



REPUBLIC OF KENYA
THIRTEENTH PARLIAMENT – (SECOND SESSION)
THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, OCTOBER 4, 2023 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*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 60 OF 2022)

(The Leader of the Majority Party)

Second Reading
(*Question to be put*)

9*. THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 59 OF 2022)

(The Hon. David Gikaria, M.P.)

Second Reading

10*. THE KENYA DRUGS AUTHORITY BILL (NATIONAL ASSEMBLY BILL NO. 54 OF 2022)

(The Hon. Robert Pukose, M.P.)

Second Reading

11*. THE NATIONAL YOUTH COUNCIL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2023)

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

Second Reading

12*. THE LAND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 40 OF 2022)

(The Hon. Simon King'ara, M.P.)

Second Reading

13*. THE PUBLIC SERVICE COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2023)

(The Hon. Benjamin Gathiru, M.P.)

Second Reading

14*. THE ASSISTED REPRODUCTIVE TECHNOLOGY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 61 OF 2022)

(The Hon. Millie Odhiambo, M.P.)

Second Reading

15*. THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2023)

(The Chairperson, Committee on Delegated Legislation)

Second Reading

16*. MOTION – REPORTS OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS FOR THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND FOR TWELVE CONSTITUENCIES IN KAKAMEGA COUNTY

(The Chairperson, Decentralized Funds Accounts Committee)

THAT, this House **adopts** the Report of the Decentralized Funds Accounts Committee on its consideration of the Reports of the Auditor-General on the Financial Statements for the National Government Constituencies Development Fund for twelve constituencies in Kakamega County for Financial Years 2013/2014, 2014/2015 and 2015/2016, *laid on the Table of the House on Thursday, 27th July 2023.*

17*. MOTION – THE EAST AFRICAN COMMUNITY (EAC) MULTILATERAL AGREEMENT ON AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATIONS

(The Chairperson, Departmental Committee on Transport and Infrastructure)

THAT, this House **adopts** the Report of the Departmental Committee on Transport and Infrastructure on its consideration of the East African Community (EAC) Multilateral Agreement on Aircrafts Accidents and Incident Investigations, *laid on the Table of the House on Thursday, 17th August, 2023* and pursuant to the provisions of section 8(4) of the Treaty Making and Ratification Act, 2012, **approves** the *ratification of the East African Community (EAC) Multilateral Agreement on Aircraft Accident and Incident Investigations.*

18*. MOTION - THE 4TH GENERAL ASSEMBLY OF THE EASTERN AFRICA PARLIAMENTARY ALLIANCE ON FOOD SECURITY AND NUTRITION (EAPA-FSN) HELD IN KIGALI, RWANDA

(The Chairperson, EAPA-FSN Caucus)

THAT, this House **notes** the Report of the Kenya Delegation to the 4th General Assembly of the Eastern Africa Parliamentary Alliance on Food Security and Nutrition, held in Kigali, Rwanda from 7th to 9th December 2022, *laid on the Table of the House on Tuesday, 11th April 2023.*

19*. MOTION INSPECTION OF VARIOUS ONE STOP BORDER POSTS IN THE NORTHERN CORRIDOR IN THE EAST AFRICAN COMMUNITY REGION

(The Chairperson, Select Committee on Regional Integration)

THAT, this House **adopts** the Report of the Select Committee on Regional Integration on its Inspection of Various One-Stop Border Posts in the Northern Corridor in the East African Community Region, *laid on the Table of the House on Wednesday, 5th July 2023.*

20*. MOTION – EMPLOYMENT DIVERSITY AUDIT IN PUBLIC INSTITUTIONS

(The Chairperson, Committee on National Cohesion and Equal Opportunity)

THAT, this House **adopts** the First Report of the Committee on National Cohesion and Equal Opportunity on the Employment Diversity Audit in Public Institutions, *laid on the Table of the House on Thursday, 6th July, 2023.*

Denotes Orders of the Day

NOTICES**NOT LATER THAN 3.00 P.M.****I. QUESTION TIME IN PLENARY**

PURSUANT to the provisions of Standing Order 42A(6B), the Speaker will today, not later than 3.00 p.m., invite the **Cabinet Secretary for Health** to respond to Questions as appearing in the Appendix.

LIMITATION OF DEBATE

The House resolved on Wednesday, February 15, 2023 as follows—

Limitation of Debate on Individual Members' Bills

- II. THAT**, each speech in a debate on **Bills NOT sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** shall be limited as follows: A maximum of three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of 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; 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 Bills sponsored by Parties or Committees

- III. 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 shall 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

- IV. 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 shall 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 Reports of Audit Committees

- V. THAT,** each speech in debate on **Reports of Audit Committees shall** 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.
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NOTICE PAPER

Tentative business for **Thursday, October 5, 2023**

(Published pursuant to Standing Order 38(1))

It is notified that the following business is *tentatively* scheduled to appear in the Order Paper for Thursday, October 5, 2023—

A. MOTION – PETITION ON THE PROBABLE LOSS OF INVESTMENTS IN CYTONN HIGH YIELDS SOLUTIONS PLATFORM

(The Chairperson, Public Petitions Committee)

(Resumption of debate interrupted on Tuesday, October 3, 2023)
(Balance of time – 2 hours 18 minutes)

B. MOTION - NOMINEES TO THREE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND COMMITTEES

(The Chairperson, Select Committee on the National Government Constituencies Development Fund)

C. COMMITTEE OF THE WHOLE HOUSE

(i) The National Rating Bill (National Assembly Bill No. 55 of 2022)
(The Leader of the Majority Party)

(ii) The Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 60 of 2022)
(The Leader of the Majority Party)

D. THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2023)

(The Chairperson, Select Committee on Delegated Legislation)

Second Reading

(If not concluded on Wednesday, October 4, 2023 – Afternoon sitting)

E. MOTION – REPORTS OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS FOR THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND FOR TWELVE CONSTITUENCIES IN KAKAMEGA COUNTY

(The Chairperson, Decentralized Funds Accounts Committee)

(If not concluded on Wednesday, October 4, 2023 – Afternoon sitting)

- F. MOTION – THE EAST AFRICAN COMMUNITY (EAC) MULTILATERAL AGREEMENT ON AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATIONS
(The Chairperson, Departmental Committee on Transport and Infrastructure)
(If not concluded on Wednesday, October 4, 2023 – Afternoon sitting)
- G. MOTION – THE 4TH GENERAL ASSEMBLY OF THE EASTERN AFRICA PARLIAMENTARY ALLIANCE ON FOOD SECURITY AND NUTRITION (EAPA-FSN) HELD IN KIGALI, RWANDA
(The Chairperson, EAPA-FSN Caucus)
(If not concluded on Wednesday, October 4, 2023 – Afternoon sitting)
- H. MOTION – INSPECTION OF VARIOUS ONE-STOP BORDER POSTS IN THE NORTHERN CORRIDOR IN THE EAST AFRICAN COMMUNITY REGION
(The Chairperson, Select Committee on Regional Integration)
(If not concluded on Wednesday, October 4, 2023 – Afternoon sitting)
- I. MOTION – EMPLOYMENT DIVERSITY AUDIT IN PUBLIC INSTITUTIONS
(The Chairperson, Committee on National Cohesion and Equal Opportunity)
(If not concluded on Wednesday, October 4, 2023 – Afternoon sitting)
- J. MOTION – LOANS CONTRACTED BY THE NATIONAL GOVERNMENT BETWEEN MAY 2022 AND APRIL 2023
(The Chairperson, Public Debt and Privatization Committee)
- K. MOTION – REPORTS OF THE AUDITOR-GENERAL ON TWENTY-THREE (23) NON-COMPLIANT STATE CORPORATIONS
(The Chairperson, Public Investments Committee on Social Services, Administration and Agriculture)
- L. MOTION – PROCEEDINGS OF THE SECOND ORDINARY SESSION OF THE SIXTH PAN-AFRICAN PARLIAMENT (PAP)
(Member of the Pan-African Parliament)

M. MOTION – PROCEEDINGS OF THE 2023 UNITED NATIONS HIGH LEVEL POLITICAL FORUM ON SUSTAINABLE DEVELOPMENT

(Vice Chairperson, Parliamentary Caucus on Sustainable Development (SDGs) Goals and Business)

APPENDIX

NOTICE OF PETITIONS, QUESTIONS & STATEMENTS

ORDER NO. 4 - PETITIONS

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

No.	Subject	Petitioner(s)	Relevant Committee
53/2023	Access to National Parks by Livestock Grazers during drought	<i>To be presented by the Hon. John Bwire (Taveta) on behalf of the pastoral community from Mata and Challa Wards in Taveta Constituency</i>	Public Petitions

ORDER NO. 7 - QUESTIONS

It is notified that, pursuant to the provisions of Standing Order 42A (6B), the **Cabinet Secretary for Health** will respond to questions in plenary on Wednesday (Afternoon), October 4, 2023 —

QUE. NO

QUESTION BY PRIVATE NOTICE

QPN
009/2023

The Member for Likoni (Hon. Mishi Mboko, MP) to ask the Cabinet Secretary for Health: -

Could the Cabinet Secretary-

- (i) enumerate the data analysis in respect of cholera cases in areas where Oral Cholera Vaccination (OCV) exercise was conducted in February 2023?
- (ii) state the contributions of International Coordinating Group (ICG) in the cholera vaccination campaign including the number of vaccine doses and the conditions associated with this support in the country?
- (iii) elaborate on the strategies that the Ministry in collaboration with county governments have put in place to ensure effective distribution and administration of cholera vaccines in the most affected counties in the ongoing Oral Cholera Vaccination drive?
- (iv) state the number of personnel involved and resources allocated to the ongoing Oral Cholera Vaccination drive?

QPN
011/2023

The Member for Ikolomani (Hon. Benard Shinali, MP) to ask the Cabinet Secretary for Health: -

Could the Cabinet Secretary-

- (i) provide details on the amount of money that the National Hospital Insurance Fund (NHIF) has been disbursed per county with respect to Financial Years 2020/2021, 2021/2022 and FY 2022/2023 towards the implementation of the *Linda Mama Boresha Jamii* Programme and enrollment of the poor households to the NHIF scheme?
- (ii) explain the measures that the Ministry has put in place to ensure timely disbursement of funds to the NHIF in order to guarantee seamless access to service under the Fund?

QUE. NO**ORDINARY QUESTIONS**

108/2023

The Member for Masinga (Hon. Joshua Mwalyo, MP) to ask the Cabinet Secretary for the Health: -

Could the Cabinet Secretary –

- (i) explain the reasons for failure by the Kenyatta National Hospital (KNH) Superannuation Scheme (DB Scheme) to settle pension benefits owed to retirees; its noncompliance with updated and applicable calculations of such pension benefits; and state the genesis of the miscalculations?
- (ii) provide details on the status of implementation of a decision of the Retirement Benefits Authority of 18th April, 2019 on a pension dispute and a subsequent ruling by the Retirement Benefits Authority Appeals Tribunal (RBAT) dated 21st April 2021?
- (iii) provide a definite date when the affected retirees will be paid their dues which have been pending for years and continue to attract interest to date?

111/2023

The Member for Kiambu (Hon. Machua Waithaka, MP) to ask the Cabinet Secretary for the Health: -

Could the Cabinet Secretary –

- (i) explain why anti-epilepsy drugs are not readily available in public hospitals forcing patients to source for the drugs outside the said hospitals at exorbitant prices?
- (ii) state the measures the Ministry has put in place to ensure that the drugs are accessible and affordable?
- (iii) indicate what the Ministry is doing to reduce the existing stigmatization and enhance public support for persons suffering from epilepsy?

157/2023

The Nominated Member (Hon. Sabina Chege, CBS, MP) to ask the Cabinet Secretary for Health: -

Could the Cabinet Secretary –

- (i) outline the pharmaceutical composition of *Velo*, a nicotine drug packaged in pouches, including addictive nature and side effects of the said drug as well as the regulatory mechanisms that the Ministry has put place to restrict access to or the sale of *Velo* drug to minors?
- (ii) clarify whether the *Velo* drug has been sneaked back to the market as a rebrand of *Ljft*, a similar drug that was banned in

2020 by the Ministry of Health for not meeting Section 23, Part I and Part II of the Pharmacy and Poisons Act?

- (iii) explain whether the said drug is locally manufactured in Kenya and by whom and if not, provide details of the licensed distributors in the country, including whether the manufacture or distribution in Kenya is legal?

214/2023

The Member for Kaiti (Hon. Joshua Kiluki, MP) to ask the Cabinet Secretary for the Health: -

Could the Cabinet Secretary –

- (i) provide data on the analysis done on Neglected Tropical Diseases like Bilharzia, Trachoma, River Blindness and Elephantiasis indicating parts of the country most affected, models done to understand transmission and the precautions Kenyans must take to curb the spread of these diseases?
- (ii) explain measures and strategies that the Government is employing in addressing diseases like rabies that are not preventable by mass drug administration and efforts put in place to eradicate all Neglected Tropical Diseases by 2030?
- (iii) clarify whether Neglected Tropical Diseases are terminal, in that they cannot be cured and ultimately lead to someone's death?

306/2023

The Nominated Member (Hon. Irene Mayaka) to ask the Cabinet Secretary for the Health: -

Could the Cabinet Secretary –

- (i) clarify whether the Government has conducted a National Health Survey to better define the burden of mental illness in the country, provide details of the funds available or allocated for the implementation of promotional, preventive, and curative measures to alleviate the burden of mental illness, and clarify whether there is an inter-agency approach to deal with mental health in the country?
- (ii) state the measures the Ministry has put in place to establish a mental health and happiness commission, including the creation of annual national happiness index to be included in the presidential annual report, as well as whether the State has any plans to provide psychosocial services in learning institutions and to capacity build teachers to identify and assist impacted students?
- (iii) clarify whether psychological services are provided in the various security service institutions, whether regular mental health support sessions for personnel are held in the workplace

and further disclose institutions, if any, that serve persons who have conquered mental illness in order to follow their development and ensure they do not relapse?

307/2023 The Member for Kabete (Hon. James Wamacukuru, MP) to ask the Cabinet Secretary for the Health: -

Could the Cabinet Secretary explain why the National Health Insurance Fund (NHIF) does not provide a medical insurance health cover to facilitated intersex persons undergo gender transformation?

308/2023 The Member for Subukia (Hon. Samuel Gachobe, MP) to ask the Cabinet Secretary for the Health: -

Could the Cabinet Secretary –

- (i) explain the circumstances that led to the death of *Ms. Loise Njoki Kariuki* of ID Number 24810835 on 3rd April 2023 at Moi Teaching and Referral Hospital while giving birth, and provide information on whether her death could have been avoided considering the medical resources and care available at the Hospital?
- (ii) clarify whether there was any indication of medical negligence on the part of the hospital management in this case?
- (iii) state the measures in place by the Ministry to prevent such untimely deaths of women during childbirth and further state the initiatives, policies and improvements in medical practices aimed at reducing maternal mortality rates and ensuring better maternal healthcare outcomes?

309/2023 The Member for Mumias East (Hon. Peter Salasya, MP) to ask the Cabinet Secretary for the Health: -

Could the Cabinet Secretary explain the steps taken by the Kenya Medical Training College (KMTC) to secure the uninterrupted availability of lecturers in each of its campuses?

310/2023 The Member for Kabete (Hon. James Wamacukuru, MP) to ask the Cabinet Secretary for the Health: -

Could the Cabinet Secretary –

- (i) enumerate measures that the government has put in place to ensure deaf and hard of hearing individuals are furnished with appropriate auxiliary aids and services in order to ensure effective communication in healthcare facilities?
- (ii) provide a timeline within which the government will deploy sign language interpreters in public healthcare facilities to facilitate communication with deaf and hard of hearing individuals?

- (iii) expound on the treatment and intervention options that the government has employed to assist deaf and hard of hearing children?

355/2023

The Nominated Member (Hon. Dorothy Ikiara, MP) to ask the Cabinet Secretary for Health: -

Could the Cabinet Secretary provide a robust strategy that the Ministry intends to implement so as to tame the menace of teen pregnancies that account for 21% of all Pregnancies recorded in Kenya and explain the modalities aimed at equipping adolescents with appropriate information and impart skills that will help them make informed choices about their sexuality?

358/2023

The Member for Shinyalu (Hon. Fredrick Ikana, MP) to ask the Cabinet Secretary for the Health: -

Could the Cabinet Secretary –

- (i) explain the circumstances that led to the outbreak of the unknown disease in Mukumu Girls High School, Shinyalu Sub County, Kakamega County on or about the 28th of March, 2023 leading to hospitalization of over one hundred (100) students and the death of three (3) students and a teacher?
- (ii) clarify whether the source of the outbreak has been identified, steps taken to address the outbreak in the school and highlight any long-term health effects that students and teachers who were affected by the outbreak should be aware of?
- (iii) state the measures that the Ministry is putting in place to ensure that the affected students receive adequate medical treatment and further protect them from any future outbreaks not in Mukumu Girls but also across the country?
- (iv) outline how the Ministry is working with other government agencies and stakeholders to address the outbreak and provide support to affected students and their families, including plans in place to ensure that schools and other public spaces are safe from infectious diseases now and in the future?

372/2023

The Member for Thika Town (Hon. Alice Ng'ang'a, MP) to ask the Cabinet Secretary for the Health: -

Could the Cabinet Secretary –

- (i) indicate the identity of the company that dumped contaminated maize flour at *Kang'oki* dumpsite in Kamenu ward, Thika Town Constituency that left two people dead and scores hospitalized after consuming ugali cooked from the maize flour on 12th August 2023?

- (ii) state the action that has been taken against the Company for dumping contaminated maize flour at *Kang'oki* dumpsite all the way from Nairobi where it allegedly came from?
 - (iii) state measures that the Ministry has instituted to ensure the dumpsite, where all garbage from Kiambu county is dumped and hence posing as safety and health hazards, will be relocated?
 - (iv) Clarify whether the company that dumped the contaminated maize flour will compensate for lives lost and hospital bills incurred by affected families?
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ORDER NO.7 - STATEMENTS

It is **notified** that, pursuant to the provisions of Standing Order 43(1), the following Statement will be issued—

No.	Subject	Member
1.	Disappearance of three (3) persons from Ijara, Sangailu and Bodahi in Ijara Constituency	<i>Hon. Abdi Ali, M.P.</i> <i>(Ijara Constituency)</i>
