

(No. 10)



(046)

REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SIXTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

TUESDAY, FEBRUARY 15, 2022 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 HEALTH LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2021)

(The Leader of the Majority Party)

Second Reading

(Question to be put)

9*. MOTION - ANNULMENT OF THE PUBLIC FINANCE MANAGEMENT (SINKING FUND) GUIDELINES, 2021

(The Chairperson, Committee on Delegated Legislation)

THAT, this House **adopts** the Report of the Committee on Delegated Legislation on its consideration of the Public Finance Management (Sinking Fund) Guidelines, 2021, *laid on the Table of the House on Tuesday, September 21, 2021*, and pursuant to the provisions of section 13 of the Statutory Instruments Act, 2013 **annuls in entirety** the Public Finance Management (Sinking Fund) Guidelines, 2021 published as *Gazette Notice No. 5085 of 2021*.

(Question to be put)

...../10*

10*. MOTION - ANNULMENT OF THE ENVIRONMENTAL MANAGEMENT AND COORDINATION (IMPACT ASSESSMENT AND AUDIT) (AMENDMENT) REGULATIONS, 2016

(The Chairperson, Committee on Delegated Legislation)

THAT, this House **adopts** the Report of the Committee on Delegated Legislation on its consideration of the Environmental Management and Coordination (Impact Assessment and Audit) (Amendment) Regulations, 2016, *laid on the Table of the House on Wednesday, November 10, 2021*, and pursuant to the provisions of section 18 of the Statutory Instruments Act, 2013 and Standing Order 210 (4)(b), **annuls in entirety** the Environmental Management and Coordination (Impact Assessment and Audit) (Amendment) Regulations, 2016, published as *Legal Notice No. 149 of 2016*.

(Question to be put)

11*. THE ELECTIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2022)

(The Leader of the Majority Party)

First Reading

12*. SPECIAL MOTION- APPROVAL OF THE NATIONAL ASSEMBLY'S NOMINEE TO THE EQUALIZATION FUND ADVISORY BOARD

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

THAT, taking into consideration the recommendations of the Departmental Committee on Finance and National Planning in its Report on the *Recruitment of the National Assembly's Nominee to the Equalization Fund Advisory Board, laid on the Table of the House on Wednesday, February 9, 2022* and pursuant to the provisions of section 8 of the Public Appointments (Parliamentary Approval) Act, 2011 and paragraph 4(1)(d) of the Public Finance Management (Equalization Fund Administration) Regulations, 2021, this House **approves** the appointment of **Mr. Abdullahi Adan Khalif** to the Equalization Fund Advisory Board.

**13*. SPECIAL MOTION- APPROVAL OF NOMINEES FOR
APPOINTMENT TO THE KENYA NATIONAL
COMMISSION ON HUMAN RIGHTS**

(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 *Vetting of nominees for appointment as Chairperson and Members of the Kenya National Commission on Human Rights, laid on the Table of the House on Thursday, February 10, 2022*, and pursuant to the provisions of Article 250(2)(b) of the Constitution, section 11(7) of the Kenya National Commission on Human Rights Act, 2011 and section 8 (1) of the Public Appointments (Parliamentary Approval Act, 2011, this House **approves** the appointment of the following persons to the Kenya National Commission on Human Rights: -

- (i) Ms. Roseline Doreen Adhiambo Odhiambo - Odede - Chairperson;
- (ii) Prof. Marion Wanjiku Mutugi - Member;
- (iii) Dr. Raymond Plal Sangsang Nyeris - Member;
- (iv) Ms. Sara Talaso Bonaya - Member; and
- (v) Dr. Dennis Nyongesa Wamalwa - Member.

14*. THE MENTAL HEALTH (AMENDMENT) BILL (SENATE BILL NO. 28 OF 2020)

(The Chairperson, Departmental Committee on Health)

Second Reading

(Resumption of debate interrupted on Thursday, February 10, 2022)

15*. THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILL NO. 30 OF 2020)

(The Chairperson, Departmental Committee on Environment and Natural Resources)

Second Reading

16*. THE COFFEE BILL (SENATE BILL NO. 22 OF 2020)

(The Chairperson, Departmental Committee on Agriculture and Livestock)

Second Reading

17*. THE CHILDREN BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2021)

(The Leader of the Majority Party)

Second Reading

18. THE ADVOCATES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 43 OF 2021)

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

Second Reading

Denotes Orders of the Day

NOTICES

LIMITATION OF DEBATE

The House resolved on Wednesday, February 2, 2022 as follows-

Limitation of Debate on Bills sponsored by Parties or Committees

- I. **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 Motions

- II. **THAT**, each speech in a debate on any **Motion, including a Special motion** shall 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 shall 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 Committee Reports

- III. **THAT**, each speech in a debate on **Committee Reports (except for Reports of Audit Committees)**, 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 Chairperson of the relevant Committee (if the Committee Report is not moved by the Chairperson of the relevant Committee) **except** for the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of ten (10) minutes each, 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 I

Tentative business for

Wednesday (Morning), February 16, 2022

(Published pursuant to Standing Order 38(1))

It is notified that the House Business Committee has approved the following *tentative* business to appear in the Order Paper for Wednesday (Morning), February 16, 2022-

A. COMMITTEE OF THE WHOLE HOUSE

- (i) The National Disaster Management Authority Bill (National Assembly Bill No. 10 of 2019)
(The Hon. Kimani Ichung'wah, M.P.)
- (ii) The Public Service Commission (Amendment) Bill (National Assembly Bill No. 28 of 2019)
(The Hon. Benjamin G. Mwangi, M.P.)
- (iii) The Alcoholic Drinks Control (Amendment) Bill (National Assembly Bill No. 70 of 2019)
(The Hon. Silvanus Osoro, M.P.)

B. THE COMMUNITY HEALTH WORKERS BILL (NATIONAL ASSEMBLY BILL NO. 30 OF 2020)

(The Hon. Martin Owino, M.P.)

Second Reading

(Resumption of debate interrupted on Wednesday, February 9, 2022 – Morning sitting)

(Balance of time – 1 hour 18 minutes)

C. THE POVERTY ERADICATION AUTHORITY BILL (NATIONAL ASSEMBLY BILL NO. 13 OF 2020)

(The Hon. John Waluke, M.P.)

Second Reading

D. THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2020)

(The Hon. Patrick Wainaina, M.P.)

Second Reading

E. ** THE SEXUAL OFFENCES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2020)

(The Hon. Gathoni Wamuchomba, M.P.)

Second Reading

F. THE INSURANCE PROFESSIONALS REGISTRATION BILL (NATIONAL ASSEMBLY BILL NO. 25 OF 2020)

(The Hon. Benjamin Washiali, M.P.)

Second Reading

G. THE HEALTH (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 28 OF 2020)

(The Hon. Alice Wahome, M.P.)

Second Reading

H. THE HIGHER EDUCATION LOANS BOARD (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 29 OF 2020)

(The Hon. Gideon Keter, M.P.)

Second Reading

I. THE INSTITUTE OF SOCIAL WORK PROFESSIONALS BILL (NATIONAL ASSEMBLY BILL NO. 31 OF 2020)

(The Hon. Joshua Kivinda Kimilu, M.P.)

Second Reading

J. THE BIRTH AND DEATH REGISTRATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 32 OF 2020)

(The Hon. Martha Wangari, M.P.)

Second Reading

K. THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 34 OF 2020)

(The Hon. Richard Tongi, M.P.)

Second Reading

L. THE ALCOHOLIC DRINKS CONTROL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2020)

(The Hon. Danson Mwakuwona, M.P.)

Second Reading

M. ** THE PUBLIC DEBT MANAGEMENT AUTHORITY BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2020)

(The Hon. Sakwa Bunyasi, M.P.)

Second Reading

N. THE HIGHER EDUCATION LOANS BOARD (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 37 OF 2020)

(The Hon. John Mwirigi, M.P.)

Second Reading

O. THE INFORMATION COMMUNICATION TECHNOLOGY PRACTITIONERS BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2020)

(The Hon. Godfrey Osotsi, M.P.)

Second Reading

P. ** THE CRIMINAL PROCEDURE CODE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 41 OF 2020)

(The Hon. Nelson Koech, M.P.)

Second Reading

Q. THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 45 OF 2020)

(The Hon. David Gikaria, M.P.)

Second Reading

R. THE CHILDREN (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 46 OF 2020)

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

Second Reading

S. THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) (NO.3) BILL (NATIONAL ASSEMBLY BILL NO. 49 OF 2020)

(The Hon. Benjamin G. Mwangi, M.P.)

Second Reading

T. THE PHARMACY AND POISONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2021)

(The Hon. Alfred Keter, M.P.)

Second Reading

U. THE COMPUTER MISUSE AND CYBERCRIMES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2021)

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

Second Reading

V. THE HEALTH (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2021)

(The Hon. Mwambu Mabongah, M.P.)

Second Reading

*****Denotes Orders of the Day for which Committee Report is yet to be tabled*****

*...../Notice Paper II**

NOTICE PAPER II

Tentative business for

Wednesday (Afternoon), February 16, 2022

(Published pursuant to Standing Order 38(1))

It is notified that the House Business Committee has approved the following *tentative* business to appear in the Order Paper for Wednesday (Afternoon), February 16, 2022-

- A. **MOTION - REPORT ON THE 2022 BUDGET POLICY STATEMENT AND MEDIUM-TERM DEBT MANAGEMENT STRATEGY**
(The Chairperson, Budget and Appropriations Committee)

(Subject to tabling of Committee Report and Notice of Motion being given)

- B. **SPECIAL MOTION- APPROVAL OF THE NATIONAL ASSEMBLY'S NOMINEE TO THE EQUALIZATION FUND ADVISORY BOARD**
(The Chairperson, Departmental Committee on Finance and National Planning)

(If not concluded on Tuesday, February 15, 2022)

- C. **SPECIAL MOTION- APPROVAL OF NOMINEES FOR APPOINTMENT TO THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS**
(The Chairperson, Departmental Committee on Justice and Legal Affairs)

(If not concluded on Tuesday, February 15, 2022)

- D. **THE MENTAL HEALTH (AMENDMENT) BILL (SENATE BILL NO. 28 OF 2020)**

(The Chairperson, Departmental Committee on Health)

Second Reading

(If not concluded on Tuesday, February 15, 2022)

- E. **COMMITTEE OF THE WHOLE HOUSE**

- (i) The Sacco Societies (Amendment) Bill (National Assembly Bill No. 55 of 2021)
(Leader of the Majority Party)
- (ii) The Copyright (Amendment) Bill (National Assembly Bill No. 44 of 2021)
(The Chairperson, Departmental Committee on Finance and National Planning)

- F. **THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILL NO. 30 OF 2020)**

(The Chairperson, Departmental Committee on Environment and Natural Resources)

Second Reading

(If not concluded on Tuesday, February 15, 2022)

G. THE COFFEE BILL (SENATE BILL NO. 22 OF 2020)

(The Chairperson, Departmental Committee on Agriculture and Livestock)

Second Reading

(If not concluded on Tuesday, February 15, 2022)

H. THE CHILDREN BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2021)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, February 15, 2022)

I. THE ADVOCATES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 43 OF 2021)

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

Second Reading

(If not concluded on Tuesday, February 15, 2022)



...../Appendix*

APPENDIX

NOTICE OF PETITIONS, QUESTIONS & STATEMENTS

ORDER NO. 4 - PETITIONS

It is **notified** that, pursuant to the provisions of Standing Order 225, the following Petition will be presented-

No.	Subject	Petitioner(s)	Relevant Committee
007/2022	Land allocation and issuance of titles in respect of L.R.11150 in Embakasi Sub-County, Nairobi	<i>To be reported by the Speaker on behalf of Riverbank Residents Housing Welfare Group in Nairobi</i>	D.C. on Lands

ORDER NO.7 -QUESTIONS

It is notified that, pursuant to the provisions of Standing Order 42A (5), the following Members will ask **questions** for reply before the specified Committees-

QUE. NO.

ORDINARY QUESTION

006/2022

The Member for Tharaka (Hon. George Murugara, MP) to ask the Cabinet Secretary for National Treasury and Planning: -

- (i) Could the Cabinet Secretary state the amount of money set aside for payment of pensions, gratuities and other benefits to former Councillors who served in the defunct County Councils between 1963 and 2012?
- (ii) Could the Cabinet Secretary state the number of the said former Councillors who are set to benefit from the allocation?
- (iii) When does the Ministry plan to disburse the payments to the said former Councillors?

(To be replied before the Departmental Committee on Finance and National Planning)

019/2022

The Member for North Imenti (Hon. Abdul Rahim Dawood, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -

- (i) Could the Cabinet Secretary explain why the beneficiaries of the late *PC Japhet Kaumbuthu* of Force No. 47163 and Personnel No. 198411120, who hailed from *Gitugu sublocation, Ngonyi location* in *North Imenti* Constituency and passed away on 21st July 2019 have not been paid his pension and other dues?
- (ii) What measures is the Ministry putting in place to ensure that the dues are paid to the beneficiaries without any further delays?

(To be replied before the Departmental Committee on Administration and National Security)

036/2022

The Member for Nyandarua County (Hon. Faith Wairimu Gitau, MP) to ask the Cabinet Secretary for Health: -

- (i) Could the Cabinet Secretary explain the nature of the recent contractual disagreements between the Kenya Association of Private Hospitals (KAPH) and the National Health Insurance Fund (NHIF) which were reported to affect private and public hospitals considering that this has adversely affected healthcare service delivery across the country since December 2021?
- (ii) What steps has the Government taken to resolve the dispute so as to ensure that delivery of healthcare services is not interrupted?
- (iii) What measures, if any, is the Government putting in place to ensure improved efficiency, transparency and accountability on use of healthcare insurance covers and expenditure of related funds, since the success of Universal Health Cover (UHC) will largely depend on reforms in the health sector?

(To be replied before the Departmental Committee on Health)

037/2022

The Member for Kibwezi East (Hon. Jessica Mbalu, MP) to ask the Cabinet Secretary for Energy: -

Could the Cabinet Secretary state the implementation status of electrification projects in Kibwezi East Constituency, and explain -

- (i) why electrification programme in *Lower Mukaange* area particularly *Kalimakoi-Athi Salama project* and in *Syandani/Kitunene, Ngokolani-Kinyambu dispensary, Makutano/Ituumo, and Muusini kwa Veneti* has stalled?
- (ii) why faulty transformers in *Manyanga Market/Calvary Church, Matangini Ma Uvilio-Kwakinyuti, Kwa Mutindi/Kasookwe Borehole - Kyaani, Kavatini Parish/ Market* have not been replaced?
- (iii) why implementation of transformer maximization programme in the following places is yet to start-*Aikuu / Kwa chief Mwonga junction; Kitengei Secondary School; Mitamboni Primary School; Nthunguni Primary; Ngusyini Market; Nzoila Primary School; Muusini Primary School; Kwa Matheka Market; Ngokolani Primary Schoo; Nzavoni Primary School; Ituumo Primary School; Prof. Kaloki Secondary School; Muthungue, Kwa John Kisengi – Nzouni; Kyanguli Primary School; Kativani Market; Kiange Primary School ;Kyambusya Primary School; Mitonguni Primary School; Mwanyani Primary*

School; Makutano Primary School, Kyumani Market; Masaku Ndogo; Makokani Primary School; St. Mary's Girls School – Komboyoo; Kongo Primary School; Ivingoni Primary School; Kalembwani Market; Kathiiani Primary School; Mbukoni Primary School; Ngomano Primary School; Yikivumbuvu Primary School; and Mbeetwani Primary School?

- (iv) why street light projects in the following towns along Mombasa road were not implemented despite mapping and designs works having been completed in 2019 - *Manyanga, Kinyambu, Thange, Machinery, Kambu, Ivingoni, Wandeji, Migingo, Kwa Kithokoi and Kwa Kinyuti?*

(To be replied before the Departmental Committee on Energy)

038/2022

The Member for Marsabit County (Hon. Safia Sheikh, MP) to ask the Cabinet Secretary for Health: -

- (i) What is the implementation status of the Universal Health Coverage (UHC) Programme in Marsabit County?
- (ii) What measures have been put in place to ensure availability of adequate healthcare services including maternal health services to women residing in informal settlements and rural areas in the County?
- (iii) What steps has the Ministry taken to guarantee the health and safety of mothers and children during birth in order to reduce maternal mortality rates as a result of childbirths occurring in homes?
- (iv) What steps is the Ministry taking to ensure that women are not forced by circumstances to give birth at home given the long journeys they have to endure to access health facilities which are located in far-flung areas?

(To be replied before the Departmental Committee on Health)
