



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, APRIL 09, 2024 AT 2.30 PM (AFTERNOON SITTING)

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 Communications—

(i) Withdrawal of the Land Laws (Amendment) Bill, 2023

“Honourable Members, As you are aware, the Land Laws (Amendment) Bill (National Assembly Bill No. 65 of 2023) was published *vide Kenya Gazette Supplement* No. 194 of 19th October 2023 to effect various amendments to laws relating to land. Specifically, the Bill proposes to amend the Land Registration Act, 2012; the National Land Commission Act, 2012; and, the Land Act, 2012.

Honourable Members, the Bill, which is sponsored by the Leader of the Majority Party, the Hon. Kimani Ichung’wah, EGH, MP, was read a First Time on 14th November 2023, and committed to the Departmental Committee on Lands for consideration. However, I have since received correspondence from the Leader of the Majority Party conveying his desire to withdraw the Bill pursuant to the provisions of Standing Order 140.

For clarity, Honourable Members, Standing Order 140 on *Withdrawal of Bills*, provides in part that—

- (1) *Either before the commencement of business or on the Order of the Day for any stage of the Bill being read, the Member in charge of a Bill may, without notice, claim to withdraw a Bill.*

Honourable Members, in the letter dated 21st March 2024, the Leader of the Majority Party states that following extensive consultations among stakeholders, he has since sponsored the publication of the Land Laws (Amendment)(No.2) Bill (National Assembly Bill No. 76 of 2023) *vide Kenya Gazette Supplement* No. 237 of 6th December 2023. The Bill contains more comprehensive amendments to the Land Registration Act, 2012 and the Land Act, 2012. Indeed, this new Bill was read a First Time on 7th December 2023.

Further, the Hon. Ichung’wah notes that the Deputy Leader of the Majority Party, the Hon. Owen Baya, CBS, MP, has sponsored the National Land Commission (Amendment) Bill (National Assembly Bill No. 43 of 2023) which accommodates the amendments proposed to the National Land Commission Act, 2012 as contained in the Land Laws (Amendment) Bill (National Assembly Bill No. 65 of 2023).

Honourable Members, having considered the request by the Leader of the Majority Party and noting the attendant provisions of the Standing Orders, I have acceded to the request and hereby direct that the Land Laws (Amendment) Bill (National Assembly Bill No. 65 of 2023) stands withdrawn forthwith. The Departmental Committee on Lands should therefore cease further consideration of the Bill in light of this development. The House is accordingly guided. I thank you!”

(ii) Upcoming Priority Business and Phased Occupation of the Bunge Tower

“Honourable Members, I wish to welcome you back to the House after the short recess, which coincided with the observance of the Easter period, for Christians and *Ramadhan*, for the Muslims. It is my hope that you are well renewed in your spirits and rejuvenated in your minds to resume transaction of the business of the House for the remainder of the first part of the Session.

During this period, the House is expected to consider various priority businesses including assessing the suitability of persons nominated for appointment to the positions of ambassadors and high commissioners, ratification of the Kenya-European Union Economic Partnership Agreement (EPAs), consideration of priority Bills, as well as the budget-related matters. Instructively, it is projected that the National Treasury will submit the Budget Estimates for the National Government for the financial year 2024/2025 on or before 30th April 2024.

Additionally, Honourable Members, you will recall that, prior to the short recess, the House passed the Division of Revenue Bill, 2024 and referred it to the Senate for the bicameral consideration. It is therefore expected that the Senate will send the Bill back, together with the annual County Allocation of Revenue Bill for financial year 2024/2025, during this part of the Session. From the foregoing, it is evident that the House has a full in-tray. As a result, your dedication and commitment to the business of the House both in plenary and Committees will be of paramount significance.

Honourable Members, with respect to facilitation of Members, the Parliamentary Service Commission is expediting the completion of the Bunge Tower in order to bridge the deficit in office accommodation for Members. Consequently, PSC has established that Members’ offices in the building will be ready for occupation by the end of this week.

Honourable Members, you may recall, on 1st November 2022, I directed the Clerk to allocate part of the Building earmarked for the National Assembly, in readiness for occupation at the appropriate time. Further, I prescribed the criteria for allocation, consequent to which the Clerk allocated the offices, committee rooms and ancillary facilities in the Tower.

Having said that, Honourable Members, I also wish to inform the House that Kenya will host the 2024 Annual Meetings of the African Development Bank (AfDB) Group. The Annual Meetings will be held at the Kenyatta International Convention Centre (KICC) from 27th to 31st May 2024 and will bring together high-level delegates, among them being Heads of State and Governments.

In this regard and in order to accord the delegates appropriate facilitation, the National Treasury has requested Parliament to release forty-seven (47) offices at

KICC to accommodate the dignitaries, with effect from Thursday, 11th April 2024. To this end, Honourable Members, the Parliamentary Service Commission has

acceded to the request to temporarily release the offices leased by the Commission at the KICC during the AfDB Annual Meetings. Clearly, this will necessitate the relocation of forty-two (42) Members of this House who are currently accommodated at KICC.

In this regard, Honourable Members, the phased occupation of Members' offices in the Bunge Tower will be undertaken in accordance with the Schedule of Allocation prepared by the Clerk of the National Assembly. Phase one will involve moving Members from KICC to the Tower or other alternative accommodation. This will commence on Thursday, 11th April 2024.

For clarity, Honourable Members, the exercise will proceed as follows—

- (a) First, all Members currently in Harambee SACCO Plaza who were allocated offices in the Tower will immediately relocate to their new offices in the Bunge Tower. This is intended to create room to accommodate Members relocating from KICC who were unsuccessful in the balloting for offices in the Bunge Tower; and
- (b) Second, Members with offices at KICC who were allocated offices in the Bunge Tower are to be relocated to the assigned offices in the Bunge Tower.

Phase two of the relocation will entail the following—

- (a) relocation of Members from Continental House to the Bunge Tower, for those who were allocated offices in the new Tower;
- (b) relocation of Members from leased offices to the Bunge Tower from 1st July 2024, for the case of Members who were allocated offices in the Tower; and
- (c) allocation of appropriate offices in other buildings within Parliament Square to Members moving from Continental House or leased premises who were not allocated offices in the Bunge Tower.

Honourable Members, the measures stated above are for the convenience of all Members and in preparation for the official opening of the Bunge Tower by the Head of State later this month. I, therefore, urge you to cooperate with the office of the Clerk in order to ensure seamless execution of this important exercise.

Finally, Honourable Members, May I take this opportunity to wish the Muslim community, in Parliament and in the entire nation, *Eid Mubarak*. The House is accordingly guided. I thank you!"

5. PAPERS

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

- (i) Legal Notice No. 47 of 2024 relating to the National Building Code, 2024 and the Explanatory Memorandum from the Ministry of Lands, Public Works, Housing and Urban Development (*to be referred to the Committee on Delegated Legislation*);
- (ii) Gazette Notice Nos. 15492, 15493, 15494, 15495 and 15496 relating to the revised fees and charges for services provided by the State Department for Immigration and Citizen Services (*to be referred to the Committee on Delegated Legislation*);

- (iii) Annual Financial Statements of Kenya Civil Aviation Authority for the year ended 30th June, 2022;
- (iv) Annual Report of National Police Service for 2023 from the Office of the Inspector General, National Police Service;
- (v) Report of the Auditor-General and financial statements on Criminal Assets Recovery Fund- Asset Recovery Agency for the year ended 30th June, 2022;
- (vi) Reports of the Auditor-General and financial statements for the year ended 30th June, 2023 in respect of:
 - a) Kenya Investment Authority;
 - b) Kenya Industrial Property Institute;
 - c) National Council for Population and Development;
 - d) Road Maintenance Levy Fund- Kenya Wildlife Service;
 - e) Kenya Vision 2030 Delivery Secretariat;
 - f) Tana and Athi Rivers Development Authority (TARDA);
 - g) Agri & Co-operative Training and Consultancy Limited;
 - h) Pharmacy and Poisons Board;
 - i) Tanathi Water Works Development Agency;
 - j) Road Maintenance Levy Fund- Kenya National Highways Authority;
 - k) Dedan Kimathi University of Technology;
 - l) Kenya National Shipping Line Limited;
 - m) Kenyatta National Hospital;
 - n) Deposit Insurance Fund- Kenya Deposit Insurance Corporation;
 - o) Alupe University;
 - p) Sigalagala National Polytechnic;
 - q) Rural Electrification Scheme;
 - r) Kerio Valley Development Authority;
 - s) Lake Victoria North Water Works Development Agency;
 - t) Criminal Assets Recovery Fund; and
 - u) Lake Victoria Water and Sanitation Project Grant No. CKE 1093 02 M, Credit No. CKE1093 01 L and EIB No. FI No 2011-0619- Lake Victoria South Water Works Development Agency.

(Deputy Leader of the Majority Party)

- (vii) Report of the Departmental Committee on Labour on its attendance of the Global Labour Market Conference in Riyadh, Kingdom of Saudi Arabia from 10th to 17th December 2023.

(Chairperson, Departmental Committee on Labour)

- (viii) Reports of the Departmental Committee on Lands on its consideration of:
 - a) The National Land Commission (Amendment) Bill (National Assembly Bill No. 43 of 2023); and
 - b) The Land Laws (Amendment) (No.2) Bill (National Assembly Bill No. 76 of 2023).

(Chairperson, Departmental Committee on Lands)

- (ix) Report of the Departmental Committee on Health on its consideration of the Community Health Workers Bill (National Assembly Bill No. 53 of 2022).

(Chairperson, Departmental Committee on Health)

- (x) Reports of the Select Committee on National Cohesion and Equal Opportunity on:

- a) A benchmarking visit to South Africa from 26th March to 2nd April 2023; and
- b) A learning mission to Addis Ababa, Ethiopia from 17th to 23rd September 2023.

(Chairperson, Committee on National Cohesion and Equal Opportunity)

6. STATEMENTS PURSUANT TO STANDING ORDER 44(2)(c)

Pursuant to Standing Order 44(2)(d) and Standing Order 208A, the Vice Chairperson of the Public Petitions Committee (Hon. Janet Sitienei) reported to the House the status of Public Petition No. 06 of 2024 regarding **delays in posting medical interns, Absorption of Universal Health Coverage (UHC) Contract staff, conclusion of Collective Bargaining Agreement (CBAs) and recognition of agreement in the Health Sector in the Country.**

The Vice-Chairperson indicated that the Committee was proceeding with stakeholder engagement and had scheduled the pending stakeholders to appear before it the week commencing 8th April 2024 in order to conclude the Petition.

She therefore requested the indulgence of the House to accord the Committee more time to consider the Petition to its logical conclusion.

7. THE KENYA NATIONAL COUNCIL FOR POPULATION AND DEVELOPMENT BILL (NATIONAL ASSEMBLY BILL NO. 72 OF 2023)

(The Leader of the Majority Party)

Order for First Reading Read;

Bill Read a First Time and committed to the relevant Departmental Committee pursuant to Standing Order 127(1).

8. THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2024)

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

Order for First Reading Read;

Bill Read a First Time and committed to the relevant Departmental Committee pursuant to Standing Order 127(1).

9. THE TECHNOPOLIS BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2024)

(The Leader of the Majority Party)

Order for First Reading Read;

Bill Read a First Time and committed to the relevant Departmental Committee pursuant to Standing Order 127(1).

10. THE COOPERATIVES BILL (NATIONAL ASSEMBLY BILL NO. 7 OF 2024)

(The Leader of the Majority Party)

Order for First Reading Read;

Bill Read a First Time and committed to the relevant Departmental Committee pursuant to Standing Order 127(1).

11. THE NATIONAL DISASTER RISK MANAGEMENT BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2023)

Order for Second Reading read;

Motion made and Question proposed—

THAT, the National Disaster Risk Management Bill (National Assembly Bill No. 24 of 2023) be now read a Second Time.

(Leader of the Majority Party - 21.03.2024)

Debate interrupted on *Thursday, March 21, 2024* resumed;

(Change of Chair from Speaker to Deputy Speaker)

Change of chair from Deputy Speaker to Fifth Chairperson of Committees)

Mover replied;

Putting of Questioning **deferred** pursuant to the Provisions of Standing Order 53 (3)

12. MOTION - REPORTS OF THE AUDITOR-GENERAL ON THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND FOR FIVE CONSTITUENCIES IN VIHIGA COUNTY

Motion made and Question proposed—

THAT, this House **adopts** the Report of the Decentralized Funds Accounts Committee on its consideration of the Financial Statements for the National Government Constituencies Development Fund for five Constituencies in Vihiga County for Financial Years 2013/2014, 2014/2015, and 2015/2016, *laid on the Table of the House on Wednesday, 14th February 2024.*

Debate arising;

(Chairperson, Decentralized Funds Accounts Committee)

13. QUORUM OF THE HOUSE

Rising in his place on a Point of Order pursuant to the provisions of Standing Order 35, the Member for Homa Bay (Hon. Tom Kajwang) objected that there was not a Quorum present in the House;

And the Fifth Chairperson having ascertained the claim, ordered the Division Bell to be rung for ten (10) minutes;

And Quorum having not been attained;

And the time being half past Six O'clock, the Second Chairperson interrupted proceedings and adjourned the House without Question put pursuant to the Standing Orders 35(2)(a).

And the time being half past Six O'clock, the Fifth Chairperson adjourned the House without Question put pursuant to the Standing Orders.

14. HOUSE ROSE - at half past Six O'clock

MEMORANDUM

The Speaker will take the Chair on Thursday, April 11, 2024 at 2.30 p.m.