



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – SECOND SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, APRIL 12, 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. **PAPERS LAID**

The following Papers were laid on the Table –

- (i) Annual National Government Budget Implementation Review report for the financial year 2021/2022 from the Office of the Controller of Budget;
- (ii) Reports of the Auditor-General and Financial Statements in respect of the following institutions for the year ended 30th June 2022: -
 - a) National Urban Transport Improvement Project-IDA Credit No.5140-KE – Kenya National Highways Authority;
 - b) Horn of Africa Gateway Development Project Credit Number 6768-KE – State Department for Infrastructure;
 - c) Horn of Africa Gateway Development Project Loan No.6768-KE – Kenya National Highways Authority;
 - d) Mombasa Port area Road Development Project – Kenya National Highways Authority;
 - e) National Urban Transport Improvement Project Credit No. IDA 5140-KE (KRC component) – Kenya Railways Corporation;
 - f) Kenol-Sagana-Marua Highway Improvement Project (P-KE-DBO-037) Credit No.5050200000901 and 2000200004504 – Kenya National Highways Authority;
 - g) Kapchorwa-Saum-Kitale and Eldoret Bypass Roads Project (Kenya ID No.P-ZI-DBO-183 – Kenya National Highways Authority;
 - h) Nairobi Metropolitan Services Improvement Project (IDA Credit No.5102-KE) – State Department for Housing and Urban Development;
 - i) Green Growth and Employment Thematic Programme -NEMA (CR No: 2015-39789) –National Environment Management Authority;
 - j) Kenya Climate Smart Agriculture Project (IDA Credit No.5945-KE) – State Department for Crop Development and Agricultural Research;

- k) Timboroa-Eldoret Road Rehabilitation Project No.P-KE-DBO-019 (Loan No.2100150023344) – Kenya National Highways Authority;
- l) Programme for Legal Empowerment and AID Delivery (grant/credit number KE/FED/2018/397-591) – State Law Office and Department of Justice;
- m) Salaries and Remuneration Commission Mortgage and Car Loan Scheme Fund;
- n) Judicial Service Commission;
- o) Ministry of Energy;
- p) Kenya Space Agency;
- q) National Police Service Commission;
- r) Ministry of Health;
- s) State Department for Infrastructure;
- t) Kenya Primary Education Development Project (Grant No. TFO18863) – State Department for Early Learning and Basic Education;
- u) Kenya GPE Covid-19 Learning Continuity in Basic Education Project (Grant ID.P174059 and Credit No. TFB03336) – State Department for Early Learning and Basic Education;
- v) Revenue Statements of the State Department for Fisheries, Aquaculture and the Blue Economy;
- w) Nairobi Ring Transmission Line Project (AFD credit No. CKE6012.01, AFD Credit No. CKE 1068 01, AFD Credit No. CKE 1030.010B, EIB Credit No. 25.367/KE and GOK) – Kenya Electricity Transmission Company Limited;
- x) Menengai Geothermal Project Agreement No. CKE 1038.01K – Geothermal Development Company Limited;
- y) Support to Technical and Vocational Education and Training for relevant Skills Development Project - Phase II (Loan No.2100150033295); and
- z) Independent Policing Oversight Authority Staff Mortgage and Car Loan Scheme.

(Deputy Leader of the Majority Party)

- (iii) The Report of the Departmental Committee on Blue Economy, Water and Irrigation on its vetting of a Nominee for Appointment as the Chairperson of the Kenya Fish Marketing Authority.

(The Hon. Kangogo Bowen, MP - Chairperson, Departmental Committee on Blue Economy, Water & Irrigation)

5. NOTICE OF MOTION

The following Notice of Motion was given –

Vetting of Nominee for Appointment as the Chairperson of the Kenya Fish Marketing Authority

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)

6. **QUESTIONS**

The following Questions were asked and responded to by the Cabinet Secretary for Interior and National Administration in plenary –

- (i) **Question by Private Notice No. 005 of 2023** by the Member for Chuka Igambang'ombe (Hon. Patrick Munene) regarding the death of one Mr. Daniel Mutembei on 18th March, 2023 in Nkwengu village within Rubate Location in Tharaka Nithi County;
- (ii) **Question No. 074 of 2023** by the Member for Gilgil (Hon. Martha Wangari) regarding shortage of birth registration materials in the country;
- (iii) **Question No. 105 of 2023** by the Member for Mandera South (Hon. Abdul Haro) regarding the establishment of Civil Registration Centres in the country;
- (iv) **Question No. 106 of 2023** by the Member for Kirinyaga Central (Hon. Joseph Gitari) regarding occurrence book entries in the name of Laban Rukenya Munene; and
- (v) **Question No. 107 of 2023** by the Member for Kirinyaga Central (Hon. Joseph Gitari) regarding emergence of criminal groups in the country.

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

(Change of Chair from the Speaker to Fourth Chairperson of Committees)

7. **PROCEDURAL MOTION – EXTENSION OF PERIOD FOR CONSIDERATION OF A SPECIAL MOTION ON APPROVAL OF APPOINTMENT**

THAT, pursuant to the provisions of section 13 of the Public Appointments (Parliamentary Approval) Act, 2011 relating to *extension of period of consideration of nominees for appointment to a public office*, this House **resolves** to extend the period for consideration of a special motion relating to the approval of a nominee submitted by His Excellency the President for appointment as **the Chairperson of the Ethics and Anti-Corruption Commission** by a period of **fourteen (14) days from 12th April 2023**.

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

There being no debate arising;

Question put and agreed to.

8. **THE POLITICAL PARTIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2022)**

(The Chairperson, Procedure and House Rules Committee)

Order for First Reading read;

Bill read a First time and referred to the relevant Departmental Committee pursuant to Standing Order 127(2).

9. **THE PARLIAMENTARY POWERS AND PRIVILEGES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2022)**

(The Chairperson, Procedure and House Rules Committee)

Order for First Reading read;

Bill read a First time and referred to the relevant Departmental Committee pursuant to Standing Order 127(2).

10. **SPECIAL MOTION – CONSIDERATION OF NOMINEE FOR APPOINTMENT AS A MEMBER OF THE NATIONAL GENDER AND EQUALITY COMMISSION (NGEC)**

Motion made and Question proposed –

THAT, taking into consideration the findings of the Departmental Committee on Social Protection in its Report on the vetting of a nominee for the appointment as a member of the National Gender and Equality Commission, *laid on the Table of the House on Tuesday, 11th April 2023*, and pursuant to the provisions of Article 250(2) of the Constitution, section 11(7) of the National Gender Equality Commission Act, 2011 and section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Dr. Margaret Karungaru** as a Member of the National Gender and Equality Commission.

(The Chairperson, Departmental Committee on Social Protection)

Debate arising;

Mover replied;

Question put and agreed to.

11. **MOTION – RATIFICATION OF THE AGREEMENT BETWEEN KENYA AND THE UNITED KINGDOM ON DEFENCE COOPERATION**

Motion having been made and Question proposed –

THAT, this House **adopts** the Report of the Departmental Committee on Defence, Intelligence and Foreign Relations on its consideration of the Agreement between the Government of the Republic of Kenya and the Government of the United Kingdom of Great Britain and Northern Ireland on Defence Cooperation, *laid on the Table of the House on Tuesday, 21st March 2023*, and pursuant to the provisions of section 8(4) of the Treaty Making and Ratification Act, 2012, **approves** the Ratification of the Agreement between the Government of the Republic of Kenya

and the Government of the United Kingdom of Great Britain and Northern Ireland on Defence Cooperation, subject to the following reservations:

- (i) Article 6 (5) of the Agreement be amended by inserting a new paragraph immediately after paragraph (h) to include murder as one of the offences which are under the jurisdiction of the Host Nation; and
- (ii) Article 23 of the Agreement be amended to include Corporate Social Responsibility.

(The Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations)

Debate on the Motion having been concluded on Tuesday, April 11, 2023;

Mover replied;

Question deferred.

12. MOTION – RATIFICATION OF THE AFRICAN UNION TREATY FOR THE ESTABLISHMENT OF THE AFRICAN MEDICINES AGENCY (AMA)

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Departmental Committee on Health on its consideration of the Ratification of the African Union Treaty for the Establishment of the African Medicines Agency (AMA), *laid on the Table of the House on Tuesday, 21st March 2023*, and pursuant to the provisions of section 8(4) of the Treaty Making and Ratification Act, 2012, **approves** the Ratification of the African Union Treaty for the Establishment of the African Medicines Agency.

(The Chairperson, Departmental Committee on Health)

Debate arising;

Mover replied;

Question deferred.

(Change Chair from the Fourth Chairperson to the Sixth Chairperson of Committees)

13. MOTION – REPORTS OF THE 144TH & 145TH ASSEMBLIES OF THE INTER-PARLIAMENTARY UNION (IPU)

Motion having been made and Question proposed –

THAT, this House **notes** the Reports of the Kenya Delegations to the 144th and 145th Assemblies of the Inter-Parliamentary Union and related Meetings, held in Nusa Dua, Indonesia from 20th to 24th March, 2022 and in Kigali, Rwanda from 11th to 15th October 2022, *laid on the Table of the House on Tuesday, 7th March 2023 and Thursday, 2nd March 2023*, respectively.

(Member of the Kenya Delegations to the 144th & 145th Assemblies of the IPU)

Debate on the Motion having been concluded on Thursday, March 23, 2023;

The Hon. Robert Pukose, MP replied on behalf of the Mover;

Question deferred.

14. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 60 OF 2022)

(The Leader of the Majority Party)

Order for Second Reading Read;

Order deferred.

15. LACK OF QUORUM

Rising in his place pursuant to Standing Order 30, the Member for Endebsess (Hon. Rober Pukose, MP) claimed to move that there was no quorum

And the Sixth 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 seventeen Minutes past Seven O'clock the House adjourned without Question put pursuant to the Standing Orders.

16. HOUSE ROSE - at seventeen Minutes past Seven O'clock

MEMORANDUM

The Speaker will take the Chair on
Thursday, April 13, 2023 at 2.30pm

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