



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – FOURTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, OCTOBER 8, 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 Deputy Speaker.

4. **QUORUM AT COMMENCEMENT**

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

And Quorum having been attained within ten minutes, business commenced.

5. **PAPERS**

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

- (a) Reports of the Auditor-General and Financial Statements for the year ended 30th June 2025 and the certificates therein in respect of –
 - (i) Receiver of Revenue Statements- Ministry of Defence;
 - (ii) Kenya – EU Partnership for the Implementation of the National Strategy to Counter Violent Extremism in Kenya – National Counter Terrorism Centre;
 - (iii) Africa Climate Summit (ACS) Africa Climate Week – State Department for Environment and Climate Change;
 - (iv) Kenya Power and Lighting Company PLC; and
 - (v) Supporting Access to Finance and Enterprise Recovery Project (IDA Credit No. 7018-KE) – The National Treasury.
- (b) The Annual Performance Report of the Ministry of Defence for the FY 2024/25 from the Cabinet Secretary; and
- (c) The Annual Report of the Business Registration Service for FY 2024/25 from the Office of the Attorney-General.

(Deputy Leader of the Majority Party)

- (d) Report of the Select Committee on National Government Constituencies Development Fund on Its Biennial Report on the Implementation of the National Government Constituencies Development Fund Act, Cap 414a for the Financial Years 2022/2023 and 2023/2024

*(Vice-Chairperson, Select Committee on National Government
Constituencies Development Fund)*

6. NOTICES OF MOTION

The following Notice of Motion was given –

Biennial Report on the implementation of the NG-CDF Act, Cap 414A for FY 2022/2023 & 2023/2024

THAT, this House **adopts** the Report of the Select Committee on National Government Constituencies Development Fund on its biennial report on the Implementation of the National Government Constituencies Development Fund Act, Cap 414A for financial years 2022/2023 and 2023/2024, *laid on the Table of the House on Wednesday, 8th October 2025.*

*(Vice-Chairperson, Select Committee on National Government
Constituencies Development Fund)*

7. STATEMENTS**(a) Statement pursuant to the provisions of Standing Order 44(2)(c) —**

- (i) The Member for Navakholo (Hon. Emmanuel Wangwe) requested for a Statement from the Chairperson of the Departmental Committee on Education regarding irregularities in the recent teachers' promotion interviews in Navakholo Sub-County; and
- (ii) The Member for Nairobi City County (Hon. Esther Passaris) requested for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding a disturbing video clip in circulating on social media alleging a confession to rape by Pastor *James Ng'ang'a*.

(b) Statement pursuant to the provisions of Standing Order 44(2)(D) —

- The Vice-Chairperson of the Select Committee on National Government Constituencies Development Fund (Hon. Kassim Tandaza) made a Statement regarding Disbursement of funds under the National Government Constituencies Development Fund.

8. QUESTIONS

(a) The following Questions were asked and responded to in plenary by the Cabinet Secretary for Education pursuant to the provisions of Standing Order 42B(5)—

- (i) Question No. 072/2025 by the Member for Baringo Central (Hon. Joshua Kandie)) regarding placement of students at the Kenya Medical Training College (KMTTC) by the Kenya Universities and Colleges Central Placement Service (KUCCPS);
- (ii) Question by Private Notice No. 013/2025 by the Member for Emuhaya (Hon. Omboko Milemba) regarding the ongoing verification of student enrollment in schools and release of capitation funds across the country;

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

- (iii) Question by Private Notice No. 011/2025 by the Member for Emuhaya (Hon. Omboko Milemba) regarding funding of co-curricular activities for public primary and secondary schools; and

- (iv) Question No. 011/2025 by the Member for Keiyo South (Hon. Gideon Kimaiyo) regarding reduction in capitation funding for public primary and secondary schools and measures taken to ensure equitable access to quality education for all learners.
- (b) The following Questions were dropped pursuant to the provisions of Standing Order 42B(5)—
 - (i) Question No. 014/2025 by the Member for Isiolo County (Hon. Mumina Bonaya) regarding the challenges encountered with the National Education Management Information System (NEMIS) and justification for the rollout of the new Kenya Education Management Information System (KEMIS); and
 - (ii) Question No. 071/2025 by the Member for Matayos (Hon. Geoffrey Odanga) regarding challenges faced by Kenyans with foreign qualifications in obtaining an equation of their foreign certificates from the Kenya National Examinations Council (KNEC).

**9. THE PUBLIC SERVICE SUPERANNUATION SCHEME (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 33 OF 2025)**

(The Leader of the Majority Party)

Order for First Reading read;

Bill read a First Time and referred to the relevant committee pursuant to Standing Order 127(1).

**10. MOTION – CONSIDERATION OF THE SEVENTH REPORT ON EXAMINATION OF
FINANCIAL STATEMENTS OF SELECTED STATE CORPORATIONS**

Motion made and Question proposed –

THAT, this House adopts the Seventh Report of the Public Investments Committee on Social Services, Administration and Agriculture on its examination of Financial Statements of the following State Corporations, *laid on the Table of the House on Wednesday, 13th August 2025* —

- (i) National Syndemic Diseases Control Council (Formerly National Aids Control Council) For FY 2017/2018 to 2023/2024;
- (ii) National Social Security Fund for FY 2021/2022 to 2023/2024;
- (iii) National Cancer Institute of Kenya for FY 2019/2020 to 2023/2024; and
- (iv) Child Welfare Society of Kenya for FY 2015/2016 to 2018/2019. (Resumption of debate interrupted on Tuesday, October 7, 2025).

*(Chairperson, Public Investments Committee on Social Services, Administration
& Agriculture)*

Debate interrupted on Tuesday, 7th October 2025 resumed;

Mover replied;

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

11. COMMITTEE OF THE WHOLE HOUSE

Order for Committee read;

IN THE COMMITTEE

The First Chairperson of the Committees on the Chair

The Privatization Bill (National Assembly Bill No. 36 of 2025)

Clause 3 - amendment proposed—

THAT, clause 3 of the Bill be amended—

- (a) by deleting the word “and” appearing in paragraph (a);
- (b) by inserting the following new paragraphs immediately after paragraph (b)—
 - “(c) prohibit restrictive or unfair trade practices in the privatization process; and
 - (d) promote openness and public participation in privatization programmes in Kenya.”

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

There being no debate arising;

Question of the amendment put agreed to.

Clause 3 as amended agreed to.

Clause 4 - amendment proposed—

THAT, the Bill be amended in clause 4 by inserting the words “in accordance with the Public Finance Management Act” immediately after the word “corporation” appearing in paragraph (c).

(Hon. Kwenya Thuku on behalf of the Chairperson, Public Debt & Privatization Committee)

Question of the amendment proposed;

Debate arising;

Question of the amendment put and agreed to.

Further amendment proposed –

THAT, the clause 4 of the Bill be amended by deleting paragraph (c).

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Proposed further amendment withdrawn.

Clause 4 as amended - agreed to.

Clauses 5, 6, 7, 8 & 9 - agreed to.

Clause 10 amendment proposed—

THAT, clause 10 of the Bill be amended—

- (a) in subclause (1) (d) by deleting the words “, each possessing a degree in either economics, accounting, finance or any other relevant degree from a recognized institution and having ten years of work experience of which five shall be at senior management level in a relevant field”;
- (b) in subclause (3) by inserting the words “the youth, persons with disabilities” immediately after the words “and regional balance”;

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question of the amendment put agreed to.

Clause 10 as amended - agreed to.

Clauses 11, 12, 13, 14, and 15 - agreed to

Clause 16 - amendment proposed—

THAT, clause 16 of the Bill be amended in subclause (4)—

- (a) by deleting the word “four” appearing immediately after the words “for a term of” and substituting therefor the word “three”;
- (b) by deleting the word “four” appearing immediately after the words “not exceeding”

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question of the amendment put agreed to.

Clause 16 as amended - agreed to.

Clauses 17, 18, 19, and 20 - agreed to.

Clause 21 - amendment proposed—

THAT, clause 21 of the Bill be amended in subclause (2)—

- (a) by inserting the following new paragraph immediately after paragraph (c)—
“(ca) the national security interests;”;
- (b) in paragraph (d) by deleting the words “an unregulated” appearing immediately after the words “may result in” and substituting the word “a”.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question of the amendment put and agreed to

Clause 21 as amended - agreed to

Clause 22 - amendment proposed—

THAT, clause 22 of the bill be amended by deleting the marginal note and substituting therefor the following new marginal note “Submission of privatization programme to the National Assembly.”

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question of the amendment put agreed to.

Clause 22 as amended - agreed to.

Clause 23 - amendment proposed—

THAT, clause 23 of the Bill be amended by deleting and substituting therefor the following new clause—

Consideration
of the
privatization
programme.

23. Upon receipt of the privatization programme, the programme shall be tabled in the National Assembly and the National Assembly shall –

- (a) consider the privatization proposal within ninety days from the date of tabling; and
- (b) be guided by principles of public finance under Article 201 of the Constitution, principles of good governance under Article 10 of the Constitution, the criteria for identification of entities specified under section 21 and any other relevant consideration.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question of the amendment put agreed to.

Further amendment proposed-

THAT, clause 23 of the Bill be deleted.

(Hon. Ojiambo Oundo)

Proposed amendment withdrawn.

Clause 23 as amended - agreed to

Clause 24 - amendment proposed—

THAT, clause 24 of the Bill be deleted.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question of the amendment put agreed to.

Clause 24 - deleted.

Clauses 25 - amendment proposed—

THAT, clause 25 of the Bill be amended in paragraph (b) by deleting the words “with amendments” and substituting therefor the words “with reservations or proposed amendments;”

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question of the amendment put agreed to.

Clause 25 as amended - agreed to.

Clause 26 - amendment proposed –

THAT, clause 26 of the Bill be amended in –

- (a) subsection (1) by deleting the words “seven days of the decision” appearing in and substituting therefor the words “seven days of the resolution”;
- (b) subsection (2) by deleting the words “amendments and the reasons” and substituting therefor the words “**reservations or proposed amendments.**”

(Vice Chairperson, Departmental Committee on Finance & National Planning)

(Moved in amended form – amendment in bold)

Question of the amendment proposed;

Debate arising;

Question of the amendment put agreed to.

Clause 26 as amended - agreed to.

Clauses 27 - amendment proposed—

THAT, the Bill be amended by deleting clause 27 and substituting therefor the following new clause—

Cabinet **27.** (1) Upon receipt of the notice under section 26, the Secretary to Cabinet Secretary shall –
amend.

(a) publish the approved privatization programme; or

(b) in the case where the privatization programme is approved with reservations or amendments, revise the privatization programme fully taking into account the reservations or amendments;

(2) Upon receipt of the notice under section 26 and where the privatization programme is declined, the Cabinet Secretary may submit a new privatization programme within six months.

(3) Without prejudice to the generality of subsection (1) (b), the Cabinet Secretary shall submit a copy of the revised privatization proposal to the National Assembly.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question of the amendment put agreed to.

Clause 27 as amended - agreed to.

Clauses 28 - agreed to.

Clause 29 - amendment proposed—

THAT, clause 29 of the Bill be amended in sub-clause (1) by deleting the word “eight” appearing immediately after the word “exceeding” and substituting therefor the word “five”.

(Hon. Ojiambo Oundo)

Question of the amendment proposed;

Debate arising;

Question of the amendment put negatived.

Further amendment proposed—

THAT, clause 29 of the Bill be amended in sub-clause (1) by deleting the word “eight” appearing immediately after the word “exceeding” and substituting therefor the word “four”.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the further amendment proposed;

Debate arising;

Question of the amendment put agreed to.

Clause 29 as amended - agreed to.

Clauses 30 & 31 - agreed to.

Clause 32 - amendment proposed—

THAT, clause 32 of the Bill, be amended by inserting the following new sub-clause immediately after sub-clause (2)—

“(2A) In determining whether to limit the participation of foreigners in a specific Privatization, the Cabinet Secretary shall, in consultation with the Authority, consider the following—

- (a) the strategic nature of the public entity to be privatized;
- (b) the national security interests;
- (c) the economic empowerment and inclusion of Kenyan citizens;
- (d) the potential impact of the privatization on public welfare, service delivery or access;
- (e) the risk of foreign dominance or monopolistic control; and
- (f) the national development goals and policies.”

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question of the amendment put agreed to.

Clause 32 as amended - agreed to.

Clause 33 - amendment proposed—

THAT, clause **33** of the Bill be amended **in sub-clause (2)** by deleting paragraph (c).

(Vice Chairperson, Departmental Committee on Finance & National Planning)

*(Moved in amended form – amendment in **bold**)*

Question of the amendment proposed;

Debate arising;

Question of the amendment put agreed to.

Clause 33 as amended - agreed to.

Clause 34 - agreed to.

Clause 35 - amendment proposed—

THAT, clause 35 of the Bill be amended in sub-clause (2) by inserting the following new paragraph immediately after paragraph (d)—

“(da) an initial valuation report of the entity to be privatized;”

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question of the amendment put agreed to.

Further amendment proposed—

THAT, clause 35 of the Bill be amended in sub-clause (2) by inserting the following new paragraph immediately after paragraph (e)—

“(ea) the value of the entity to be privatized as determined under section 38;”

(Hon. Ojiambo Oundo)

Proposed amendment withdrawn.

Clause 35 as amended - agreed to.

Clause 36 - amendment proposed—

THAT, clause 36 of the Bill be amended by inserting the following new sub-clauses immediately after sub-clause (2)—

“(3) The Cabinet Secretary shall submit to the National Assembly the privatization proposal for consideration.

(4) The National Assembly shall—

(a) approve the privatization proposal for implementation;

(b) approve the privatization proposal with amendments; or

(c) decline the privatization proposal.

(5) The Clerk shall notify the Cabinet Secretary of the decision of the National Assembly within seven days of the decision.

(6) Where the National Assembly approves a privatization proposal with amendments, the notice shall state the proposed amendments and the reasons.

(7) Where the National Assembly declines to approve the privatization proposal, the Clerk shall state the reasons in the notification.

(8) Where the National Assembly has declines the privatization proposal, the Cabinet Secretary shall address the reasons for rejection and resubmit the privatization proposal to the National Assembly within three months.”

(Hon. Ojiambo Oundo)

Proposed amendment withdrawn.

Clause 36 - agreed to.

Clause 37 - amendment proposed—

THAT, clause 37 of the Bill be amended in sub-clause (1) by deleting the words “section 36” appearing immediately after the words “a Privatization proposal under” and substituting therefor the words “this Act”.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question of the amendment put agreed to.

Clause 37 as amended - agreed to

Clause 38 - amendment proposed—

THAT, clause 38 of the Bill, be amended in sub-clause (1) by inserting the words “of a parent company and its subsidiary” immediately after the words “assets valuation.”

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question of the amendment put agreed to.

Clause 38 as amended - agreed to.

Clauses 39, 40, 41, 42, 43 & 44 - agreed to.

Clause 45 - amendment proposed—

THAT, clause 45 of the Bill be amended—

- (a) by deleting sub-clause (1);
- (b) in sub-clause (2)(a) by deleting the word “objection” and substituting therefor the word “review”.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question of the amendment put agreed to.

Clause 45 as amended - agreed to.

Clauses 46, 47 & 48 - agreed to.

Clause 49 - amendment proposed—

THAT, clause 49 of the Bill be deleted.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question of the amendment put agreed to.

Clause 49 - deleted.

Clause 50 - agreed to.

Clause 51 - amendment proposed—

THAT, the Bill be amended by deleting clause 51 and substituting therefor the following new clause—

Appeals. **51.** A person who is dissatisfied with the decision of the Authority on the implementation of the privatization programme may appeal to the High Court.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question of the amendment put agreed to.

Clause 51 as amended - agreed to.

Clause 52 - amendment proposed—

THAT, clause 52 of the Bill be deleted.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question of the amendment put agreed to.

Clause 52 - deleted.

Clause 53 - amendment proposed—

THAT, clause 53 of the Bill be deleted.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question of the amendment put agreed to.

Clause 53 - deleted.

Clause 54 - amendment proposed—

THAT, clause 54 of the Bill be deleted.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;
Question of the amendment put agreed to.

Clause 54 - deleted.

Clause 55 - amendment proposed—

THAT, clause 55 of the Bill be deleted.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;

Question of the amendment put agreed to.

Clause 55 - deleted.

Clause 56 - amendment proposed—

THAT, clause 56 of the Bill be deleted.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question of the amendment put agreed to.

Clause 56 - deleted.

Clause 57 - amendment proposed—

THAT, clause 57 of the Bill be deleted.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question of the amendment put agreed to.

Clause 57 - deleted.

Clause 58 - amendment proposed—

THAT, clause 58 of the Bill be deleted.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question of the amendment put agreed to.

Clause 58 - deleted.

Clauses 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74 & 75 -
agreed to

NEW CLAUSES

New Clause 10A proposed—

THAT, the Bill be amended by inserting the following new clause immediately after clause 10—

Qualifications for appointment. **10A.** (1) A person qualifies to be appointed as the Chairperson or a member of the Board under section 10(1)(d), if that person—
(a) is a Kenyan citizen;

- (b) holds a degree in either economics, accounting, finance, law or any other relevant degree from a university recognized in Kenya;
- (c) has at least ten years of work experience of which five shall be at senior management level in a relevant field;
- (d) meets the requirements of chapter six of the Constitution;
- (e) has not been convicted of a criminal offence which attracts imprisonment for a term not exceeding six months; and
- (f) has not been adjudged bankrupt or entered into a composition or arrangement with the creditors of the person.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Motion made and question proposed;

THAT, New Clause 10A be read a Second Time.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Debate arising;

Question put and agreed to.

Motion made and question proposed;

THAT, New Clause 10A be part of the Bill.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question put and agreed to.

New Clause 10A - agreed to.

New Clause 36 proposed-

THAT, the Bill be amended by inserting the following news clause immediately after clause 36—

Approval by the National Assembly. **36A.** (1) the Cabinet Secretary shall submit the privatisation proposal to the National Assembly for approval.

(2) The request for approval under subsection (1) shall be accompanied by an explanatory memorandum specifying items provided for in section 35(2).

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Motion made and question proposed;

THAT, New Clause 36A be Read a Second Time.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Debate arising;

Question put and agreed to.

Motion made and question proposed;

THAT, New Clause 36A be part of the Bill.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Debate arising;

Question put and agreed to.

New Clause 36A - agreed to.

New Clause 36B proposed-

THAT, the Bill be amended by inserting the following new clause immediately after clause 36—

Consideration of **36B**. Upon receipt of the privatization proposal, the the privatization proposal shall be tabled in the National Assembly and the proposal. National Assembly shall –

(a) consider the privatization proposal within ninety days from the date of tabling

(b) be guided by principles of public finance under Article 201 of the Constitution, principles of good governance under Article 10 of the Constitution, the specifications of the privatization proposal under section 35(2) and any other relevant consideration.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Motion made and question proposed;

THAT, New Clause 36B be read a Second Time.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Debate arising;

Question put and agreed to.

Motion made and question proposed;

THAT, New Clause 36B be part of the Bill.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Debate arising;

Question put and agreed to.

New Clause 36B - agreed to.

New Clause 36C proposed-

THAT, the Bill be amended by inserting the following new clause immediately after clause 36—

Decision of the **36C.**The National Assembly shall either—
National
Assembly.

- (a) approve the privatization proposal for implementation;
- (b) approve the privatization proposal with reservations or proposed amendments; or
- (c) decline the privatization proposal.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Motion made and question proposed;

THAT, New Clause 36C be Read a Second Time.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Debate arising;

Question put and agreed to.

Motion made and question proposed;

THAT, New Clause 36C be part of the Bill.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Debate arising;

Question put and agreed to.

New Clause 36C - agreed to.

New Clause 36D proposed-

THAT, the Bill be amended by inserting the following news clause immediately after clause 36—

Notification of **36D.** (1) The Clerk shall notify the Cabinet Secretary of the decision. the resolution of the National Assembly within seven days of the resolution.

(2) Where the National Assembly approves a privatization proposal with amendments or reservations, the notice shall state the proposed amendments or reservations made by the National Assembly.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Motion made and question proposed;

THAT, New Clause 36D be read a Second Time.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Debate arising;
Question put and agreed to.
Motion made and question proposed;

THAT, New Clause 36D be part of the Bill.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Debate arising;
Question put and agreed to.
New Clause 36D - agreed to.

New Clause 36E proposed-

THAT, the Bill be amended by inserting the following new clause immediately after clause 36—

Amendment of **36E.** (1) Upon receipt of the notice under section 36D, privatization the Cabinet Secretary shall – proposal.

(a) publish the approved privatization proposal; or

(b) in the case where the privatization proposal is approved with reservations or amendments, revise the privatization proposal fully taking into account the reservations or amendments.

(2) Upon receipt of the notice under section 36D and where the privatization proposal is declined, the Cabinet Secretary may submit a new privatization proposal within six months.

(3) Without prejudice to the generality of subsection (1) (b), the Cabinet Secretary shall submit a copy of the revised privatization proposal to the National Assembly.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Motion made and question proposed;

THAT, New Clause 36E be read a Second Time.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Debate arising;
Question put and agreed to.

Motion made and question proposed;

THAT, New Clause 36E be part of the Bill.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Debate arising;
Question put and agreed to.

New Clause 36E - agreed to.

New Clause 36F proposed-

THAT, the Bill be amended by inserting the following new clause immediately after clause 36—

Publication of **36F**. The approved privatisation proposal shall be the privatization published in the *Kenya Gazette*.
proposal.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Motion made and question proposed;

THAT, New Clause 36F be read a Second Time.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Debate arising;

Question put and agreed to.

Motion made and question proposed;

THAT, New Clause 36F be part of the Bill.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Debate arising;

Question put and agreed to.

New Clause 36F - agreed to.

New Clause 37 proposed-

THAT, the Bill be amended by inserting the following new clause immediately after clause 37—

Extension of time. **37A.** Despite the provisions of this Act or any other written law, where a time is prescribed for doing an act or taking a proceeding by the National Assembly relating to privatization, the National Assembly may, by resolution, extend that time by a period not exceeding thirty days.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Motion made and question proposed;

THAT, New Clause 37A be read a Second Time.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Debate arising;

Question put and agreed to.

Motion made and question proposed;

THAT, New Clause 37A be part of the Bill.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Debate arising;

Question put and agreed to

New Clause 37A - agreed to.

New Clause 76 proposed-

THAT, the Bill be amended by inserting the following new clause immediately after section 75-

Consequential **76.** The Public Finance Management Act is amended by amendments. inserting the following new section immediately after section 87-

Insertion of Sale of **87A.**(1) The National Government may sell new section government or dispose of part or all its shares in a 87A in Cap. shares in a government-linked corporation, with the 412A. government approval of the Cabinet, which approval of the linked Cabinet, may only be given taking into account corporation any recommendations of the National Treasury regarding the financial implications of the sale of such shares.

(2) The sale of shares in a government-linked corporation shall only be done with the approval, by resolution, of the National Assembly.

(3) Subject to subsection (2), the Cabinet Secretary shall submit the proposal for sale of shares in a government-linked corporation to the National Assembly for approval.

(4) The request under subsection (3) shall be accompanied by an explanatory memorandum indicating -

(a) a description of the government-linked corporation;

(b) the total number or percentage of shares proposed to be sold;

(c) the benefit to be gained from the proposed sale of shares;

(d) the recommendations of the National Treasury regarding the financial implications of such sale;

(e) any other recommendations.

(5) The National Assembly shall consider the proposed sale within twenty-eight sitting days of receipt.

(6) The Clerk shall notify the Cabinet Secretary of the decision of the National Assembly within seven days of the resolution of the National Assembly.

(7) Where the National Assembly declines the proposed sale, the Clerk shall notify the Cabinet Secretary of the resolution of the National Assembly and the notice shall state the reasons for the refusal.

(Hon. Kwenya Thuku on behalf of Chairperson, Public Debt and Privatization Committee)

Motion made and question proposed;

THAT, New Clause 76 be read a Second Time;

(Hon. Kwenya Thuku on behalf of Chairperson, Public Debt and Privatization Committee)

Debate arising;

Question put and agreed to.

Motion made and question proposed;

THAT, New Clause 76 be part of the Bill;

(Hon. Kwenya Thuku on behalf of Chairperson, Public Debt and Privatization Committee)

Debate arising;

Question put and agreed to.

New Clause 76 - agreed to.

SCHEDULES

First Schedule - amendment proposed;

THAT, the First schedule to the Bill be amended by inserting the following new paragraph immediately after paragraph 4—

4A. Co-option to the Board

The Board may co-opt any person to participate in its deliberations, but a person so co-opted shall have no right to vote.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;

Debate arising;

Question of the amendment put and agreed to;

First Schedule as amended - agreed to.

Second Schedule - agreed to.

Third Schedule - amendment proposed-

THAT, the Third Schedule to the Bill be amended—

- (a) by deleting paragraph (4);
- (b) by deleting paragraph (5) and substituting therefor the following new paragraph—

4. Appeals

- (1) Pursuant to section 51 of the Act, a person aggrieved by the decision of the Authority may appeal to the High Court.
- (2) An appeal to the High Court shall be made within fifteen days of receipt or notification of the determination of the Authority.

- (c) by deleting paragraph (6); and
- (d) by deleting paragraph (7).

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;

Question of the amendment put and agreed to.

Third Schedule as amended - agreed to.

Clause 2 - amendment proposed –

THAT, clause 2 of the Bill be amended—

- (a) in the definition “Cabinet Secretary” by deleting the words “to the National Treasury” and substituting therefor the words “responsible for matters relating to finance”;
- (b) by deleting the definition “Appeals Board”;
- (c) by inserting the following new definition in the proper alphabetical sequence—

“divestiture” means disposing of whole or part of the assets or shares of a public entity;

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question of the amendment proposed;
Debate arising;

Question of the amendment put agreed to.

Clause 2 as amended - agreed to

Title - agreed to.

Clause 1 - agreed to.

Bill to be reported with amendments.

12. HOUSE RESUMED - the Fourth Chairperson in the Chair

The Privatization Bill (National Assembly Bill No. 36 of 2025)

Bill reported with amendments;

Motion made and Question proposed -

THAT, the House do agree with the Committee of the Whole House on its consideration of the Privatization Bill (National Assembly Bill No. 36 of 2025).

(Leader of the Majority Party)

Amendment proposed-

THAT, the Motion for agreement with the Report of the Committee of the Whole House be amended by inserting the words “**subject to re-committal of the Clause 45.**”

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Question put and agreed to.

Thereupon, the House dissolved into Committee of the Whole House.

13. COMMITTEE OF THE WHOLE HOUSE

Order for Committee read;

IN THE COMMITTEE

The First Chairperson in the Chair

The Privatization Bill (National Assembly Bill No. 36 of 2025)

Clause 45 - amendment proposed –

THAT, clause 45 of the Bill be deleted.

(Vice Chairperson, Departmental Committee on Finance & National Planning)

Debate arising;

Question of the amendment put and agreed to.

Clause 45 - deleted.

Bill to be reported with amendments.

14. HOUSE RESUMED - the Fourth Chairperson in the Chair

The Privatization Bill (National Assembly Bill No. 36 of 2025)

Bill reported with amendments;

Motion made and Question proposed -

THAT, the House do agree with the Committee of the Whole House on its

consideration of the Privatization Bill (National Assembly Bill No. 36 of 2025).
(*Leader of the Majority Party*)

Question deferred.

15. THE INTERGOVERNMENTAL RELATIONS (AMENDMENT) BILL (SENATE BILL NO. 12 2024)

(*Leader of the Majority Party*)

Order for Second Reading read;

Order deferred.

16. MOTION – CONSIDERATION OF SESSIONAL PAPER NO. 5 OF 2024 ON THE NATIONAL GREEN FISCAL INCENTIVES POLICY FRAMEWORK

Order read;

Order deferred.

17. CONSIDERATION OF REPORTS OF THE EAST AFRICAN LEGISLATIVE ASSEMBLY AT THE FOURTH MEETING OF THE SECOND SESSION OF THE FIFTH ASSEMBLY

Order read;

Order deferred.

18. MOTION – CONSIDERATION OF THE PRIVILEGES AND IMMUNITIES (THE GLOBAL CENTRE FOR ADAPTATION) ORDER, 2025

Order read;

Order deferred.

19. THE TEA (AMENDMENT) BILL (SENATE BILL NO. 1 OF 2023)

(*Hon. Brighton Yegon – Co-Sponsor*)

Order for Second Reading read;

Order deferred.

20. THE MATERNAL NEWBORN AND CHILD HEALTH BILL (SENATE BILL NO. 17 OF 2023)

(*Chairperson, Departmental Committee on Health*)

Order for Second Reading read;

Order deferred.

And the time being twenty-five minutes past Eight O'clock, the Fourth Chairperson adjourned the House without Question put pursuant to the Standing Orders.

21. HOUSE ROSE - at twenty-five minutes past Eight O'clock.

M E M O R A N D U M

The Speaker will take the Chair on
Thursday, 9th October 2025 at 2.30 p.m.
