



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, FEBRUARY 15, 2023 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*. PROCEDURAL MOTION – LIMITATION OF DEBATE ON
SESSIONAL PAPERS**

(The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 97(1), this House **orders** that each speech in a debate on any **Sessional Paper** 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 Leader of the Majority Party and the Leader of the Minority Party and the Chairperson of the relevant Committee (if the Sessional Paper is not moved by the Chairperson of the relevant Committee), 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.

9*. PROCEDURAL MOTION – LIMITATION OF DEBATE ON REPORTS OF CONSTITUTIONAL COMMISSIONS AND INDEPENDENT OFFICES

(The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 97(1), this House **orders** that each speech in debate on **Reports of Constitutional Commissions and Independent Offices** be limited as follows: – A maximum of four hours 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 (15) minutes each; and that priority be accorded to the Chairperson of the relevant Committee, the Leader of the Majority Party and the Leader of the Minority Party, in that order.

10*. PROCEDURAL MOTION – LIMITATION OF DEBATE ON THE ANNUAL ESTIMATES AND COMMITTEE OF SUPPLY

(The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 97(1), this House **orders** that each speech in a debate on the **Report of the Budget & Appropriations Committee on Budget Estimates** contemplated under Standing Orders 239 and 240 be limited as follows:

- (i) **General Supply Debate**:- A maximum of **three** (3) sitting days with thirty (30) minutes for the Mover in moving and fifteen (15) minutes in replying; a maximum of fifteen (15) minutes for each of the Chairpersons of the Departmental Committees 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 (15) minutes each; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the respective Chairpersons of the Departmental Committees in the order that they appear in the Second Schedule to the Standing Orders; and,
- (ii) **Committee of Supply**: - A maximum of **six** (6) sitting days for the consideration of the proposed allocations to the respective Votes/Programmes in the order specified in the Schedule submitted by the Budget and Appropriations Committee.

11*. PROCEDURAL MOTION – LIMITATION OF DEBATE ON THE SENATE AMENDMENTS TO BILLS ORIGINATING IN THE NATIONAL ASSEMBLY

(The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 97(1), this House orders that each speech in the **general debate contemplated under Standing Order 146** (*Consideration of Senate amendments to Bills originating in the National Assembly*) be limited as follows:- a maximum of one hour and thirty minutes, with not more than fifteen minutes (15) for the Mover in moving, fifteen minutes (15) for the Chairperson of the relevant Departmental Committee, and five (5) minutes for any other Member speaking, including the Leader of the Majority Party and the Leader of the Minority Party (if the Bill is not party-sponsored), and that five (5) 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, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

12*. PROCEDURAL MOTION – CONSIDERATION OF CERTAIN BUSINESS RECEIVED DURING THE RECESS PERIODS

(The Leader of the Majority Party)

THAT, notwithstanding the provisions of Standing Orders 41 and 42 relating to *conveying of Messages from the Senate and from the President or the National Executive*, Standing Orders 120, 122 and 126 relating to *Publication, Procedure upon Publication and First Reading of Bills* and Standing Order 210(2) relating to *Tabling of Statutory Instruments*, this House orders that during the Short and Long Recesses of the Second Session –

- (i) upon receipt of any Message from the Senate, or upon receipt of any name of a person nominated for appointment to a state or public office from the President or any other office in the National Executive, the Speaker shall forthwith refer such Message to the relevant Committee for consideration, without having to recall the House, and report such fact to the House on resumption;
- (ii) upon receipt of any Message relating to the Senate's Amendments to a Bill originating in the National Assembly, the Speaker shall forthwith refer the Schedule of the Senate Amendments to the relevant Committee for consideration pursuant to the provisions of Standing Order 145 (*Senate amendments to Bills originating in the National Assembly*), and report such fact to the House on resumption;

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- (iii) should a Bill be published during the said period, or a published Bill become due for First Reading, the Speaker shall, upon lapse of at least three days following the publication of the Bill and following a determination that such Bill is of priority, forthwith refer such Bill to the relevant Committee for consideration pursuant to the provisions of Standing Order 127 (*Committal of Bills to Committees and public participation*) and cause the Bill to be read a First Time upon its next Sitting and the Second Reading may be taken forthwith, or on such other day as the House Business Committee may determine;
- (iv) should any statutory instrument be transmitted for tabling before the House during the period, the Speaker shall, following a determination that the statutory instrument is of priority, forthwith refer the statutory instrument to the relevant Committee for consideration and cause the statutory instrument to be tabled in the House upon its next Sitting in accordance with the provisions of section 11 of the Statutory Instruments Act (No. 3 of 2013); and,
- (v) should any Paper be transmitted for tabling before the House, the Speaker shall, following a determination that the Paper is of priority, forthwith refer the Paper to the relevant Committee for consideration and cause the Paper to be tabled in the House upon its next Sitting.

13*. **THE NATIONAL TRANSPORT AND SAFETY AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 43 OF 2022)**

(The Hon. Simon King'ara, M.P.)

First Reading

14*. **THE CANCER PREVENTION AND CONTROL (AMENDMENT) (No. 2) BILL (NATIONAL ASSEMBLY BILL NO. 45 OF 2022)**

(The Hon. Abdul Dawood, M.P.)

First Reading

15*. **MOTION – APPROVAL OF THE CALENDAR OF THE HOUSE FOR THE SECOND SESSION (2023)**

(The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 28, this House approves the Calendar of the National Assembly (*Regular Sessions*) for the Second Session (2023) as contained in the Schedule.

16*. SPECIAL MOTION – APPOINTMENT OF THE PARLIAMENTARY SERVICE COMMISSIONER WHO IS NOT A MEMBER OF PARLIAMENT

(The Leader of the Majority Party)

THAT, taking into consideration the Recommendations of the Parliamentary Service Commission in its Report on the **Recruitment of the Parliamentary Service Commissioner who is not a Member of Parliament**, laid on the Table of the House on Tuesday, February 14, 2023, and pursuant to the provisions of Article 127(2)(d) of the Constitution, this House **appoints Hon. Johnston Muthama** as a Member of the Parliamentary Service Commission.

16*. MOTION – GENERAL DEBATE ON THE PROPOSAL TO PARLIAMENT TO CONSIDER AMENDING THE CONSTITUTION AND THE STANDING ORDERS

(The Leader of the Majority Party)

THAT, noting the contents of a Memorandum submitted to Parliament by His Excellency the President asking Parliament to consider initiating amendments to the Constitution; **Acknowledging that**, actualization of the proposals which relate to, *inter alia*, the composition of Parliament as provided for in Articles 97 and 98 of the Constitution in order to attain the two-thirds gender principle, the creation of the office of Leader of Official Opposition in Parliament, and the inclusion of various funds in the Constitution, would necessitate amendment to the Constitution, while the restructuring of parliamentary oversight to allow for Cabinet Secretaries to appear before the Houses of Parliament to respond to Questions by Members would require the amendment of Standing Orders; **Further acknowledging that**, the Speaker, vide a Notification issued on 9th December 2022 referred the matters raised in the Memorandum to the *Departmental Committee on Justice and Legal Affairs* with regard to proposals relating to the implementation of the Two-Thirds Gender Principle and the establishment of the Office of the Leader of Official Opposition; *The Joint Parliamentary Ad Hoc Committee* with regard to proposals to amend the Constitution to entrench the Constituency Development, Senate Oversight and National Government Affirmative Action Funds; and *The Procedure & House Rules Committee* with regard to proposals to amend the Standing Orders to strengthen parliamentary oversight of the Executive, so as to facilitate

...../16*(Cont'd)

public participation pursuant to Article 118 of the Constitution; **NOW THEREFORE**, pursuant to the provisions of Articles 1(2) and 95(2) of the Constitution, this House **notes, considers and makes general comments** on the proposals contained in the Memorandum by the His Excellency the President.

(If not concluded on Wednesday, February 15, 2023 – Morning Sitting)

Denotes Orders of the Day

SCHEDULE**CALENDAR OF THE NATIONAL ASSEMBLY FOR 2023 (REGULAR SESSIONS)**

PERIOD	DAYS
SECOND SESSION	14TH FEBRUARY 2023 – 7TH DECEMBER 2023
FIRST PART	
A. Sitting Days Tuesday, 14 th February – Thursday, 23 rd March 2023	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
B. Short Recess: Friday, 24 th March – Monday, 3 rd April 2023	
C. Sitting Days Tuesday, 4 th April – Thursday, 4 th May 2023	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
D. Long Recess: Friday, 5 th May – Monday, 5 th June 2023	
SECOND PART	
E. Sitting Days Tuesday, 6 th June – Thursday, 13 th July 2023	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
F. Short Recess: Friday, 14 th July – Monday, 24 th July 2023	
G. Sitting Days Tuesday, 25 th July – Thursday, 24 th August 2023	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
H. Long Recess: Friday, 25 th August – Monday, 18 th September 2023	
THIRD PART	
I. Sitting Days Tuesday, 19 th September – Thursday, 26 th October 2023	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
J. Short Recess: Friday, 27 th October – Monday, 6 th November 2023	
K. Sitting Days Tuesday, 7 th November – Thursday, 7 th December 2023	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
L. Long Recess: Friday, 8 th December 2023 – Monday, 12 th February 2024	
Annual Suspension of Committee Sittings from 18th December 2023 – 28th January 2024	

Disclaimer: The House may however resolve to hold sittings on other days outside this published Calendar.

*...../Notice Paper**

NOTICE PAPER

Tentative business for

Thursday, February 16, 2023

(Published pursuant to Standing Order 38(1))

It is notified that the following business is *tentatively* scheduled to appear in the Order Paper for Thursday, February 16, 2023 –

A. **THE PUBLIC SERVICES (VALUES AND PRINCIPLES) (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 46 OF 2022)**
(The Hon. Abdul Dawood, M.P.)

First Reading

B. **THE GERIATRIC BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2022)**
(The Hon. Gathoni Wamuchomba, M.P.)

First Reading

C. **MOTION – APPOINTMENT OF MEMBERS TO THE SELECT COMMITTEE ON MEMBERS' SERVICES & FACILITIES**

(The Chairperson, Committee on Selection)

D. **MOTION – APPOINTMENT OF MEMBERS TO THE COMMITTEE OF POWERS AND PRIVILEGES**

(The Chairperson, Committee on Selection)

E. **MOTION – GENERAL DEBATE ON THE PROPOSAL TO AMEND THE CONSTITUTION AND THE STANDING ORDERS**

(The Leader of the Majority Party)

(If not concluded on Wednesday, February 15, 2023 – Afternoon sitting)
