



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

SUPPLEMENTARY

WEDNESDAY, MARCH 1, 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 – REDUCTION OF PUBLICATION PERIOD OF A BILL
(The Chairperson, Budget and Appropriations Committee)

THAT, pursuant to the provisions of Standing Order 120, this House **resolves** to reduce the publication period of the Supplementary Appropriation Bill (National Assembly Bill No. 4 of 2023) from **seven (7) days to one (1) day**.

- 9*. THE SUPPLEMENTARY APPROPRIATION BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2023)
(The Chairperson, Budget and Appropriations Committee)

First Reading

10*. THE SUPPLEMENTARY APPROPRIATION BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2023)

(The Chairperson, Budget and Appropriations Committee)

Second Reading

11*. COMMITTEE OF THE WHOLE HOUSE

The Supplementary Appropriation Bill (National Assembly Bill No. 4 of 2023)

(The Chairperson, Budget and Appropriations Committee)

12*. 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 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 His Excellency the President.

(Resumption of debate interrupted on Tuesday, February 28, 2023)

13*. **MOTION – REPORT OF THE 42ND SESSION OF THE ORGANIZATION OF AFRICA, CARIBBEAN AND PACIFIC STATES AND THE EUROPEAN UNION JOINT PARLIAMENTARY ASSEMBLY**
(Leader of the Kenya Delegation to the OACPS-EU JPA)

THAT, this House **notes** the Report of the 61st Session of the Organization of Africa, Caribbean and Pacific (OACPS) Parliamentary Assembly and the 42nd Session of the ACP-EU Joint Parliamentary Assembly, *laid on the Table of the House on Wednesday, November 30, 2022.*

14*. **THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 60 OF 2022)**
(The Leader of the Majority Party)

Second Reading

Denotes Orders of the Day

NOTICES

I. SUPPLEMENTARY APPROPRIATION BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2023)

- 1) Notice is given that the Chairperson of the Budget and Appropriations Committee intends to move the following amendments to the Supplementary Appropriation Bill (National Assembly Bill No. 4 of 2023) at the Committee Stage

CLAUSE 2

THAT, the Bill be amended by deleting Clause 2 and substituting therefor the following new Clause—

| | |
|--|---|
| Issue of 200,729,733,488 out of the Consolidated Fund for the service of the year ending 30 th June, 2023. | 2. The Treasury may issue the sum of two hundred and one billion, fifty nine million, seven hundred and thirty three thousand, four hundred and eighty eight shillings out of the Consolidated Fund and apply it towards the supply granted for the service of the year ending on the 30 th June, 2023. |
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CLAUSE 5

THAT, the Bill be amended by deleting Clause 5 and substituting therefor the following new Clause—

Reduction of KSh. (143,738,560,978)

The supply granted for the services of the year ending on 30th June, 2023 in respect of Votes R1021, R1052, R1064, R1068, R1069, R1072, R1081, R1091, R1093, R1094, R1095, R1108, R1109, R1112, R1122, R1123, R1134, R1152, R1162, R1166, R1169, R1174, R1175, R1202, R1213, R1214, R1221, R1222, R1281, R1311, R2011, R2021, R2031, R2042, R2071, R2081, R2101, R2111, R2121, R2131, R2141, R2151, D1021, D1023, D1032, D1041, D1052, D1064, D1065, D1068, D1071, D1081, D1091, D1093, D1094, D1095, D1108, D1109, D1112, D1122, D1123, D1132, D1134, D1152, D1162, D1166, D1174, D1175, D1184, D1194, D1202, D1203, D1213, D1214, D1252, D1271, D2021 and D2091 in accordance with the Appropriation Act, 2022 is reduced by the amounts specified in the third column of the Second Schedule.

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

FIRST SCHEDULE

THAT, the First Schedule be amended in respect of Vote D1104 (State Department For Irrigation)-

- (a) by deleting the figure “**Kshs. 13,125,000**” appearing under Programme 1015000 (Water Storage and Flood Control) in respect of development estimates and substituting therefor with the figure “**Kshs. 113,125,000**”; and
- (b) by effecting the consequential amendments thereof.

SECOND SCHEDULE

THAT, the Second Schedule be amended in respect of Vote D1109 (Ministry of Water, Sanitation and Irrigation)-

- (i) by deleting the figure “**Kshs. (491,125,000)**” appearing under Programme 1015000 (Water Storage and Flood Control) in respect of development estimates and substituting therefor with the figure “**Kshs. (591,125,000)**”; and
 - (ii) by effecting the consequential amendments thereof.
- 2) Notice is given that the Member for Mavoko (Hon. Patrick Makau) wishes to move the following amendments to the Supplementary Appropriation Bill, 2023 –

FIRST SCHEDULE

THAT, the First Schedule be amended in respect of Vote D2043 (Parliamentary Joint Services)-

- (i) by deleting the expression “**Kshs. 300,000,000**” appearing under Programme 0723000 (General Administration, Planning and Support Services) in respect of development estimates and substituting therefor with the expression “**Kshs. 400,000,000**”; and
- (ii) by effecting the consequential amendments in the Bill thereof.

SECOND SCHEDULE

THAT, the Second Schedule be amended in respect of Vote R2042 (The National Assembly) -

- (i) by deleting the expression “**Kshs. (100,000,000)**” appearing under Programme 0721000 (National Legislation, Representation and Oversight) in respect of recurrent supply estimates and substituting therefor with the expression “**Kshs. (200,000,000)**”;
- (ii) by effecting the consequential amendments in the Bill thereof.



LIMITATION OF DEBATE

The House resolved on Wednesday, February 15, 2023 as follows—

Limitation of Debate on Bills sponsored by Parties or Committees

- II. THAT**, pursuant to the provisions of Standing Order 97(1), this House **orders** 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** 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 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 on General Debate on the Proposal to Parliament to consider amending the Constitution and the Standing Orders

- III. THAT**, each speech on the debate on the Motion on the *General Debate on the Proposal to Parliament to Consider Amending the Constitution and the Standing Orders* shall be limited as follows: A maximum of twenty (20) minutes for the Mover in moving and ten (10) minutes in replying, and 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 and the Leader of the Minority Party in that order.

Limitation of Debate on Other Committee Reports

- IV. THAT**, each speech in a debate on **Other Committee Reports**, 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

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

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 Committee Report 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.

NOTICE PAPER

Tentative business for

Thursday, March 2, 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, March 2, 2023—

A. **MOTION – GENERAL DEBATE ON THE PROPOSAL TO PARLIAMENT TO CONSIDER AMENDING THE CONSTITUTION AND THE STANDING ORDERS**
(The Leader of the Majority Party)

(If not concluded on Wednesday, March 1, 2023 – Afternoon Sitting)

B. **MOTION – REPORT OF THE 42ND SESSION OF THE ORGANIZATION OF AFRICA, CARIBBEAN & PACIFIC STATES AND THE EUROPEAN UNION JOINT-PARLIAMENTARY ASSEMBLY**
(Leader of the Kenya Delegation to the OACPS-EU JPA)

(If not concluded on Wednesday, March 1, 2023 – Afternoon Sitting)

C. **THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 60 OF 2022)**
(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, March 1, 2023 – Afternoon Sitting)

...../Appendix*

APPENDIX

NOTICE OF PETITIONS, QUESTIONS & STATEMENTS

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.

QUESTION BY PRIVATE NOTICE

**QPN
01/2023**

The Member for Mwingi Central (Hon. Gideon Mulyungi, MP) to ask the Cabinet Secretary for Education: -

- (i) Could the Cabinet Secretary provide a list of schools approved and designated as Junior Secondary School centres in Mwingi Central Constituency?
- (ii) What measures has the Ministry instituted to improve the quality of education and performance in the Constituency?
- (iii) Considering that Mwingi Central Constituency is currently experiencing drought following the failure of long rains, could the Ministry consider a free school feeding programme in schools in the Constituency with a view to ensuring that children attend school?

(To be replied before the Departmental Committee on Education)

ORDINARY QUESTIONS

004/2023

The Member for Matungu (Hon. Peter Nabulindo, MP) to ask the Cabinet Secretary for Agriculture and Livestock Development: -

- (i) Could the Cabinet Secretary explain why over five hundred (500) former employees of Mumias Sugar Company whose contracts were terminated have not been paid their dues totaling Kshs. 2.3 billion from May 2017 to date?
- (ii) What steps has the Ministry taken to ensure that the said former employees receive their dues, including arrears without any further delay?

- (iii) Could the Cabinet Secretary explain why the said former employees of Mumias Sugar Company who occupied the company's houses were served with eviction orders in September 2021 by *Sarai* Group despite court orders stopping their eviction until they have been paid their dues?

(To be replied before the Departmental Committee on Agriculture & Livestock)

005/2023

The Member for Kiambu (Hon. Machua Waithaka, MP) to ask the Cabinet Secretary for Roads and Transport: -

- (i) Could the Cabinet Secretary provide a report of the planned infrastructural development plans that the Ministry has in place to expand Kiambu Road into a dual carriageway in a bid to ease the heavy traffic snarl-ups experienced along the said road?
- (ii) Could the Cabinet Secretary state the timelines within which the said plans will be implemented to bear fruit and save the country the man-hours currently wasted in traffic?

(To be replied before the Departmental Committee on Transport and Infrastructure)

006/2023

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

Could the Commission -

- (i) explain why Curriculum Support Officers (CSOs) are managed by the Teachers Service Commission (TSC) in the same manner as teachers yet they offer technical support?
- (ii) state why the said Officers are graded at a lower cadre of the Secretariat staff in the organogram of TSC Secretariat?
- (iii) State the reasons why CSOs have never been promoted since the time of engagement and first deployment by the TSC despite the existence of Career Progression Guidelines of 2019?
- (iv) What plans has the TSC has instituted to promote, facilitate and equip CSOs?

(To be replied before the Departmental Committee on Education)

007/2023

The Member for Emuhaya (Hon. Omboko Milemba, MP) to ask the Cabinet Secretary for Education: -

- (i) Could the Cabinet Secretary state when contractors who constructed classrooms meant for Junior Secondary School learners in various schools countrywide will be paid and whether they will be compensated for delayed payment?
- (ii) What plans has the Ministry put in place to ensure that suppliers of goods and services are paid promptly within the contract period in order to reduce the ever-rising pending bills owed by the Government and particularly the Ministry of Education?
- (iii) Could the Cabinet Secretary explain why the Ministry is yet to certify certain institutions to host Junior Secondary School (JSS) to address inadequacy of Junior Secondary Schools and state measures put in place to ensure 100% transition from primary to Junior Secondary School?
- (iv) What action has the Ministry taken regarding extra charges being levied by Junior Secondary Schools, including but not limited to purchase of new uniforms?

(To be replied before the Departmental Committee on Education)

008/2023

The Member for Mwingi North (Hon. Paul Nzengu, MP) to ask the Cabinet Secretary for Roads and Transport: -

- (i) Could the Cabinet Secretary state when the contractor awarded Tender Number KAA/OT/TSEIKURU/0119/2021-2022 for construction of *Tseikuru Airstrip* is expected on site for commencement of works on the said project?
- (ii) What is the expected date of completion of the said project?

(To be replied before the Departmental Committee on Transport and Infrastructure)

009/2023

The Member for Teso North (Hon. Oku Kaunya, MP) to ask the Cabinet Secretary for Labour and Social Protection: -

- (i) Could the Cabinet Secretary explain the reasons why *Mr. Gabriel Akimwanary Obasie* of ID No. 7230285 was unlawfully dismissed by the National Industrial Training Authority (NITA) on 19th February 2018?

- (ii) Could the Cabinet Secretary explain when Mr. Obasi will be reinstated to his position and paid outstanding salaries and benefits for the period he has been out of employment, as well as compensation for the unwarranted violation of his labour rights guaranteed in Article 41 of the Constitution?

(To be replied before the Departmental Committee on Education)

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. | Alleged murder of two persons by <i>Nyumba Kumi</i> officials in Kirinyaga County | <i>Hon. Jane Njeri Maina, M.P.</i> <i>(Kirinyaga County)</i> | D.C. on Administration and Internal Affairs |
