



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – SECOND SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, FEBRUARY 15, 2023 (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. **PAPERS**

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

- (i) 2023 Budget Policy Statement from the National Treasury & Economic Planning;
- (ii) Medium Term Debt Management Strategy, 2023 from the National Treasury & Economic Planning;
- (iii) Report of the Auditor-General on National Government Constituencies Development for Rarieda Constituency for the year ended 30 June 2019;
- (iv) Report of the Auditor-General and Financial Statements of the NG-CDF Board for the year ended 30th June, 2021 and the certificates therein;
- (v) Reports of the Auditor-General and Financial Statements of NG-CDF in respect of the following Constituencies for the year ended 30th June, 2021 and the certificates therein: -

- | | |
|-----------------------|--------------------|
| a. Ruiru; | n. Kajiado South; |
| b. Embakasi East; | o. Kibwezi West; |
| c. Kirinyaga Central; | p. Gatanga; |
| d. Mathare; | q. Kipipiri; |
| e. Kibra; | r. Nakuru Town; |
| f. Kigumo; | s. Kangema; |
| g. Kandara; | t. Mwingi Central; |
| h. Juja; | u. Gichugu; |
| i. Molo; | v. Mwea; |
| j. Dagoretti North; | w. Mathira; |
| k. Ruaraka; | x. Kiharu; |
| l. Thika Town; | y. Laikipia North |
| m. Gatundu South; | z. Mathioya. |

(vi) Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June, 2021 and the certificates therein:

- a) Kenya National Trading Corporation;
- b) Kenya Industrial Estates;
- c) Mt. Elgon Lodge Limited;
- d) Nyeri National Polytechnic;
- e) Privatization Commission;
- f) Government Clearing Agency Fund;
- g) Kenya Tourism Board;
- h) Kenya Water Towers Agency;
- i) National Environment Management Authority;
- j) Tourism Research Institute;
- k) Bomas of Kenya Limited;
- l) Tourism Promotion Fund;
- m) Kenya Forestry Research Institute;
- n) Nairobi Technical Training Institute;
- o) Kenya Ports Authority; and
- p) South Nyanza Sugar Company Limited.

(The Deputy Majority Leader)

5. **NOTICE OF MOTION**

The following Notice of Motion was given-

Continuous Registration of Beneficiaries to the Older Persons Cash Transfer (OCPT) Programme in the Country

THAT, aware that Article 57 of the Constitution outlines the measures to be taken to ensure the rights of elderly persons; noting that the elderly persons particularly from vulnerable background who are in dire need across the country require financial aid for their sustainability in regard to their health and wellbeing; recognizing that the Older Persons Cash Transfer (OPCT) Programme launched in 2007 with the purpose of facilitation of a monthly cash transfer to the disadvantaged and vulnerable elderly persons from identified deserving households who are 65 years and above across the country; concerned that registration of persons of 65 years and above was last conducted in the year 2016; cognizant of the fact that there are many elderly persons who have since attained the age of 65 years and are yet to be registered under the Older Persons Cash transfer programme; further concerned that the programme has in the recent past undergone unprecedented encounters in regard to new entries, technological mode of fund transfer developments, digital registration of elderly persons, inadequate monitoring and irregular receipts of funds; this House resolves that the national government through the Ministry of Labour and Social Protection undertakes continuous and timely registration of elderly persons under the Older Persons Cash Transfer Programme.

(Hon. (Eng.) Thuddeus K. Nzambia, MP)

6. **PROCEDURAL MOTION – LIMITATION OF DEBATE ON BILLS SPONSORED BY PARTIES OR COMMITTEES**

Motion made and Question proposed-

THAT, pursuant to the provisions of Standing Order 97(1), this House orders that each speech in a debate on Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party be limited as follows:- A maximum of forty five (45) minutes for the Mover, in moving and fifteen minutes (15) in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee), and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen minutes (15) each (if the Bill is not sponsored by either of them); and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

(Deputy Leader of the Majority Party)

No debate arising;

Question put and agreed to.

7. **PROCEDURAL MOTION – LIMITATION OF DEBATE ON INDIVIDUAL MEMBERS' BILLS**

Motion made and Question proposed-

THAT, pursuant to the provisions of Standing Order 97(1), this House orders that each speech in a debate on Bills NOT sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party be limited as follows: A maximum of three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen minutes (15) each; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

(Deputy Leader of the Majority Party)

No debate arising;

Question put and agreed to.

8. **PROCEDURAL MOTION – LIMITATION OF DEBATE ON MOTIONS**

Motion made and Question proposed-

THAT, pursuant to the provisions of Standing Order 97(1), this House orders that each speech in a debate on any Motion, including a Special motion be limited in the following manner: A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded

to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

(Deputy Leader of the Majority Party)

No debate arising;

Question put and agreed to

9. **PROCEDURAL MOTION – LIMITATION OF DEBATE ON REPORTS OF AUDIT COMMITTEES**

Motion made and Question proposed-

THAT, pursuant to the provisions of Standing Order 97(1), this House orders that each speech in debate on Reports of Audit Committees be limited as follows: A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

(Deputy Leader of the Majority Party)

No debate arising;

Question put and agreed to

10. **PROCEDURAL MOTION – LIMITATION OF DEBATE ON OTHER COMMITTEE REPORTS**

Motion made and Question proposed-

THAT, pursuant to the provisions of Standing Order 97(1), this House orders that each speech in a debate on Other Committee Reports, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House for which limitation of time has not been specified, shall be limited as follows:- A maximum of two and a half hours, with not more than twenty (20) minutes for the Mover in moving and five (5) minutes for any other Member speaking, including the Leader of the Majority Party and the Leader of the Minority Party and the Chairperson of the relevant Committee (if the Committee Report is not moved by the Chairperson of the relevant Committee), and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and further that priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

(Deputy Leader of the Majority Party)

No debate arising;

Question put and agreed to

11. **PROCEDURAL MOTION – LIMITATION OF DEBATE ON THE ADDRESS BY THE PRESIDENT**

Motion made and Question proposed-

THAT, noting that Standing Order 24(6) provides that debate on a Motion on the Address by the President shall be limited to not more than four sitting days, and pursuant to the provisions of Standing Order 97(1), this House orders that debate on a Motion on the Address by H.E. the President under Article 132(1)(a) of the Constitution shall be limited as follows: A maximum of thirty (30) minutes for the Mover in moving, twenty (20) minutes for the Leader of the Minority Party, and ten (10) minutes each to the Chairperson of the Departmental Committee on Justice & Legal Affairs to speak on the report submitted under Article 132(1)(c)(i) of the Constitution relating to the realisation of the national values; the Chairperson of the Departmental Committee on Defence, Intelligence & Foreign Relations to speak on the report submitted under Article 132(1)(c)(iii) of the Constitution relating to the progress made in fulfilling the international obligations of the Republic; and the Chairperson of the Departmental Committee on Administration & Internal Affairs to speak on the report submitted under Article 240(7) of the Constitution relating to the state of the security of the Country; and five (5) minutes for any other Member speaking, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply.

(Deputy Leader of the Majority Party)

No debate arising;

Question put and agreed to

12. **THE LAND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 40 OF 2022)**

(The Hon. Simon King'ara, 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).

13. **THE PENSIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2022)**

(The Hon. Didmus Barasa, 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).

14. **MOTION – GENERAL DEBATE ON THE PROPOSAL TO PARLIAMENT TO CONSIDER AMENDING THE CONSTITUTION AND THE STANDING ORDERS**

Motion made and Question proposed-

THAT, noting the contents of a Memorandum submitted to Parliament by His Excellency the President asking Parliament to consider initiating amendments to the Constitution; Acknowledging that, actualization of the proposals which relate to, inter alia, the composition of Parliament as provided for in Articles 97 and 98 of the Constitution in order to attain the two-thirds gender principle, the creation of the office of Leader of Official Opposition in Parliament, and the inclusion of various funds in the Constitution, would necessitate amendment to the Constitution, while the restructuring of parliamentary oversight to allow for Cabinet Secretaries to appear before the Houses of Parliament to respond to Questions by Members would require the amendment of Standing Orders; Further acknowledging that, the Speaker, vide a Notification issued on 9th December 2022 referred the matters raised in the Memorandum to the

Departmental Committee on Justice and Legal Affairs with regard to proposals relating to the implementation of the Two-Thirds Gender Principle and the establishment of the Office of the Leader of Official Opposition; The Joint Parliamentary Ad Hoc Committee with regard to proposals to amend the Constitution to entrench the Constituency Development, Senate Oversight and National Government Affirmative Action Funds; and The Procedure & House Rules Committee with regard to proposals to amend the Standing Orders to strengthen parliamentary oversight of the Executive, so as to facilitate public participation pursuant to Article 118 of the Constitution; NOW THEREFORE, pursuant to the provisions of Articles 1(2) and 95(2) of the Constitution, this House notes, considers and makes general comments on the proposals contained in the Memorandum by the His Excellency the President.

(The Leader of the Majority Party)

Debate arising;

[Change of chair from the Deputy Speaker to Hon. David Ochieng, MP]

[Change of chair from Hon. David Ochieng, MP to the Deputy Speaker]

[Change of chair from the Deputy Speaker to Hon. David Ochieng, MP]

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

- 15. **HOUSE ROSE** - at One O'clock

—

M E M O R A N D U M

The Speaker will take the Chair on-
Wednesday, February 15, 2023 at 2.30pm

---x---