

(No. 07)



(023)

REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SIXTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, FEBRUARY 09, 2022 AT 9.30 A.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 PENSIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2020)

(The Hon. Didmus Barasa, M.P.)

Second Reading
(Question to be put)

9*. COMMITTEE OF THE WHOLE HOUSE

- (i) The Industrial Training (Amendment) Bill (National Assembly Bill No. 4 of 2019)
(The Hon. Jude Njomo, M.P.)
- (ii) The Alcoholic Drinks Control (Amendment) Bill (National Assembly Bill No. 70 of 2019)
(The Hon. Silvanus Osoro, M.P.)
- (iii) The Employment (Amendment)(No.2) Bill (National Assembly Bill No. 79 of 2019)
(The Hon. Gideon Keter, M.P.)

10*. 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 2, 2022 – Morning sitting)

(Balance of time – 2 hours 38 minutes)

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

**18*. THE BIRTH AND DEATH REGISTRATION (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 32 OF 2020)**
(The Hon. Martha Wangari, M.P.)

Second Reading

**19*. THE PUBLIC PROCUREMENT AND ASSET DISPOSAL
(AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 34 OF 2020)**
(The Hon. Richard Tongi, M.P.)

Second Reading

**20*. THE ALCOHOLIC DRINKS CONTROL (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 35 OF 2020)**
(The Hon. Danson Mwakuwona, M.P.)

Second Reading

21. THE PUBLIC DEBT MANAGEMENT AUTHORITY BILL (NATIONAL
ASSEMBLY BILL NO. 36 OF 2020)**
(The Hon. Sakwa Bunyasi, M.P.)

Second Reading

**22*. THE HIGHER EDUCATION LOANS BOARD (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 37 OF 2020)**
(The Hon. John Mwirigi, M.P.)

Second Reading

**23*. THE INFORMATION COMMUNICATION TECHNOLOGY
PRACTITIONERS BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2020)**
(The Hon. Godfrey Osotsi, M.P.)

Second Reading

24. THE CRIMINAL PROCEDURE CODE (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 41 OF 2020)**
(The Hon. Nelson Koech, M.P.)

Second Reading

**25*. THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT)
BILL (NATIONAL ASSEMBLY BILL NO. 45 OF 2020)**
(The Hon. David Gikaria, M.P.)

Second Reading

**26*. THE CHILDREN (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL
NO. 46 OF 2020)**
(The Hon. Peter Kaluma, M.P.)

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

Denotes Orders of the Day

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

NOTICES

I. THE INDUSTRIAL TRAINING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2019)

Notice is given that the Chairperson of the Departmental Committee on Labour and Social Welfare intends to move the following amendments to the Industrial Training (Amendment) Bill, 2019 at the Committee Stage—

LONG TITLE

THAT the Bill be amended by deleting the long title.

CLAUSE 1

THAT the Bill be amended by deleting Clause 1.

CLAUSE 2

THAT the Bill be amended by deleting Clause 2.

CLAUSE 3

THAT the Bill be amended by deleting Clause 3.

CLAUSE 4

THAT the Bill be amended by deleting Clause 4.

CLAUSE 5

THAT the Bill be amended by deleting Clause 5.

II. THE ALCOHOLIC DRINKS CONTROL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 70 OF 2019)

1) Notice is given that the Chairperson of the Departmental Committee on Administration and National Security intends to move the following amendments to the Alcoholic Drinks Control (Amendment) Bill, 2019 at the Committee Stage—

CLAUSE 1

THAT, the Bill be amended by deleting clause 1;

CLAUSE 2

THAT, the Bill be amended by deleting clause 2;

CLAUSE 3

THAT, the Bill be amended by deleting clause 3;

TITLE

THAT, the title to the Bill be deleted.

2) Notice is given that the Nominated Member (Hon. Jennifer Shamalla) intends to move the following amendments to the Alcoholic Drinks Control (Amendment) Bill, 2019 at the Committee Stage—

CLAUSE 3

THAT, the Bill be amended by deleting clause 3 and substituting therefor the following new clause—

Amendment of section 68 of No.4 of 2010

3. Section 68 of the Alcoholic Drinks Control Act, 2016 is amended in subsection (2) by—

(a) by deleting paragraph (d) and substituting therefor the following new paragraph—

“ (d) prescribe the zones and hours within which the sale of alcoholic drinks shall be permitted;”

(b) by inserting the following new paragraph immediately after paragraph (d)—

“(da) prescribe the hours within which electronic advertisement of alcoholic drinks shall be done;”

III. THE EMPLOYMENT (AMENDMENT)(NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 79 OF 2019)

Notice is given that the Chairperson of the Departmental Committee on Labour and Social Welfare intends to move the following amendments to the Employment (Amendment) Bill, 2019 at the Committee Stage—

CLAUSE 2

THAT, Clause 2 of the Bill be amended by—

(a) deleting the proposed new subsection 5 and substituting therefor the following new subsection (5)—

(5) In respect of recruitment, an employer shall not require an employee to submit any clearance or compliance certificate unless such employer intends to enter into a contract of service with the employee:

Provided that an applicant for a state office shall provide compliance or clearance certificates at such times in the recruitment or approval process as they may be required.

(b) inserting the following new subsection immediately after the proposed new subsection (7) –

‘(7A) A relevant public entity shall—

(a) not charge a fee for the issuance of a clearance or compliance certificate under this section or any other written law;

(b) issue an applicant with the clearance or compliance certificate or reject the application within seven days of receipt of the application.

LIMITATION OF DEBATE

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

Limitation of Debate on Individual Members' Bills

- IV. THAT**, each speech in a debate on **Bills NOT 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 three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of 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; and **THAT** priority in speaking 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.
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NOTICE PAPER

Tentative business for

Wednesday (Afternoon), February 09, 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 09, 2022-

A. THE COPYRIGHT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2021)

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

Second Reading

(Question to be put)

B. SPECIAL MOTION – CONSIDERATION OF NOMINEE FOR APPOINTMENT TO THE OFFICE OF A MEMBER OF THE SALARIES AND REMUNERATION COMMISSION

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

(Question to be put)

C. MOTION - APPOINTMENT OF MEMBERS TO THE COMMITTEE ON MEMBERS' SERVICES AND FACILITIES

(The Chairperson, Committee on Selection)

(Subject to Notice of Motion being given)

D. MOTION - APPOINTMENT OF MEMBERS TO THE COMMITTEE ON PARLIAMENTARY POWERS AND PRIVILEGES

(The Chairperson, Committee on Selection)

(Subject to Notice of Motion being given)

E. MOTION - CHANGES TO THE MEMBERSHIP OF VARIOUS COMMITTEES

(The Chairperson, Committee on Selection)

(Subject to Notice of Motion being given)

F. MOTION - REPORT ON THE 2022 BUDGET POLICY STATEMENT

(The Chairperson, Budget and Appropriations Committee)

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

G. THE HEALTH LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2021)

(The Leader of the Majority Party)

Second Reading

(Resumption of debate interrupted on Tuesday, February 8, 2022)

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

(The Chairperson, Departmental Committee on Agriculture and Livestock)

Second Reading

I. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 55 OF 2021)

(The Leader of the Majority Party)

Second Reading

J. MOTION - OFFICIAL DOCUMENTING OF THE HISTORY OF THE NATIONAL ASSEMBLY

(The Leader of the Majority Party)

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

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

Second Reading

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

(The Chairperson, Departmental Committee on Health)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

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

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

Second Reading

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
004/2022	Refusal by the Teachers Service Commission to acknowledge undergraduate, graduate and post graduate qualifications attained by in-service teachers from recognized universities.	<i>To be conveyed by the Hon. Wilson Sossion, MP (Nominated) on behalf of concerned teachers</i>	D.C. on Education and Research

...../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

015/2022

The Member for Jomvu (Hon. Bady Twalib, MP) to ask the Cabinet Secretary for Lands and Physical Planning: -

- (i) Could the Cabinet Secretary explain why Mr. *Salim Said* of ID No. 2254872 a resident of *Maganda* village in *Miritini Ward* in *Jomvu* Constituency is yet to be compensated for his land compulsorily acquired by the Government on 6th June, 2015 to pave way for the construction of the Standard Gauge Railway despite the land having been valued and an award letter for a total Kshs 664,125 issued?
- (ii) What measures has the Ministry put in place to ensure that Mr. *Salim* receives the compensation and could the Cabinet Secretary provide the timelines for the payment?
- (iii) What measures has the Ministry put in place to ensure that the payment will be prompt considering the numerous similar cases in *Maganda Village* and across the country which have been delayed?

(To be replied before the Departmental Committee on Lands)

023/2022

The Member for Homa Bay Town (Hon. Peter Kaluma, MP) to ask the Cabinet Secretary for Education: -

- (i) Could the Cabinet Secretary explain the reasons behind the decision by the Kenya National Examinations Council to merge examination centres for purposes of hosting of primary and secondary schools national examinations?
- (ii) Did the Council take into account factors such as the long distances the candidates will have to travel, their safety and welfare of those with physical disabilities prior to making the said decision, particularly for candidates in day secondary schools and primary schools?
- (iii) What measures has the Ministry instituted to ensure that candidates, particularly pupils and those with disabilities are not unduly disadvantaged by the merger?

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

024/2022

The Member for Mvita (Hon. Abdullswamad Nassir, MP) to ask the Cabinet Secretary for the National Treasury and Planning:-

- (i) Following the dissolution of the Kenya Ferry Services (KFS) and transfer of its functions to the Kenya Ports Authority (KPA) in June 2021, could the Cabinet Secretary provide the status of the KFS employees with regard to their employment terms and welfare, including their salary increments, payment of arrears and other benefits?
- (ii) Could the Cabinet Secretary explain why an undertaking made in a meeting with the Departmental Committee on Labour and Social Welfare in October 2021 to implement a collective bargaining agreement relating to KPA staff is yet to be effected, and provide the timeline when this undertaking will be implemented?

(To be replied before the Departmental Committee on Labour & Social Welfare)

026/2022

The Member for Kathiani (Hon. Robert Mbui, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works: -

- (i) Could the Cabinet Secretary explain the delays in the upgrading of *Kenol - Mitaboni - Kathiani - Kaani* road to bitumen standards yet funds for the same were allocated?
- (ii) What is the status of the contract for the said road considering that completion date has since lapsed yet the project is incomplete?
- (iii) What measures has the Ministry put in place to ensure speedy completion of the said road and could the Cabinet Secretary provide the expected completion timelines?

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

027/2022

Mheshimiwa wa Kaunti ya Kwale (Mhe. Zuleikha Hassan) anauliza Waziri wa Leba na Mambo ya Kijamii: -

Wizara itaanza lini kuandikisha wazee, mayatima na watu wenye uwezo maalum wapya, ili wapokee fedha za msaada za Serikali?

(Kujibina mbele ya kamati ya Idara ya Leba na Mambo ya Kijamii)

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.	Abduction and killings of Mr. Yahya Mohamud Hassan and Mr. Abdirahim Adow Abdullahi in Isiolo County.	<i>Hon. Adan Haji Yussuf, MP (Mandera West)</i>	D.C. on Administration and National Security
