



REPUBLIC OF KENYA
THIRTEENTH PARLIAMENT – (SECOND SESSION)
THE NATIONAL ASSEMBLY
ORDERS OF THE DAY
WEDNESDAY, AUGUST 16, 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 PENSIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2022)**
(The Hon. Didmus Barasa, M.P.)
Second Reading
(*Question to be put*)
- 9*. **THE FOOD AND FEED SAFETY CONTROL COORDINATION BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2023)**
(The Leader of the Majority Party)
Second Reading
(*Question to be put*)
- 10*. **THE MARRIAGE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 32 OF 2023)**
(The Hon. Peter Masara, M.P.)
First Reading
- 11*. **MOTION – THE ESTABLISHMENT OF THE NATIONAL DIALOGUE COMMITTEE**
(The Leader of the Majority Party and the Leader of the Minority Party)

AWARE THAT Article 1(1) of the Constitution provides that all sovereign power belongs to the people of Kenya and shall be exercised only in accordance with the Constitution;

...../11*(Cont'd)

FURTHER AWARE that Article 1(2) of the Constitution provides that the people of Kenya may exercise their sovereign power either directly or through their democratically elected representatives;

CONSCIOUS that Article 10 of the Constitution espouses the national values and principles of governance, which include the rule of law, democracy and participation of the people;

FURTHER CONSCIOUS that Article 94 of the Constitution provides that Parliament manifests the diversity of the nation, represents the will of the people, and exercises their sovereignty;

RECOGNISING that there is a need to embrace consultation, dialogue and consensus building as a way of resolving issues of concern to the people of Kenya;

COGNIZANT that despite the constitutional and legal reforms on the electoral processes and the electoral laws, after every election cycle there has been mistrust of electoral outcomes, leaving the country divided;

FURTHER COGNIZANT that efforts to enhance constitutionalism, the rule of law and respect for human rights need to be promoted;

AWARE that there have been previous calls and attempts at building consensus on issues of concern to the people of Kenya through bi-partisan engagements in Parliament;

APPRECIATING the need to establish an inclusive forum for dialogue, consultation and consensus building in seeking to promote the peace, stability and prosperity of the country;

ACKNOWLEDGING THAT the Majority Party in Parliament and the Minority Party in Parliament have agreed to embrace dialogue through the establishment of a *National Dialogue Committee* to recommend a way forward on issues of concern to the people of Kenya;

NOW, THEREFORE, the Houses of Parliament **RESOLVE AS FOLLOWS:-**

1. **THAT** the two Houses of Parliament establish a *National Dialogue Committee* consisting of ten (10) Members to represent the Kenya Kwanza Alliance (“**Kenya Kwanza**”), a coalition constituting the Majority Party of the Parliament of the Republic of Kenya and Azimio La Umoja One Kenya Coalition Party (“**Azimio**”), a coalition forming the Minority Party of the Parliament of the Republic of Kenya;
2. **THAT** each Coalition shall appoint five (5) Members to the *National Dialogue Committee*;
3. **THAT** the membership of the *National Dialogue Committee* shall be drawn from Parliament and outside Parliament;
4. **THAT** the *National Dialogue Committee* shall comprise the following Members to represent Kenya Kwanza:

...../11*(Cont'd)

- (i) Hon. Kimani Ichungw'ah (**Delegation Leader**);
 - (ii) Gov. Cecily Mbarire (**Deputy Delegation Leader**);
 - (iii) Hon. Sen. Aaron Cheruiyot;
 - (iv) Hon. Omar Hassan Omar; and
 - (v) Hon. Catherine Wambilianga.
5. **THAT** the *National Dialogue Committee* shall comprise the following Members to represent Azimio:
- (i) H. E. Stephen Kalonzo Musyoka (**Delegation Leader**);
 - (ii) Hon. Opiyo Wandayi (**Deputy Delegation Leader**);
 - (iii) Hon. Amina Mnyazi;
 - (iv) Hon. Eugene Wamalwa; and
 - (v) Hon. Sen. Okong'o Mogeni.
6. **THAT** the mandate of the *National Dialogue Committee* shall be to facilitate dialogue and consensus building and recommend appropriate constitutional, legal and policy reforms on issues of concern to the people of Kenya, to be framed by the *National Dialogue Committee*, in line with the Constitution and the laws of the Republic of Kenya and respecting the functional and institutional integrity of state organs.

THE HOUSES OF PARLIAMENT NOTES: -

7. **THAT** the Technical Teams representing Kenya Kwanza and Azimio shall support the *National Dialogue Committee*.
8. **THAT** the Technical Team representing Kenya Kwanza shall comprise the following persons:
- (i) Dr. Muthomi Thiankolu;
 - (ii) Dr. Linda Musumba;
 - (iii) Dr Duncan Ojwang; and
 - (iv) Nick Biketi.
9. **THAT** the Technical Team representing Azimio shall comprise the following persons:
- (i) Hon. Jeremiah Kioni;
 - (ii) Prof. Adams Oloo;
 - (iii) Abubakar Zein Abubakar; and
 - (iv) Lynn Ngugi.
10. **THAT** further the *National Dialogue Committee* shall be assisted by two (2) Officers designated as Communication Secretaries, one (1) of whom shall be appointed by the Leader of Majority Party and the other by the Leader of Minority Party.

THE HOUSES OF PARLIAMENT FURTHER RESOLVE: -

11. **THAT** the *National Dialogue Committee* shall formulate and adopt a Framework Agreement to guide the bi-partisan talks.
12. **THAT** the *National Dialogue Committee* shall report to the Leadership of Kenya Kwanza and Azimio Coalitions within sixty (60) days and after that, submit its report to Parliament.

- 13. **THAT** in the execution of its mandate, the *National Dialogue Committee* may invite, engage with and consider submissions from stakeholders, collate views from the public and engage experts, professionals and other technical resource persons as necessary.
- 14. **THAT** the *National Dialogue Committee* shall determine its own rules of procedure.
- 15. **THAT** the Speakers and Clerks of both Houses of Parliament shall provide secretariat and any other necessary support to facilitate the work of the *National Dialogue Committee*.

12*. THE SUGAR BILL (NATIONAL ASSEMBLY BILL NO. 34 OF 2022)

(The Hon. Emmanuel Wangwe, M.P.)

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

16*. MOTION – REPORT OF THE KENYA DELEGATION TO THE 146TH ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN THE KINGDOM OF BAHRAIN

(Member of the Delegation)

THAT, this House **notes** the Report of the Kenya Delegation to the 146th Assembly of the Inter-Parliamentary Union (IPU) and related Meetings, held in Manama, Kingdom of Bahrain from 11th to 15th March 2023, laid *on the Table of the House on Wednesday, 14th June 2023*.

17*. 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)

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.*

18*. MOTION – REPORT ON THE 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.*

19*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 60 OF 2022)

(The Leader of the Majority Party)

Second Reading

Denotes Orders of the Day

NOTICES

NOT LATER THAN 3.00 P.M.

I. QUESTION TIME IN PLENARY

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

LIMITATION OF DEBATE

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

Limitation of Debate on 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 Individual Members' Bills

- III. 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 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 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.
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NOTICE PAPER

Tentative business for **Thursday, August 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 Thursday, August 17, 2023–

A. THE HOUSES OF PARLIAMENT (BICAMERAL RELATIONS) BILL
(NATIONAL ASSEMBLY BILL NO. 44 OF 2023)

(The Hon. Samuel Chepkong'a, M.P.)

First Reading

B. MOTION – THE ESTABLISHMENT OF THE NATIONAL
DIALOGUE COMMITTEE

(The Leader of the Majority Party and the Leader of the Minority Party)

(If not concluded on Wednesday, August 16, 2023 – Afternoon Sitting)

C. THE ANTI-MONEY LAUNDERING AND COMBATING OF
TERRORISM FINANCING LAWS (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILL NO. 35 OF 2023)

(The Leader of the Majority Party)

Second Reading

D. MOTION – REPORT OF THE KENYA DELEGATION TO THE
146TH ASSEMBLY OF THE INTER-PARLIAMENTARY
UNION (IPU) AND RELATED MEETINGS HELD IN
THE KINGDOM OF BAHRAIN

(Member of the Delegation)

(If not concluded on Wednesday, August 16, 2023 – Afternoon Sitting)

E. 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 Wednesday, August 16, 2023 – Afternoon Sitting)

F. MOTION – REPORT ON THE 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, August 16, 2023 – Afternoon Sitting)

G. MOTION – REPORT ON EMPLOYMENT DIVERSITY AUDIT IN PUBLIC INSTITUTIONS

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

H. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 60 OF 2022)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, August 16, 2023 – Afternoon Sitting)



A P P E N D I X

NOTICE OF PETITIONS, QUESTIONS & STATEMENTS

ORDER NO. 4 - PETITIONS

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

No.	Subject	Petitioner(s)	Relevant Committee
46/2023	Payment of retirement dues and pension for retired teachers	<i>To be presented by the Hon. Peter Mbogho (Mwatate) on behalf of retired teachers</i>	Public Petitions
47/2023	Deployment of classroom teachers in schools across the country	<i>To be presented by the Hon. Charles Ngusya (Mwingi West) on behalf of retired teachers</i>	Public Petitions

ORDER NO. 7 - QUESTIONS

It is notified that, pursuant to the provisions of Standing Order 42A (6B), the **Cabinet Secretary for Tourism, Wildlife and Heritage** will respond to questions in plenary on Wednesday (Afternoon), August 16, 2023 —

QUE. NO

ORDINARY QUESTIONS

076/2023

The Member for Mwingi Central (Hon. Gideon Mulyungi, MP) to ask the Cabinet Secretary for Tourism, Wildlife and Heritage: -

Could the Cabinet Secretary-

- (i) state the steps the Ministry is taking to resolve cases of human-wildlife conflict in country?
- (ii) outline the steps the Ministry is taking to resolve cases of human-wildlife conflict in Mwingi Central Constituency, particularly those resulting from attacks by elephants that have continued to endanger lives of residents and cause destruction of crops and other properties in *Ukasi, Musovo, Kivanza, Miuni* and *Sosoma* areas?
- (iii) clarify whether the Ministry has carried out audits and investigations on the magnitude of losses incurred by the residents of the Constituency as a result of the destruction caused by elephants since 2017 and if not, when does the Ministry intend to undertake the investigations into the menace?
- (iv) indicate when the Ministry will compensate victims of human-wildlife conflicts in Mwingi Central Constituency, particularly in *Ukasi, Musovo, Kivanza, Miuni, Sosoma and Ngooni* areas?

119/2023

The Member for Igembe North (Hon. Taitumu M'anaiba, MP) to ask the Cabinet Secretary for Tourism, Wildlife and Heritage: -

Could the Cabinet Secretary –

- (i) provide details on the measures being taken by the Government to restrain marauding elephants in Igembe North from attacking locals and destroying crops and property?
- (ii) state when residents who have incurred losses arising from the destruction of property and crops, including loss of lives and injuries caused by elephants between January and February 2023, will be compensated, particularly residents of *Malaene, Nginyo, Ndunyu Barikui, Kuuka and Luthaya* villages of *Ndoleli and Amwathi* wards in Mutuati Sub-County, Igembe North Constituency?

- (iii) explain the long-term measures the Government is taking to address the recurring menace of human-wildlife conflict in Igembe North?

218/2023

The Member for Bomet Central (Hon. Richard Kilel, MP) to ask the Cabinet Secretary for Tourism, Wildlife and Heritage: -

Could the Cabinet Secretary –

- (i) provide the total sum of money received by the Tourism Promotion Fund as the proceeds realized under Section 3 of the Air Passengers Service Charge Act (CAP 475)?
- (ii) provide a comprehensive list of all beneficiaries of the funds from the Tourism Promotion Fund as well as the proportions of funds allocated to each beneficiary since its inception?
- (iii) explain the manner in which these funds are managed by the Board including its evaluation?

226/2023

The Member for Sirisia (Hon. John Waluke, MP) to ask the Cabinet Secretary for Tourism, Wildlife and Heritage:

Could the Cabinet Secretary –

- (i) elaborate on the plans by the Government to revamp the tourism sector within the Western Kenya Tourism Circuit and explain the strategies aimed at promotion of cruise, adventure, culture and sports tourism in the Circuit starting from this year?
- (ii) state the amount of money that has been used in the promotion of the Western Kenya Circuit as a tourist destination, and what incentives the Ministry provides to encourage local investors to venture into tourism-related activities considering that the sector accounts for 10.4% of the country's Gross Domestic Product (GDP) and 5.5% of formal employment?
- (iii) outline measures that the Government is undertaking to promote both secure and accessible movement of tourists across the country and affordable accommodation in Hotels, restaurants and other social amenities?

227/2023

The Member for Ndhiwa (Hon. Martin Owino, MP) to ask the Cabinet Secretary for Tourism, Wildlife and Heritage:

Could the Cabinet Secretary –

- (i) state the amount of money that the Ministry allocated to Kenya Wildlife Service towards the maintenance of *Kadio – Kodumba – Mirogi* road?
- (ii) provide information relating to the tender and the eventual contractor who was awarded the tender to maintain the said road?
- (iii) explain why contractor was fully paid despite carrying out poor maintenance works on the road?

228/2023

The Member for Ganze (Hon. Kenneth Kazungu, MP) to ask the Cabinet Secretary for Tourism, Wildlife and Heritage:

Could the Cabinet Secretary state the efforts that the Ministry is undertaking to contain the elephant herds that have been a menace to residents of *Mwabera Jira* and *Mrima wa Ndege* in Ganze Constituency?

320/2023

The Member for Wajir East (Hon. Aden Daud, MP) to ask the Cabinet Secretary for Tourism, Wildlife and Heritage:

Could the Cabinet Secretary –

- (i) explain how the Cabinet Secretary manages to handle oversight authority on all tourism matters whilst additionally serving as the chairperson of the Tourism Promotion Fund Board?
- (ii) clarify which officer will assume the oversight responsibilities of the Tourism Promotion Fund within the Ministry given the Cabinet Secretary's dual role?
- (iii) provide information regarding the placement of the Tourism Promotion Fund under the purview of the State Department of Tourism as specified in Executive Order No. 1?

321/2023

The Member for West Pokot County (Hon. Rael Kasiwai, MP) to ask the Cabinet Secretary for Tourism, Wildlife and Heritage:

Could the Cabinet Secretary explain the measures that the Government has instituted to rehabilitate and preserve Kapenguria Museum which is in deplorable state as a result neglect and underfunding considering it is a national heritage site where 'Kapenguria six' cells and *Chewoyet* native court are domiciled?

322/2023

The Member for Mandera South (Hon. Abdul Haro, MP) to ask the Cabinet Secretary for Tourism, Wildlife and Heritage:

Could the Cabinet Secretary –

- (i) state the value of compensation in Kenya Shillings for deaths and injuries caused to humans and livestock and damage to property or crops by wildlife, and whether this compensation amounts are adequate given the current socio-economic circumstances?
- (ii) provide the immediate steps taken to mitigate human-wildlife conflict in Mandera South in particular and Mandera County in general, in relation to the attacks on livestock and humans by snakes, hyenas and crocodiles?
- (iii) explain the circumstances that led to the death of Ms. *Fatuma Noor Ali* from *Abbey Umur, Elram Location, Kotulo sub county, Mandera South Constituency* who lost her life due to a third-degree injury by snake bite on 24th May 2016 as recorded through the Kenya Wildlife

Service Compensation claim form submitted to Mandera Station under Serial No. 694/MDR/2016, and further state the timelines within which the Government will compensate her family?

323/2023

The Member for Samburu County (Hon. Pauline Lenguris, MP) to ask the Cabinet Secretary for Tourism, Wildlife and Heritage:

Could the Cabinet Secretary –

- (i) provide the timelines within which the families and residents in Samburu County killed by wild animals, their crops destroyed and their livestock killed will be compensated, in view of the fact that they filed their claims and a compiled list was published by the Kenya Wildlife Service (KWS) in 2021?
- (ii) explain why KWS is yet to compensate these families and residents despite issuing a directive for them to open bank accounts in anticipation of receiving the funds?
- (iii) enumerate the steps taken by the Ministry to ensure timely compensation of the victims approved for compensation?

324/2023

The Member for Nyandarua County (Hon. Faith Gitau, MP) to ask the Cabinet Secretary for Tourism, Wildlife and Heritage:

Could the Cabinet Secretary –

- (i) expound on the steps taken by the Ministry to resolve human-wildlife conflict cases at *Mukindu* in Ol'kalou Constituency, particularly those resulting from attacks by hippos residing in *Kanguo* Dam that have continued to endanger the lives of residents as well as cause the destruction of crops and other properties?
- (ii) state when the Ministry plans to compensate the victims of human-wildlife conflicts in Nyandarua and whether it will consider fencing the more than 100-acre Dam as a long-lasting solution to the human-wildlife conflict?
- (iii) clarify whether the Ministry will consider desilting Lake Ol'bolossat as a measure to prevent future drying up of the lake?

325/2023

The Member for West Pokot County (Hon. Rael Kasiwai, MP) to ask the Cabinet Secretary for Tourism, Wildlife and Heritage:

Could the Cabinet Secretary explain the efforts that the Ministry has undertaken to resolve human-wildlife conflicts and settlement of approved compensation claims in *Nasolot* Game Reserve?
