDGs National Multi-Stakeholders Conference	Mombasa	13 th - 15 th December 2023

Table 5.2 - Parliamentary Caucuses

During the Session, the National Assembly received multiple awards for outstanding contribution towards the achievement of the Sustainable Development Goals (SDGs). The SDGs Awards are held annually to recognize, honour and celebrate outstanding SDGs initiatives and change-makers in different sectors for their achievements and excellence. The Directorate of Legislative and Procedural Services, the Directorate of Departmental Committees and the Directorate of Legal Services, were the recipients of these prestigious awards.

5.10 Attachments, Internships, Joint Sitzings of Parliament & Other Ceremonial Events

The National Assembly handles attachments and internship programmes as well as joint sittings of Parliament and other ceremonial events. The table below indicates the activities undertaken by the National Assembly in this regard—

No.	Event	Activity	Country/ Venue	Date
	Attachments handled in the Directorate (in/out)	Facilitation of staff attachment at the National Assembly of Zambia	Lusaka, Zambia	26 th May - 4 th June, 2023
		Facilitation of officers to attachment at the National Assembly of Republic of Uganda	Kampala, Uganda	22 nd - 26 th May, 2023
		Facilitation of attachment of officers from the Department of Communication and Public Affairs of Parliament of Uganda	National Assembly	31 st Aug - 7 th Sep, 2023
		Facilitation of Attachment of two officers from County Assembly of Kwale	National Assembly	30 th Nov - 8 th Dec, 2023
		Facilitation of Attachment of two officers from County Assembly of Taita Taveta	National Assembly	30 th Nov - 8 th Dec, 2023
Coordination of Internships	Regis School - Job Shadowing attachment	National Assembly	24 th - 28 th April, 2023	
	Starehe Boys Centre	National Assembly	November 2023	
	Pronouncement of Budget Highlights and Revenue Raising Measures for the FY 2023/2024	Presentation of National Budget Statement and Revenue raising measures for Financial Year 2023/2024 in Parliament	National Assembly	15 th June, 2023

Table 5.3 - Attachments and internships handled by the National Assembly

5.11 Capacity Building/Support for County Assemblies

The National Assembly from time to time offers capacity building/support to County Assemblies in line with Strategic Objective 3 on *Strengthening Devolution and the Capacity of Devolved Units*. These opportunities not only afford county assemblies an occasion to participate in parliamentary processes but also to inform them on the overall workings of Parliament.

During the Second Session, the National Assembly hosted members and staff of ten (10) county assemblies from across the country on benchmarking/study visits on various aspects of legislation, oversight and representation.

In addition, staff of the National Assembly were involved in capacity building activities of members and staff of county assemblies at the Centre for Parliamentary Studies and Training (CPST) as accredited trainers. During the period under review, staff of the National Assembly trained staff and members from the county assemblies of Bungoma, Baringo, Kwale, Mandera, Nyeri, Murang'a, Garissa, Kisumu, Siaya, Trans-Nzoia and Turkana.

5.12 Study Visits/Benchmarking Visits to the National Assembly of Kenya

In a bid to strengthen parliamentary diplomacy, partnerships and linkages and to enhance parliamentary outreach and promote ideals of parliamentary democracy, the National Assembly hosted a number of delegations from various parliaments and other external partners during the Second Session as indicated in the Table 5.4 below—

No.	Activity	Date
1.	Visit by Political Counsellors of the European Union Member States	14 th June, 2023
2.	Benchmarking visit by the staff of the Parliament of Botswana	24 th - 28 th July, 2023
3.	Benchmarking visit by the Chief Whips' Forum from the Parliament of South Africa	19 th - 21 st June, 2023
4.	Benchmarking visit by the Internal Audit Services of the Parliament of Namibia	10 th - 14 th July, 2023
5.	Visit by a delegation of Members of the UK Parliament/CPA-UK	8 th - 14 th July 2023
6.	Study tour to the National Assembly for Zambian Parliament Automation Delegation (Smart Zambia Institute).	13 th July 2023
7.	Study visit by the 6 th Mozambican Parliamentary Commission of Defence, Security and Public Order	16 th - 19 st August, 2023
8.	Benchmarking visit by Members of the Committee on Local Government and Rural Development of the Parliament of Ghana	2 nd - 6 th October 2023
9.	Benchmarking visit by Namibian Parliamentary Officers in the Legislative Services	21 st - 25 th August 2023
10.	Visit to the National Assembly by the National Junior Frontiers Inc., a Youth Educational/Cultural Program from the USA	14 th November 2023
11.	Benchmarking visit by the staff from the Office of the Speaker of the Parliament of Uganda	22 nd October - 4 th November 2023

Table 5.4 - Study and benchmarking visits to the National Assembly of Kenya

5.13 The Kenya National Prayer Breakfast

The Kenya National Prayer Breakfast (NPB) is an annual event that provides an opportunity for leaders to come together and reflect on the role of faith in public life. The event brings together political, business, and religious leaders from around the world to pray and discuss issues of faith and public policy. The NPB further provides a platform where leaders from different sectors and backgrounds meet to promote dialogue, understanding, and cooperation among others. The first Kenya NPB was held in 2003 and since then has become an important forum for national reconciliation, unity, and social development. The theme of the NPB changes every year but generally focuses on issues that are relevant to the country. The event provides an opportunity for leaders to pray for the nation, the leaders, and its people, and to reflect on ways to address the challenges facing the country for national building.



Figure 25: The President, First Lady, Deputy President and the spouse and Speakers of the Houses of Parliament during the National Prayer Breakfast

The 20th Kenya National Prayer Breakfast was held on 7th June 2023 at the Safari Park Hotel, Nairobi. It was preceded by a National Conversation on 30th May 2023 at the same venue. The keynote speaker for the NPB was Lord Dr. Michael Hastings of Scarisbrick from the UK House of Lords and was attended by political, religious and corporate leaders from across country and beyond. Notably, the President H.E. Dr. William S. Ruto, CGH graced and addressed the congregation.

The National Assembly, through the Bunge Fellowship, also participated in National Prayer Breakfast meetings for other countries during the Session including Rwanda, Germany, and Uganda.

CHAPTER 6 -OTHER ACTIVITIES UNDERTAKEN DURING THE SESSION

6.1 Society of Clerks-at-the-Table

The Society of Clerks-at-the-Table is an association of Clerks-at-the-Table in Commonwealth Parliaments. The society exists to provide a means by which the parliamentary practices of various legislative chambers of the Commonwealth may be made more accessible to Clerks-at-the-Table, or those having similar duties in the exercise of their professional duties. The society also seeks to foster a mutual interest in their duties, rights and privileges among officers of parliament.

During the period under the review, the National Assembly attended the Society of Clerks-at-the-Table seminars as follows—

- (i) 57th Meeting of the Society of Clerks-at-the-Table 4th - 5th October 2023, Accra, Ghana;
- (ii) SoCATT Journal Editorial Board Workshop, 17th - 22nd July 2023, Kigali, Rwanda;
- (iii) 7th SoCATT Africa Professional Development Seminar, 20th - 24th November 2023, Jalingo, Taraba State, Nigeria; and
- (iv) Pre-2023 Professional Development Seminar (PDS) Evaluation, 27th August - 2nd September 2023, Jalingo, Taraba State, Nigeria.

6.2 Staff Wellness

In pursuit of the National Assembly's commitment to excellence in service delivery, as outlined in Strategic Pillar II: *Strategic Objective 10 of promoting staff well-being to enhance efficient service delivery*, the National Assembly Staff Wellness Committee organized sports and wellness activities for staff. There was active representation of all Directorates of the National Assembly Annual Sports Day which was held in Kasarani Stadium on 15th September, 2023 in Nairobi.



Figure 26: Speaker Wetangula (right) and Clerk of the National Assembly (left), Mr. Samuel Njoroge during staff annual sports day



Figure 27: Staff of the National Assembly during the Annual Sports Day

6.3 Presidential Honours

During the Session, Members of the National Assembly were conferred State awards and honours by His Excellency the President during the 60th celebration of Jamhuri Day. The awards were issued in recognition of distinguished and outstanding services rendered by the Members of Parliament to the nation in various capacities and responsibilities.

Following the recommendations of the Parliamentary Honours Advisory Committee in accordance with section 3(3)(b) of the National Honours Act, 2013, the President conferred national honours to Members of the National Assembly and staff. Among the Members who were conferred with honours include the Leader of the Majority Party, the Leader of the Minority Party and various Chairpersons of Committees. The list is annexed as [Annex II](#).

Additionally, four (4) staff of the National Assembly were awarded honours as follows:

No.	Name	Designation	Honours
1.	Mr. Samuel Njoroge	Clerk of the National Assembly	Chief of the Order of the Burning Spear (CBS)
2.	Mrs. Florence Atenyo-Abonyo	Director, Audit, Appropriations and Other Select Committees	Order of the Grand Warrior (OGW)
3.	Mrs. Anne Njoroge	Director, Hansard and Audio Services	Order of the Grand Warrior (OGW)
4.	Mr. Aloisio Lekulo	Chief Serjeant-At-Arms	Order of the Grand Warrior (OGW)

Table 6.1 - Staff honours

6.4 Corporate Social Responsibility

In March and April 2023, the Liaison and Auxiliary Services Unit, through the Office of the Leader of the Majority Party, sourced backing in form of foodstuff, animal feed and water to support the government's drive in mitigating drought in various parts of the country. The donations were successfully distributed to residents in the Narok, Kajiado, Makueni, Kwale and Tana River Counties.

6.5 13th Edition of the EAC Inter-Parliamentary Games, Kigali, Rwanda, December 2023

The 13th Edition of the East African Community Inter-Parliamentary Games (EAC-IPG) was hosted by the Parliament of Rwanda in Kigali from 7th to 19th December, 2023. The tournament is held annually by the parliaments of the EAC Member States and brings together Honourable Members and staff of the national legislative organs to strengthen, deepen and widen the regional integration through sports. The Parliament of Kenya participated in eight disciplines and won various awards in different categories. These awards include the men's volleyball team, *Bunge* athletics, women's basketball team and the persons with disability Darts team.



Figure 28: Bunge teams during the EALA Inter-Parliamentary games in Kigali, Rwanda.

6.6 Trainings and Professional Development

In fulfilment of *PSC Strategic Objective 8 on strengthening the capacity of staff to facilitate Members in discharging their constitutional duties in an effective and efficient manner*, the National Assembly undertook training of staff on legislative drafting during the period under review.

Several officers from the Directorate of the Serjeant-at-Arms were also trained on fire marshalling and first-aid by the Kenya Airports Authority (KAA). Other trainings were in disaster management at ESAMI-Arusha, and on Transformative Leadership in Dubai, UAE.

The trainings undertaken during the Session are as indicated in the table below—

No.	Course	Month	Target Group	No of Participants
1.	Parliamentary Procedures and Practices	April	Legal Counsels, Hansard Reporters, Fiscal Analysts and Clerk Assistants	8
2.	Leadership and Change Management	April	SAA, Hansard Reporters, Fiscal Analysts and Clerk Assistants	11
3.	Activity Based Budgeting in The Public Sector	April	Fiscal Analysts	3
4.	Project Planning and Implementation	May	Fiscal Analysts	1
5.	Managing Public Sector Performance in Developing Countries	May	Legal Counsel	1
6.	Strategic Negotiations	April	Clerk Assistants	2
7.	Interpersonal Relations at Work	April	Catering	13
8.	Incident Management Course	April	SAA	4
9.	Communication and Report Writing	September	Clerk Assistants	28
10.	Advanced Legislative Drafting	October	Clerk Assistant	1
11.	Legislative Drafting	October	Legal Counsels	21
12.	Communication and Report Writing	October - November	Clerk Assistants	28
13.	Litigation, Contracts and Compliance Management	December	Legal Counsels	5
14.	Leadership and Corporate Governance	December	Clerk Assistant and F&B Supervisor	2
15.	Senior Management Course	December	Clerk Assistant	1
16.	Improving Interpersonal Skills	December	Office Assistants	12

No.	Course	Month	Target Group	No of Participants
17.	Strategic Development Course	December	Clerk Assistant	1
18.	Budget Review and Parliamentary Oversight	December	Fiscal Analysts	6
19.	Supervisory Skills	December	Fiscal Analysts	6
20.	Strategic Communication; Government Communication and Public Relations	December	Public Communication Officers and Media Relations Officers	12
21.	Verbatim Reporting Course	December	Hansard Reporters	11
22.	Ethical Leadership	December	Hansard Reporters and Serjeant-at-Arms	8

Table 6.2 - Trainings undertaken by Staff of the National Assembly

ANNEXURES

Annexure I - Calendar of the Second Session



**REPUBLIC OF KENYA
THIRTEENTH PARLIAMENT- (SECOND SESSION)**

**THE NATIONAL ASSEMBLY
CALENDAR OF THE NATIONAL ASSEMBLY (2023)**

IT IS NOTIFIED for general information that, pursuant to the provisions of Standing Order 28 of the National Assembly Standing Orders, by a resolution made on Wednesday, February 15, 2023, the National Assembly approved the Calendar of the Assembly (*Regular Sessions*) for 2023 as set out below –

Tuesday, 14 th February to Thursday, 7 th December, 2023	
PERIOD	DAYS
FIRST PART	
A. Sitting Days Tuesday, 14 th February – Thursday, 23 rd March 2023	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
B. Short Recess: Friday, 24 th March – Monday, 3 rd April 2023	
C. Sitting Days Tuesday, 4 th April – Thursday, 4 th May 2023	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
D. Long Recess: Friday, 5 th May – Monday, 5 th June 2023	
SECOND PART	
E. Sitting Days Tuesday, 6 th June – Thursday, 13 th July 2023	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
F. Short Recess: Friday, 14 th July – Monday, 24 th July 2023	
G. Sitting Days Tuesday, 25 th July – Thursday, 24 th August 2023	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
H. Long Recess: Friday, 25 th August – Monday, 18 th September 2023	
THIRD PART	
I. Sitting Days Tuesday, 19 th September – Thursday, 26 th October 2023	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
J. Short Recess: Friday, 27 th October – Monday, 6 th November, 2023	
K. Sitting Days Tuesday, 7 th November – Thursday, 7 th December 2023	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
L. Long Recess: Friday, 8 th December 2023 – Monday, 12 th February, 2024	
Annual Suspension of Committee Sittings from 18th December, 2023 – 28th January, 2024	

NOTE: In accordance with the Standing Orders: -

- (a) *Morning Sittings commence at 9.30 am; and Afternoon Sittings commence at 2.30 pm.*
 (b) *The House may resolve to hold sittings on other days and times outside the published Calendar.*

**SAMUEL NJOROGE
CLERK OF THE NATIONAL ASSEMBLY
*Wednesday, 15th February, 2023***



"For The Welfare of Society and The Just Government of The People"

Annexure II - Members of Parliament conferred with National Honours and awards during the 60th Celebration of Jamhuri Day in 2023

Elder of the Order of the Golden Heart (EGH)	
1.	The Hon. Kimani Ichung'wah, MGH, MP
2.	The Hon. Opiyo Wandayi, MGH, MP
Chief of the Order of the Burning Spear (CBS)	
3.	The Hon. Daniel Nanok, MP
4.	The Hon. Daniel Wanyama, MP
5.	The Hon. David Gikaria, MP
6.	The Hon. Johana Ng'eno, MP
7.	The Hon. Julius Melly, MP
8.	The Hon. (Dr.) Robert Pukose, MP
9.	The Hon. Alice Ng'ang'a, MP
10.	The Hon. Wanjiku Muhia, MP
11.	The Hon. Gitonga Murugara, HSC, MP
12.	The Hon. Martha Wangari, MP
13.	The Hon. David Ochieng, MP
14.	The Hon. Omboko Milemba, MP
15.	The Hon. Peter Opondo Kaluma, MP
16.	The Hon. Samwel Moroto, MP
17.	The Hon. Abdi Yusuf Hassan, MP
18.	The Hon. Joseph Lekuton, MP
19.	The Hon. Timothy Wanyonyi, MP



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**THE CLERK OF THE NATIONAL ASSEMBLY
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P.O. BOX 41842 - 00100
NAIROBI, KENYA**

**EMAIL: cna@parliament.go.ke
WEBSITE: www.parliament.go.ke**