



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

**SUPPLEMENTARY**

WEDNESDAY, FEBRUARY 26, 2020 AT 2.30 P.M.

**ORDER OF BUSINESS**

**PRAYERS**

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Questions and Statements

**8\*. PROCEDURAL MOTION – EXTENSION OF TIME FOR CONSIDERATION OF THE BUDGET POLICY STATEMENT, 2020**

(The Chairperson, Budget & Appropriations Committee)

**THAT**, notwithstanding the provisions of Standing Order 232(7) relating to *presentation of Budget Policy Statement and the Debt Management Strategy*, this House **resolves** to extend the period for consideration of the Budget Policy Statement, 2020 by a **period of seven (7) days** from 27<sup>th</sup> February, 2020.

**9\*. THE TEA BILL (SENATE BILL NO. 36 OF 2018)**

(The Chairperson, Departmental Committee on Agriculture & Livestock)

Second Reading

*(Question to be put)*

**10\*. MOTION - REPORT ON AUDITED FINANCIAL STATEMENTS FOR THE AGRICULTURAL SETTLEMENT TRUSTEE FUND, THE UNIVERSAL SERVICE FUND AND THE WATER SECTOR TRUST FUND**

(The Chairperson, Special Funds Accounts Committee)

**THAT**, this House **adopts** the Report of the Special Funds Accounts Committee on its consideration of the Audited Financial Statements for the Agricultural Settlement Trustee Fund for the year ended 30<sup>th</sup> June, 2016; the Universal Service Fund for the year ended 30<sup>th</sup> June, 2017; and the Water Sector Trust Fund for the year ended 30<sup>th</sup> June, 2017, *laid on the Table of the House on Tuesday, October 29, 2019.*

*(Question to be put)*

**11\*. SPECIAL MOTION – APPROVAL OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARIES**

(The Chairperson, Committee on Appointments)

**THAT**, taking into consideration the findings of the Committee on Appointments in its Fourth Report on the *Vetting of Nominees for Approval as Cabinet Secretaries, laid on the Table of the House on Tuesday, February 25, 2020*, and pursuant to the provisions of Article 152(2) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of the following persons as Cabinet Secretaries -

- (i) Hon. Mutahi Kagwe, EGH - Ministry of Health; and
- (ii) Ms. Betty Chemutai Maina, CBS - Ministry of Industrialization, Trade & Enterprise Development

**12\*. SPECIAL MOTION – APPROVAL OF NOMINEES FOR APPOINTMENT AS PRINCIPAL SECRETARIES IN THE STATE DEPARTMENTS FOR VOCATIONAL AND TECHNICAL TRAINING; AND UNIVERSITY EDUCATION AND RESEARCH**

(The Chairperson, Departmental Committee on Education and Research)

**THAT**, taking into consideration the findings of the Departmental Committee on Education and Research in its report on the *Vetting of Nominees for Appointment as Principal Secretaries, laid on the Table of the House on Wednesday, February 26, 2020*, and pursuant to the provisions of Article 155(3) (b) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of the following persons as Principal Secretaries-

- (i) Dr. Julius Ouma Jwan - State Department for Vocational and Technical Training; and
- (ii) Amb. Simon Nabukwesi - State Department for University Education and Research.

13\*. **SPECIAL MOTION – APPROVAL OF NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY IN THE STATE DEPARTMENT FOR PHYSICAL PLANNING**

(The Chairperson, Departmental Committee on Lands)

**THAT**, taking into consideration the findings of the Departmental Committee on Lands in its report on the *Vetting of the Nominee for Appointment as a Principal Secretary, laid on the Table of the House on Wednesday, February 26, 2020*, and pursuant to the provisions of Article 155(3)(b) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Mr. Enosh Onyango Momanyi** as the Principal Secretary for the State Department for Physical Planning.

14\*. **SPECIAL MOTION – APPROVAL OF NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY IN THE STATE DEPARTMENT FOR TRADE AND ENTERPRISE DEVELOPMENT**

(The Chairperson, Departmental Committee on Trade, Industry and Cooperatives)

**THAT**, taking into consideration the findings of the Departmental Committee on Lands in its report on the *Vetting of the Nominee for Appointment as a Principal Secretary, laid on the Table of the House on Wednesday, February 26, 2020*, and pursuant to the provisions of Article 155(3)(b) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Amb. Johnson Mwangi Weru** as the Principal Secretary for the State Department for Trade and Enterprise Development.

15\*. **SPECIAL MOTION – APPROVAL OF NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY IN THE STATE DEPARTMENT FOR TRANSPORT**

(The Chairperson, Departmental Committee on Transport, Public Works & Housing)

**THAT**, taking into consideration the findings of the Departmental Committee on Transport, Public Works and Housing in its report on the *Vetting of the Nominee for Appointment as a Principal Secretary, laid on the Table of the House on Wednesday, February 26, 2020*, and pursuant to the provisions of Article 155(3)(b) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Mr. Solomon Kitungu** as the Principal Secretary for the State Department for Transport.

16\*. **THE COUNTY ROADS, WALKWAYS AND PARKING BAYS BILL (SENATE BILL NO. 18 OF 2018)**

(The Chairperson, Departmental Committee on Transport, Public Works and Housing)

17\*. **MOTION - INQUIRY INTO THE CHALLENGES FACING THE COFFEE RESEARCH INSTITUTE**

(The Chairperson, Departmental Committee on Agriculture and Livestock)

**THAT**, this House **adopts** the Report of the Departmental Committee on Agriculture & Livestock on its Inquiry into the Challenges Facing the Coffee Research Institute, *laid on the Table of the House on Tuesday, November 26, 2019.*

18\*. **MOTION - ANNUAL REPORTS ON THE STATE OF THE JUDICIARY**

(The Chairperson Departmental Committee on Justice & Legal Affairs)

**THAT**, this House **notes** the annual Reports on the **State of the Judiciary** for the financial years 2016/2017 and 2017/2018, submitted to the House pursuant to the provisions of Article 254(1) of the Constitution, and **adopts** the recommendations of the Departmental Committee on Justice and Legal Affairs as contained in the Reports of the Committee *laid on the table of the House on Thursday, May 9, 2019.*

19\*. **MOTION - REPORT ON AUDITED FINANCIAL STATEMENTS FOR THE UWEZO FUND AND THE WOMEN ENTERPRISE FUND**

(The Chairperson, Special Funds Accounts Committee)

**THAT**, this House **adopts** the Report of the Special Funds Accounts Committee on Audited Financial Statements for the Uwezo Fund for the financial year 2016/17; and the Women Enterprise Fund for the financial year 2017/18, *laid on the Table of the House on Tuesday, November 5, 2019.*

20\*. **THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILL NO. 27 OF 2018)**

(The Chairperson, Departmental Committee on Justice & Legal Affairs)

Second Reading

21\*. **THE CARE AND PROTECTION OF OLDER MEMBERS OF SOCIETY BILL (SENATE BILL NO. 17 OF 2018)**

(The Chairperson, Departmental Committee on Labour and Social Welfare)

Second Reading

22\*. THE PARLIAMENTARY PENSIONS (AMENDMENT) (No.3) BILL  
(NATIONAL ASSEMBLY BILL NO. 57 OF 2019)

(The Chairperson, Parliamentary Pensions Management Committee)

Second Reading

23\*. THE IMPEACHMENT PROCEDURE BILL (SENATE BILL NO. 15  
OF 2018)

(The Chairperson, Departmental Committee on Justice & Legal Affairs)

Second Reading

24\*. THE COUNTY OUTDOOR ADVERTISING CONTROL BILL (SENATE  
BILL NO. 19 OF 2018)

(The Chairperson, Departmental Committee on Information, Communication & Innovation)

Second Reading

25\*. MOTION - AGREEMENT BETWEEN KENYA AND ITALY ON THE  
LUIGI-BROGLIO MALINDI SPACE CENTRE

(The Chairperson, Departmental Committee on Defence and Foreign Relations)

**THAT**, this House **adopts** the Report of the Departmental Committee on Defence and Foreign Relations on its consideration of the Agreement between the Government of the Republic of Kenya and the Government of the Italian Republic on the Luigi Broglio-Malindi Space Centre, *laid on the Table of the House on Wednesday, June 26, 2019.*

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**\* Denotes Orders of the Day**

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...../Notices

# NOTICES

## The House resolved on Tuesday, February 18, 2020 as follows:-

- I. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on any **Motion, including a Special motion** shall be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.
  
- II. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in debate on **Reports of Committees**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House for which limitation of time has not been specified, shall be limited as follows:- A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority in speaking be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.
  
- III. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on **Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** shall be limited as follows:- A maximum of forty five (45) minutes for the Mover, in moving and fifteen (15) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee), and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each (if the Bill is not sponsored by either of them); and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.
  
- IV. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in debate on **Reports of Constitutional Commissions and Independent Offices** shall be limited as follows:- A maximum of four hours with not more than thirty (30) minutes for the Mover in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Report is not moved by the Chairperson of the relevant Committee), and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority shall be accorded to the Chairperson of the relevant Committee, the Leader of the Majority Party and the Leader of the Minority Party, in that order.

# **NOTICE PAPER**

## **Tentative business for** **Thursday, February 27, 2020**

*(Published pursuant to Standing Order 38(1))*

It is notified that the House Business Committee, at their last meeting, approved the following **tentative** business to appear in the Order Paper for Thursday, February 27, 2020:-

**A. MOTION - APPOINTMENT OF MEMBERS TO TWO SESSIONAL COMMITTEES**

(The Chairperson, Committee on Selection)

**B. MOTION - INQUIRY INTO THE CHALLENGES FACING THE COFFEE RESEARCH INSTITUTE**

(The Chairperson, Departmental Committee on Agriculture and Livestock)

*(If not concluded on Wednesday, February 26, 2020 – Afternoon sitting)*

**C. MOTION - ANNUAL REPORTS ON THE STATE OF THE JUDICIARY**

(The Chairperson Departmental Committee on Justice & Legal Affairs)

*(If not concluded on Wednesday, February 26, 2020 – Afternoon sitting)*

**D. MOTION - REPORT ON AUDITED FINANCIAL STATEMENTS FOR THE UWEZO FUND AND THE WOMEN ENTERPRISE FUND**

(The Chairperson, Special Funds Accounts Committee)

*(If not concluded on Wednesday, February 26, 2020 – Afternoon sitting)*

**E. THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILL NO. 27 OF 2018)**

(The Chairperson, Departmental Committee on Justice & Legal Affairs)

Second Reading

*(If not concluded on Wednesday, February 26, 2020 – Afternoon sitting)*

**F. THE CARE AND PROTECTION OF OLDER MEMBERS OF SOCIETY BILL (SENATE BILL NO. 17 OF 2018)**

(The Chairperson, Departmental Committee on Labour and Social Welfare)

Second Reading

*(If not concluded on Wednesday, February 26, 2020 – Afternoon sitting)*

**G. THE PARLIAMENTARY PENSIONS (AMENDMENT) (No.3) BILL**

**(NATIONAL ASSEMBLY BILL NO. 57 OF 2019)**

(The Chairperson, Parliamentary Pensions Management Committee)

Second Reading

*(If not concluded on Wednesday, February 26, 2020 – Afternoon sitting)*

**H. THE IMPEACHMENT PROCEDURE BILL (SENATE BILL NO. 15 OF 2018)**

(The Chairperson, Departmental Committee on Justice & Legal Affairs)

Second Reading

*(If not concluded on Wednesday, February 26, 2020 – Afternoon sitting)*

**I. THE COUNTY OUTDOOR ADVERTISING CONTROL BILL (SENATE BILL NO. 19 OF 2018)**

(The Chairperson, Departmental Committee on Information, Communication & Innovation)

Second Reading

*(If not concluded on Wednesday, February 26, 2020 – Afternoon sitting)*

**J. MOTION - AGREEMENT BETWEEN KENYA AND ITALY ON THE LUIGI-BROGLIO MALINDI SPACE CENTRE**

(The Chairperson, Departmental Committee on Defence and Foreign Relations)

*(If not concluded on Wednesday, February 26, 2020 – Afternoon sitting)*

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...../Appendix

**APPENDIX**



# **ORDER NO.7 - QUESTIONS**

Pursuant to the provisions of Standing Order 42A (5) the following Members will ask **questions** for reply before the specified Departmental Committees:-

## **Question No.                      QUESTION BY PRIVATE NOTICE**

**006/2020                      The Member for Narok East (Hon. Aramat Lemanken, MP) to ask the Cabinet Secretary for Health: -**

- (i) Could the Cabinet Secretary confirm that eight (8) Chinese nationals arrived from Wuhan City, China, the epicenter of the outbreak of *Corona Virus*, and travelled to Section 5, *Duka Moja* Camp of the Standard Gauge Railway Construction site in Narok East Constituency on Saturday, 22<sup>nd</sup> February 2020 and have been in isolation since then?
- (ii) Could the Cabinet Secretary clarify whether the said Chinese nationals were properly screened and provide the reasons why they were allowed into the country instead of being isolated in a suitable designated isolation centre?
- (iii) What mechanisms are in place to ensure that all foreigners and visitors from China and other affected countries are properly screened and, where necessary, isolated for the standard period in designated places before being allowed entry into the country?

*(To be replied before the Departmental Committee on Health)*

## **ORDINARY QUESTIONS**

**019/2020                      The Member for Mwala (Hon. Vincent Musyoka Musau, MP) to ask the Cabinet Secretary for Education: -**

- (i) What criteria is used to determine and classify hardship areas in the country, and why has Mwala Constituency not been classified as hardship area?
- (ii) Could the Ministry consider classifying Mwala Constituency as hardship area to avoid the mass transfer of teachers to other areas?
- (iii) What measures is the Ministry undertaking to address the increasing teacher-student ratio due to high enrollment as result of the Government policy on 100% transition?

*(To be replied before the Departmental Committee on Education and Research)*

**020/2020                      The Member for Kipkelion West (Hon. Hilary Kosgei, MP) to**

**ask the Cabinet Secretary for Industry, Trade and Cooperatives:-**

- (i) Could the Cabinet Secretary explain the process followed in the recruitment and appointment of the current Managing Director of the Kenya Bureau of Standards (KEBS)?
- (ii) Could the Cabinet Secretary explain the basis on which experienced technical managers were transferred by the Managing Director of KEBS in December 2019 without regard to their professional and technical qualifications and subsequent approval by the National Standards Council?
- (iii) What is the progress made so far with regard to implementation of the Standards and Quality Infrastructure Reforms Taskforce Report since the Taskforce concluded its work?
- (iv) Could the Cabinet Secretary clarify whether KEBS has implemented the recommendations of the Auditor General's Report of July 2019 and further explain why KEBS is still pursuing the expansion of the Pre-Export Verification of Conformity (PVoC) programme before addressing the concerns raised in the said Auditor-General report?

*(To be replied before the Departmental Committee on Trade, Industry and Cooperatives)*

**021/2020**

**The Member for Awendo (Hon. John Owino, MP) to ask the Cabinet Secretary for Agriculture, Livestock and Fisheries:-**

- (i) When will the outstanding arrears owed to sugarcane farmers who delivered cane to Sony Sugar factory be paid including other suppliers for the goods and services rendered to the factory?
- (ii) When will the Management of the Company pay workers and employees considering that they have not been paid for over six (6) months?
- (iii) What measures has the Ministry put in place to ensure that plant maintenance is carried out regularly on the said factory?
- (iv) Could the Ministry consider upgrading all government-owned sugar factories in the country with modern technology and equipment for efficient and effective

operations that will cut on maintenance costs and increase production?

*(To be replied before the Departmental Committee on Agriculture and Livestock)*

**022/2020**

**The Member for Kikuyu (Hon. Kimani Ichung'wah, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -**

- (i) What is the status and quantum of all unpaid bills in the Ministry, at the National Police Service, and at the Prisons Department, including those that have been classified as unpayable?
- (ii) What are the reasons as to why part of the pending bills have been ascertained to be unpayable, what persons or companies are owed, and what is the period the unsettled bills have been outstanding?
- (iii) What measures have been instituted towards resolution of the payment dispute with some of the suppliers, especially to the Prisons Department, including authenticating their claims and when will the outstanding bills owed to the suppliers and contractors be paid?

*(To be replied before the Departmental Committee on Administration and National Security)*

**023/2020**

**The Member for Mwea (Hon. Kabinga Wachira, MP) to ask the Cabinet Secretary for Lands and Physical Planning:**

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- (i) Could the Cabinet Secretary state the current ownership of a parcel of Land, *Land Reference No. MWEA/MUTITHI/STRIP/1449* that is earmarked for the construction of the *Wamumu* Kenya Medical Research Institute (KEMRI) centre in Mwea Constituency and who were the original owners?
- (ii) Could the Cabinet Secretary provide details of those who have illegally acquired the said land?
- (iii) What urgent steps is the Ministry taking to ensure that KEMRI is given the title deed?

*(To be replied before the Departmental Committee on Lands)*

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