



REPUBLIC OF KENYA
TWELFTH PARLIAMENT – FIFTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, NOVEMBER 10, 2021

1. The House assembled at thirty minutes past two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Deputy Speaker
4. **PAPER LAID**

The following paper was laid at the Table of the House:-

- Report of the Committee on Delegated Legislation on its consideration of the Environmental Management and Coordination (Impact Assessment and Audit) (Amendment) Regulations, 2016 (Legal Notice No. 149 of 2016).

(The Hon. Abdi Koropu Tepo, MP, Member, Committee on Delegated Legislation)

5. **NOTICES OF MOTION**

The following Notice of Motion was given-

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Environmental Management and Coordination (Impact Assessment and Audit) (Amendment) Regulations, 2016, laid on the Table of the House on Wednesday, November 10, 2021, and pursuant to the provisions of section 18 of the Statutory Instruments Act, 2013 and Standing Order 210 (4)(b), annuls in entirety the Environmental Management and Coordination (Impact Assessment and Audit) (Amendment) Regulations, 2016, published as Legal Notice No. 149 of 2016.

(The Hon. Abdi Koropu Tepo, MP, Member, Committee on Delegated Legislation)

6. **QUESTIONS**

- a) The following Questions were asked –
 - (i) Question No.468/2021 by the Member for Kisumu West (Hon. Olago Aluoch), regarding lack of Search and Rescue boats by Kenya Airports Authority at Kisumu International Airport;

(To be replied by the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works before the Departmental Committee on Transport and Public Works)

- (ii) Question No.469/2021 by the Member for Kaloleni (Hon. Paul Katana), regarding causes of incidences of arson occurring in public secondary schools in Kololeni Constituency;

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

- (iii) Question No.470/2021 by the Member for Marakwet (Hon. William Kisang), regarding gazettelement of Chesuman Police Station in Tunyo Division Station Marakwet East Constituency;

(To be replied by the Cabinet Secretary for Interior and Coordination of National Government before the Departmental Committee on Administration and National Security)

- (iv) Question No.472/2021 by the Member for Usonga (Hon. Samuel Atandi), regarding the criteria employed by the management of the Kenya Power company to engage WPP Scanad P/C;

(To be replied by the Cabinet Secretary for Energy before the Departmental Committee on Energy)

- b) The following question was deferred-

- Question No.471/2021 to the *Cabinet Secretary for Health*, by the Member for Embakasi East (Hon. Babu Owino), regarding the rationale behind the decision to send away the entire Kenya Medical Supplies Authority workforce.

7. **STATEMENTS**

- a) The following statements were asked-

- (i) By the Member for *Garissa Township* (Hon. Aden Duale, MP), to the Chairperson, Departmental Committee D.C. on Finance and National Planning, regarding Status of drought management funds for the FY 2021/2022 and the deteriorating drought situation in Northern Kenya.
- (ii) By the Nominated (Hon. Wilson Sossion), to the Chairperson, Departmental Committee on Education and Research, regarding schools unrest in the country.

- b) The following statements were responded to-

- (i) Statement by the Member for Kilifi North (Hon. Owen Baya), regarding Measures to revive the Tourism Sector in the country during the COVID-19 pandemic period, to the Chairperson, on Sports, Culture and Tourism;
- (ii) Statement by the Member for Runyenjes (Hon. Eric Muchangi), regarding Mysterious disappearance and murder of two young men in Runyenjes Constituency, to Chairperson, Departmental Committee on Administration and National Security; and
- (iii) Statement by the Member for Suba North (Hon. Millie Odhiambo Mabona), regarding the Lake Victoria Boat Tragedy, to the Chairperson, Departmental Committee on Administration and National Security.

8. **THE HEALTH (AMENDMENT) BILL (SENATE BILL NO. 26 OF 2020)**

(Chairperson, Departmental Committee on Health)

Order for First Reading read;

Bill read a First time and referred to the relevant Departmental Committee pursuant to Standing Order 127(2)

9. **THE INVESTMENT PROMOTION (AMENDMENT) BILL (SENATE BILL NO.2 OF 2021)**
(Chairperson, Departmental Committee on Trade, Industry and Cooperatives)

Order for First Reading read;

Bill read a First time and committed to the relevant Departmental Committee pursuant to Standing Order 127(2)

10. **THE OFFICE OF THE COUNTY PRINTER BILL (SENATE BILL NO. 13 OF 2021)**
(The Chairperson, Departmental Committee on Administration and National Security)

Order for First Reading read;

Bill read a First time and committed to the relevant Departmental Committee pursuant to Standing Order 127(2)

11. **THE DISASTER RISK MANAGEMENT BILL (SENATE BILL NO. 14 OF 2021)**
(Chairperson, Departmental Committee on Administration and National Security)

Order for First Reading read;

Bill read a First time and committed to the relevant Departmental Committee pursuant to Standing Order 127(2)

12. **THE COUNTY BOUNDARIES BILL (SENATE BILL NO. 20 OF 2021)**
(Chairperson, Departmental Committee on Justice and Legal Affairs)

Order for First Reading read;

Bill read a First time and committed to the relevant Departmental Committee pursuant to Standing Order 127(2)

13. **SPECIAL MOTION – CONSIDERATION OF NOMINEES FOR APPOINTMENT TO THE ETHICS AND ANTI-CORRUPTION COMMISSION**

Motion made and Question proposed –

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 Mutweta Mshimba** and **Dr. Monica Wanjiru Muriu** as Members of the Ethics and Anti-Corruption Commission.

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Debate arising;

Mover replied;

Question deferred.

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

Motion made and Question proposed –

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 –

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

(Chairperson, Departmental Committee on Finance and National Planning)

Debate arising;

Mover replied;

Question deferred.

15. **SPECIAL MOTION – CONSIDERATION OF NOMINEES FOR APPOINTMENT TO THE COMPETITION AUTHORITY OF KENYA**

Motion made and Question proposed –

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 of Kenya, 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 of Kenya –

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

(Chairperson, Departmental Committee on Finance and National Planning)

Debate arising;

Mover replied;

Question deferred.

16. **COMMITTEE OF THE WHOLE HOUSE**

IN THE COMMITTEE

The Second Chairperson in the Chair

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

Clause 3 - agreed to

Clause 4 - Amendment in **an amended form** proposed to Clause 4(1) (a) – 4(1) (d)

THAT, the Bill be amended in **an amended form** by deleting clause 4 and substituting therefor the following new clause—

Validity of 4. (1) A *waqf* shall be valid where —
a *waqf*.

- (a) it is made in accordance with Islamic law;
- (b) the *Waaqif* has attained eighteen years;
- (c) the *Waaqif* is of sound mind; and
- (d) it is made for religious purposes and for the poor and vulnerable within the Muslim community.

(The Member for Suba North (Hon. Millie Odhiambo Mabona)

Question on the amendment in **an amended form** proposed;

Debate arising;

Question on the amendment in **an amended form** put and agreed to;

Clause 4 (1) (a, b, c & d) as amended in **an amended form** by the Hon. Millie Odhiambo Mabona- agreed to

17. **PROGRESS REPORT**

Motion made and Question proposed –

THAT, the Committee do report progress to the House its consideration of the Waqf Bill (National Assembly Bill No. 73 of 2019) upto Clause 4(1) (d) and seeks leave to sit again.

(The Hon. T. J Kajwang, MP on behalf of the for the Chairperson of the Departmental Committee on Justice and Legal Affairs)

Question put and agreed to.

18. **HOUSE RESUMED** - the Third Chairperson in the Chair The Waqf Bill (National Assembly Bill No. 73 of 2019)

Progress reported;

Motion made and Question proposed –

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Waqf Bill (National Assembly Bill No. 73 of 2019) upto Clause 4(1) (d) and seeks leave to sit again.

Question deferred;

And the time being five minutes past seven O'clock, the Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

19. HOUSE ROSE - at five minutes past seven O'clock

MEMORANDUM

The Speaker will take the Chair on
Thursday, November 11, 2021 at 2.30 p.m.

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