

(No. 091)



(1102)

REPUBLIC OF KENYA
TWELFTH PARLIAMENT – (FIFTH SESSION)
THE NATIONAL ASSEMBLY
ORDERS OF THE DAY
THURSDAY, SEPTEMBER 23, 2021 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*. PROCEDURAL MOTION - LIMITATION OF DEBATE ON SPECIFIED REPORTS OF PETITIONS
 (The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 97(1) and following the resolution of the House of August 17, 2021 with respect to debate on three specified Reports of Petitions, this House orders that, each speech in a debate on **Reports of Petitions** be limited as follows:- A maximum of one hour and twenty minutes, with not more than fifteen (15) minutes for the Mover in moving and five (5) minutes for any other Member speaking, **including** the Leader of the Majority Party and the Leader of the Minority Party, and that five (5) minutes before the expiry of the time, the Mover be called upon to reply; and further that priority in speaking be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

9*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE IRRIGATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2021)
 (The Leader of the Majority Party)

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Irrigation (Amendment) Bill (National Assembly Bill No. 12 of 2021).

(Question to be put and Third Reading)

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

(The Leader of the Majority Party)

Second Reading
(Question to be put)

11*. THE TAX APPEALS TRIBUNAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 19 OF 2021)

(The Leader of the Majority Party)

Second Reading
(Question to be put)

12*. MOTION - APPROVAL OF NOMINEES TO THREE NATIONAL GOVERNMENT CONSTITUENCY DEVELOPMENT FUND COMMITTEES

(The Chairperson, Select Committee on the National Government Constituencies Development Fund)

THAT, pursuant to the provisions of section 43(4) of the National Government Constituency Development Fund Act, 2015 and paragraphs 5(2) and (10) of the National Government Constituencies Development Fund Regulations, 2016, this House **approves** the list of nominees for appointment to the following three (3) Constituency Committees of the National Government Constituency Development Fund, *laid on the Table of the House on Tuesday, August 3, 2021 and Tuesday, August 17, 2021*, respectively –

1. NAMBALE CONSTITUENCY

NO.	NAME	CATEGORY	STATUTORY PROVISION FOR ASSUMPTION OF POSITION	FOR OF
1.	Tryphosa Ngobiro Muyodi	<i>Female Youth Representative</i>	Fresh appointment, pursuant to Sec.43(3)	

...../12*(Cont'd)

2. SIRISIA CONSTITUENCY

NO.	NAME	CATEGORY	STATUTORY PROVISION ASSUMPTION POSITION	FOR OF
1.	David Watwati Bunguswa	<i>Male Adult Representative</i>	Fresh appointment, pursuant to Sec.43(3)	

3. BONCHARI CONSTITUENCY

NO.	NAME	CATEGORY	STATUTORY PROVISION ASSUMPTION POSITION	FOR OF
1.	Jared Nyakeya Achando	<i>Male Youth Representative</i>	Fresh appointment, pursuant to Sec.43(3)	
2.	Joseph Somoni Mokuwa	<i>Male Adult Representative</i>	Fresh appointment, pursuant to Sec.43(3)	
3.	Helina Morang'a Kemunto	<i>Female Youth Representative</i>	Fresh appointment, pursuant to Sec.43(3)	
4.	Christine Mbeki Bonareri	<i>Female Adult Representative</i>	Fresh appointment, pursuant to Sec.43(3)	
5.	Hellen Ondieki Bonareri	<i>Representative of Persons with Disability</i>	Fresh appointment, pursuant to Sec.43(3)	
6.	Charles Nyangoto Ogaro	<i>Nominee of the Constituency Office (Male)</i>	Fresh appointment, pursuant to Sec.43(3)	
7.	Monicah Suleiman Mwango	<i>Nominee of the Constituency Office (Female)</i>	Fresh appointment, pursuant to Sec.43(3)	

13*. MOTION - THE DRAFT ELECTION CAMPAIGN FINANCING REGULATIONS

(The Chairperson, Committee on Delegated Legislation)

THAT, this House **adopts** the Report of the Committee on Delegated Legislation on its consideration of the Draft Election Campaign Financing Regulations submitted by the Independent Elections and Boundaries Commission on 5th August, 2021 *laid on the Table of the House on Tuesday, August 17, 2021* and pursuant to the provisions of Articles 10, 118 and 259 of the Constitution, the Interpretation and General Provisions Act (Cap. 2), sections 5, 12, 18, 19 and 29(2) of the Election Campaign Financing Act, 2013 and section 18 of the Statutory Instruments Act, 2013-

- (a) **annuls in entirety** *The Contributions and Spending limits for Political Parties and Candidates for the purposes of the General Election to be held on 9th August, 2022* notified and published as Gazette Notice No. 8024 of 9th August 2021; and,
- (b) **rejects** the *Draft Election Campaign Financing Regulations* submitted to the National Assembly by the Independent Elections and Boundaries Commission on 5th August 2021.

14*. THE TRUSTEES (PERPETUAL SUCCESSION) (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 23 OF 2021)

(The Chairperson, Departmental Committee on Finance and National Planning)

Second Reading

15*. MOTION - REPORT ON A PUBLIC PETITION REGARDING INSECURITY IN SAKU CONSTITUENCY AND THE LARGER MARSABIT COUNTY

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

THAT, this House **adopts** the Report of the Departmental Committee on Administration and National Security on its consideration of a Public Petition regarding insecurity in Saku Constituency and the larger Marsabit County, *laid on the Table of the House on Wednesday, August 11, 2021*.

16*. MOTION - REPORT ON A PUBLIC PETITION BY RESIDENTS OF WAJIR AND GARISSA COUNTIES REGARDING LACK OF ACCESS TO CITIZEN REGISTRATION SERVICES

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

THAT, this House **adopts** the Report of the Departmental Committee on Administration and National Security on its consideration of a Public Petition by residents of Wajir and Garissa Counties regarding lack of access to Citizen Registration Services, *laid on the Table of the House on Wednesday, August 11, 2021*.

17*. **MOTION - REPORT ON A PUBLIC PETITION REGARDING RECOGNITION OF THE PEMBA PEOPLE OF KENYA AS CITIZENS OF THE REPUBLIC OF KENYA**

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

THAT, this House **adopts** the Report of the Departmental Committee on Administration and National Security on its consideration of a Public Petition regarding Recognition of the Pemba People of Kenya as Citizens of the Republic of Kenya, *laid on the Table of the House on Wednesday, August 11, 2021.*

18*. **MOTION - RATIFICATION OF THE AGREEMENT AMENDING THE AIR TRANSPORT AGREEMENT BETWEEN KENYA AND THE UNITED STATES OF AMERICA**

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

THAT, this House **adopts** the Report of the Departmental Committee on Transport, Public Works and Housing on its consideration for ratification of the Agreement amending the Air Transport Agreement between Kenya and the United States of America, *laid on the Table of the House on Wednesday, August 18, 2021*, and pursuant to the provisions of sections 7 and 8 of the Treaty Making and Ratification Act, 2012, **approves** *Ratification of the Agreement amending the Air Transport Agreement between Kenya and the United States of America.*

19*. **THE RADIOGRAPHERS BILL (NATIONAL ASSEMBLY BILL NO. 47 OF 2019)**

(The Chairperson, Departmental Committee on Health)

Second Reading

20*. **THE NATIONAL COHESION AND PEACE BUILDING BILL (SENATE BILL NO. 35 OF 2018)**

(The Chairperson, Committee on National Cohesion and Equal Opportunity)

Second Reading

21*. **THE KENYA ROADS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 13 OF 2021)**

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

Second Reading

22*. **THE PERPETUITIES AND ACCUMULATIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.24 OF 2021)**

(The Chairperson, Departmental Committee on Finance and National Planning)

Second Reading

23*. MOTION – SESSIONAL PAPER NO. 1 OF 2021 ON THE NATIONAL WATER POLICY

(The Chairperson, Departmental Committee on Environment and Natural Resources)

THAT, this House **adopts** the Report of the Departmental Committee on Environment and Natural Resources on **Sessional Paper No. 1 of 2021** on the **National Water Policy** *laid on the Table of the House on Wednesday, August 4, 2021*, and **further approves** Sessional Paper No. 01 of 2021.

24*. MOTION - ROLL-OUT OF COVID-19 ECONOMIC STIMULUS PROGRAMME

(Party-Sponsored Motion)

(The Hon. Abdullswamad Nassir, M.P.)

THAT, **aware** that the COVID-19 Pandemic continues to devastate the Kenyan economy as exemplified by its staggering effects on economic growth that have led to massive losses of jobs and unprecedented layoffs, an underperforming financial market, distortion of monetary and fiscal policies, instability of the Kenyan shilling, fluctuating global trade, and general strain on medical facilities countrywide; **concerned that** reports from the Kenya National Bureau of Statistics reveal a substantial decline in the number of employed Kenyans as well as reduced employment opportunities; **deeply concerned that** the frequent lockdowns instituted by the Executive with the objective of countering the spread of the pandemic are a key cause of the underperforming economy despite the noble intention behind their implementation; **further aware that** the current unprecedented challenges call for extraordinary but necessary solutions, **this House urges the National Government to roll out a COVID-19 Economic Stimulus Programme that incorporates an enhanced *Kazi Mtaani* concept in urban areas and a new *Kazi Mashambani* concept in rural areas, enhances Cash Transfer Packages to the elderly, orphans, the vulnerable and the destitute, eliminates all forms of lockdowns, curfews and travel restrictions and replaces them with less stringent yet equally effective and economy-friendly containment measures including provision of Personal Protective Equipment and sanitization protocols, and rolls out a mass vaccination campaign that includes restriction of access to work premises by non-vaccinated employees, among other similarly effective interventions to stimulate economic recovery and national growth.**

* Denotes Orders of the Day

NOTICES

LIMITATION OF DEBATE

The House resolved on Wednesday, February 10, 2021 as follows-

Limitation of Debate on Motions

- I. **THAT**, each speech in a debate on any **Motion, including a Special motion** shall be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and **THAT** ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and **THAT** priority in speaking shall be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in **THAT** order.

Limitation of Debate on Committee Reports

- II. **THAT**, each speech in a debate on **Committee Reports (except for Reports of Audit Committees)**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House for which limitation of time has not been specified, shall be limited as follows:- A maximum of two and a half hours, with not more than twenty (20) minutes for the Mover in moving and five (5) minutes for any other Member speaking, **including** the Leader of the Majority Party and the Leader of the Minority Party and the Chairperson of the relevant Committee (if the Committee Report is not moved by the Chairperson of the relevant Committee), and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and further **THAT** priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in **THAT** order.

Limitation of Debate on Bills sponsored by Parties or Committees

- III. **THAT**, each speech in a debate on **Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** shall be limited as follows:- A maximum of forty five (45) minutes for the Mover, in moving and fifteen minutes (15) in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee), and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each (if the Bill is not sponsored by either of them); and **THAT** priority in speaking shall be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in **THAT** order.

Limitation of Debate on Sessional Papers

- IV. THAT**, each speech in a debate on any **Sessional Paper** shall be limited as follows:- A maximum of two and a half hours, with not more than twenty (20) minutes for the Mover in moving and five (5) minutes for any other Member speaking, **including** the Leader of the Majority Party and the Leader of the Minority Party and the Chairperson of the relevant Committee (if the Sessional Paper is not moved by the Chairperson of the relevant Committee), and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and **THAT** priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in **THAT** order.
-

NOTICE PAPER

Tentative business for

Tuesday, September 28, 2021

(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 Tuesday, September 28, 2021-

A. COMMITTEE OF THE WHOLE HOUSE

The National Hospital Insurance Fund (Amendment) Bill (National Assembly Bill No. 21 of 2021)

(The Leader of the Majority Party)

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

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

D. MOTION - RATIFICATION OF THE AGREEMENT AMENDING THE AIR TRANSPORT AGREEMENT BETWEEN KENYA AND THE UNITED STATES OF AMERICA

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

(If not concluded on Thursday, September 23, 2021)

E. MOTION - SESSIONAL PAPER NO. 1 OF 2021 ON THE NATIONAL WATER POLICY

(The Chairperson, Departmental Committee on Environment and Natural Resources)

(If not concluded on Thursday, September 23, 2021)

...../Appendix*

A P P E N D I X

NOTICE OF PETITIONS, QUESTIONS & STATEMENTS

ORDER NO.4 - PETITIONS

It is **notified** that, pursuant to the provisions of Standing Order 225, the following Petition will be presented -

No.	Subject	Petitioner(s)	Relevant Committee
035/2021	Implementation of the Competency-Based Curriculum (CBC) <i>(to be presented pursuant to S.O.225(2)(b))</i>	<i>The Hon. Wilson Sossion, MP on behalf of Parents and education stakeholders</i>	D.C. on Education and Research

ORDER NO.7 - QUESTIONS

It is notified that, pursuant to the provisions of Standing Order 42A (5), the following Members will ask **questions** for reply before the specified Committees-

QUE NO

ORDINARY QUESTIONS

344/2021 **The Member for Laikipia County (Hon. Catherine Waruguru, MP) to ask the Cabinet Secretary for Labour and Social Protection: -**

- (i) Could the Cabinet Secretary state how often the *Inua Jamii Cash Programme* register is updated for purposes of registration of new beneficiaries who meet the eligibility criteria and deregistration of deceased beneficiaries and explain what else informs the frequency of the update?
- (ii) Given that age is an important criteria for eligibility for enrollment into the *Programme*, could the Ministry ensure registration of new beneficiaries on a continuous basis?
- (iii) What measures has the Ministry put in place to ensure that newly eligible Older Persons including those from *Male* area in *Tigithi Ward, Laikipia East* Constituency are promptly registered?
- (iv) What steps has the Ministry taken to ensure timely disbursement of funds to the beneficiaries of the *Programme* countrywide?

(To be replied before the Departmental Committee on Labour and Social Welfare)

364/2021 **The Member for Matuga (Hon. Kassim Tandaza, MP) to ask the Cabinet Secretary for Education: -**

- (i) What measures has the Ministry put in place to ensure smooth implementation of the Competency Based Curriculum (CBC) in all schools?
- (ii) Could Cabinet Secretary confirm whether all stakeholders were involved in the development of the new curriculum and its rollout?
- (iii) Could the Cabinet Secretary provide a list of all secondary school teachers undergoing training for the new curriculum across the country and explain how the training is being rolled out particularly in Matuga Constituency?

(iv) Could the Cabinet Secretary avail the number of infrastructure projects such as workshops, laboratories and sports fields that the Government is putting up, if any, to support in the success of CBC across the country and in particular in Matuga Constituency?

(v) Could the Cabinet Secretary provide the status of the implementation of the initiatives in paragraph (iv) above, indicating the commencement dates, amount of money utilized so far, and the expected completion dates?

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

365/2021

The Member for Makueni (Hon. Daniel Maanzo, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works: -

(i) Could the Cabinet Secretary explain why the Government Housing Project for civil servants in *Wote Town*, Makueni Constituency which was started in 1989 stalled?

(ii) Could the Cabinet Secretary provide the total amount of funds that were allocated for the project, the amount already paid to the Contractors and the outstanding amount, if any?

(iii) What actions does the Ministry normally take against contractors who abandon sites without having completed projects awarded to them?

(iv) Could the Cabinet Secretary explain the measures that the Ministry has put in place to ensure speedy completion of the said project and provide the revised timeline of its completion?

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

369/2021

The Member for Maragua (Hon. Mary Wamaua, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works: -

(i) Could the Cabinet Secretary explain why the National and Transport Safety Authority charges Kshs.750 for issuance of interim driving licenses?

- (ii) Could the Cabinet Secretary also explain why the Authority has not been issuing the interim driving licenses despite collecting the said fee?
- (iii) What is the rationale for compelling applicants to pay and obtain the interim driving licenses and require them to also obtain the smart driving licenses?
- (iv) When will the Authority harmonize the process of application and issuance of interim driving license with that of issuance of the new smart driving license?

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

371/2021 The Member for Homa Bay Town (Hon. Peter Kaluma, MP) to ask the Cabinet Secretary Education: -

- (i) Could the Cabinet Secretary explain why the Higher Education Loans Board (HELB) is yet to release funding for students joining Universities and other Institutions of Higher Learning for the 2021/2022 Academic Year across the country and in particular for the first years joining the University of Nairobi?
- (ii) What steps is the Ministry taking to ensure that the said money is released to students and could the Cabinet Secretary provide the timelines for the release of the said monies?
- (iii) What procedure has HELB instituted to enable eligible students who have not attained the age of 18 years access funding?

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

372/2021 The Member for Tigania West (Hon. (Dr.) John Mutunga, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -

- (i) What measures has the Ministry taken to address insecurity in Tigania West Constituency, which has escalated in the recent past?
- (ii) Could the Cabinet Secretary indicate whether police across the country, especially those serving in Tigania West, have undergone re-training for enhanced service delivery following the recent police reforms, which among other things resulted in the merger of regular and the administration police?

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

ORDER NO.7 - STATEMENTS

It is **notified** that, pursuant to the provisions of Standing Order 44(2)(c) the following Statements will be requested –

No.	Subject	Member	Relevant Committee
1.	Delayed Distribution of BT cotton seeds to farmers	<i>The Hon. Oku Kaunya, MP</i>	D.C. on Agriculture and Livestock
2.	Upsurge of unregulated investment schemes and Financial fraudsters in the country	<i>The Hon. John Munene Wambugu, MP</i>	D.C. on Finance and National Planning
3.	Land ownership in Embobut/Embolot areas in Marakwet East Constituency	<i>The Hon. Kangogo Bowen, MP</i>	D.C on Environment and Natural Resources
