



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – SECOND SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, APRIL 19, 2023

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Honourable Speaker
4. **COMMUNICATION FROM THE CHAIR**

The Speaker issued the following Communication -

Recognition of a delegation from the National Defence College – United Republic of Tanzania

“Honourable Members,

1. I wish to introduce to you a delegation from the National Defence College of the United Republic of Tanzania.
2. The delegation comprises nine (9) members from United Republic of Tanzania, both faculty and course members, one (1) faculty member from the People’s Republic of China and four (4) course Members each, from the Republic of Malawi, the Republic of Namibia, the Republic of Rwanda and the Republic of South Africa. They are –
 1. Commodore Baganchwera Traseas Rutambuka – Leader of the Delegation
 2. Ambassador Robert Kainunula Vedasto Kahendaguza
 - Senior Directing Staff
 3. Brigadier General H E Congnian
 - Senior Directing Staff
 4. Major Mwinyikombo Ally Mwinyikombo
 - Administrative Coordinator
 5. Brigadier General Hosea Maloda Ndagala
 - Course Member
 6. Colonel Emmanuel Kanobayire
 - Course Member

7. Colonel Justas Mwilambeghe Kitta - Course Member
 8. Colonel Evarist Richard Ngaila - Course Member
 9. Colonel Stephen Ramorwa Mogale - Course Member
 10. Group Captain Engelhardt Tjnouhona Koujo - Course Member
 11. Colonel Luka Nickson Erick Kamanga - Course Member
 12. Senior Assistant Commissioner of Fire
Goodluck Zelote Urio - Course Member
 13. Mr. Leonard Alphan Mwambungu - Course Member
 14. Mr. Ahmada Sufiani Ali - Course Member
3. The delegation is accompanied by Lieutenant Colonel S. C. Langát, Senior Escorting Officer from the Kenya National Defence College.
 4. Honourable Members, the delegation is on a one-week study tour aimed at exposing the officers to practical issues related to socio-politics, the economy, foreign policy and security in Kenya.
 5. On my own behalf and that of the National Assembly, I welcome them to the Parliament and wish them fruitful engagements during their stay in the country. I thank you!"

5. PAPERS LAID

The following Papers were laid on the Table –

- (i) Legal Notice No. 29 of 2023 on the Value Added Tax (Electronic Internet and Digital Marketplace Supply) Regulations, 2023 and the Explanatory Memorandum from the National Treasury and Economic Planning;
- (ii) Legal Notice No. 30 of 2023 on the Excise Duty (Excisable Goods Management) (Amendment) Regulations, 2023 and the Explanatory Memorandum from the National Treasury and Economic Planning;
- (iii) Legal Notice No. 25 of 2023 relating to the National Cereals and Produce Board (National Strategic Reserve) Regulations, 2023 and the Explanatory Memorandum from Ministry of Agriculture and Livestock Development;
- (iv) Report of the Auditor-General and Financial Statements on Ngong Technical and Vocational College for the year ended 30th June, 2021;
- (v) Monetary Policy Statement for October, 2022 from the National Treasury and Economic Planning;
- (vi) 2022 Post-Election Economic and Fiscal Report from the National Treasury and Economic Planning;
- (vii) Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June 2022: -
 - a) Petroleum Development Fund – Ministry of Energy;
 - b) Women Enterprise Fund;
 - c) Occupational Safety and Health Fund;
 - d) Micro and Small Enterprises Authority;
 - e) Council of Legal Education Staff Car Loan and Mortgage Scheme;

- f) Office of the Controller of Budget;
- g) Energy and Petroleum Regulatory Authority Staff Mortgage and Car Loan Scheme;
- h) Prison Industries Revolving Fund;
- i) Revenue Statements – State Department for Interior and Citizen Services;
- j) Revenue Statements of State Law Office and Department of Justice;
- k) Ministry of Foreign Affairs;
- l) State Department for Youth Affairs;
- m) State Law Office and Department of Justice;
- n) Commission on Revenue Allocation Staff Car Loan Scheme;
- o) Office of the Controller of Budget Staff Mortgage Scheme;
- p) State Department for Gender;
- q) National Land Commission Staff Car Loan Scheme Fund;
- r) Equalisation Fund;
- s) European Widows and Orphans Pension Fund – National Treasury;
- t) Asiatic Widows and Orphans Pension Fund – National Treasury;
- u) Development Revenue Statements – National Treasury;
- v) African Union and Other International Organizations Subscription Fund – National Treasury.
- w) Consolidated Fund Services – Public Debt – National Treasury;
- x) Promotion of Youth Employment and Vocational Training Phase II in Kenya Loan No. BMZ 2018 65 120 – State Department for Vocational and Technical Training;
- y) Multi-National Drought Resilience and Sustainable Livelihoods Programme in the Horn of Africa (ADF Loan No. 2100150028345) –State Department for Crop Development and Agricultural Research; and
- z) Towards Ending Drought Emergencies: Ecosystem Based Adaptation in Kenya’s Arid and Semi-Arid Rangelands (IUCN Grant No. P02886) – State Department for Livestock.

(Deputy Leader of the Majority Party)

6. SPECIAL MOTION - CONSIDERATION OF NOMINEE FOR APPOINTMENT AS CHAIRPERSON OF THE KENYA FISH MARKETING AUTHORITY

Motion made and Question proposed –

THAT, taking into consideration the findings of the Departmental Committee on Blue Economy, Water and Irrigation in its Report on the vetting of a nominee for the appointment as the Chairperson of the Kenya Fish Marketing Authority, laid on the Table of the House on Wednesday, 12th April 2023 and pursuant to the provisions of section 201(1)(a) and (2) of the Fisheries Management and Development Act, 2016 and section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011, this House approves the appointment of Hon. Martin Otieno Ogindo as the Chairperson of the Kenya Fish Marketing Authority.

*(Chairperson, Departmental Committee on Blue Economy, Water & Irrigation -
13.04.2023)*

Debate on the Motion having been concluded on Tuesday, 18th April, 2023;

Question put and agreed to.

7. QUESTIONS

- a) The following Questions were asked and responded to by the Cabinet Secretary for Environment, Climate Change and Forestry in plenary –
- (i) **Question No. 069 of 2023** by the Member for Elgeyo Marakwet County (Hon. Caroline Ng'elechei) regarding ban of maize cultivation in Plantation Establishment and Livelihood Improvement Scheme (PELIS) areas; and
 - (ii) **Question No. 104 of 2023** by the Member for Mandera South (Hon. Abdul Haro) regarding heat waves and their impact on humans and livestock in the country.
- b) The following Questions were asked and responded to by the Cabinet Secretary for Roads and Transport in plenary –
- (i) **Question No. 018 of 2023** by the Member for Machakos County (Hon. Joyce Kamene) regarding construction of pedestrian footbridges along Mombasa Road, especially the crossing at Hilton Garden Inn and the Syokimau Railway Station/Nairobi SGR Terminus and the stretch between KAPPA Industries and Mastermind;
 - (ii) **Question No. 072 of 2023** by the Member for Rongo (Hon. Paul Abuor) regarding non-completion of *Riosiri-Rongo University-Cham Gi Wadu Road* in Rongo Constituency;
 - (iii) **Question No. 077 of 2023** by the Member for Mwingi Central (Hon. Gideon Mulyungi) regarding total contract sum and the contract period for construction of *Kalisasi-Mumbuni Road*, Phase I and Phase II and a possible extension of the said road to *Mumbuni Shopping Centre*;
 - (iv) **Question No. 078 of 2023** by the Member for Mwingi Central (Hon. Gideon Mulyungi) regarding non-completion of *Nguni-Nuu Road* and timelines for commencing construction of the earmarked *Enziu Bridge* in Kitui County;
 - (v) **Question No. 079 of 2023** by the Member for Mwingi West (Hon. Nguna Ngusya) regarding the status of the remaining section of *Kibwezi-Kitui-Kabati-Migwani-Mbondoni Road* which was being upgraded to bitumen standard and timelines for its completion;
 - (vi) **Question No. 080 of 2023** by the Member for Suna West (Hon. Peter Masara) regarding inordinate delays in completion of *Kokendi-Arombe Bridge* in Suna West Constituency;
 - (vii) **Question No. 081 of 2023** by the Member for Mwingi Central (Hon. Gideon Mulyungi) regarding the status report on the use of the Nairobi Expressway since its inauguration and how it has improved traffic congestion in the city;
 - (viii) **Question No. 083 of 2023** by the Member for Mwingi Central (Hon. Gideon Mulyungi) regarding details of the total contract sum and the contract
 - (ix) period for construction of the *Mwingi – Slaughter House Road* and reasons for inordinate delays in the construction of the said Road to allow for reinstatement of services such as water pipes and street lights, among others; and

- (x) **Question No. 115 of 2023** by the Member for Kiambaa (Hon. John Njuguna) regarding all stalled road projects in the country, reasons for non-completion, pending bills owed to road contractors in the country and measures put in place by the Ministry to ensure resumption of works.

Various Members also raised Supplementary Questions which were responded to by the Cabinet Secretaries within the allotted time.

8. SPECIAL MOTION – CONSIDERATION OF NOMINEE FOR APPOINTMENT AS CHAIRPERSON OF THE ETHICS AND ANTI-CORRUPTION COMMISSION

Motion made -

THAT, taking into consideration the findings of the Departmental Committee on Justice and Legal Affairs in its Report on the vetting of a nominee for the appointment as the Chairperson of the Ethics and Anti-Corruption Commission, *laid on the Table of the House on Tuesday, 18th April 2023*, and pursuant to the provisions of section 10(3) of the Ethics and Anti-Corruption Commission Act, 2011 and section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Dr. David Adang Oginde** as the Chairperson of the Ethics and Anti-Corruption Commission.

(Chairperson, Departmental Committee on Justice and Legal Affairs)

9. LACK OF QUORUM

Rising in her place pursuant to Standing Order 30, the Member for Kericho County (Hon. Beatrice Kemei, MP) claimed to move that there was no quorum.

And the First Chairperson having counted the Honourable Members present and confirmed that there was no Quorum caused the Division Bell to be rung; And there being no Quorum after expiry of ten minutes;

And Quorum having not been attained within the ten minutes, the House Rose.

And the time being thirty Minutes past Six O'clock the First Chairperson of Committees interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

10. HOUSE ROSE - at thirty Minutes past Six O'clock

MEMORANDUM

The Speaker will take the Chair on
Thursday, April 20, 2023 at 2.30pm

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