



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, OCTOBER 5, 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*. MOTION - NOMINEES TO THREE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND COMMITTEES

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

THAT, this House **adopts** the Report of the National Government Constituency Development Fund on three (3) Constituency Committees laid on the Table of the House on *Wednesday, October 4, 2023*, and pursuant to the provisions of section 43(1) and 43(2) of the National Government Constituency Development Fund Act, 2015, **approves** the list of nominees for appointment to the following three (3) Constituency Committees of the National Government Constituency Development Fund—

1. BALAMBALA CONSTITUENCY

No.	Name	Category	Statutory Position for Assumption of Position
1.	Abdi Shale Bulle	<i>Nominee of the Constituency Office (Male)</i>	Appointment, pursuant to Sec. 43(2)(e)

...../8*(Cont'd)

2. GATANGA CONSTITUENCY

No.	Name	Category	Statutory Position for Assumption of Position
1.	Dominic Kinyanzwii	Nzau <i>Male Adult Representative</i>	Appointment, pursuant to Sec. 43(2)(b)
2.	David Mwaura	Kinyanjui <i>Representatives of Persons with Disabilities</i>	Appointment, pursuant to Sec. 43(2)(d)

3. NYERI TOWN CONSTITUENCY

No.	Name	Category	Statutory Position for Assumption of Position
1.	Jane Ngunyu Mwangi	<i>Female Adult Representative</i>	Appointment, pursuant to Sec. 43(2)(b)

9*. 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)

10*. 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)*

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

(The Chairperson, Select Committee on Delegated Legislation)

Second Reading

12*. 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.*

13*. 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.*

14*. 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.*

15*. 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.*

16*. 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.*

17*. 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.*

18*. 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.*

19*. 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.*

20*. 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.*

Denotes Orders of the Day

NOTICES

I. THE NATIONAL RATING (NATIONAL ASSEMBLY BILL NO. 55 OF 2022)

- 1) Notice is given that the Leader of the Majority Party intends to move the following amendments to the National Rating Bill, 2022 at the Committee Stage—

CLAUSE 5

THAT, clause 5 of the Bill be amended by inserting the words “except freehold land” immediately after the word ‘government’.

CLAUSE 8

THAT, clause 8 of the Bill be amended in paragraph (a) by deleting the words “whether freehold or” appearing immediately after the word ‘holds’.

- 2) Notice is given that the Chairperson of the Departmental Committee on Lands intends to move the following amendments to the National Rating Bill, 2022 at the Committee Stage—

CLAUSE 2

THAT, the Bill be amended in clause 2—

- (a) by deleting the definition of “improved site value”
- (b) "by deleting the definition of “improvement value”
- (c) _by deleting the definition of “exclusion”

CLAUSE 12

THAT, clause 12 of the Bill be amended by deleting subsection (3) and substituting the following new subsection—

“(3) The Cabinet Secretary may, in consultation with the National Land Commission, prescribe guidelines on the royalties to be paid on natural resources, forestry land and products obtained from natural resources and forestry land for purposes of rating.”

CLAUSE 17

THAT, clause 17 of the Bill be amended by deleting subsection (8) and substituting the following new subsection—

“(8)(1) A county government shall enact legislation and make regulations prescribing rates payable under this section.

(2) A county government that acts in accordance with subsection (1) shall consider –

- (a) the percentages of remission to be offered;
- (b) instances where remission of a percentage of the rates payable may be granted; and
- (c) instances where remission of the whole of the rates payable may be granted.”

CLAUSE 18

THAT, clause 18 of the Bill be amended

(a) by deleting subsection (1) and substituting the following new subsection—

“(1) Each county government shall prescribe criteria for grant of discounts and waivers on partial or whole of the payable interest and penalty rates due to it by the rateable owner through legislation.

(b) by deleting subsection (2) and substituting the following new subsection—

(2) A county government that acts in accordance with subsection (1) shall consider –

- (a) rateable owners who make timely payment and are consistent;
- (b) the specification on the maximum percentage of rates that may be discounted or waived;
- (c) the period in relation to which the discount or waiver is to be considered for;
- (d) the circumstances to be considered; and
- (e) the procedure to be applicable for one to seek for a discount or waiver.

CLAUSE 21

THAT, clause 21 of the Bill be amended by paragraph (b) and substituting the following new paragraph under subsection (2)—

“(b) have a minimum experience of seven years in valuation from the date the person was registered by the Valuers Registration Board.”

CLAUSE 24

THAT, clause 24 of the Bill be amended—

(a) by deleting subclause (1) and substituting the following new subclause:

“A valuer who is preparing a draft valuation roll or a draft supplementary valuation roll, shall have the power —

- (a) to enter into or upon any rateable property at all reasonable time between eight o’clock in the forenoon and five o’clock in the afternoon for purposes of inspecting any land within the area of the county government in respect of which a rate on the value of the land is, or is to be, imposed;
- (b) to inspect and make extracts from all land registers and other records or any deeds or instruments belonging to or in the custody or possession of any public officer or any other person in which are contained particulars of any land, whether that person is or is not interested in the land;
- (c) to inquire from an occupier of a rateable property questions on matters that may be necessary to enable the valuer to correctly value that property; and
- (d) to require, by notice in writing, the rateable owner or occupier of any land to provide the valuer with information regarding the rateable property which the valuer reasonably requires for purposes of valuing the property.”

(b) by deleting subclause (2).

(c) by deleting subclause (3).

(d) In subclause (4), by deleting the word “particulars” and substituting therefor the word “information” :

CLAUSE 25

THAT, clause 25 of the Bill be amended—

(a) by deleting the word “Guidelines” and substituting therefor the word “guidelines” in appearing subclause (2);

(b) by deleting subclause (5) and substituting the following new subclause:

“(5) The Cabinet Secretary shall, in consultation under the intergovernmental mechanism, make regulations for—

- (a) harmonizing and standardizing valuation rolls and rating on rateable areas across counties;

(b) intergovernmental rating and valuation standards and procedures.”

(c) by deleting subclause (6).

CLAUSE 31

THAT, clause 31 of the Bill be amended by deleting subclause (1) and substituting the following new subclause:

Alterations of the valuation roll and supplementary valuation roll.

31. A county government may alter a valuation roll or supplementary roll—

- (a) to correct a clerical error or omission not affecting the rateable value;
- (b) to correct an error as to, or recording a change in the name of an occupier or rateable owner; or
- (c) to correct an error in the description or address of a rateable property.

CLAUSE 32

THAT clause 32 of the Bill deleted and substituted by the following new clause:

Deposit of draft valuation roll and draft supplementary valuation roll.

32.(1) A valuer who prepares a draft valuation roll or draft supplementary valuation roll shall —

- (a) sign and enter the date on the roll; and
- (b) transmit the roll accompanied by relevant maps and plans and summarized basis of valuation report depending on the method of appraisal used, to the County Executive Committee Member for tabling before the County Assembly.

(2) A summarized valuation report shall contain the following information—

- (a) the valuation methodology used;
- (b) the basis for the valuation of the rateable property;
- (c) the date of the valuation of the rateable property;
- (d) any other relevant information obtained by the valuer during the valuation of the rateable property; and
- (e) the signature and seal of the valuer.

(3) The County Executive Committee Member shall forward a copy of the draft valuation roll or draft supplementary valuation roll to the Chief Government Valuer for purposes.

(4) The Chief Government Valuer shall submit a written report to the County Executive Committee Member within thirty days of the receipt of the draft valuation roll or draft supplementary valuation roll.

(5) The County Executive Committee Member shall—

(a) conduct public participation for comments on the draft valuation roll or draft supplementary valuation roll; and

(b) make a draft valuation roll or a supplementary valuation roll available for inspection and copying by any person at a prescribed fee.

(6) The County Executive Committee Member submit the written report under subsection (4), the draft valuation roll and draft supplementary valuation roll and accompanying documents to the County Assembly for tabling.

3) Notice is given that the Member for Funyula (Hon. (Dr.) Wilberforce Oundo intends to move the following amendments to the National Rating Bill, 2022 at the Committee Stage—

CLAUSE 2

THAT, clause 2 of the Bill be amended—

(a) by deleting the definition of “Chief Government Valuer”;

(b) by deleting the definition of “rateable value”

(c) by inserting the following new definitions in alphabetical order —

“Adoption” means the process by which a County Assembly will process a motion of adoption of this Act in pursuant to Article 185, Article 190 (1), Article 209 (1)(a) of the Constitution and sections 5 (2), 56 (4) and 56 (5) of this Act

“Community land” has the meaning assigned to it under Article 63 of the Constitution;

“County Assembly” has the meaning assigned to it under Article 176 and Article 177 under the Constitution;

“property” means the collection of rights that are enjoyed by virtue of owning land and improvements on it, whether natural or man-made;

(d) in the definition of the term ‘improvements’ by inserting the words ‘or technology’ immediately after the words ‘money or labour’;

CLAUSE 3

THAT, clause 3 of the Bill be amended in sub clause (1)—

(a) by deleting subparagraph (i) and substitute with the following new subparagraph under paragraph (a):

“(i) an adoptive legislation to be domesticated by a County Assembly for the purpose of imposing property taxes as contemplated under Article 209 (1)(a) of the Constitution and the processing of adopting this Act by the County Assembly; and”

(b) by deleting paragraph (c) and substituting the following new paragraph—

“(c) provide for the role of the National Land Commission as provided for under Article 67(2)(g) of the Constitution in respect of standardization of the details that constitute a valuation roll and supplementary roll as the case may be and as repository of all valuation rolls and supplementary valuation roll and struck rate and any other necessary information relating to rating in Kenya”

CLAUSE 5

THAT, clause 5 of the Bill be deleted and substituted by the following new clause—

Application of
the Act.

5. (1) This Act shall apply to all rateable properties within a county after this Act is adopted by a County Assembly.

(2) A County Government that seeks to use this Act for rating of rateable properties within the county shall cause this Act to be adopted by the County Assembly.

(3) A County Assembly that adopts this Act under subsection (2) shall prepare a certificate of adoption and submit the certificate to the National Land Commission.

(4) A County Government that does not adopt this Act shall enact legislation for rating.

(5) The National Land Commission shall ensure that legislation adopted under subsection (4) contains key provisions of this Act provided that no County Government shall impose any form of property taxes without a rating legislation.

CLAUSE 8

THAT, clause 8 of the Bill be amended —

(a) in subclause (1)—

- (i) by deleting the words “and there is an intention to confer ownership” appearing in paragraph (a) immediately after the words “twenty-one years”.
- (ii) by inserting words “including the corporation” immediately after the word “2020” appearing in paragraph (f).

(b) inserting the following paragraph immediately after paragraph (j) —

- (i) community land management committee in respect of land reserved for urban development under section 13 (3)(e) and a member or a group of members granted exclusive use of community land under section 27 of the Community Land Act No. 27 of 2016”

(c) in subclause (2),

- (i) by deleting the word “and” appearing in paragraph (b)
- (ii) by inserting the following new paragraphs immediately after paragraph(c) —
 - (a) ensure that the value of the property is not diminished on account of failure to repair and maintain the property to acceptable standards or undertake a land use that impairs the value of the property; and
 - (b) provide a permanent address for the purpose of submitting any notices and correspondences in respect of the rateable property and rateable owner at the date of the valuation of the property for rating purposes and notify the county government of any change in the address during the currency of the valuation rolls.

CLAUSE 12

THAT, clause 12 of the Bill be amended —

(a) by deleting subclause (4) and substituting the following new subclause —

“(4). The Cabinet Secretary shall, in consultation with the National Land Commission and the Council of Governors, make regulations for effective implementation of this section.”

(a) by inserting the following new subclause immediately after subclause (4)—

“(5) The County Executive Member may make regulations to supplement the regulations under subsection (4) and any regulation under this subsection shall not conflict with regulations made under subsection (3).”

CLAUSE 14

THAT, clause 14 of the Bill be amended —

(a) in subclause (1), by deleting the words “in the Finance Act of the relevant financial year for consideration” and substituting therefore the words “in the first Finance Act during the currency of the Valuation Roll provided for under Section 29 of this Act”

(b) in subclause (2), by inserting the words “projected economic performance during the period when the rate struck will apply” after the words “prevailing economic situation”.

(c) by inserting the following new subclauses immediately after subclause (3)—

“(4). In setting up the rate struck, the County Committee Member shall ensure that there is adequate public participation.

(5) Upon approval by the County Assembly of the rate struck, the County Executive Member responsible for finance shall notify the National Land Commission in the prescribed form.”

CLAUSE 19

THAT, clause 19 of the Bill be amended by deleting paragraph (d) and substituting therefor the following new paragraph appearing under subclause (3)—

“(d) auction the rateable property at the market value in a manner that complies with sections 96 and 97 (3) of the Land Act No. 6 of 2012, the Auctioneers Act No. 5 of 1996, and prescribed regulations”

CLAUSE 21

THAT, clause 21 of the Bill be amended—

(a) in subclause (1), by deleting the word “lead” appearing before the word “valuer”.

(b) in subclause (2), by deleting the word “lead” appearing after the words “as a”.

CLAUSE 22

THAT, clause 22 of the Bill be amended in sub clause (2) by deleting the words “private valuer” and substituting therefor the words “a valuer who is not a public officer”

CLAUSE 23

THAT, clause 23 of the Bill be amended by inserting the following new subclauses immediately after subclause (2)—

“(4) The valuation roll and supplementary valuation roll shall be prepared and presented in a manner that complies with sections provided for under section 6 of the Land Registration Act No. 3 of 2012, sections 13 (3)(e) and 27 of the Community Land Act No. 27 of 2016 and section 4 (5), section 7 (1)(a) and (d), and (4) (a), (b) and (d), and the Sectional Properties Act No. 21 of 2020.

(5) The County Land Registrar and the County Executive Member responsible for land matters shall facilitate the valuer to prepare the County Integrated Land Information Management System that shall integrate information in the lands registry for each land registration section required under section 23(3) with the valuation roll and supplementary valuation roll on real time, subject to compliance with the provisions of Data Protection Act No. 24 of 2019.

(6) The County Executive Member shall, in consultation with the County Land Registrar and Director of Survey, ensure that all land dispositions relating to transfer, subdivision and amalgamation are captured real time.

(7) The National Land Commission shall make Regulations for effective setting up of the various Integrated County Land Information Management System and its continuous updating to ensure that it is real time.”

CLAUSE 25

THAT, clause 25 of the Bill be deleted and replaced with the following new clause—

Responsibilities
of Chief
Government
Valuer.

25. (1) The National Land Commission may upon request by a county government cause a valuation to be undertaken for the respective county government.

(2) The National Land Commission shall from time to time develop Guidelines with respect to standardization and harmonization on preparation and implementation of valuation rolls.

(3) The National Land Commission shall upon request by any person, advise on preparation of valuation rolls for rating areas.

No. 2 of 2012.

(4) The National Land Commission shall maintain a depository and record of all valuations rolls prepared by each county government the form of rating and the rate struck.

(5) For purposes of ensuring harmonized and the Valuers Registration Board, in consultation with the National Land Commission and the Institute of Surveyors of Kenya, shall develop Professional Practice Notes for Statutory Valuation (Rating) within nine months of the commencement of this Act and the same shall be binding to any valuer appointed by a county government to prepare valuation rolls under this Act (6) The Cabinet Secretary shall, in consultation with the National Land Commission and the Council of Governors, make regulations that shall guide the determination of the form of rating and rate struck for cases of rating for rateable properties that bestride several counties.

CLAUSE 27

THAT, clause 27 of the Bill be deleted and replaced with the following new clause—

Declaration
of rateable
areas.

27. (1). The County Executive Member shall designate the following areas within the county as rateable areas for the purposes of imposing property taxes on—

- (a) all properties contained in the specified land registry that falls within areas designated as urban areas under the Urban Areas and Cities Act, No.13 of 2011;
- (b) all properties whose change of user has been granted from agricultural to uses that are not agricultural user in pursuance of the provisions of Physical Planning and Land Use Act;
- (c) all properties under commercial agriculture and ranching as the County Executive Member responsible for agriculture may so advise the County Executive member responsible for lands;
- (d) all properties under private and community wildlife sanctuary use;
- (e) any other properties whose rateable owner has converted to any form of
- (f) developments and occupancy arrangements that generates rental income to the rateable owner;
- (g) all land registered under Community Land Act that is reserved for urban development and granted to

a member and/or group of members for use that would qualify the referenced property as a rateable property; or

- (h) any other properties as the County Assembly may approve by a resolution of simple majority.

(2) Without prejudice to the generality of subsection (1), a County Executive Member responsible for matters relating to land may declare any area or property as a rateable area and rateable property with approval of a County Assembly.

A County Executive Member responsible for matters relating to land shall submit the declaration of rateable area and rateable property to the National Land Commission before the commencement of the valuation for rating purposes in the prescribed form.”

CLAUSE 29

THAT, clause 29 of the Bill be amended by deleting paragraph (d) and substituting therefor the following new paragraph appearing under subclause (3)—

- (a) in subclause (1), by deleting the word “five” and substituting therefor the word “seven” appearing after the word “years”;
- (b) in subclause (2), by deleting the word “two” and substituting therefor the word “three” appearing after the word “years”;

CLAUSE 30

THAT, clause 30 of the Bill be amended by deleting subclause (2) and substituting therefor the following new subclause —

“(2) A draft valuation roll or supplementary valuation roll shall include the description of the land or property as prescribed in Professional Practice Notes for Statutory Valuation (Rating), the description of situation including geo-referencing as provided for

under Section 7 (1)(d) of the Land Registration Act and area of the land or individual units and common properties registered under the Sectional Properties Act.”

CLAUSE 32

THAT, clause 32 of the Bill be amended in subclause (4) by deleting the words “Chief Government Valuer” and substituting therefor the words “National Land Commission”.

CLAUSE 36

THAT, clause 36 of the Bill be amended in subclause (5) by deleting the words “Cabinet Secretary” and substituting therefor the words “National Land Commission”.

CLAUSE 56

THAT, clause 56 of the Bill be amended in subclause (5) by deleting the words “Cabinet Secretary” and substituting therefor the words “National Land Commission”.

II. THE STATUTE LAWS (MISCELLANEOUS AMENDMENTS) (NATIONAL ASSEMBLY BILL NO. 60 OF 2022)

- 1) Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill, 2022, at the Committee Stage—

SCHEDULE

THAT the Schedule to the Bill be amended—

- (a) in the proposed amendment to section 7(1) of the **Judicature Act (Cap. 8)** by deleting the word “seventy” and substituting therefor the word “forty-five”;
- (b) by deleting the proposed amendments to the **Appellate Jurisdiction Act (Cap. 9)**;
- (c) in the proposed amendments to section 146 of the **Penal Code (Cap. 63)** by deleting the expression “persons with mental disabilities” and substituting therefor the expression “person suffering from mental disorder”.

- (d) in the proposed amendment to section 83 of the **Criminal Procedure Code (Cap. 75)** by inserting the words “Principal Prosecution Counsel” immediately before the words “the Senior Prosecution Counsel,” appearing in the proposed new section 83(1);
- (e) in the proposed amendment to section 125(2) of the **Evidence Act (Cap. 80)** by deleting the expression “a person with a mental disability” and substituting therefor the expression “a person suffering from a mental disorder”;
- (f) by deleting the proposed amendments to the **Official Secrets Act (Cap. 187)**;
- (g) in the proposed amendments to the **Anti-Corruption and Economic Crimes Act, 2003 (No. 3 of 2003)** by deleting the proposed amendments to section 62;
- (h) in the proposed amendment to section 38 of the **Judicial Service Act, 2011 (No. 1 of 2011)** by deleting the words “the National Assembly” appearing immediately after the words “President and” and substituting therefor the word “Parliament”;
- (i) in the proposed amendment to section 53 of the **Kenya National Commission on Human Rights Act, 2011 (No. 14 of 2011)** by deleting the words “the National Assembly” appearing immediately after the words “President and” and substituting therefor the word “Parliament”;
- (j) in the proposed amendments to the **Leadership and Integrity Act, 2011 (No. 19 of 2012)**—
 - (i) by deleting all the proposed amendments to section 12A;
 - (ii) by deleting the proposed amendment to section 19(6);
- (k) in the proposed amendments to the **Bribery Act, 2016 (No. 47 of 2016)** by deleting the proposed amendment to section 5 and substituting therefor the following amendment—

Provision

Amendment

- 5(1) Delete the word “, who” appearing immediately after the words “another person” and substitute therefor the words “if the person offering, promising or giving”

- 2) Notice is given that the Chairperson of the Departmental Committee on Finance and National Planning intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill, 2022 (National Assembly Bills No. 60 of 2022) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended—

- (a) in the proposed amendments to the **Retirement Benefits Act** by deleting the expression “54(1)” and substituting therefor the expression “54A (1)”;
- (b) in the proposed amendment to **Commission on Revenue Allocation Act** by deleting the proposed amendment to section 23 and substituting therefor the following—

s. 23 Insert the following new subsection immediately after subsection (1)—

(1A) The Commission shall submit the annual report in subsection (1) to the President and Parliament within three months after the end of the year to which it relates.

- (c) in the proposed amendments to the **Controller of Budget Act** by deleting the proposed amendment to section 19 and substituting therefor the following—

S. 19 Insert the following new subsection immediately after subsection (2)—

(2A) The Controller of Budget shall submit the annual report in subsection (2) to the President and Parliament within three months after the end of the year to which it relates.

- 3) Notice is given that the Chairperson of the Departmental Committee on Education, intends to move the following amendment to the Statute law (Miscellaneous Amendments) Bill, 2022 at the Committee Stage—

SCHEDULE

THAT the Schedule to the Bill be amended in the proposed amendments to the **Teachers Service Commission Act, 2012 (No. 20 of 2012)**, by deleting the word “National Assembly” and substituting therefor the word “Parliament”.

- 4) Notice is given that the Chairperson of the Departmental Committee on Administration and Internal Security, Hon. Gabriel Tongoyo, M.P intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill, 2022 at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended —

- (a) in the proposed amendment to the **Prevention of Organised Crimes Act, 2010 (No. 6 of 2010)**, by—

- (i) deleting the proposed amendment to section 14; and
(ii) deleting the proposed amendment to section 14(3)

- (b) by deleting the proposed amendment to section 19(2)(e) of the **Counter-Trafficking in Persons Act, 2010** and substituting therefor the following new amendment—

Written law	Provision	Amendment
Counter-Trafficking in Persons Act, (No. 8 of 2010)	19(2)(e)	insert the following new paragraph immediately after paragraph(e)— “(ea) the Director of Public Prosecutions”

- (c) in the proposed amendment to the **National Police Service Commission Act, 2011 (No. 30 of 2011)**, by deleting the proposed amendment to section 26(2).

- 5) Notice is given that the Chairperson of the Departmental Committee on Social Protection intends to move the following amendment to the Statute Law (Miscellaneous Amendments) Bill, 2022 (National Assembly Bill No. 60 of 2022) at the Committee Stage—

SCHEDULE

THAT the Schedule to the Bill be amended in the proposed amendment to section 53 of the **National Gender and Equality Commission Act, 2011** by deleting the words “the National Assembly” appearing in the proposed new subsection (1A) and substituting therefor the word “Parliament”.

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

1) 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 on the adoption of the Report -

- a. affairs of Cytonn particularly on the matters raised in this petition and proffer criminal prosecution against any person found culpable;
- b. the relationship between officials of Cytonn and the CMA 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 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 Bills sponsored by Parties or Committees

- V. 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 Reports of Audit Committees

- VI. 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, October 10, 2023

PUBLIC HOLIDAY

[HUDUMA DAY]

NOTICE PAPER II

Tentative business for

Wednesday (Morning), October 11, 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 Wednesday (Morning), October 11, 2023—

A. **MOTION** – **REVIEW OF THE SCOPE OF EDUCATION BURSARY SCHEME UNDER NG-CDF AND CAPITATION FOR LEARNERS IN PRIMARY AND JUNIOR SECONDARY SCHOOLS**
(The Hon. Wakili Edward, M.P.)
(Party-Sponsored Motion)
(Question to be put)

B. **MOTION** – **EXPANSION OF DRUG AND SUBSTANCE ABUSE REHABILITATION CENTRES**
(The Hon. John Makali, M.P.)

(Resumption of Debate interrupted on Wednesday, October 4, 2023 – Morning Sitting)
(Balance of time – 1 hour 2 minutes)

C. **MOTION** – **BANNING THE GROWING OF EUCALYPTUS TREES IN THE COUNTRY**
(The Hon. Moses Kirima M.P.)

D. **MOTION** – **ESTABLISHMENT OF STRATEGIC GRAIN STORAGE RESERVES AND SILOS IN CLOSE PROXIMITY TO SMALLHOLDER FARMERS**
(The Hon. Jessica Mbalu M.P.)

E. **MOTION** – **POLICY ON INTEGRATING A CURRICULUM FOR ENVIRONMENTAL CONSERVATION IN PRIMARY AND SECONDARY SCHOOLS**
(The Hon. Umul Ker Kassim, M.P.)

F. **MOTION** – **REGULATION OF THE SUGAR INDUSTRY TO DISCOURAGE BRANDING OF SUGAR BY NON-MILLERS**
(The Hon. Peter Salasya, M.P.)

G. **MOTION** – **POLICY FOR THE PROVISION OF MENTAL HEALTH SERVICES IN ALL HEALTHCARE FACILITIES**
(The Hon. Mishi Mboko, M.P.)

- H. MOTION – IMPLEMENTATION OF FIRST AID TRAINING AS A CORE SUBJECT IN SCHOOLS
(The Hon. Caleb Amisi, M.P.)
- I. MOTION – ESTABLISHMENT OF A NATIONAL FUND TO SUPPORT VICTIMS OF GENDER-BASED VIOLENCE
(The Hon. Mary Emaase, M.P.)
- J. MOTION – ACTION TO ADDRESS THE RECENT SURGE IN ROADACCIDENTS IN THE COUNTRY
(The Hon. Naomi Waqo, M.P.)
- K. MOTION – ADOPTION OF GOVERNMENT-TO-GOVERNMENT (G2G) MODEL TO ACQUIRE AND SUPPLY FERTILIZERS TO FARMERS AT SUBSIDISED COST
(The Hon. Geoffrey Ruku, M.P.)
- L. MOTION – POLICY AND FUNDING FOR SUGARCANE FARMING IN THE COUNTRY
(The Hon. Peter Nabulindo, M.P.)
- M. MOTION – PROVIDING A SAFETY NET FOR CAREGIVERS OF PERSONS WITH SEVERE DISABILITIES
(The Hon. Dorothy Ikiara, M.P.)
- N. MOTION – NATIONAL SENSITIZATION AND SUPPORT FOR COMBATING SICKLE CELL AND HAEMOPHILIA DISEASES
(The Hon. Peter Nabulindo, M.P.)
- O. MOTION – DEVELOPMENT OF A SATELLITE-BASED CLIMATE CHANGE MONITORING POLICY
(The Hon. Abdul Haro, M.P.)
- P. MOTION – ESTABLISHMENT OF A SCIENCE MUSEUM
(The Hon. John Kiarie, M.P.)
- Q. MOTION – AFFIRMATIVE ACTION PLAN FOR THE PROVISION OF WATER IN ARID AND SEMI-ARID AREAS
(The Hon. Mwangi Mutuse, M.P.)
- R. MOTION – DEVELOPMENT OF A FRAMEWORK TO MITIGATE FLOOD HAZARDS
(The Hon. Umulkher Harun, M.P.)

- S. MOTION – PROVISION OF APPROPRIATE ACCESS TO MARKETS IN THE COUNTRY
(The Hon. Beatrice Kemei, M.P.)
- T. MOTION – SUPPORTING AND PROMOTING LOCAL FERTILIZER-MANUFACTURING INDUSTRIES
(The Hon. Samuel Atandi, M.P.)
- U. MOTION – REGULATORY FRAMEWORK FOR THE MONEY LENDER INDUSTRY IN THE COUNTRY
(The Hon. Beatrice Kemei, M.P.)
- V. MOTION – FORMULATION OF A GOVERNMENT-TO-GOVERNMENT FRAMEWORK FOR IMPORTATION AND DISTRIBUTION OF ESSENTIAL FOODSTUFF AND GOODS
(The Hon. Geoffrey Ruku, M.P.)
- W. MOTION – POLICY FRAMEWORK FOR GOVERNMENT-TO-GOVERNMENT SOURCING OF ELECTRICITY EQUIPMENT AND ON CONNECTION AND BILLING OF ELECTRICITY INFRASTRUCTURE
(The Hon. Geoffrey Ruku, M.P.)
- X. MOTION – FORMULATION OF A REGULATORY FRAMEWORK ON ARTIFICIAL INTELLIGENCE IN THE COUNTRY
(The Hon. Marianne Kitany, M.P.)
- Y. MOTION – DEVELOPMENT OF MEASURES TO MITIGATE DIGITAL EXCLUSION
(The Hon. Marianne Kitany, M.P.)
- Z. MOTION – ESTABLISHMENT OF A NATIONAL POLICY TO COMBAT OBSTETRIC VIOLENCE IN KENYA
(The Hon. Gathoni Wamuchomba, M.P.)
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NOTICE PAPER III

Tentative business for

Wednesday (Afternoon), October 11, 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 Wednesday (Afternoon), October 11, 2023—

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

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

Second Reading

(Question to be put)

B. 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)

(If not concluded on Thursday, October 5, 2023)

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

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

Second Reading

*(Resumption of debate interrupted on Wednesday, October 4, 2023 – Afternoon Sitting)
(Balance of time – 3 hours 26 minutes)*

D. THE CANCER PREVENTION AND CONTROL (AMENDMENT) (No. 2) BILL (NATIONAL ASSEMBLY BILL NO. 45 OF 2022)

(The Hon. Abdul Dawood, M.P.)

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

I. THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 62 OF 2022)

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

Second Reading

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

(The Chairperson, Committee on Delegated Legislation)

Second Reading

(If not concluded on Thursday, October 5, 2023)

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

(The Chairperson, Public Petitions Committee)

(If not concluded on Thursday, October 5, 2023)

L. 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 5, 2023)

M. 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 5, 2023)

- N. **MOTION** - **REPORT OF 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 5, 2023)
- O. **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 5, 2023)
- P. **MOTION** – **EMPLOYMENT DIVERSITY AUDIT IN PUBLIC INSTITUTIONS**
(The Chairperson, Committee on National Cohesion and Equal Opportunity)
(If not concluded on Thursday, October 5, 2023)
- Q. **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 5, 2023)
- R. **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 5, 2023)
- S. **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 5, 2023)
- T. **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 5, 2023)

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

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading



NOTICE OF 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), October 11, 2023–

A. The Cabinet Secretary for Foreign & Diaspora Affairs will respond to the following Questions–

ORDINARY QUESTIONS

Que. No.	Member	Subject
Question No. 241/2023	Hon. Patrick Munene, MP (<i>Chuka Igambang'ombe Constituency</i>)	Assistance that has been given by Kenyan Missions Abroad to Kenyans in distress in foreign countries
Question No. 301/2023	Hon. Caleb Amisi, MP (<i>Saboti Constituency</i>)	Delay in paying salaries to Kenyan staff who have been seconded to Embassies
Question No. 302/2023	Hon. Gideon Kimaiyo, MP (<i>Keiyo South Constituency</i>)	Exorbitant fees for consular services, especially visas at the United States Embassy
Question No. 303/2023	Hon. Sabina Chege, MP (<i>Nominated Member</i>)	Compensation to victims who lost loved ones as a result of the US Embassy bombing in Nairobi on August 7, 1998
Question No. 373/2023	Hon. Marianne Kitany, MP (<i>Aldai Constituency</i>)	Update on the overall state of migration in the country
Question No. 374/2023	Hon. Cynthia Muge, MP (<i>Nandi County</i>)	Kenyan students being required to undergo English Proficiency Tests when pursuing academic opportunities in foreign countries
Question No. 375/2023	Hon. Betty Maina, MP (<i>Murang'a County</i>)	Facilitation of return to Kenya of <i>Ms. Mary Wanjiru Wanaina</i> of National Identification No. <i>40432694</i> who travelled to Toronto, Canada

B. The Cabinet Secretary for Investments, Trade and Industry will respond to the following Questions—

ORDINARY QUESTIONS

Que. No.	Member	Subject
Question No. 110/2023	Hon. John Waluke, MP <i>(Sirisia Constituency)</i>	Proposed increase in the excise stamp plan
Question No. 140/2023	Hon. Brighton Yegon, MP <i>(Konoin Constituency)</i>	Importation of fully finished foreign-produced edible oils into the country despite there being local manufacturers for the product
Question No. 141/2023	Hon. Anthony Oluoch, MP <i>(Mathare Constituency)</i>	Re-instatement of <i>Mr. Ezekiel Onuor Otieno</i> of ID No. 20869767 as the substantive Chief Executive Officer (CEO) of the Export Processing Zone (EPZ) following the ruling by the Employment and Labour Relations Court
Question No. 142/2023	Hon. Githua Wamacukuru, MP <i>(Kabete Constituency)</i>	Approval by the Kenya Bureau of Standards of sale of <i>Gascience/Gaciko</i> , a killer liquor drink popularly sold in Kiambu County
Question No. 232/2023	Hon. Gitonga Mukunji, MP <i>(Manyatta Constituency)</i>	Definition and publishing rates of interest charged for hire purchase payments
Question No. 330/2023	Hon. Peter Salasya, MP <i>(Mumias East Constituency)</i>	Composition and expenditure of delegations led by the Cabinet Secretary for Investment, Trade and Industry since appointment
Question No. 331/2023	Hon. Julius Rutto, MP <i>(Kesses Constituency)</i>	List of all importers, clearing agents and other key players involved in second-hand clothing (<i>Mitumba</i>) and mixed assorted goods business across the country

Question No. 428/2023	Hon. Joyce Kamene, MP <i>(Machakos County)</i>	Promotion of domestic production of essential goods to cushion citizens from the rising cost of living
Question No. 429/2023	Hon. Gladys Boss, MP <i>(Uasin Gishu County)</i>	Measures that have been implemented to harmonize the inspection process for imported goods among various agencies
