



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – SIXTH SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, FEBRUARY 1, 2022**

1. The House assembled at thirty minutes past Two O'clock
2. The proceedings were opened with Prayer
3. **Presiding** – the Honourable Speaker
4. **COMMUNICATION FROM THE CHAIR**

The Speaker issued the following Communication –

**“Honourable Members,**

As you may recall, the Mediation Bill (National Assembly Bill No. 17 of 2020) was published *vide* Kenya Gazette Supplement No. 92 of 15<sup>th</sup> June, 2020. The Bill seeks to among other things, provide for the settlement of all civil disputes by mediation, set out the principles applicable to mediation, provide for the establishment of the Mediation Committee, provide for the accreditation or registration of mediators and recognition and enforcement of settlement agreements.

**Honourable Members,** the Bill was read a First time on 30<sup>th</sup> June, 2020 and committed to the Departmental Committee on Justice and Legal Affairs for consideration. The Committee is yet to *table* its Report on the Bill to facilitate Second Reading of the Bill.

**Honourable Members,** I wish to inform the House that I have received a letter from the sponsor of the Bill, who is the Leader of the Majority Party, the Hon. (Dr.) Amos Kimunya, EGH, MP, requesting to **withdraw** the Bill so as to enable further consultations and also to incorporate additional input by the National Dispute Resolution Steering Committee. The Committee was constituted in January, 2020 to look into the current status of the alternative dispute resolution (ADR) system in Kenya, with a view to proposing appropriate changes in law and the attendant procedures. The Leader of the Majority Party further

conveys that the Executive through the said Committee has since prepared a comprehensive policy, namely, the National Alternative Dispute Resolution Policy, 2021, which is likely to substantially alter the content of the Bill as well as other related legislation.

**Honourable Members**, Standing Order 140(1) provides as follows-

- (1) *Either before the commencement of business or on the Order of the Day for any stage of the Bill being read, the Member in charge of a Bill may, without notice, claim to withdraw a Bill.*

In this regard, and pursuant to the provisions of Standing Order 140(2), I direct that the Bill be withdrawn. Nevertheless, the Sponsor is at liberty to re-introduce the Bill in accordance with the provisions of Standing Order 114. **I thank you!**

## 5. MESSAGES

The Speaker conveyed the following Message from the Senate –

### **PASSAGE BY THE SENATE OF THE POLITICAL PARTIES (AMENDMENT) BILL (NATIONAL ASSEMBLY NO. 56 OF 2021)**

**“Honourable Members,**

As you are aware, Standing Order 41(4) of the National Assembly Standing Orders requires the Speaker to report to the House any Message received from the Senate as soon as the House next sits. In this regard, I wish to report that in the evening of 26<sup>th</sup>, January 2022, I did receive a Message from the Senate regarding its passage of the Political Parties (Amendment) Bill (National Assembly Bill No.56 of 2021). You may recall that the Bill was considered and passed by the National Assembly on 5<sup>th</sup> January 2022.

**Honourable Members**, in summary, the Message conveys that the Senate **passed** the Bill in the form passed by the National Assembly. This action concluded the bicameral processing of the Political Parties (Amendment) Bill (National Assembly Bill No.56 of 2021). Subsequently, in accordance with the provisions of Article 110(5) of the Constitution, I presented the Bill to H.E the President for Assent on 27<sup>th</sup> January, 2022. H.E The President Assented to the Bill on the same day. The House is thus accordingly informed. **I thank you!**”

## 6. PAPERS

The following Papers were laid on the Table of the House –

- a) Supplementary Estimates I for the FY2021/2022 from the National Treasury and the following accompanying documents: -
- i.) FY 2021/2022 Supplementary Estimates No. 1 (Programme-Based Budget);
  - ii.) FY 2021/2022 Supplementary Estimates No. 1 (Recurrent Estimates Vol. I & II);
  - iii.) FY 2021/2022 Supplementary Estimates No. 1 (Development Estimates Vol. I, II & III); and
  - iv.) Memorandum on FY 2021/2022 Supplementary Estimates 1.

- b) Judiciary's Expenditure Estimates for the FY 2022/23 and the Medium Term and the following accompanying documents: -
  - i.) Programme Performance Report (PPR) for FY 2018/2019 – 2020/2021;
  - ii.) Medium-Term Expenditure Framework (MTEF) Budget Report for FY 2022/2023 -2024/2025;
  - iii.) Programme Based Budget (PBB) for the FY2022/2023 – 2024/2025; and
  - iv.) Expenditure Estimates for FY 2022/2023 – 2024/2025.
- c) The Judicial Service Commission Vote 2051 Budget Estimates for the FY 2022/2023.
- d) Report to Parliament on all New Loans contracted by Government from 1<sup>st</sup> September, 2021 to 31<sup>st</sup> December, 2021 from the National Treasury.
- e) Annual Report and Financial Statements of the Annual Research Fund for the year ended 30<sup>th</sup> June, 2019
- f) National Government Constituencies Development Fund Board Report for the Second Quarter for the FY 2021/2022
- g) Third Quarter Report covering the period from 1<sup>st</sup> July 2021 to 30<sup>th</sup> September, 2021 from the Ethics and Anti-Corruption Commission.
- h) Reports of the Auditor-General and Financial Statements in respect of Turkana University College for the years ended 30<sup>th</sup> June, 2017 and 30<sup>th</sup> June, 2018 and the certificates therein.
- i) Reports of the Auditor-General and Financial Statements in respect of Kitale National Polytechnic for the years ended 30<sup>th</sup> June, 2018 and 30<sup>th</sup> June, 2019 and the certificates therein.
- j) Reports of the Auditor-General and Financial Statements in respect of Mwala Constituency for the year ended 30<sup>th</sup> June, 2018 and the certificate therein.
- k) Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30<sup>th</sup> June 2021 and the certificates therein: -
  - i.) Parliamentary Catering Scheme Fund;
  - ii.) Parliamentary Mortgage Scheme Fund;
  - iii.) Parliamentary Car Loan Scheme Fund;
  - iv.) State Department for Interior and Citizen Services
  - v.) National Police Service Commission;
  - vi.) Ministry of Health;
  - vii.) East Africa Skills for Transformation and regional integration Project;
  - viii.) State Department for Infrastructure;
  - ix.) Mombasa Port Area Road Development Project; and
  - x.) State Department for Transport.
- l) 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: -
  - i.) Multimedia University of Kenya;
  - ii.) Technical and Vocational Education and Training Authority;
  - iii.) JKUAT Industrial Park Limited;
  - iv.) Kenya National Qualifications Authority; and
  - v.) Registration of Certified Public Secretaries Board.

m) Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30<sup>th</sup> June 2019 and the certificates therein: -

- i.) NUU Technical and Vocational College;
- ii.) Wote Technical Training Institute;
- iii.) Katine Technical Training Institute;
- iv.) Kenya Trade Network Agency;
- v.) Machakos Technical Institute for the Blind;
- vi.) Masinga Technical and Vocational Training College; and
- vii.) David Mbiti Wambuli Technical and Vocational College.

*(Leader of the Majority Party)*

**7. PROCEDURAL MOTION - RESCINDING OF THE DECISION OF THE HOUSE OF JANUARY 25, 2022**

Motion made and Question proposed –

**THAT**, pursuant to the provisions of Standing Order 49(2)(a), this House resolves to rescind its decision of Tuesday, January 25, 2022 (Afternoon Sitting) regarding appointment of Members to the House Business Committee under paragraph (f) of Standing Order 171(1).

*(The Leader of the Majority Party)*

There being no debate arising;

Question put and agreed to.

**8. MOTION - APPOINTMENT OF MEMBERS TO THE HOUSE BUSINESS COMMITTEE**

Motion made and Question proposed –

**THAT**, pursuant to the provisions of Standing Order 171(1)(f), this House approves the appointment of the following Members to the House Business Committee in addition to those specified under paragraphs (a), (b), (c), (d) and (e) –

1. The Hon. Joyce Akai Emanikor, MP
2. The Hon. Shadrack John Mose, MP
3. The Hon. Kawira Mwangaza, MP
4. The Hon. Mohamed Abdikhaim Osman, MP
5. The Hon. (Dr.) Makali Mulu, M.P.
6. The Hon. Mishi Juma Khamisi Mboko, MP
7. The Hon. Godfrey Osotsi, MP

*(The Leader of the Majority Party)*

There being no debate arising;

Question put and agreed to.

And the time being five minutes past three o'clock the Speaker interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

9. **HOUSE ROSE** - at five minutes past three o'clock

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

The Speaker will take the Chair  
Wednesday, February 2, 2022 at 9:30 a.m.

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