



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

SUPPLEMENTARY

TUESDAY, AUGUST 19, 2025 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 COMPUTER MISUSE AND CYBERCRIMES (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 41 OF 2024)**

(The Hon. Aden Mohamed, M.P.)

Second Reading

(Question to be put)

9*. MOTION - ALTERATION OF THE CALENDAR OF THE HOUSE

(The Leader of the Majority Party)

THAT, notwithstanding the Resolutions of the House of 13th February 2025 and 7th August 2025, and pursuant to the provisions of Standing Order 28(4) (*Calendar of the Assembly*), this House **resolves** to further alter its Calendar –

- (i) so as to commence the long recess on Wednesday, 20th August 2025 and end it on **Monday, 22nd September 2025**; and
- (ii) resume Regular Sittings on **Tuesday, 23rd September 2025** to commence the Third Part of the Session.

**10*. THE ADVOCATES (AMENDMENT) BILL (NATIONAL ASSEMBLY
BILL NO. 24 OF 2025)**

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

First Reading

11*. COMMITTEE OF THE WHOLE HOUSE

The Air Passenger Service Charge (Amendment) Bill (National Assembly Bill No. 35 of 2025)

(The Leader of the Majority Party)

12*. MOTION— CONSIDERATION OF THE PUBLIC PROCUREMENT REGULATORY AUTHORITY CIRCULAR NO. 04/2025

(The Chairperson, Committee on Delegated Legislation)

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Public Procurement Regulatory Authority Circular No. 04/2025 on the enforcement of compliance with the mandatory use of the electronic government procurement system (e-GPS) by all public procuring entities in contravention of section 77 of the Public Procurement and Asset Disposal Act, Cap. 412C, *laid on the Table of the House on Tuesday, 19th August 2025*, and pursuant to the provisions of section 18 of the Statutory Instruments Act, Cap 2A, this House **annuls in its entirety** the *Public Procurement Regulatory Authority Circular on the enforcement of compliance with the mandatory use of the electronic government procurement system (e-GPS) by all public procuring entities, published as Circular No. 04/2025*, for the following reasons—

- (i) Contravention of Articles 2(1)&(2), 10, 27(2), 94(5) and 227 of the Constitution relating to supremacy of the Constitution; the national values and principles of governance including public participation, transparency and accountability; equality including enjoyment of all rights and fundamental freedoms; **power to make provisions having the force of law** and contracting for goods or services with a system that is fair, equitable, transparent, competitive and cost-effective;
- (ii) Contravention of sections 9 and 77 of the Public Procurement and Asset Disposal Act, Cap. 412C relating to the function of the Authority which do not extend to creating binding obligations and the recognition that tender submissions **may be made in either manual or electronic form**; and
- (iii) Contravention of sections 2, 6, 11, 13, 22 and 24 of the Statutory Instruments Act, Cap 2A relating to interpretation of a statutory instrument; submission of a regulatory impact statement on each statutory instrument; requirement for **publication and tabling of a statutory instrument** before Parliament; and exercise of powers in making statutory instruments.

13*. MOTION— CONSIDERATION OF SESSIONAL PAPER NO. 2 OF 2025 ON PRIVATISATION OF THE KENYA PIPELINE COMPANY (KPC)

(The Co-Chairperson, Joint Committee on Consideration of Sessional Paper on Privatisation of the Kenya Pipeline Company)

THAT, this House **adopts** the Joint Report of the Departmental Committee on Energy and Select Committee on Public Debt and Privatization on the consideration of the Sessional Paper No. 2 of 2025 on the Proposed Privatization of Kenya Pipeline Company (KPC) Limited, *laid on the Table of the House on Thursday, 14th August 2025*, and—

...../13*(Cont'd)

- (i) **approves** Sessional Paper No. 2 of 2025 on the Privatisation of Kenya Pipeline Company (KPC) Limited; and
- (ii) **makes policy resolution** as contained in the Schedule to the Order Paper.

14*. MOTION– CONSIDERATION OF FIFTH REPORT ON EXAMINATION OF FINANCIAL STATEMENTS OF SELECTED STATE CORPORATIONS

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

THAT, this House **adopts** the Fifth Report of the Public Investments Committee on Social Services, Administration and Agriculture on its examination of Financial Statements of the following State Corporations, *laid on the Table of the House on Tuesday, 5th August 2025*–

- (i) National Social Security Fund for FY 2020/2021;
- (ii) Kenya Marine and Fisheries Research Institute for FY 2019/2020 to 2020/2021;
- (iii) National Hospital Insurance Fund for FY 2018/2019 to 2020/2021; and
- (iv) Kenya Broadcasting Corporation for FY 2013/2014 to 2018/2019.

15*. MOTION– CONSIDERATION OF THE REPORT ON THE EXAMINATION OF FINANCIAL STATEMENTS FOR THE WATER SECTOR TRUST FUND

(The Chairperson, Special Funds Accounts Committee)

THAT, this House **adopts** the Report of the Special Funds Accounts Committee on its consideration of the audited accounts for the Water Sector Trust Fund for the financial years 2018/2019 to 2022/2023, *laid on the Table of the House on Tuesday, 29th July 2025*.

16*. THE KENYA ROADS (AMENDMENT) (No. 3) BILL (NATIONAL ASSEMBLY NO. 34 OF 2025)

(The Hon. Peter Kaluma, M.P. – *On behalf of the House’s General Legislative Caucus*)

Second Reading

17*. THE PRIVATISATION BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2025)

(The Leader of the Majority Party)

Second Reading

Denotes Orders of the Day

SCHEDULE

POLICY RESOLUTIONS RELATING TO SESSIONAL PAPER NO. 2 OF 2025 ON PRIVATISATION OF THE KENYA PIPELINE COMPANY

Following the consideration of the Sessional Paper No. 2 of 2025 on the privatization of the Kenya Pipeline Company Limited, the House makes the following policy resolutions relating to privatization of the Kenya Pipeline Company—

Suitability for privatization of Kenya Pipeline Company Limited

- 1) **THAT**, Kenya Pipeline Company Limited is a strategic state corporation of critical national and regional significance, serving as the backbone for petroleum transportation and storage in Kenya and neighboring countries; and is suitable for privatization.

Government shareholding pre- and post-IPO

- 2) **THAT**, in respect to Government shareholding, the Government retains not less than thirty-five percent of shares of Kenya Pipeline Company Limited and may privatize not more than 65 percent of government ownership in the Company.

Availability of valuation and transparency

- 3) **THAT**, in respect to valuation, the Privatization Commission: -
 - (a) ensures that the valuation of the company is contained in the prospectus;
 - (b) publishes a separate citizen-friendly IPO valuation report that should be produced and publicized for the general public; and,
 - (c) undertakes a valuation of the actual financial and asset position of the KPC and submit a report to the National Assembly. This should also take into account the future potential of the business in compliance with section 31 of the Privatization Act, 2005.

Post Audit Process

- 4) **THAT**, the Office of the Auditor General audits the processes relating to privatization of Kenya Pipeline Company Limited to ensure value for money and submit a report to the National Assembly within six months of completing the processes.

Safeguarding affected parties and key stakeholders

- 5) **THAT**, in respect of the employees of Kenya Pipeline Company Limited, the Privatization Commission ensures that the employees of Kenya Pipeline are included in an Employee Share Ownership Plan.

Ownership limits for stakeholders

- 6) **THAT**, the Privatization Commission takes steps to safeguard against excessive concentration of shares in a single entity or related parties, and shall set a maximum ownership limit for any one shareholder to help preserve broad-based ownership, promote market competitiveness, and protect national and energy security interests.

Valuation costs and risks:

- 7) **THAT**, the Privatization Commission ensures that all liabilities (debt and credit) and risks affecting the valuation of KPC are comprehensively assessed, transparently disclosed, and factored into the transaction valuation before proceeding with the IPO, including—
- a) Pending lawsuits amounting to Kshs. 5.75 billion;
 - b) Unresolved compensation claims worth Kshs. 3.8 billion by residents of Makueni County due to historical grievances linked to pipeline operations.
 - c) Loss of approximately Kshs. 400 million in the Mzima pipeline project due to stalled execution and procurement lapses, a garnishee order of Kshs. 485 million in favour of M/s. Zakhem International following contractual disputes over the Line V project.; and
 - d) The potential loss of public funds amounting to Kshs. 192.6 million after M/s. Asharami Synergy took over the LPG facility despite prior investment by KPC.

Treatment of subsidiaries

- 8) **THAT**, a clear statement be included in the prospectus on how Kenya Petroleum Refineries Limited, a subsidiary of Kenya Pipeline Company Limited, has been financially evaluated and factored in the valuation of Kenya Pipeline Company Limited.

Procurement of transaction advisors

- 9) **THAT**, the procuring and engaging of transaction advisers should be done transparently and competitively, and the cost of the transaction (currently set at Kshs. 100 million) should not deviate from reasonable market rates, and approval from the National Treasury should be sought before any increase.

Use of proceeds

- 10) **THAT**, the proceeds projected to be Kshs. 100 billion be utilized in either development expenditure, pending bills, or liability management.

Periodic reporting on privatization transactions

- 11) **THAT**, the Privatization Commission reports to the National Assembly each stage of the implementation of the process of privatizing Kenya Pipeline Company Limited for continuous oversight and accountability.

Eligibility of Investors

- 12) **THAT**, the Privatization Commission implements a minimum level for participation by Kenyan citizens, ensuring broad local ownership from all walks of life including, and in as far as possible, the youth, women, persons with disabilities and that the process is aligned with national economic empowerment objectives in accordance with section 29 of the Privatization Act, 2005.

Safeguarding competition in the Petroleum Sector

- 13) **THAT**, to prevent the emergence of a monopoly and safeguard competition, the privatization of Kenya Pipeline Company Limited be structured to limit the mandate of the Company to transporting and storing petroleum products and guarantee that Kenya Pipeline Company Limited shall not venture into the importation or sale of petroleum products without prior approval from the Competition Authority of Kenya, Energy and Petroleum Regulatory Authority, and the National Assembly.

I. THE AIR PASSENGER SERVICE CHARGE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2025)

- 1) Notice is given that the Leader of the Majority Party intends to move the following amendments to the Air Passenger Service Charge (Amendment) Bill, 2025 at the Committee stage—

CLAUSE 2

THAT, Clause 2 be deleted and replaced with the following new clause—

Amendment
of section 3 of
Cap. 475.

2. Section 3 of the Air Passenger Service Charge Act is amended in sub-section (3) by deleting the expression “Tourism Promotion Fund” and substituting therefor the expression “Tourism Fund”.

- 2) Notice is given that the Chairperson of the Departmental Committee on Transport and Infrastructure intends to move the following amendments to the Air Passenger Service Charge (Amendment) Bill, 2025 at the Committee stage—

CLAUSE 2

THAT, Clause 2 of the Bill be amended in the proposed new subsection (3), by deleting the words “the Tourism Fund and the Kenya Meteorological Service Authority” and substituting therefor the words “and the Tourism Fund.”

- 3) Notice is given that the Member for Kiambaa (Hon. John Wanjiku) intends to move the following amendments to the Air Passenger Service Charge (Amendment) Bill, 2025 at the Committee stage—

CLAUSE 2

THAT, Clause 2 be deleted and replaced with the following new clause—

Amendment
of section 3
of Cap. 475.

2. Section 3 of the Air Passenger Service Charge Act is amended—

(a) in sub-section (3), by inserting the expression “the Tourism Fund” immediately after the expression “Kenya Civil Aviation Authority”;

(b) by inserting the following new sub-section immediately after sub-section (3)—

“(4) The apportionment of proceeds under sub-section (3) to the Tourism Promotion Fund shall lapse upon expiry of two years from the date of commencement of this provision, but the Cabinet Secretary may, from time to time, by notice in the Gazette, extend that time for a further period not exceeding two years for any particular extension.”

(Subject to Article 114 of the Constitution)

LIMITATION OF DEBATE

The House resolved on Thursday, February 13, 2025 as follows—

Limitation of Debate on Motions

- II. 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 be called upon to reply; 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 Sessional Papers

- III. THAT**, each speech in a debate on any **Sessional Paper** 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 Sessional Paper is not moved by the Chairperson of the relevant Committee), and that ten (10) minutes before the expiry of the time, the Mover be called upon to reply; and further that priority in speaking be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

Limitation of Debate on Reports of Audit Committees

- IV. THAT**, each speech in debate on **Reports of Audit Committees** shall 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 shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

Limitation of Debate on Bills sponsored by Parties or Committees

- V. 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.

ADJOURNMENT

VI. NOTIFICATION OF RECESS (20th August – 22nd September 2025)

(Subject to Resolution of the House)

Pursuant to the provisions of Standing Order 28(3) relating to the Calendar of the Assembly, and the resolutions of the House of Thursday, 13th February 2025 and Thursday, 7th August 2025, the Speaker notifies that, upon the rise of the House at the appointed time today, regular sittings will resume on Tuesday, 23rd September 2025 at 2.30 p.m.

(Thereafter, the House to adjourn without question put)

NOTICE PAPER

Tentative business for **Tuesday, September 23, 2025**

(Published pursuant to Standing Order 38(1))

(Subject to the Resolution of the House)

It is notified that the following business is tentatively scheduled to appear in the Order Paper for Tuesday, September 23, 2025—

A. COMMITTEE OF THE WHOLE HOUSE

The Virtual Asset Service Providers (Amendment) Bill (National Assembly Bill No. 15 of 2025)

(The Leader of the Majority Party)

B. MOTION— CONSIDERATION OF FIFTH REPORT ON THE EXAMINATION OF FINANCIAL STATEMENTS OF SELECTED STATE CORPORATIONS

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

(If not concluded on Tuesday, August 19, 2025 – Afternoon Sitting)

C. THE KENYA ROADS (AMENDMENT) (No. 3) BILL (NATIONAL ASSEMBLY NO. 34 OF 2025)

(The Hon. Peter Kaluma, M.P. – *On behalf of the House's General Legislative Caucus*)

Second Reading

(If not concluded on Tuesday, August 19, 2025 – Afternoon Sitting)

D. MOTION— CONSIDERATION OF REPORT ON THE EXAMINATION OF FINANCIAL STATEMENTS FOR THE WATER SECTOR TRUST FUND

(The Chairperson, Special Funds Accounts Committee)

(If not concluded on Tuesday, August 19, 2025 – Afternoon Sitting)

E. THE PRIVATISATION BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2025)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, August 19, 2025 – Afternoon Sitting)

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:-

(a) requested—

| No. | Subject | Member | Relevant Committee |
|------------|---|--|---|
| 1. | Operationalisation of administrative units in Kambu sub-county | <i>Hon. Jessica Mbalu, M.P. (Kibwezi East)</i> | Administration and Internal Security |
| 2. | Provision of motor vehicles to national government administration offices in Kitui West | <i>Hon. Edith Nyenze, M.P. (Kitui West)</i> | Administration and Internal Security |
| 3. | Provision of an express counter for emergency cases on the E-Citizen Platform | <i>Hon. Phelix Odinnor, M.P. (Lang'ata)</i> | Communication, Information and Innovation |
| 4. | Implementation of the Electronic Government Procurement (e-GP) System | <i>Hon. Joshua Kimilu, M.P. (Kaiti)</i> | Finance and National Planning |
| 5. | Adjudication of community land in Garbatulla Sub-County | <i>Hon. Tubi Bidu, M.P. (Isiolo South)</i> | Lands |
| 6. | Automated car parking management system at Jomo Kenyatta International Airport | <i>Hon. Faith Gitau, M.P. (Nyandarua County)</i> | Transport and Infrastructure |
| 7. | Operational effectiveness of Kenya Airways | <i>Hon. Dick Maungu, M.P. (Luanda)</i> | Transport and Infrastructure |
| 8. | Traffic Congestion along Changamwe-Port Reitz Road | <i>Hon. Abubakar Talib, M.P. (Nominated)</i> | Transport and Infrastructure |

(b) responded to—

| No. | Subject | Member | Relevant Committee |
|------------|--|--|---|
| 1. | Management of the <i>Hajj</i> Programme in the country | <i>Hon. Husseinweytan Mohamed, M.P. (Mandera East)</i> | Defence, Intelligence and Foreign Relations |
| 2. | Disappearance of <i>Mr. Brian Makori Odhiambo</i> | <i>Hon. David Gikaria, M.P. (Nakuru Town East)</i> | Tourism and Wildlife |
| 3. | Rampant cases of snake bites in Baringo County | <i>Hon. Joshua Kandie, M.P. (Baringo Central)</i> | Tourism and Wildlife |
| 4. | Human-wildlife conflict attack in <i>Chepkilot</i> Village in Aldai Constituency | <i>Hon. Marianne Kitany, M.P. (Aldai)</i> | Tourism and Wildlife |
| 5. | Human-Wildlife conflict in Chepalungu Constituency | <i>Hon. Victor Koech, M.P. (Chepalungu)</i> | Tourism and Wildlife |
| 6. | Perennial human-wildlife conflict in Igembe North | <i>Hon. Julius Taitumu, M.P. (Igembe North)</i> | Tourism and Wildlife |
| 7. | Declaration of protected areas in Nyamira County | <i>Hon. Irene Mayaka, M.P. (Nominated)</i> | Tourism and Wildlife |
| 8. | The decline in performance in the tourism sector in the country | <i>Hon. John Waluke, M.P. (Sirisia)</i> | Tourism and Wildlife |
