



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – FIRST SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, OCTOBER 13, 2022

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. Presiding – the Hon. Speaker
4. **NOTICES OF MOTION**

The following Notices of Motion were given –

- (i) **THAT**, aware that Article 68(c)(i) of the Constitution of Kenya provides for minimum and maximum land holding acreages in respect to private land; **deeply concerned that** with high population growth and the demand for land have resulted in excessive fragmentation of land into uneconomic units; **noting that** at the same time, a number of people own large tracts of land which are not utilized optimally; noting further that **cognizant of the fact that** the Constitution in Article 60(1) sets out the principles of land policy which among other things requires that land in Kenya shall be held, used and managed in a manner that is equitable, efficient, productive and sustainable; **this House therefore resolves that** the Government enforces compliance of Article 68 (c) (i) of the Constitution, section 159 of the Land Act, 2012 and the National Land Policy (Sessional Paper No. 3 of 2009 - on maximum and minimum land holdings in Kenya) through publishing of the rules and regulations for private land use and management in regard to the minimum and maximum land holdings in country.

*(Hon. Ferdinand Wanyonyi)*

- (ii) **THAT**, aware that education is key enabler for national development and realization of Kenya's Vision 2030 and Sustainable Development Goals; **appreciating** the invaluable role that teachers play in actualizing the national goals of education; **noting** that conducive working environment for teachers enhances performance; **recalling** that delocalization of teachers commenced in 2018 by the Teachers Service Commission immensely disrupted teachers' lives, lowered teacher-morale and caused untold trauma to many teachers countrywide; **concerned** that the exercise is not supported with clear policy framework and was initiated without the participation of teachers or their unions, contrary to Articles 118 and 132 of the Constitution on public participation and involvement of the people in the process of

- (iii) policy making; **cognizant** of the fact that delocalization of teachers is inconsistent with UNESCO teacher deployment practice, which treats education as culture process conducted within a people's culture context at the local level; this House **resolves** that the Teachers Service Commission immediately reverses delocalization of teachers and initiates a comprehensive review of teacher deployment policy with the involvement of teachers in order to make the policy consistent with ILO and UNESCO laws and practice on teacher management and deployment.

*(Hon. Titus Khamala)*

**5. STATEMENT PURSUANT TO STANDING ORDER 44(2)(a)**

Pursuant to the provision of Standing Order 44(2)(a), the Leader of the Majority Party issued a Statement regarding the Business of the House for the week commencing Tuesday, October 25, 2022.

**6. MOTION – APPOINTMENT OF A JOINT COMMITTEE ON ELECTION OF MEMBERS TO EALA**

Motion made and Question proposed –

**THAT, acknowledging** that the East Africa Legislative Assembly (EALA) is established under Article 9 of the Treaty for the Establishment of the East African Community as one of the key organs and institutions of the Community responsible for the Community's legislative matters;

**Recognizing that**, Article 50 of the Treaty provides for the election of Members of EALA by respective Partner States' Legislatures in accordance with their parliamentary procedures for a term of five years;

**Further aware that**, the East African Legislative Assembly Elections Act, 2011 contemplates conclusion of the election of Members of a new Assembly to be within ninety (90) days before the expiry of the term of the subsisting Assembly;

**Noting that**, the term of the current East African Legislative Assembly lapses on December 17, 2022;

**Cognizant** of the need to urgently conclude the election process for the East African Legislative Assembly to commence transacting business of the East African Community;

**NOW THEREFORE**, in accordance with the provisions of Rule 9 of the Houses of Parliament (Joint Sittings) Rules, the House **resolves** –

- (i) to establish a *Joint Committee* consisting of seven (7) Members appointed by each of the Houses of Parliament to undertake the functions contemplated under the *East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017*;
- (ii) that the following Members shall represent the National Assembly in the *Joint Committee*:
- (a) The Hon. Wanjiku Muhia, M.P. - Co-Chairperson
  - (b) The Hon. (Dr.) Makali Mulu, CBS, M.P.
  - (c) The Hon. Sabina Chege, CBS, M.P.
  - (d) The Hon. John Mutunga Kanyuithia, M.P.
  - (e) The Hon. Daniel Nanok Epuyo, M.P.
  - (f) The Hon. Francis Sigei Kipyegon, EBS, M.P.
  - (g) The Hon. Ruth Adhiambo Busia, M.P.

- (iii) that the Offices of the Clerks of the Houses of Parliament shall provide secretariat services to the *Joint Committee* in accordance with the Standing Orders; and
- (iv) that the *Joint Committee* shall report to the House within the timelines stipulated in the *East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017*.

*(Leader of the Majority Party)*

Debate arising;

Rising in his place on a point of order pursuant to Standing Order 95, the Member for Navakholo (Hon. Emmanuel Wangwe) claimed to move, "That, the Mover be now called upon to reply".

And the Speaker acceding to the claim;

Question put and agreed to;

Thereupon Mover replied;

*(Change of Chair from the Speaker to the Deputy Speaker)*

Question put and agreed to.

#### **7. PROCEDURAL MOTION - EXTENSION OF SITTING TIME**

Motion made and Question proposed –

**THAT**, pursuant to the provisions of Standing Order 30(3) (a), this House resolves to extend its sitting time until 9.00pm.

*(Leader of the Majority Party)*

There being no Member wishing to contribute;

Question put and agreed to.

#### **8. MOTION - DEVELOPMENT OF A SCHOOL FEEDING POLICY**

Motion made and Question proposed –

**THAT**, aware that school meals are an important safety net for vulnerable children from food-insecure households and communities in Kenya; appreciating that school meals have multiple benefits, such as increased school enrolments and attendance as well as a significant and positive contribution to reducing hunger and improving nutritional intake; noting that primary school completion rates have been found to be higher in schools with meals provided, thus school meals remain a core development intervention to support the country's achievements in the education sector; recognizing that some county governments have adopted direct and community-led initiatives for ECDE school feeding programmes; concerned that the exercise is not supported by a clear policy and budgetary framework and does not support pupils in primary and secondary schools who form the basic education ecosystem; cognizant of the fact that, where school meal programmes have been initiated, it has been noted that they encounter different challenges that impede their effectiveness, including insufficient resources due to low budgetary allocation and budget cuts, lack of a school feeding policy, inadequate safe cooking and drinking water, drought and famine, poor food storage, a lengthy procurement process, insecurity and dilapidated infrastructure, among others; this House therefore **resolves** that the Ministry of Education, through the relevant State Department, immediately develops a school feeding policy to cover basic education pupils and sustain the program in order to ensure that children are maintained in schools for effective learning and to improve their well-being.

*(The Hon. Elsie Muhanda)*

Debate arising;

Mover to reply

And the time being eleven minutes past nine O'clock, the 2<sup>nd</sup> Chairperson of Committees interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

9. HOUSE ROSE - at eleven minutes past nine O'clock

MEMORANDUM

The Speaker will take the Chair on  
Tuesday, October 25, 2022 at 2.30 p.m.

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