



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, MAY 3, 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 – CONSIDERATION OF THE REPORTS OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS FOR THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND FOR TWENTY-SIX CONSTITUENCIES**

(The Chairperson, Decentralized Funds Accounts Committee)

THAT, this House **adopts** the Report of the Decentralized Funds Accounts Committee on the consideration of the Reports of the Auditor-General on the Financial Statements for the National Government Constituencies Development Fund for Twenty-Six Constituencies in the Counties of Mombasa, Kilifi, Kwale, Taita Taveta, Lamu and Tana River for financial years 2013/2014, 2014/2015, and 2015/2016, *laid on the Table of the House on Tuesday, 25th April 2023.*

(Resumption of debate interrupted on Tuesday, May 2, 2023)

9*. **MOTION – REPORT ON THE UNITED NATIONS CONVENTION AGAINST CORRUPTION (UNCAC) AND GLOBAL PARLIAMENTARIANS AGAINST CORRUPTION (GOPAC)**

(The Leader of the Delegation)

THAT, this House **notes** the Report of the Kenya Delegation to the Parliamentary Dialogue on United Nations Convention Against Corruption (UNCAC) and Global Parliamentarians Against Corruption (GOPAC) Annual General Meeting, held in Doha, Qatar from 8th to 9th March 2023, *laid on the Table of the House on Wednesday, 26th April, 2023.*

10*. **MOTION – GENERAL DEBATE ON THE PROPOSAL TO PARLIAMENT TO CONSIDER AMENDING THE CONSTITUTION AND THE STANDING ORDERS**

(The Leader of the Majority Party)

THAT, noting the contents of a Memorandum submitted to Parliament by His Excellency the President asking Parliament to consider initiating amendments to the Constitution; **Acknowledging that**, actualization of the proposals which relate to, *inter alia*, the composition of Parliament as provided for in Articles 97 and 98 of the Constitution in order to attain the two-thirds gender principle, the creation of the office of Leader of Official Opposition in Parliament, and the inclusion of various funds in the Constitution, would necessitate amendment to the Constitution, while the restructuring of parliamentary oversight to allow for Cabinet Secretaries to appear before the Houses of Parliament to respond to Questions by Members would require the amendment of Standing Orders; **Further acknowledging that**, the Speaker, vide a Notification issued on 9th December 2022 referred the matters raised in the Memorandum to the *Departmental Committee on Justice and Legal Affairs* with regard to proposals relating to the implementation of the Two-Thirds Gender principle and the establishment of the Office of the Leader of Official Opposition; *The Joint Parliamentary Ad Hoc Committee* with regard to proposals to amend the Constitution to entrench the Constituency Development, Senate Oversight and National Government Affirmative Action Funds; and *The Procedure & House Rules Committee* with regard to proposals to amend the Standing Orders to strengthen parliamentary oversight of the Executive, so as to facilitate public participation pursuant to Article 118 of the Constitution; **NOW THEREFORE**, pursuant to the provisions of Articles 1(2) and 95(2) of the Constitution, this House **notes, considers and makes general comments** on the proposals contained in the Memorandum by His Excellency the President.

(Resumption of debate interrupted on Wednesday, March 8, 2023 – Afternoon Sitting)

11*. 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 Education and the Cabinet Secretary for Energy and Petroleum 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 Other Committee Reports

- II. 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 on General Debate on the Proposal to Parliament to consider amending the Constitution and the Standing Orders

- III. THAT**, each speech on the debate on the Motion on the *General Debate on the Proposal to Parliament to Consider Amending the Constitution and the Standing Orders* shall be limited as follows: A maximum of twenty (20) minutes for the Mover in moving and ten (10) minutes in replying, and 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 in speaking 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

IV. 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.

NOTICE PAPER

Tentative business for Thursday, May 4, 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, May 4, 2023—

A. **MOTION – REPORT ON THE UNITED NATIONS CONVENTION AGAINST CORRUPTION (UNCAC) AND GLOBAL PARLIAMENTARIANS AGAINST CORRUPTION (GOPAC)**

(The Leader of the Delegation)

(If not concluded on Wednesday, May 3, 2023 – Afternoon Sitting)

B. **MOTION – GENERAL DEBATE ON THE PROPOSAL TO PARLIAMENT TO CONSIDER AMENDING THE CONSTITUTION AND THE STANDING ORDERS**

(The Leader of the Majority Party)

(If not concluded on Wednesday, May 3, 2023 – Afternoon Sitting)

C. **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, May 3, 2023 – Afternoon Sitting)

D. **ADJOURNMENT OF THE HOUSE IN ACCORDANCE WITH THE CALENDAR**

*...../Appendix**

APPENDIX

NOTICE OF PETITIONS, QUESTIONS & STATEMENTS

ORDER NO. 7 - QUESTIONS

It is notified that, pursuant to the provisions of Standing Order 42A(6B), the **following Cabinet Secretaries** will respond to question in plenary on Wednesday (Afternoon), May 3, 2023—

I. The Cabinet Secretary for Education—

QUE. NO

QUESTION BY PRIVATE NOTICE

QPN
006/2023

The Member for Embakasi West (Hon. Mark Mwenje, MP) to ask the Cabinet Secretary for Education: -

Could the Cabinet Secretary –

- (i) explain the action that the Ministry has taken against those responsible for invading Umoja 1 Primary School on 5th April 2023, give the status of investigations into the invasion and indicate whether there is any suspect(s) that has been arrested in connection with the incident?
- (ii) state the disciplinary actions that have been preferred against the headteacher and the Board of Management following the invasion of the school?
- (iii) explain why the school has allowed private enterprises to operate within the school compound and why a shipping container bearing National Youth Service (NYS) label is located in the school yet managed by private individuals?
- (iv) indicate why the headteacher and Board of Management (BOM) have employed armed youths to protect private enterprises operating illegally within the school compound?
- (v) explain why the transfer of the headteacher from the school in January 2023 following myriad of complaints from residents was stopped by Teachers Service Commission (TSC) despite a transfer letter having been issued?

QUE. NO**ORDINARY QUESTIONS**

102/2023

The Member for Teso North (Hon. Oku Kaunya, MP) to ask the Cabinet Secretary for Education: -

Could the Cabinet Secretary-

- (i) clarify whether the current domiciling of Junior Secondary Schools in primary schools is a temporary arrangement or learners will later be relocated to premises in secondary schools, and if so, when will they be relocated?
- (ii) provide information on the amount of public funds that were channeled towards construction of classrooms in secondary schools earmarked for Junior Secondary Schools countrywide and indicate the fate of those facilities given that Junior Secondary Schools are now domiciled in primary schools?

103/2023

The Member for Mandera South (Hon. Abdul Haro, MP) to ask the Cabinet Secretary for Education: -

Could the Cabinet Secretary –

- (i) state measures that the Ministry has put in place to introduce the school feeding programme in Mandera South Constituency in order to retain learners in schools in the hunger-stricken County?
- (ii) further state what measures the Ministry has put in place to ensure that the sixty-four (64) schools in Mandera South Constituency which do not have clean water or water storage tanks are supplied with clean water?
- (iii) explain what plans the Ministry has to ensure that children whose parents practice the nomadic lifestyle have uninterrupted access to education?

103A/2023

The Member for Teso North (Hon. Oku Kaunya, MP) to ask the Cabinet Secretary for Education: -

Could the Cabinet Secretary –

- (i) explain plans, if any, the Ministry has with a view to incorporating the Competency Based Curriculum (CBC) into the 8-4-4 curriculum as a way of addressing the

challenges that have affected the smooth transition from 8-4-4 to the CBC system?

- (ii) confirm whether the Ministry will meet the full costs of implementing the CBC, particularly purchase of resources necessary for carrying out CBC lessons?
- (iii) state the measures that the Ministry is taking to ensure that all the 1.2 million Grade 7 learners transition to Junior Secondary School?
- (iv) explain the fate of infrastructure that was earlier established in Secondary Schools using public funds in readiness for Junior Secondary Schools, which are now domiciled in primary schools?

112/2023

The Member for for Kiambu (Hon. Machua Waithaka, MP) to ask the Cabinet Secretary for Education: -

(Redirected from the Ministry of Foreign and Diaspora Affairs on 5th April, 2022)

Could the Cabinet Secretary –

- (i) explain why Government-sponsored students undertaking studies in Cuba, particularly those studying family medicine are not given sufficient/adequate monthly stipend commensurate to the high cost of living in Cuba?
- (ii) explain the reasons for the inordinate delays in remittance of this stipend to the said students?
- (iii) state any plans on how the Government intends to adequately cater for the affected students to ensure that they undertake their studies in a conducive environment?

II. The Cabinet Secretary for Energy and Petroleum—

QUE. NO

ORDINARY QUESTIONS

094/2023

The Member for Malindi (Hon. Amina Mnyazi, MP) to ask the Cabinet Secretary for Energy and Petroleum: -

Could the Cabinet Secretary explain the measures being taken to cushion water utility companies from high electricity prices per kilowatt given that transfer of the high costs for pumping and reticulation of water to consumers is hampering access to clean water, especially in drought-stricken counties like Kilifi County?

095/2023

The Member for Mandera South (Hon. Abdul Haro, MP) to ask the Cabinet Secretary for Energy and Petroleum: -

Could the Cabinet Secretary: -

- (i) provide a status report regarding electricity connectivity to homes and public institutions in Mandera South Constituency and explain the reasons why the Constituency is the only one out of six (6) constituencies in Mandera County that missed out on the 2nd and 3rd Phases of the Last Mile Connectivity Project?
- (ii) explain why the electrification programme in *Wargadud* area and in *Kotulo, Kutayu, Boji* and *Lebele* locations in Mandera South Constituency has stalled and indicate any plans for completing the said project, including replacement of faulty poles on the power line to *Wargadud*?
- (iii) state when transformers in the following areas will be supplied: *Bulla Power, Qobo-Dabacity, Bulla Qolati, El Safara Mosque, Bulla Moyale, Bulla Nguvu, Al-Uteybi 'A', Al-Uteybi 'B', Bulla Kisima, Elwak Secondary School* and its environs, *Irres Suki, Bulla Wagberi, Elwak Post Office* and its environs, *El-Hache* and its environs, *Elwak Girls Primary* and its environs, *Bulla Gesrebki, Bulla Watiti, Bulla Duse, El Ram A, Abbey Umur(El Ram B), Chachabole, Irres Kinto, Elele, Allo Boji, Kobb Adadi, Tutes* and *Burmayo*?

096/2023

The Member Lamu East (Hon. (Capt.) Ruweida Obo, MP) to ask the Cabinet Secretary for Energy and Petroleum: -

Could the Cabinet Secretary: -

- (i) explain the measures that the Ministry has put in place to ensure supply of reliable electricity to residents of *Faza* Ward in Lamu East Constituency?
- (ii) outline the plans that the Ministry has to compensate fishermen and traders in *Faza* Ward following massive losses incurred due to incessant power outages?

097/2023

The Member for Kibwezi East (Hon. Jessica Mbalu, MP) to ask the Cabinet Secretary for Energy and Petroleum: -

Could the Cabinet Secretary –

- (i) provide details of the number of public primary and secondary schools and other public institutions in Kibwezi East Constituency that are not connected to electricity and the steps being undertaken to ensure the said institutions are connected with electricity?
- (ii) outline measures that the Ministry has put in place to either service or replace dysfunctional and obsolete Solar PV Systems that were installed to provide uninterrupted power supply to various public institutions in the country and particularly in Kibwezi East Constituency, especially primary schools where power is critical for supporting the digital learning programme?

098/2023

The Member for Laisamis (Hon. Joseph Lekuton, MP) to ask the Cabinet Secretary for Energy and Petroleum: -

Could the Cabinet Secretary -

- (i) indicate when *Loiyangalani, Kargi Mt. Kulal, and South Horr* towns will benefit from electricity connectivity considering that they are not yet connected to the national power grid?
- (ii) explain what plans the Ministry has to ensure that the said towns are connected to sufficient and uninterrupted power supply considering that the said towns are rapidly growing with many education and health facilities among other public utilities that require power supply?

135/2023

The Member for Kathiani (Hon. Robert Mbui, MP) to ask the Cabinet Secretary for Energy and Petroleum: -

Could the Cabinet Secretary explain the causes of persistent power outages in the country and outline the long-term solutions the Ministry is taking to address the issue, including the timeline for implementation of the planned solutions?
