



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (THIRD SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**WEDNESDAY, MARCH 13, 2024 AT 9.30 A.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 COTTON INDUSTRY DEVELOPMENT BILL (SENATE BILL NO. 5 OF 2023)**

(The Hon. Mary Emaase, M.P. – Co-Sponsor)

Second Reading

*(Question to be put)*

**9\*. THE KENYA SIGN LANGUAGE BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2024)**

(The Hon. Umulkher Harun Mohamed, M.P.)

First Reading

**10\*. THE WHISTLEBLOWER PROTECTION BILL (NATIONAL ASSEMBLY BILL NO. 56 OF 2023)**

(The Hon. Irene Kasalu, M.P.)

First Reading

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

- (i) The Land (Amendment) Bill (National Assembly Bill No. 40 of 2022)  
(The Hon. Simon King'ara, M.P.)
- (ii) The Cancer Prevention and Control (Amendment) (No. 2) Bill (National Assembly Bill No. 45 of 2022)  
(The Hon. Abdul Rahim Dawood, M.P.)
- (iii) The Penal Code (Amendment) Bill (National Assembly Bill No. 56 of 2022)  
(The Hon. David Gikaria, CBS, M.P.)

12\*. MOTION: 027/2023 – DEVELOPMENT OF A SATELLITE-BASED CLIMATE CHANGE MONITORING POLICY  
(The Hon. Abdul Haro, M.P.)

**THAT**, aware that the Constitution recognizes the people’s respect for the environment as the country’s heritage and the commitment to sustaining the environment for future generations; further aware that the cyclic drought in the country has caused devastating effects and serious disruption to the economy; recognizing that climate change is a global problem with developing countries being the most affected as these regions are dependent on climate-sensitive sectors such as agriculture and forestry; further recognizing that the severe effects of climate change are already being experienced in the form of frequent droughts, flooding and other extreme weather occurrences; concerned that the current climate change monitoring mechanisms in the country are based on traditional methods which rely on ground observations and climate models which have limitations in terms of accuracy, timeliness and spatial coverage; noting that the country recently launched its first operational satellite to collect and transmit high- quality data; further noting that this technology can help in accurately monitoring and forecasting climatic and weather patterns; cognizant of the fact that other jurisdictions have made use of this technology to monitor climate change with marked positive impacts; appreciating that the use of technology especially satellite technology would allow enhanced monitoring that can have significant impact on sustainable environmental management; further appreciating that this technology would be useful in monitoring difficult-to-reach, expansive and unsafe areas; now therefore, this House **resolves** that the Ministry of Environment, Climate Change & Forestry develops a policy on IT that deploys the use of satellites in the monitoring and forecasting of climatic conditions with the objective of ensuring timely and accurate data collection to enhance the country’s capacity to respond to weather-related risks and vulnerabilities including climate change.

*(Resumption of debate interrupted on Wednesday, March 07, 2024 – Morning Sitting)*

*(Balance of time – 1 hour 12 minutes)*

13\*. MOTION: 019/2023 – POLICY FOR THE PROVISION OF MENTAL HEALTH SERVICES IN ALL HEALTHCARE FACILITIES  
(The Hon. Mishi Mboko, M.P.)

**THAT**, aware that Article 43(1)(a) of the Constitution provides that every person has the right to the highest attainable standard of health including the right to health care services; further aware that, mental health is a key determinant of overall health and socio-economic development; recognizing that, the Constitution assigns to the national government the responsibility of matters of health policy; concerned that, according to the World Health Organization (WHO), mental and neurological disorders are common and about ten (10) percent of the global population suffer from at least one mental health disorder at any given time; concerned that, psychiatric units are only available in a few facilities in the country and patients requiring psychiatric services have limited or no access to these facilities; acknowledging that, access to healthcare facilities would lead to improved overall

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health, increased economic productivity, social equity and improved quality of life for all; now therefore, this House **urges** the National Government, through the Ministry of Health, to collaborate with County Governments to develop a policy integrating mental health services in all healthcare facilities in the country.

14\*. MOTION: 025/2023 – PROVIDING A SAFETY NET FOR CAREGIVERS OF PERSONS WITH SEVERE DISABILITIES

(The Hon. Dorothy Ikiara, M.P.)

**THAT**, aware that, Article 21(3) of the Constitution provides that all State Organs have the duty to address the needs of vulnerable groups within the society; further aware that the persons with severe disabilities cash transfer programme (PWSD-CT) is one of the four cash transfer programmes implemented by the government as part of the overall social protection interventions; noting that caregivers undertaking the immense responsibility of providing daily care and assistance to persons with severe disabilities (PWSD) are oftentimes the immediate family members of the PWSD; concerned that, this causes a disproportionate burden on these families as persons who would otherwise be engaged in gainful employment or other activities to provide for the families are limited by these immense responsibilities; further concerned that, this loss of income opportunities and resources exacerbates the challenges faced by these families; cognizant that, the government ought to take action to recognize the invaluable contributions of caregivers and support them in caring for individuals with severe disabilities; now therefore, this House **resolves** that the government, through the Ministry of Labour & Social Protection, recognizes primary caregivers of persons with severe disabilities (PWSD) as a distinct category requiring social protection and support, and further, develops and implements a cash transfer programme for these primary caregivers.

15\*. MOTION: 028/2023 – ESTABLISHMENT OF A SCIENCE MUSEUM

(The Hon. John Kiarie, M.P.)

**THAT**, aware that, Article 11(2)(b) of the Constitution provides that the government shall recognize the role of science and indigenous technologies in the development of the nation; further aware that the Vision 2030 provides for the integration of information, communication and technology in the country's transformative agenda; concerned that, there exists no science museum for consolidating indigenous scientific and technological innovations, training and research purposes in the East Africa Region; appreciating that, integration of science and technology would greatly enhance Kenya's economic and societal success; noting that there is potential for growth in the technology sector by establishing a science museum; further noting that, the informal science education plays a key role in the progression of Science, Technology, Engineering and Mathematics (STEM); acknowledging that science museums operate as the nexus between science practitioners, policy-makers and the public; cognizant of the fact that, a science museum in the country would greatly impact on the economy of the country in the quest to become an industrialized nation; now therefore, this House **resolves** that, the national Government through the relevant Ministries establishes and operationalizes a science museum in the country.

16\*. MOTION: 033/2023 – SUPPORTING AND PROMOTING LOCAL FERTILIZER MANUFACTURING INDUSTRIES

(The Hon. Samuel Atandi, M.P.)

**THAT**, aware that, the Fertilizer and Animal Foodstuff Act, 2015 provides for the regulation of fertilizer importation in the country; further aware that, the Fertilizer and Animal Foodstuffs Board regulates the fertilizer and animal foodstuffs industry including the manufacture and production of fertilizers; noting that, the country currently relies heavily on imported fertilizer due to inadequate local production capacity; further noting that, the low local production leads to high costs for farmers, reducing their profits and results in an unhealthy reliance on imported fertilizer; concerned that, this scenario threatens the country's food security in case of supply disruptions and discourages local production; recognizing that local fertilizer production could lead to improved fertilizer quality, increased crop yields and a reduction in environmental harm caused by the use of substandard fertilizers; recalling that the country has the potential to produce fertilizer that could meet the country's domestic demand and also supply the regional market; further recognizing that there is need for the government to work with local producers to develop high quality fertilizer tailored to the needs of Kenyan farmers and crops; now therefore this House **resolves** that the National Government through the Ministry of Agriculture and Livestock Development, supports and promotes local fertilizer manufacturing industries by investing in research and development to bolster the domestic fertilizer manufacturing sector.

17\*. MOTION: 041/2023 – ESTABLISHMENT OF A PRIORITY BOARDING PROTOCOL FOR KENYA DEFENCE FORCES AND KENYA SPECIAL FORCES PERSONNEL ON LOCAL AIRLINES

(The Hon. (Capt.) Ruweida Obo, M.P.)

**THAT**, aware that, Article 239 provides for the National Security Organs, including the Kenya Defence Forces; further aware that, the Kenya Defence and Kenya Special Forces play an indispensable role in promoting and safeguarding national security in accordance with the Constitution; recognizing that, members of the Forces face life-threatening risks as they carry out their duties to protect our citizens, particularly in high-risk and volatile areas; noting that there is currently no token of appreciation for the remarkable dedication, service and sacrifices made by the Kenya Defence and Special Forces; acknowledging that it is important to accord special privileges and honours to our military and veteran personnel, akin to the practice observed in other countries including being allowed to access services like banking hall and boarding of flights ahead of the general public; further acknowledging that this practice would not only instill a sense of pride among the Kenya Defence and Kenya Special Forces personnel, but also enhance their morale and motivation, thereby boosting their performance and commitment to our national security; cognizant of the fact that there exists no national policy or framework to facilitate the implementation of such a practice; now therefore, this House **urges** that the National Government, through the Ministry of Roads and Transport,

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encourages local airlines to establish a priority boarding protocol for the Kenya Defence and Kenya Special Forces personnel which grants them the privilege to board local aircrafts before the general public.

18\*. MOTION: 045/2023 – REVIEW OF THE ELIGIBILITY AGE FOR ENROLMENT OF OLDER MEMBERS OF SOCIETY TO THE INUA JAMII CASH TRANSFER PROGRAMME

(The Hon. Majimbo Kalasinga, M.P.)

**THAT**, aware that Article 57 of the Constitution provides that the State shall take measures to secure the rights of older persons to live in dignity and to receive reasonable care and assistance from the State; noting that to actualize the provisions of Article 57 of the Constitution, the Government rolled out the *Inua Jamii* Cash Transfer Programme in 2015 to provide regular and predictable cash transfers to older persons aged seventy (70) years and above and who are not in receipt of a civil service pension; appreciating the success that the programme has recorded in alleviating poverty and suffering among older members of the society since its inception; noting that the government intends to progressively net more vulnerable and under-privileged members of the society with a view to reaching 2.5 million beneficiaries in the next three (3) years; concerned that, with respect to eligibility to the programme for older members of society, the guidelines requires them to have attained the age of seventy years; noting that, Article 260 of the Constitution defines an “older member of society” as one who has attained the age of sixty (60) years; concerned that capping the eligibility for enrolment to the *Inua Jamiii Programme* at the age of seventy years is discriminatory to the older members of society and negates the spirit of the Constitution entitling support to older members of the society; **now** therefore, this House **urges** the national Government, through the Ministry of Labour and Social Protection, to revise the age requirement for eligibility of elderly members to be enrolled to the *Inua Jamiii Programme* from seventy (70) years to sixty (60) years in line with the Constitution.

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**\*Denotes Orders of the Day\***

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**NOTICES**

**I. THE CANCER PREVENTION CONTROL (AMENDMENTS) (NO. 2) BILL (NATIONAL ASSEMBLY BILL NO. 45 OF 2022)**

Notice is given that the Chairperson of the Departmental Committee on Health intends to move the following amendments to the Cancer Prevention and Control (Amendment) (No. 2) Bill, 2022 at the Committee Stage—

**CLAUSE 3**

**THAT**, Clause 3 of the Bill be amended—

- (i) in the proposed new paragraph (ba), by deleting the words “persons with”;
- (ii) in the proposed new paragraph (bb), by deleting the word “treatment” and substituting therefor the words “the management”; and
- (iii) by inserting the following new paragraph immediately after the proposed new paragraph (bb)—

“(bc) to secure and regulate the use of e-health in cancer management and the provision of cancer diagnosis, treatment and rehabilitation services and other medical care related to cancer;”

**CLAUSE 4**

**THAT**, Clause 4 of the Bill be amended by deleting the proposed new subsection (3) and substituting therefor the following new subsection (3)—

“(3) The Institute shall collaborate with the national government, universities, colleges and the private sector to promote the training of oncology professionals”.



**LIMITATION OF DEBATE**

The House resolved on Wednesday, February 14, 2024 as follows—

**Limitation of Debate on Individual Members' Bills**

- II.** 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 Motions**

- III.** THAT, each speech in a debate on any **Motion, including a Special motion** shall be limited as follows: 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 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**

**Wednesday (Afternoon), March 13, 2024**

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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 Wednesday (Afternoon), March 13, 2024 –

**A. THE REGIONAL DEVELOPMENT AUTHORITIES BILL (NATIONAL ASSEMBLY BILL NO. 7 OF 2023)**

(The Chairperson, Departmental Committee on Regional Development)

Second Reading

*(Resumption of Debate interrupted on Tuesday, March 12, 2024)*

**B. MOTION – COMPLIANCE TO ARTICLE 54(2) OF THE CONSTITUTION REGARDING EMPLOYMENT OF PERSONS WITH DISABILITIES IN PUBLIC INSTITUTIONS**

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

**C. MOTION – REPORT OF THE AUDITOR-GENERAL ON FINANCIAL STATEMENTS OF SELECTED STATE CORPORATIONS**

(The Chairperson, Public Investments Committee on Commercial Affairs and Energy)

**D. MOTION – REPORTS OF THE AUDITOR-GENERAL ON THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND FOR FIVE CONSTITUENCIES IN VIHIGA COUNTY**

(The Chairperson, Decentralized Funds Accounts Committee)

**E. MOTION – REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS FOR THE KENYA SLUM UPGRADING LOW-COST HOUSING & INFRASTRUCTURE TRUST FUND**

(The Chairperson, Special Funds Accounts Committee)

**F. MOTION – INQUIRY INTO THE MAIZE FLOUR SUBSIDY PROGRAMME FOR THE FINANCIAL YEAR 2022/2023**

(The Chairperson, Departmental Committee Agriculture and Livestock)



**G. MOTION – REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS FOR THE LAND SETTLEMENTS FUND AND THE RAILWAY DEVELOPMENT FUND**

(The Chairperson, Special Funds Accounts Committee)

**H. MOTION – REPORTS OF THE AUDITOR-GENERAL ON THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND FOR NINE CONSTITUENCIES IN BUNGOMA COUNTY**

(The Chairperson, Decentralized Funds Accounts Committee)

**I. NOTICE - GENERAL COMMENTS ON THE LEGISLATIVE PROPOSALS TO AMEND THE CONSTITUTION UNDER STANDING ORDER 114(7A)**

(The Hon. Maj. (Rtd) Bashir Sheikh, M.P. and the Hon. Alice Ng'ang'a, M.P.)



# **APPENDIX**

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

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

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#### **(Questions to Constitutional Commissions and Independent Offices pursuant to Standing Order 42G)**

It is notified that, pursuant to the provisions of Standing Order 42G, the following Member will ask questions to a Constitutional Commission for reply before the specified Committee—

<b><u>QUE. NO.</u></b>	<b><u>ORDINARY QUESTION</u></b>
044/2024	<p><b>The Member for Kibwezi West (Hon. Mwengi Mutuse, OGW, MP) to ask the National Land Commission: -</b></p> <p>Could the Commission –</p> <ul style="list-style-type: none"><li>(i) Explain reasons for delayed payment of compensation to residents whose land was compulsorily acquired for the construction of <i>Kibwezi – Kitui Road</i> and parking for lorries in <i>Kibwezi Town</i> in 2017?</li><li>(ii) State when owners of the compulsorily acquired parcels of land and plots will be compensated and whether the National Lands Commission has any plans to review the compensation upwards given that payment has been delayed since 2017?</li></ul> <p><i>(To be replied before the Departmental Committee on Lands)</i></p>
056/2024	<p><b>The Member for Mandera South (Hon. Abdul Haro, MP) to ask the Teachers Service Commission</b></p> <p>Could the Commission –</p> <ul style="list-style-type: none"><li>(i) explain the circumstances that led to the delay in workmanship compensation of <i>Mr. Mohamed Sheikh Ibrahim</i> of ID No. 9566896 and TSC No. 274712 since he was involved in a road accident on 27<sup>th</sup> December 1994 while on official duty?</li><li>(ii) state the actions taken to support his recovery considering that he suffered extensive brain damage which adversely affected both his eyes and memory?</li></ul> <p><i>(To be replied before the Departmental Committee on Education)</i></p>