



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – FIFTH SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, OCTOBER 12, 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 Honourable Speaker
4. **COMMUNICATION FROM THE CHAIR**

The following Recognition of Delegation was issued by the Speaker-

**RECOGNITION OF DELEGATION FROM THE PARLIAMENT OF GHANA**

**“Honourable Members,** I wish to introduce to the House a Delegation from **the Parliament of Ghana** which is composed of two Committees.

The first Committee is the **Business Committee**, and is represented by:-

- 1) The Hon James Klutse Avedzi, MP, who is the Deputy Minority Leader in the Parliament of Ghana and also the Leader of the Delegation.
- 2) The Hon. Dela Sowah, MP
- 3) The Hon. Eric Afful, MP
- 4) Mr. Ebenezer Ahumah Djietror, Deputy Clerk, and
- 5) Ms. Josephine Yartey, Committee Secretary

The second Committee is the **Committee on Government Assurances** and is represented by:-

- 1) The Hon. Cynthia Mamle Morrison, who is the Chairperson of the Committee
- 2) The Hon. John Bless Oti, Ranking Member
- 3) The Hon. Kwaku Asante-Boateng, MP
- 4) The Hon. Emmanuel Kwasi Bedzrah, MP
- 5) The Hon. Andrew Chiwitey, MP, and
- 6) Mr. Anthony Agyekum, Delegation Secretary

The Delegation is on a four-day study visit with the objective of understanding the operations of the House Business Committee, the Committee on Implementation, the Commission Secretariat, the Liaison Committee, the Directorates of Departmental and Select Committees, among others, and shall hold meetings with the leadership of the House.

On my own behalf and on behalf of this House, I wish the Delegation fruitful undertaking.

**I thank you.”**

5. **PETITIONS**

The following Petitions were presented:-

**a) Petition regarding provision by NHIF of access to medical insurance cover by persons living with autoimmune diseases in Kenya**

**“Honourable Members,** Standing Order 225(2) (b) requires the Speaker to report to the House any petition, other than those presented by a Member. Further, Article 119 of the Constitution provides for the right of any person to petition Parliament to consider any matter within its authority, including petitioning the House to enact, amend or repeal any legislation.

In this regard, I wish to report to the House that my office has received a Petition, signed by Mr. Mikeson Mugo, Ms. Faith Rotich and Ms. Wacera Maina of National Identification Numbers 31421942, 26243210 and 21647092, respectively, on behalf of persons suffering from autoimmune diseases in Kenya.

**Honourable Members,** the Petitioners state that autoimmune condition occur when a person’s immune system reacts to parts or organs of the body as though they were foreign bodies and it releases antibodies that mistakably attack the person’s essential body cells. They aver that, whereas over 80 types of autoimmune diseases have been identified, medical research is yet to unearth the causes of the abnormal behavior by which a person’s immune system triggers adverse autoimmune reaction. They claim that, since there is no single test that can precisely determine if a person has autoimmune condition or not, doctors rely on clinical diagnoses, which make it harder for healthcare workers to manage the condition in good time.

**Honourable Members,** the Petitioners are concerned that the cost of managing autoimmune disease in Kenya is extremely exorbitant. They claim that in a month a person suffering from autoimmune disease would have to spend approximately **Kshs. 100,000** on medication to regulate the response of the immune system, **Kshs. 350,000** on medication to prevent flare ups and another **Kshs. 70,000** for speech therapy to manage slurring. In addition, the patient must undergo regular Magnetic Resonance Imaging (MRI) tests at an estimated cost of **Kshs. 400,000** and **Kshs 1,000,000** for treatment.

The Petitioners lament that despite the high cost of diagnosing, treating and managing autoimmune disease in Kenya, majority of medical insurance providers, including the National Hospital Insurance Fund (NHIF), do not offer medical cover for patients who suffer from autoimmune diseases. This has made it nearly impossible for them to access medication, hence making them vulnerable to premature deaths.

**Honourable Members,** the Petitioners are therefore praying for the intervention of the National Assembly to enhance access of persons who suffer from autoimmune disease to medical care by ensuring that the National Hospital Insurance Fund (NHIF) provides medical insurance cover for persons living with autoimmune diseases to cover the cost of drugs, laboratory tests and diagnostic services, surgical, dental or medical procedures or equipment, physiotherapy care and doctors’ fees, food and boarding.

**Honourable Members**, having determined that the matters raised by the Petitioner are well within the authority of this House, I order that, pursuant to the provisions of Standing Order 227(1), this petition be committed to the Departmental Committee on Health. The Committee is required to consider the petition and report its findings to the House and to the Petitioner in accordance with Standing Order 227(2).

**I thank you!"**

- b) By the Member for Murang'a County (Hon. Sabina Chege, MP) regarding malpractices in the licensing of coffee marketers in the country.

6. **PAPERS**

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

- i) Reports of the Departmental Committee on Justice and Legal Affairs on its consideration of:
  - a) The Waqf Bill (National Assembly Bill No. 73 of 2019), and
  - b) Public Petition by Mr. Francis Kimani Kanyora, Mr. Javan Kiche and Mr. Chema Hillary Barasa regarding amendment of the Advocates Act to allow admission of law practitioners from the Republics of Rwanda and Burundi to the Roll of Advocates in Kenya.

*(Chairperson, Departmental Committee on Justice and Legal Affairs)*

- ii) Reports of the Departmental Committee on Finance and National Planning on its inquiry into:-
  - a) Public Petition No. 39 of 2021 regarding review of abnormal increments in the price of petroleum and petroleum products in the country.
  - b) Public Petition No. 40 of 2021 on a request to amend the Finance Act, 2018 in order to address the drastic increase in the price of petroleum and petroleum products.

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

7. **NOTICE OF MOTION**

The following Notices of Motion were given-

**Adjournment of the House to discuss the ravaging drought situation in the country**

**THAT**, this House adjourns pursuant to Standing Order 33(1) to discuss the ravaging drought situation in most parts of the country.

*(Hon. Aden Duale, MP)*

Over twenty Members rose in their places in support of the Adjournment Motion pursuant to Standing Order 33(3);

The Honourable Speaker directed that the Motion for Adjournment be moved at 1730hrs and discussed thenceforth.

8. **QUESTIONS**

The following Questions were asked –

- (i) Question No.394/2021 by the Member for Starehe Constituency (Hon. Charles Njagua Kanyi) regarding cushioning of students from exorbitant university charges.

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

- (ii) Question No.408/2021 by the Member for Mwatate Constituency (Hon. Andrew Mwadime, MP) regarding non-inclusion of Mwatate Constituency in the Government's relief aid programme

*(To be replied to by the Cabinet Secretary for Devolution before the Departmental Committee on Administration and National Security)*

- (iii) Question No.412/2021 by the Member for Githunguri Constituency (Hon. Gabriel Kago, MP) regarding beneficiaries of the Public Finance Management (Coffee Cherry Advance Revolving Fund) Regulations, 2020..

*(To be replied to by the Cabinet Secretary for Agriculture, Livestock and Fisheries before the Departmental Committee on Agriculture and Livestock)*

- (iv) Question No.432/2021 by the Member for Westlands Constituency (Hon. Timothy Wanyonyi, MP) regarding advisory by the Teachers Service Commission concerning Bachelor of Education specialization..

*(To be replied to in writing by the Teachers Service Commission)*

- (v) Question No.433/2021 by the Member for Garsen Constituency (Hon. Ali Wario, MP) regarding ownership details of land registered under Nairobi Ranching Company Limited in Tana River County.

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

## 9. **STATEMENTS**

The following Statements were sought from the indicated Committees:-

- (i) Pursuant to the provisions of Standing Order 44(2)(c), the Member for Kisumu east Constituency (Hon. Shakeel Shabbir, MP) sought a Statement from the Departmental Committee on Administration and National Security concerning the influx of foreign nationals in the country. The Committee Chairperson undertook to issue a Statement within two weeks.
- (ii) Pursuant to the provisions of Standing Order 44(2)(c), the Member for Gatundu South Constituency (Hon. Moses Kuria, MP), through the Member for South Mugirango Constituency (Hon. Silvanus Osoro, MP), sought a Statement from the Departmental Committee on Health concerning medical products and devices being promoted and sold by Ceragem Kenya Ltd. The Committee Chairperson undertook to issue a Statement within two weeks.
- (iii) Pursuant to the provisions of Standing Order 44(2)(c), the Member for Murang'a County (Hon. Sabina Chege, MP) sought a Statement from the Departmental Committee on Justice and Legal Affairs concerning voter registration exercise in Kiambaa Constituency. The Committee Chairperson undertook to issue a Statement within two weeks.

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

Motion made and Question proposed:-

**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, subject to:-

- i. **deletion of Recommendation 2 appearing under ‘Recommendations’ in Part 5 on page 90 of the Report;**
- ii. **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;**
- iii. **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.***

- iv. **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;**
- v. **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. 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.***

*(Chairperson, Departmental Committee on Administration and National Security -  
23.09.21)*

And the Speaker having addressed points of orders pertaining to the admissibility and constitutionality of the amendments to the Motion thereof;

Question on the Motion as amended put and agreed to;

Over thirty Members stood in their places claiming Division pursuant to Standing Order 72)1(b);

The Speaker ordered that the Division Bell be rang for ten minutes as per procedure;

Division on the Motion undertaken;

Results of the Division recorded as follows:

<b>Motion:</b> That this House adopts the Report on a Public Petition regarding Insecurity in Saku Constituency and the larger Marsabit County (Motion as amended)			
<b>Platform</b>	<b>Ayes</b>	<b>Nays</b>	<b>Abstentions</b>
Electronic Voting:	43	61	0
Manual Voting:	19	13	0
Total:	<b>62</b>	<b>74</b>	<b>0</b>

Motion subsequently negatived.

11. **ADJOURNMENT MOTION – THE RAVAGING DROUGHT SITUATION IN MOST PARTS OF THE COUNTRY**

Motion made:-

**THAT**, this House adjourns pursuant to Standing Order 33(1) to discuss the ravaging drought situation in most parts of the country.

*(Hon. Aden Duale, MP)*

House suspended its schedule business at 1730hrs to discuss the Adjournment Motion;

Debate arising;

[Change of Chair from the Honourable Speaker to the Fourth Chairperson]

Debate concluded.

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

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

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

The Speaker will take the Chair on-  
Wednesday, October 13, 2021 at 9.30am