



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, MARCH 8, 2023 AT 9.30 A.M.

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Questions and Statements

8*. MOTION – DEVELOPMENT OF POLICY ON STANDARDIZATION AND PRODUCTION OF SCHOOL UNIFORMS IN THE COUNTRY

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

THAT, aware that school uniform which is a variety of standardized clothing worn by students in educational institutions, create homogeneity among students irrespective of their socio-economic status or fashion preference; further aware that school uniforms keep students focused on education, not clothes, reducing peer pressure and bullying, enhancing school pride, unity and community spirit as they go a long way in contributing to students' sense of belonging to their school's population; appreciating that in Kenyan education system, schools across the Country, whether private or public schools require that students wear school uniform in order to be allowed to attend classes; concerned that the cost of uniforms has continued to escalate becoming prohibitively expensive for the poorest within the community with some schools demanding that parents pay uniform money to specific school accounts, a move that locks out many children whose parents cannot afford the expensive uniforms as listed by schools; now therefore, **this House** therefore **resolves** that the government through the Ministry of Education develops a policy on standardization and production of school uniforms in the country.

(Question to be put)

9*. **THE PENAL CODE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 56 OF 2022)**

(The Hon. David Gikaria, M.P.)

First Reading

10*. **THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 62 OF 2022)**

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

First Reading

11*. **THE PUBLIC SERVICE INTERNSHIP BILL (NATIONAL ASSEMBLY BILL NO. 63 OF 2022)**

(The Hon. Naisula Lesuuda, M.P.)

First Reading

12*. **MOTION – CONTINUOUS REGISTRATION OF BENEFICIARIES TO THE OLDER PERSONS CASH TRANSFER PROGRAMME IN THE COUNTRY**

(The Hon. Thuddeus Nzambia, M.P.)

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*.

(Resumption of debate interrupted on Wednesday, March 1, 2023 – Morning sitting)

(Balance of time - 13 minutes)

13*. MOTION – POLICY FORMULATION ON IMPLEMENTATION AND ENHANCEMENT OF EPZ PROGRAMMES IN THE COUNTRY

(The Hon. Beatrice Elachi, M.P.)

THAT, aware that, the *Export Processing Zones* (EPZ) Authority in Kenya was established in 1990 to promote and facilitate export-oriented investment programmes and create incentives for export-oriented production in areas designated as export processing zones; further aware that, the Authority is charged with the responsibility of regulating and administering approved activities within the export processing zones to ensure compliance among others; noting that, the programme anchors on Kenya's Vision 2030, the country's Economic Blueprint with regard to becoming an industrialized and upper middle-income country; further noting that, EPZ provides an attractive investment opportunity for export-oriented business ventures in the country; acknowledging that, the programme is a source of direct and indirect employment to more than 60,000 Kenyans; concerned that, currently, the programme is facing a myriad of challenges including inadequate funding, prohibitive cost of accessing business loans, high cost of production, shrinking export market due to effects of the Covid-19 pandemic, inadequate supplies of raw materials, water and power for agro-processing companies among others; further concerned that, there is need to revamp the said programme to improve its performance through increased funding to aid for instance in setting up of Excellence Centres in some parts of the county, expediting on negotiations for market access especially to the *East Africa Community* (EAC) including trade negotiations between Kenya and other countries on diversification of products eligible under the *African Growth and Opportunity Act* (AGOA), employee training and retention, provision of reliable supply of raw materials for Agro-processing companies, improvement of infrastructure to enhance steady supply of water and power and provision of affordable access to credit facilities among others; **this House resolves that** the National Government through the Ministry of Trade, Investments and Industry, develops a policy whose core objective would be to among others address the challenges currently faced by the EPZ with specific focus on implementing EPZ programmes to enhance performance and enable retention of investors across the country to enhance economic sustainability and allow companies to pursue businesses locally through the 20% waiver to enable them earn a living.

14*. MOTION – REDUCTION OF COST OF ELECTRICITY IN THE COUNTRY

(The Hon. Jane Kagiri, M.P.)

THAT, aware that the cost of electricity has been at an all-time high affecting the cost of living and doing business; acknowledging that, the Kenya Power and Lighting Company PLC (Kenya Power) procures electricity from the Kenya Electricity Generating Company PLC (KenGen), a government-owned company, and from Independent Power Producers (IPPs); recognizing that, Kenyan Power has entered into Power Purchase Agreements (PPAs) with both KenGen and the IPPs and procures power from them at unregulated rates; noting that, there is need to regulate all IPPs in the country and publicize their locations, stakeholders, directors, management and their addresses and agreements entered into with Kenya Power; cognizant that, recommendations from past taskforce reports relating to power purchase and rates have not been implemented; deeply concerned that, Kenya Power has in the past procured a larger quantity of power from the IPPs at a greater cost, rather than from KenGen, leading to higher cost of power; cognizant of the fact that, there is need to put in place policies, strategies and regulatory measures for better planning to moderate the cost of electricity and enable access to energy by all particularly in the manufacturing sector to ease the cost of production and doing business; **this House therefore resolves that:**

- (i) the Departmental Committee on Energy undertakes an inquiry into the operations of Kenya Power in relation to agreements entered into with IPPs, factors affecting the cost of electricity, including over-reliance on IPPs against available renewable and other energy sources, and measures to reduce it and submits a report to the House within one hundred and twenty (120) days;
- (ii) in the meantime, the Ministry and Kenya Power **should not** enter into new contracts with any IPPs until the House makes a resolution on the matter;
- (iii) informed by the reports of previous task forces on the matter, the Ministry engages in negotiations with power producers with a view to reducing the cost of power; and
- (iv) the Ministry and Kenya Power develop suitable strategies for engagements with the IPPs, in order to provide relief for electricity consumers and ensure the long-term viability and sustainability of the energy sector.

15*. MOTION – DEVELOPMENT OF A POLICY AND FUNDING FOR JUNIOR SECONDARY SCHOOLS

(The Hon. Geoffrey Ruku, M.P.)

THAT, aware that communities have continuously established learning institutions within their localities to address the inadequate physical facilities to support the attainment of universal access to education; noting that the Kenya Vision 2030 envisioned progressive establishment of more schools, expansion and rehabilitation of existing ones in order to improve access to education; further noting that huge sums of funds, particularly under the National Government Constituencies Development Fund (NG-CDF), have been invested in improving infrastructure in primary schools; acknowledging that in the recently introduced Competency Based Curriculum (CBC) education system, pupils will transition from primary school at class six and not class eight as was the case under the 8-4-4 system; concerned that basing Junior Secondary Schools (JSS) in selected primary schools will render classroom facilities that previously housed classes seven and eight redundant and that the arrangement would compel students to travel for longer distances to access institutions where Junior Secondary Schools are based; further concerned that the Guidelines recently issued by the Government directed that Junior Secondary Schools be domiciled in the existing primary schools, yet most primary schools lack the capacity to accommodate and effectively offer Junior Secondary School curriculum; deeply concerned that the Guidelines were hurriedly developed and operationalized; **this House urges** the Ministry of Education to –

- (i) urgently develop a comprehensive Junior Secondary Schools Policy in order to regularize and anchor the Guidelines under the Basic Education Act, 2012 to ensure that Junior Secondary Schools are established and operated in every primary school; and
- (ii) develop a clear implementation framework for the Competency-Based Curriculum the at Junior Secondary School level and provide for a funding plan for successful implementation of the Curriculum.

Denotes Orders of the Day

NOTICE

LIMITATION OF DEBATE

The House resolved on Wednesday, February 15, 2023 as follows—

Limitation of Debate on Motions

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.

NOTICE PAPER I

Tentative business for

Wednesday (Afternoon), March 8, 2023

(Published pursuant to Standing Order 38(1))

It is notified that the following business is *tentatively* scheduled to appear in the Order Paper for Wednesday (Afternoon), March 8, 2023 –

A. THE NATIONAL RATING BILL (NATIONAL ASSEMBLY BILL NO. 55 OF 2022)

(The Leader of the Majority Party)

First Reading

B. SPECIAL MOTION – CONSIDERATION OF NOMINEE FOR APPOINTMENT AS THE DEPUTY GOVERNOR OF THE CENTRAL BANK OF KENYA

(The Chairperson, Departmental Committee on Finance and National Planning)

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

(The Leader of the Majority Party)

(Resumption of debate interrupted on Tuesday, March 7, 2023)

D. MOTION – REPORT OF THE 42ND SESSION OF THE ORGANIZATION OF AFRICA, CARIBBEAN & PACIFIC STATES AND THE EUROPEAN UNION JOINT-PARLIAMENTARY ASSEMBLY

(Leader of the Kenya Delegation to the OACPS-EU JPA)

E. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 60 OF 2022)

(The Leader of the Majority Party)

Second Reading

...../Appendix*

APPENDIX

NOTICE OF PETITIONS, QUESTIONS & STATEMENTS

ORDER NO. 7 - QUESTIONS

It is notified that, pursuant to the provisions of Standing Order 42A (5), the following Members will ask **questions** for reply before the specified Committees-

QUE. NO.

QUESTION BY PRIVATE NOTICE

QPN
02/2023

The Member for Tiaty (Hon. Kassait Kamket, MP) to ask the Cabinet Secretary for Environment, Climate Change and Forestry: -

- (i) Could Cabinet Secretary explain whether the Ministry has plans to conduct the planned recruitment of the Kenya Forest Service Rangers (KFS) at the Sub-County level?
- (ii) Could the Cabinet Secretary explain measures put in place by the Ministry to curb intra-county marginalization during the recruitment of the Kenya Forest Service Rangers, particularly in cosmopolitan counties to enhance equity?

(To be replied before the Departmental committee on Environment, Forestry and Mining)

ORDINARY QUESTIONS

022/2023

The Member for Kitui West (Hon. Edith Nyenze, MP) to ask the Cabinet Secretary for Energy and Petroleum: -

- (i) Could the Cabinet Secretary explain why for every purchase of pre-paid electricity tokens, nearly 62% of the purchase amount is charged as taxes and other levies, leaving consumers with only an estimated 37.8% for tokens?
- (ii) What measures has the Ministry put in place to address taxes levied on electricity charges in order to ensure the power necessary to spur economic growth remains affordable to consumers?

(To be replied before the Departmental Committee on Energy)

023/2023

The Member for Mwea (Hon. Mary Maingi, MP) to ask the Cabinet Secretary for Agriculture and Livestock Development: -

- (i) Could the Cabinet Secretary provide details on the status of implementation and specify the timelines within which the Ministry intends to revive Mwea Cotton Ginnery following legalization of commercial cultivation of genetically modified pest resistant *BT Cotton* variety in 2019 after trials at Kenya Agricultural and Livestock Research Organisation (KALRO) Centre in Mwea?
- (ii) What steps has the Ministry taken to ensure that when the Ginnery begins active production, locals of Mwea Constituency will directly benefit in terms of employment opportunities and Corporate Social Responsibility (CSR) initiatives?

(To be replied before the Departmental Committee on Agriculture and Livestock)

024/2023

The Member for Laisamis (Hon. Joseph Lekuton, MP) to ask the Cabinet Secretary for Interior and National Administration: -

- (i) Could the Cabinet Secretary provide details on the circumstances surrounding an incident that occurred on April 2nd 2022, where two chiefs and four (4) other residents were killed by bandits in *Salmate* area in *Logologo* Location while in the process of recovering livestock that had been raided by bandits from the neighbouring constituency?
- (ii) What steps has the Government taken to ensure that the culprits of the heinous act are apprehended?
- (iii) What measures, if any, the Ministry has put in place to compensate the families of the two fallen Chiefs who were killed in the line of duty?
- (iv) Could the Cabinet Secretary explain the measures that the Government is putting in place to avert such incidents from recurring, considering that residents of *Logologo* location can no longer defend themselves from banditry after the Kenya Police Reservists in the area were disarmed and withdrawn?

(To be replied before the Departmental Committee on Administration and Internal Affairs)

025/2023

**The Member for Wundanyi (Hon. Danson Mwashako, MP)
to ask the Cabinet Secretary for Tourism, Wildlife and
Heritage: -**

Could the Cabinet Secretary –

- (i) explain the steps being taken to contain wild animals in Tsavo East and Tsavo West National Parks in Taita Taveta County within the parks and end invasion of human settlements in *Kishushe, Mlilo, Paranga, Marungu, Mwaroko Sagalla, Kasigau, Mbololo, Ndi, Ngolia and Mabomani, Landi, Rong'e, Mwatate, Bura, Mkenki and Maktau, Salaita, Tangini, Njoro, Mata, Orkung'u, Kachero, Jipe and Mkwajuni?*
- (ii) confirm whether the electric fence around the Parks is working and when the section without an electric fence will be fenced?
- (iii) consider alternative interventions to wildlife invasion in Taita Taveta like a dedicated helicopter and hiring of youth from within the County to provide immediate response to wildlife invasion as game rangers and scouts, given the long turnaround time taken by KWS officers to respond to wildlife invasion?
- (iv) list watering points in the Tsavo East and Tsavo West National Parks, including the state of *Aruba* Dam and steps being taken to ensure that the dam continues to provide water to the animals within the Parks?
- (v) provide details of the number of claims arising from wildlife attacks in Taita Taveta County in the last seven years, how many have been submitted, approved and paid and when pending claims will be paid?

*(To be replied before the Departmental Committee on Tourism and
Wildlife)*
