



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FIFTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

SPECIAL SITTING

WEDNESDAY, MAY 19, 2021

1. The House assembled at Ten O'clock in the Morning
2. The Proceedings were opened with Prayer
3. **Presiding** – the Deputy Speaker
4. **Communication**

The Presiding Speaker issued a communication regarding the Special Sitings for Wednesday, 19 May, 2021-

“Honourable Members,

Pursuant to the provisions of Standing Order 29 relating to the procedure for convening of Special Sitings of the House during recess, I wish to report to the House that on 13th May 2021, I received a letter from the Leader of the Majority Party requesting that I convene Special Sitings of the National Assembly to consider certain matters. Honourable Members, having taken cognizance of the urgency of the matters so specified in the letter by the Leader of the Majority Party, I acceded to the request to convene Special Sitings today, Wednesday 19th May 2021 commencing at 10.00am for the Morning Sitting and at 2.30pm in the case of the Afternoon Sitting, for purposes of –

- a) Tabling of the Report of the Departmental Committee on Justice and Legal Affairs on the vetting of the nominee for appointment to the position of Chief Justice of the Republic of Kenya;
- b) Tabling of any other Papers with statutory timelines;
- c) Transaction of the following Business: -

Notice of Motion and consideration of Special Motion for the approval of appointment of a Chief Justice of the Republic of Kenya;

- (i)
- (ii) Consideration of the Reports of the Committee on Delegated Legislation on the following: -
 - (a) The Exemption from Income Tax for Japanese Companies, Japanese Consultants and Japanese Employees (Legal Notice No. 15 of 2021 of 26th February, 2021);
 - (b) The Public Finance Management (National Drought Emergency Fund) Regulations, 2021, (Legal Notice No. 27 of 2021 of 5th March, 2021); and,
 - (c) Exemption from Income Tax for Airlines with Government of Kenya Shareholding of at least 45% and its subsidiaries; (Legal Notice No. 27 of 2021 of 17th March, 2021);
- (iii) First Reading of the following Bill: -
 - a) The Livestock Bill, National Assembly Bills No.16 of 2021;
 - b) The Irrigation (Amendment) Bill, National Assembly Bills No. 12 of 2021;
 - c) The Community Groups Registration Bill, National Assembly Bills No. 20 of 2021; and
 - d) The National Hospital Insurance Fund (Amendment) Bill, National Assembly Bills No. 21 of 2021;
- (iv) Second Reading of the Public Private Partnerships Bill, national Assembly Bills No. 6 of 2021;
- (v) Committee of the whole House on: -
 - a) The Kenya National Library Service Bill, National Assembly Bills No. 5 of 2020; and,
 - b) The Narcotics, Drugs and Psychotropic Substances (Control) (Amendment) Bill, National Assembly Bills No. 27 of 2020.

Hon. Members, pursuant to provisions of Standing Order 29, I did Gazette the said Special Sittings of the House vide *Kenya Gazette Notice No. 4699* of 17th May, 2021. **In this regard, the sittings of the House this morning and afternoon are properly convened.**

Honourable Members, today's Sittings as we all know and as I have said before, comes at a time when the country is witnessing a spike in the number of cases of infection of COVID-19 Pandemic as indeed stated by the Ministry of Health. In this regard, I urge Honourable Members to strictly adhere to the Ministry of Health's protocols issued for prevention of the Pandemic. In particular, Hon. Members are advised to observe social distance while in the Chamber and in the other facilities, strictly sit only in the designated places in the Chamber and avoid changing seats or have close physical interactions. With

respect to the use of the dining facility, I have instructed the Serjeant-At-Arms and Catering staff to ensure that not more than two Members shall be permitted to occupy one table at a time. May I remind the House that, as leaders, we have a duty to join the concerted efforts of flattening the curve of COVID-19 Pandemic infections in the Country.

The House is accordingly guided.

I thank you!”

5. **PAPERS LAID**

The following Paper was laid on the Table by the Chairperson, Justice and Legal Affairs Committee -

The Report of The Departmental Committee on Justice and Legal Affairs on its consideration of a Nominee for Appointment as the Chief Justice of the Republic of Kenya

6. **NOTICE OF MOTION**

The following Notice of Motion was issued by the Chairperson, Departmental Committee on Justice and Legal Affairs -

THAT, taking into consideration the findings of the Departmental Committee on Justice and Legal Affairs in its Report on the Consideration of a Nominee for appointment as the Chief Justice of the Republic of Kenya, *laid on the Table of the House on Wednesday, May 19 2021*, and pursuant to the provisions of Article 166(1)(a) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Hon. Lady Justice Martha Karambu Koome** as **Chief Justice of the Republic of Kenya**.

7. **MOTION- CONSIDERATION OF EXEMPTION FROM INCOME TAX FOR JAPANESE COMPANIES, CONSULTANTS AND EMPLOYEES**

Motion made and Question proposed –

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of **Legal Notice No. 15 of 2021 on the Exemption from Income Tax for Japanese Companies, Japanese Consultants and Japanese Employees**, *laid on the Table of the House on Thursday, May 13, 2021*, and pursuant to the provisions of section 13(2) of the Income Tax Act **approves Legal Notice No. 15 of 2021 on Exemption from**

Income Tax for Japanese Companies, Japanese Consultants and Japanese Employees.

(The Chairperson, Committee on Delegated Legislation)

Debate arising;

Question put and agreed to.

8. **SPECIAL MOTION – CONSIDERATION OF A NOMINEE FOR APPOINTMENT AS THE CHIEF JUSTICE OF THE REPUBLIC OF KENYA**

Motion made and Question proposed –

THAT, taking into consideration the findings of the Departmental Committee on Justice and Legal Affairs in its Report on the consideration of a Nominee for appointment as the Chief Justice of the Republic of Kenya, *laid on the Table of the House on Wednesday, May 19, 2021*, and pursuant to the provisions of Article 166(1)(a) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Hon. Lady Justice Martha Karambu Koome** as **Chief Justice of the Republic of Kenya**.

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

The Member for Igembe North, Hon. Charles Njagagua, rose on a point of order and claimed that Speaking time for the Motion be reduced from ten minutes to 5 minutes pursuant to Standing Order No. 97.

Motion made and Question Proposed;

Question put and agreed to.

Debate arising;

The Member for Nandi Hills, the Hon. Alfred Keter, rose on a point of order that the Mover be called upon to reply pursuant to Standing Order 95;

The Speaker having acceded to his request;

Motion made and Question Proposed;

Question put and agreed to.

Mover Replied;

Question put and agreed to.

9. **THE PUBLIC PRIVATE PARTNERSHIPS BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2021)**

Order for Second Reading having Read;

Motion made and Question having been proposed;

THAT, the Public Private Partnerships (Amendment) Bill (National Assembly Bill No. 6 of 2021) be now read a Second Time

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

Resumption of debate interrupted on Thursday, May 13, 2021 – Afternoon Sitting;

Debate arising;

(Change of Chair from Deputy Speaker to the Second Chairperson)

And the time being One O'clock in the Afternoon, the Speaker interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

10. **HOUSE ROSE** - at One O'clock in the Afternoon.

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MEMORANDUM

The Speaker will take the Chair on
Wednesday, May 19, 2021 at 2.30 p.m.

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