



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, APRIL 11, 2024 AT 2.30 P.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*. THE NATIONAL DISASTER RISK MANAGEMENT BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2023)

(The Leader of the Majority Party)

Second Reading

(Question to be put)

9*. THE SOCIAL ASSISTANCE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 80 OF 2023)

(The Hon. Peter Masara, M.P.)

First Reading

10*. COMMITTEE OF THE WHOLE HOUSE

The National Government Administration Laws (Amendment) Bill (National Assembly Bill No. 73 of 2023)

(The Leader of the Majority Party)

11*. MOTION – REPORTS OF THE AUDITOR-GENERAL ON THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND FOR FIVE CONSTITUENCIES IN VIHIGA COUNTY

(The Chairperson, Decentralized Funds Accounts Committee)

THAT, this House **adopts** the Report of the Decentralized Funds Accounts Committee on its consideration of the Reports of the Auditor-General on the Financial Statements for the National Government Constituencies Development Fund for five Constituencies in Vihiga County for Financial Years 2013/2014, 2014/2015, and 2015/2016, *laid on the Table of the House on Wednesday, 14th February 2024.*

(Resumption of debate interrupted on Tuesday, April 9, 2024)

12*. THE NATIONAL LAND COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 43 OF 2023)

(The Hon. Owen Baya, M.P.)

Second Reading

13*. MOTION– REPORTS OF THE AUDITOR-GENERAL ON THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND FOR NINE CONSTITUENCIES IN BUNGOMA COUNTY

(The Chairperson, Decentralized Funds Accounts Committee)

THAT, this House **adopts** the Report of the Decentralized Funds Accounts Committee on its consideration of the Reports of the Auditor-General on the Financial Statements for the National Government Constituencies Development Fund for nine Constituencies in Bungoma County for Financial Years 2013/2014, 2014/2015 and 2015/2016, *laid on the Table of the House on Thursday, 7th March 2024.*

14*. THE COUNTY LICENSING (UNIFORM PROCEDURE) BILL (SENATE BILLS NO. 9 OF 2022)

(The Chairperson, Departmental Committee on Trade, Industry and Cooperatives)

Second Reading

15*. THE LAND LAWS (AMENDMENT) (No. 2) BILL (NATIONAL ASSEMBLY BILL NO. 76 OF 2023)

(The Leader of the Majority Party)

Second Reading

16*. MOTION- RATIFICATION OF THE AFRICAN UNION CONVENTION ON CROSS-BORDER COOPERATION

(The Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations)

THAT, this House **adopts** the Report of the Departmental Committee on Defence, Intelligence and Foreign Relations on its consideration of the African Union Convention on Cross Border Cooperation, *laid on the Table of the House on Thursday, 14th March 2024*, and pursuant to the provisions of section 8 (4) of the Treaty Making and Ratification Act, 2012, **approves** the *Ratification of the African Union Convention on Cross-Border Cooperation (Niamey Convention)*.

17*. MOTION – REPORTS OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF CERTAIN STATE CORPORATIONS

(The Chairperson, Public Investments Committee on Social Services, Administration and Agriculture)

THAT, this House **adopts** the Second Report of the Public Investments Committee on Social Services, Administration and Agriculture on its consideration of the Reports of the Auditor-General on the Financial Statements of the Kenya Medical Training College for Financial Years 2017/2018 to 2020/2021; the Kenyatta University Teaching Referral and Research Hospital for Financial Years 2019/2020; the Kenya Medical Research Institute for Financial Years 2012/2013 and 2013/2014; the Kenya Medical Laboratory Technicians and Technologists Board for Financial Years 2014/2015 to 2020/2021; and the Kenya Medical Practitioners and Dentists Council for Financial Years 2017/2018 to 2020/2021, *laid on the Table of the House on Thursday, 22nd February 2024*.

18*. THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 10 OF 2024)

(The Leader of the Majority Party and the Leader of the Minority Party)

Second Reading

Denotes Orders of the Day

NOTICES

I. THE NATIONAL GOVERNMENT ADMINISTRATION LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 73 OF 2023)

- 1) Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the National Government Administration Laws (Amendment) Bill, 2023 at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended —

- (a) in the proposed amendments to the **Assumption of the Office of the President Act, 2012 (No. 21 of 2012)** by—

- (i) deleting the proposed new paragraph (ca) appearing in the proposed amendment to section 5(2);
- (ii) inserting the following new amendments immediately after the proposed amendments to section 5(2)—

- s. 5(2) Delete the words “Cabinet Secretary” appearing in paragraph (c) and substitute therefor the words “Principal Secretary”;
Delete paragraph (h);
Delete paragraph (j);
Delete paragraph (t)
- s. 5(3) Delete
- s. 5(4) Delete the words “the commencement of this Act” and substitute therefor the words “declaration of a President-elect”.
- s.8(2) Delete the word “three” and substitute therefore the word “six”.

- (b) by deleting the proposed amendments to the **National Security Council Act, 2012 (No. 23 of 2012)**;
- (c) by deleting the proposed amendment to the **Office of the Attorney General Act, 2012 (No. 49 of 2012)**;

(d) by deleting the proposed amendments to the **National Government Co-ordination Act, 2013 (No. 1 of 2013)** and substituting therefor the following amendments—

<i>Written law</i>	<i>Provision</i>	<i>Amendment</i>
National Government Co-ordination Act, 2013 (No. 1 of 2013)	s. 2	<p>Insert the following new definition in proper alphabetical sequence—</p> <p style="padding-left: 40px;">“Chief Administrative Secretary” means a Chief Administrative Secretary appointed under section 12A.</p>
	s. 7(2)	<p>Insert the following new paragraph immediately after paragraph (b)—</p> <p style="padding-left: 40px;">“(ba) Head of Public Service;”</p> <p>Insert the following new paragraph immediately after paragraph (c)—</p> <p style="padding-left: 40px;">“(ca) Chief Administrative Secretary;”</p>
	s. 8	<p>Delete the marginal note and substitute therefor the following new marginal note—</p> <p style="padding-left: 40px;">“The Executive Office of the President.”</p> <p>Insert the following new subsections immediately after subsection (2)—</p> <p style="padding-left: 40px;">(3) There is established the office of the Head of Public Service in the Executive Office of the President which shall be an office in the public service.</p> <p style="padding-left: 40px;">(4) The President shall, on the recommendation of the Public Service Commission, appoint the Head of the Public Service.</p> <p style="padding-left: 40px;">(5) The Head of the Public Service shall serve at the pleasure of the President.</p> <p style="padding-left: 40px;">(6) The Head of the Public Service shall—</p> <p style="padding-left: 80px;">(a) support the President in facilitating the organization and execution of Government business;</p> <p style="padding-left: 80px;">(b) be the administrative head of the Executive Office of the President; and</p>

(c) perform such other functions as may be assigned by the President.

(7) A person shall be qualified for appointment as the Head of the Public Service if he or she—

(a) holds a degree from a university recognized in Kenya;

(b) has at least ten years' proven experience in public administration, leadership or public affairs; and

(c) meets requirements under Chapter Six of the Constitution.

(8) A person who, immediately before the commencement of this section, was appointed and held office as the Head of the Public Service shall continue to hold that office as if appointed under this section.

New

Insert the following new section immediately after section 12—

Chief Administrative Secretaries.

12A. (1) There is established the Office of the Chief Administrative Secretary which shall be an office in the public service.

(2) The complement of Chief Administrative secretaries shall be as determined by the Public Service Commission.

(3) The President shall on the recommendation of the Public Service Commission appoint Chief Administrative Secretaries, observing regional and gender balance.

(4) A person shall be eligible to be appointed as a Chief Administrative Secretary if that person—

- (a) holds a degree from a university recognized in Kenya;
- (b) has knowledge of and experience in the public service; and
- (c) satisfies the requirements of Chapter Six of the Constitution.

(5) A person is not qualified to be appointed as a Chief Administrative Secretary if the person—

- (a) has been convicted of an offence carrying a penalty of imprisonment for a term of at least six months without the option of a fine;
- (b) has been adjudged bankrupt by a court of competent jurisdiction;
- (c) holds any office in a political party;
- (d) is a public officer; or
- (e) has been removed from any public office by impeachment or conviction by a court of competent jurisdiction.

(6) A Chief administrative Secretary shall be responsible for—

- (a) responding to issues relating to the portfolio assigned to the office;
- (b) representing the Cabinet Secretary at any meeting as directed by the Cabinet Secretary; and
- (c) performing any other duties assigned by the relevant Cabinet Secretary.

(7) Functions assigned to a Chief Administrative Secretary shall not include matters relating to parliamentary affairs.

(8) Remuneration of the Chief Administrative Secretaries shall be determined by the Public Service Commission on the recommendation of the Salaries and Remuneration Commission.

2) Notice is given that the Chairperson of the Departmental Committee on Administration and Internal Security intends to move the following amendments to the National Government Administration Laws (Amendment) Bill, 2023 at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended —

- (e) in the proposed amendments to the **Assumption of the Office of the President Act, 2012 (No. 21 of 2012)** by—
 - (iii) deleting the proposed new paragraph (ca) appearing in the proposed amendment to section 5(2);
 - (iv) inserting the following new amendments immediately after the proposed amendments to section 5(2)—

- s. 5(2) Delete the words “Cabinet Secretary” appearing in paragraph (c) and substitute therefor the words “Principal Secretary”;
Delete paragraph (h);
Delete paragraph (j);
Delete paragraph (t)
- s. 5(3) Delete
- s. 5(4) Delete the phrase “the commencement of this Act” and substitute therefor the phrase “declaration of a President elect”.
- s.8(2) Delete the word “three” and substitute therefor the word “six”.

(f) by deleting the proposed amendments to the **National Security Council Act, 2012 (No. 23 of 2012)**;

(g) by deleting the proposed amendment to the **Office of the Attorney General Act, 2012 (No. 49 of 2012)**;

(h) in the proposed amendments to the **National Government Co-ordination Act, 2013 (No. 1 of 2013)** by—

(i) deleting the definition of “Head of Public Service” and substituting therefor the following definition—

“Head of Public Service” means a person appointed as such under section 8A”;

(ii) deleting the proposed new paragraphs (ba) and (ca) and substituting therefor the following amendment—

s.7(2) Insert the following new paragraphs immediately after paragraph (c)—
(ca) Head of Public Service; and
(cb) Chief Administrative Secretary.

(iii) deleting the proposed amendments to section 8;

(iv) inserting the following new amendment in its proper numerical sequence—

New Insert the following new section immediately after section 8—

8A. (1) There is established the office of the
Head of Public Service.

(2) The President shall appoint the Head of the Public Service.

(3) The Head of the Public Service shall—

(a) support the President in facilitating the organization and execution of Government business;

- (b) be the Chief of Staff of the President;
- (c) be the administrative head of the Executive Office of the President; and
- (d) performs such other functions as may be assigned by the President.

(4) The Head of the Public Service shall serve at the pleasure of the President.

- (v) deleting the proposed section 12A and substituting therefor the following new section—

Chief
Administrative
Secretaries.

12A. (1) There is established the Office of the Chief Administrative Secretary which shall be an office in the public service.

(2) The complement of Chief Administrative Secretaries shall be determined by the Public Service Commission.

(3) The President shall on the recommendation of the Public Service Commission appoint Chief Administrative Secretaries, observing regional and gender balance.

(4) A person shall be eligible to be appointed as a Chief Administrative Secretary if that person—

- (a) has a Bachelor's degree from a university recognized in Kenya;
- (b) has knowledge of and experience in the public service; and
- (c) satisfies the requirements of Chapter Six of the Constitution.

(5) A person is not qualified to be appointed as a Chief Administrative Secretary if that person—

- (a) has been convicted of an offence carrying a penalty of imprisonment for a term of at least six months without the option of a fine;
- (b) has been adjudged bankrupt by a court of competent jurisdiction;
- (c) holds any office in a political party;

- (d) is a public officer; or
- (e) has been removed from any public office by impeachment or conviction by a court of competent jurisdiction.

(6) A Chief administrative Secretary shall be responsible for—

- (a) responding to issues relating to the portfolio assigned to the office;
- (b) representing the Cabinet Secretary at any meeting as directed by the Cabinet Secretary; and
- (c) performing any other duties assigned by the relevant Cabinet Secretary.

(7) The functions assigned to a Chief Administrative Secretary shall not include matters relating to parliamentary affairs.

(8) The remuneration of a Chief Administrative Secretary shall be determined by the Public Service Commission on the recommendation of the Salaries and Remuneration Commission.



LIMITATION OF DEBATE

The House resolved on Wednesday, February 14, 2024 as follows—

Limitation of Debate on Audit Committee Reports

- II.** 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.

Limitation of Debate on Individual Members' Bills

- III.** 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** shall 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 shall 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.

Limitation of Debate on Bills sponsored by Parties or Committees

- IV.** 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** shall 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 shall 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.

Limitation of Debate on Other Committee Reports

- V.** 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.



NOTICE PAPER

Tentative business for **Tuesday, April 16, 2024**

(Published pursuant to Standing Order 38(1))

It is notified that the following business is *tentatively* scheduled to appear in the Order Paper for Tuesday, April 16, 2024 –

A. MOTION – REPORTS OF THE AUDITOR-GENERAL ON THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND FOR FIVE CONSTITUENCIES IN VIHIGA COUNTY

(The Chairperson, Decentralized Funds Accounts Committee)

(If not concluded on Thursday, April 11, 2024)

B. THE NATIONAL LAND COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 43 OF 2023)

(The Hon. Owen Baya, M.P.)

Second Reading

(If not concluded on Thursday, April 11, 2024)

C. MOTION – REPORTS OF THE AUDITOR-GENERAL ON THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND FOR NINE CONSTITUENCIES IN BUNGOMA COUNTY

(The Chairperson, Decentralized Funds Accounts Committee)

(If not concluded on Thursday, April 11, 2024)

D. SPECIAL MOTION – CONSIDERATION OF NOMINEES FOR APPOINTMENT TO VARIOUS DIPLOMATIC OFFICES

(The Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations)

E. THE COUNTY LICENSING (UNIFORM PROCEDURE) BILL (SENATE BILL NO. 9 OF 2022)

(The Chairperson, Departmental Committee on Trade, Industry and Cooperatives)

Second Reading

(If not concluded on Thursday, April 11, 2024)

F. THE LAND LAWS (AMENDMENT) (No. 2) BILL (NATIONAL ASSEMBLY BILL NO. 76 OF 2023)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, April 11, 2024)

G. MOTION – RATIFICATION OF THE AFRICAN UNION CONVENTION ON CROSS-BORDER COOPERATION

(The Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations)

(If not concluded on Thursday, April 11, 2024)

H. THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 10 OF 2024)

(The Leader of the Majority Party and the Leader of the Minority Party)

Second Reading

(If not concluded on Thursday, April 11, 2024)

I. MOTION – PUBLIC PETITION ON FUNDS SPENT CONTRARY TO THE PROVISIONS OF ARTICLE 223 OF THE CONSTITUTION

(The Chairperson, Public Petitions Committee)

J. MOTION – ENHANCING REPORTING OF PARLIAMENTARY BUSINESS ON ONLINE PLATFORMS

(The Chairperson, Committee on Parliamentary Broadcasting and Library)

K. MOTION – INSPECTION VISIT TO THE SEMI-AUTONOMOUS INSTITUTIONS OF THE EAST AFRICAN COMMUNITY IN UGANDA

(The Chairperson, Committee on Regional Integration)

L. MOTION – IMPLEMENTATION STATUS OF REPORTS ON PETITIONS AND RESOLUTIONS PASSED BY THE HOUSE

(The Chairperson, Committee on Implementation)

M. MOTION – ALLEGED UNFAIR TRADE PRACTICES BY FOREIGN INVESTORS IN KENYA

(The Chairperson, Departmental Committee on Trade, Industry and Cooperatives)

APPENDIX

NOTICE OF PETITIONS, QUESTIONS & STATEMENTS

ORDER NO. 7 - STATEMENTS

It is **notified** that, pursuant to the provisions of Standing Order 44(2)(c), the following Statements will be **responded to** –

No.	Subject	Member	Relevant Committee
1.	Recruitment of National Youth Service Volunteers	<i>Hon. Benjamin Gathiru, MP (Embakasi Central)</i>	Social Protection
2.	Management of fund managers by the NG-CDF	<i>Hon. David Kiplagat, MP (Soy)</i>	National Government Constituencies Development Fund

It is **notified** that, pursuant to the provisions of Standing Order 44(2)(c), the following Statements will be **requested**–

No.	Subject	Member	Relevant Committee
1.	Upcoming Kenya Wildlife Services (KWS) recruitment	<i>Hon. William Kamket, MP (Tiaty)</i>	Tourism and Wildlife
2.	The status of <i>Suneka</i> Airstrip	<i>Hon. Charles Onchoke, MP (Bonchari)</i>	Transport and Infrastructure
