



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FIFTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, NOVEMBER 24, 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. **PAPERS LAID**
The following Papers were laid on the Table –
 - a) The Report of the Auditor-General and Financial Statements on the Last Mile Connectivity Project - Kenya Power and Lighting Company PLC for the year ended 30th June, 2021 and the certificate therein.
 - b) The Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June, 2020 and the certificates therein:-
 - i) National Employment Authority;
 - ii) Athi Water Works Development Agency;
 - iii) Jomo Kenyatta Foundation;
 - iv) Kenya Institute of Special Education;
 - v) Policyholders Compensation Fund – The National Treasury;
 - vi) Energy and Petroleum Regulatory Authority;
 - vii) Communications Authority of Kenya;
 - viii) Kenya Technical Trainers College; and
 - ix) Kenya Agricultural and Livestock Research Organization.
 - c) The Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June, 2019 and the certificates therein:-
 - i) Athi Water Works Development Agency;
 - ii) Kenya Agricultural and Livestock Research Organization;
 - iii) Kenya Plant Health Inspectorate Service;
 - iv) Kibo Seed Company Limited;
 - v) Simlaw Seeds (Uganda) Company Limited;

Kenya Seed Company Limited and its Subsidiaries; and

- vi)
 - vii) Simlaw Seeds Company Limited.
- d) The Reports of the Auditor-General and Financial Statements in respect of the following Constituencies for the year ended 30th June, 2019 and the certificates therein:-
- i) Embakasi East;
 - ii) Kajiado West;
 - iii) Bumula; and
 - iv) Bura.
- e) Report of the Departmental Committee on Environment and Natural Resources on its consideration of the Sustainable Waste Management Bill (National Assembly Bill No. 22 of 2021).
- (Chairperson, Departmental Committee on Environment & Natural Resources)-*
- f) Report of the Departmental Committee on Environment and Natural Resources on its consideration of the Kenya Roads (Amendment) Bill (National Assembly Bill No. 13 of 2021).
- (Chairperson, Departmental Committee on Transport, Public Works & Housing)*
- g) Report of the Select Committee on National Government Constituencies Development Fund on the list of nominees to the National Government Constituencies Development Fund Committee for Kiambaa Constituency.
- (Chairperson, Select Committee on National Government Constituencies Development Fund)*
- h) Report of the Departmental Committee on Education and Research on its consideration of the Universities (Amendment) Bill, (National Assembly Bill No. 35 of 2021).
- (Chairperson, Departmental Committee on Education and Research)*

5. **QUESTIONS**

The following Questions were asked –

- (i) Question by Private Notice No.011/2021 by the Member for Embakasi (Hon. Babu Owino) regarding abduction and subsequent disappearance of one Mr. Samson Tekle Michael
- (To be replied to by the Cabinet Secretary for Interior and Coordination of National Government before the Departmental Committee on Administration and National Security)*
- (ii) Question No.494/2021 by the Member for Gatundu North (Hon. Wanjiku Kibe) regarding disbursement of funds to youth, persons with disabilities and women in Gatundu North;

- (iii) *(To be replied by the Cabinet Secretary for Public Service, Gender, Senior Citizens & Special Programmes before the Departmental Committee on Labour and Social Welfare)*
Question No.496/2021 by the Member for Nakuru Town East (Hon. David Gikaria) regarding investigations into allegations of illegal drugs finding their way into schools;

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

- (iv) Question No.498/2021 by the Member for Kibwezi East (Hon. Patrick Musimba) regarding power supply and connectivity to polling stations and tallying stations;

(Question deferred)

- (v) Question No.499/2021 by the Member for Kapenguria (Hon. Samuel Moroto) regarding confiscation of cattle from local community by Anti stock Theft Security personnel;

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

6. **RESPONSE TO STATEMENTS**

The responses to statements were deferred.

7. **MOTION - REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON ITS CONSIDERATION OF SENATE AMENDMENTS TO THE PUBLIC PRIVATE PARTNERSHIPS BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2021)**

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 Senate amendments to the Public Private Partnerships Bill (National Assembly Bill No. 6 of 2021).

(The Leader of the Majority Party)

Question put and agreed to.

8. **MOTION - REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON ITS CONSIDERATION OF THE PERPETUITIES AND ACCUMULATIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.24 OF 2021)**

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 Perpetuities and Accumulations (Amendment) Bill (National Assembly Bill No. 24 of 2021).

(The Leader of the Majority Party)

Question put and agreed to.

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

Order for Second Reading read;
Motion made and Question proposed –

THAT, the Asian Widows’ and Orphans’ Pensions (Repeal) Bill (National Assembly Bill No.29 of 2021) be now read a Second Time

(The Leader of the Majority Party)

Debate on the Second reading having been concluded on Tuesday, November 23, 2021;

Question put and agreed to;

Bill read a Second time and committed to the Committee of the whole House tomorrow.

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

Order for Second Reading read;
Motion made and Question proposed –

THAT, the County Government Grants Bill (Senate Bill No.35) be now read a Second Time

(The Chairperson, Budget and Appropriations Committee)

Debate on the Second reading having been concluded on Tuesday, November 23, 2021;

Question put and agreed to;

Bill read a Second time and committed to the Committee of the whole House tomorrow.

11. **MOTION - REPORT ON THE LOCAL AUTHORITIES PROVIDENT FUND; THE UNCLAIMED ASSETS TRUST FUND; THE NATIONAL ENVIRONMENT TRUST FUND; THE LAND SETTLEMENT FUND; AND THE PETROLEUM FUND**

Motion made and Question proposed –

THAT, this House **adopts** the Tenth Report of the Special Funds Accounts Committee on Audited Financial Statements for the Local Authorities Provident Fund, the Unclaimed Assets Trust Fund, the National Environment Trust Fund, the Land Settlement Fund and the Petroleum Fund, *laid on the Table of the House on Tuesday, August 10, 2021.*

(The Chairperson, Special Funds Accounts Committee)

Debate on the Motion having been concluded on Tuesday, November 23, 2021;

Question put and agreed to;

12. **COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read;

And there being an objection by the Member for Funyula (Hon Oundo) with the sympathy of the Speaker, leave to proceed to Committee of the whole House on the County Government Grants declined in accordance with SO 124(1). Thereupon, Speaker directed that Committee of the whole House be entered in the following week.

13. **COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read;

IN THE COMMITTEE

The Third Chairperson of Committees in the Chair

(i) The Community Groups Registration Bill (National Assembly Bill No. 20 of 2021)

Clause 3 - amendment proposed -

THAT, Clause 3 of the Bill be amended in subclause (2) by inserting the following new paragraph after paragraph (g) —

(ga) approving, monitoring and evaluating the budget proposals provided by social development committees;

(Chairperson, Departmental Committee on Labour and Social Welfare)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 3 - As amended agreed to

Clause 4 - agreed to

Clause 5 - amendment proposed -

THAT, Clause 5 of the Bill be deleted and substituted with the following new clause—

Social
developme
nt
committee
s.

5. (1) There is established, in every sub-county, a committee to be known as the social development committee which shall comprise—

(a) the sub-county social development officer from the national government;

(b) two representatives from the county government, one of whom shall be the officer responsible for social development in the

- (c) county government;
- (d) a representative of the Deputy County Commissioner responsible for the sub-county;
- (e) four representatives of development partners and civil society organizations operating in the county who shall be nominated by the county coordinator of social development;
- (f) five representatives of registered community groups operating in the sub-county who shall be nominated by the community groups; and
- (g) where necessary or practicable, representatives of national government ministries, departments or agencies operating in the sub-county.

(2) The persons under sub-section (1) shall be appointed by the county co-ordinator of social development who shall, in making the appointments, ensure ethnic and regional balance and the inclusion of persons with disabilities.

(3) The sub-county department responsible for social development shall provide the secretariat for the social development committee.

(Chairperson, Departmental Committee on Labour and Social Welfare)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 5 - As amended agreed to

Clause 6 - agreed to

Clause 7 - agreed to

Clause 8 - agreed to

Clause 9 - agreed to

Clause 10 - amendment proposed –

THAT, Clause 10 of the Bill be amended in subclause (2) by deleting the words “the constitution of a community group” and substituting therefor the words “a community group constitution”.

Clause 10 - as amended agreed to.

Clause 11 - agreed to

Clause 12 - amendment proposed –

THAT, Clause 12 of the Bill be amended—

(a) in paragraph (b) by inserting the words “or immoral” immediately after the word “unlawful” wherever it appears;

(b) in paragraph (e) by inserting the words “Public Benefit Organization or Non-Governmental Organization” immediately after the words “registered community group”.

(Chairperson, Departmental Committee on Labour and Social Welfare)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 12 - as amended agreed to.

Clause 13 - amendment proposed –

THAT, Clause 13 of the Bill be amended by inserting the following new subclause immediately after subclause (2) —

“(3) A person aggrieved by the decision of the Director may appeal to the Cabinet Secretary in writing”.

(Chairperson, Departmental Committee on Labour and Social Welfare)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 13 - as amended agreed to.

Clause 14 - agreed to.

Clause 15 - agreed to.

Clause 16 - amendment proposed –

THAT, Clause 16 be amended in subclause (6) by inserting the words “in accordance with the community group’s constitution” immediately after the word “settled”.

(Chairperson, Departmental Committee on Labour and Social Welfare)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 16 - as amended agreed to.

Clause 17 - amendment proposed –

THAT, Clause 17 of the Bill be amended by inserting the following new subclauses immediately after subclause (6) —

“(6) A merged community group may change its name or constitution by issuing a notice of the change of name or constitution to the Director.

(7) A notice of change of a community group constitution under subsection (6) shall be accompanied by the new community group constitution.

(Chairperson, Departmental Committee on Labour and Social Welfare)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 17 - as amended agreed to.

Clause 18 - agreed to.

Clause 19 - agreed to.

Clause 20 - agreed to.

Clause 21 - agreed to.

Clause 22 - agreed to.

Clause 23 - agreed to.

Clause 24 - agreed to.

Clause 25 - agreed to.

Clause 26 - agreed to.

Clause 27 - agreed to.

Clause 28 - agreed to.

Clause 29 - agreed to.

Clause 30 - agreed to.

Clause 31 - agreed to.

Clause 32 - amendment proposed –

THAT, the Bill be amended in subclause (3) by inserting the words as “in accordance with the community group constitution and any other written laws” immediately after the words “treasurer's control”.

(Chairperson, Departmental Committee on Labour and Social Welfare)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 32 - as amended agreed to.

Clause 33 - agreed to.

Clause 44 - agreed to.

Clause 35 - agreed to.

Clause 36 - agreed to.

Clause 37 - agreed to.

Clause 38 - agreed to.

Clause 39 - agreed to.

Clause 40 - amendment proposed –

THAT, the Bill be amended by —

(a) deleting paragraph (c) and substituting therefor the following new paragraph—

“(c) procedures, requirements and guidelines on registration, suspension, cancellation and reinstatement of registration of any community group including a special interest group;”

(b) inserting the following new paragraph immediately after paragraph (j) —

“(ja) guidelines on community group management;”

(Chairperson, Departmental Committee on Labour and Social Welfare)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 40 - as amended agreed to.

First Schedule - agreed to.

Second Schedule - amendment proposed –

THAT, the Second Schedule to the Bill be amended by inserting the following new paragraph immediately after paragraph 12—

Group Assets

12A. The procedures for handling the distribution, disposal and sharing of assets and upon voluntary dissolution

(Chairperson, Departmental Committee on Labour and Social Welfare)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 41 - agreed to.

Clause 2 - as amended agreed to

Title - agreed to

Clause 1 - agreed to

Bill to be reported with amendments

(ii) The Landlord and Tenant Bill (National Assembly Bill No. 3 of 2021)

Clause 3 - amendment proposed –

THAT, clause 3 of the Bill be amended—

(a) in subclause (1)(a) by deleting subparagraph (iii) and substituting therefor the following subparagraph—

“(iii) residential premises whose monthly rent exceeds such amount as the Cabinet Secretary may prescribe, with the approval of the National Assembly.”

(b) by inserting the following new subclause immediately after subclause (1)—

“(1A) The Cabinet Secretary shall prescribe the initial amount under subsection (1)(a)(iii) within six months of the commencement of this Act.”.

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 3 - as amended agreed to

Clause 4 - amendment proposed –

THAT the Bill be amended by deleting Clause 4 and substituting therefor the following Clause—

Establishment of Tribunal. **4.** (1) There is hereby established the Landlord and Tenant Tribunal to have jurisdiction within the territory of the republic of Kenya.

(2) The Judicial Service Commission shall appoint—

(a) the Chairperson of the Tribunal who shall be qualified to be appointed a Judge of the High Court; and

(b) deputy chairpersons, who shall be Advocates of the High Court who have served for at least five years, to preside over such geographical areas of jurisdiction of the Tribunal as the Chief Justice may designate by notice in the *Gazette*.

(3) The Chairperson and a deputy chairperson of the Tribunal shall serve on a full-time basis.

(4) The Chairperson and a deputy chairperson of the Tribunal shall hold office for a term of five years and shall be eligible for re-appointment for one further term.

(5) A person shall not qualify for appointment under this section unless the person meets the requirements of Chapter Six of the Constitution.

(6) For the purpose of exercising its functions under this Act, the Tribunal shall be presided over by the Chairperson or a deputy chairperson.

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 4 - as amended agreed to

Clauses 5 & 6 - agreed to

Clause 7 - amendment proposed –

THAT, clause 7 of the Bill be amended in subclause (2) by deleting the words “High Court” appearing immediately after the words “to the” and substituting therefor the words “Environment and Land Court”.

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 7 - as amended agreed to

Clauses 8 & 9 - agreed to

Clause 10 - amendment proposed –

THAT, clause 10 of the Bill be amended by deleting subclause (1) and substituting therefor the following new subclause—

“(1) The Chairperson of the Tribunal shall—

(a) assign duties to a deputy chairperson; and

(b) preside over the Tribunal in matters where there are complex and substantial issues of law and which may be referred to the Chairperson by a deputy chairperson.”

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 10 - as amended agreed to

Clause 11 - agreed to

Clause 12 - amendment proposed –

THAT, clause 12 of the Bill be amended—

(a) in subclause (1) by deleting the words “to a” appearing immediately after the word “secretary” and substituting therefor the words “and chief executive officer of the”;

(b) in the opening statement of subclause (2) by deleting the words “A secretary” and substituting therefor the words “The chief executive officer”.

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 12- as amended agreed to

Clause 13 - amendment proposed -

THAT, clause 13 of the Bill be amended—

(a) by deleting paragraph (c) and substituting therefor the following new paragraph—

“(c) is incapacitated from performing the duties of the office by reason of prolonged physical or mental illness certified by a registered medical practitioner;”

(b) by inserting the following new paragraph immediately after paragraph (c)—

“(ca) is found guilty of professional misconduct by a professional body in which he or she is a member;”

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 13 - as amended agreed to

Clauses 14, 15 & 16 - agreed to

Clause 17 - amendment proposed -

THAT, clause 17 of the Bill be amended—

(a) in subclause (2) by deleting the words “fair rent” appearing immediately after the words “determine the” and substituting therefor the words “rent payable”;

(b) in subclause (4) by deleting the words “fair rent” appearing immediately after the words “determine the” and substituting therefor the words “rent payable”.

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 17 - as amended agreed to

Clause 18 - amendment proposed -

THAT, clause 18 of the Bill be amended in subclause (5) by deleting paragraph (d);

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 18 - as amended agreed to

Clause 19 - amendment proposed –

THAT, clause 19 of the Bill be amended in subclause (1)(a) by inserting the words “which shall be on the lapse of at least two months, in the case of residential premises, and three months, in the case of business premises, after the giving of notice”.

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 19 - as amended agreed to

Clauses 20, 21 & 22 - agreed to

Clause 23 - amendment proposed –

THAT, the Bill be amended by deleting clause 23.

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 23 - as amended agreed to

Clause 24 - agreed to

Clause 25 - amendment proposed –

THAT Clause 25 of the Bill be amended in subclause (1) by—

- (a) deleting the words “twenty four months in the case of business premises and not less than twelve months” appearing immediately after the words “not less than” in paragraph (a) and substituting therefor the words “three months in the case of business premises and not less than two months”;
- (b) deleting the words “three consecutive months” appearing immediately after the words “rent for” in paragraph (c) and substituting therefor the words “one month”.

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 25 - as amended agreed to

Clause 26 - agreed to

Clause 27 - amendment proposed -

THAT, clause 27 of the Bill be amended in subclause (1) by deleting the words “two months” appearing immediately after the words “period of” in paragraph (b) and substituting therefor the words “one month”.

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 27 - as amended agreed to

Clause 28 - agreed to

Clause 29 - amendment proposed -

THAT, clause 29 of the Bill be amended in subclause (1) by deleting the words “other than change of user” appearing immediately after the word “purpose” in paragraph (b).

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 29 - as amended agreed to

Clauses 30, 31, 32, 33, 34 & 35 - agreed to

Clause 36 - amendment proposed -

THAT, clause 36 of the Bill be amended—

- (a) in subclause 2 by inserting the words “on the recommendation of a practicing valuer” immediately after the word “tenancy” appearing in paragraph (a);
- (b) in subclause (3)(a)(i) by deleting the words “two years” and substituting therefor the words “one year”.

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 36 - as amended agreed to

Clauses 37, 38, 39, 40, 41, 42 & 43 - agreed to

Clause 44 - amendment proposed -

THAT, clause 44 of the Bill be amended in subclause (1) by deleting the words “not less than” appearing immediately after the words “law in force, on giving”.

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 44 - as amended agreed to

Clause 45 - agreed to

Clause 46 - amendment proposed -

THAT, clause 46 of the Bill be amended—

- (a) in subclause (1) by inserting the words “except for” immediately after the words “the tenancy” appearing in paragraph (b);
- (b) inserting the following new subclause immediately after subclause (2)—

“(3) A landlord shall provide a tenant with receipts for reasonable expenses incurred for repairing premises that the landlord proposes to deduct from any security deposit held.”

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 46 - as amended agreed to

Clauses 47, 48 & 49 - agreed to

Clause 50 - amendment proposed -

THAT, clause 50 of the Bill be amended in subclause (1) by inserting the following new paragraph immediately after paragraph (c)—

“(d) knowingly serves a notice containing false or misleading information,”.

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 50 - as amended agreed to

Clauses 51, 52, 53, 54, 55, 56, 57 & 58 - agreed to

Clause 59 - amendment proposed -

THAT, clause 59 of the Bill be amended—

- (a) in subclause (1) by deleting the words “sixty” appearing immediately after the word “terminated” and substituting therefor the words “thirty”;
- (b) in subclause (2) by deleting the words “sixty” appearing immediately after the word “terminated” and substituting therefor the words “thirty”;
- (c) in subclause (3) by inserting the words “upon production of relevant identification or legal documents” immediately after the words “tenants’ property” appearing in paragraph (b).

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 59 - as amended agreed to

Clause 60 - amendment proposed -

THAT, clause 60 of the Bill be amended—

- (a) in subclause (1) by deleting the words “sixty” appearing immediately after the word “terminated” and substituting therefor the words “thirty”;
- (b) in subclause (2)(b) by inserting the words “upon production of relevant identification or legal documents” immediately after the words “tenants’ property”.

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 60 - as amended agreed to

Clauses 61 & 62 - agreed to

Clause 63 - amendment proposed –

THAT, clause 63 of the Bill be amended by inserting the words “and with the approval of the National Assembly” immediately after the word “Gazette”.

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 63 - as amended agreed to

Clause 64 - amendment proposed –

THAT, clause 64 of the Bill be amended by deleting the words “may make regulations for giving better effect to the provisions of this Act” and substituting therefor the words “shall make regulations for giving better effect to the provisions of this Act within six months of the commencement of the Act”.

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Amendment to the amendment proposed

THAT, clause 64 of the Bill be amended by deleting the words “may make regulations for giving better effect to the provisions of this Act” and substituting therefor the words “shall make regulations for giving better effect to the provisions of this Act within twelve months of the commencement of the Act”.

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the further amendment proposed;

Debate arising;

Question put and agreed to;

Clause 64 - as further amended agreed to

Clause 65 - amendment proposed –

THAT, clause 65 of the Bill be amended by deleting the words “Distress for Rent Act” appearing immediately after the word “The”.

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 65 - as amended agreed to

Clauses 66 - agreed to

Schedule - agreed to

Clause 2 - amendment proposed –

THAT, clause 2 of the Bill be amended by deleting the definition of “Tribunal” and substituting therefor the following new definition—

“Tribunal” means the Landlord and Tenant Tribunal established under section 4;”

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 2 - as amended agreed to

Title - agreed to

Clause 1 - agreed to

Bill to be reported with amendments

14. **HOUSE RESUMED** - Fourth Chairperson in the Chair

The Landlord and Tenant Bill (National Assembly Bill No. 3 of 2021)

Bill reported with amendments

Motion made and Question proposed –

THAT, the House do agree with the committee in the said report

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Question put and agreed to;

Question for Third reading deferred.

(No.115)

WEDNESDAY, NOVEMBER 24, 2021

(1902)

The Community Groups Registration Bill (National Assembly Bill No. 20 of 2021)

Bill reported with amendments

Motion made and Question proposed –

THAT, the House do agree with the committee in the said report

(Chairperson, Departmental Committee on Labour and Social Welfare)

Question put and agreed to;

Question for Third reading deferred.

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

Order or Second reading read;

Motion made and Question proposed –

THAT, the Provident Fund (Repeal) Bill (National Assembly Bill No.30) be now read a Second time

(The Leader of the Majority Party)

Debate arising;

Mover replied;

Question deferred.

15. THE KENYA INDUSTRIAL RESEARCH AND DEVELOPMENT INSTITUTE BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2020)

Order or Second reading read;

Motion made and Question proposed –

THAT, the Kenya Industrial Research and Development Institute Bill (National Assembly Bill No.44) be now read a Second time

(The Leader of the Majority Party)

Debate arising;

Mover replied;

Question deferred.

16. **MOTION- OFFICIAL DOCUMENTING OF THE HISTORY OF THE NATIONAL ASSEMBLY**

Motion made

THAT, aware that the history of any institution is key to evaluating its development; **FURTHER AWARE** that documenting history provides a knowledge bank for future generations; **NOTING** that the history of the Parliament of Kenya is largely unrecorded, scattered and piecemeal; **FURTHER NOTING** that most comparable jurisdictions have elaborate records of their history which are periodically updated to capture new developments; **COGNISANT** of the fact that the Parliament of Kenya marks its 114th anniversary this year having been established as the Legislative Council (LegCo) in August 1907; **FURTHER COGNISANT** that the legislature has been transforming in the last century both in mandate and composition starting as a fused unicameral legislature, to a bicameral one at independence to a unicameral legislature before again reverting to a bicameral Parliament after the promulgation of the Constitution of Kenya 2010; **RECOGNISING** the many works of arts, including statues, frescoes, murals and pictures connected with the history of the Parliament of Kenya, including the contributions of great men and women, families, architects and politicians throughout the 114 years of the history of the institution, and its transformation and growth throughout the period; **NOW THEREFORE**, in order to ensure the preservation of the history of the institution for future generations, **this House resolves –**

- (i) THAT, at an appropriate stage, House appoints a Committee comprising of not more than nine (9) Members to oversee the preservation of these histories for posterity, with special focus on the National Assembly;
- (ii) **THAT**, the copyrights of the History of Parliament of Kenya projects be reserved for the benefit of Parliament and the people of Kenya; and,
- (iii) **THAT**, the Clerk of the National Assembly puts in place and executes appropriate mechanisms to actualize this Resolution.

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

17. **HOUSE ROSE** - at Nine o'clock

M E M O R A N D U M

The Speaker will take the Chair today,
Thursday, November 25, 2019 at 2.30 p.m

---x---

