



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, FEBRUARY 28, 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\*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) (No.2) BILL (NATIONAL ASSEMBLY BILL NO. 68 OF 2023)  
(The Leader of the Majority Party)

Second Reading

*(Question to be put)*

- 9\*. MOTION – REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS FOR THE NATIONAL GOVERNMENT MINISTRIES, DEPARTMENTS AND AGENCIES FOR THE FINANCIAL YEAR 2020/2021  
(The Chairperson, Public Accounts Committee)

**THAT**, this House **adopts** the Report of the Public Accounts Committee on its Examination of the Report of the Auditor-General on the Financial Statements for the National Government Ministries, Departments and Agencies for the Financial Year 2020/2021, *laid on the Table of the House on Thursday, 30<sup>th</sup> November 2023*, **subject to deletion of paragraph 30 under General Observations and Recommendations on page ‘xx’ of the Report and substitution therefor with the following-**

**“Statement on Audited Accounts of Revenue for the period ending 30<sup>th</sup> June 2021**

During the 2020/2021 financial year, total revenue recorded under various revenue statements as received by the National Government amounted to

...../9\*(Cont'd)

Kshs. 1,713,642,981,513 representing a decrease of Kshs. 17,349,712,351 or about 1% when compared to actual collections of Kshs.1,730,992,693,864 realized in the year 2019/2020 as tabulated below:

DETAILS	2020/21 Actual Receipts	2019/20 Actual Receipts	Increase/Decrease (Kshs)	Increase/D ecrease (%)
Recurrent Revenue	1,626,801,249,470	1,673,714,909,446	-46,913,659,976.00	-2.8%
o/w Sharable Revenue	1,570,562,945,014	1,578,035,418,992	- 7,472,473,978.00	-0.5%
GIPE	56,238,304,456	95,679,490,454	- 39,441,185,998.00	-41.2%
Development Revenue	86,841,732,043	57,277,784,418	29,563,947,625.00	51.6%
Total	1,713,642,981,513	1,730,992,693,864	- 17,349,712,351.00	-1.0%

*Data Source: Kenya National Audit Office*

The total revenue of Kshs. 1,713,642,981,513 for the year 2020/2021 comprised of Kshs. 1,570,562,945,014 as sharable revenue, Kshs. 56,238,304,456 as receipts from Government Invest & Public Enterprises and Kshs. 86,841,732,043 relating to Development revenue. However, the total sharable revenue of Kshs. 1,570,562,945,014 reported in the 2020/21 financial year differs by Kshs. 7,472,473,978 with the revenue receipts of Kshs. 1,578,035,418,992 in the 2019/20 financial year.

*“The Committee recommends that the total nationally collected revenue amount of Kshs. 1,570,562,945,014 forms the basis of sharing of revenue between the national and county governments as contemplated in Article 203(3) of the Constitution.”*

*(Motion as amended)*

*(Question to be put)*

**10\*. MOTION – REPORTS OF THE AUDITOR-GENERAL ON TWENTY-THREE NON-COMPLIANT STATE CORPORATIONS**

(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 Report of the Auditor-General on twenty-three Non-Compliant State Corporations, *laid on the Table of the House on Wednesday, 23<sup>rd</sup> August 2023.*

*(Question to be put)*

**11\*. THE EQUALIZATION FUND APPROPRIATION BILL (SENATE BILL NO. 30 OF 2023)**

(The Chairperson, Budget and Appropriations Committee)

First Reading

**12\*. THE COUNTY LICENSING (UNIFORM PROCEDURE) BILL (SENATE BILL NO. 9 OF 2022)**

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

First Reading

13\*. **THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL (SENATE BILL NO. 12 OF 2022)**

(The Chairperson, Departmental Committee on Agriculture and Livestock)

First Reading

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

(The Leader of the Majority Party)

First Reading

15\*. **THE PUBLIC AUDIT BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2024)**

(The Leader of the Majority Party)

First Reading

16\*. **THE EMPLOYMENT (AMENDMENT) BILL (SENATE BILL NO. 11 OF 2022)**

(The Chairperson, Departmental Committee on Labour)

Second Reading

*(Resumption of debate interrupted on Tuesday, February 27, 2024 – Afternoon Sitting)*

17\*. **THE NATIONAL DISASTER RISK MANAGEMENT BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2023)**

(The Leader of the Majority Party)

Second Reading

18\*. **THE NATURAL RESOURCES (BENEFIT SHARING) BILL (SENATE BILL NO. 6 OF 2022)**

(The Chairperson, Departmental Committee on Environment, Forestry and Mining)

Second Reading

19\*. **THE PETITIONS TO PARLIAMENT (PROCEDURE) (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 51 OF 2022)**

(The Chairperson, Procedure and House Rules Committee)

Second Reading

20\*. **THE REGIONAL DEVELOPMENT AUTHORITIES BILL (NATIONAL ASSEMBLY BILL NO. 7 OF 2023)**

(The Chairperson, Departmental Committee on Regional Development)

Second Reading

21\*. MOTION – COMPLIANCE TO ARTICLE 54(2) OF THE CONSTITUTION REGARDING EMPLOYMENT OF PERSONS WITH DISABILITIES IN PUBLIC INSTITUTIONS

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

**THAT**, this House **adopts** the Report of the Committee on National Cohesion and Equal Opportunity on the Compliance to Article 54(2) of the Constitution regarding Employment of Persons with Disabilities in Public Institutions, *laid on the Table of the House on Wednesday, 21<sup>st</sup> February 2024.*

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**\*Denotes Orders of the Day\***

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**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 Gender, Culture, the Arts and Heritage** and the **Cabinet Secretary for Education** to respond to Questions as appearing in the Appendix.

**LIMITATION OF DEBATE**

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

**Limitation of Debate on Audit Committee Reports**

- I. 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.

**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** 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**

- 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 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.

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# **NOTICE PAPER**

## **Tentative business for**

**Thursday, February 29, 2024**

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*(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, February 29, 2024 –

A. **THE EMPLOYMENT (AMENDMENT) BILL (SENATE BILL NO. 11 OF 2022)**

(The Chairperson, Departmental Committee on Labour)

Second Reading

*(If not concluded on Wednesday, February 28, 2024 – Afternoon Sitting)*

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

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Wednesday, February 28, 2024 – Afternoon Sitting)*

C. **THE NATURAL RESOURCES (BENEFIT SHARING) BILL (SENATE BILL NO. 6 OF 2022)**

(The Chairperson, Departmental Committee on Environment, Forestry and Mining)

Second Reading

*(If not concluded on Wednesday, February 28, 2024 – Afternoon Sitting)*

D. **THE PETITIONS TO PARLIAMENT (PROCEDURE) (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 51 OF 2022)**

(The Chairperson, Procedure and House Rules Committee)

Second Reading

*(If not concluded on Wednesday, February 28, 2024 – Afternoon Sitting)*

E. **THE REGIONAL DEVELOPMENT AUTHORITIES BILL (NATIONAL ASSEMBLY BILL NO. 7 OF 2023)**

(The Chairperson, Departmental Committee on Regional Development)

Second Reading

*(If not concluded on Wednesday, February 28, 2024 – Afternoon Sitting)*

F. MOTION – COMPLIANCE TO ARTICLE 54(2) OF THE CONSTITUTION REGARDING EMPLOYMENT OF PERSONS WITH DISABILITIES IN PUBLIC INSTITUTIONS

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

*(If not concluded on Wednesday, February 28, 2024 – Afternoon Sitting)*

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# **APPENDIX**

## **NOTICE OF PETITIONS, QUESTIONS & STATEMENTS**

### **ORDER NO. 7 - QUESTIONS**

It is notified that, pursuant to the provisions of Standing Order 42A (6B), the **following Cabinet Secretaries** will respond to questions in plenary on Wednesday (Afternoon), September 28, 2023 —

#### **I. The Cabinet Secretary for Gender, Culture, the Arts and Heritage—**

##### **QUE. NO**

##### **ORDINARY QUESTIONS**

242/2023

**The Member for Gilgil (Hon. Martha Wangari, MP) to ask the Cabinet Secretary for Gender, Culture, the Arts and Heritage: -**

Could the Cabinet Secretary-

- (i) elaborate on the changes the Government has made to the disbursement model of the Women Enterprise Fund (WEF) and further provide details of disbursement and recoveries made in the new financial inclusion platform model also known as \*254# *vis-à-vis* the old model?
- (ii) clarify if the Ministry conducted adequate capacity building and public participation on the new financial inclusion platform with regard to changes made in disbursement and monthly recoveries based on the newly agreed interest rate of the fund?
- (iii) clarify whether with the introduction of the Hustler Fund has affected the Women Enterprise Fund?

031/2024

**The Member for Kilifi County (Hon. Gertrude Mbeyu, MP) to ask the Cabinet Secretary for Gender, Culture, the Arts and Heritage: -**

Could the Cabinet Secretary –

- (i) explain the reasons for the significant reduction in the allocation to the National Government Affirmative Action Fund (NGAAF) in the FY 2023/2024 budget for its projects across the 47 counties from Ksh. 1 Billion to Kshs. 870 million?
- (ii) provide details on the qualifications of the NGAAF Fund Board Members and how their selection for appointment to the Board reflects the diversity of the 47 counties?

- (iii) outline the role of the Cabinet Secretary in the recruitment process of the County Coordinators and clarify the circumstances that led to the appointment of an individual from Kilifi County as the Kwale County Coordinator?

**032/2024**      **The Member for Machakos County (Hon. Joyce Kamene, MP) to ask the Cabinet Secretary for Gender, Culture, the Arts and Heritage: -**

Could the Cabinet Secretary provide a breakdown of the funds allocated and disbursed for the provision of sanitary pads from July 2022 to-date, including a comprehensive list of schools in each County that have received these pads during the same time frame?

## **II. The Cabinet Secretary for Education—**

### **QUE. NO**

### **QUESTION BY PRIVATE NOTICE**

**QPN**  
**001/2024**      **The Member for Nyali (Hon. Mohamed Ali, MP) to ask the Cabinet Secretary for Education:-**

Could the Cabinet Secretary-

- (i) clarify on the alleged reports of students professing the Muslim faith in Daystar University being forced to attend the Chapel contrary to Article 32 of the Constitution?
- (ii) provide insight into the alleged practice of withholding marks by the University from the said students who opt out of attending Chapel, hindering their ability to graduate?
- (iii) address the concerns regarding the alleged promotion of LGBTQ+ practices within Daystar University through inclusion of the practice in the University curriculum, which conflicts with the provisions of Section 162 of the Penal Code?

**QPN**  
**002/2024**      **The Member for West Mugirango (Hon. Stephen Mogaka, MP) to ask the Cabinet Secretary for Education:-**

Could the Cabinet Secretary-

- (i) explain the circumstances which led to the transfer of *Mr. Bernard Musa Moroti of TSC No. 413001*, a principal deployed by the Teachers Service Commission in the month of October 2023 to head St. Philips Rateti Secondary School in West Mugirango Constituency?
- (ii) Clarify whether the transfer of the principal from the school led to protests by the parents due to dissatisfaction over the

unnecessary transfer of the school's head leading to closure of the school on 14<sup>th</sup> February 2024?

- (iii) elaborate the measures by the Ministry to ensure that principals are only transferred after the lapse of a minimum period and that they are chosen on merit without bias to whether they are members of the religion sponsoring the school?

**QPN  
003/2024**

**The Member for Dagoretti South (Hon. John Kiarie, MP) to ask the Cabinet Secretary for Education:-**

Could the Cabinet Secretary-

- (i) state the measures in place to ensure the safety of school going children in the wake of unfortunate incidences of deaths in schools across the country in particular the recent death of:
- a) a pupil from alleged drowning at *Visa Oshwal Academy*;
  - b) the death of a pupil of *Good Rich International School* from an accident due to negligence; and
  - c) the death of three pupils from *Maadili Junior school* due to a road accident?
- (ii) state what policy is in place for use by schools when recruiting personnel that handle children in schools including bus drivers, coaches among others; and indicate whether there are any on the job compulsory trainings on Safety as well as Crisis Communication Management for school personnel;
- (iii) state what measures the Ministry is taking to ensure that school personnel found culpable of negligence are brought to book.

## **QUE. NO**

## **ORDINARY QUESTIONS**

**022/2024**

**The Member for Nyakach (Hon. Aduma Owuor, MP) to ask the Cabinet Secretary for Education: -**

Could the Cabinet Secretary-

- (i) provide details of the criteria used to disburse infrastructure funds to schools in the Country?
- (ii) explain why the special fund for learners with special needs which was previously at kshs 2,300 per child has been reduced by half and has not been disbursed to the needy students for over two years?
- (iii) state the measures in place to address the inadequate infrastructure for Junior Secondary Schools?

**023/2024**

**The Member for Alego Usonga (Hon. Samuel Atandi, MP) to ask the Cabinet Secretary for Education: -**

Could the Cabinet Secretary-

- (i) explain why the Ministry has been disbursing an average capitation grant of Ksh. 17,000 per learner instead of the marked capitation grant of Ksh. 22,244 per learner to public secondary schools?
- (ii) elaborate on how the Ministry expects the schools to operate with the average capitation of Ksh. 17,000 per learner considering the other bills which the school caters for such as water, electricity, support staff salaries and other recurrent bills?

**024/2024      The Member for Nairobi City County (Hon. Esther Passaris, OGW, MP) to ask the Cabinet Secretary for Education: -**

Could the Cabinet Secretary elucidate the measures being undertaken by the Ministry to bolster the Guidance and Counselling Department in public schools, ensuring its prominence and significance within the school curriculum?

**025/2024      The Member for Nakuru Town West (Hon. Samuel Arama, MP) to ask the Cabinet Secretary for Education: -**

Could the Cabinet Secretary-

- (i) explain why secondary schools across the country are withholding Kenya Certificate of Secondary Education (KCSE) certificates of former students on account of non-clearance of school fees thereby denying them admission to higher institutions of learning and employment?
- (ii) state the disciplinary actions that the Ministry will prefer against principals of schools that withhold certificates?
- (iii) state when all schools will release withheld certificates to former students?

**026/2024      The Member for Kisumu Central (Hon. Joshua Oron, MP) to ask the Cabinet Secretary for Education: -**

Could the Cabinet Secretary-

- (i) explain why the teachers from *Kudho Secondary School, Kudho Primary School* and *Obinju Kanyakwar Primary School* are yet to receive their enhanced House Allowances yet their counterparts in other constituencies such as Kisumu West and Kisumu East are getting the said allowances?
- (ii) provide timelines within which the affected teachers will receive their enhanced House Allowances?

**040/2024      The Member for Nyakach (Hon. Aduma Owuor, MP) to ask the Cabinet Secretary for Education: -**

Could the Cabinet Secretary-

- (i) explain why some teachers are still delocalized after the policy was abolished in the interest of family bonds and values for the teachers?
- (ii) state when the Ministry will put an end to delocalization of teachers considering its abolishment?

**041/2024**

**The Member for Dagoretti North (Hon. Beatrice Elachi, CBS, MP) to ask the Cabinet Secretary for Education: -**

Could the Cabinet Secretary provide the status on implementation of the Competency Based Curriculum (CBC) and measures in place to ensure its success?

**042/2024**

**The Member for Dagoretti North (Hon. Beatrice Elachi, CBS, MP) to ask the Cabinet Secretary for Education: -**

Could the Cabinet Secretary-

- (i) confirm whether each public school in the country has valid ownership documents to the land it occupies and if not why so?
  - (ii) state the measures put in place to curb encroachment by individuals/groups to school properties?
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