



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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THE HANSARD

Wednesday, 30th November 2022

The House met at 9.30 a.m.

[The Deputy Speaker (Hon. Gladys Boss) in the Chair]

PRAYERS

QUORUM

Hon. Deputy Speaker: Hon Members, there is need for Quorum, Serjeant-At-Arms, I direct that the Bell be rung for ten minutes.

(The Quorum Bell was rung)

Hon. Deputy Speaker: Ring the quorum bell for a further 10 minutes.

(The Quorum Bell was rung)

Hon. Deputy Speaker: We may start. Hon. Caroli Omondi.

NOTICE OF MOTION

ESTABLISHMENT OF AN AD HOC COMMITTEE ON SYSTEMATIC CORRUPTION

Hon. Caroli Omondi (Suba North, ODM): Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, aware that this House is anchored on the pursuit for the welfare of society and the just government of the people; guided by pursuit of constitutional aspirations of all Kenyans for a government based on essential values and principles of equality, social justice, openness, inter and intra-generational equity, and prudent and responsible use of public resources; cognisant that there exists pervasive and systemic forms of grand political corruption through which private individuals and enterprises act in concert with State officials to exercise decision making power and exert undue and unregulated influence over government processes not for the greater public good but for their own private benefit and that this conspiracy extends to influencing government policies and laws so as to facilitate illegal private appropriation of public assets, client list dominance of select economic sectors, absence of transparency and accountability in government contracting, deformation of national politics, proliferation of criminal enterprises forming a shadow economy, all for the sole purpose of private profiteering and unjust enrichment; acknowledging that the consequences of this form of systematic corruption include but are not limited to the potential to dismember the fabric of our nation by undermining the legitimacy of public institutions, triggering high cost of living, unsustainable public debt, endemic unemployment of the youth, poor health and education services, income inequality, lack of innovation; now therefore, this House resolves as follows:

1. To establish an Ad-Hoc Committee to be known as the Select Committee on Systemic Corruption, whose mandate will be as follows:
 - (i) To investigate instances in the recent past of Systemic Corruption, deliberate manipulation of government policies, rigging of tendering processes, use of non-competitive procurement methods, creeping privatisation, regulatory capture, skewed government contracting, manipulation of the monetary system, and monopolistic and oligopolistic concentration of economic power of private gain;
 - (ii) To report and make recommendations on the matters listed under paragraphs (i) and any other related matters within 90 days;
2. That the membership of the committee be as follows:
 - (i) Hon. Caroli Omondi - Chairperson
 - (ii) Hon. John Phillip Gichohi Kaguchia - Vice Chairperson
 - (iii) Hon. Sarah P. Korere
 - (iv) Hon. Titus Lotee
 - (v) Hon. Gathoni Wamuchomba
 - (vi) Hon. Shakeel Shabbir
 - (vii) Hon. Wakili Edward Muriu
 - (viii) Hon. Florence Jematiah Sergon
 - (ix) Hon. John Kiarie
 - (x) Hon. Clive Ombane Gisairo
 - (xi) Hon. Emmanuel Wangwe
 - (xii) Hon. Samuel Atandi
 - (xiii) Hon. Mary Maingi
 - (xiv) Hon. Majimbo Kalasinga
 - (xv) Hon. Lillian Chebet Siyoi

Thank you.

Hon. Deputy Speaker: Hon. Members, pursuant to Standing Order 40 (2), we will have a rearrangement of the Order Paper. We will move to Order Nos. 8, 9 and 10 then we shall come back to Order No. 7.

Next Order. Leader of the Majority Party, Hon. Kimani Ichung'wah.

*(Hon. Josses Lelmengit consulted
Hon. Kimani Ichung'wah)*

Lelmengit, Member for Emgwen, can you stop engaging the Leader of the Majority Party? He has some Business to transact.

PROCEDURAL MOTION

EXEMPTION OF BUSINESS FROM THE PROVISIONS OF STANDING ORDER 40(3)

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you Hon. Deputy Speaker.

Hon. Deputy Speaker: I just protected you from the Hon. Member for Emgwen, Josses Lelmengit.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Josses is my very good student. He usually seeks to understand what is the next business and why you had to rearrange business. I was just trying to explain to him.

Hon. Deputy Speaker, I beg to move the following Motion:

THAT, this House resolves to exempt the business appearing as Order No. 9 and 10 in today's Order Paper from the provisions of Standing Order 40(3), being a Wednesday Morning, a day allocated for Business not sponsored by the Majority or Minority Party or Business sponsored by a committee.

The Procedural Motion is self-explanatory. Today, being a Wednesday morning, we are scheduled to transact Private Members' Motions and Bills but Orders No. 9 and 10 are not sponsored by Private Members. Therefore, I seek the House's approval to transact the business lined up as Orders No. 9 and 10.

With that, I want to ask Hon. Pamela Njoki to second.

Hon. Pamela Njeru (Embu, UDA): Thank you Hon. Deputy Speaker and Leader of the Majority Party.

I second the Motion.

(Question proposed)

(Question put and agreed to)

Hon. Deputy Speaker: Next Order.

MOTION

ADOPTION OF REPORT ON CONSIDERATION OF THE PUBLIC FINANCE MANAGEMENT (FINANCIAL INCLUSION FUND) REGULATIONS, 2022

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Public Finance Management (Financial Inclusion Fund) Regulations, 2022, laid on the Table of the House on Tuesday, November 29, 2022, and pursuant to the provisions of section 24 (4) of the Public Finance Management Act, 2012, approves the Public Finance Management (Financial Inclusion Fund) Regulations, 2022, published as Legal Notice No. 213 of 23rd November, 2022.

(Moved by Hon. Samuel Chepkong'a on 29.11.2022)

(Debate concluded on 29.11.2022 – Afternoon Sitting)

(Question put and agreed to)

BILL

Second Reading

THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS (NO. 2) BILL

(Senate Bill No. 4 of 2022)

(Question put and agreed to)

(Several Members walked out of the Chamber)

(Loud consultations)

Hon. Members, led by Hon. Musa Sirma, kindly hold your horses. We shall let you go in a minute.

Order No. 7

QUESTIONS AND STATEMENTS

ORDINARY QUESTIONS

Question 56/2022

MEASURES TO ADDRESS INVASION OF RICE FARMS BY QUAIL BIRDS

Hon. Deputy Speaker: Member for Kirinyaga County, Hon. Jane Maina.

Hon. Njeri Maina (Kirinyaga County, UDA): Hon. Deputy Speaker, I would like to ask the Cabinet Secretary for Agriculture and Livestock Development:

- (a) Could the Cabinet Secretary provide the measures put in place by the Government to address invasion of rice farms in Mwea irrigation scheme by quail birds, where hundreds of acres of farms are destroyed every year as a result?
- (b) Could the Cabinet Secretary consider compensating the farmers who are normally affected by the said menace?
- (c) Could the Cabinet Secretary explain whether the Government has any plans to increase the retail price of paddy rice for Mwea farmers?

Hon. Deputy Speaker, thank you for this opportunity. If possible, I request for a response in form of a written statement.

Hon. Deputy Speaker: Is the Chairperson of the Departmental Committee on Agriculture and Livestock here? Member for Kirinyaga County, Hon. Jane Maina, there is a lot of work which is going on now with the vetting of the Principal Secretaries. He will answer you.

Thank you.

Hon. Emmanuel Wangwe (Navakholo, ODM): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: What is your point of order?

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Deputy Speaker. I rise on Standing Order 83 read together with the Speaker's Manual. There is a guide on dress code. I wish to bring to your attention of a Member in the House who is dressed in a formal flag of a friendly country. Is she in order to come into a House of representation like ours, an august House, wearing a flag of a friendly country without a substantive agenda for us to discuss? Is she in order?

Thank you.

Hon. Deputy Speaker: Thank you, Hon. Member. I will give the opportunity to Hon. Esther Passaris, Member for Nairobi City County, to respond.

Hon. Esther Passaris (Nairobi City County, ODM): Thank you, Hon. Deputy Speaker. Today, I stand in solidarity with the Democratic Republic of Congo (DRC) that has turned out to be a conflict zone leading to massive deaths and displacements. According to the United Nations, the conflict has since recorded the largest humanitarian crisis in Africa. Congolese President Félix Tshisekedi warns that the regional tensions could escalate into a full-blown war, if the situation is not contained.

With the DRC's entry into the East African Community (EAC) and the upcoming general elections in 2023, the robust intervention of the East African regional block is critical to fostering peace between the DRC and its neighbour, Rwanda. Why did I decide to wear this outfit, the flag, today? I met a number of women. So far, over 300, 000 people have been displaced and forced to flee from their homes en route to Shuru and Bunagana since the re-emergence of war. Kenya, through the EAC regional bloc, was appointed to mediate the peace talks between DRC and Rwanda. The former President of Kenya, His Excellency Uhuru Kenyatta, is currently convening peace dialogues in Nairobi, a week after the Kenyan Government commissioned its army to DRC.

I am wearing this outfit because I met women from DRC. Some of them have lived in Kenya for the last 20 years. I am really happy because our country hosts them. They are looking and crying for peace in their country. Women are being raped, defiled and displaced. I came from a breakfast meeting. I walked out with the flag and told them that I would bring awareness throughout the day and stand with them in solidarity. That is why I am donning the flag.

As a Parliament, we have so many friendship groups. I noticed we are trying to create a friendship group in our Parliament in solidarity with Ukraine. I also intend to stand and create a friendship group in solidarity with DRC, so that all of us can call for peace. Charity begins at home. Our neighbours are crying for help, especially women and children.

I stand guided, Hon. Deputy Speaker.

Hon. Deputy Speaker: That is a sufficient answer from the Member for Nairobi City County, Hon. Esther Passaris. We will move on to the next Question. Member for Kipkelion East, Hon. Cherorot Joseph. Is he present in the House?

Question 62/2022

MORATORIUM ON LOGGING ACTIVITIES IN FORESTS

Hon. Cherorot Joseph (Kipkelion East, UDA): Thank you, Hon. Deputy Speaker. My Question goes to the Cabinet Secretary for Environment and Forestry –

- (a) Could the Cabinet Secretary explain the current Government's position regarding the moratorium on logging activities in forests imposed in 2018 and its adverse effects on the harvesting and disposal of mature trees in Kipkelion East Constituency?
- (b) Could the Cabinet Secretary indicate whether the Government, through the Ministry, could consider cushioning families that rely entirely on logging activities in Kipkelion East Constituency for their economic livelihood?
- (c) Could the Cabinet Secretary also indicate whether the Government through the Ministry could consider allowing a regulated *Shamba* System in the area to promote and enhance food security?
- (d) Could the Cabinet Secretary indicate whether there are plans to lift the moratorium on prohibition of logging activities across the country?

This is to be answered before the Departmental Committee on Environment, Forestry and Mining.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: The Chairperson of the Departmental Committee on Environment, Forestry and Mining. The Chair is not present, so I will exercise my discretion and defer the question to tomorrow. Thank you.

Next Order!

(Question 062/2022 deferred)

BILLS

First Readings

THE HEALTH (AMENDMENT)(NO.2) BILL
(National Assembly Bill No.2 of 2022)

THE EQUALISATION FUND BILL
(National Assembly Bill No.47 of 2022)

(The Bills were read a First Time and referred to relevant Committees)

MOTIONS

DEVELOPMENT OF POLICY ON STANDARDISATION AND
PRODUCTION OF SCHOOL UNIFORMS IN KENYA

THAT, aware that, school uniform which is a variety of standardized clothing worn by students in educational institutions, creates homogeneity among students irrespective of their socio-economic status or fashion preference; further aware that, school uniforms keep students focused on education, not clothes, reducing peer pressure and bullying, enhancing school pride, unity and community spirit as they go a long way in contributing to students' sense of belonging to their school's population; appreciating that, in the Kenyan education system, schools across the Country, whether private or public, require that students wear school uniform in order to be allowed to attend classes; concerned that, the cost of uniforms has continued to escalate becoming prohibitively expensive for the poorest within the community with some schools demanding that parents pay uniform money to specific school accounts, a move that locks out many children whose parents cannot afford the expensive uniforms as listed by schools; now therefore, this House resolves that the Government through the Ministry of Education develops a policy on standardization and production of school uniforms in the country.

Hon. Deputy Speaker: Hon. Wamuchomba, we shall defer the Motion to a later date.
Next Order!

(Motion deferred)

DEVELOPMENT OF POLICY ON IMPLEMENTATION AND

ENHANCEMENT OF EPZ PROGRAMMES IN KENYA

THAT, aware that, the Export Processing Zones (EPZ) Authority in Kenya was established in 1990 to promote and facilitate export-oriented investment programmes and create incentives for export-oriented production in areas designated as export processing zones; further aware that, the Authority is charged with the responsibility of regulating and administering approved activities within the export processing zones to ensure compliance among others; noting that, the programme anchors on Kenya's Vision 2030, the country's Economic Blueprint with regard to becoming an industrialized and upper middle-income country; further noting that, EPZ provides an attractive investment opportunity for export-oriented business ventures in the country; acknowledging that, the programme is a source of direct and indirect employment to more than 60,000 Kenyans; concerned that, currently, the programme is facing a myriad of challenges including inadequate funding, prohibitive cost of accessing business loans, high cost of production, shrinking export market due to effects of the Covid-19 pandemic, inadequate supplies of raw materials, water and power for agro-processing companies among others; further concerned that, there is need to revamp the said programme to improve its performance through increased funding to aid for instance in setting up of Excellence Centres in some parts of the county, expediting on negotiations for market access especially to the East Africa Community (EAC) including trade negotiations between Kenya and other countries on diversification of products eligible under the African Growth and Opportunity Act (AGOA), employee training and retention, provision of reliable supply of raw materials for Agro-processing companies, improvement of infrastructure to enhance steady supply of water and power and provision of affordable access to credit facilities among others; this House resolves that the National Government through the Ministry of Trade, Investments and Industry, develops a policy whose core objective would be to among others address the challenges currently faced by the EPZ with specific focus on implementing EPZ programmes to enhance performance and enable retention of investors across the country to enhance economic sustainability.

Hon. Deputy Speaker: Hon. Beatrice Elachi, we shall also defer this Motion to tomorrow. We know Members are in the Committees.

(Motion deferred)

Next Order!

ADJOURNMENT

Hon. Deputy Speaker: Hon. Members, the time being 10.15 a.m., this House stands adjourned until Wednesday, 30th November 2022, at 2.30 p.m.

The House rose at 10.15 a.m.

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