



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – SECOND SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, AUGUST 1, 2023**

1. The House assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer.
3. **Presiding** – the Rt. Honourable Deputy Speaker.

4. **LACK OF QUORUM**

There being no Quorum present for commencement of proceedings, the Rt. Hon. Speaker ordered that the Quorum Bell be rung for ten minutes.

And the Quorum having been attained within the ten minutes, proceedings commenced.

5. **PETITIONS**

Pursuant to the provisions of Standing Order 225(2), the Rt. Honourable Speaker reported the following Petition –

**Compensation of compulsorily acquired land and properties along Kibwezi-Kitui Road**

“Honourable Members, Article 119 of the Constitution accords any person the right to petition Parliament to consider any matter within its authority. Further, Standing Order 225(2)(b) requires the Speaker to report to the House any Petition other than those presented by a Member.

In this regard, Honourable Members, I wish to report to the House that my office has received a petition from one *Ibrahim Nthitu Makwattah*, on behalf of landowners of land and properties compulsorily acquired by the Government of Kenya for the construction of *Kibwezi Lorry Park and Roadside Amenities along Kibwezi –Kitui Road*.

The Petitioner avers that the landowners he is representing were invited for a meeting in the *Office of the Deputy County Commissioner, Kibwezi Sub-County* on *October 7<sup>th</sup> 2021* where they were informed of the decision by the Government of Kenya to acquire parcels of land for purposes of constructing a lorry park and other roadside amenities. During the said meeting, *the National and County Governments, the Kenya National Highways Authority (KeNHA), the National Lands Commission (NLC) and APEC Consortium* were in attendance. The affected landowners were requested to give access to their properties for purposes of identification of beacons and measurements for design purposes.

Honourable Members, the Petitioner is perturbed that when it was time for this exercise to commence none of the Government Officers were present. Instead, staff of APEC Consortium participated in the exercise of *October 8<sup>th</sup> 2021* claiming to represent the Kenya National Highways Authority.

The Petitioner adds that the Kenya National Highways Authority published a Gazette Notice indicating interest on the parcels of land and inviting the landowners for negotiations, a process which he claims was unsuccessful. The Petitioner states that immediately thereafter, the National Land Commission wrote to affected landowners informing them that the Kenya National Highways Authority had been granted full access to commence construction.

Honourable Members, the Petitioner asserts that all efforts to have the matter settled amicably including the intervention of then Makueni Senator have all been unsuccessful. The Petitioner thus prays that this House investigates the alleged illegal acquisition of their properties, investigates why affected landowners were not compensated, what was the role of APEC Consortium in the compulsory acquisition of the properties and whether National Land Commission shared the valuation report and any recommended offers to the affected landowners.

Honourable Members, having established that the matter raised in the petition is well within the authority of this House; and further, that the matters raised in this petition are not pending before any court of law, constitutional or legal body, I hereby commit the petition to the Public Petitions Committee for consideration pursuant to Standing Order 208A.

The Committee is required to consider the petition and report its findings to the House and to the petitioner in accordance with Standing Order 227(2).”

## **6. PAPERS**

The following Papers were laid on the Table of the House –

- (a) Reports of the Auditor-General and Financial Statements of Kenya Universities and Colleges Central Placement Service Staff Mortgage and Car Loan Scheme for the years ended 30<sup>th</sup> June 2017 and 2022 and the certificates therein;
- (b) Reports of the Auditor-General and Financial Statements of Kitambo Vocational Training Centre for the years ended 30<sup>th</sup> June 2021 and 2022 and the certificates therein;
- (c) Reports of the Auditor-General and Financial Statements of Ahero Vocational Training Centre for the years ended 30<sup>th</sup> June 2021 and 2022 and the certificates therein;
- (d) Reports of the Auditor-General and Financial Statements in respect of the following institutions for the year ended 30<sup>th</sup> June 2022 and the certificates therein: -
  - (i) Archbishop Okoth Vocational Training Centre;
  - (ii) Kadongo Vocational Training Centre;
  - (iii) Wachara Vocational Training Centre;
  - (iv) Seme Vocational Training Centre;
  - (v) Navakholo Technical and Vocational College;
  - (vi) Kipipiri Technical and Vocational College;
  - (vii) Molo Technical and Vocational College;
  - (viii) Mochongoi Technical and Vocational College;
  - (ix) Dr. Daniel Wako Murende Technical and Vocational College;
  - (x) Naivasha Technical and Vocational College;
  - (xi) Mwala Technical and Vocational College;
  - (xii) Kajiado East Technical and Vocational College;
  - (xiii) Kajiado West Technical and Vocational College;
  - (xiv) Kandege Technical and Vocational Training College;

- (xv) St. Paul's Kibabii Diploma Teacher's Training College;
  - (xvi) Lugari Diploma Teachers Training College;
  - (xvii) Masinga Technical and Vocational Training College;
  - (xviii) Nuu Technical and Vocational College;
  - (xix) Moi Teachers College – Baringo;
  - (xx) Sot Technical Training Institute;
  - (xxi) Bondo Technical Training Institute;
  - (xxii) PC Kinyanjui Technical Training Institute;
  - (xxiii) Machakos Technical Institute for the Blind;
  - (xxiv) Simlaw Seeds Uganda Limited;
  - (xxv) Kenya National Assurance Company (2001) Limited; and
  - (xxvi) Kenya Wildlife Service.
- (e) Performance Audit Report of the Auditor - General on Deficit Financing Operations by the National Treasury for July, 2023.
- (f) Report of the Auditor-General on Forensic Review of Procurement and Management of Power Purchase Agreements - Kenya Power and Lighting Company PLC for June 2023.
- (The Hon. Naomi Waqo, MP - The Deputy Majority Party Whip)*
- (g) Report of the Committee on Delegated Legislation on its consideration of the Excise Duty (Amendment) Regulations, 2023.
- (The Hon. Samuel Chepkonga, MP - Chairperson, Committee on Delegated Legislation)*

## 7. **STATEMENTS**

The following Statements were made –

### **(a) General Statement**

Pursuant to the provisions of Standing Order 43(1), the Member for Buuri Constituency (Hon. Mugambi Rindikiri, MP) made a Statement regarding the outstanding achievement by the Bunge Golf Team in the Golf tournament hosted by the Golf Team of Parliament of Uganda. In the Statement, the Member informed the House that the Team emerged runners-up in the prestigious tournament and boasted of producing the best female and male players. He underscored the importance of inter-parliamentary games in widening and deepening co-operation among the East African Community (EAC) Partner States and urged Members who are part of the various sports disciplines to be committed in their respective areas in readiness for the EAC Inter-parliamentary games later in the year.

### **(b) Request for a Statement**

Pursuant to Standing Order 44(2)(c), the Member for Ganze Constituency (Hon. Tungule Kazungu, MP) requested for a Statement from the Chairperson of the Departmental Committee on Tourism and Environment regarding human-wildlife conflict in certain parts of Ganze Constituency that have caused destruction of property and loss of lives.

## 8. **NOTICES OF MOTIONS**

The following Notices of Motion were given-

### **(a) Consideration of the Excise Duty (Amendment) Regulations (Legal Notice No. 40 of 2023**

(No. 63)

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**THAT**, this House **adopts** the Report of the Committee on Delegated Legislation on its consideration of the Excise Duty (Amendment) Regulations, 2023,

laid on the Table of the House on Tuesday, 1<sup>st</sup> August 2023, **approves** the Excise Duty (Amendment) Regulations, published as Legal Notice No. 40 of 2023.

*(The Hon. Samuel Chepkonga, MP - Chairperson, Committee on Delegated Legislation)*

**(b) Extension of period for consideration of certain Statutory Instruments**

**THAT**, pursuant to the provisions of section 15(3) of the Statutory Instruments Act, 2013 relating to *extension of period of handling of a Statutory Instrument by the National Assembly*, this House **resolves** to extend the period for consideration of the following Statutory Instruments by a period of twenty-one (21) sitting days—

- (1) The National Cereals and Produce Board (National Strategic Reserve) Regulations, 2023 (*Legal Notice No. 25 of 2023*) with effect from 1<sup>st</sup> August, 2023;
- (2) The Universities Regulations, 2023 (*Legal Notice No. 56 of 2023*) with effect from 17<sup>th</sup> August, 2023; and,
- (3) Access to Information (General) Regulations, 2023 (*Legal Notice No. 57 of 2023*) with effect from 17<sup>th</sup> August, 2023.

*(The Hon. Samuel Chepkonga, MP - Chairperson, Committee on Delegated Legislation)*

**9. MOTION – REPORT ON THE UNITED NATIONS CONVENTION AGAINST CORRUPTION (UNCAC) AND GLOBAL PARLIAMENTARIANS AGAINST CORRUPTION (GOPAC) MEETING**

Motion made and Question proposed –

**THAT**, this House notes the Report of the Kenya Delegation to the Parliamentary Dialogue on United Nations Convention Against Corruption (UNCAC) and Global Parliamentarians Against Corruption (GOPAC) Annual General Meeting, held in Doha, Qatar from 8<sup>th</sup> to 9<sup>th</sup> March 2023, laid on the Table of the House on Wednesday, 26<sup>th</sup> April, 2023.

*(The Hon. Shakeel Shabbir, MP - Leader of the Delegation)*

Debate arising;

*(Change of Chair from the Rt. Hon. Speaker to the Hon. Deputy Speaker)*

Mover replied;

Putting of the Question deferred pursuant to Standing Order 53(3).

**10. MOTION - REPORT ON A VISIT TO SEMI-AUTONOMOUS INSTITUTIONS OF THE EAST AFRICAN COMMUNITY**

Motion made and Question proposed;

**THAT**, this House adopts the Report of the Select Committee on Regional Integration on its visit to Semi-Autonomous Institutions of the East African Community in Arusha, Tanzania from 2<sup>nd</sup> to 8<sup>th</sup> April 2023, laid on the Table of the House on Tuesday, 6<sup>th</sup> June, 2023.

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*(The Hon. Wanjiku Muhia, MP - Chairperson, Select Committee on Regional Integration)*

Debate arising;

Mover replied;

Putting of the Question deferred pursuant to the provisions of Standing Order 53(3).

And the time being Seven O'clock, the First Chairperson adjourned the House without Question put pursuant to the provisions of the Standing Orders.

11. **HOUSE ROSE** - at Seven O'clock  
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**M E M O R A N D U M**

The Speaker will take the Chair on,  
Wednesday, August 2, 2023 at 9.30 a.m.

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