



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

SUPPLEMENTARY II

WEDNESDAY, APRIL 22, 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*.MOTION – SENATE AMENDMENTS TO THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2020)

(The Chairperson, Budget & Appropriations Committee)

THAT, the Senate amendments to the Division of Revenue Bill (National Assembly Bill No. 3 of 2020) be now considered.

9*.COMMITTEE OF THE WHOLE HOUSE

- (i) Consideration of Senate amendments to the Division of Revenue Bill (National Assembly Bill No. 3 of 2020)
(The Chairperson, Budget & Appropriations Committee)
(Subject to resolution under Order No. 8)
- (ii) The Tax Laws (Amendment) Bill (National Assembly Bill No. 8 of 2020)
(The Leader of the Majority Party)

10*.MOTION – REPORT ON THE SECOND SUPPLEMENTARY ESTIMATES FOR THE FY 2019/2020

(The Chairperson, Budget & Appropriations Committee)

THAT, this House **adopts** the Report of the Budget and Appropriations Committee on the Second Supplementary Estimates for the Financial Year 2019/2020, *laid on the Table of the House on Wednesday, April 22, 2020*, and pursuant to the provisions of Article 223 of the Constitution of Kenya, section 44 of the Public Finance Management Act, 2012, Public Finance Management Regulation 40 and Standing Order 243-

- (i) approves an increment of the **total recurrent expenditure** for Financial Year 2019/2020 by **Kshs. 31,381,396,485** in respect of the Votes as contained in the Schedule II;
- (ii) approves a reduction of the **total development expenditure** for Financial Year 2019/2020 by **Kshs. 83,048,345,383** in respect of the Votes as contained in the Schedule II;
- (iii) approves an overall **decrease** in the total budget for Financial Year 2019/2020 by **Kshs. 51,729,948,898** in respect of the Votes as contained in the Schedule II; and,
- (iv) further makes the policy resolutions contained in the *Second Schedule* to the Order Paper.

11*.MOTION – OTHER MEASURES TO ADDRESS THE EFFECTS OF THE COVID-19 PANDEMIC

(The Leader of the Majority Party)

THAT, AWARE THAT, the World Health Organization (WHO) declared the Corona Virus Disease 2019 (*COVID-19*) a global health pandemic and that the pandemic has led to an unprecedented global health crisis;

COGNIZANT THAT the Government, non-governmental institutions, well-wishers and health authorities globally have joined hands and put in place a number of measures to contain the pandemic, mainly through travel and behavioral restrictions, provision of necessary protective facilities, equipping existing health facilities, availing resources; and providing necessary assistance and information;

APPRECIATING the policy measures and interventions being undertaken by the Government, through the multi-agency National Emergency Response Committee on Corona Virus (NERC) led by the Ministry of Health, to contain the spread of the pandemic and cushion Kenyans against its social and economic effects;

FURTHER COGNIZANT of the legislative measures proposed by the Executive, including the establishment of the *COVID-19 Fund*, the reduction of the Value Added Tax, amongst others;

FURTHER APPRECIATING the role of National Assembly in taking necessary legislative interventions and offering the necessary political and legislative support, whenever required;

NOW THEREFORE, THIS HOUSE RESOLVES–

- (a) to laud and appreciate the Government of the Republic of Kenya for the action and policy measures undertaken so far in combating the spread of the virus, and addressing the economic effects of the virus in the country to cushion ordinary Kenyans from its effects;
- (b) to commend and appreciate all **healthcare workers and service providers** in the country for their selfless efforts, commitment to service, care and compassion towards persons who have been infected and/or affected by the virus; and,
- (c) that, to supplement the *Covid-19* Fund and other measures put in place, the Budget & Appropriation Committee reviews the approved Budget for the FY 2019/2020 and the proposed Estimate for the FY 2020/2021 with a view to allocating funds towards cushioning the country further from the short-term and long-term effects of *Covid-19*, particularly allocating and ring-fencing funds for –
 - (i) the provision of personal protective equipment (PPE), testing and medical equipment, including adequate ventilators; and,
 - (ii) the establishment of a suitable national health facility for the treatment and management of infectious and viral diseases such the *Covid-19*, with at least a bed capacity of 1,000 persons.

*** Denotes Orders of the Day**

...../Notices

NOTICES

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

(As passed by the National Assembly on March 17, 2020)

CLAUSE 4

- 4. (1) The revenue raised by the national government in respect of the financial year 2020/21 shall be divided among the national and county governments as set out in the Schedule to this Act.
- (2) The amount of resources required for the performance of transferred functions to another level of government in line with Article 187(2) of the Constitution shall be transferred in full or partially upon enactment of this Act.
- (3) For avoidance of doubt, where the transfer of functions is—
 - (a) from a county government to the national government, the requisite funds shall be retained in the Consolidated fund for appropriation to meet the costs of the transferred functions; or
 - (b) from the national government to a county government, the funds shall be transferred to the county government as conditional grants.



FIRST SCHEDULE**POLICY AND FINANCIAL RESOLUTIONS RELATING TO THE BUDGET POLICY SECOND SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 2019/2020,****i) Policy Recommendations**

- 1) **THAT**, despite the need to reduce expenditure, payment of pending bills especially those that have already undergone verification process be prioritized in order to protect the businesses that supply goods and services to the national government.
- 2) **THAT**, within two weeks upon adoption of this report, the State Department of Broadcasting and Telecommunications, in conjunction with the State Department of Information, Communication and Technology (ICT) and Innovation should submit a comprehensive report on the status of recent measures put in place to scale up internet connectivity in unserved areas in the country. This includes use of airborne/extraterrestrial infrastructure and the role of Google as well as that of the government in providing such services. The report should include specific measures taken in response to the ongoing crisis and quantifiable outcomes or impacts since the declaration of the pandemic.
- 3) **THAT**, all funds allocated for cushioning the vulnerable against the impact of COVID-19 on livelihoods especially cash transfers to the poor and purchase of food stuff to sustain families, be channelled through the State Department for Social Protection and the State Department for Arid and Semi-Arid Lands respectively. This is for ease of identification of beneficiaries and the use of existing structures to expedite the process.
- 4) **THAT**, the State Department for Social Protection and the National Treasury renegotiate the charges paid by the State to the Payment Service Providers (PSP) for the processing of the national safety net payments.
- 5) **THAT**, as a matter of urgency, the State Department for Social Protection and the Executive Office of the President should resolve the stalemate at the Child Welfare Society of Kenya (CWSK) so as to allow for the resumption of operations as activities in foster care centres run by CWSK have halted thereby putting at risk the lives of vulnerable children.

- 6) **THAT**, a prudent Pension Policy Plan for Sports Kenya be instituted by December 2020 so that pension payments do not become a matter of supplementary provisions in future.
- 7) **THAT**, all GoK resources allocated towards Covid-19 initiatives under the COVID-19 Emergency Response Fund must be appropriated by the National Assembly and proper mechanisms be put in place to oversight the same.
- 8) **THAT**, the National Treasury allocates Kshs.3 billion as special ring fenced resources to support the fight against the COVID-19 pandemic especially with regard to the protection of frontline health workers through purchase of PPEs among other protective gears. The centres to benefit are, Kenyatta National Hospital (KNH) & Mbagathi, Kenyatta University (KU) Hospital, Coast General Hospital, Jaramogi Oginga Teaching & Referral Hospital, Kitui County Referral Hospital, Mandera County Referral Hospital, and Moi Teaching and Referral Hospital.
- 9) **THAT**, the Ministry of Health should apprise the relevant Committee of the National Assembly on a monthly basis on the disbursements and implementation of the Kshs. 3 Billion ring fenced for Covid-1/9 related intervention.

SCHEDULE II

ALLOCATION OF REVENUE RAISED NATIONALLY AMONG THE NATIONAL AND COUNTY GOVERNMENTS FOR THE FINANCIAL YEAR 2020/21

Type/level of allocation	Amount in Ksh.	Percentage (%) of 2016/17 audited and approved revenue i.e. Ksh.1,357,698 Million
A. Total Sharable Revenue	1,856,700,000,000	
B. National Government*	1,533,411,510,000	
Of which:		
1. <i>Leasing of Medical Equipment</i>	6,205,000,000	
2. <i>Compensation for user fees forgone</i>	900,000,000	

Type/level of allocation	Amount in Ksh.	Percentage (%) of 2016/17 audited and approved revenue i.e. Ksh.1,357,698 Million
3. <i>Level 5 hospitals</i>	4,326,000,000	
4. <i>Supplement for construction of county headquarters</i>	300,000,000	
5. <i>Rehabilitation of Youth Polytechnics</i>	2,000,000,000	
C. Equalization Fund	6,788,490,000	0.50%
D. County equitable share	316,500,000,000	23.31%
Of Which Nairobi City County Equitable Share to cater for transferred functions	15,951,600,000**	
County Equitable share (excluding Nairobi City County)	300,548,400,000	
Memo items		
1. County equitable share	316,500,000,000	
2. Additional conditional allocations(National Government share of Revenue) of which;	13,731,000,000	
2.1. <i>Leasing of Medical Equipment</i>	6,205,000,000	
2.2. <i>Compensation for user fees forgone</i>	900,000,000	
2.3. <i>Level 5 hospitals</i>	4,326,000,000	
2.4. <i>Supplement for construction of county headquarters</i>	300,000,000	
2.5. <i>Rehabilitation of Youth Polytechnics</i>	2,000,000,000	
3. Allocation from Fuel Levy Fund (15%)	9,433,265,625	
4. Conditional allocations (Loans & grants) of which:	30,204,347,510	
4.1. <i>IDA-Kenya Devolution Support Program (KDSP) (Level 1)</i>	2,115,000,000	
4.2. <i>IDA-Transforming Health Systems for Universal Care Project</i>	4,345,375,741	
4.3. <i>DANIDA-Universal Healthcare For Devolved System Program</i>	900,000,000	
4.4. <i>IDA-National Agriculture & Rural Inclusive Growth Project (NARIGP)</i>	4,261,646,438	
4.5. <i>EU-Instruments for Devolution Advice and Support (IDEAS)</i>	216,014,391	
4.6. <i>IDA (World Bank) - Kenya Climate Smart Agriculture Project (KCSAP)</i>	7,119,726,782	

Type/level of allocation	Amount in Ksh.	Percentage (%) of 2016/17 audited and approved revenue i.e. Ksh.1,357,698 Million
4.7 World Bank- Kenya Urban Support Program(KUSP)-UDG	6,366,000,000	
4.8 IDA- Water and Sanitation Development Project (WSDP)	3,400,000,000	
4.9 Sweden Agriculture Sector Development Programme II (ASDP II)	652,584,158	
4.10 EU- Water Tower Protection and Climate Change Mitigation and Adaptation Programme (WaTER)	528,000,000	
4.11 Drought Resilience Programme in Northern Kenya	300,000,000	
Total County Allocations= (1+2+3+4)	369,868,613,135	27.24%

II. SENATE AMENDMENTS TO THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2020) *(As passed by the Senate on April 14, 2020)*

Pursuant to the provisions of Standing Order 145, the House is notified that the Senate amended Clause 4 and the Schedule to the Division of Revenue Bill, 2020 relating to allocation of revenue raised nationally between the National and County Government for the Financial Year 2020/21 as hereunder:

CLAUSE 4

THAT, clause 4 of the Bill be amended by-

- (a) deleting sub-clause (2); and
- (b) deleting sub-clause (3).

SCHEDULE

The Schedule to the Bill was deleted and substituted with the following new Schedule-

**ALLOCATION OF REVENUE RAISED NATIONALLY AMONG THE NATIONAL
AND COUNTY GOVERNMENTS FOR THE FINANCIAL YEAR 2020/21**

Type/level of allocation	Amount in Ksh.	Percentage (%) of 2016/17 audited and approved revenue i.e. Ksh. 1,357,698 Million
A. Total Sharable Revenue	1,856,700,000,000	
B. National Government*	1,533,411,510,000	
Of which:		
<i>1. Leasing of Medical Equipment</i>	6,205,000,000	
<i>2. Compensation for user fees forgone</i>	900,000,000	
<i>3. Level 5 hospitals</i>	4,326,000,000	
<i>4. Supplement for construction of county headquarters</i>	300,000,000	
<i>5. Rehabilitation of Youth Polytechnics</i>	2,000,000,000	
C. Equalization Fund	6,788,490,000	0.50%
D. County equitable share	316,500,000,000	23.31%
Memo items		
1. County equitable share	316,500,000,000	
2. Additional conditional allocations (National Government share of Revenue) of which;	13,731,000,000	
<i>2.1. Leasing of Medical Equipment</i>	6,205,000,000	
<i>2.2 Compensation for user fees forgone</i>	900,000,000	
<i>2.3 Level 5 hospitals</i>	4,326,000,000	
<i>2.4 Supplement for construction of county headquarters</i>	300,000,000	
<i>2.5 Rehabilitation of Youth Polytechnics</i>	2,000,000,000	
3. Allocation from Fuel Levy Fund (15%)	9,433,265,625	
4. Conditional allocations (Loans & grants) of which:	30,204,347,510	
<i>4.1 IDA-Kenya Devolution Support Program (KDSP) (Level 1)</i>	2,115,000,000	
<i>4.2 IDA-Transforming Health Systems for Universal Care Project</i>	4,345,375,741	
<i>4.3 DANIDA-Universal Healthcare For Devolved System Program</i>	900,000,000	
<i>4.4 IDA-National Agriculture & Rural Inclusive Growth Project (NARIGP)</i>	4,261,646,438	
<i>4.5 EU-Instruments for Devolution Advice and Support (IDEAS)</i>	216,014,391	
<i>4.6 IDA (World Bank) - Kenya Climate Smart Agriculture Project (KCSAP)</i>	7,119,726,782	
<i>4.7 World Bank- Kenya Urban Support Program (KUSP)- UDG</i>	6,366,000,000	

4.8 IDA- Water and Sanitation Development Project (WSDP)	3,400,000,000	
4.9 Sweden Agriculture Sector Development Programme II (ASDP II)	652,584,158	
4.10 EU- Water Tower Protection and Climate Change Mitigation and Adaptation Programme (WaTER)	528,000,000	
4.11 Drought Resilience Programme in Northern Kenya	300,000,000	
Total County Allocations= (1+2+3+4)	369,868,613,135	

III. THE TAX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 8 OF 2020)

1) Notice is given that the Chairperson of the Departmental Committee on Finance and National Planning, Hon. Joseph Limo, M.P. intends to move the following amendments to the Tax Laws (Amendment) Bill, 2020, at the Committee Stage—

CLAUSE 1

THAT, the Bill be amended by deleting clause 1 and substituting therefor the following new clause—

Short title and commencement.

1.This Act may be cited as the Tax Laws (Amendment) Act, 2020 and shall come into operation—

- (a) in the case of the amendment to section 5(2) of the Value Added Tax Act, 2013, on the 15th day of the next month following assent; and
- (b) for all other provisions of the Act, on the date of assent.

SCHEDULE

THAT, the Schedule be amended—

- (a) in the proposed amendments to the Income Tax Act (Cap. 470), by—
 - (i) deleting the words “five hundred thousand shillings” appearing in the proposed new section 12C(1) and substituting therefor the words “ one million shillings”;
 - (ii) deleting the proposed amendment to section 15(2)(h);
 - (iii) deleting the proposed amendments to section 15(2)(s);
 - (iv) deleting the proposed amendment to section 15(2)(ss);
 - (v) deleting the proposed amendment to section 15(2)(u);
 - (vi) deleting the proposed amendment to section 15(2)(v);
 - (vii) deleting the proposed amendment to section 15(2)(x);

- (viii) deleting the proposed amendment to section 22C;
- (ix) deleting the word “aircraft” appearing in the proposed amendment to section 34(2)(o) and substituting therefor the words “aviation insurance”;
- (x) deleting the expression “30th August, 2020” appearing in the proposed new section 133(6) and substituting therefor the expression “31st December, 2021”;
- (xi) deleting the proposed amendment to paragraph 22 of the First Schedule;
- (xii) deleting the proposed amendment to paragraph 35 of the First Schedule;
- (xiii) deleting the proposed amendment to paragraph 36 of the First Schedule and substituting therefor the following new amendment—
 - Paragraph 36 Delete sub-paragraphs (a), (b) and (e).
- (xiv) deleting the proposed amendment to paragraph 44 of the First Schedule;
- (xv) deleting the proposed amendment to paragraph 45 of the First Schedule;
- (xvi) deleting the proposed amendment to paragraph 50 of the First Schedule;
- (xvii) deleting the proposed amendment to paragraph 51 of the First Schedule;
- (xviii) deleting the proposed amendment to paragraph 53 of the First Schedule;
- (xix) deleting the proposed amendment to paragraph 60 of the First Schedule;
- (xx) deleting the proposed new item (viii) of paragraph 2(a) of Head B (Rates of Tax) of the Third Schedule and substituting therefor the following new item—

(viii) For the year of income 2020 and each subsequent year of 5.00 income

- (xxi) Inserting the following proviso to the new paragraph (q) in the proposed amendment to paragraph 3 of the Third Schedule-

Provided that with the regard to transportation of goods, the rate shall not be applicable East African Community citizens.

(b) in the proposed amendments to the Value Added Tax Act, 2013, by—

- (i) deleting the proposed amendment to section 2;
- (ii) deleting the proposed amendment to section 5 and substituting therefor the following new amendment—

s.5 (2) Delete the proviso to paragraph (aa).

(iii) deleting the proposed amendments to the following paragraphs of Part I of Section A of the First Schedule—

(a) paragraph 21A;

(b) paragraph 26;

(c) in paragraph 39 (3) the following proposed amendments —

Delete the following items and their corresponding descriptions—

8802.11.00 Helicopters of an unladen weight not exceeding 2,000 kg.

8802.12.00 Helicopters of an unladen weight exceeding 2,000 kg.

8802.20.00 Aeroplanes and other aircraft, of unladen weight not exceeding 2,000 kg.

8803.30.00 Other parts of aeroplanes helicopters.

8805.21.00 Air combat simulators and parts thereof.

8805.10.00 Aircraft launching gear and parts thereof; deck-arrestor or similar gear and parts thereof.

8805.29.00 Other ground flying trainers and parts thereof.

(d) paragraph 40;

(e) paragraph 41;

(f) paragraph 43;

(g) paragraph 45;

(h) paragraph 47;

(i) paragraph 48;

(j) paragraph 50;

(k) paragraph 56;

(l) paragraph 62;

(m) Paragraph 65;

(n) paragraph 66;

(o) paragraph 67;

(p) paragraph 90;

(q) paragraph 104;

(r) paragraph 107;

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(iv) deleting the proposed amendments to the following paragraphs of Part II of Section A of the First Schedule—

(a) paragraph 18;

- (b) paragraph 24;
 - (c) paragraph 25;
 - (d) paragraph 26;
- (v) deleting the proposed amendments to the following paragraphs of Part A of the Second Schedule—
 - (a) paragraph 13;
 - (b) paragraph 13 A;
 - (c) paragraph 15;
 - (d) paragraph 16;
 - (e) paragraph 18;
 - (f) paragraph 19;
- (c) in the proposed amendments to the Excise Duty Act, 2015, by—
 - (i) deleting the proposed amendments to paragraph 1 of Part 1 of the First Schedule;
 - (ii) deleting the proposed amendment to paragraph 14 of Part A of the Second Schedule.
- (d) in the proposed amendments to the Tax Procedures Act, 2015, by—
 - (i) deleting the proposed new section 39B;
 - (ii) deleting the proposed amendment to section 65(3) and substituting therefor the following new amendment—
 - s. 65(3) Delete the words “forty five” appearing before the word “days” and substitute therefor the word “sixty”.
- (e) in the proposed amendments to the Miscellaneous Fees and Levies Act, 2016, by—
 - (i) inserting the following new amendment in its proper numerical sequence—
 - s. 8 (3) Insert the words “and operation” immediately after the word “construction”.
 - (ii) deleting the following proposed amendments in Part A of the Second Schedule—
 - (a) paragraph (xv);
 - (b) paragraph (xxii);
 - (iii) deleting paragraph (vi) of Part B of the Second Schedule.

- (f) in the proposed amendments to the Kenya Revenue Act, 1995, by—

(i) deleting the proposed amendment to section 5A(2) and substituting therefor the following new amendment—

s. 5A (2) Delete the words “two million” appearing in paragraph (b) and substitute therefor the words “five million”;

(ii) inserting the following new amendments in their proper numerical sequence—

New Insert the following new section immediately after section 15—

Appointment of Agents. **15A.** (1) The Commissioner may appoint a person registered under the Banking Act to act as an agent for revenue banking services through an agreement.

(2) Any person appointed under this section shall be required to transfer the funds to the designated Central Bank accounts within two days following the date of collection.

(3) A person who fails to transfer the funds in accordance with the provisions of sub-section (2) shall be liable to a penalty equivalent to two per cent of the revenue collections not transferred and shall be compounded for every other day on the amount of revenue that is not transferred.

(4) The penalty under sub-section (3) shall be treated as a tax debt due to the government and the enforcement measures for collection and recovery of tax shall apply.

s. 16 (1) Delete paragraph (a) and substitute therefor the following new paragraph—

(a) at least two percent of the revenue estimated in the financial estimates for each financial year.

(g) by inserting the following new amendments to the laws specified in the first column in the provisions specified in the second column, and in the manner specified in the third column—

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Written

Provision

Amendment

Law
Law of
Contract
Act (Cap.
23)

New

Insert the following new section immediately after section 3—

Contractual obligations during the COVID pandemic.

3A.(1) Without prejudice to any existing terms, provisions or exclusions in a contract which was existing prior the commencement of this section, the COVID-19 pandemic shall be construed as a “force majeure” occurrence.

(2) Where the effects of COVID-19 pandemic affect the performance of contractual obligations under an existing contract, the following actions shall be prohibited —

- (a) commencement of levying of execution;
- (b) enforcement of security over movable and immovable property used for the purpose of a trade, business or profession;
- (c) repossession of any goods used for the purpose of a trade, business or profession; or
- (d) termination of lease or licence of immovable property in connection with non-payment of rent or other monies.

The
Banking
Act(Cap.
488)

s.31.

Insert the following new sub-sections immediately after sub-section (5) —

“(5A) Despite subsection (5), an institution licensed under this Act, the Microfinance Act, the Sacco Societies Act, 2008; an institution registered under the Co-operative Societies Act; public utility companies; mobile loan applications, and any other institution mandated to share credit information under any written law, or their respective officers, shall not share any credit information with a credit reference bureau for a period of six months from the date of commencement of this section.

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“(5B) A person who contravenes the provisions of

subsection (5A) commits an offence and shall be liable upon conviction—

- (a) if it is a body corporate, to a fine not exceeding ten million shillings; and
- (b) to a fine not exceeding one million shillings or to imprisonment for a term not exceeding two years or to both, for every relevant officer of an institution.

New clause

Insert the following new sections immediately after section 33C—

Variation of contractual obligations.

33D. (1) An institution licensed under this Act shall provide for review of existing contractual obligations with a customer with a view of prescribing other alternative repayment arrangements including providing for deferred payments, where a customer has defaulted or is unable for any reason to meet the existing contractual obligations.

(2) A review of existing contractual obligations between a financial institution and a customer shall not be deemed as a breach of a contract for purposes of the Law of Contract Act.

Cap. 23

New

Insert the following new section immediately after section 56—

Contractual obligations during the COVID-19 pandemic.

56A. (1) During the pendency of the COVID-19 pandemic or such other extended period as the Cabinet Secretary may prescribe, no bank or financial institution shall charge fees or interest or impose any penalties where a customer has defaulted on payment of a loan.

(2) Without prejudice to the provisions of sub-section (1), where the COVID-19 pandemic has adversely affected the ability of a borrower to pay a loan, the bank or financial institution and the borrower shall enter into a restructured arrangement for repayment of the loan including deferred payments for such period as the parties may agree.

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New

Insert the following new section immediately after

Employment relations during the COVID-19 pandemic.

94. (1) Where the COVID-19 pandemic has adversely affected the ability of an employer to pay salaries or wages, the employer shall not—

(a) terminate a contract of service or dismiss an employee; or

(b) coerce an employee to take a salary cut.

(2) Despite subsection (1), where an employer is unable to meet his obligations to pay salaries or wages, the employer shall permit an employee to take leave of absence without pay for the duration of the COVID-19 pandemic.

2) Notice is given that the Leader of the Majority Party intends to move the following amendment to the Tax Laws (Amendment) Bill, 2020, National Assembly Bills No. 8 at the Committee Stage—

SCHEDULE

THAT, the Schedule be amended by inserting the following new amendments to the law specified in the first column in the provisions specified in the second column, and in the manner specified in the third column—

<i>Written Law</i>	<i>Provision</i>	<i>Amendment</i>
The Retirement Benefits Act, No.3 of 1997	38(1A)	Insert the words “or to purchase a residential house” immediately after the words “mortgage loan”.

IV. OTHER MEASURES TO ADDRESS THE EFFECTS OF THE COVID-19 PANDEMIC

- 1) Notice is given that the Member for Nyeri Town (Hon. M. D. Ngunjiri Wambugu) intends to move the following amendment to the Motion on other measures to address the effects of the covid-19 pandemic:-

THAT, the Motion be amended by inserting the following paragraphs immediately after paragraph (c)-

- (d) acknowledge and appreciate individuals and corporate entities, development partners and multinational institutions for local and international technical, financial and human assistance efforts and support in response to the pandemic;
- (e) establish an *ad-hoc* Committee to be known as the ***Select Committee on the Prevention, Response and Management of COVID-19***, whose mandate will be as follows-
 - (i) develop necessary legislative measures, guidelines and any other related matter on COVID-19 prevention, response and management through which Kenya anchors the efforts by the Government to prevent, combat and respond to the pandemic, and to future pandemics, including but not limited to ensuring enhanced medical and public health actions and facilities, cushioning the country from the effects of such a pandemic's social protection measures, economic stimulus for the Micro, Small and Medium Enterprises, and public order measures for the Country to maintain competent functions during and after such pandemic; and
 - (ii) consider funding needs and requirements on COVID-19 prevention, combat, response and management, and to report and make recommendations within thirty (30) days.
- (f) that the Membership of the Committee be as follows-
 1. The Hon. M. D. Ngunjiri Wambugu, M.P.
 2. The Hon. (Dr.) Amos Kimunya, M.P.
 3. The Hon. Makali Mulu, M.P.
 4. The Hon. Yusuf Hassan, M.P.
 5. The Hon. Alice Wahome, M.P.
 6. The Hon. Florence Mutua, M.P.
 7. The Hon. Peris Tobiko, M.P.
 8. The Hon. Peter Kaluma, M.P.

9. The Hon. Mishi Khamisi, M.P.
10. The Hon. Beatrice Nyaga, M.P.
11. The Hon Janet Ongeru, M.P.
12. The Hon. Otiende Amolo, M.P.
13. The Hon. Gathoni Wamuchomba, M.P.
14. The Hon. Godfrey Osotsi, M.P.
15. The Hon. Didmus Barasa, M.P.
16. The Hon. Joshua Kandie, M.P.
17. The Hon. (Dr.) Daniel Kamuren Tuitoek, M.P.
18. The Hon. Patrick Munene, M.P.
19. The Hon. Anthony Oluoch, M.P.
20. The Hon. Kiarie John, M.P.
21. The Hon. Abdi Omar Shurie, M.P.
22. The Hon Abdullah, Major (Rtd) Bashir, M.P.
23. The Hon. Teddy Mwambire, M.P.

2) **Notice is given that the Member for Mvita (Hon. Abdulswamad Sharrif) intends to move the following amendment to the Motion on other measures to address the effects of the covid-19 pandemic:-**

THAT, the Motion be amended by inserting the following paragraphs immediately after paragraph (c)-

- (g) That, the Select Committee on the National Government Constituencies Development Fund (NG-CDF) proposes amendments for consideration by the House, on the (NG-CDF Act, with a view to amending the said law to permit for the unitization of NG-CDF Funds for the provision of consumables aimed at cushioning the society from the effect of *COVID - 19*.

The House resolved on Wednesday, April 22, 2020 as follows:-

- V. THAT**, pursuant to the provisions of Standing Order 97(1) and notwithstanding the resolution of the House of February 18, 2020, each speech in **any debate** during the Sittings of the House on **Wednesday, April 22, Wednesday, April 29 and Wednesday, May 6, 2020**, shall be limited as follows:- a maximum of one hour and thirty minutes with not more than fifteen (15) minutes for the Mover in moving and five (5) minutes in replying and a maximum of five (5) minutes for any other Member speaking, and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and Chairperson of the relevant Committee, in that order.



...../Notice Papers

NOTICE PAPER I

Tentative business for

Wednesday (Morning), April 29, 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 Wednesday (Morning), April 29, 2020:-

A. THE SUPPLEMENTARY APPROPRIATION BILL, 2020

(The Chairperson, Budget & Appropriations Committee)

First Reading

B. THE SUPPLEMENTARY APPROPRIATION BILL, 2020

(The Chairperson, Budget & Appropriations Committee)

Second Reading

C. THE SMALL CLAIMS COURT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2020)

(The Leader of the Majority Party)

Second Reading

D. THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2020)

(The Leader of the Majority Party)

Second Reading

NOTICE PAPER II

Tentative business for

Wednesday (Afternoon), April 29, 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 Wednesday (Afternoon), April 29, 2020:-

A. THE COUNTY ALLOCATION OF REVENUE BILL, 2020 (SENATE BILL) - (if any)

(The Chairperson, Budget & Appropriations Committee)

First Reading

B. THE COUNTY ALLOCATION OF REVENUE BILL, 2020 (SENATE BILL) - (if any)

(The Chairperson, Budget & Appropriations Committee)

Second Reading

C. COMMITTEE OF THE WHOLE HOUSE

(i) The Supplementary Appropriation Bill, 2020 (National Assembly Bill)
(The Chairperson, Budget & Appropriations Committee)

(ii) The County Allocation of Revenue Bill, 2020 (Senate Bill)- (if any)
(The Chairperson, Budget & Appropriations Committee)

(iii) The Small Claims Court (Amendment) Bill (National Assembly Bill No. 4 of 2020)
(The Leader of the Majority Party)

(iv) The Public Finance Management (Amendment) Bill (National Assembly Bill No. 2 of 2020)
(The Leader of the Majority Party)

D. ANY OTHER LEGISLATIVE MEASURES REGARDING THE COVID-19 PANDEMIC

(The Leader of the Majority Party)
