



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, OCTOBER 8, 2020 AT 10.00 A.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*. THE HEALTH (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 28 OF 2020)

(The Hon. Alice Wahome, M.P.)

First Reading

9*. THE HIGHER EDUCATION LOANS BOARD (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 29 OF 2020)

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

First Reading

10*. COMMITTEE OF THE WHOLE HOUSE

The Cancer Prevention and Control (Amendment) Bill (National Assembly Bill No. 65 of 2019)

(The Hon. Gladys Wanga, M.P.)

11*. THE PUBLIC SERVICE COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 27 OF 2019)

(The Hon. Benjamin G. Mwangi, M.P.)

Second Reading

(Resumption of debate interrupted on Thursday, October 1, 2020 – Morning Sitting)

(Balance of time – 43 Minutes)

**12*. THE NATIONAL DISASTER MANAGEMENT AUTHORITY BILL
(NATIONAL ASSEMBLY BILL NO. 10 OF 2019)**

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

Second Reading

**13* THE LAND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL
NO. 69 OF 2019)**

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

Second Reading

**14*. THE CROPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL
NO. 25 OF 2019)**

(The Hon. Kassim Sawa Tandaza, M.P.)

Second Reading

**15*. THE ALCOHOLIC DRINKS CONTROL (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 70 OF 2019)**

(The Hon. Silvanus Osoro Onyiego, M.P.)

Second Reading

**16*. THE CONSTITUTION OF KENYA (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 19 OF 2019)**

(The Hon. Florence Mutua, M.P.)

Second Reading

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

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

Second Reading

**18*. THE CONSTITUTION OF KENYA (AMENDMENT)(No.2) BILL
(NATIONAL ASSEMBLY BILL NO. 40 OF 2019)**

(The Hon. George Kariuki, M.P.)

Second Reading

**19*. THE CONSTITUTION OF KENYA (AMENDMENT)(No.3) BILL
(NATIONAL ASSEMBLY BILL NO. 53 OF 2019)**

(The Hon. Gladys Boss Shollej, M.P.)

Second Reading

20*. THE ASSISTED REPRODUCTIVE TECHNOLOGY BILL
(NATIONAL ASSEMBLY BILL NO. 34 OF 2019)

(The Hon. Millie Odhiambo Mabona, M.P.)

Second Reading

*** Denotes Orders of the Day***

..... /Notices*

NOTICES

I. THE CANCER PREVENTION AND CONTROL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 65 OF 2019)

Notice is given that the Chairperson of the Departmental Committee on Health intends to move the following amendments to the Cancer Prevention and Control (Amendment) Bill, 2019 at the Committee Stage—

CLAUSE 3

THAT, Clause 3 of the Bill be amended in the proposed new paragraph (ba) by deleting the word “treatment” and substituting therefor the word “management”.

CLAUSE 4

THAT, Clause 4 of the Bill be amended in the proposed new subsection (3) by deleting the words “of medical oncologist” and substituting therefor the words “in oncology”.



II. The House resolved on Tuesday, September 8, 2020 as follows-

Limitation of debate on Bills, Motions, Sessional Papers and Committee Reports

THAT, pursuant to the provisions of Standing Order 97(1) and notwithstanding the resolution of the House of February 18, 2020, during the Sittings of the House of **September 8, 2020 up to and including October 15, 2020**, each speech in **debate on Bills, Motions** (*including Special Motions*), **Sessional Papers and Committee Reports**, shall be limited as follows:- a maximum of **two and half hours** with not more than ten (10) minutes for the Mover in moving and five (5) minutes in replying and a maximum of five (5) minutes for any other Member speaking, except for the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Committee who shall be limited to a maximum of ten (10) minutes, 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

Tentative business for

Thursday (Afternoon), October 08, 2020

(Published pursuant to Standing Order 38(1))

It is notified that the House Business Committee has approved the following *tentative* business to appear in the Order Paper for Thursday (Afternoon), October 08, 2020-

A. **PROCEDURAL MOTION- EXTENSION OF TIME FOR CONSIDERATION OF A PETITION**
(The Chairperson, Departmental Committee on Agriculture & Livestock)

B. **MOTION - REPORT ON THE IMPLEMENTATION STATUS OF THE REPORT ON A PETITION ON AN INQUIRY INTO THE CRISIS FACING THE SUGAR INDUSTRY IN KENYA**
(The Chairperson, Committee on Implementation)

(Question to be put)

C. **THE NARCOTICS, DRUGS AND PSYCHOTROPIC SUBSTANCES (CONTROL) (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 27 OF 2020)**
(The Chairperson, Departmental Committee on Administration & National Security)

First Reading

D. **MOTION - APPROVAL OF NOMINEES TO THREE NG-CDF COMMITTEES**
(The Chairperson, Select Committee on NG-CDF)

E. **THE PUBLIC FUNDRAISING APPEALS BILL (NATIONAL ASSEMBLY BILL NO. 66 OF 2019)**
(The Chairperson, Constitutional Implementation Oversight Committee)

Second Reading

F. **MOTION - SPECIAL AUDIT REPORT ON PROCUREMENT OF PRE-EXPORT VERIFICATION OF CONFORMITY TO STANDARD SERVICES BY THE KENYA BUREAU OF STANDARDS**
(The Chairperson, Public Investments Committee)

G. THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 13 OF 2018)

(The Chairperson, Departmental Committee on Administration and National Security)

Second Reading

H. THE COUNTY STATUTORY INSTRUMENTS BILL (SENATE BILL NO. 21 OF 2018)

(The Chairperson, Committee on Delegated Legislation)

Second Reading

I. THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (SENATE BILL NO. 24 OF 2018)

(The Chairperson, Committee on Delegated Legislation)

Second Reading

J. MOTION - CONSIDERATION OF SENATE AMENDMENTS TO THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (AMENDMENT) (No.3) BILL (NATIONAL ASSEMBLY BILL NO.35 OF 2019)

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

K. COMMITTEE OF THE WHOLE HOUSE

Consideration of Senate Amendments to the Independent Electoral & Boundaries Commission (Amendment) (No.3) Bill (National Assembly Bill No.35 of 2019)

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

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

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

Second Reading

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:-

QUE NO.

ORDINARY QUESTIONS

130/2020

The Member for Nakuru Town East (Hon. David Gikaria, MP) to ask the Cabinet Secretary for Education:-

- (i) Could the Cabinet Secretary explain why the presidential directive to all Secondary School Heads to release KCSE certificates and seek for compensation of fees arrears from the Ministry of Education is being disregarded by school heads?
- (ii) What is the Ministry doing to ensure school heads comply with the said presidential directive?; and
- (iii) What action is being taken against school principals/headmasters who continue to treat this directive with contempt?

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

236/2020

The Member for Westlands (Hon. Timothy Wanyonyi, MP) to ask the Cabinet Secretary for ICT, Innovation and Youth Affairs: -

- (i) Could the Cabinet Secretary explain the measures put in place to protect personal data of mobile phone users upon a mobile number being declared dormant by a mobile service provider and allocated to a new subscriber?
- (ii) What additional measures are put in place by the mobile service providers to protect the new subscribers from being followed by liabilities of the previous subscriber(s), such as demands for settlement of the mobile loan debts held by the previous subscriber?
- (iii) Could the Cabinet Secretary state whether there are any plans to classify mobile phone numbers as personal property, owned by the customer and capable of being transferred or inherited, considering the advanced use of mobile telephony in financial transactions, mobile banking and its recognition on the *e-Citizen* platform to access and transact various government services?

- (iv) Could the Cabinet Secretary outline the measures put in place to record, store, secure and later destroy all personal data, including mobile phone contacts, collected under contact tracing for the COVID-19 Pandemic?

(To be replied before the Departmental Committee on Communication, Information and Innovation)

264/2020

The Member for Ganze (Hon. Teddy Ngumbao Mwambire, MP) to ask the Cabinet Secretary for Energy: -

- (i) Could the Cabinet Secretary provide the status of electricity connectivity in Ganze Constituency, indicating the number of public schools, health centres and trading centres that are yet to be connected with electricity?
- (ii) When will the said schools and trading centres be connected, particularly *Muryachakwe Primary School, Muryachakwe Dispensary and Muryachakwe Trading Centre* despite poles having been erected in 2002?
- (iii) Why was the transformer at *Ndugumnani Trading Centre* in *Mwahera Location in Vitengeni Division* removed on 13th December 2019, and when will it be replaced?

(To be replied before the Departmental Committee on Energy)

265/2020

The Member for Manyatta (Hon. John Muchiri Nyaga, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development: -

- (i) Could the Cabinet Secretary explain the status of construction of the *Muthatari – Kimangaru – BAT and Muthatari – Karurina – Kivwe roads* in Manyatta Constituency to bitumen standards despite preliminary work having been done?
- (ii) What has caused the delay in the construction of *Ena - Kithimu – Kivwe – Kevote road* to bitumen standards as directed by the President in July 2017
- (iii) When is construction expected to commence and when is the expected completion date for the project?

(To be replied before the Departmental Committee on Transport, Public Works and Housing)

266/2020

The Member for Mwingi West (Hon. Charles Ngusya Nguna, MP) to ask the Cabinet Secretary for Lands and Physical Planning -

- (i) What is the current status of ownership of a parcel of Land LR Nzalae – Migwani Group Ranch – Block 1 in Nguutani Location, Nguutani Ward, Mwingi West Constituency?
- (ii) Could the Cabinet Secretary clarify whether an exercise to survey the said land is being carried out, and if so, what is the status of progress so far?

(To be replied before the Departmental Committee on Lands)

267/2020

The Member for Teso North (Hon. Oku Kaunya, MP) to ask the Cabinet Secretary for Health -

- (i) Could the Cabinet Secretary explain the cause of delay by the National Hospital Insurance Fund (NHIF) to issue contracts to *Cedar Hospital (Level 4) code (00178743)* and to renew the contract for *Cedar Clinical Associates (Level 2) code (0017481)* despite them having met all the accreditation and contracting requirements?
- (ii) Could the Cabinet Secretary confirm whether delay in issuance of the said contract has led to the suspension of all services between NHIF and *Cedar Hospital* including rebates and surgical packages since November 2019, and what measures have been taken to avoid the situation?
- (iii) Could the Cabinet Secretary state when the payments for services offered will be made and could the Ministry consider issuing the contracts to the said hospitals?

(To be replied before the Departmental Committee on Health)

272/2020

The Member for Mukurweini (Hon. Anthony Githiaka Kiai, MP) to ask the Cabinet Secretary for Industry, Trade and Cooperatives: -

- (i) Is the Cabinet Secretary aware that *Rumukia Farmers Cooperative Society Limited* in *Mukurweini Constituency* has a coffee milling plant which is currently not operational due to unserviceable debt amounting to Ksh.155, 000,000?
- (ii) Is the Cabinet Secretary further aware that *Rumukia Farmers Cooperative Society Limited* did not benefit from the President's directive on debt waiver despite making requests to the Ministry, at least four times in 2016 and 2018?

- (iii) What measures is the Ministry putting in place to ensure that *Rumukia Farmers Cooperative Society Limited* benefits from the said President's waiver directive and becomes operational?

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

274/2020

The Member for Saku (Hon. Col. (Rtd) Dido Ali Rasso, MP) to ask the Cabinet Secretary for Energy: -

- (i) What steps has the Ministry taken to address power rationing in Marsabit Town, Marsabit County, which has been experienced since July 2020?
- (ii) When is the Ministry replacing or rehabilitating the diesel generators that have been in use since the 1980s and given that their continued operation is unsustainable?
- (iii) Could the Ministry consider connecting Marsabit Township, its environs and the whole County to the National Grid or to other sustainable power supply such as wind power considering the increased high population, and state by when this will be done?

(To be replied before the Departmental Committee on Energy)

276/2020

The Member for Ikolomani (Hon. Benard Masaka Shinali, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -

- (i) Is the Cabinet Secretary aware of the massive influx of foreigners working without legal registration and permits in the country especially in Ikolomani Constituency?
- (ii) What measures has the Ministry taken to curb infiltration of illegal immigrants into the country and secure jobs meant for locals?
- (iii) What short term and long-term actions is the Ministry taking including putting in place policy measures to mitigate and ensure that illegal immigration is contained?

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

The Member for Malava (Hon. Malulu Injendi, MP) to ask the Cabinet for Education: -

- (i) How much funds was recently released by the Ministry to secondary schools to pay teachers employed by the *Schools' Board of Management* (BOM) and in particular money released to *Kakamega* North Sub-County, Malava Constituency?
- (ii) Could the Cabinet Secretary provide a list of all BOM teachers who were considered for payment from the funds, indicating the schools they teach, the amount paid per teacher and duration of payment?
- (iii) Could the Cabinet Secretary explain the criteria used in determining and approving BOM Teachers to be engaged by a school?

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