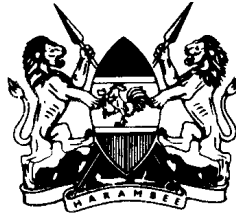


(No. 099)



(1243)

**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – (FIFTH SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**THURSDAY, OCTOBER 07, 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\*. THE LANDLORD AND TENANT BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2021)**

(The Leader of the Majority Party)

Second Reading

*(Question to be put)*

**9\*. 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 section 8(4) 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.*

*(Question to be put)*

**10\*. MOTION – RATIFICATION OF PROTOCOLS TO THE AFRICAN CHARTER ON HUMAN AND PEOPLE’S RIGHTS ON THE RIGHTS OF OLDER PERSONS AND THE RIGHTS OF PERSONS WITH DISABILITIES**

(The Chairperson, Departmental Committee on Defence and Foreign Relations)

**THAT**, this House **adopts** the Report of the Departmental Committee on Defence and Foreign Relations on the Ratification of Protocols to the African Charter on Human and People’s Rights on the Rights of Older Persons and the Rights of Persons with Disabilities, *laid on the Table of the House on Wednesday, September 22, 2021*, and pursuant to the provisions of section 8(4) of the Treaty Making and Ratification Act, 2012, **approves** –

- (i) the *Ratification of the Protocol to the African Charter on Human and People’s Rights on the Rights of Older Persons in Africa; and,*
- (ii) the *Ratification of the Protocol to the African Charter on Human and People’s Rights on the Rights of Persons with Disabilities in Africa.*

*(Question to be put)*

**11\*. MOTION - CONSIDERATION OF THE INCOME TAX EXEMPTION ON THE SEND-OFF PACKAGE PAYABLE TO EMPLOYEES OF THE KENYA AIRWAYS PLC**

(The Chairperson, Committee on Delegated Legislation)

**THAT**, this House **adopts** the Report of the Committee on Delegated Legislation on its consideration of the Income Tax Exemption on the Send-off Package payable to employees of the Kenya Airways PLC, 2021, *laid on the Table of the House on Wednesday, September 29, 2021*, and pursuant to the provisions of section 13(3) of the Income Tax Act (Cap 470), **approves** the Income Tax Exemption on the Send-off Package payable to employees of the Kenya Airways PLC, 2021, published as *Legal Notice No. 115 of 2021*.

**12\*. MOTION – CONSIDERATION OF OUTSTANDING FUNDS PAYABLE TO THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND BY THE NATIONAL TREASURY**

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

**THAT**, this House **adopts** the Report of the Select Committee on National Government Constituencies Development Fund on the outstanding funds payable to the National Government Constituencies Development Fund by the National Treasury, *laid on the Table of the House on Wednesday, September 22, 2021*.

**13\*. 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.*

*(Resumption of debate interrupted on Thursday, September 23, 2021)  
(Balance of time – 53 minutes)*

**14\*. 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.*

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

(The Chairperson, Departmental Committee on Health)

Second Reading

**16\*. MOTION - ESTABLISHMENT OF A PARLIAMENTARY HEALTH SERVICES UNIT**

(The Chairperson, Committee on Members' Services and Facilities)

**THAT**, this House **adopts** the Report of the Select Committee on Members' Services and Facilities on Establishment of a Parliamentary Health Services Unit, *laid on the Table of the House on Wednesday, August 11, 2021.*

**17\*. MOTION - STUDY VISIT TO THE LEGISLATIVE ASSEMBLY OF ALBERTA, CANADA**

(The Chairperson, Committee on Members' Services and Facilities)

**THAT**, this House **adopts** the Report of the Committee on Members' Services and Facilities on a Study Visit to the Legislative Assembly of Alberta, Canada undertaken from 14<sup>th</sup> to 18<sup>th</sup> October 2020, *laid on the Table of the House on Tuesday, December 1, 2020.*

18\*. MOTION - THIRD REPORT ON IMPLEMENTATION STATUS OF INQUIRIES, PETITIONS AND RESOLUTIONS OF THE HOUSE

(The Chairperson, Committee on Implementation)

**THAT**, this House **adopts** the Third Report of the Committee on Implementation on its consideration of the submissions from stakeholders regarding Implementation Status of Inquiries, Petitions and Resolutions passed by the House, *laid on the Table of the House on Tuesday, September 28, 2021.*

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

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

Second Reading

20\*. 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.**

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\* Denotes Orders of the Day

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# **N O T I C E S**

## **I. PROPOSED AMENDMENTS TO THE MOTION ON THE REPORT ON A PUBLIC PETITION REGARDING INSECURITY IN SAKU CONSTITUENCY AND THE LARGER MARSABIT COUNTY**

Notice is hereby given that the Member for Saku (Hon. Dido Rasso, MP) intends to move the following amendments to the Motion on the Report on a Public Petition regarding insecurity in Saku Constituency and the larger Marsabit County -

THAT, the Motion be amended by inserting the following after the figure “2021”-

“Subject to the following-

- a) deletion of **Recommendation 2** appearing under ‘Recommendations’ in Part 5 on page 90 of the Report;
- b) deletion of the words **“including; Ambalo, Badan Rero, Elle Bor, Elle Dimtu and Kubi Qallo”** after the word ‘County’ in **Recommendation 4** appearing under ‘Recommendations’ in Part 5 on page 90 of the Report;
- c) deletion of Recommendation 8 appearing under ‘Recommendations’ in Part 5 on page 91 of the Report and substitution with the following-
  8. *The Cabinet Secretary for Interior and Co-ordination of National Government, as a matter of urgency, ensures adequate National Police Service personnel are deployed to Marsabit and any existing gaps to be filled by Kenya Police Reservists in coordination and consultation with the National Police Service.*
- d) deletion of the words **“in Kosso Banchale, Salesa and Isacko Umuro”** after the words ‘displaced persons’ in Recommendation 4 appearing under ‘Recommendations’ in Part 5 on page 91 of the Report;
- e) insertion of the following new **Recommendations** under ‘Recommendations’ in Part 5 on page 92 of the Report -
  17. *The Cabinet Secretary for Lands and Physical Planning and the National Land Commission, as a matter of urgency, should address the disputes and clearly demarcate Administrative and Communal Boundaries in Marsabit County.*

18. *The Cabinet Secretary for Interior and Coordination of National Government should rationalize the creation of new sub-Counties in Marsabit County, and address the current imbalance across the four Constituencies, that is, Saku, Laisamis, North Horr and Moyale, as a matter of urgency.*
19. *The Cabinet Secretary for Interior and Coordination of National Government should facilitate the return of Kenyan refugees in Ethiopia.*
20. *The National Government should compensate victims for loss of lives, properties and livelihoods as a result of this conflict.*
21. *A Commission of Inquiry should be established pursuant to the provisions of the Commissions of Inquiry Act (Cap.103) to comprehensively look into the perennial security problems of Marsabit County and come up with a lasting solution.*

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## **LIMITATION OF DEBATE**

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

### **Limitation of Debate on Bills sponsored by Parties or Committees**

- II. 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 Committee Reports**

- III. 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 Motions**

- IV. 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.

The House further resolved on Thursday, September 23, 2021 as follows-

Limitation of Debate on Reports of Petitions

- V. THAT**, following the resolution of the House of August 17, 2021 with respect to debate on three specified Reports of Petitions, each speech in a debate on **Reports of Petitions** shall 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 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.
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# **NOTICE PAPER**

## **Tentative business for Tuesday October 12, 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, October 12, 2021-

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

The Waqf Bill (National Assembly Bill No. 73 of 2019)  
(The Leader of the Majority Party)

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

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

### **C. MOTION - RATIFICATION OF THE BILATERAL AIR SERVICES AGREEMENTS BETWEEN THE REPUBLIC OF KENYA AND THE REPUBLIC OF SOUTH AFRICA; AND BETWEEN THE REPUBLIC OF KENYA AND THE REPUBLIC OF BOTSWANA**

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

### **D. MOTION – RATIFICATION OF THE BILATERAL AIR SERVICES AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF KENYA AND THE GOVERNMENT OF THE RUSSIAN FEDERATION**

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

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

(The Leader of the Majority Party)

Second Reading

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...../Appendix\*

# APPENDIX

## **NOTICE OF PETITIONS, QUESTIONS & STATEMENTS**

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### **ORDER NO.4 - PETITIONS**

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

<b>No.</b>	<b>Subject</b>	<b>Petitioner(s)</b>	<b>Relevant Committee</b>
050/2021	Inclusion of the National Prayer Day as a Public Holiday	<i>To be reported by the Speaker on behalf of Mr. Isaac Njuguna Ng'aru</i>	D.C. on Administration and National Security
056/2021	Appeal for land adjudication in Wasini Island	<i>To be presented by the Hon. Khatib Mwashetani, MP on behalf of residents of Wasini Island</i>	D.C. on Lands

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...../Appendix\*(Cont'd)

# ORDER NO.7 - QUESTIONS

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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**

261/2021

**The Member for Wundanyi (Hon. Danson Mwashako, MP) to ask the Cabinet Secretary for ICT, Innovation and Youth Affairs: -**

- (i) Could the Cabinet Secretary provide names of all firms which own communication masts and installations at the *Vuria Hill* in Wundanyi Constituency?
- (ii) Could the Cabinet Secretary explain why the road leading to the said installations has not been maintained and why the owners of the masts have failed to carry out Corporate Social Responsibility (CSR) projects for the community living in the area particularly in *Mghange Area*, considering that the masts and installations have occupied and disenfranchised the community of a recreational site and viable area for tourism purposes?
- (iii) Could the Cabinet Secretary clarify whether any environmental impact assessment on health and safety of the masts and installed equipment was carried out, particularly on the effect and nature of the network and wave transmissions before installation of the masts?
- (iv) Could the Cabinet Secretary consider involving the area community on employment of technicians from amongst the locals for jobs such as routine maintenance of the masts and equipment, and of the surrounding environment and pathways leading to the said installations?

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

377/2021

**The Member for Marsabit County (Hon. Safia Sheikh Adan, MP) to ask the Cabinet Secretary for Health: -**

- (i) What is the status of the implementation of the Universal Health Coverage programme in the country?

- (ii) When does the Government intend to fully implement the said programme across the country to enable all persons access quality and affordable medical coverage in view of the COVID-19 Pandemic?

*(To be replied before the Departmental Committee on Health)*

419/2021

**The Member for Kitui Rural (Hon. Mboni Mwalika, MP) to ask the Cabinet Secretary for National Treasury and Planning:**

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- (i) Could the Cabinet Secretary provide the list of firms registered to undertake betting and gaming activities?
- (ii) Could the Cabinet Secretary outline the impact or benefits to the Kenyan economy arising from betting and gaming activities and companies?
- (iii) Could the Cabinet Secretary state the amount of tax revenue generated from betting and gaming activities through broadcast media in Kenya for the last two years and provide the tax compliance status of all the registered betting and gaming firms?
- (iv) Could the Cabinet Secretary provide details of cases of money laundering activities, if any, that may have been undertaken through the betting and gaming activities in the country, and indicate the steps taken to monitor, deter, arrest and prosecute the culprits?

*(To be replied before the Departmental Committee on Finance and National Planning)*

420/2021

**The Nominated Member (Hon. Godfrey Osotsi, MP) to ask the Cabinet Secretary for Lands and Physical Planning: -**

- (i) What is the ownership status of parcels of land within *Mautuma* Central Settlement Scheme in *Lugari* sub-county, *Kakamega* county that were allocated to several landowners from *Vibiga* county as compensation following compulsory acquisition of their land by the Government in 2001 to create space for the construction of *Vibiga* District headquarters (presently *Vibiga* County headquarters)?
- (ii) Could the Cabinet Secretary confirm claims that some land owners whose land was acquired by the Government settled back in their original land in *Vibiga County* following challenges in occupying settlement scheme?

(iii) What is the ownership status of the parcel of land LR No. *South Maragoli/Bugonda/2097* within *Mautuma Central Settlement Scheme*?

(iv) What specific steps is the Ministry taking to assist the rightful owners of the parcel of land in (iii) above and the local community considering the challenges faced in settling on the land allocated by the Government within *Mautuma Central Settlement Scheme* and the court ruling in the case No. 65 of 2020?

*(To be replied before the Departmental Committee on Lands)*

422/2021

**The Member for Tigania East (Hon. Josphat Kabeabea, MP)  
to ask the Cabinet Secretary for Defence: -**

(i) Could the Cabinet Secretary explain why the Kenya Defence Forces Officers in *School of Artillery and 78 Tank Battalion Garrisons* located in Isiolo and Meru Counties respectively, continue to harass the residents of Tigania East Constituency despite the existence of a court order stopping such harassments?

(ii) What steps is the Ministry taking to ensure peaceful co-existence between the KDF Officers in the two Garrisons and civilians in Tigania East Constituency?

*(To be replied before the Departmental Committee on Defence and Foreign Relations)*

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## **ORDER NO.7 - STATEMENTS**

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

<b>No.</b>	<b>Subject</b>	<b>Member</b>	<b>Relevant Committee</b>
1.	Disappearance and subsequent death of Abubakar Muli Nduva, resident of Matungulu Constituency	<i>The Hon. Stephen Mule, MP</i>	D.C. on Administration and National Security

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