



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – SECOND SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, MAY 3, 2023 (MORNING SITTING)

1. The House assembled at Thirty Minutes past Nine O'clock in the morning
2. The Proceedings were opened with Prayer
3. **Presiding** – Hon. Gladys B. Shollei, MGH, MP (Deputy Speaker)

4. **LACK OF QUORUM**

There being no Quorum present to commence business, the Deputy Speaker ordered that the Quorum Bell be rung for Ten minutes;

And Quorum having been attained within the Five added minutes, business commenced.

5. **PAPERS**

The following Paper was laid on the Table of the House-

Report of the Departmental Committee on Labour on its vetting of a nominee for appointment as a member of the Salaries and Remuneration Commission.

(The Chairperson, Departmental Committee on Labour)

6. **NOTICES OF MOTION**

The following Notices of Motion were given:

a) **Vetting of a Nominee for Appointment as a Member of the Salaries and Remuneration Commission**

THAT, taking into consideration the findings of the Departmental Committee on Labour in its Report on the vetting of a nominee for the appointment as a member of the Salaries and Remuneration Commission, *laid on the Table of the House on Wednesday, 3rd May 2023*, and pursuant to the provisions of Article 250(2)(b) of the Constitution, section 7 (11) of the Salaries and Remuneration Commission Act, 2011 and section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Mr. Isaac Kipkemboi Melly** as a Member of the Salaries and Remuneration Commission.

(Hon. Peter Kihungi, MP on behalf of the Departmental Committee on Labour)

b) Provision of Mental Healthcare Services in Sub-Counties

THAT, aware that Article 43(1)(a) of the Constitution provides that every person has the right to the highest attainable standard of health including the right to health care services; **further aware that** mental health is a key determinant of overall health and socio-economic development; **recognizing that** the Constitution assigns to the national government the responsibility of matters of health policy; **concerned that** according to the World Health Organization (WHO), mental and neurological disorders are common and about ten percent of the population at any given time suffer from at least one mental disorder; **noting that** patients attending primary care clinics may have diagnosable mental disorders; **deeply concerned that** psychiatric units are only available in a few counties indicating that patients seeking services at all health care facilities in most facilities have limited or no access to mental healthcare services; **acknowledging that** efficient access to healthcare facilities leads to improved overall health, increased economic productivity, social equity and improved quality of life; **now therefore**, this House **urges** the national government through the Ministry of Health to collaborate with the county government to develop a policy that will integrate mental healthcare services at all levels of healthcare facilities to enable all citizens access these services

(Hon. Mishi Mboko, MP)

c) Introduction of Comprehensive Health Education as a Core Subject in Schools

THAT, aware that, improving public health is a fundamental responsibility of the Government and it is imperative to address pressing health problems faced by young people, including poor sexual and reproductive health, inadequate knowledge and information regarding sexual health and protection against sexually transmitted infections; **concerned that**, the current state of adolescent health training programmes is inadequate and fragmented resulting in limited access to health care information and services by the youth in the country; **further concerned that**, as a result of this, young people face significant barriers in accessing comprehensive health care; **cognizant that**, comprehensive sexual education through school-based programmes, community-based programmes and health care facilities can promote healthy sexual practices amongst young people and reduce the spread of HIV/AIDS and other sexually transmitted infections, lower the incidences of teenage pregnancies thus increasing school attendance and retention; **now therefore**, this House **resolves that** the National Government through the State Department of Basic Education introduces comprehensive health, wellness and sex education in the curriculum as a core subject in schools.

(Hon. Jane Njeri Maona, MP)

d) Establishment of National Fund to Support Victims of Gender-Based Violence

THAT, aware that Article 29 of the Constitution provides the right of every person to freedom from any form of violence; **further aware that**, gender-based violence (GBV) is a serious violation of human rights with records indicating that one in every three women will experience sexual or physical violence in their lifetime; **noting that** according to the UN Refugee Agency (UNHCR), gender-based violence includes sexual, physical, mental and economic harm inflicted in public or in private and may involve threats of violence, coercion and manipulation in the form of intimate partner violence, sexual violence, child marriage, and female genital mutilation; **further noting that**, timely response to and effective post-management of GBV

incidences is critical in curbing the effects of these incidences to victims; **concerned that** at present, there are inadequate gender-based violence response centres and shelters in the country with limited resources being provided for victims seeking assistance; **further concerned that**, there are inadequate rehabilitation and reintegration programmes for victims and perpetrators of gender-based violence; **recognizing that**, victims of gender-based violence as well as perpetrators require specialized professional assistance for full reintegration into the community; this House therefore **resolves** that the Government through the relevant Ministry establishes a national fund to ensure all survivors of GBV have adequate, timely and unhindered access to quality services that meet their needs, and support victims of GBV to have access to timely and un-hindered quality services.

(Hon. Mary Emaase, MP)

7. **THE NATIONAL TRANSPORT AND SAFETY AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 43 OF 2022)**

Motion made and Question proposed:-

THAT, the National Transport and Safety Authority (Amendment) Bill (National Assembly Bill No. 43 of 2022) be read a Second Time.

(The Hon. Simon King'ara, M.P.-19.04.2023)

Debate concluded on Wednesday, April 26, 2023;

Putting of the Question deferred.

8. **MOTION – REGULATION OF THE BETTING INDUSTRY**

Motion made and Question proposed-

THAT, aware that, the Betting, Lotteries and Gaming Act, Cap 131 Laws of Kenya provides for the regulation of the gambling industry including the control of betting, lotteries and gaming in the country; further aware that, there is an emerging trend of media houses offering their audiences platforms to participate in betting through lottery-style games, trivia shows, polls, contests and other SMS based gaming; concerned that the trend was initially perceived as a harmless form of entertainment and audience engagement but has since developed into a problem within our communities leading to many Kenyans getting addicted to this form of gambling and that has led to lots of loss; further concerned that, there are numerous negative effects of this trend including financial ruin, family breakups, high truancy in schools resulting in high school dropout rates and in some cases, suicide; noting that, these games target individuals who can least afford to lose money, mainly the elderly, the youth and low- income earners; cognizant that the Government has the responsibility of protecting citizens from negative social trends including gambling and that the proliferation of these games is a violation of the Betting, Lotteries and Gaming Act; now therefore, **this House resolves that** the National Government through the relevant Ministries and agencies to –

- (i) regulate the running of lotteries and any other forms of betting disguised as polls, contests and other SMS-based gaming by media houses; and
- (ii) ensure strict operationalization of the Betting, Lotteries and Gaming Act and increase control and oversight of the betting industry.

(Hon. Duncan Mathenge, MP – 19.04.2023)

Debate having been concluded on Wednesday, April 26, 2023;

Question put and agreed to.

9. **THE KENYA DRUGS AUTHORITY BILL (NATIONAL ASSEMBLY BILL NO. 54 OF 2022)**

(Hon. (Dr.) Robert Pukose, MP)

Order for First Reading read;

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

10. **THE ASSISTED REPRODUCTIVE TECHNOLOGY BILL (NATIONAL ASSEMBLY BILL NO. 61 OF 2022)**

(Hon. Millie Odhiambo-Mabona, MP)

Order for First Reading read;

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

11. **THE HEALTH (AMENDMENT) (No. 2) BILL (NATIONAL ASSEMBLY BILL NO. 42 OF 2022)**

Motion made and Question proposed -

THAT, the Health (Amendment) (No.2) Bill (National Assembly Bill No. 42 of 2022) be read a Second Time.

(The Hon. Didmus Barasa, M.P.-26.04.2023)

Debate interrupted on Wednesday, April 26 2023 resumed;

(Change of chair from Deputy Speaker to Second Chairperson of Committees)

Debate concluded;

Question deferred.

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

Motion made and Question proposed-

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 at Junior Secondary School level and provide for a funding plan for successful implementation of the Curriculum.

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

Debate arising;

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.

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

M E M O R A N D U M

The Speaker will take the Chair-
Today, Wednesday, May 3, 2023 at 2.30pm

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