



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, OCTOBER 12, 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*. **PROCEDURAL MOTION – RESOLUTION TO HOLD A SITTING ON TUESDAY MORNING**
(The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 30(3)(b), this House resolves to hold a Morning Sitting on Tuesday, October 17, 2023 commencing at 10.00 am for purposes of considering priority business as may be approved by the House Business Committee.

- 9*. **MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 60 OF 2022)**
(The Leader of the Majority Party)

THAT, this House do agree with the Report of the Committee of the Whole House on its consideration of the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 60 of 2022).

(Question to be put and Third Reading)

10*. THE MINING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 51 OF 2023)

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

First Reading

11*. THE PUBLIC PARTICIPATION BILL (NATIONAL ASSEMBLY BILL NO. 52 OF 2023)

(The Chairperson, Select Committee on Parliamentary Broadcasting and Library)

First Reading

12*. MOTION – APPROVAL OF THE MEDIATED VERSION OF THE PUBLIC FINANCE MANAGEMENT (NATIONAL ASSEMBLY BILL NO. 16 OF 2023)

(The Co-Chairperson, Mediation Committee on the Public Finance Management Bill 2023)

THAT, pursuant to the provisions of Article 113(2) of the Constitution and Standing Order 150(3), this House **adopts** the Report of the Mediation Committee on the Public Finance Management (Amendment) Bill (National Assembly Bill No. 16 of 2023), *laid on the table of the House on Wednesday, 11th October 2023*, and **approves** the Mediated version of the Public Finance Management (Amendment) Bill (National Assembly Bill No. 16 of 2023).

13*. THE FACILITIES IMPROVEMENT FINANCING BILL (SENATE BILL NO. 43 OF 2023)

(The Leader of the Majority Party)

Second Reading

14*. THE PRIMARY HEALTH CARE BILL (SENATE BILL NO. 44 OF 2023)

(The Leader of the Majority Party)

Second Reading

15*. MOTION – PETITION ON PROBABLE LOSS OF INVESTMENTS IN CYTONN HIGH YIELDS SOLUTIONS PLATFORM

(The Chairperson, Public Petitions Committee)

THAT, this House **adopts** the Report of the Public Petitions Committee on its consideration of a Public Petition No. 07 of 2022 regarding Probable Loss of Investments in Cytonn High Yields Solutions Platform, *laid on the Table of the House on Thursday, 4th May, 2023*.

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

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

(The Chairperson, Select Committee on Delegated Legislation)

Second Reading

17*. 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.*

18*. 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.*

19*. 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.*

20*. 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.*

21*. 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.*

22*. MOTION – LOANS CONTRACTED BY THE NATIONAL GOVERNMENT BETWEEN MAY 2022 AND APRIL 2023

(The Chairperson, Public Debt and Privatization Committee)

THAT, this House **adopts** the Report of the Public Debt and Privatization Committee on its consideration of the loans contracted by the National Government between May 2022 and April 2023, *laid on the Table of the House on Thursday, 28th September 2023.*

23*. 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)

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 (23) Non-Compliant State Corporations, *laid on the Table of the House on Wednesday, 23rd August 2023.*

24*. MOTION – PROCEEDINGS OF THE SECOND ORDINARY SESSION OF THE SIXTH PAN-AFRICAN PARLIAMENT (PAP)

(Member of the Pan-African Parliament)

THAT, this House **notes** the Report of the Record of Proceedings of the Second Ordinary Session of the Sixth Parliament (PAP) held in Midrand, South Africa, from 15th May to 2nd June 2023, *laid on the table of the House on Thursday, 24th August 2023.*

25*. 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)

THAT, this House **notes** the Report of a delegation of the Parliamentary Caucus on Sustainable Development Goals (SDGs) and Business on the Proceedings of the 2023 United Nations High Level Political Forum on Sustainable Development (HLPF 2023) held in New York, United States of America (USA) from 10th to 21st July 2023, *laid on the Table of the House on Thursday, 24th August 2023.*

26*. THE CONFLICT OF INTEREST BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2023)

(The Leader of the Majority Party)

Second Reading

27*. THE INSURANCE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 18 OF 2023)

(The Leader of the Majority Party)

Second Reading

Denotes Orders of the Day

NOTICES

I. MOTION ON PETITION ON PROBABLE LOSS OF INVESTMENTS IN CYTONN HIGH YIELDS SOLUTIONS PLATFORM

Notice is given that the Member for Alego Usonga (Hon. Samuel Atandi, MP) intends to move the following amendment to the Report of the Public Petitions Committee on the petition regarding probable loss of investments in Cytonn High Yield Solutions Platform—

THAT, the Motion be amended by inserting the following words—

a) “subject to insertion of the following new recommendation (iv) after the expression “2023”

(iv) “The Directorate of Criminal Investigations undertakes thorough investigations on the matters listed hereunder within 90 days from the date of the adoption of the Report –

a. affairs of Cytonn particularly on the matters raised in the Petition and proffer criminal prosecution against any person found culpable;

b. the relationship between officials of Cytonn and the Capital Markets Authority between the period of 2015 and 2021;

c. the business dealings of the 49 SPVs including their assets and liabilities if any; and

d. the business dealings of Mr. Edwin Harold Dayan Dande including his assets and liabilities.”

b) Re-numbering paragraph (iv) appearing on page 32 of the Report as paragraph (v).



LIMITATION OF DEBATE

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

Limitation of Debate on Motions

- II. THAT**, each **speech** in a debate on any **Motion, including a Special motion** shall 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 shall be called upon to reply; 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.

NOTICE PAPER I

Tentative business for

Tuesday (Morning), October 17, 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 Tuesday (Morning), October 17, 2023–

A. THE FACILITIES IMPROVEMENT FINANCING BILL (SENATE BILL NO. 43 OF 2023)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, October 12, 2023)

B. THE PRIMARY HEALTH CARE BILL (SENATE BILL NO. 44 OF 2023)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, October 12, 2023)

C. COMMITTEE OF THE WHOLE HOUSE

(i) The Facilities Improvement Financing Bill (Senate Bill No. 43 of 2023)
(The Leader of the Majority Party)

(ii) The Primary Health Care Bill (Senate Bill No. 44 of 2023)
(The Leader of the Majority Party)

(With Leave of the House)

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

(The Chairperson, Public Petitions Committee)

(If not concluded on Thursday, October 12, 2023)

E. 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 Thursday, October 12, 2023)

- F. 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 Thursday, October 12, 2023)
- G. 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 Thursday, October 12, 2023)
- H. 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 Thursday, October 12, 2023)
- I. 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 Thursday, October 12, 2023)
- J. MOTION – EMPLOYMENT DIVERSITY AUDIT IN PUBLIC INSTITUTIONS
(The Chairperson, Committee on National Cohesion and Equal Opportunity)
(If not concluded on Thursday, October 12, 2023)
- K. MOTION – LOANS CONTRACTED BY THE NATIONAL GOVERNMENT BETWEEN MAY 2022 AND APRIL 2023
(The Chairperson, Public Debt and Privatization Committee)
(If not concluded on Thursday, October 12, 2023)
- L. 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)
(If not concluded on Thursday, October 12, 2023)

M. MOTION – PROCEEDINGS OF THE SECOND ORDINARY SESSION OF THE SIXTH PAN-AFRICAN PARLIAMENT (PAP)

(Member of the Pan-African Parliament)

(If not concluded on Thursday, October 12, 2023)

N. 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)

(If not concluded on Thursday, October 12, 2023)

O. THE CONFLICT OF INTEREST BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2023)

(The Leader of the Majority Party)

Second Reading

P. THE INSURANCE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 18 OF 2023)

(The Leader of the Majority Party)

Second Reading

NOTICE PAPER II

Tentative business for

Tuesday (Afternoon), October 17, 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 Tuesday (Afternoon), October 17, 2023—

A. COMMITTEE OF THE WHOLE HOUSE

- (i) The Facilities Improvement Financing Bill (Senate Bill No. 43 of 2023)
(The Leader of the Majority Party)
- (ii) The Primary Health Care Bill (Senate Bill No. 44 of 2023)
(The Leader of the Majority Party)

(If not concluded on Tuesday, October 17, 2023 – Morning Sitting)

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

(The Chairperson, Public Petitions Committee)

(If not concluded on Tuesday, October 17, 2023 – Morning Sitting)

C. 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 Tuesday, October 17, 2023 – Morning Sitting)

D. 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 Tuesday, October 17, 2023 – Morning Sitting)

- E. 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 Tuesday, October 17, 2023 – Morning Sitting)
- F. 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 Tuesday, October 17, 2023 – Morning Sitting)
- G. 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 Tuesday, October 17, 2023 – Morning Sitting)
- H. MOTION – EMPLOYMENT DIVERSITY AUDIT IN PUBLIC INSTITUTIONS
(The Chairperson, Committee on National Cohesion and Equal Opportunity)
(If not concluded on Tuesday, October 17, 2023 – Morning Sitting)
- I. MOTION – LOANS CONTRACTED BY THE NATIONAL GOVERNMENT BETWEEN MAY 2022 AND APRIL 2023
(The Chairperson, Public Debt and Privatization Committee)
(If not concluded on Tuesday, October 17, 2023 – Morning Sitting)
- J. 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)
(If not concluded on Tuesday, October 17, 2023 – Morning Sitting)

K. MOTION – PROCEEDINGS OF THE SECOND ORDINARY SESSION OF THE SIXTH PAN-AFRICAN PARLIAMENT (PAP)

(Member of the Pan-African Parliament)

(If not concluded on Tuesday, October 17, 2023 – Morning Sitting)

L. 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)

(If not concluded on Tuesday, October 17, 2023 – Morning Sitting)

M. THE CONFLICT OF INTEREST BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2023)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, October 17, 2023 – Morning Sitting)

N. THE INSURANCE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 18 OF 2023)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, October 17, 2023 – Morning Sitting)



APPENDIX

NOTICE OF PETITIONS, QUESTIONS & STATEMENTS

ORDER NO.7 - STATEMENTS

It is **notified** that, pursuant to the provisions of Standing Orders, the following Statements will be issued—

No.	Subject	Member
1.	Proposed allocation of funds for infrastructure development in Junior Schools in the FY 2023/24 <i>(Standing Order 44)</i>	<i>Hon. Benjamin Gathiru, M.P. (Embakasi Central Constituency)</i>
2.	Tribute to the late Hon. Phillip Odupoy, Former Member for Kajiado North Constituency <i>(Standing Order 259D)</i>	<i>Hon. Onesmus Ngogoyo, M.P. (Kajiado North Constituency)</i>
