



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

SUPPLEMENTARY

TUESDAY, DECEMBER 3, 2024 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- RESOLUTION TO SIT UNTIL CONCLUSION OF SPECIFIED BUSINESS

(The Leader of the Majority Party)

THAT, pursuant to Standing Order 30(3)(a), this House orders that, should the time appointed for adjournment of the House be reached before conclusion of business listed as **Order Nos. 11, 12, 13, 14 and 15** in today's Order Paper, the sitting shall stand extended until conclusion of the said business.

9*. THE METEOROLOGY BILL (SENATE BILL NO. 45 OF 2023)

(The Leader of the Majority Party – *Co-Sponsor*)

First Reading

10*. THE ELECTION OFFENCES (AMENDMENT) (No.2) BILL (SENATE BILL NO. 28 OF 2024)

(The Leader of the Majority Party and the Leader of the Minority Party – *Co-Sponsors*)

First Reading

11*. THE TAX PROCEDURES (AMENDMENT) (No. 2) BILL (NATIONAL ASSEMBLY BILL NO. 46 OF 2024)

(The Leader of the Majority Party)

Second Reading

(Question to be put)

12*. THE BUSINESS LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 49 OF 2024)

(The Leader of the Majority Party)

Second Reading

(Resumption of debate interrupted on Tuesday, December 3, 2024 – Morning Sitting)

13*. THE TAX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 47 OF 2024)

(The Leader of the Majority Party)

Second Reading

14*. THE PERSONS WITH DISABILITIES BILL (SENATE BILL NO. 7 OF 2023)

(The Leader of the Majority Party – *Co-Sponsor*)

Second Reading

15*. MOTION – INQUIRY INTO THE MATTER OF REDUCTION OF ELECTRICITY COSTS IN THE COUNTRY

(The Chairperson, Departmental Committee on Energy)

THAT, this House **adopts** the Report of the Departmental Committee on Energy on the inquiry into the matter of the reduction of electricity costs in the country, *laid on the Table of the House on Monday, 25th November 2024*, and **approves** the lifting of the moratorium on the signing of new Power Purchase Agreements subject to the following conditions –

1. **THAT**, all intermittent sources of energy projects i.e. wind and solar being onboarded to the grid be fitted with Energy Storage Solutions as a mitigation measure to their intermittency as well as to maintain the system's equilibrium between supply and demand for electricity by strategically discharging storage assets during times of peak demand and charging them during times of low demand;
2. **THAT**, the Ministry immediately stops Power Purchase Agreement amendments that occur midway through the lifecycle of the Independent Power Producers, similar to the case of OrPower 4 Inc, and all subsequent PPA amendments/ variations are to be subjected to the National Assembly for approval

...../15*(Cont'd)

3. **THAT**, the power generation indicative tariffs both in the FiT and auctions system before gazettelement and all Power Purchase Agreements be subjected to approval and ratification by the National Assembly, and this will also apply to projects still in the pipeline and those not yet operationalized before the imposition of the moratorium. In the transition phase before the formation and operationalization of the IPP office, EPRA will undertake this role as it is currently prescribed in law and is to submit the updated competitive indicative tariffs to guide the process of onboarding of power producers for concurrence with the National Assembly before gazettelement within two (2) months upon passage of the report;
4. **THAT**, all new power generation plant Power Purchase Agreements (PPAs) to be onboarded to the grid are denominated in Kenyan Shillings. The Committee shall initiate an amendment to the Energy, Act CAP 314 to effect this recommendation;
5. **THAT**, the Ministry and EPRA implement competitive procurement of Energy projects under an auction scheme modeled similar to South Africa's Independent Power Producer Procurement Programme in order to ensure that Energy is procured competitively and in line with the gazetted indicative tariffs and the Least Cost Power Development Plan to ensure price discovery by selecting only the least expensive power producer that meets the detailed technical and financial evaluation requirements after the bid rounds, failure to which the auction will be deemed unresponsive. Further, the Ministry in conjunction with EPRA to draft and table an approved Renewable Energy Auctions Policy that outlines the transition from the Feed-in-Tariff for advanced projects which must also be in line with the gazetted indicative tariffs, and operationalizes the auction system for consideration by the National Assembly within six (6) months after the adoption of the report; and
6. **THAT**, within six (6) months upon adoption of this Report, the Business Registration Services (BRS) submits to the National Assembly a report containing a list of the owners, beneficial owners, shareholders and directors of each entity operating as an independent power producer in Kenya in accordance with section 93A of the Company Act, 2015. Subsequently, all new power purchase agreements will only be entered into with a power generation entity that has fully disclosed and registered full beneficial ownership in compliance with the Act.

16*. MOTION – ALLEGED UNFAIR TRADE PRACTICES BY FOREIGN INVESTORS IN KENYA

(The Chairperson, Departmental Committee on Trade, Industry and Cooperatives)

THAT, this House **adopts** the Report of the Departmental Committee on Trade, Industry and Cooperatives on the Inquiry into Alleged Unfair Trade Practices by Foreign Investors in Kenya, *laid on the Table of the House on Thursday, 7th March 2024.*

(Resumption of debate interrupted on Monday, December 2, 2024)

(Balance of time – 2 hours)

17*. THE EQUALISATION FUND (ADMINISTRATION) BILL (SENATE BILL NO. 14 OF 2023)

(The Chairperson, Departmental Committee on Finance and National Planning)

Second Reading

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

(The Vice Chairperson, Procedure and House Rules Committee)

Second Reading

19*. MOTION – CONSIDERATION OF REPORTS ON FINANCIAL STATEMENTS OF STATE CORPORATIONS (NYANZA REGION)

(The Chairperson, Public Investments Committee on Governance and Education)

THAT, this House **adopts** the Report of the Public Investments Committee on Governance and Education on its Examination of the Reports of the Auditor-General on the Financial Statements of State Corporations (Nyanza Region) for the financial year 2018/2019, 2019/2020 and 2020/2021, *laid on the Table of the House on Thursday, 25th July 2024* **subject to—**

(a) deletion of paragraph 212 appearing on page 41 of the report and substituting therefor the following new paragraph –

“The Committee recommends that the irregular cash payments made for the casual works done amounting to Kshs. 2,308,996 be surcharged to the Governing Council of Kisumu National Polytechnic. The amount is to be paid within six months after the adoption of this report by the House;

(b) deletion of paragraph 216 appearing on page 41 of the report and substituting therefor the following new paragraph –

“The Committee recommends that the long outstanding imprest of Kshs. 37,800 be written off from the institution’s books of accounts since no money was lost; it was as a result of demise of the employee”; and,

(c) effecting the consequential amendments in the report.”

(Resumption of debate interrupted on Wednesday, November 6, 2024 – Afternoon Sitting)

20*. MOTION – THIRD REPORT ON CONSIDERATION OF THE AUDITED ACCOUNTS OF SPECIFIED STATE CORPORATIONS

(The Chairperson, Public Investments Committee on Social Services, Administration and Agriculture)

THAT, this House **adopts** the Third Report of the Public Investments Committee on Social Services, Administration and Agriculture on its consideration of the Report of the Auditor-General on the Financial Statements of the following State Corporations, *laid on the Table of the House on Tuesday, 30th July 2024*—

- (i) Kenyatta National Hospital, FY 2018/2019 and 2019/2020;
- (ii) Kenya Medical Supplies Authority, FY 2017/2018 and 2018/2019;
- (iii) Kenya Veterinary Board, FY 2018/2019, 2019/2022 and 2020/2021;
- (iv) National Authority for the Campaign against Alcohol and Drug Abuse, FY 2017/2018, 2018/2019, 2019/2020 and 2020/2021; and
- (v) Kenya Broadcasting Corporation, FY 2000/2001, 2001/2002, 2002/2003, 2003/2004, 2004/2005, 2005/2006, 2006/2007, 2007/2008, 2008/2009, 2009/2010, 2010/2011, 2011/2012 and 2012/2013.

21*. THE UNIVERSITIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2023)

(The Chairperson, Public Investments Committee on Governance and Education)

Second Reading

22*. MOTION – REPORT OF THE EXTRAORDINARY SESSION OF THE SIXTH PAN-AFRICAN PARLIAMENT (PAP)

(Member of the Pan-African Parliament)

THAT, this House **notes** the Report of the Kenya Delegation to the Extraordinary Session of the Sixth Parliament of the Pan-African Parliament, held in Midrand, South Africa, from 20th to 27th March 2024, *laid on the Table of the House on Thursday, 2nd May 2024*.

23*. MOTION – REPORT ON THE PERFORMANCE AUDIT REPORT ON THE PROVISION OF SERVICES TO PERSONS WITH DISABILITIES BY THE NATIONAL COUNCIL FOR PERSONS WITH DISABILITIES

(The Chairperson, Public Investments Committee on Social Services, Administration and Agriculture)

THAT, this House **adopts** the Report of the Public Investments Committee on Social Services, Administration and Agriculture on its consideration of the Performance Audit Report by the Auditor-General on the Provision of Services to Persons with Disabilities by the National Council for Persons with Disabilities, *laid on the Table of the House on Tuesday, 30th July 2024.*

Denotes Orders of the Day

LIMITATION OF DEBATE

The House resolved on Wednesday, February 14, 2024 as follows—

Limitation of Debate on Motions

- I. **THAT**, each speech in a debate on any **Motion, including a Special motion** be limited in the following manner: A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each 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 ten (10) minutes before the expiry of the time, the Mover be called upon to reply; 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 of Debate on Bills sponsored by Parties or Committees

- II. **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 shall 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 of Debate on Other Committee Reports

- III. **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 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 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.

Limitation of Debate on Audit Committee Reports

IV. THAT, each speech in debate on **Reports of Audit Committees** be limited as follows: A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, 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 (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

NOTICE PAPER I

Tentative business for

Wednesday (Morning), December 3, 2024

(Published pursuant to Standing Order 38(1))

It is notified that the following business is *tentatively* scheduled to appear in the Order Paper for Wednesday (Morning), December 3, 2024 –

A. PROCEDURAL MOTION – EXEMPTION OF BUSINESS FROM THE PROVISIONS OF STANDING ORDER 40(3)

(The Leader of the Majority Party)

B. MOTION – CONSIDERATION OF SENATE AMENDMENTS TO THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2023)

(The Chairperson, Committee on Delegated Legislation)

(Question to be put)

C. COMMITTEE OF THE WHOLE HOUSE

- (i) Consideration of Senate Amendments to the Statutory Instruments (Amendment) Bill (National Assembly Bill No. 2 of 2023)
(The Chairperson, Committee on Delegated Legislation)

(Subject to Order No. B)

- (ii) The Business Laws (Amendment) Bill (National Assembly Bill No. 49 of 2024)
(The Leader of the Majority Party)

- (iii) The Tax Procedures (Amendment) (No. 2) Bill (National Assembly Bill No. 46 of 2024)
(The Leader of the Majority Party)

- (iv) The Tax Laws (Amendment) Bill (National Assembly Bill No. 47 of 2024)
(The Leader of the Majority Party)

D. THE INSTITUTE OF SOCIAL WORK PROFESSIONALS BILL (NATIONAL ASSEMBLY BILL NO. 17 OF 2023)

(The Hon. Joshua Kimilu, M.P.)

Second Reading

E. THE GOLD PROCESSING BILL (NATIONAL ASSEMBLY BILL NO. 46 OF 2023)

(The Hon. Bernard Shinali, M.P.)

Second Reading

- F. MOTION: 033/2023 – SUPPORTING AND PROMOTING LOCAL FERTILIZER MANUFACTURING INDUSTRIES
(The Hon. Samuel Atandi, M.P.)
- G. MOTION: 026/2023 – NATIONAL SENSITIZATION AND SUPPORT FOR COMBATING SICKLE CELL AND HAEMOPHILIA DISEASES
(The Hon. Peter Nabulindo, M.P.)
- H. MOTION: 031/2023 – PROVISION OF APPROPRIATE ACCESS TO MARKETS IN THE COUNTRY
(The Hon. Beatrice Kemei, M.P.)
- I. MOTION: 035/2023 – GOVERNMENT-TO-GOVERNMENT (G2G) MODEL FOR ACQUISITION AND SUPPLY OF FERTILIZERS TO FARMERS AT SUBSIDIZED COST
(The Hon. Geoffrey Ruku, M.P.)
- J. MOTION: 038/2023 – DEVELOPMENT OF MEASURES TO MITIGATE DIGITAL EXCLUSION
(The Hon. Marianne Kitany, M.P.)
- K. MOTION: 040/2023 – ESTABLISHMENT OF A NATIONAL POLICY TO COMBAT DISRESPECTFUL CHILDBIRTH PRACTICES IN KENYA
(The Hon. Gathoni Wamuchomba, M.P.)
- L. MOTION: 044/2023 – FORMULATION OF A LAND USE POLICY ON ZONING OF LAND FOR AGRICULTURE AND BUILT DEVELOPMENT
(The Hon. Timothy Wanyonyi, M.P.)
- M. MOTION: 039/2023 – FORMULATION OF A REGULATORY FRAMEWORK ON ARTIFICIAL INTELLIGENCE IN THE COUNTRY
(The Hon. Marianne Kitany, M.P.)
- N. MOTION: 045/2023 – REVIEW OF THE ELIGIBILITY AGE FOR ENROLMENT OF OLDER MEMBERS OF SOCIETY TO THE *INUA JAMII* CASH TRANSFER PROGRAMME
(The Hon. Majimbo Kalasinga, M.P.)

- O. MOTION: 001/2024 – FORMULATION OF A REWARD SCHEME FOR ACCOMPLISHMENTS BY SPORTSPERSONS IN INTERNATIONAL COMPETITIONS
(The Hon. Charles Ngusya, M.P.)
- P. MOTION: 002/2024 – EXPANSION OF MAJOR ROADS IN THE COUNTRY TO DUAL CARRIAGEWAYS
(The Hon. Faith Gitau, M.P.)
- Q. HOJA: 003/2024 – UUNDAJI WA SERA ZA KUSHUGHULIKIA MATUKIO YA UBAGUZI DHIDI YA WANAFUNZI WA DINI MBALIMBALI KATIKA TAASISI ZA ELIMU NCHINI
(Mhe. Mohamed Ali, M.P.)
- R. MOTION: 005/2024 – INTRODUCTION OF MANDATORY COMMUNITY SERVICE TO ALL LEARNERS UPON COMPLETION OF SECONDARY SCHOOL EDUCATION
(The Hon. Amos Mwago, M.P.)
- S. THE PARLIAMENTARY POWERS AND PRIVILEGES (AMENDMENT) BILL (SENATE BILL NO. 37 OF 2023)
(The Hon. Jack Wamboka, M.P. – *Co-Sponsor*)

Second Reading

NOTICE PAPER II

Tentative business for

Wednesday (Afternoon), December 4, 2024

(Published pursuant to Standing Order 38(1))

It is notified that the following business is *tentatively* scheduled to appear in the Order Paper for Wednesday (Afternoon), December 4, 2024 –

A. PROCEDURAL MOTION – EXEMPTION OF BILLS FROM THE PROVISIONS OF STANDING ORDER 141

(The Leader of the Majority Party)

B. SPECIAL MOTION – CONSIDERATION OF A NOMINEE FOR APPOINTMENT TO THE ETHICS AND ANTI-CORRUPTION COMMISSION

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

(Subject to Tabling of Committee Report and Notice of Motion)

C. COMMITTEE OF THE WHOLE HOUSE

(i) The Business Laws (Amendment) Bill (National Assembly Bill No. 49 of 2024)
(The Leader of the Majority Party)

(ii) The Tax Procedures (Amendment) (No. 2) Bill (National Assembly Bill No. 46 of 2024)
(The Leader of the Majority Party)

(iii) The Tax Laws (Amendment) Bill (National Assembly Bill No. 47 of 2024)
(The Leader of the Majority Party)

(If not concluded on Wednesday, December 4, 2024 – Morning Sitting)

D. SPECIAL MOTION – CONSIDERATION OF NOMINEES FOR APPOINTMENT TO THE SALARIES AND REMUNERATION COMMISSION

(The Chairperson, Departmental Committee on Labour)

E. THE PERSONS WITH DISABILITIES BILL (SENATE BILL NO. 7 OF 2023)

(The Leader of the Majority Party – *Co-Sponsor*)

Second Reading

(If not concluded on Tuesday, December 3, 2024 – Afternoon Sitting)

F. MOTION – INQUIRY INTO THE MATTER OF REDUCTION OF ELECTRICITY COSTS IN THE COUNTRY

(The Chairperson, Departmental Committee on Energy)

(If not concluded on Tuesday, December 3, 2024 – Afternoon Sitting)

G. MOTION – ALLEGED UNFAIR TRADE PRACTICES BY FOREIGN INVESTORS IN KENYA

(The Chairperson, Departmental Committee on Trade, Industry and Cooperatives)

(If not concluded on Tuesday, December 3, 2024 – Afternoon Sitting)

H. THE EQUALISATION FUND (ADMINISTRATION) BILL (SENATE BILL NO. 14 OF 2023)

(The Chairperson, Departmental Committee on Finance and National Planning)

Second Reading

(If not concluded on Tuesday, December 3, 2024 – Afternoon Sitting)

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

(The Vice Chairperson, Procedure and House Rules Committee)

Second Reading

(If not concluded on Tuesday, December 3, 2024 – Afternoon Sitting)

J. MOTION – CONSIDERATION OF REPORTS ON FINANCIAL STATEMENTS OF STATE CORPORATIONS (NYANZA REGION)

(The Chairperson, Public Investments Committee on Governance and Education)

(If not concluded on Tuesday, December 3, 2024 – Afternoon Sitting)

K. MOTION – THIRD REPORT ON CONSIDERATION OF THE AUDITED ACCOUNTS OF SPECIFIED STATE CORPORATIONS

(The Chairperson, Public Investments Committee on Social Services, Administration and Agriculture)

(If not concluded on Tuesday, December 3, 2024 – Afternoon Sitting)

L. THE UNIVERSITIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2023)

(The Chairperson, Public Investments Committee on Governance and Education)

Second Reading

(If not concluded on Tuesday, December 3, 2024 – Afternoon Sitting)

M. MOTION – REPORT OF THE EXTRAORDINARY SESSION OF THE SIXTH PAN-AFRICAN PARLIAMENT (PAP)

(Member of the Pan-African Parliament)

(If not concluded on Tuesday, December 3, 2024 – Afternoon Sitting)

N. MOTION - REPORT ON THE PERFORMANCE AUDIT REPORT ON THE PROVISION OF SERVICES TO PERSONS WITH DISABILITIES BY THE NATIONAL COUNCIL FOR PERSONS WITH DISABILITIES

(The Chairperson, Public Investments Committee on Social Services, Administration and Agriculture)

(If not concluded on Tuesday, December 3, 2024 – Afternoon Sitting)



APPENDIX

NOTICE OF PETITIONS, QUESTIONS & STATEMENTS

ORDER NO. 4 - PETITIONS

It is **notified** that, pursuant to the provisions of Standing Order 225, the following Petitions will be **presented** –

No.	Subject	Petitioner(s)	Relevant Committee
18/2024	Farmers' hydro-power generation by Kenya Tea Development Authority	<i>To be presented by the Hon. Brighton Yegon, MP (Koinin) on behalf of small holder tea farmers</i>	Public Petitions
19/2024	Settlement of resident of Oljorai Community in Oljorai Farm in Nakuru County	<i>To be presented by the Hon. Martha Wangari, MP (Gilgil) on behalf of residents of Oljorai Community</i>	Public Petitions
20/2024	Mismanagement of Nandi Teachers Sacco and Ownership of Mwalimu Plaza Building in Kapsabet Town	<i>To be presented by the Hon. Bernard Kitur, MP (Nandi Hills) on behalf of Kenya Retired Teachers and Residents of Nandi County</i>	Public Petitions

ORDER NO. 7 - STATEMENTS

It is **notified** that, pursuant to the provisions of Standing Order 44(2)(c), the following Statements will be **responded to**—

No.	Subject	Member	Relevant Committee
1.	Sporadic attacks occurring in Emuhaya Constituency	<i>Hon. Omboko Milemba, MP (Emuhaya)</i>	Administration and Internal Security
2.	Insecurity in Aldai Constituency	<i>Hon. Marianne Kitany, MP (Aldai)</i>	Administration and Internal Security
3.	Fight against drug trafficking in the country	<i>Hon. Tindi Mwale, MP (Butere)</i>	Administration and Internal Security
4.	Disbursement of the Presidential Secondary School Bursary	<i>Hon. Protus Akejah, MP (Loima)</i>	Social Protection
