

(No. 109)



(1428)

**REPUBLIC OF KENYA**  
**TWELFTH PARLIAMENT – (FIFTH SESSION)**  
**THE NATIONAL ASSEMBLY**  
**ORDERS OF THE DAY**  
**THURSDAY, NOVEMBER 11, 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\*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE SUGAR BILL (NATIONAL ASSEMBLY BILL NO. 68 OF 2019)**  
(The Hon. Wafula Wamunyinyi, M.P.)

**THAT**, this House do agree with the Report of the Committee of the whole House on its consideration of the Sugar Bill (National Assembly Bill No. 68 of 2019).

*(Question to be put and Third Reading)*

**9\*. SPECIAL MOTION – CONSIDERATION OF NOMINEES FOR APPOINTMENT TO THE ETHICS AND ANTI-CORRUPTION COMMISSION**  
(The Chairperson, Departmental Committee on Justice and Legal Affairs)

**THAT**, taking into consideration the findings of the Departmental Committee on Justice and Legal Affairs in its Report on its consideration of *Nominees for Appointment as Members of the Ethics and Anti-Corruption Commission (EACC), laid on the Table of the House on Tuesday, November 9, 2021* and pursuant to the provisions of section 10(3) of the Ethics and Anti-Corruption Commission Act, 2011 and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Col. (Rtd) Alfred Mtuweta Mshimba** and **Dr. Monica Wanjiru Muiru** as Members of the Ethics and Anti-Corruption Commission.

*(Question to be put)*

**10\*. SPECIAL MOTION – CONSIDERATION OF NOMINEES FOR APPOINTMENT TO THE PRIVATIZATION COMMISSION**

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

**THAT**, taking into consideration the findings of the Departmental Committee on Finance and National Planning in its Report on its consideration of *Nominees for Appointment as Members of the Privatization Commission, laid on the Table of the House on Tuesday, November 9, 2021*, and pursuant to the provisions of section 5(1)(d) of the Privatization Act, 2005 and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of the following persons to the Privatization Commission –

- |              |                              |   |             |
|--------------|------------------------------|---|-------------|
| <b>(i)</b>   | Dr. Edward N. Kobuthi, PhD   | - | Member;     |
| <b>(ii)</b>  | Ms. Irene Njeri Wanyoike     | - | Member;     |
| <b>(iii)</b> | Ms. Celine Anyango Orata     | - | Member;     |
| <b>(iv)</b>  | Mr. Salah Adan Abdi          | - | Member;     |
| <b>(v)</b>   | Mr. CPA David J.O. Nyakang'o | - | Member; and |
| <b>(vi)</b>  | Amb. Wellington Pakia Godo   | - | Member.     |

*(Question to be put)*

**11\*. SPECIAL MOTION – CONSIDERATION OF NOMINEES FOR APPOINTMENT TO THE COMPETITION AUTHORITY**

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

**THAT**, taking into consideration the findings of the Departmental Committee on Finance and National Planning in its Report on its consideration of *Nominees for Appointment as Members of the Competition Authority, laid on the Table of the House on Tuesday, November 9, 2021*, and pursuant to the provisions of section 10(2) of the Competition Act, 2010 and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of the following persons to the Competition Authority –

- |              |                            |   |             |
|--------------|----------------------------|---|-------------|
| <b>(i)</b>   | Ms. Lena Munuve            | - | Member;     |
| <b>(ii)</b>  | Ms. Alome K. Achayo        | - | Member;     |
| <b>(iii)</b> | Dr. David Wanyonyi Wanyama | - | Member; and |
| <b>(iv)</b>  | Mr. Abdi A. Mohamed        | - | Member.     |

*(Question to be put)*

- 12\*. MOTION - CONSIDERATION OF THE BREAST MILK  
SUBSTITUTES (REGULATION AND CONTROL)  
(GENERAL) REGULATIONS, 2021  
(The Chairperson, Committee on Delegated Legislation)

**THAT**, this House **adopts** the Report of the Committee on Delegated Legislation on its consideration of the Breast Milk Substitutes (Regulations and Controls) (General) Regulations, 2021, *laid on the Table of the House on Wednesday, November 10, 2021*, and pursuant to the provisions of section 28(5) of the Breast Milk Substitutes (Regulation and Control) Act, 2012 **approves** the Breast Milk Substitutes (Regulations and Controls) (General) Regulations, 2021 published as *Legal Notice No. 184 of 2021 with amendments to Regulations 1, 2 and 27(1)*.

*(Question to be put)*

- 13\*. MOTION - REPORT ON IMPLEMENTATION STATUS ON  
AN INQUIRY INTO COMPLAINTS OF  
ENVIRONMENTAL POLLUTION BY LONDON  
DISTILLERS KENYA LIMITED  
(The Chairperson, Committee on Implementation)

**THAT**, this House **adopts** the Report of the Select Committee on Implementation on its consideration of the Implementation Status of the Report of the Departmental Committee on Environment and Natural Resources on an inquiry into complaints of environmental pollution by London Distillers Kenya Limited, *laid on the Table of the House on Thursday, September 30, 2021*.

- 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*.

*(Resumption of debate interrupted on Thursday, October 14, 2021)*  
*(Balance of time – 1 hour 13 minutes)*

- 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 - REPORT ON IMPLEMENTATION STATUS OF A  
REPORT ON LAND ISSUES IN TAITA TAVETA  
COUNTY

(The Chairperson, Committee on Implementation)

**THAT**, this House **adopts** the Report of the Select Committee on  
Implementation on its consideration of the Implementation Status of the Report  
of the Departmental Committee on Lands regarding Land Issues in Taita Taveta  
County, *laid on the Table of the House on Wednesday, September 29, 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 - 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.*

21\*. 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****LIMITATION OF DEBATE**

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

**Limitation of Debate on Committee Reports**

- I. 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**

- 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 Motions**

- III. 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.

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

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

**Limitation of Debate on Reports of Petitions**

- IV. 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\*

# **NOTICE PAPER**

## **Tentative business for** **Tuesday, November 16, 2021**

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*(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, November 16, 2021-

**A. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE WAQF BILL (NATIONAL ASSEMBLY BILL NO. 73 OF 2019)**

(The Leader of the Majority Party)

*(Question to be put)*

**B. COMMITTEE OF THE WHOLE HOUSE**

The Waqf Bill (National Assembly Bill No. 73 of 2019)

(The Leader of the Majority Party)

*(To resume from Clause 4 (1)(e))*

**C. THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2020)**

(The Chairperson, Constitutional Implementation Oversight Committee)

Second Reading

*(Resumption of debate interrupted on Tuesday, November 9, 2021)*

**D. THE NATIONAL ELECTRONIC SINGLE WINDOW SYSTEM BILL (NATIONAL ASSEMBLY BILL NO. 15 OF 2021)**

(The Leader of the Majority Party)

Second Reading

**E. THE COUNTY GOVERNMENTS GRANTS BILL (SENATE BILL NO. 35 OF 2021)**

(The Chairperson, Budget and Appropriations Committee)

Second Reading

**F. THE ASIAN WIDOWS' AND ORPHANS' PENSIONS (REPEAL) BILL (NATIONAL ASSEMBLY BILL NO. 29 OF 2021)**

(The Leader of the Majority Party)

Second Reading



**G. THE PROVIDENT FUND (REPEAL) BILL (NATIONAL ASSEMBLY BILL NO. 30 OF 2021)**

(The Leader of the Majority Party)

Second Reading

**H. THE COFFEE BILL (SENATE BILL NO. 22 OF 2020)**

(The Chairperson, Departmental Committee on Agriculture and Livestock)

Second Reading

**I. THE COMMUNITY GROUPS REGISTRATION BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2020)**

(The Leader of the Majority Party)

Second Reading

**J. THE MEDIATION BILL (NATIONAL ASSEMBLY BILL NO. 17 OF 2020)**

(The Leader of the Majority Party)

Second Reading

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*...../Appendix\**

# **A P P E N D I X**

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

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### **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**

416/2021

**The Member for Endebess (Hon. (Dr.) Robert Pukose, MP) to ask the Cabinet Secretary for Environment and Forestry: -**

- (i) Could the Cabinet Secretary explain the circumstances that led to the stoppage of the Community Forest Associations that undertook the *Shamba* System commonly referred as *Taungya System* in various forest establishments in the country?
- (ii) What impact has this directive had on the forest cover in the country and when will the directive be lifted?
- (iii) Could the Cabinet Secretary explain whether the Kenya Forest Service (KFS) maintains roads that serve Forests and particularly *Endebess - Salema Road* and *Herman – Kiptogot Road* in Endebess Constituency?
- (iv) What plans does the Ministry have to resettle the more than 1500 families evicted from *Sosio* forest on 25<sup>th</sup> October 2021, and how is the Ministry dealing with the humanitarian crisis as result of the evictions?

*(To be replied before the Departmental Committee on Environment and Natural Resources)*

449/2021

**The Member for Kajiado North (Hon. Joseph Manje, MP) to ask the Cabinet Secretary for Health: -**

- (i) Could the Cabinet Secretary explain the whereabouts of an abandoned infant who was rescued on 5<sup>th</sup> October 2021 in *Ongata Rongai area, Kajiado County* and taken to *Nairobi Women's Hospital* in the same town for medical treatment but went missing from the said hospital a few days thereafter under unclear circumstances?

- (ii) What measures does the Ministry have in place to ensure that medical institutions and facilities are able to account for unidentified persons who are taken in for treatment in such facilities?

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

**450/2021**

**The Member for Suna West (Hon. Peter Masara, MP) to ask the Cabinet Secretary for Public Service, Gender, Senior Citizens Affairs & Special Programmes: -**

- (i) Could the Cabinet Secretary state the total amount of money allocated under the *Uwezo* Fund to Suna West Constituency?
- (ii) How much money has been disbursed to Youth Groups in the Constituency since inception of the Fund up to October 2021?
- (iii) Could the Cabinet Secretary state the amount of funds recovered from local Youth Groups from the disbursements made and also state how much money is currently available for distribution to Youth Groups?

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

**471/2021**

**The Member for Embakasi East (Hon. Babu Owino, MP) to ask the Cabinet Secretary for Health:-**

- (i) Could the Cabinet Secretary explain the rationale behind the decision to send the entire Kenya Medical Supplies Authority (KEMSA) workforce under the pretext of working from home to undertake investigations concerning the alleged KEMSA Scandal relating to Covid-19 supplies, with over 80% of the affected personnel residing in Embakasi East?
- (ii) What measures does the Ministry have in place to maintain the standards of living of all affected members of staff such as their ability to meet daily basic needs as well as servicing their respective loans which were guaranteed by their sources of income received from KEMSA?
- (iii) Could the Cabinet Secretary consider issuing a directive to shelve the decision to send the entire workforce home and allow them to resume their duties with the exception of those that were directly or indirectly involved in the alleged KEMSA Scandal?

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

474/2021

**The Member for Lamu County (Hon. (Capt.) Ruweida Obo, MP) to ask the Cabinet Secretary for Information, Communication & Technology, Innovation and Youth Affairs:-**

- (i) Could the Cabinet Secretary explain measures that the Ministry has put in place to improve signal mobile telephony network and coverage at *Siu, Kizingitini and Shanga areas* in Lamu County to aid in service delivery and communication for the residents and other mobile users in the said areas?
- (ii) Could the Cabinet Secretary further explain measures the Ministry has put in place to upgrade the existing network to 4G in Lamu County and further provide timelines for this upgrade?

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

475/2021

**The Member for Meru County (Hon. Bishop Kawira Mwangaza, MP) to ask the Cabinet Secretary for Public Service, Gender, Senior Citizens Affairs & Special Programmes: -**

- (i) Could the Cabinet Secretary state what measures the Ministry is putting in place to ensure that the Youth in Meru County access employment opportunities and are economically empowered?
- (ii) Could the Cabinet Secretary explain the measures put in place by the Ministry to ensure seamless employment transitions in all government institutions to enable the youth to access and gain employment opportunities?

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

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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 Statements will be responded to –

No.	Subject	Member	Relevant Committee
1.	Conflict along the Nyanza and Rift Valley border	<i>The Hon. Kipsengeret Koros, MP (Sigowet/Soin)</i>	Chairperson, D.C. on Administration and National Security
2.	Misrepresentation of facts during issuance of Identity Cards to Tigania West Constituency	<i>The Hon. John Mutunga, MP (Tigania West)</i>	Chairperson, D.C. on Administration and National Security
3.	The recognition and protection of the family unit by the State	<i>The Hon. (Prof.) Jacqueline Oduol, MP (Nominated)</i>	Chairperson, D.C. on Labour and Social Welfare

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