

**REPUBLIC OF KENYA****THIRTEENTH PARLIAMENT – THIRD SESSION****THE NATIONAL ASSEMBLY****VOTES AND PROCEEDINGS****THURSDAY, MARCH 21, 2024 2.30 PM (AFTERNOON SITTING)**

1. The House assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer.
3. **Presiding** – the Honourable Deputy Speaker.
4. **COMMUNICATION FROM THE CHAIR**

The Speaker issued the following Communication -

Referral of the Kenya Sign Language Bills to the Departmental Committee on Social Protection

“Honourable Members, As you may be aware, there are currently two Bills under consideration by the House on the subject matter of Kenya Sign Language.

The first Bill, the Kenyan Sign Language Bill (Senate Bill No. 9 of 2023) seeks to, *inter alia*, give effect to Article 7(3)(b) of the Constitution relating to the promotion and development of the use of Kenyan Sign Language, provide for the inclusion of sign language in the education curriculum, and the use of sign language in legal proceedings. The Bill, introduced in the Senate by Senator Crystal Asige, MP, is co-sponsored by the Hon. Millie Odhiambo-Mabona, MP in the National Assembly and was read a First Time on 28th February 2024.

On the other hand **Honourable Members**, the Kenya Sign Language Bill (National Assembly Bill No. 1 of 2024) is a Bill sponsored by the Nominated Member, then Hon. Umulkher Harun Mohamed, MP seeking to give effect to Articles 7(3)(b), 44, 50(2)(m), 54(1)(d) and 120 of the Constitution, to establish the Kenyan Sign Language Council for the regulation of sign language interpretation in Kenya, and to provide for the recognition and promotion of the use of Kenyan Sign Language. The Bill was read a First Time on 13th March 2024.

Honourable Members, at the time of First Reading, the Kenyan Sign Language Bill (Senate Bill No. 9 of 2023) and the Kenya Sign Language Bill (National Assembly Bill No. 1 of 2024) were committed to the Departmental Committee on Education, and the Departmental Committee on Sports & Culture, respectively for purposes of facilitating public participation in accordance with the provisions of Article 118 of the Constitution and Standing Order 127. Indeed, I am aware that the respective Committees have initiated the process of consideration of the proposed legislations.

However, **Honourable Members**, having considered the true nature and character of the Bills, it is evident that the overarching subject matter relates inherently to the facilitation of persons with disability to access not only to education but also to

guarantee their full participation in official engagements, including legal proceedings. Additionally, it is noted that the Bills provide for more than just language as they relate to issues of assistance to persons with language disability during trial, the right of persons with disability to use sign language or other appropriate means of communication, and the use of Kenyan Sign Language by Parliament to ensure access to proceedings by the deaf community. The Bills therefore seek to entrench Kenya Sign Language as a legislative tool for access to justice and the rights due to persons with disabilities.

Honourable Members, in view of the foregoing and pursuant to the provisions of Standing Order 127(6), I hereby refer the two Bills to the **Departmental Committee on Social Protection**, under whose mandate matters relating to persons with disabilities fall, for consideration and subsequent reporting to the House. I do this noting the cross-cutting nature of the two Bills and the need to ensure that the object of the Bills as intended by the sponsors is upheld.

Further, **Honourable Members**, noting the common subject matter between the two Bills, the Committee is encouraged to consider the Bills and advise the House on the most appropriate proposal to proceed so as to ensure the rights of all persons including those who are hard-of-hearing, the deafblind and the general deaf community are upheld. I further direct the Clerk to facilitate the Committee in undertaking public participation activities on the two Bills as required by the Constitution and our Standing Orders. **The House is accordingly guided. I thank you!”**

(Change of Chair from Deputy Speaker to the First Chairperson of Committees)

5. MESSAGES

The Speaker conveyed the following Messages -

(i) **Nomination of a Co-sponsor for the Care and Protection of Child Parents Bill (Senate Bill No.29 of 2023)**

“Honourable Members, Pursuant to the provisions of Standing Order 41 of the National Assembly Standing Orders, I wish to report to the House that I have received a Message from the Senate on nomination of a co-sponsor of the Care and Protection of Child Parents Bill (Senate Bill No. 29 of 2023).

Honourable Members, the Message conveys that, pursuant to Standing Order 162(2) of the Senate Standing Orders, Sen. Miraj Abdillahi Abdulrahman, MP, being the sponsor of the said Bill, has nominated the Member for Kericho County, the **Hon. Beatrice Kemei, MP** to co-sponsor the Bill in the National Assembly.

Honourable Members, you may recall that on Wednesday, 13th March 2024, I reported to this House a Message from the Senate regarding the passage of two Bills by the Senate, among them being the Care and Protection of Child Parents Bill (Senate Bill No. 29 of 2023). The Bill was read a First Time on Tuesday, 19th March 2024 and referred to the Departmental Committee on Social Protection for consideration.

Accordingly, **Honourable Members**, pursuant to the provisions of Standing Order 143(1)(b) of the National Assembly Standing Orders, the **Hon. Beatrice Kemei, MP**, will now assume the role of the co-sponsor of the Bill and shall be responsible for marshalling its consideration in the National Assembly. The House is accordingly guided. **I thank you!”**

(ii) **Nomination of Persons for Appointment to various Diplomatic Offices by H.E the President**

Honourable Members, Pursuant to the provisions of Standing Order No. 42, I wish to report to the House that I have received a Message from His Excellency the President regarding nomination of persons for appointment to various diplomatic offices.

In the Message, His Excellency the President conveys that, in exercise of powers conferred to him by the provisions of Article 132(2)(e) of the Constitution, he has nominated **twenty-seven (27)** persons for appointment to the offices of the High Commissioners, Ambassadors, Permanent Representatives and Consuls-General.

The twenty-seven (27) persons are as hereunder –

A. HIGH COMMISSIONERS

NO.NAME	STATION
1. Ms. Catherine Kirumba Karemu	London, United Kingdom
2. Hon. Joash Arthur Maangi	Kampala, Uganda
3. Hon. Lilian Tomitom	Lusaka, Zambia
4. Hon. Vincent Mogaka Kemosi	Accra, Ghana
5. Ms. Caroline Kamende Daudi	Ottawa, Canada
6. Lt. Gen. Peter Mbogo Njiru	Islamabad, Pakistan

B. AMBASSADORS

NO.NAME	STATION
1. Hon. Fred Outa	Cairo, Egypt
2. Prof. Anne Kisaka Nanguli	Dakar, Senegal
3. Mr. Timothy Kaluma Mcharo	Algiers, Algeria
4. Hon. Christopher Andrew Lang'at	Abidjan, Côte d'Ivoire
5. Ms. Jessica Muthoni Gakinya	Rabat, Morocco
6. Hon. Halima Yussuf Mucheke	The Hague, Netherlands
7. Dr. David Kiplagat Kerich	Washington DC, USA
8. Ms. Everlyne Mwenda Karisa	Havana, Cuba
9. Dr. Peter Mutuku Mathuki	Moscow, Russia
10. Amb. Moi Lemoshira	Tokyo, Japan
11. Mr. Kenneth Milimo Nganga	Abu Dhabi, UAE
12. Lt. General Jonah Mwangi	Tehran, Iran
13. Mr. Abdi Aden Korio	Muscat, Oman

C. PERMANENT REPRESENTATIVES

NO.NAME	STATION
1. Ms. Getrude N. Angote (UNEP)	United Nations Environment Programme
2. Ms. Grace Atieno Okara	United Nations HABITAT
3. Dr. Fancy Too	Ambassador/Permanent Representative, Geneva, Switzerland
4. Mr. Ekitela Erastus Lokaale	United Nations, New York, USA

D. CONSULS-GENERAL

NO.NAME	STATION
1. Mr. Ezra Chiloba	Los Angeles, USA
2. Mr. Charles Githinji Keiru	Goma, DRC
3. Mr. Aden Mohamud Mohamed	Jeddah, Saudi Arabia
4. Mr. David Iboko Lokemer	Dubai, UAE

Honourable Members, in accordance with the provisions of Standing Order 45(1), I hereby refer the Message and the curriculum vitae and testimonials of the nominees to the **Departmental Committee on Defence, Intelligence and Foreign Relations** for consideration.

Honourable Members, section 8 of the Public Appointments (Parliamentary Approval) Act, 2011 provides that, unless otherwise provided in law, the Committee to which such nomination is referred shall consider the matter and table a report in the House for debate and decision **within twenty-eight (28) days**.

In this regard, the Committee is expected to immediately commence the approval process and thereafter table its report on or before **Tuesday, 16th April 2024**, to enable the House consider the matter within the statutory timelines. **I thank you!**

6. RE-ORGANISATION OF BUSINESS PURSUANT TO STANDING ORDER 40

Pursuant to the provisions of Standing Order 40(2), the First Chairperson of Committee directed the reordering of the sequence of proceedings as follows -

- a) after Order No.3, the House to proceed to business listed under **Order No. 8** (*Motion-Report of the Committee of the Whole House on the Statutory Instruments (Amendment) Bill (National Assembly Bill No. 3 of 2024)*), **Order No. 9** (*Motion on Report of the Auditor General on the Financial Statements for the Kenya Slum Upgrading Low-Cost Housing & Infrastructure Trust Fund*) **Order No. 10** (*Motion on Reports of the Auditor-General on the Financial Statements for the Land Settlements Fund and the Railway Development Fund*), **Order No. 11** (*Motion on Report of the Committee of the Whole House on the Houses of Parliament (Bicameral Relations) Bill (National Assembly Bill No. 44 of 2023)*) and **Order No. 12** (*Committee of the Whole House*); and
- b) thereafter the House to revert to Order No. 4 (*Petitions*).

7. MOTION - REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2024)

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 Statutory Instruments (Amendment) Bill (National Assembly Bill No. 3 of 2024).

(Leader of the Majority Party)

Question put and agreed to.

Bill Read a Third Time and passed.

8. MOTION - REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS FOR THE KENYA SLUM UPGRADING LOW-COST HOUSING & INFRASTRUCTURE TRUST FUND

Motion made -

THAT, this House **adopts** the Report of the Special Funds Accounts Committee on its consideration of the Report of the Auditor General on the Financial Statements for the Kenya Slum Upgrading Low-Cost Housing & Infrastructure Trust Fund for the Financial Year 2017/2018 to 2021/2022, and the Alcoholic Drinks Control Fund for

the Financial Year 2017/2018, *laid on the Table of the House on Wednesday, 18th October 2023.*

(Chairperson, Special Funds Accounts Committee– 21.03.2024)

Debate on the Motion having been concluded on Thursday, 21st March 2024 (Morning);

Question put and agreed to.

9. MOTION – REPORTS OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS FOR THE LAND SETTLEMENTS FUND AND THE RAILWAY DEVELOPMENT FUND

Motion made -

THAT, this House **adopts** the Seventh Report of the Special Funds Accounts Committee on its consideration of the Reports of the Auditor-General on the Financial Statements for the Land Settlements Fund for the Financial Years 2020/2021 & 2021/2022 and the Railway Development Fund (Holding Account) for the Financial Years 2017/2018, 2018/2019, 2019/2020, 2020/2021 & 2021/2022, *laid on the Table of the House on Thursday, 7th December 2023.*

(Chairperson, Special Funds Accounts Committee– 21.03.2024)

Debate on the Motion having been concluded on Thursday, 21st March 2024 (Afternoon);

Question put and agreed to.

10. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE HOUSES OF PARLIAMENT (BICAMERAL RELATIONS) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2023)

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 Houses of Parliament (Bicameral Relations) Bill (National Assembly Bill No. 44 of 2022), **subject to recommittal of Clause 14.**

(Hon. Samuel Chepkonga)

Debate on the Motion having been concluded on Thursday, 21st March 2024 (Morning);

Question put and agreed to.

11. COMMITTEE OF WHOLE HOUSE

IN THE COMMITTEE

Fifth Chairperson of Committees in the Chair

The Houses of Parliament (Bicameral Relations) Bill (National Assembly Bill No. 44 of 2023)

Clause 14

Amendment proposed-

THAT, Clause 14 of the Bill be amended -

(a) by deleting subclause (4) and substituting therefor the following new subclause -

“(4) At its first sitting, a mediation committee shall appoint its Chairperson from the Members of the House that originated a Bill referred for mediation.”

(b) in subclause (7) by inserting the words “the Chairperson, Vice-Chairperson or” immediately after the words “House by”;

(Hon. Samuel Chepkonga)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed-

THAT, Clause 14 of the Bill be amended -

- (a) in subclause (2) by inserting the words “within four sitting days or, when on recess, within seven calendar days” immediately after the words “mediation committee”;
- (b) by deleting subclause (4) and substituting therefor the following new subclause—

“(4) The Chairperson of the mediation committee shall be appointed from the members of the House that rejected the Bill and the Vice-Chairperson shall be appointed from the members of the House that originated the Bill.”

(Hon. Dr. Ojiambo Oundo)

Proposed amendment dropped;

Clause 14 as amended - agreed to.

Bill to be reported with amendments.

12. HOUSE RESUMED - the First Chairperson of Committees in the Chair

The Houses of Parliament (Bicameral Relations) Bill (National Assembly Bill No. 44 of 2023)

Bill reported with amendments;

Motion made and Question proposed –

THAT, the House do agree with the Committee in the said report.

(Hon. Samuel Chepkonga)

Question put and agreed to.

Bill Read a Third Time and Passed.

13. PAPERS LAID

The following Papers were laid on the Table of the House-

- (a) Reports of the Auditor-General and Financial Statements for the year ended 30th June, 2023 and the certificates therein in respect of-
 - (i) Anti-female Genital Mutilation Board;
 - (ii) University of Nairobi Enterprises and Services Limited;
 - (iii) National Biosafety Authority;
 - (iv) Privatization Commission Mortgage and Car Loan Scheme;
 - (v) Public Procurement Regulatory Authority;
 - (vi) Kenya Bureau of Standards;
 - (vii) Garissa University;
 - (viii) Wildlife Clubs for Kenya;
 - (ix) Water and Services Regulatory Board Car Loan and Mortgage Fund;
 - (x) Kenya Biovax Institute Limited;
 - (xi) Water Sector Trust Fund; and
 - (xii) Tourism promotion Fund.

(Deputy Majority Party Whip)

- (b) Second Report of the Select Committee on National Cohesion and Equal Opportunity on the Employment Diversity Audit in Public Institutions.

(Chairperson, Select Committee on National Cohesion and Equal Opportunity)

(Change of Chair from the First to the Fifth Chairperson of Committees)

14. NOTICES OF MOTION

The following Notice of Motion was given -

- **THAT**, this House **adopts** the Second Report of the Select Committee on National Cohesion and Equal Opportunity on the Employment Diversity Audit in Public Institutions, *laid on the Table of the House on Thursday, 21st March 2024.*

(Chairperson, Select Committee on National Cohesion & Equal Opportunity)

15. STATEMENTS PURSUANT TO STANDING ORDER 44(2)(c)

(a) The following Statements were requested: -

- (i) By the Member for Galole (Hon. Hiribae Said) requested for a Statement from the Chairperson, Departmental Committee on Lands regarding Encroachment of community land at Jamhuri Location in Galole Constituency;
- (ii) By the Member for Ijara (Hon. Abdi Ali) requested for a Statement from the Chairperson, Departmental Committee on Administration and Internal Security regarding mysterious disappearance of persons;
- (iii) By the Member for Nyaribari Chache (Hon. Zaheer Jhanda) requested for a Statement from the Chairperson, Budget and Appropriations regarding delay in disbursement of money by the National Treasury;
- (iv) By the Member for Igembe South (Hon. John Paul) requested for a Statement from the Chairperson, Departmental Committee on Education regarding Grade discrepancies in Kililai secondary school.
- (v) By the Member for Kilifi County (Hon. Getrude Mbeyu) requested for a Statement from the Chairperson, Departmental Committee on Administration and Internal Security regarding erroneous classification of *mnazi* as an alcoholic drink in the crackdown of illicit brews.
- (vi) By the Member for Kacheliba (Hon. Titus Lotee) requested for a Statement from the Chairperson, Departmental Committee on Lands regarding alleged land ownership by Kerio Valley Development Authority and impending evictions in West Pokot.
- (vii) By the Member for Soy (Hon. David Kiplagat) requested for a Statement from the Chairperson, Committee on National Government Constituencies Development Fund (NGCDF) regarding Management of fund managers by the NG-CDF Board.
- (viii) By the Member for Mbeere North (Hon. Geoffrey Ruku) requested for a Statement from the Chairperson, Departmental Committee on Agriculture and Livestock regarding continued sale of Roundup in the country by Bayer East Africa Ltd.
- (ix) By the Member for Jomvu (Hon. Bady Twalib) requested for a Statement from the Chairperson, Departmental Committee on Education regarding the lack of adequate funding for projects and maintenance of buildings at the Technical University of Mombasa (TUM);
- (x) By the nominated Member (Hon. Irene Mayaka) requested for a Statement from the Chairperson, Departmental Committee on Finance and National Planning regarding various aspects of financial services being offered by telecommunication companies in Kenya; and

(xi) By the Member for Kirinyaga County (Hon. Njeri Maina) requested for a Statement from the Chairperson, Departmental Committee on Administration and Internal Security regarding Defilement of a minor in Kirinyaga County.

(b) The following Statement response was made: -

(i) By the Chairperson of the Departmental Committee on Defence & Foreign Relations (Hon. Nelson Koech, MP) to a statement request by the Member for Turbo (Hon. Janet Sitienei, MP) regarding killing and maiming of residents of Kamagut and Kiplombe Wards in Turbo Constituency by Kenya Defence Forces (KDF) soldiers on 26th November 2023.

16. STATEMENT PURSUANT TO STANDING ORDER 44(2)(d)

Pursuant to the provisions of Standing Order 44(2)(d), the Vice Chairperson of the Public Petitions Committee issued a Statement to the House regarding the status of petitions before the Committee.

17. STATEMENT PURSUANT TO STANDING ORDER 44(2)(a)

Pursuant to the provisions of Standing Order 44(2)(a), the Deputy Majority Party Whip issued a Statement regarding the business of the House for the week commencing Tuesday, 9th April 2024.

18. QUORUM OF THE HOUSE

Rising in his place on a Point of Order pursuant to the provisions of Standing Order 35(1), the Member for Mathare (Hon. Anthony Oluoch, MP) objected that there was no quorum present in the House;

And the Fifth Chairperson having ascertained the claim, ordered that the Division Bell be rung for ten (10) minutes;

And Quorum having been attained before expiration of the ten minutes, business resumed.

19. THE NATIONAL DISASTER RISK MANAGEMENT BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2023)

Order for Second Reading read;

Motion made and Question proposed -

THAT, the National Disaster Risk Management Bill (National Assembly Bill No. 24 of 2023) be now read a Second Time.

(Hon. Peter Lochakapong, MP)

Debate arising;

QUORUM OF THE HOUSE

Rising in her place on a Point of Order pursuant to the provisions of Standing Order 35(1), the Member for Kilifi County (Hon. Getrude Mbeyu, MP) objected that there was no quorum present in the House;

And the Fifth Chairperson having ascertained the claim, ordered that the Division Bell be rung for ten (10) minutes;

And there being No Quorum after the expiry of ten minutes;

And the time being Ten minutes to Seven O'clock, the Fifth Chairperson interrupted proceedings and adjourned the House without Question put pursuant to the Standing Order 35(2)(a).

20. HOUSE ROSE - at Ten minutes to Seven O'clock

MEMORANDUM

The Speaker will take the Chair on,
Tuesday, April 09, 2024 at 02.30 p.m.

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