



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, NOVEMBER 27, 2019

1. The House assembled at thirty minutes past Nine O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Deputy Speaker
4. **QUESTIONS**

The following Questions were asked –

- i) **Question No. 513/2019** by the Member for North Imenti (Hon. Abdul Rahim Dawood, MP) regarding details of the number of roads in Meru County whose construction have been completed to bitumen standards including cost and lengths in the last three years;
(To be replied by the Cabinet Secretary for Transport, Infrastructure, Housing & Urban Development before the Departmental Committee on Transport, Housing and Public Works)
- ii) **Question 514/2019** by the Member for Ruiru (Hon. Simon King'ara, MP) regarding disparities in the payment of hardship allowances to teachers in the following primary schools in Ruiru Constituency;
(To be replied ask the Cabinet Secretary for Education before the Departmental Committee on Education and Research)

The following Question was deferred–

- iii) **Question No. 515/2019** by the Member for Buuri, (Hon. Rindikiri Mugambi, MP) regarding the bad state of the 28km Isiolo –Ruiru Road that connects Isiolo International Airport and Meru Town.

5. **THE EQUALISATION FUND BILL (NATIONAL ASSEMBLY BILL NO.43 OF 2019)**

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Equalization Fund Bill (National Assembly Bill No.43 of 2019) be now read a Second Time.

(Hon. Kassait Kamket- 20.11.2019)

Order deferred to another day.

6. **THE KENYA INSTITUTE OF CURRICULUM DEVELOPMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 33 OF 2019)**

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Kenya Institute of Curriculum Development (Amendment) Bill (National Assembly Bill No. 33 of 2019) be now read a Second Time.

(Hon. Joyce Emanikor-20.11.2019)

Order deferred to another day.

7. **MOTION - REGISTRATION OF FARMERS AND FORMATION OF AGRIBUSINESS ENTITIES FOR IMPROVED BENEFITS AND SUSTAINABLE FOOD AND NUTRITIONAL SECURITY**

Motion made–

THAT, aware that farmers in Kenya are least organized into Associations, following the collapse of the Agricultural Cooperatives; further aware that, the Crops Act, 2013 provides for registration of farmers so as to establish who they are and what they produce; noting that Government's efforts to establish farmers' organizations have ended up delivering short-lived and unsustainable initiative-based groups which fizzle out soon after their formation; further noting that the best way to organize farmers is through their organizations; appreciating that the best suited organization to undertake farmers' registration is the Kenya National Farmers' Federation which has both experience and capacity; further noting that through organized farmers, farming will be more beneficial in terms of volumes, lowered cost of production and improving organized raw material supply to industry; realizing that organizing farmers into Agri-business entities is a costly undertaking which calls for Government support, and acknowledging that through organized production systems, the country will achieve the Big 4 faster and also create

more and better jobs in the Agricultural Value Chains; this House urges the Government to facilitate and support the Kenya National Farmers' Federation to mobilize and organize the registration of farmers into preferred entities and manage national farmers' database for use in engagements and sustainable management of the various Agricultural Product Value Chains.

(Hon. (Dr.) John Mutunga- 30.10.2019)

Order deferred to another day.

8. **THE INDUSTRIAL TRAINING (AMENDMENT) BILL (NATIONALASSEMBLY BILL NO. 4 OF 2019)**

Order for Second Reading read;

THAT, the Industrial Training (Amendment) Bill (National Assembly Bill No. 4 of 2019) be now Read a Second Time;

(The Hon. Jude Njomo, M.P.)

Order deferred to another day.

9. **MOTION - FORMULATION OF A COMPREHENSIVE POLICY TOHARNESS DIASPORA KENYANS FOR NATIONAL DEVELOPMENT**

Motion made-

THAT aware that the existing Kenya Diaspora Policy provides for the mainstreaming of the Kenyan Diaspora into national development process in line with the aspirations and goals of the Kenya Vision 2030; noting that formal remittance from Kenya Diaspora account for over 3% of the country's GDP channeled by an estimated three million Kenyans; noting that, contribution by the Kenyan diaspora to the country's development goes much beyond personal remittances to include increased trade links, better access to foreign capital markets, skills and technology transfer, diaspora investments funds, knowledge exchange among other enormous potential benefits; acknowledging that, the diaspora community continues to contribute immensely to national growth and the economy through increased household investments in education, entrepreneurship, health, finance and housing; concerned that, Kenya ought to formulate practical and incentive-driven policy to harness existing and future diaspora resources for social-economic development; cognizant that Kenya has an obligation to counter the challenges hindering diaspora contribution to national development; **this House resolves** that the Government reviews and formulates a comprehensive policy and structure to harness the ever increasing diaspora resources for national development and that the said policy be presented to National Assembly within one year for consideration.

(The Hon. Godfrey Osotsi, M.P.)

Order deferred to another day.

10. **THE PUBLIC PROCUREMENT AND ASSET DISPOSAL(AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2019)**

Order for Second Reading read;

THAT, the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 36 of 2019) be now Read a Second Time;

(The Hon. Rigathi Gachagua, M.P.)

Order deferred to another day.

11. **MOTION- REVIEW OF THE MANDATORY RETIREMENT AGE IN THE PUBLIC SERVICE**

Motion made-

THAT, aware that seventy-five percent of Kenya's population is under the age of thirty-five years and that, the overall unemployment among the youth is at fifty-five percent; further aware that over 800,000 graduates from Universities, Colleges, Technical Institutes, Vocational Centres and other tertiary institutions join the job market annually with only approximately 70,000 being absorbed into the formal labour force market; concerned that the high rate of unemployment in Kenya, particularly among the youth remains a major challenge; recognizing that Article 55 of the Constitution requires the state to take measures to ensure that the youth gain access to relevant education, training and employment; noting that the mandatory retirement age for public servants is set at sixty (60) years; this House **urges** the Government to review the mandatory retirement age in the public service from the current sixty to fifty years to among other things, create opportunities for the employment of the youth.

(The Hon. Charles Njagua, M.P.)

Order deferred to another day.

12. **MOTION - ESTABLISHMENT OF DATABASE CENTRES FOR ISSUANCE OF BIRTH CERTIFICATES TO CHILDREN**

Motion made-

THAT, aware that the Constitution and the Kenya Citizenship and Immigration Act, 2011 provide that every citizen is entitled to any document of registration or identification issued by the State to citizens including a birth certificate; further aware that, Article 53(2) of the Constitution of Kenya provides that a child's best interests are of paramount importance in every matter concerning the child; cognizant of the fact that, issuance of birth certificates during civil registration associated with children is a challenge across the country due to among other issues, missing information for the parents and children as a result of missing and improper documentations, damaged manual documents, and lack of registration of children born outside hospital environments; deeply concerned over the delays and long queues at civil registration centres and the challenges affecting registration of children by the Ministry of Education using the National Education Management Information System (NEMIS) in the Country; this House **urges the** National Government to establish data base centres in all **Civil** Registration Centres for purposes of

storing all the necessary information required for issuance of birth certificates to all children and puts in place administrative mechanisms to ensure that every child is automatically issued with a birth certificate before the child attains the age of three years.

(The Hon. Mary Wamaua, M.P.)

Order deferred to another day.

13. **MOTION - INFORMATION IN POLICE CLEARANCE CERTIFICATES**

Motion made-

THAT, aware that disclosure of information about previous criminal convictions through a Police Clearance Certificate has long been considered an important safeguard for employers and various organizations seeking individuals to serve in positions of trust; concerned that the Police Clearance Form includes cases that are pending before court, thus going against the principle of Article 50(2) of the Constitution which provides for the presumption of innocence until proven guilty; further concerned that, the bureaucratic manual procedure of acquiring criminal data and laxity in updating the records results in erroneous information on the Police Clearance Certificate and consequently denies applicants employment opportunities; cognizant of the fact that in Kenya, based on an administrative directive from 1990, criminal records are waived after a term of 20 years except for serious offences such as murder, robbery, manslaughter, rape, defilement, treason or drug possession which remain as permanent records; noting that research has shown a clear nexus between crime and poverty and that a criminal record remains a permanent barrier for young people looking for employment as this will be shown in the Police Clearance Form which will perpetuate the cycle of poverty; this House **urges** the Directorate of Criminal Investigation to leverage on the use of Information Communication Technology (ICT) to ensure criminal data availed in Police Clearance Forms is accurate and up-to-date.

(The Hon. Gladwell J. Cheruiyot, M.P.)

Order deferred to another day.

14. **MOTION - INTRODUCTION OF AGE-APPROPRIATE SEX EDUCATION IN SCHOOLS**

Motion made-

THAT, aware that in Kenya about 11 percent of teenagers are engaging in sex before their 15th birthday with an estimated 47% of teens already sexually active before the age of 18 years which is the legal age of consent; further aware that Kenya's adolescent birth rate is 96 per 1000 women, with 15% of all adolescent women having already given birth and 3% being pregnant with their first child; concerned that the sexual activity is encouraged by the proliferation of the internet and mobile phones, poverty and the conservative attitudes combined with the traditional values which tend to have parents shying away from discussing sex with their young ones while other traditional African cultures encourage early marriages; acknowledging that young persons in the country do

not get sex education to make sexual choices; recognizing the need for a comprehensive and age appropriate sex education from the age of six (6) years, this **House urges** the National Government to introduce, institutionalize and entrench sex education in both primary and secondary school curriculum and encourage the development and building of more boarding school especially for girls.

(The hon. Elsie Muhanda, MP)

Order deferred to another day.

15. **THE PUBLIC ORDER (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2019)**

Order for Second Reading read;

THAT, the Public Order (Amendment) Bill (National Assembly Bill No. 14 of 2019) be now Read a Second Time;

(The Hon. Simon King'ara, M.P.)

Order deferred to another day.

16. **THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 22 OF 2019)**

Order for Second Reading read;

THAT, the Public Finance Management (Amendment) Bill (National Assembly Bill No. 22 of 2019) be now Read a Second Time;

(The Hon. Kimani Ichung'wah, M.P.)

Order deferred to another day.

17. **THE NATIONAL YOUTH COUNCIL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 8 OF 2019)**

Order for Second Reading read;

THAT, the National Youth Council (Amendment) Bill (National Assembly Bill No. 8 of 2019) be now Read a Second Time;

(The Hon. Gideon Keter, M.P.)

Order deferred to another day.

18. **THE HIGHER EDUCATION LOANS BOARD (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 9 OF 2019)**

Order for Second Reading read;

THAT, the Higher Education Loans Board (Amendment) Bill (National Assembly Bill No. 9 of 2019) be now Read a Second Time;

(The Hon. Ruweida M. Obo, M.P.)

Order deferred to another day.

19. **THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 16 OF 2019)**

Order for Second Reading read;

THAT, the National Government Constituencies Development Fund (Amendment) Bill (National Assembly Bill No. 16 of 2019) be now Read a Second Time;

(The Hon. (Dr.) Makali Mulu, M.P.)

Order deferred to another day.

And the time being ten o'clock, the Deputy Speaker adjourned the House without Question put pursuant to the Standing Orders.

1. **HOUSE ROSE** - at ten o'clock

MEMORANDUM

The Speaker will take the Chair today,
Wednesday, November 27, 2019 at 2.30 p.m.

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