



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FOURTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, MARCH 17, 2020

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Honourable Speaker
4. **PAPERS LAID**

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

- i) Legal Notice No. 23 relating to the Insurance (Anti-Money Laundering and Combating Financing of Terrorism) Guidelines, 2020 and the Explanatory Memorandum;
- ii) Legal Notice No. 24 relating to the Insurance (Bancassurance) Regulations, 2020 and the Explanatory Memorandum;
- iii) Legal Notice No. 25 relating to the Insurance (Group-wide Supervision) Regulations, 2020 and the Explanatory Memorandum; and
- iv) Legal Notice No. 26 relating to the Insurance (Micro-Insurance) Regulations, 2020 and the Explanatory Memorandum.

(The Leader of the Majority Party)

(Referred to the Committee on Delegated Legislation)

- v) The Report of the 141st Assembly of the Inter-Parliamentary Union (IPU) and related meetings held in Belgrade, Serbia from 13th to 17th October, 2019.

(Leader of Delegation (Hon. Patrick Mariru, MP)

- vi) Report of the Departmental Committee on Defence and Foreign Relations on the oversight inspection visits to Kenyan Embassies in Thailand and Malaysia.

(Chairperson, Departmental Committee on Defence & Foreign Relations)

- vii) Report of the Budget and Appropriations Committee on its consideration of the Division of Revenue Bill (National Assembly Bill No. 3 of 2020).

(Chairperson, Budget & Appropriations Committee)

- viii) The Report of the Committee on the vetting of a Nominee for appointment as the Chief Executive Officer of the National Government Constituencies Development Fund Board.

(Hon. Chesebe Kapondi (Member), Committee on National Government Constituencies Development Fund)

- ix) Reports of the Departmental Committee on Finance and National Planning on its consideration of the following Bills-

- a) The Public Finance Management (Amendment) Bill (No. 4) (National Assembly Bill No. 78 of 2019);
- b) The Parliamentary Pensions (Amendment) Bill (No. 3) (National Assembly Bill No. 57 of 2019); and
- c) The Public Finance Management (Amendment) Bill (Senate Bill No. 3 of 2019).

(Chairperson, Finance and Planning Committee)

- x) Report of the Health Committee on its consideration of the Mental Health (Amendment) Bill (Senate Bill No. 32 of 2018).

(Chairperson, Health Committee)

- xi) Report of the Departmental Committee on Administration and National Security on its consideration of the Refugees Bill (National Assembly Bill No. 62 of 2019).

(Chairperson, Administration & National Security Committee)

5. **NOTICES OF MOTION**

The following Notices of Motion were given-

THAT, AWARE THAT the World Health Organization (WHO) has declared Coronavirus disease (COVID-19) to be a Public Health Emergency of International Concern;

FURTHER AWARE THAT the Government, upon confirmation of Coronavirus cases in the country, has taken various measures aimed at containing the spread of the disease, including suspension of learning in all educational institutions and minimizing attendance to various gatherings and that all sections of our society including the National Assembly ought to play their role in stopping further spread of the disease;

NOTING THAT public health authorities around the world are also taking unprecedented measures to contain the spread of the disease;

DEEPLY CONCERNED THAT this epidemic, which is said to have no known cure, has spread to many countries with the potential of affecting a large percent of the world's population since the impact of the virus is still unfolding;

NOW THEREFORE, this House resolves as follows -

- (a) THAT, notwithstanding the approved Calendar of the House (*Regular Sessions*) for the Fourth Session (2020), the House adjourns its Sittings from Wednesday, 18th March, 2020 until Tuesday, 14th April, 2020 at 2.30 pm;
- (b) THAT, during the period of the adjournment, the Parliamentary Service Commission institutes appropriate measures to enable the House to sit upon re-convening taking cognisance of the Public Health Emergency;
- (c) THAT, notwithstanding the provisions of Standing Orders 41 and 42 relating to reading and laying of Messages from the Senate and from the President, during the period of the suspension, upon receipt of any name of a person nominated for appointment to a state office from the President, or upon receipt of any Message from the Senate, the Speaker shall forthwith refer such Message to the relevant Committee for consideration, without having to recall the House; and,
- (d) THAT, the Calendar of the House (*Regular Sessions*) for the Fourth Session (2020), be hereby altered accordingly.

(The Leader of the Majority Party)

THAT, taking into consideration the findings of the Select Committee on the National Government Constituencies Development Fund in its Report on the *Vetting of a Nominee for Appointment as the Chief Executive Officer of the National Government Constituencies Development Fund Board, laid on the Table of the House on Tuesday, March 17, 2020*, and pursuant to section 20(1) of the National Government Constituencies Development Fund Act, 2015 and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **rejects** the appointment of **Prof. Mohamed Hussein Abdille** as the Chief Executive Officer of the National Government Constituencies Development Fund Board.

(Hon. Chesebe Kapondi (Member), Committee on National Government Constituencies Development Fund)

6. **PROCEDURAL MOTION – APPROVAL OF A SECOND SITTING**

Motion made and question proposed

THAT, pursuant to the provisions of Standing Order 30(3) (b), this House resolves to hold another sitting today, Tuesday, March 17, 2020 after the 2.30 pm Sitting.

(The Leader of the Majority Party)

Debate arising;

Question put and agreed to.

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

Motion made and Question proposed: -

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.*

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

Debate on the motion having been concluded on Thursday, March 12, 2020;

Question put and agreed to.

8. **THE PUBLIC FINANCE MANAGEMENT BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2020)**

Order for First Reading read;

(The Leader of the Majority Party)

Bill read a First Time and ordered to be read a Second Time tomorrow.

9. **THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2020)**

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Division of Revenue Bill (National Assembly Bill No. 3 of 2020) be now read a Second Time.

(The Chairperson, Budget and Appropriations Committee)

Rising in his place on a Point of Order pursuant to Standing Order 95, the Member for Endebess (Hon. (Dr.) Robert Pukose) claimed to move “that the Mover be now called upon to reply”;

And the Speaker having acceded to the claim;

Question put and agreed to;

Thereupon, Mover replied;

Question put and agreed to.

Bill read a Second Time and committed to Committee of the Whole House today.

10. **COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read;

IN THE COMMITTEE - The Third Chairperson in the Chair

The Division of Revenue Bill (National Assembly Bill No. 3 of 2020)

- Clause 3 - agreed to
 - Clause 4 - agreed to
 - Clause 5 - agreed to
 - Schedule - agreed to
 - Clause 2 - agreed to
 - Title - agreed to
 - Clause 1 - agreed to
- Bill to be reported without amendments

11. **HOUSE RESUMED** - Second Chairperson in the Chair

-The Division of Revenue Bill (National Assembly Bill No. 3 Of 2020)

Bill reported without amendments

Motion made and Question proposed –

THAT, the House do agree with the Committee in the said report

Question put and agreed to

Motion made and Question proposed –

THAT, the Division of Revenue Bill (National Assembly Bill No. 3 of 2020) be now read a Third Time.

Question put and agreed to

Bill read a Third Time and passed.

And the time being fifteen minutes past four o'clock, the Second Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

12. **HOUSE ROSE** - at five minutes past One o'clock.

M E M O R A N D U M

The Speaker will take the Chair today, Tuesday, March 17, 2019 at 4.30 p.m.