



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FOURTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, NOVEMBER 10, 2020

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

The following Papers were laid on the Table –

- (i) The report of the Auditor-General and Financial Statements of the Kenya National Highways Authority for the year ended 30th June, 2018 and the certificate therein.
- (ii) Report of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June, 2019 and the certificate therein:-
 - a) State Department for Trade
 - b) Public Service Commission

(Leader of Majority Party)

- (iii) Report of the Departmental Committee on Environment and Natural Resources on its consideration of a Petition regarding encroachment into the Nairobi National Park.

(Chairperson, Departmental Committee on Environment & Natural Resources)-

5. **QUESTIONS**

The following Question were asked –

- (i) **Question by No.246/2020** by the Member for Kimilili (Hon. Didmus Barasa) regarding capitation for each student and payment of extra levies under the free secondary programme in the country;

(To be replied to by the Cabinet Secretary for Education before the Departmental Committee on Education and Research)

- (ii) **Question by No.298/2020** by the Member for Tigania East (Hon. Josphat Gichunge) regarding beneficiaries under the Older Persons Cash Transfer in Tigania East constituency;

(To be replied to by the Cabinet Secretary for Labour and Social Protection before the Departmental Committee on Labour and Social Welfare)

- (iii) **Question by No.304/2020** by the Member for Kinango (Hon. Benjamin Taayari) regarding non operationalization of administrative units in Kinango Constituency ;

(To be replied to by the Cabinet Secretary for Interior and Coordination of National Government before the Departmental Committee on Administration and National Security)

- (iv) **Question by No.305/2020** by the Member for Sigowet/Soin (Hon. Kipsengeret Koros) regarding criteria applied in promoting teachers, particularly Principals and Deputy Principals;

(For written reply by the Teachers Service Commission)

- (v) **Question by No.309/2020** by the Member for Nakuru Town East (Hon. David Gikaria) regarding retirement of the Vice Chancellor of Egerton University;

(To be replied to by the Cabinet Secretary for Education before the Departmental Committee on Education and Research)

- (vi) **Question by No.311/2020** by the Member for Lamu West (Hon. Stanley Muthama) regarding criteria used in identification and registration of elderly persons in Lamu West Constituency to benefit from the Older Persons Cash Transfer Fund Programme

(To be replied to by the Cabinet Secretary for Labour and Social Protection before the Departmental Committee on Labour and Social Welfare)

- (vii) **Question by No. 321/2020** by the Member for Kitutu Masaba (Hon. Shadrack Mose) regarding construction of Metamaywa-Gesima-Mosobeti-Kebirigo road;

(To be replied to by the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works before the Departmental Committee on Transport, Public Works and Housing)

6. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following Communication –

**ON THE 2020 STATE OF THE NATION ADDRESS TO PARLIAMENT BY H.E. THE
PRESIDENT OF THE REPUBLIC OF KENYA**

Honourable Members,

You will recall that on Tuesday, 3rd November 2020, I conveyed a Message from His Excellency the President regarding the 2020 State of the Nation Address to Parliament pursuant to Article 132(1) of the Constitution of Kenya. The Address is scheduled for **Thursday, 12th November, 2020 at 2.30 pm**, in the National Assembly Chamber.

Honourable Members, you will agree that these are difficult times due to the ongoing global pandemic that has necessitated a reconsideration of some of our processes. In this regard, I wish to guide the House as follows –

1. Unlike previous occasions, Members of Parliament will not be allowed to invite guests to this year's event. This is in keeping with the Ministry of Health advisory on the capacity of our Chamber and other holding areas within the precincts. Additionally, members of the public will also not be invited this time round.
2. The Speakers of the Houses of Parliament have agreed on a sharing formula for the 114 seats available to the National Assembly Chamber. Eighty eight (88) of these will be reserved for use by Members of the National Assembly. In this regard, and through the usual channels, Members wishing to attend the Special Sitting are hereby required to register their intension starting from today, **Tuesday, 10th November, 2020 at 6pm**. The registration will be on a *first-come-first-allocated* basis.
3. Members of Parliament who may have been exposed or had interactions with persons exposed to COVID-19 are advised to self-isolate, go for check-up, and seek treatment if found unwell. This is in accordance with the Ministry of Health guidelines.
4. There will be no reception after the State of the Nation Address. However, the Main Restaurant will remain open and meals will be served in the usual manner.
5. Having consulted with the relevant State departments, only a limited number of Members will be allowed to receive H.E. the President upon his arrival in Parliament. Specifically, only the Speakers of the Houses of Parliament, the Deputy Speakers, and the Leaders of the Majority and Minority Parties and the Clerks of both Houses will form the receiving delegation.
6. All vehicles parked around the Parliament Courtyard should be removed not later than **Wednesday, 11th November, 2020 at noon**. This is in order to pave way for preparations of the Courtyard for other activities scheduled to take place immediately after the President's Address.

Honourable Members, as we look forward to the Special Sitting, may I reiterate my clarion call to all Members to be extra vigilant and adhere to the existing directives and protocols on COVID-19 control and prevention. We should all take personal responsibility for ourselves and those around us and not drop the guard.

The House is accordingly guided.

I thank you!

7. **STATEMENT REGARDING THE DEMISE OF HON. KYALE MWENDWA, FORMER MEMBER OF PARLIAMENT**

The Member for Kitui West (Hon. Edith Nyenze, MP) made a statement regarding the demise of Hon. Kyale Mwendwa, former Member of Parliament. Thereupon, the Member informed the House that the late Hon. Kyale Mwendwa, former Member of Parliament for Kitui West Constituency (1987 -1992), who passed on the morning of Tuesday November 3, 2020 following illness at the age of 94 years.

In 1985 Kyale Mwendwa being the elder brother to Kitili Mwendwa, the then Member of Parliament for Kitui West, died in a motor vehicle accident, he stood for the by-election, and was successfully elected as the Member of Parliament for Kitui West, unopposed. In 1987, the late President Daniel Arap Moi appointed him as a cabinet Minister for Livestock and later was moved to the Ministry of Water in 1989.

On her own behalf and on behalf of the People of Kitui west Constituency she conveyed her heartfelt condolences to the family, the People of Kitui west Constituency and the county government of Kitui.

8. **RESPONSE TO REQUEST FOR STATEMENT**

The Chairperson, Departmental Committee on Transport, Public Works and Housing issued a response to a statement requested by the Member for Embakasi West (Hon. George Theuri) regarding the overdue expansion of Kangundo Road.

9. **PROCEDURAL MOTION - EXTENSION OF TIME FOR APPOINTMENT OF MEMBERS TO COMMITTEES**

Motion made and Question proposed –

THAT, noting the recent changes in the membership of Committees of the House and pursuant to the provisions of Standing Order 256A (Extension of Period Prescribed), this House resolves to **further** extend the time for filling of the vacancies in the affected Committees by an additional 14 days from 12th November, 2020.

(The Chairperson, Committee on Selection)

There being no debate arising;

Question put and agreed to.

10. **SPECIAL MOTION – APPROVAL OF NOMINEES FOR APPOINTMENT AS HIGH COMMISSIONERS, AMBASSADORS AND PERMANENT REPRESENTATIVES**

Motion made and Question proposed –

THAT, taking into consideration the findings of the Departmental Committee on Defence and Foreign Relations in its Report on the Vetting of Nominees for

appointment as Ambassadors, High Commissioners and Permanent Representatives, *laid on the Table of the House on Tuesday, November 03, 2020*, and pursuant to the provisions of Article 132(2)(e) of the Constitution and Section 8 of the Public Appointments (Parliamentary Approval), Act, 2011, this House **approves** the appointment of the following persons as High Commissioners, Ambassadors and Permanent Representatives –

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|--------|---------------------------------------|---|--|
| (i) | Amb. John Tipis | - | High Commissioner to Canberra, Australia |
| (ii) | Ms. Immaculate Wambua | - | High Commissioner to Ottawa, Canada |
| (iii) | Amb. Catherine Mwangi | - | High Commissioner to Pretoria, South Africa. |
| (iv) | Amb. Martin Kimani | - | Permanent Representative to United Nations, New York |
| (v) | Amb. Jean Kimani | - | Permanent Representative to UN Habitat, Nairobi |
| (vi) | Amb. Tom Amolo | - | Ambassador to Berlin, Germany |
| (vii) | Mr. Lindsay Kiptiness | - | Ambassador to Bangkok, Thailand |
| (viii) | Amb. Daniel Wambura | - | Ambassador to Bujumbura, Burundi |
| (ix) | Ms. Stella Munyi | - | Ambassador to Harare, Zimbabwe |
| (x) | Maj. Gen. (Rtd.) Samuel Nandwa | - | Ambassador to Juba, South Sudan |
| (xi) | Maj. Gen. (Rtd.) Ngewa Mukala | - | Ambassador to Khartoum, Sudan |
| (xii) | Amb. Benson Ogutu | - | Ambassador to Moscow, Russia |
| (xiii) | Mr. Joshua Gatimu | - | Ambassador to Tehran, Iran |
| (xiv) | Amb. Tabu Irina | - | Ambassador to Tokyo, Japan |

(Chairperson, Departmental Committee on Defence and Foreign Relations)

Debate on the Motion having been concluded on Thursday, November 5, 2020;

Question put and agreed to.

11. **MOTION – INSPECTION ON THE PREPAREDNESS OF POLICE STATIONS IN THE MANAGEMENT OF COVID-19**

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Departmental Committee on Administration and National Security on the Inspection Tour to Assess the Preparedness of Police Stations in the Management of the COVID-19 Pandemic, in Nairobi and Kajiado Counties, laid on the Table of the House on Thursday, June 25, 2020.

(Chairperson, Departmental Committee on Administration and National Security)

Debate on the Motion having been concluded on Thursday, November 5, 2020;

Question put and agreed to.

12. **MOTION— SUSPENSION OF A SITTING DAY**

Motion made and Question proposed –

THAT, pursuant to the provisions of Standing Order 28(4) (*Calendar of the Assembly*) and notwithstanding the resolution of the House of Tuesday, November 3, 2020 on Alteration of its Calendar, this House resolves to **suspend** the Morning Sitting of Thursday, November 12, 2020 at 10.00 am.

(The Leader of the Majority Party)

Debate arising;

(Change of Chair from the Speaker to the Second Chairperson)

Mover replied;

Question put and agreed to.

13. **MOTION – SESSIONAL PAPER NO. 3 OF 2019 ON THE NATIONAL POLICY FOR THE ERADICATION OF FEMALE GENITAL MUTILATION**

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Departmental Committee on Labour and Social Welfare on its consideration of the Sessional Paper No. 3 of 2019 on the National Policy for the Eradication of Female Genital Mutilation, *laid on the Table of the House on Thursday, October 8, 2020*, and further **approves Sessional Paper No. 3 of 2019** on the National Policy for the Eradication of Female Genital Mutilation.

(Chairperson, Departmental Committee on Labour and Social Welfare)

Debate arising;

Mover replied;

Question deferred to another day.

14. **MOTION – INQUIRY INTO THE USE OF THE STANDARD GAUGE RAILWAY**

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Departmental Committee on Transport, Public Works and Housing on its Inquiry into the Use of the Standard Gauge Railway (SGR), *laid on the Table of the House on Tuesday, September 22, 2020*.

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

Debate arising;

And the time being Seven O'clock, the Second Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

15. **HOUSE ROSE** - at Seven O'clock.

MEMORANDUM

The Speaker will take the Chair on
Thursday, November 12, 2020 at 2.30 p.m.

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