

(No. 18)



(159)

REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SIXTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

TUESDAY, MARCH 01, 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*. MOTION - REPORT ON THE MEDIUM-TERM DEBT MANAGEMENT STRATEGY FOR THE FY 2022/2023

(The Chairperson, Budget and Appropriations Committee)

THAT, this House **adopts** the Report of the Budget and Appropriations Committee on the Medium-Term Debt Management Strategy for the financial year 2022/2023 submitted by the Cabinet Secretary for the National Treasury pursuant to the provisions of section 33 of the Public Finance Management Act, 2012 and Standing Order 232(4), *laid on the Table of the House on Tuesday, February 15, 2022* and pursuant to the provisions of section 15(4) of the Public Finance Management Act, 2012 and Standing Order 232(9) and (10)-

- (a) **approves** the Medium-Term Debt Management Strategy for the financial year 2022/2023;
- (b) **approves** the national borrowing strategy as contained in the 2022/2023 Medium-Term Debt Management Strategy, at a level consistent with the fiscal deficit of Ksh. 400 billion or 3 % of GDP, whichever is lower; and,
- (c) makes the **policy resolutions** contained in the Second Schedule to the Order Paper (*Policy Resolutions relating to the Medium-Term Debt Management Strategy for the financial year 2022/23*).

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

(The Chairperson, Departmental Committee on Agriculture and Livestock)

Second Reading

10*. THE HUDUMA BILL (NATIONAL ASSEMBLY BILL NO. 57 OF 2021)

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

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

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

Second Reading

13*. THE NATIONAL ELECTRONIC SINGLE WINDOW SYSTEM BILL (NATIONAL ASSEMBLY BILL NO. 15 OF 2021)

(The Leader of the Majority Party)

Second Reading

Denotes Orders of the Day

FIRST SCHEDULE

**POLICY RESOLUTIONS RELATING TO THE MEDIUM-TERM DEBT
MANAGEMENT STRATEGY FOR THE FINANCIAL YEAR 2022/23**

Policy Resolutions

- 1) Given the high level of debt stock, enhancement of debt transparency and accountability initiatives be instituted in accordance with the provisions of Article 201 of the Constitution, including -
 - (i) **THAT**, a full quantification of Kenya’s Public debt stock as defined under Article 214 of the Constitution be undertaken by the Cabinet Secretary for the National Treasury by the time of submitting the Budget Estimates for the year 2022/23 in April, 2022. The quantification is to include the amount of debt disbursed and debt commitments already incurred;
 - (ii) **THAT**, the Cabinet Secretary for the National Treasury submits a debt register on a quarterly basis to Parliament for scrutiny; and,
 - (iii) **THAT**, in order to enhance transparency and accountability, by the time of submitting the Budget Estimates for the year 2022/23 in April, 2022, the Cabinet Secretary for the National Treasury submits a progress report on all externally funded projects to the National Assembly.



NOTICES

I. PROPOSED AMENDMENTS TO THE MOTION ON THE REPORT ON THE MEDIUM-TERM DEBT MANAGEMENT STRATEGY FOR THE FY 2022/2023

Notice is given that the Member for Kikuyu (Hon. Kimani Ichung’wah, MP) wishes to move the following amendments to the Motion on the Report of the Budget & Appropriations Committee on the Medium-Term Debt Management Strategy for the financial year 2022/2023 –

THAT, the Motion be amended by inserting the following new paragraph immediately after paragraph (b)-

“(ba) That, the House **notes** that the approval of the 2022/2023 Budget Policy Statement and the 2022/2023 Medium-Term Debt Management Strategy is not to be construed to imply the approval of the increase of the National Debt Limit (Kshs. Nine Trillion) as stipulated under Legal Notice No. 155 on the Public Finance Management Act, No 18 of 2012.”



LIMITATION OF DEBATE

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

Limitation of Debate on Bills sponsored by Parties or Committees

- II. 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 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), March 02, 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), March 02, 2022-

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

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

Second Reading

(Mover to reply)

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

(The Hon. Gathiru Mwangi, M.P.)

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

L. ** THE PUBLIC SERVICE INTERNSHIP BILL (NATIONAL ASSEMBLY BILL NO. 25 OF 2021)

(The Hon. Naisula Lesuuda, M.P.)

Second Reading

M. THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 34 OF 2021)

(The Hon. Tindi Mwale, M.P.)

Second Reading

N. ** THE PENAL CODE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 40 OF 2021)

(The Hon. Nimrod Mbai, M.P.)

Second Reading

O. ** THE PENAL CODE (AMENDMENT) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 47 OF 2021)

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

Second Reading

P. ** THE WHISTLEBLOWER PROTECTION BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2021)

(The Hon. Irene Kasalu, M.P.)

Second Reading

Q. ** THE HIGHER EDUCATION LOANS BOARD (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 52 OF 2021)

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

****Denotes Bills whose Second Reading was deferred*

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

NOTICE PAPER II

Tentative business for

Wednesday (Afternoon), March 02, 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), March 02, 2022-

A. THE DIVISION OF REVENUE BILL, 2022

(The Chairperson, Budget and Appropriations Committee)

First Reading

(Subject to the Bill being published)

B. MOTION - REPORT ON THE FIRST SUPPLEMENTARY ESTIMATES FOR THE FY 2021/2022

(The Chairperson, Budget and Appropriations Committee)

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

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

(The Chairperson, Departmental Committee on Agriculture and Livestock)

Second Reading

(If not concluded on Tuesday, March 01, 2022)

D. THE HUDUMA BILL (NATIONAL ASSEMBLY BILL NO. 57 OF 2021)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, March 01, 2022)

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

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, March 01, 2022)

F. 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, March 01, 2022)

G. THE NATIONAL ELECTRONIC SINGLE WINDOW SYSTEM BILL (NATIONAL ASSEMBLY BILL NO. 15 OF 2021)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, March 01, 2022)

**H. THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) (No.3) BILL
(NATIONAL ASSEMBLY BILL NO. 39 OF 2020)**

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

Second Reading

**I. THE ELECTIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL
NO. 41 OF 2021)**

(The Chairperson, Constitutional Implementation Oversight Committee)

Second Reading

**J. THE ELECTION CAMPAIGN FINANCING (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 37 OF 2021)**

(The Chairperson, Constitutional Implementation Oversight Committee)

Second Reading

...../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 Petitions will be presented -

No.	Subject	Petitioner(s)	Relevant Committee
009/2022	Reclamation of Arid and Semi-Arid Lands	<i>To be presented by the Hon. Speaker on behalf of Mr. Benjamin Liru Shivina of Turbo</i>	D.C. on Lands
011/2022	Persistent harassment and unlawful eviction of residents of <i>Kuruwitu</i> Village of <i>Junju</i> Ward in Kilifi South Constituency	<i>To be presented by Hon. Kiti Chonga (Kilifi South) on behalf of residents of Kuruwitu Village of Junju Ward</i>	D.C. on Lands

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

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

056/2022

The Member for Nakuru Town East (Hon. David Gikaria, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development & Public Works: –

- (i) Could the Cabinet Secretary explain why the Kenya National Highways Authority (KeNHA) has stopped public service vehicles (PSVs) from using the bus stop commonly referred to as *Gateiguru stop* located near the *Nakuru Town Footbridge* along the *Nakuru - Nairobi Highway* despite it being a recognized stop?
- (ii) Could the Cabinet Secretary consider removing the blockades and reopening the said bus stop?

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

059/2022

The Member for Endebess (Hon. (Dr.) Robert Pukose, MP) to ask the Cabinet Secretary for Environment and Forestry: -

- (i) Could the Cabinet Secretary explain the circumstances that led to the suspension of Community Forest Associations that undertook the *Shamba System* commonly referred as *Taungya System* in various forest establishments in the country?
- (ii) What impact has this directive had on the forest cover in the country and when will the directive be lifted?
- (iii) Could the Cabinet Secretary explain whether the Kenya Forest Service (KFS) maintains roads that serve forests and particularly *Endebess - Salema Road* and *Herman - Kiptogot Road* in Endebess Constituency?
- (iv) What plans does the Ministry have to resettle the more than 1500 families evicted from *Sosio forest* on 25th October 2021, and how is the Ministry dealing with the humanitarian crisis as result of the evictions?

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

060/2022

The Nominated Member (Hon. Wilson Sossion, MP) to ask the Teachers Service Commission:-

- (i) Could the Teachers Service Commission confirm whether the numerous cases of interdictions, suspensions and transfers of teachers to far-flung areas of teachers who have raised pertinent issues regarding the manner in which the Competency Based Curriculum (CBC) and Teacher Professional Development Programme (TPDP) are being rolled-out, are being carried out in accordance with the Employment and Labour Laws?
- (ii) Could the Commission explain why its promoting workplace intimidation and perpetuating unfair labour practices against teachers whenever they raise concerns over their welfare matters including delayed promotions and upgrading, Collective Bargaining Agreements (CBAs) with no monetary benefits, haphazard implementation of Teacher Performance Appraisal and Development (TPAD) among other concerns?

(For Written Reply by the Teachers Service Commission)

062/2022

The Member for Sigowet/Soin (Hon. Kipsengeret Koros, MP) to ask the Cabinet Secretary for Education: -

- (i) Could Cabinet Secretary provide the current financial status of Egerton University in terms of the university's income, disbursements by the Government, expenditure for day-to-day running of the university's operations, and the current debt?
- (ii) Could Cabinet Secretary also provide the amount of money allocated to the University by the Government through the Ministry for each year since the financial year 2017/2018 to date vis-à-vis the total amounts disbursed?
- (iii) Could the Cabinet Secretary elaborate on the current financial status of the University of Nairobi, Kenyatta University and Moi University and specify the feasible ways and means being put in place to manage their financial crisis with a view to ensure they do not run into bankruptcy?
- (iv) What measures has the Ministry put in place to ensure effective and efficient management of public universities?

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

063/2022

The Member for Kuresoi South (Hon. Joseph Tonui, MP) to ask the Cabinet Secretary for Transport and Infrastructure, Housing and Urban Development: -

- (i) Could the Cabinet Secretary explain the delays in the construction of *Lelechwet - Cheram* bridge in Kuresoi South Constituency, which was launched in 2017?

- (ii) Could the Cabinet Secretary also explain the outstanding scope of works, state when construction of the project will resume and provide the expected completion timelines?
- (iii) Could the Cabinet Secretary provide the total cost of the project, the amount paid to date and the outstanding amounts, if any?

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



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

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.	Failure by the Kenya National Highways Authority to compensate residents of Matuga Constituency	<i>Hon. Kassim Tindaḡa Sawa, MP (Matuga)</i>	D.C. on Transport, Public Works and Housing
