



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (SECOND SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**WEDNESDAY, OCTOBER 11, 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 NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 59 OF 2022)**

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

Second Reading

*(Question to be put)*

**9\*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE NATIONAL RATING BILL (NATIONAL ASSEMBLY BILL NO. 55 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 National Rating Bill (National Assembly Bill No. 55 of 2022).

*(Question to be put)*

**10\*. COMMITTEE OF THE WHOLE HOUSE**

The Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 60 of 2022)

(The Leader of the Majority Party)

**11\*. 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)*

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

**18\*. THE GERIATRIC BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2022)**

(The Hon. Gathoni Wamuchomba, M.P.)

Second Reading

**19\*. THE ANTI-CORRUPTION AND ECONOMIC CRIMES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 30 OF 2023)**

(The Hon. Peter Kaluma, M.P.)

Second Reading

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

(The Chairperson, Committee on Delegated Legislation)

Second Reading

**21\*. 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, 4<sup>th</sup> May, 2023.*

*(Resumption of debate interrupted on Tuesday, October 3, 2023)*

*(Balance of time – 2 hours 18 minutes)*

**22\*. 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, 27<sup>th</sup> July 2023.*

**23\*. 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, 17<sup>th</sup> 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.*

24\*. MOTION - THE 4<sup>TH</sup> 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 4<sup>th</sup> General Assembly of the Eastern Africa Parliamentary Alliance on Food Security and Nutrition, held in Kigali, Rwanda from 7<sup>th</sup> to 9<sup>th</sup> December 2022, *laid on the Table of the House on Tuesday, 11<sup>th</sup> April 2023.*

25\*. 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, 5<sup>th</sup> July 2023.*

26\*. 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, 6<sup>th</sup> July, 2023.*

27\*. 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, 28<sup>th</sup> September 2023.*

**28\*. 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, 23<sup>rd</sup> August 2023.*

**29\*. 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 15<sup>th</sup> May to 2<sup>nd</sup> June 2023, *laid on the table of the House on Thursday, 24<sup>th</sup> August 2023.*

**30\*. 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 10<sup>th</sup> to 21<sup>st</sup> July 2023, *laid on the Table of the House on Thursday, 24<sup>th</sup> August 2023.*

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

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

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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 **Prime Cabinet Secretary and Cabinet Secretary for Foreign & Diaspora Affairs and the Cabinet Secretary for Investments, Trade and Industry** to respond to Questions as appearing in the Appendix.

**II. THE STATUTE LAW (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—

<i>Provision</i>	<i>Amendment</i>
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 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 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 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”.

6) Notice is given that the Chairperson of the Departmental Committee on Labour intends to move the following amendment to the Statute Law (Miscellaneous Amendments) Bill, 2022 (at the Committee Stage—

**SCHEDULE**

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

7) Notice is given that the Chairperson of the Departmental Committee on Sports and Culture 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 **National Museums and Heritage Act, No. 6 of 2006**, by deleting the

proposed amendment to section 57(2) and substituting therefor the following new amendment—

s.57(2) Delete subsection (2) and insert the following new subsection—

“(2) The Director of Public Prosecutions may appoint a heritage warden appointed under subsection (1) as a prosecutor for purposes of prosecuting offences committed under this Act.”

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

### SCHEDULE

THAT, the Bill be amended in the Schedule in the proposed amendments to the National Transport and Safety Authority Act by deleting the proposed amendments to section 16.

## **III. 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) 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 Individual Members' Bills**

- IV. 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**

- 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 Other Committee Reports**

- VI. 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

**VII.** 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 12, 2023**

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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, October 12, 2023—

### **A. COMMITTEE OF THE WHOLE HOUSE**

The Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 60 of 2022)

(The Leader of the Majority Party)

*(If not concluded on Wednesday, October 11, 2023 – Afternoon 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 Wednesday, October 11, 2023 – Afternoon 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 Wednesday, October 11, 2023 – Afternoon 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 Wednesday, October 11, 2023 – Afternoon 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 Wednesday, October 11, 2023 – Afternoon Sitting)*

**F. MOTION – THE 4<sup>TH</sup> 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 11, 2023 – Afternoon 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 Wednesday, October 11, 2023 – Afternoon Sitting)*

**H. MOTION – EMPLOYMENT DIVERSITY AUDIT IN PUBLIC INSTITUTIONS**

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

*(If not concluded on Wednesday, October 11, 2023 – Afternoon 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 Wednesday, October 11, 2023 – Afternoon 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 Wednesday, October 11, 2023 – Afternoon 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 Wednesday, October 11, 2023 – Afternoon 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 Wednesday, October 11, 2023 – Afternoon Sitting)*

# **APPENDIX**

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

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

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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 —

#### **I. The Prime Cabinet Secretary and Cabinet Secretary for Foreign & Diaspora Affairs—**

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

##### **ORDINARY QUESTIONS**

241/2023

The Member for Chuka Igambang'ombe (Hon. Patrick Munene, MP) to ask the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs: -

Could the Cabinet Secretary –

- (i) provide a comprehensive list of the assistance that has been given by Kenyan Missions Abroad to Kenyans in distress in foreign countries?
- (ii) disclose any impediments encountered by Kenyan Missions Abroad in providing assistance to Kenyans in distress in their respective countries?
- (iii) clarify whether Kenyan Missions Abroad have emergency funds for purposes of assisting Kenyans in distress in their respective nations, and if so, state the remedial measures, including legal and financial interventions, that have been put in place by the Cabinet Secretary to guarantee the effective utility of these emergency funds?

301/2023

The Member for Saboti (Hon. Caleb Amisi, MP) to ask the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs: -

Could the Cabinet Secretary –

- (i) state the reasons behind the delay in paying salaries to Kenyan staff who have been seconded to Embassies outside the country?
- (ii) explain how the decline in the value of the US Dollar affects the remuneration of the staff?



- (iii) provide evidence to counter claims that there are Embassies and Consulate offices that have not received funds for rental of premises?

302/2023

**The Member for Keiyo South (Hon. Gideon Kimaiyo, MP) to ask the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs: -**

Could the Cabinet Secretary –

- (i) confirm that the fees for consular services, especially visas at the United States Embassy are exorbitant?
- (ii) enumerate measures that the government is putting in place to ensure that unsuccessful United States visa applicants are refunded accordingly?

303 /2023

**The Nominated Member (Hon. Sabina Chege, MP) to ask the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs: -**

Could the Cabinet Secretary –

- (i) provide the total number of Kenya citizens who were killed and those substantially injured as a result of the US Embassy bombing in Nairobi on August 7, 1998?
- (ii) state, if any, the number of Kenyan victims who were compensated for the loss of their beloved spouses, parents and next of kin and explain the plans the government has to have all the victims compensated as we commemorate the 25th anniversary of the most grotesque and depraved acts?
- (iii) explain what the government is doing in supporting the eligible Kenyan victims and their personal representatives, surviving spouses and next of kin in the Victim Compensation Fund pursuant to the Justice for United States Victims of State Sponsored Terrorism Act, codified at 42 U.S.C. & 10609 (2015)?

373/2023

**The Member for Aldai (Hon. Marianne Kitany, MP) to ask the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs: -**

Could the Cabinet Secretary –

- (i) provide an update on the overall state of migration in the country, including the rate at which foreign nationals have sought economic and political refuge in the country over the past fifteen (15) years?
- (ii) state the number of Kenyan nationals who have emigrated from Kenya for economic and political reasons from 2013 to the present time?

- (iii) disclose the number of Kenyans who have emigrated and renounced their Kenyan citizenship from 2013 to present, as well as reasons behind their renunciation?

374/2023

**The Member for Nandi County (Hon. Cynthia Muge, MP) to ask the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs: -**

Could the Cabinet Secretary –

- (i) explain how the Ministry is addressing the issue of Kenyan students being required to undergo English Proficiency Tests when pursuing academic opportunities in foreign countries?
- (ii) state the measures been implemented by the Ministry to advocate for exemptions of these students considering that English is one of Kenya's official languages and further that Kenyan students seeking to undertake Bachelors, Masters or PhD studies have typically been exposed to English?
- (iii) provide any progress or outcomes achieved so far in advocating for exemptions of Kenyan students from these tests, and what future plans the Ministry has with regard to supporting these students in their academic pursuits abroad?

375/2023

**The Member for Murang'a County (Hon. Betty Maina, MP) to ask the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs: -**

Could the Cabinet Secretary –

- (i) state the steps the Ministry is taking to facilitate the return to Kenya of Ms. Mary Wanjiru Wanaina of National Identification No. 40432694 who travelled to Toronto, Canada on 13th February 2023 through an agency based in Nairobi, but is presently confined in a house with no means of communication to her family members?
- (ii) explain what actions have been undertaken by the Kenyan Embassy in Canada to ensure the safety and well-being of Kenyan individuals who have relocated to Canada for work, along with steps taken to ensure their engagement in a healthy working environment?
- (iii) outline the measures by the Government aimed at regulating and streamlining the activities of agencies involved in recruiting and placing Kenyan citizens in foreign countries, particularly addressing the escalating issue of exploitation, stranded individuals and potential risks faced by young Kenyans in Canada?

## **II. The Cabinet Secretary for Investments, Trade and Industry—**

### **QUE. NO**

### **ORDINARY QUESTIONS**

110/2023

**The Member for Sirisia (Hon. John Waluke, MP) to ask the Cabinet Secretary for Investments, Trade and Industry: -**

Could the Cabinet Secretary –

- (i) explain the reason for the proposed increase in the excise stamp plan which is likely to disadvantage the country's market compared to competing markets in the Eastern Africa Region, and in particular connecting markets of Uganda, Tanzania, Rwanda and Democratic Republic of Congo?
- (ii) explain how the proposed increase in Excise Duty for bottled water, juices and other non-alcoholic drinks, cosmetics, alcoholic beverages, tobacco and nicotine products will compare with other African Markets and the effects of the increase on the country's competitiveness?
- (iii) state the measures that the Ministry has in place to cushion manufacturers from the capital-intensive implementation of the Excisable Goods Management System (EGMS) relating to server rooms, data cables, retro lifting lines, signals exchange, electricity backup, among other costs?

140/2023

**The Member for Konoin (Hon. Brighton Yegon, MP) to ask the Cabinet Secretary for Investments, Trade and Industry: -**

Could the Cabinet Secretary –

- (i) explain the circumstances that led to the Ministry's decision to allow the importation of fully finished foreign-produced edible oils into the country despite there being local manufacturers for the product?
- (ii) provide details of the specific actions being taken, including policy interventions, to provide a conducive environment for local producers and to protect them from competition?
- (iii) elaborate on the measures that the Ministry is taking to ensure that the country's scarce foreign exchange reserves are not depleted as a result of these imports, and the plans for compensating the equivalent revenue of over 40 billion shillings generated in form of tax from the importation of duty-free edible oil?

141//2023

**The Member for Mathare (Hon. Anthony Oluoch, MP) to ask the Cabinet Secretary for Investments, Trade and Industry: -**

Could the Cabinet Secretary –

- (i) provide details on the plans the Ministry has to re-instate Mr. Ezekiel Owuor Otieno 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?
- (ii) explain the circumstances that led to the appointment of Mr. Henry Obino as an acting CEO of Export Processing Zone (EPZ) and subsequent renewal in acting capacity?
- (iii) explain steps being taken by the Ministry to implement the decision of the High Court in Petition (Labour Court) E.133 of 2021 filed by Okiya Omtata Okoiti – vs- the Attorney General and Henry Obino and to put to an end the endless sponsored litigation?

142/2023

**The Member for Kabete (Hon. Githua Wamacukuru, MP) to ask the Cabinet Secretary for Investments, Trade and Industry: -**

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Could the Cabinet Secretary –

- (i) clarify whether the Kenya Bureau of Standards approved the sale of Gascience/Gaciko, a killer liquor drink popularly sold in Kiambu County, including being hawked in dispensing thermoses, and which has been associated with numerous deaths among consumers?
- (ii) state the regulatory mechanism that the Ministry has put in place to curb production and sale of the said Gascience/Gaciko liquor and other illicit brews in Kiambu County and across the country?

232/2023

**The Member for Manyatta (Hon. Gitonga Mukunji, MP) to ask the Cabinet Secretary for Investments, Trade and Industry: -**

Could the Cabinet Secretary –

- (i) state when the Ministry will define and publish rates of interest charged for hire purchase payments, given that Kenyans are currently being charged outrageous rates by financial institutions to acquire motor vehicles and motorcycles?
- (ii) specify the precise steps the Ministry is taking to enforce regulation of these lending institutions in order to ensure that the institutions' owners are held accountable for execution of penalties and forfeitures on their clientele?

- (iii) provide a detailed status report on undertakings by companies that deal with financing of motorcycles and vehicles through hire purchase agreements?

**330/2023**

**The Member for Mumias East (Hon. Peter Salasya, MP) to ask the Cabinet Secretary for Investments, Trade and Industry: -**

Could the Cabinet Secretary –

- (i) provide the composition and expenditure of delegations led by the Cabinet Secretary for Investment, Trade and Industry to the United States of America (USA), United Kingdom (UK), Qatar, Dubai, Ethiopia, Egypt, Kingdom of Lesotho, and many other countries undertaken since his appointment?
- (ii) state the overall benefits of the visits to the country and furnish the reports for each of the assignments including policy directives achieved through the visits?

**331/2023**

**The Member for Kesses (Hon. Julius Rutto, MP) to ask the Cabinet Secretary for Investments, Trade and Industry: -**

Could the Cabinet Secretary –

- (i) provide a list of all importers, clearing agents and other key players involved in second-hand clothing (Mitumba) and mixed assorted goods business across the country and state if any of them has ever evaded payment of import tax or committed any other malpractice?
- (ii) explain why there has been skewed and selective application of customs laws occasioned by fraudulent manipulation of the Integrated Customs Management System (ICMS) leading to monumental loss of revenue?
- (iii) enumerate the steps that the Ministry is undertaking in order to fast track forensic audit regarding the procurement and adoption of a system prone to manipulation by fraudulent personnel and explain the actions taken against such personnel who work in cahoots with traders and cartels so determined to deny the country of import taxes?
- (iv) explain measures that the Ministry has put in place to ensure fair application of custom laws and what efforts has the Ministry undertaken to involve second-hand clothing (Mitumba) traders and are involved in formulation and implementation of new policies?

428/2023

**The Member for Machakos County (Hon. Joyce Kamene, MP) to ask the Cabinet Secretary for Investments, Trade and Industry: -**

Could the Cabinet Secretary –

- (i) state the measures that the Ministry is pursuing to promote domestic production of essential goods to cushion citizens from the rising cost of living as a result of food price-related inflation, considering that most of the food consumed are imported?
- (ii) provide timelines of operationalizing the proposed county aggregation and industrial parks once they are constructed in order to realize the intended benefits to Kenyans?

429/2023

**The Member for Uasin Gishu County (Hon. Gladys Boss, MP) to ask the Cabinet Secretary for Investments, Trade and Industry: -**

Could the Cabinet Secretary –

- (i) explain why the various agencies, that is, the Kenya Bureau of Standards (KEBS), Kenya Revenue Authority (KRA), Kenya Plant Health Inspectorate Services (KEPHIS), Department of Public Health, Department of Veterinary Services and the Pest Control Products Board (PCPB) collect different samples from the same consignments, resulting in a reduction in the quantity and size of imported consignments?
  - (ii) outline the measures that have been implemented to harmonize the inspection process for imported goods among various agencies such as (KEBS), (KRA), (KEPHIS), Department of Public Health, Department of Veterinary Services and (PCPB) that are required to inspect imported goods for purposed of verification of quality, quantity and value of such goods?
  - (iii) consider implementing appropriate interventions to establish a unified system for sample collection from consignments of imported goods, thus preventing unnecessary reductions in the size and quantity of the consignments due to the collection of multiple samples?
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