

**Twelfth Parliament  
Session**

**(No.073)**



**Fifth**

**Afternoon  
Sitting  
(1402)**

**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT - FIFTH SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, AUGUST 3, 2021 (AFTERNOON SITTING)**

1. The House assembled at Thirty Minutes past Two O'clock in the afternoon
2. The Proceedings were opened with Prayer
3. **Presiding** - the Deputy Speaker
4. **PAPERS**

The following papers were laid on the Table of the House:-

- 1) Legal Notice No. 117 of 2021 relating to the Anti-Counterfeit (Amendment) Regulations, 2021 and the Explanatory Memorandum from the Ministry of Industrialization, Trade and Enterprise Development.
- 2) Legal Notice No. 118 of 2021 relating to the Anti-Counterfeit (Recordation) Regulations, 2021 the Explanatory Memorandum from the Ministry of Industrialization, Trade and Enterprise Development.
- 3) List of nominees to the National Government Constituencies Development Fund Committees for Nambale and Sirisia Constituencies.
- 4) Guidelines on Management of Human Resources in the Public Service during and Post Covid-19 Pandemic.
- 5) National Government Budget Implementation Review Report for the First Nine Months, FY 2020/21.

- 6) National Government Constituencies Development Fund Board Report for the Fourth Quarter of 2020/2021 Financial Year.
- 7) The First Quarterly Report of the Ethics and Anti-Corruption Commission covering the period from 1<sup>st</sup> January to 31<sup>st</sup> March, 2021.
- 8) Reports of the Auditor-General and Financial Statements of Kenya National Assurance Company (2001) Limited for the years ended 31<sup>st</sup> December, 2019 and 31<sup>st</sup> December, 2020 respectively and the certificates therein.
- 9) Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30<sup>th</sup> June, 2020 and the certificates therein: -
  - a) Public Sector Accounting Standards Board;
  - b) State Corporations Appeal Tribunal;
  - c) Islamic Development Bank (IDB) Capital Limited;
  - d) Financial Reporting Centre;

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- e) Kenya Deposit Insurance Corporation;
- f) Jubilee Party;
- g) Kenya Accountants and Secretaries National Examinations Board;
- h) Unclaimed Financial Assets Authority;
- i) Kenya Ferry Services Limited;
- j) National Oil Corporation of Kenya limited; and
- k) Unclaimed Assets Trust Fund.

*(The Majority Whip)*

## 5. **QUESTIONS**

(a) The following Questions were asked -

- (i) Question No.229/2021 by the Member for Kwale County (Hon. Zuleikha Hassan, MP) regarding implementation of the National Coroners Service Act.

*(To be replied to by the Cabinet Secretary for Health before the Departmental Committee on Health)*

- (ii) Question No.237/2021 by the Member for Kitui West (Hon. Edith Nyenze, MP) regarding disbursement of Cash Transfer programme funding to the elderly in Kitui West Constituency.

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

- (iii) Question No.254/2021 by the Member for Matuga (Hon. Kassim Tandaza, MP) regarding Higher Education Loans Board clearance certificates for fresh graduates.

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

- (iv) Question No.252/2021 by the Member for Tarbaj (Hon. Ahmed Bashane, MP) regarding the disappearance of two villagers in Tarbaj 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)*

(b) The following Question was deferred to a later date-

- (i) Question No.229/2021 by the Member for Meru County (Hon. (Bishop) Kawira Mwangaza, MP) regarding Universal Health Care in Meru County.

## 6. **STATEMENTS**

The Member for Ruaraka Constituency (Hon. T.J. Kajwang, MP) sought guidance from the Deputy Speaker on whether three Members who has recently travelled to Uganda had obtained the permission of the Honourable Speaker before proceeding to travel. The Deputy Speaker guided the House that pursuant to the provisions of Standing Order 260, a Member travelling outside the country is required to formally notify the Speaker through submission of a written notice that includes the scheduled itinerary, and the

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information therein cannot be divulged to any other person without the approval of the Speaker.

## 7. **THE FOREIGN SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 8 OF 2021)**

Motion made and Question proposed-

THAT, The Foreign Service Bill (National Assembly Bill No. 8 of 2021) be read a Second Time.

*(Chairperson, Departmental Committee on Defence and Foreign Relations -07.07.21)*

Debate on the Motion having been concluded on 07.07.2021;

Question put and agreed to;

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

## 8. **COMMITTEE OF THE WHOLE HOUSE**

The Deputy Speaker issued the following guidance:-

**GUIDANCE ON CONSIDERATION OF THE PARLIAMENTARY PENSIONS (AMENDMENT) (NO. 3) BILL (NATIONAL ASSEMBLY BILL NO. 57 OF 2019) IN COMMITTEE OF THE WHOLE HOUSE**

**“Honourable Members, before the House proceeds to Committee of the whole House to consider the Parliamentary Pensions (Amendment) (No. 3) Bill**

(National Assembly Bill No. 57 of 2019), I wish to guide the House and the Committee as follows –

1. You will recall that at the rise of the House during the afternoon sitting of Tuesday, 6<sup>th</sup> July 2021, the Committee of the Whole House had commenced reporting progress on its consideration of the Parliamentary Pensions (Amendment) (No. 3) Bill (National Assembly Bill No. 57 of 2019) pursuant to the provisions of Standing Order 134. This process was however not concluded then;
2. At the time, the Committee had considered the Bill up to New Clause 13A. In this regard and in line with the provisions of Standing Order 132 providing for *Sequence on a Bill in Committee*, what remained for consideration was **New Clause 18A, Clause 3, Title and Clause 1**;
3. In order to ensure completeness in the process, I will allow the Chairperson of the Committee of the Whole House to conclude reporting progress before we can proceed to Order No. 9 on today's Order Paper as the Bill is scheduled for consideration in Committee today;
4. **Honourable Members**, As indicated in the Notice Paper, **the Member for Homa Bay Town**, the Hon. Peter Kaluma has indicated intention to move a re-committal of New Clause 13A. Further, **the Member for Kanduyi**, the Hon. Wafula Wamunyinyi proposes amendment to Clause 8 & Clause 9.
5. As these parts had already been concluded, the two Members will have to seek a re-committal of the stated clauses in line with Standing Order 136A, if they still desire to move their amendments at the Committee of the whole House;

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6. However, I do hope they had time to appear before the Departmental Committee on Finance and National Planning during the short recess for purposes of consideration of their proposed amendments, as indeed ordered by the Speaker.

I thank you!"

Committee of the Whole House on The Parliamentary Pensions (Amendment) (No.3) Bill (National Assembly Bill No. 57 of 2019) deferred.

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

Motion made and Question proposed-

THAT, The County Governments (Amendment) Bill (Senate Bill No. 13 of 2018) be read a Second Time.

*(Chairperson, Departmental Committee on Administration and National Security - 29.06.21)*

Debate interrupted on 07.07.2021 resumed;

Debate concluded;

Mover replied;

Question put and agreed to;

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

10. **THE WAQF BILL (NATIONAL ASSEMBLY BILL NO. 73 OF 2019)**

Order for Second Reading read.

Motion made and Question proposed-

THAT, The Waqf Bill (National Assembly Bill No. 73 of 2019) be read a Second Time.

*(The Majority Whip)*

[Change of Chair from the Deputy Speaker to the Second Chairperson]

Debate arising;

Debate to resume.

11. **THE JUDICIAL SERVICE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 33 OF 2020)**

Order deferred.

12. **THE HEALTH LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2021)**

Order deferred.

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13. **THE NATIONAL HOSPITAL INSURANCE FUND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2021)**

Order deferred.

14. **THE SOCIAL ASSISTANCE (REPEAL) BILL (NATIONAL ASSEMBLY BILL NO. 16 OF 2020)**

Order deferred.

15. **THE LANDLORD AND TENANT BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2021)**

Order deferred.

And the time being Twenty One Minute past Six O'clock, the Second Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

16. **HOUSE ROSE** - Twenty One Minute past Six O'clock.

**M E M O R A N D U M**

The Speaker will take the Chair on-  
Wednesday, August 4, 2021 at 9.30am

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