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REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – SECOND SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, MAY 02, 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. **COMMUNICATIONS FROM THE CHAIR**

The Speaker issued the following Communications on -

(i) Recognition of a visiting delegation from the National Assembly of Zambia

Honourable Members,

1. I wish to introduce to you a delegation from the National Assembly of the Republic of Zambia who are seated in the Speaker's Row. The delegation comprises -
 - a) The Hon. Twaambo Elvis Mutinta, MP - Delegation Leader
 - b) The Hon. Sibongile Mwamba, MP
 - c) The Hon. Elias Daka, MP
 - d) The Hon. Heartson Mabeta, MP
 - e) The Hon. Davies Chisopa, MP
 - f) The Hon. Ackleo Ives Aaron Danda, MP
 - g) The Hon. Tyson Simuzingili, MP
 - h) The Hon. Alex Katakwe, MP
 - i) The Hon. Golden Mwila, MP
 - j) The Hon. Chrizoster Phiri Halwiindi, MP.

The delegation is accompanied by Mr Alvin Himululi, Secretary to the Delegation.

2. **Honourable Members**, the delegation, which is drawn from the Committee on Education, Science and Technology of the National Assembly of Zambia, is in the country on a study visit to our Parliament. Specifically, the delegation seeks to share

37 and learn best practices on the legal and policy framework supporting the Free Education Policy in Kenya.

38 **Honourable Members**, on my own behalf and that of the House, I wish to welcome them to the National Assembly and wish them fruitful engagements during their stay. I thank you!

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(ii) Guidance on consideration of the Budget Estimates For FY 2023/2024

1. Honourable Members, Article 221 of the Constitution as read together with section 39 of the Public Finance Management Act, 2012, requires the National Assembly to consider the Estimates of Revenue and Expenditure of the National Government, Parliament and the Judiciary for each financial year. These Estimates, once approved by the National Assembly, form the basis for the annual Appropriation Act.
2. Honourable Members, as you may be aware, the Estimates have since been submitted and tabled before the National Assembly as required by law. Consequently, and pursuant to the provisions of Standing Order 235, the Estimates now stand committed to respective Departmental Committees to consider and make recommendations to the Budget and Appropriations Committee within twenty-one (21) days. The Departmental Committees are required to engage with the relevant stakeholders to ensure the participation of all players in the process.
3. Honourable Members, it should be noted that the Budget and Appropriations Committee is required to discuss and review the Budget Estimates, and make recommendations to the House, taking into account the recommendations of the Departmental Committees, the views of the Cabinet Secretary for the National Treasury, and the general public.
4. Honourable Members, noting the importance of the budget-making process, the respective Committees are required to urgently commence the consideration of the Estimates. I am aware that the Clerk has made appropriate arrangements to facilitate Committees to carry out this mandate. Indeed, Members will note that the House is scheduled to proceed for recess this week to allow Committees to embark on this activity. I therefore encourage Members to actively participate in the exercise to ensure that their views and those of their electorate are incorporated in the final national budget. The House is accordingly guided. I thank you!

5. PAPERS LAID

The following Papers were laid on the Table –

- (i) Estimates of Revenue and Expenditure for State Corporations of the Government of Kenya for 2023/2024 FY from the National Treasury and Economic Planning;

- (ii) Judiciary's Expenditure Estimates for the FY 2023/24 and the Medium Term and the following accompanying documents from the Chief Registrar of the Judiciary: -
- (a) Programme Performance Report (PPR) for FY 2019/2020 – 2021/2022;
 - (b) Medium-Term Expenditure Framework (MTEF) Budget Report for FY 2023/2024 -2025/2026;
 - (c) Programme Based Budget (PBB) for the FY 2023/2024 – 2025/2026; and
 - (d) Expenditure Estimates for FY 2023/2024 – 2025/2026 (Recurrent and Development).
- (iii) Budget Estimates for the FY 2023/2024 for the Judicial Service Commission (Vote 2051).
- (iv) Annual report and financial statements for financial year ended June 30th, 2019 from the University of Nairobi;
- (v) Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June, 2022:-
- (a) National Drought Management Authority;
 - (b) Kenya Technical Trainers College;
 - (c) National Biosafety Authority;
 - (d) Kenya Meat Commission;
 - (e) Northern Water Works Development Agency.
 - (f) Kenya Deposit Insurance Corporation;
 - (g) Deposit Insurance Fund – Kenya Deposit Insurance Corporation;
 - (h) Staff Mortgage and Car Loan Scheme – Kenya Deposit Insurance Corporation;
 - (i) Technical University of Mombasa;
 - (j) Bandari Maritime Academy; and
 - (k) Kenya Industrial Research and Development Institute.

(The Hon. Kiman Ichung'wah - Leader of the Majority Party)

6. NOTICE OF MOTION

The following Notice of Motion was given –

First Aid Training as a core subject in Schools

THAT, aware that first-aid training is a key component of Emergency Medical Response (EMR); further aware that first-aid response promotes a safer and healthier community by ensuring reducing accidents and injuries; noting that lack of first-aid training and skills among the general public has contributed to the aggravation of preventable injuries and accidents which, in some cases, has led to loss of lives; further noting that the current education system does not include first-aid training as a compulsory subject in the curriculum which deprives students of essential knowledge and skills necessary for their personal safety and that of persons around them; acknowledging that it is critical to equip students with the ability to assess and handle day-to-day emergencies in schools and at home; now therefore, this House urges the National Government through the Ministry of Education to develop and implement a comprehensive first-aid curriculum for schools across the country.

(The Hon. Caleb Amisi, MP)

7. **REQUEST FOR GENERAL STATEMENT PURSUANT TO THE PROVISIONS OF STANDING ORDER 43**

The Member for South Mugirango (Hon. Sylvanus Osoro) requested for a General Statement regarding closure of Nduru Level 5 Hospital in South Mugirango Constituency, Kisii County and its devastating impact on the residents of Kisii.

He noted that it was disheartening to note that the said hospital, which was built by the government in partnership with the World Bank, had been closed for almost three weeks causing immense suffering to the people of Kisii County. He expressed concerns that the closure resulted when on 12th April 2023, the county government sought to transfer medical equipment from the hospital to a different health care facility but members of the local community protested the move by the county government to transfer equipment outside of the sub-county. This incident resulted in some of the medical personnel being injured and subsequently led to the closure of the hospital due to safety concerns. As a result, the other medics at the hospital downed their tools and the facility was closed indefinitely.

He added that whereas the national government acted swiftly in restoring security, the hospital remains inoperable. This had adversely affected the most vulnerable, who have a difficult time accessing healthcare services.

The Member implored the county government to prioritize the healthcare and take prompt action to address the hospital's prolonged closure

8. **MOTION - REPORT OF THE PROCEEDINGS OF THE FIRST ORDINARY SESSION OF THE SIXTH PAN-AFRICAN PARLIAMENT (PAP)**

Motion made and Question proposed –

THAT, this House notes the Report of the Kenya Delegation to the Pan African Parliament (PAP) on the proceedings of the First Ordinary Session of the Sixth Parliament, laid on the Table of the House on Tuesday, 28th February, 2023.

(The Hon. Rahab Wachira, MP - Member of the Pan African Parliament - 22.03.2023)

Debate on the Motion having been concluded on Thursday, 27th April, 2023;

Question put and agreed to.

9. **MOTION - CONSIDERATION OF THE REPORTS OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS FOR THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND FOR TWENTY-SIX CONSTITUENCIES**

Motion Made and Question proposed;

THAT, this House adopts the Report of the Decentralized Funds Accounts Committee on the consideration of the Reports of the Auditor-General on the Financial Statements for the National Government Constituencies Development Fund for Twenty-Six Constituencies in the Counties of Mombasa, Kilifi, Kwale, Taita Taveta, Lamu and Tana River for financial years 2013/2014, 2014/2015, and 2015/2016, laid on the Table of the House on Tuesday, 25th April 2023.

(The Hon. Gideon Mulyungi - Chairperson, Decentralized Funds Accounts Committee)

Debate Arising;

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

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

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

10. HOUSE ROSE - at Seven O'clock

And the time being five minutes past Seven O'clock, the Fifth Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

MEMORANDUM

The Speaker will take the Chair on-
Wednesday, May 05, 2023 at 9.30am