



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – SIXTH SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, FEBRUARY 16, 2022 (MORNING SITTING)**

1. The House assembled at Thirty Minutes past Nine O'clock.
2. The Proceedings were opened with Prayer
3. **Presiding** – the Deputy Speaker

4. **QUESTIONS**

a) The following Questions were made to various Ministries/State Departments/  
Commissions: -

- (i) **Question 039/2022 by the Member for Tiaty** (Hon. William Kamket, MP) regarding school feeding programme as a drought mitigation platform in Tiaty Constituency.

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

- (ii) **Question 040/2022 by the Member for Magarini** (Hon. Michael Kingi, MP) regarding financing of infrastructure development for Galana Teachers Training College and Waresa Technical College.

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

- (iii) **Question 041/2022 by the Nominated Member** (Hon. Godfrey Osotsi, MP) regarding quarterly reports for licensed telecommunications operators in the country.

*(To be replied to by the Cabinet Secretary for ICT, Innovation and Youth Affairs before the Departmental Committee on Communication, Information and Innovation)*

- (iv) **Question 042/2022 by the Nominated Member** (Hon. Wilson Sossion, MP) regarding delays in the payment of pension to Mr. Johnstone Kipngeno Langat who retired as a teacher in 2002.

*(To be replied to by the Cabinet Secretary for the National Treasury and Planning before the Departmental Committee on Finance and National Planning)*

5. **THE CHILDREN (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 49 OF 2021)**

(The Hon. Lilian Gogo, M.P.)

Order for First Reading read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1)

6. **THE GERIATRIC BILL (NATIONAL ASSEMBLY BILL NO. 51 OF 2021)**

(The Hon. Gathoni Wamuchomba, M.P.)

Order for First Reading read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1)

7. **THE TRAFFIC (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 60 OF 2021)**

(The Hon. Kassait Kamket, M.P.)

Order for First Reading read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1)

8. **COMMITTEE OF THE WHOLE HOUSE**

**IN THE COMMITTEE**

The Fourth Chairperson, Speaker's Panel in the Chair

(i) **The National Disaster Management Authority Bill (National Assembly Bill No.10 of 2019)**

Clause 3 - agreed to

Clause 4 - amendment proposed -

**THAT**, Clause 4 of the Bill be amended in subclause (2) by deleting the words "in other counties" and substituting therefor the words "across the regions in the country".

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 4 - as amended agreed to

Clause 5 - amendment proposed -

**THAT**, Clause 5 of the Bill be amended—

- (a) in the opening statement by deleting the words “in liaison with the county governments”;
- (b) by inserting the following paragraphs immediately after paragraph (b)—
  - (ba) adopt a coordinated inter-agency and inter-ministerial approach in disaster prevention, preparedness, mitigation, response and recovery activities;
  - (bb) advice the national and county governments on disaster management measures;
  - (bc) promote linkages with key ministries, community service organisations, international organisations, county, sub-county and community based disaster management entities;
  - (bd) coordinate and collaborate with relevant agencies and institutions to facilitate capacity enhancement and research in disaster related issues;
  - (be) coordinate training and research and development in fire-fighting , search and rescue ambulance services;

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

Question on the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 5 - as amended agreed to

Clause 6 - amendment proposed -

**THAT**, Clause 6 of the Bill be amended by inserting a new paragraph immediately after paragraph (g)—

“(h) engage services of such experts in respect of any of the functions in which the experts are considered to have special competence.”

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

Question on the amendment proposed;

Debate arising;

Clause 6 - as amended agreed to

Clause 7 - agreed to

Clause 8 - amendment proposed -

**THAT**, Clause 8 of the Bill be amended—

- (a) in subclause (1) by —
  - (i) deleting the words “ or their representative appointed in writing” wherever they occur;
  - (ii) deleting paragraph (h); and
  - (iii) deleting paragraph (k).
- (b) in subclause (2) by deleting the words “Cabinet Secretary” and substituting therefor the word “President”;
- (c) by deleting subclause 3 and substituting therefor the following new subclause —
  - “(3) A person shall be qualified for appointment as Chairperson if the person —
    - (a) is a citizen of Kenya;
    - (b) holds a degree from a university recognized in Kenya; and
    - (c) has knowledge and experience in disaster and emergency management of not less than three years.”
- (d) in sub clause (4) by deleting the words “or member of the Board under subsection (1) (k)”.

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

Question on the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 8 - as amended agreed to

Clause 9 - agreed to

Clause 10 - amendment proposed -

**THAT**, Clause 10 of the Bill be amended by deleting the expression “and members appointed under section 7(l) (k) shall hold office for a term of five years” and substituting therefor the words “shall hold office for a term of three years”.

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 10 - as amended agreed to

Clauses 11, 12 & 13 - agreed to

Clause 14 - amendment proposed -

**THAT**, Clause 14 of the Bill be amended—

- (a) by deleting paragraph (b) and substituting therefor the following new paragraph—  
“(b) holds a degree from a university recognized in Kenya;”
- (b) by deleting paragraph (c) and substituting therefor the following new paragraph—

“(c) has knowledge and experience in matters related to disaster management of not less than ten years.”

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 14 - as amended agreed to

Clauses 15, 16 & 17 - agreed to

Clause 18 - amendment proposed -

**THAT**, Clause 18 of the Bill be deleted.

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

Question of the deletion proposed;

Debate arising;

Question put and agreed to;

Clause 18 - deleted

Clauses 19, 20, 21, 22, 23 24 & 25 - agreed to

Clause 26 - amendment proposed -

**THAT**, Clause 26 of the Bill be amended in subclause (3) by deleting the words “on the advice of the Authority and”.

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

Question on the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 26 - as amended agreed to

Clauses 27, 28, 29, 30, 31, 32, 33, 34 & 35 - agreed to

**New Clause 21A proposed -**

**THAT**, the Bill be amended by inserting the following new clauses immediately after clause 21—

Electronic information system.

**21A.** (1) The Authority shall develop and maintain an electronic database containing—

- (a) particulars of—
  - (i) national and county organs involved in disaster management;
  - (ii) non-governmental organisations involved in disaster management;
  - (iii) disaster management experts;
  - (iv) private sector organisations with specialised equipment, skills or knowledge relevant to disaster management;
  - (v) private sector voluntary agencies involved in disaster management; and
  - (vi) foreign non-governmental organisations and international organisations involved in disaster management;
- (b) in coordination with the Kenya Bureau of Statistics, information concerning disaster including information on—
  - (i) phenomena, occurrences, activities and circumstances that cause or aggravate disasters;
  - (ii) risk factors underlying disasters and ways and means to reduce such risks;
  - (iii) disaggregated data on disaster loss and damage showing the type of disaster, type of impact and its gender, age geographical disaggregation dimensions;
  - (iv) recurring occurrences that result in loss, but which are not classified as disasters under this Act;
  - (v) prevention and mitigation;
  - (vi) early warning system;
  - (vii) areas and communities that are particularly vulnerable to disasters; and
  - (viii) traditional knowledge relating to disaster management;
- (c) the directory of role-players referred to in subsection(1)(a)and the names and particulars of the respective contact persons;
- (d) emergency preparedness, response and recovery

resources and capacity in the national and county governments and in the non-government sectors, including the location and size of, and other relevant information relating to-

- (i) police stations;
  - (ii) hospitals clinics and other health facilities;
  - (iii) emergency medical services;
  - (iv) public buildings and other facilities that maybe used as emergency shelters or hospitals in the event of a disaster;
  - (v) fire-fighting services;
  - (vi) airports, airstrips, harbours, and railway stations; and
  - (vii) any other critical infrastructure including power stations, power distribution networks and water reservoirs,
- (e) emergency response resources and capacity in neighbouring states and relevant international relief agencies;
  - (f) emergency preparedness in the different spheres of government;
  - (g) each disaster classified by the Authority; and
  - (h) disaster management research and training facilities.

(3) The Authority shall facilitate the accessibility of the database.

(4) Notwithstanding subsection (3), the Authority—

(a) shall—

- (i) establish security safeguards to ensure that access to the information on the database does not violate the right of the subject of information to privacy;
  - (ii) on request by any person for information on the database, immediately redact or restrict access to the information; and
- (b) may classify parts of the database as restricted areas and limit access to those parts to authorised persons.

*(Chairperson, Departmental Committee on Administration*



*and National Security)*

Motion made and Question proposed –

THAT, the proposed new clause 21A be read a Second time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the new clause 21A be part of the Bill

Question put and agreed to;

**New Clause 21B proposed –**

Disaster management plans.

**21B.**The Authority shall–

- (a) develop and regularly review a national disaster management plan and strategy for organs of state and other institutional role-players involved in disaster management;
- (b) collaborate with the counties in coordinating the implementation of the policies, plans and strategies; and
- (c) develop guidelines for the integration of the concept and principles of disaster management in national and county integrated development plans, protocols, programmes and initiatives; and
- (d) mainstream gender issues in the plans and strategies.

(2)The national disaster management plan and strategy shall include information on–

- (a) measures to be taken for the prevention and response to disasters and the mitigation of their effects;
- (b) measures to be taken for preparedness and capacity building to effectively respond to any impending disaster;
- (c) minimum requirements for the provision of shelter, food, drinking water, medical services and sanitation in relief camps;
- (d) roles and responsibilities of different ministries, county governments, and relief agencies in respect of measures specified in paragraph(a),(b),and(c);and
- (e) any other matter relevant to disaster management.

(3)In developing and reviewing a disaster management plan under subsection(1),the Authority shall collaborate with departments, agencies and institutions involved in the implementation of the development plans and the leaders involved in the oversight of the implementation of the development plans.

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

Motion made and Question proposed –

THAT, the proposed new clause 21B be read a Second time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the new clause 21B be part of the Bill

Question put and agreed to;

**New Clause 21C proposed -**

Classification of  
disasters.

**21C.** (1) When a disastrous event occurs or threatens to occur, the Authority shall determine whether the event is a disaster under this Act, and immediately—

- (a) assess the magnitude and severity or potential magnitude and severity of the disaster;
- (b) classify the disaster as a county or national disaster in accordance with subsections(4),(5)and(6);and
- (c) record the prescribed particulars concerning the disaster in the prescribed register.

(2) When assessing the magnitude and severity or potential magnitude and severity of a disaster, the Authority—

- (a) shall consider information and recommendations concerning the disaster received from a County Committee; and
- (b) may enlist the assistance of an independent assessor to evaluate the disaster on site.

(3)The Authority may reclassify a disaster classified under subsection (1) (b) at any time after consultation with the relevant County Committee if the magnitude and severity or potential magnitude and severity of the disaster differs from the initial assessment.

(4) A disaster is a county disaster if—

- (a) it affects a single county; and
- (b) the county concerned is able to effectively manage it.

(5)A disaster is a national disaster if it affects—

- (a) more than one county; or
- (b) a single county which is unable to effectively manage it.

(6)Any disaster which does not fall under a disaster classified by the Authority, shall be deemed to be a county disaster.

(7) Despite the classification of a disaster under this section designating primary responsibility for managing a disaster to a particular level of government, the two levels of government may assist each other in managing the disaster.

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

Motion made and Question proposed –

THAT, the proposed new clause 21C be read a Second time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the new clause 21C be part of the Bill

Question put and agreed to;

**New Clause 21D proposed –**

Declaration of a state of emergency due to disaster.

**21D.** In the event of a national disaster, the President may, pursuant to Article 58 of the Constitution, by notice in the Gazette, declare a state of emergency.

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

Motion made and Question proposed –

THAT, the proposed new clause 21D be read a Second time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the new clause 21D be part of the Bill

Question put and agreed to;

**New Part IVA inserted -**

**THAT**, the Bill be amended by inserting the following new Part immediately after clause 27—

**PART IVA— COUNTY DISASTER MANAGEMENT**

**New Clause 27A proposed -**

Establishment of county disaster management committee.

**27A.** (1)There is established, for each county, a County Disaster Management Committee comprising—

- (a) the Chairperson appointed by the Governor;
- (b) the county executive committee member responsible for matters relating to disaster management, who shall be the secretary;
- (c) the county executive committee member responsible for matters relating to finance;
- (d) the county executive committee member responsible for matters relating to health;
- (e) the county executive committee member responsible for matters relating to information;
- (f) the county executive committee member responsible for matters relating to environment;
- (g) the County Commissioner; and
- (h) the County Police Commander;

(2)A member of a County Committee appointed under paragraph (a) of subsection (1) shall serve for a term of three years, renewable for one further term.

(3)The members of a County Committee shall serve on a part-time basis and shall be paid such allowances as may be determined by the county government in consultation with the Salaries and Remuneration Commission.

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

Motion made and Question proposed –

THAT, the proposed new clause 27A be read a Second time  
Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the new clause 27A be part of the Bill

Question put and agreed to;

**New Clause 27B proposed -**

Functions of a  
County Committee.

**27B.** (1)A County Committee shall–

- (a) advise the county government on matters relating to disaster management;
- (b) serve as the central agency in the implementation of disaster management activities in the respective county;
- (c) establish and implement a county early warning and emergency communication strategy that is in line with the national early warning and emergency communication strategy;
- (d) formulate the county disaster management plans and policy in line with the national plan and policy;
- (e) promote civic education and public awareness, training and capacity building on disaster management in the county including in schools;
- (f) (make recommendations to the county government regarding all financial matters in relation to disaster management;
- (g) promote an integrated and coordinated approach to disaster management in the county, with special emphasis on prevention, mitigation preparedness, response and recovery by other role-players involved in disaster management in the county;
- (h) collaborate with the national government, relevant agencies and leaders involved in overseeing disaster management in the county, on matters relating to disaster management–
- (i) act as a repository of, and conduit for, information concerning-
  - (i) damage and loss arising from disasters;
  - (ii) impending disasters; and

- (iii) disaster management in the county;
- (j) act as an advisory and consultative body on issues concerning disasters and disaster management in the county to—
  - (i) state organs;
  - (ii) the private sector and non-governmental organisations; and
  - (iii) community based organisations, indigenous groups, communities and individuals;
- (k) initiate and facilitate efforts to make funding available for disaster management in the county;
- (l) promote research into the aspects of disaster management at the county; and
- (m) devolve disaster management measures and structures to sub-county and village level.

(2) The county executive committee member responsible for disaster management within the county shall, within fourteen days of the preparation of a county disaster management plan, submit to the clerk of the county assembly, a copy of the disaster management plan for tabling before, and approval by the county assembly.

(3) The county executive committee member shall, once the county disaster management plan is approved, circulate, publish and publicise the plan, to the residents of the county, through such means as the county executive committee member may consider appropriate.

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

Motion made and Question proposed –

THAT, the proposed new clause 27B be read a Second time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the new clause 27B be part of the Bill

Question put and agreed to;

**New Clause 27C proposed -**

Powers of County Committee.

**27C.** (1)A County Committee shall have all the powers necessary for the proper performance of its functions under this Act, and, in particular, but without prejudice to the generality of the foregoing, the Committee shall have power to—

- (a) receive any grants, gifts, donations or endowments and to make legitimate disbursements there from;
- (b) delegate some of its powers to a public officer;
- (c) undertake any activity necessary for the execution of any of its functions; and
- (d) to enter premises to secure the supply of water, access a disaster area or for any other purpose related to disaster prevention or response.

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

Motion made and Question proposed –

THAT, the proposed new clause 27C be read a Second time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the new clause 27C be part of the Bill

Question put and agreed to;

**New Clause 27D proposed -**

Vacation of office.

**27D.**The office of a member of a County Committee shall become vacant if the member—

- (a) resigns by issuing notice in writing addressed to the County Executive;
- (b) is absent from three consecutive meetings of the County Committee without the permission of the chairperson;
- (c) is convicted of an offence and sentenced to imprisonment for a term exceeding six months without the option of a fine;
- (d) is convicted of an offence that constitutes a serious violation of Chapter Six of the Constitution;
- (e) is unable, by reason of mental or physical infirmity, to discharge his or her functions; or
- (f) dies.

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



Motion made and Question proposed –

THAT, the proposed new clause 27D be read a Second time  
Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the new clause 27D be part of the Bill  
Question put and agreed to;

**New Clause 27E proposed -**

Conduct of business  
and affairs of a County  
Committee.

**27E.**The conduct of the business and affairs of County  
Committee shall be as provided in the Second Schedule, but  
subject thereto the Committee may regulate its own procedure.

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

Motion made and Question proposed –

THAT, the proposed new clause 27E be read a Second time  
Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the new clause 27E be part of the Bill  
Question put and agreed to;

**New Clause 27F proposed -**

Procedure during  
disaster events.

**27F.**(1)When a disastrous event occurs or threatens to occur  
in a county, a County Committee shall determine whether the  
event is a disaster under this Act, and where it so determines, the  
County Committee shall immediately and without delay –

- (a) initiate the implementation of the county disaster  
management plan and emergency procedure;
- (b) initiate efforts to assess the magnitude and severity or  
potential magnitude and severity of the disaster; and
- (c) inform the Authority of the disaster and its initial  
assessment of the magnitude and severity or potential  
magnitude and severity of the disaster.

(2)When informing the Authority, in terms of subsection (1) (c), the County Committee may recommend the appropriate classification, of the disaster.

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

Motion made and Question proposed –

THAT, the proposed new clause 27F be read a Second time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the new clause 27F be part of the Bill

Question put and agreed to;

**New Clause 27G proposed -**

Annual report to County Assembly.

**27G.** A County Committee shall prepare and submit its annual report to the county assembly on–

- (a) its activities during the year;
- (b) results of its monitoring of prevention and mitigation initiatives;
- (c) disasters that occurred during the year in the county together with information on–
  - (i) their classification, magnitude and severity;
  - (ii) the effects they had;
  - (iii) problems experienced in dealing with the disasters;
- (d) progress on the preparation and regular updating of disaster management plans and strategies in the county; and
- (e) an evaluation of the implementation of disaster management plans and strategies in the county.

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

Motion made and Question proposed –

THAT, the proposed new clause 27G be read a Second time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the new clause 27G be part of the Bill

Question put and agreed to;

**New Clause 27H proposed -**

County Committee  
may make  
regulations.

**27H.** A county executive committee member may, for the purposes of managing a disaster, and with the approval of the county assembly, make regulations for—

- (a) measures for disaster prevention, mitigation, preparedness, response and recovery;
- (b) collection and publication of data relating to disaster management
- (c) use of listed premises as shelters to manage a disaster;
- (d) activation of a disaster response plan; or
- (e) conducting public awareness and civic education on disaster management.

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

Motion made and Question proposed –

THAT, the proposed new clause 27H be read a Second time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the new clause 27H be part of the Bill

Question put and agreed to;

**New Clause 27I proposed -**

Fire disaster  
management system.

**27I.** (1) Each county executive committee member shall be responsible for the development and implementation of a fire disaster management system and shall, for this purpose—

- (a) establish an effective fire management system for the prevention and management of fire disasters in the respective county;

- (b) ensure the provision of adequate personnel and equipment for the prevention and management of fire disasters in the county;
- (c) provide adequate information and carry out sensitization programmes on the prevention and management of fire disasters;
- (d) put in place an effective mechanism for fire rescue services; and
- (e) do such other thing necessary for the effective implementation of a fire disaster management system.

(2)The county executive committee member shall, in the performance of the functions under subsection (1)–

- (a) adopt a multi-disciplinary and multi-sectoral approach in firefighting;
- (b) factor in climate variations into firefighting;
- (c) disseminate information on firefighting;
- (d) establish and encourage volunteer community firefighting initiatives; and
- (e) be guided by the national values and principles of governance as set out under Article 10 of the Constitution.

(3) With respect to any matter concerning fire management legislation enacted by a County Government in accordance with section 12 of Part 2 of the Fourth Schedule to the Constitution, the county legislation shall apply.

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

Motion made and Question proposed –

THAT, the proposed new clause 27I be read a Second time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the new clause 27I be part of the Bill

Question put and agreed to;

Schedule - agreed to

**New Schedule proposed -**

**THAT,** the Bill be amended by–

- (a) renaming the existing schedule as the First Schedule; and
- (b) inserting the following new schedule immediately after the First Schedule–

**SECOND SCHEDULE s. 27E  
PROVISIONS AS TO THE CONDUCT OF BUSINESS AND AFFAIRS OF A  
COUNTY COMMITTEE**

Meetings.

(1) The County Committee shall meet not less than four times in every financial year and not more than four months shall elapse between the date of one meeting and the date of the next meeting.

(2) Notwithstanding the provisions of subparagraph (1) the chairperson may, and upon requisition in writing by at least three members shall, convene a special meeting of the Committee at any time for the transaction of the business of the Committee.

(3) Unless three quarters of the total members of the Committee otherwise agree, at least fourteen days' written notice of every meeting of the County Committee shall be given to every member of the County Committee.

(4) The quorum for the conduct of the business of the County Committee shall be one half of all the members.

(5) The chairperson shall preside at every meeting of the County Committee at which he is present but, in his absence, the members present shall elect one of their numbers to preside, who shall, with respect to that meeting and the business transacted thereat, have all the powers of the chairperson.

(6) Unless a unanimous decision is reached, a decision on any matter before the County Committee shall be by a majority of votes of the members present and voting and, in the case of an equality of votes, the chairperson or the person presiding shall have a casting vote.

(7) Subject to subparagraph (4), no proceedings of the County Committee shall be invalid by reason only of a vacancy among the members thereof.

Disclosure of interest by members.

2.(1) If a member is directly or indirectly interested in any contract, proposed contract or other matter before the County Committee and is present at a meeting of the County Committee at which the contract, proposed contract or other matter is the subject of consideration, that member shall, at the meeting and as soon as practicable after the commencement thereof, disclose the fact and shall not take part in the consideration or discussion of, or vote on, any questions with respect to the contract or other matter, or be counted in the quorum of the meeting during consideration of the matter:

Provided that, if the majority of the members present are of the opinion that the experience or expertise of such member is vital to the deliberations of the meeting, the County Committee may permit the member to participate in the deliberations subject to such restrictions as it may impose but such member shall not have the right to vote on the matter in question.

(2)A disclosure of interest made under this paragraph shall be recorded in the minutes of the meeting at which it is made.

(3)A member of the County Committee who contravenes subparagraph(1)commits an offence and is liable to imprisonment for a term not exceeding six months, or to a fine not exceeding one hundred thousand shillings, or both.

Execution of Instruments.

3. Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not require to be under seal, may be entered into or executed on behalf of the County Committee by any person generally or specially authorized by the County Committee for that purpose.

Minutes.

4. The County Committee shall cause minutes of all resolutions and proceedings of meetings of the Committee to be entered in books kept for that purpose.

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

Motion made and Question proposed –

THAT, the proposed new schedule be read a Second time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the new schedule be part of the Bill

Question put and agreed to;

Clause 2 - amendment proposed -

**THAT**, Clause 2 of the Bill be amended by inserting the following definitions in their proper alphabetical sequence—

“disaster management” means a continuous and integrated multi-sectoral, multi-disciplinary process of planning and implementation of measures aimed at—

- (a) preventing or reducing the risk of disasters;
- (b) mitigating the severity or consequences of disasters;

- (c) emergency preparedness;
- (d) a rapid and effective response to disasters; and
- (e) post-disaster recovery and rehabilitation;”

“County Committee” means the County Disaster Management Committee established under section 27A

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

Question on 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

**(ii) The Public Service Commission (Amendment) Bill (National Assembly Bill No.27 of 2019)**

(The Hon. Benjamin G. Mwangi, M.P.)

Consideration of the Bill deferred.

**(iii) The Alcoholic Drinks Control (Amendment) Bill (National Assembly Bill No.70 of 2019)**

The Hon. Silvanus Osoro, M.P.)

Consideration of the Bill deferred.

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

**The National Disaster Management Authority Bill (National Assembly Bill No.10 of 2019)**

Bill reported with amendments;

Motion made and Question proposed –

**THAT**, the House do agree with the Report of the Committee of the Whole House on its consideration of the National Disaster Management Authority Bill (National Assembly Bill No.10 of 2019)

*(The Hon. Kimani Ichung’wah, M.P.)*

Question of the Motion deferred.

10. **THE COMMUNITY HEALTH WORKERS BILL (NATIONAL ASSEMBLY BILL NO. 30 OF 2020)**

Order for Second Reading read;

Motion made and question proposed –

**THAT**, the Community Health Workers Bill (National Assembly Bill (National Assembly No. 30 of 2020) be now read a Second Time

*(The Hon. Martin Owino - 09.02.2022)*

Debate interrupted on Wednesday, February 9, 2022 (Morning sitting) – resumed;

Mover replied;

Question of the Motion deferred.

11. **THE POVERTY ERADICATION AUTHORITY BILL (NATIONAL ASSEMBLY BILL NO. 13 OF 2020)**

(The Hon. John Waluke, M.P.)

Order for Second Reading read;

Order deferred.

12. **THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2020)**

(The Hon. Patrick Wainaina, M.P.)

Order for Second Reading read;

Order deferred.

13. **THE SEXUAL OFFENCES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2020)**

(The Hon. Gathoni Wamuchomba, M.P.)

Order for Second Reading read;

Order deferred.

14. **THE INSURANCE PROFESSIONALS REGISTRATION BILL (NATIONAL ASSEMBLY BILL NO. 25 OF 2020)**

(The Hon. Benjamin Washiali, M.P.)

Order for Second Reading read;

15. **THE HEALTH (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 28 OF 2020)**

(The Hon. Alice Wahome, M.P.)

Order for Second Reading read;

Order deferred.



16. **THE HIGHER EDUCATION LOANS BOARD (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 29 OF 2020)**  
(The Hon. Gideon Keter, M.P.)  
Order for Second Reading read;  
Order deferred.
17. **THE INSTITUTE OF SOCIAL WORK PROFESSIONALS BILL (NATIONAL ASSEMBLY BILL NO. 31 OF 2020)**  
(The Hon. Joshua Kimilu, M.P.)  
Order for Second Reading read;  
Order deferred.
18. **THE BIRTH AND DEATH REGISTRATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 32 OF 2020)**  
(The Hon. Martha Wangari, M.P.)  
Order for Second Reading read;  
Order deferred.
19. **THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 34 OF 2020)**  
(The Hon. Richard Tongi, M.P.)  
Order for Second Reading read;  
Order deferred.
20. **THE ALCOHOLIC DRINKS CONTROL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2020)**  
(The Hon. Danson Mwakuwona, M.P.)  
Order for Second Reading read;  
Order deferred.
21. **THE PUBLIC DEBT MANAGEMENT AUTHORITY BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2020)**

Order of the Second Reading Read;

Motion made and question proposed –

**THAT**, the Public Debt Management | authority Bill (National Assembly Bill | No. 36 of 2020) be now read a Second Time.

*(The Hon. Sakwa Bunyasi, M.P.)*

Debate Arising;

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

22. HOUSE ROSE - at One O'clock

M E M O R A N D U M

The Speaker will take the Chair today-  
Wednesday, February 16, 2022 at 2.30pm

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