



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, MARCH 19, 2024 AT 2.30 PM (AFTENOON SITTING)

1. The House assembled at Thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer.
3. **Presiding** – the Rt. Honourable Speaker.
4. **Communication from the chair**

The Speaker issued the following communications from the Chair –

(i) Recognition of a delegation from the County Assembly of Makeni

“Honourable Members, I wish to introduce to you a delegation from the County Assembly of Makeni, who are seated in the Speaker’s Gallery. The delegation comprises Six (6) Members of the County Assembly, led by the Speaker of the Assembly, Hon. Douglas Mbilu. They are accompanied by five (5) members of staff, led by the Deputy Clerk of the County Assembly.

The delegation is in the National Assembly to learn on the scheduling of business in the Assembly and other aspects on the conduct of the business of the Assembly.

Honourable Members, on my own behalf and that of the National Assembly, I welcome the delegation to Parliament and wish them fruitful deliberations. I thank you!”

(ii) Invitation of Hon. Members who Profess the Islamic Faith to an *Iftar* by the Speaker

“Honourable Members, as you are aware, our brothers and sisters of the Islamic faith are observing the Holy month of *Ramadan* which commenced last week.

Honourable Members, the Rt. Honourable Speaker of the Senate and I hereby extend an invitation to all Members of the Islamic faith in both Houses of Parliament for an *Iftar* dinner to be held on Thursday, 21st March, 2024 at Serena Hotel in Nairobi from 6:00 pm. We have also invited the Leadership of the House to the Dinner.

Honourable Members, I take this opportunity to wish the Muslim community *Ramadan Mubarak!* I thank you!”

5. PAPERS LAID

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

- (a) The following Legal Notices from the Ministry of Mining, Blue Economy and Maritime Affairs–

- (i) Legal Notice No. 49 of 2024 relating to the Fisheries Management and Development (Beach Management Units) Regulations, 2024 and explanatory memorandum from Ministry of Mining, Blue Economy and Maritime Affairs;
 - (ii) Legal Notice No. 50 of 2024 relating to the Fisheries Management and Development (Inland Fisheries) Regulations, 2024 and explanatory memorandum from Ministry of Mining, Blue Economy and Maritime Affairs;
 - (iii) Legal Notice No. 51 of 2024 relating to the Fisheries Management and Development (Recreational Fisheries) Regulations, 2024 and explanatory memorandum from Ministry of Mining, Blue Economy and Maritime Affairs;
 - (iv) Legal Notice No. 52 of 2024 relating to the Fisheries Management and Development (Fish Levy Trust Fund) Order, 2024 and explanatory memorandum from Ministry of Mining, Blue Economy and Maritime Affairs;
 - (v) Legal Notice No. 53 of 2024 relating to the Fisheries Management and Development (Marine Fisheries) Regulations, 2024 and explanatory memorandum from Ministry of Mining, Blue Economy and Maritime Affairs;
 - (vi) Legal Notice No. 54 of 2024 relating to the Fisheries Management and Development (General) Regulations, 2024 and explanatory memorandum from Ministry of Mining, Blue Economy and Maritime Affairs;
 - (vii) Legal Notice No. 55 of 2024 relating to the Fisheries Management and Development (Safety and Quality) Regulations, 2024 and explanatory memorandum from Ministry of Mining, Blue Economy and Maritime Affairs; and
 - (viii) Legal Notice No. 56 of 2024 relating to the Fisheries Management and Development (Aquaculture) Regulations, 2024 and explanatory memorandum from Ministry of Mining, Blue Economy and Maritime Affairs.
- (b) Legal Notice No. 51 of 2024 relating to the Public Finance Management (Kenya Millennium Development Fund) Regulations, 2024 from the National Treasury.
- (c) Annual Status Report on Water, Sanitation and Irrigation 2023 from Ministry of Water, Sanitation and Irrigation.

(The Hon. Owen Baya, CBS, MP – Deputy Leader of the Majority Party)

- (d) Report of the Budget and Appropriations Committee on its consideration of The Division of Revenue Bill (National Assembly Bill No. 14 of 2024).

(The Hon. Mary Emaase, MP – Vice Chairperson, Budget & Appropriations Committee)

6. PETITIONS

Pursuant to the provisions of Standing Order 225, the Member for Nandi Hills (Hon. Bernard Kitur, MP) presented a Petition on behalf of the Kapkaron Community regarding illegal acquisition of parcels of land registered as Kapkaron farm LR. No. 5423/2 and LR. No. 6053 in Nandi Hills Sub-County, Nandi County.

Petition referred to the Public Petitions Committee pursuant to Standing Order 227.

7. STATEMENTS PURSUANT TO STANDING ORDER 44

The following Requests for Statements were made pursuant to the provisions of Standing Order 44)2)(c) –

- (i) Request for a Statement by the Member for Garsen (Hon. Ali Wario, MP) from the Chairperson of the Departmental Committee on Administration and Internal Security regarding Disappearance of Mr. John Kopesha Adirobva;
- (ii) Request for a Statement by the Member for Mbeere North (Hon. Geoffrey Ruku, MP) from the Chairperson of the Departmental Committee on Finance and National Planning regarding Tax incentives claimed by developers, operators and enterprises operating within the Special Economic Zones (SEZs); and
- (iii) Request for Statement by the Member for Mwala (Hon. Vincent Musyoka, MP) from the Chairperson, Departmental Committee Administration and Internal Security regarding Mysterious death of Mr. William Mulwa Mutilangi in the USA.

(Statements referred to relevant Committees for responses)

8. MOTION - REPORT OF THE AUDITOR-GENERAL ON FINANCIAL STATEMENTS OF SELECTED STATE CORPORATIONS

Motion having been made and Question proposed;

THAT, this House **adopts** the Report of the Public Investments Committee on Commercial Affairs and Energy on its examination of the Reports of the Auditor-General on the Financial Statements of selected State corporations, *laid on the Table of the House on Wednesday, 6th December 2023.*

(The Hon. David Pkosing, CBS, MP – Chairperson, Public Investments Committee on Commercial Affairs and Energy – 13.03.2024)

Debate having been concluded on Thursday, March 14, 2024;

Mover replied;

Question put and agreed to.

9. THE CARE AND PROTECTION OF CHILD PARENTS BILL (SENATE BILLS NO. 23 OF 2023)

(The Chairperson, Departmental Committee on Social Protection)

Order for First Reading read;

Bill read a First Time and committed to the relevant Committee pursuant to Standing Order 127.

10. THE NATIONAL GOVERNMENT ADMINISTRATION LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 73 OF 2023)

Motion having been made and Question proposed –

THAT, the National Government Administration Laws (Amendment) Bill (National Assembly Bill No. 73 of 2023) be now read a Second Time;

(The Hon. Kimani Ichung'wah, EGH, MP – Leader of the Majority Party – 14.3.2.24)

Rising in his place on a Point of Order pursuant to Standing Order 47(3), the Leader of the Minority Party (Hon. Opiyo Wandayi, EGH, MP) claimed that provisions of the Bill relating to the Offices of the Head of Public Service and the Chief Administrative Secretary as proposed in the Bill were unconstitutional. He sought the determination on the constitutionality of those provisions before proceeding with debate on the Bill;

The Speaker, having noted the weighty nature of the claim, undertook to rule on the matter during the Afternoon Sitting of Wednesday, March 20, 2024. Meanwhile, the Speaker directed that debate proceeds but the putting of the Question shall be done after the Ruling.

Debate interrupted on Thursday, March 14, 2024 resumed;

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

Rising in his place on a Point of Order pursuant to Standing Order 95, the Member for Kiambaa (Hon. John Njuguna, MP) claimed to move that the Mover be now called upon to reply;

And the Speaker being of the opinion that the claim was an abuse of proceedings and infringement on the rights of Members;

Thereupon, the Fourth Chairperson overruled the claim;

Debate resumed;

Rising in his place on a Point of Order pursuant to Standing Order 95, the Member for Kesses (Hon. Julius Ruto, MP) claimed to move that the Mover be now called upon to reply;

And the Speaker being of the opinion that the claim was not an abuse of proceedings or infringement on rights of Members;

Thereupon, Question put and agreed to;

Mover replied;

Putting of the Question pending as directed by the Speaker.

11. THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2024)

Motion made and Question proposed –

THAT, the Division of Revenue Bill (National Assembly Bill No. 14 of 2024) be now read a Second Time;

(The Hon. Ndindi Nyoro, CBS, MP Chairperson, Budget and Appropriations Committee)

Debate arising;

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

Mover replied;

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

12. THE HOUSES OF PARLIAMENT (BICAMERAL RELATIONS) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2023)

Motion made and Question proposed –

THAT, the Houses of Parliament (Bicameral Relations) Bill (National Assembly Bill No. 44 of 2023) be now read a Second Time;

(The Hon. Samuel Chepkonga, CBS, MP)

Debate arising;

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

13. HOUSE ROSE - at Seven O'clock.

M E M O R A N D U M

The Speaker will take the Chair on
Wednesday, March 20, 2024 at 9.30am

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