



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

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.*

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 behavioural 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;

...../11*(Cont'd)

- (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 with a view to re-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

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.

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:		
1. <i>Leasing of Medical Equipment</i>	6,205,000,000	
2. <i>Compensation for user fees forgone</i>	900,000,000	
3. <i>Level 5 hospitals</i>	4,326,000,000	

Type/level of allocation	Amount in Ksh.	Percentage (%) of 2016/17 audited and approved revenue i.e. Ksh.1,357,698 Million
4. Supplement for construction of county headquarters	300,000,000	
5. Rehabilitation of Youth Polytechnics	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. Leasing of Medical Equipment	6,205,000,000	
2.2 Compensation for user fees forgone	900,000,000	
2.3 Level 5 hospitals	4,326,000,000	
2.4 Supplement for construction of county headquarters	300,000,000	
2.5 Rehabilitation of Youth Polytechnics	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 IDA-Kenya Devolution Support Program (KDSP) (Level 1)	2,115,000,000	
4.2 IDA-Transforming Health Systems for Universal Care Project	4,345,375,741	
4.3 DANIDA-Universal Healthcare For Devolved System Program	900,000,000	
4.4 IDA-National Agriculture & Rural Inclusive Growth Project (NARIGP)	4,261,646,438	
4.5 EU-Instruments for Devolution Advice and Support (IDEAS)	216,014,391	
4.6 IDA (World Bank) - Kenya Climate Smart Agriculture Project (KCSAP)	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
<i>4.7 World Bank- Kenya Urban Support Program(KUSP)-UDG</i>	6,366,000,000	
<i>4.8 IDA- Water and Sanitation Development Project (WSDP)</i>	3,400,000,000	
<i>4.9 Sweden Agriculture Sector Development Programme II (ASDP II)</i>	652,584,158	
<i>4.10 EU- Water Tower Protection and Climate Change Mitigation and Adaptation Programme (WaTER)</i>	528,000,000	
<i>4.11 Drought Resilience Programme in Northern Kenya</i>	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	

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



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

- III. 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 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)
