



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT –FOURTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, JULY 22, 2025 AT 2.30 P.M.

1. The House assembled at Thirty Minutes past Two O'clock.

2. The Proceedings were opened with Prayer.

3. **Presiding** – the Honourable Speaker.

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

There being no Quorum present at the commencement of the House; the Honourable Speaker ordered the Quorum Bell to be rung for ten minutes. And Quorum having been attained within the ten minutes, business commenced.

5. **COMMUNICATION FROM THE CHAIR**

The Speaker issued the following Communication—

Appointment of Members to Mediation Committee on the Coffee Bill (Senate Bill No. 10 of 2023)

“Honourable Members, I wish to welcome you back to the House from the just-concluded short recess. I believe that you are geared up to embark on the legislative business of the House as we enter into the second half of the Fourth Session.

You will recall that on 27th November 2024, this House considered and **passed** the Coffee Bill (Senate Bill No. 10 of 2023) **with amendments**. Thereafter, I referred the Bill to the Senate for reconsideration in accordance with the provisions of Article 112(1)(b) of the Constitution.

Further, **Honourable Members**, you may recall that on Wednesday, 4th June 2025, I reported to this House a Message from the Senate conveying that on Tuesday, 20th May 2025, the Senate considered and **rejected** the National Assembly’s amendments to the Coffee Bill (Senate Bill No. 10 of 2023). The decision of the Senate remitted the Bill to a mediation committee pursuant to Article 112(2)(b) of the Constitution.

Honourable Members, Article 113 of the Constitution requires that whenever a Bill is referred to a Mediation Committee, the Speakers of the Houses of Parliament shall each appoint an equal number of Members from both Houses to attempt to develop a version of the Bill for consideration.

In this regard, **Honourable Members**, having consulted with the Leader of the Majority Party and the Leader of the Minority Party, I have appointed the following Members to represent the National Assembly in the Mediation Committee to consider the said Bill—

- (1) The Hon. (Dr.) John Mutunga, CBS, MP;
- (2) The Hon. John Okwisia Makali, MP;
- (3) The Hon. Robert Gichimu Githinji, MP;
- (4) The Hon. Duncan Mathenge Maina, MP;
- (5) The Hon. Julius Kipbiwott Melly, MP;
- (6) The Hon. Yussuf Farah Mohamed, MP;
- (7) The Hon. Geoffrey Makokha Odanga, MP;
- (8) The Hon. Dorice Donya Aburi, MP; and
- (9) The Hon. Jared Odoyo Okello, MP.

Honourable Members, you may further recall that on 4th June 2025, I reported to this House that the Senate had appointed nine Senators to the committee on the Bill. In this regard, the Mediation Committee is now fully constituted. I therefore urge the Members of this House to reach out to their Senate counterparts for purposes of commencing the mediation process.

The Mediation Committee should, as soon as is practicable, meet and commence the process of developing a version of the Bill for consideration by the Houses of Parliament in accordance with the provisions of Article 113 of the Constitution. I thank you!”

6. MESSAGES

The Speaker reported the following Messages —

(i) Message from the Senate on the passage of the Mediated Version of the Division of Revenue Bill (National Assembly Bill No. 10 of 2025)

“Honourable Members, pursuant to the provisions of Standing Order 41(4), I wish to report to the House that during the recess period, I received a Message from the Senate regarding the approval of the Mediated Version of the Division of Revenue Bill (National Assembly Bill No. 10 of 2025).

The Message conveys that on Monday, 30th June 2025, in accordance with the provisions of Article 113(2) of the Constitution, the Senate considered and **approved** the mediated version of **the Division of Revenue Bill (National Assembly Bill No. 10 of 2025)** in the form developed and agreed by the Mediation Committee.

Honourable Members, you will recall that the Bill was committed to a mediation committee pursuant to Article 112(2)(b) of the Constitution, following the National Assembly’s rejection of Senate amendments to the Bill on Tuesday, 3rd June 2025.

Consequent to this, the House considered the Report of the Mediation Committee and **approved** the mediated version of the Bill on Thursday, 19th June 2025, in the form developed by the Mediation Committee.

Honourable Members, the approval of the mediated version of the Division of Revenue Bill, 2025 by both Houses of Parliament concluded its bicameral consideration. In this regard, and in accordance with the provisions of Article 113(3) of the Constitution, I did present the Bill to His Excellency the President for Assent. The Bill was subsequently assented to and is now an Act of Parliament. The House is accordingly informed. I thank you!”

(ii) Message from the President on Referral by H.E the President of the Pensions (Amendment) Bill (National Assembly Bill No. 44 of 2022)

“Honourable Members, you may recall that on 7th August 2024, the National Assembly passed the Pensions (Amendment) Bill (National Assembly Bill No. 44 of 2022) which was sponsored by the Member for Kimilili, the Hon. Didmus Barasa, MP. The Bill sought to amend the Pensions Act, Cap. 189 to provide for timelines within which pension was payable to an officer. Following its passage, I presented the Bill for assent to H.E. the President in accordance with the provisions of Article 115 of the Constitution.

Honourable Members, I wish to convey to the House that I have since received a Message from H.E. the President referring the Bill back to the House for reconsideration in accordance with the provisions of Article 115 of the Constitution. In the Memorandum, H.E. the President has expressed reservations on Clauses 2 and 3 of the Bill and notes, *inter alia*—

- (i) **That, on Clause 2 of the Bill**, the proposed amendment which seeks to give the Cabinet Secretary responsible for matters relating to finance powers to make Regulations, will create an inconsistency with section 3(2) of the Pensions Act, which provides that the Pensions Regulations may be amended by Regulations made by the President. As such, granting powers to the Cabinet Secretary would create conflict in the implementation of such Regulations; and
- (ii) **That, on Clause 3 of the Bill**, the clause is ambiguous as it does not provide with specificity the date for which pension shall become due. The President notes that the Bill lacks clarity on whether the due date is the retirement date or the date on which a retired person makes an application for payment of pension. Further, the President notes that the objects sought to be achieved by the Bill can be realized through administrative action by streamlining the pension processes to ensure the timely payment of pension to retired persons.

In his reservations, H.E. the President observes that the Bill fails to take cognizance of the recent automation of the pensions processes which has reduced timelines for processing pensions. Consequently, the President recommends deletion of Clauses 2 & 3 of the Bill, which as a matter of fact, are the primary content of the Bill.

Honourable Members, Standing Order 154(2) requires the House to consider the President’s reservations **within twenty-one (21) days** upon receipt of a Memorandum.

In this regard, the Memorandum from the President now stands committed to the Departmental Committee on Finance and National Planning for consideration. The Committee is required to table its report soonest to allow the House to consider the President’s reservations within the said timelines.

Honourable Members, may I at this point, remind the House of the *Speaker’s Communication* of 28th July 2015 concerning the *consideration of the President’s reservations to a Bill and amendments thereto*. I particularly draw your attention to the guidance, that the voting threshold for the passage of amendments proposed by a Committee or an individual Member that have the effect of **fully accommodating** the President’s reservations is **a simple majority** as contemplated under Article 122(1) of the Constitution as read together with Article 115(2)(a).

On the other hand, an amendment that **does not fully accommodate** the President's reservations, or indeed one that has the effect of a total override of the President's reservations, including negating his proposed text, would require a **two-thirds voting** threshold to be passed in keeping with the provisions of Article 115(4) of the Constitution.

In conclusion, **Honourable Members**, I hereby direct the Clerk to circulate the memorandum from H.E. the President to all Members so that they familiarize themselves with its contents. The House is accordingly informed. I thank you!"

7. PAPERS

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

- (a) Legal Notice No. 79 of 2025 relating to the National Museum and Heritage (Admission Fees) Regulations, 2025, and the Explanatory Memorandum from the Ministry of Gender, Culture and Children Services;
- (b) Legal Notice No. 94 of 2025 relating to the Kenya National Qualifications Framework (General) Regulations, 2025, and the Explanatory Memorandum from the Ministry of Education;
- (c) The following Legal Notices from the Ministry of Energy and Petroleum: -
 - (i) Legal Notice No. 95 of 2025 relating to the Petroleum (Business Licensing and Petroleum Logistics Facility Construction Permit) Regulations, 2025;
 - (ii) Legal Notice No. 96 of 2025 relating to the Petroleum (Licensing of Petroleum Road Transportation Business) Regulations, 2025;
 - (iii) Legal Notice No. 97 of 2025 relating to the Petroleum (Operation of Common User Petroleum Facilities) Regulations, 2025;
 - (iv) Legal Notice No. 98 of 2025 relating to the Petroleum (Information and Statistics) Regulations, 2025;
 - (v) Legal Notice No. 99 of 2025 relating to the Petroleum (Lubricants Facility Construction and Business Licensing) Regulations, 2025;
 - (vi) Legal Notice No. 100 of 2025 relating to the Petroleum (Retail Dispensing Site Construction and Licensing) Regulations, 2025;
 - (vii) Legal Notice No. 101 of 2025 relating to the Petroleum (Liquefied Petroleum Gas) Regulations, 2025;
 - (viii) Legal Notice No. 102 of 2025 relating to the Energy (Petroleum Information and Statistics) (Revocation) Regulations, 2025;
 - (ix) Legal Notice No. 103 of 2025 relating to the Energy (Retail Facility Construction and Licensing) Regulations, 2025; and
 - (x) Legal Notice No. 104 of 2025 relating to Petroleum (Products Quality Management) Regulations, 2025.
- (d) Legal Notice No. 106 of 2025 relating to the Public Finance Management (Sports, Arts and Social Development Fund) (Amendment) Regulations 2025 from the National Treasury and Economic Planning;
- (e) Legal Notice No. 113 of 2025 relating to the Sugar (Sugar Development Levy) Order, 2025, Regulatory Impact Assessment Report, Explanatory Memorandum, stakeholders' comments and submissions and Certificate of Compliance from the Ministry of Agriculture and Livestock Development;
- (f) Legal Notice No. 114 of 2025 relating to the Affordable Housing Regulations, 2025 from the Ministry of Lands, Public Works, Housing and Urban Development and the following accompanying documents: -
 - (i) The Published Regulations;
 - (ii) Notice for Public Participation;

- (iii) Notice for the Regulatory Impact Assessment;
- (iv) Regulatory Impact Assessment;
- (v) Photos;
- (vi) Public Participation attendance list;
- (vii) Matrix on the comments received from the Public Participation process;
- (viii) Explanatory Memorandum; and
- (ix) Certificate of Compliance.
- (g) Draft Salaries and Remuneration Commission (Remuneration and Benefits of State and other Public Officers) Regulations, 2025 from the Salaries and Remuneration Commission;
- (h) Submission of Nominees for the National Government Constituency Development Fund Committees for the following five (5) Constituencies: -
 - (i) Isiolo South;
 - (ii) Lungalunga;
 - (iii) Kuria West;
 - (iv) Homabay Town; and
 - (v) Kitui South.
- (i) Reports of the Auditor-General and Financial Statements for the year ended 30th June 2024 and the certificates therein in respect of: -
 - (a) Kenya Post Office Savings Bank;
 - (b) Kenya National Assurance Company (2001) Limited; and
 - (c) Kenya Institute of Supplies Management.

(The Leader of the Majority Party)
- (j) Report of the Departmental Committee on Regional Development on its consideration of the Senate Amendments to the National Disaster Risk Management Bill (National Assembly Bill No. 24 of 2023); and

(The Chairperson, Departmental Committee on Regional Development)
- (k) Report of the Departmental Committee on Lands on its consideration of the President's Memorandum to the National Land Commission (Amendment) Bill (National Assembly Bill No. 43 of 2023).

(The Chairperson, Departmental Committee on Lands)

8. STATEMENTS

(a) Requests for Statements pursuant to Standing Order 44(2)(c)

- (i) The Member for Kiambu (Hon. Machua Waithaka) requested for a Statement from the Chairperson of the Departmental Committee on Labour regarding Insurance compensation to the family of the late *Mr. Patrick Gichuru*; and
- (ii) The Member for Tetu (Hon. Geoffrey Wandeto) requested for a Statement from the Chairperson of the Departmental Committee on Labour regarding Payment of salaries, terminal dues and other benefits to former employees of *Nyayo Tea Zones*.

(b) Responses to Statements pursuant to Standing Order 44(2)(c)—

- (i) The Chairperson, Departmental Committee on Administration and Internal Security responded to a request for Statement by the Member for Oljororok (Hon. Michael Muchira) regarding the disappearance of Identity Cards from the National Registration Bureau Office in Nyandarua West;
- (ii) The Chairperson, Departmental Committee on Transport and Infrastructure responded to a request for Statement by the Member for Eldas (Hon.

Keynan) regarding the progress on tarmacking of the *Wajir-Griftu-Eldas-Buna-Bute-Moyale-Ethiopia* (A1) Road.

(iii) Responses to the following Statements were deferred—

- (a) Statement by the Member for Kiambu (Hon. Machua Waithaka) from the Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations regarding disappearance *Mr. Reuben Barua*, a Kenyan, in USA;
- (b) Statement by the Member for Turkana North (Hon. Ekwom Nabuin) from the Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations regarding the status of investigations into the *Todonyang* Massacre; and,
- (c) Statement by the Member for Nakuru Town West (Hon. Samuel Arama) from the Chairperson, Departmental Committee on Lands regarding attempted land grabbing of land in Nakuru Municipality.

9. MOTION— CONSIDERATION OF THE PERFORMANCE AUDIT REPORT ON THE PROVISION OF SERVICES TO PERSONS WITH DISABILITIES BY THE NATIONAL COUNCIL FOR PERSONS WITH DISABILITIES

Motion made and Question proposed—

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

*(The Chairperson, Public Investments Committee on Social Services,
Administration and Agriculture – 01.07.2025)*

Debate having been concluded on Thursday, 1st July 2025;

Mover having replied;

Question put and agreed to.

10. MOTION- CONSIDERATION OF FIFTH REPORT ON THE FINANCIAL STATEMENTS FOR THE NG-CDF ACCOUNTS FOR SIX CONSTITUENCIES IN BUSIA COUNTY

Motion made and Question proposed—

THAT, this House **adopts** the Fifth Report of the Decentralized Funds Accounts Committee on its consideration of the Report of the Auditor-General on the Financial Statements for the National Government Constituencies Development Fund for six Constituencies in Busia County, being Teso South, Matayos, Nambale, Funyula, Teso North and Butula Constituencies, for Financial Years 2013/2014, 2014/2015, 2015/2016, 2016/2017, 2017/2018, 2018/2019, 2019/2020, 2020/2021 and 2021/2022 *laid on the Table of the House on Thursday, 10th April 2025*.

(The Chairperson, Decentralized Funds Accounts Committee)

(Change of Chair from the Hon. Speaker to the Deputy Speaker)

(Change of Chair from the Deputy Speaker to the Fifth Chairperson)

Debate arising;

Mover replied;

Putting of the Question deferred pursuant to Standing Order 53(3).

11. MOTION- CONSIDERATION OF THE THIRD REPORT ON THE EMPLOYMENT DIVERSITY AUDIT IN PUBLIC INSTITUTIONS

Motion made and Question proposed—

THAT, this House **adopts** the Third Report of the Select Committee on National Cohesion and Equal Opportunity on the Employment Diversity Audit in Public Institutions, *laid on the Table of the House on Wednesday, 30th April 2025*.

(The Chairperson, Committee on National Cohesion and Equal Opportunity)

Debate arising;

Rising in his place, the Member for Tharaka (Hon. George Murugara) claimed to move that debate on the Motion be adjourned pursuant to the provisions of Standing Order 96(1).

Motion made and question proposed –

THAT, debate on the motion be now adjourned pursuant to the provisions of Standing Order 96(1).

Question put and agreed to;

Debate on the motion to resume in the next sitting.

12. THE ELECTION OFFENCES (AMENDMENT) (No.2) BILL (SENATE BILL NO. 28 OF 2024)

Order for Second Reading read;

Motion made and Question proposed—

THAT, Election Offences (Amendment) (No.2) Bill (Senate Bill No. 28 of 2024 be now read a Second Time -

No Debate arising;

Rising in his place, the Member for Seme (Hon. James Nyikal) claimed to move that debate on the Motion be adjourned pursuant to the provisions of Standing Order 96(1).

Motion made and question proposed –

THAT, debate on the motion be now adjourned pursuant to the provisions of Standing Order 96(1).

Question put and agreed to;

Debate to resume in the next sitting.

**13. MOTION- CONSIDERATION OF THE REPORT ON THE EXAMINATION OF
FINANCIAL STATEMENTS OF SELECTED STATE CORPORATIONS**

Order read;

Order deferred.

**14. MOTION- CONSIDERATION OF SECOND REPORT ON THE STATUS OF
IMPLEMENTATION OF THE CONSTITUTION**

Order read;

Order deferred.

And the time being ten Minutes to Seven O'clock, the Fifth Chairperson adjourned the House without Question put pursuant to the Standing Orders.

15. HOUSE ROSE - at ten Minutes to Seven O'clock

MEMORANDUM

The Speaker will take the Chair tomorrow,
Wednesday, July 23, 2025 at 9.30 a.m.

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