

(No. 09)



(041)

REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SIXTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, FEBRUARY 10, 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*. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 55 OF 2021)

(The Leader of the Majority Party)

Second Reading

(Question to be put)

10*. MOTION - ANNULMENT OF THE CROPS (FIBRE CROPS) REGULATIONS, 2020

(The Chairperson, Committee on Delegated Legislation)

THAT, this House **adopts** the Report of the Committee on Delegated Legislation on its consideration of the Crops (Fibre Crops) Regulations, 2020 *laid on the Table of the House on Tuesday, November 17, 2020*, and pursuant to the provisions of section 18 of the Statutory Instruments Act, 2013 and Standing Order 210 (4)(b), **annuls in entirety** the Crops (Fibre Crops) Regulations, 2020 published as *Legal Notice No. 120 of 2020*.

(Question to be put)

11*. MOTION - ANNULMENT OF THE PUBLIC FINANCE MANAGEMENT (BIASHARA KENYA FUND) REGULATIONS, 2021 AND OTHER RELATED REGULATIONS

(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 (*Biashara Kenya Fund*) Regulations, 2021; the Public Finance Management (*Uwezo Fund*) (Revocation) Regulations, 2021; the Public Finance Management (Women Enterprise Fund) (Revocation) Regulations, 2021; and the Public Finance Management (Youth Enterprise Development Fund) (Revocation) Regulations, 2021, *laid on the Table of the House on Tuesday, September 21, 2021*, and pursuant to the provisions of section 18 of the Statutory Instruments Act, 2013 **annuls in entirety** -

- (i) the Public Finance Management (*Biashara Kenya Fund*) Regulations, 2021 published as *Legal Notice No. 55 of 2021*;
- (ii) the Public Finance Management (*Uwezo Fund*) (Revocation) Regulations, 2021 published as *Legal Notice No. 56 of 2021*;
- (iii) the Public Finance Management (Women Enterprise Fund) (Revocation) Regulations, 2021 published as *Legal Notice No. 57 of 2021*; and
- (iv) the Public Finance Management (Youth Enterprise Development Fund) (Revocation) Regulations, 2021 published as *Legal Notice No. 58 of 2021*.

(Question to be put)

12*. MOTION - OFFICIAL DOCUMENTING OF THE HISTORY OF THE NATIONAL ASSEMBLY

(The Leader of the Majority Party)

THAT, aware that the history of any institution is key to evaluating its development; **FURTHER AWARE** that documenting history provides a knowledge bank for future generations; **NOTING** that the history of the Parliament of Kenya is largely unrecorded, scattered and piecemeal; **FURTHER NOTING** that most comparable jurisdictions have elaborate records of their history which are periodically updated to capture new developments; **COGNISANT** of the fact that the Parliament of Kenya marks its 115th anniversary this year having been established as the Legislative Council (*LegCo*) in August 1907; **FURTHER COGNISANT** that the legislature has been transforming in the last century both in mandate and composition starting as a fused unicameral legislature, to a bicameral one at independence to a unicameral legislature before again reverting to a bicameral Parliament after the promulgation of the Constitution of Kenya 2010;

...../12*(Cont'd)

RECOGNISING the many works of arts, including statues, frescoes, murals and pictures connected with the history of the Parliament of Kenya, including the contributions of great men and women, families, architects and politicians throughout the 114 years of the history of the institution, and its transformation and growth throughout the period;

NOW THEREFORE, in order to ensure the preservation of the history of the institution for future generations, **this House resolves –**

1. **THAT**, at an appropriate stage, the House appoints a Committee comprising of not more than nine (9) Members to oversee the preservation of these histories for posterity, with special focus on the National Assembly;
2. **THAT**, the copyrights of the *History of Parliament of Kenya* projects be reserved for the benefit of Parliament and the people of Kenya; and,
3. **THAT**, the Clerk of the National Assembly puts in place and executes appropriate mechanisms to actualize this Resolution.

(Question to be put)

13*. 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.

**14*. 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*.

15*. 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*.

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

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

Second Reading

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

(The Chairperson, Departmental Committee on Health)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

19*. 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

Tentative business for

Tuesday, February 15, 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 Tuesday, February 15, 2022-

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

(The Leader of the Majority Party)

First Reading

B. 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)

C. SPECIAL MOTION- APPROVAL OF THE NATIONAL ASSEMBLY'S REPRESENTATIVE TO THE EQUALIZATION FUND ADVISORY BOARD

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

(If not concluded on Thursday, February 10, 2022)

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

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

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

E. COMMITTEE OF THE WHOLE HOUSE

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 Thursday, February 10, 2022)

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

(The Chairperson, Departmental Committee on Health)

Second Reading

(If not concluded on Thursday, February 10, 2022)

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

(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, February 10, 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 Thursday, February 10, 2022)



A P P E N D I X

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
005/2022	Operations of the Open Tender System (OTS) for Importation of Fuel Products	<i>To be reported by the Speaker on behalf of Mr. Stephen Mutoro, Secretary General of the Consumer Federation of Kenya (COFEK)</i>	D.C. on Energy

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 QUESTIONS

032/2022

The Member for Kirinyaga Central (Hon. John Wambugu, MP) to ask the Cabinet Secretary for Education: -

- (i) Could the Cabinet Secretary explain the circumstances under which forty-one (41) students who sat for the Kenya Certificate of Secondary Education (KCSE) in 2012 at *Sacred Heart Kangaita Secondary School* in Kirinyaga Central Constituency were denied their certificates by the Kenya National Examinations Council (KNEC)?
- (ii) Could the Cabinet Secretary also explain why KNEC has failed to issue KCSE Certificates to *Githae John Kariuki (Index No. 09203422035)* and *Kinyua D. Muriithi (Index No. 09203422005)* who sat for KCSE in 2012 in the said school despite having made numerous follow-ups and submitting all requirements?
- (iii) When will the affected students be issued with their KCSE Certificates to enable them pursue their respective careers?

(To be replied before the Departmental Committee on Education and Research)

033/2022

The Member for Mathare (Hon. Anthony Oluoch, MP) to ask the Cabinet Secretary for Environment and Forestry: -

- (i) Could the Cabinet Secretary explain measures put in place, if any, to avert the impending closure of *Kiamaiko* Animal Slaughterhouse in *Mathare Constituency*, by the National Environmental Management Authority (NEMA)?
- (ii) Could the Cabinet Secretary explain the measures put in place by NEMA towards the management of toxic and hazardous chemicals and materials and clarify how the same are implemented, particularly with respect to pollutants to the *Nairobi River* in Nairobi City County?

(To be replied before the Departmental Committee on Environment and Natural Resources)

034/2022

The Member for Mwingi West (Hon. Charles Ngusya, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works: -

- (i) What is the status of the construction of the *Kitui - Migwani - Mbondoni Road* in Mwingi West Constituency?

- (ii) When will the construction works for the remaining 25kms stretch of the road resume and what are the expected completion timelines?
- (iii) What was the total funding allocated for the said road during the Financial Year 2021/2022?

(To be replied before the Departmental Committee on Transport, Public Works and Housing)

035/2022

The Member for Tharaka (Hon. Gitonga Murugara, MP) to ask the Teachers Service Commission: -

- (i) Could the Commission explain why *Mr. Kitbinji (TSC No. 414517)*, *Ms. Sarah Njeri Kamiri (TSC No. 462538)*, *Mr. Murugara Kitbinji Leonard (TSC No. 463028)*, *Mr. Erugura Godfrey Mwiti (TSC No. 492980)* and *Ms. Lucy Wanjiku Kiriga (TSC No. 366144)*, who were appointed as Deputy Principals and deployed by the Commission in September 2019 have not had their grades and salaries effected as required under the Commission's Policy on Human Resource and Remuneration Guidelines?
- (ii) Could the Chairperson indicate when their grades and salaries will be effected as required under the provisions of the policy?

(To be replied before the Departmental Committee on Education and Research)



ORDER NO.7 - STATEMENTS

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

No.	Subject	Member	Relevant Committee
1.	Closure of Egerton University.	<i>Hon. Charity Kathambi, MP (Njoro)</i>	D.C. on Education and Research
