



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, MARCH 20, 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*. PROCEDURAL MOTION– EXEMPTION OF CERTAIN BUSINESS FROM THE PROVISIONS OF STANDING ORDER 40(3)

(The Leader of the Majority Party)

THAT, this House resolves to exempt the business appearing as **Order Nos. 13, 16 and 17** in today's Order Paper from the provisions of Standing Order 40(3), being a Wednesday Morning, a day allocated for Business not sponsored by the Majority or Minority Party or Business sponsored by a Committee.

9*. PROCEDURAL MOTION– RESOLUTION TO HOLD A THURSDAY MORNING SITTING

(The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 30(3)(c), this House resolves to hold a **Morning Sitting on Thursday, 21st March 2024**, commencing at 9.30 am for purposes of considering priority Business ahead of the short recess.

10*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE LAND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 40 OF 2022)

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

THAT, this House do agree with the Report of the Committee of the Whole House on its consideration of the Land (Amendment) Bill (National Assembly Bill No. 40 of 2022).

(Question to be put and Third Reading)

- 11*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE CANCER PREVENTION AND CONTROL (AMENDMENT) (No.2) BILL (NATIONAL ASSEMBLY BILL NO. 45 OF 2022)
(The Hon. Abdul Rahim Dawood, M.P.)

THAT, this House do agree with the Report of the Committee of the Whole House on its consideration of the Cancer Prevention and Control (Amendment) (No.2) Bill (National Assembly Bill No. 45 of 2022).

(Question to be put and Third Reading)

- 12*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE PENAL CODE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 56 OF 2022)
(The Hon. David Gikaria, M.P.)

THAT, this House do agree with the Report of the Committee of the Whole House on its consideration of the Penal Code (Amendment) Bill (National Assembly Bill No. 56 of 2022).

(Question to be put and Third Reading)

- 13*. THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2024)
(The Chairperson, Budget and Appropriations Committee)

Second Reading

(Question to be put)

- 14*. 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

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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 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.

(Question to be put)

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

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

Second Reading

(Resumption of debate interrupted on Tuesday, March 19, 2024)

(Balance of time – 3 hours 7 minutes)

16*. COMMITTEE OF THE WHOLE HOUSE

The Division of Revenue Bill (National Assembly Bill No. 14 of 2024)

(The Chairperson, Budget and Appropriations Committee)

17*. THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2024)

(The Leader of the Majority Party)

Second Reading

18*. 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.

(Resumption of debate interrupted on Wednesday, March 13, 2024 – Morning Sitting)
(Balance of time – 1 hour 30 minutes)

19*. 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 health, increased economic productivity, social equity and improved quality of life for all; Health, to collaborate with County Governments to develop a policy integrating mental health services in all healthcare facilities in the country.

20*. 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.

21*. 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.

22*. MOTION: 035/2023 – ADOPTION OF GOVERNMENT-TO-GOVERNMENT (G2G) MODEL TO ACQUIRE AND SUPPLY FERTILIZERS TO FARMERS AT SUBSIDIZED COST

(The Hon. Geoffrey Ruku, M.P.)

THAT, aware that, Kenya is an agricultural-based economy with a significant portion of its population relying on farming for their livelihood; noting that, the quality and quantity of crop yields in Kenya has been hampered to a large extent by lack of adequate and quality fertilizers leading to decreased agricultural productivity and economic losses; further noting that, the government has committed to improving agricultural productivity through various initiatives including provision of subsidized fertilizers; concerned that the cost, quantity and quality of fertilizers and subsequently the cost of production of food crops and cash crops including coffee, tea and Miraa has increased due to a number of factors, among them high cost of fertilizers due to markup by private suppliers of fertilizers; further concerned that threat to food security is a threat to national security; recognizing that the Government-to-Government model has been noted to lower cost of products; further recognizing that, there are countries willing to enter into a G2G agreement; appreciating that G2G has been proven to be effective in provision of services that have a direct impact on citizens’ livelihood including the cost of living such as the supply of fertilizers, particularly in countries with similar agricultural conditions as Kenya; this House, therefore **resolves** that, the government, through

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the Ministry of Agriculture and Livestock Development and its agencies adopts-

- (i) the Government-to-Government (G2G) model in the acquisition and supply of fertilizers by identifying potential partner countries that have surplus and quality fertilizers; and
- (ii) a comprehensive programme for Government-to-Government (G2G) acquisition and distribution of fertilizers through, among others, Kenya Farmers Association (KFA), Kenya Tea Development Agency (KTDA), Coffee Board of Kenya, Kenya Planters Cooperative Union (KPCU), Kenya Grain Growers Cooperative Union, Pyrethrum Board of Kenya for increased agricultural productivity.

23*. 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, 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.

24*. 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

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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 Jamii 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 Jamii Programme* from seventy (70) years to sixty (60) years in line with the Constitution.

25*. MOTION: 001/2024 – FORMULATION OF A REWARD SCHEME FOR ACCOMPLISHMENTS BY SPORTS PERSONS IN INTERNATIONAL COMPETITION

(The Hon. Charles Ngusya, M.P.)

THAT, aware that, sports play an integral role in promoting cultural heritage, national identity, national development, the well-being of the people and sustenance of livelihoods, particularly of the youth; appreciating that, *Sessional Paper No. 3 of 2005* provides a framework for sports development and operationalization in the country; further appreciating that the *Sector Plan For Sports, Culture and Arts – 2018* by the Ministry of Sports, Culture and Arts mainstreamed sports development in the Third Medium Term Plan (MTP III) for 2018-2022, under Kenya’s Vision 2030; recognizing that, the Vision 2030 aims at capitalizing on the country’s international reputation as a world-class sports powerhouse whose sportsmen and women have won international accolades and recognition, especially for their prowess in athletics; concerned that, despite bringing honour and national pride to the country, most sports men and women face a myriad of challenges such as lack of psychosocial support and social protection, hence pushing many to alarming levels of mental health challenges during their careers and even after retirement; noting that *Sessional Paper No. 3 of 2005* contemplated motivation of sportspersons by the State through cash and material prizes, conferring State Honours, appointments as goodwill ambassadors and establishing contributory insurance and savings schemes among other forms of motivation; cognizant of the fact that, the prospect of receiving State recognition, financial grants, and other perks inspires sportsmen to push their limits in attaining their full potential as well as fostering a collective sense

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of pride in sporting achievements; now therefore, this House **urges** that the Government, through the Ministry of Youth Affairs, Sports and Arts, develops a policy and standardized sports reward scheme for recognizing the achievements made by sports persons in internationally recognized competitions, through–

- (i) financial rewards of Kshs. 6 million for setting new world records; Kshs. 4 million for Gold medalists; Kshs. 3 million for Silver medalists and Kshs. 2 million for Bronze medalists;
- (ii) non-financial motivation, including facilitation with issuance of diplomatic passports for established sportsmen and women, appointment as goodwill ambassadors and conferring national honours and privileges; and,
- (iii) establishing medical cover and a post-retirement social protection scheme, including establishing contributory insurance and savings schemes to support sports persons who retire from active sporting due to injuries or age.

Denotes Orders of the Day

NOTICES

LIMITATION OF DEBATE

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

Limitation of Debate on Motions

- I. **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.

Limitation of Debate on Bills sponsored by Parties or Committees

- II. **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 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.



NOTICE PAPER

Tentative business for

Wednesday (Afternoon), March 20, 2024

(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 20, 2024 –

A. THE NATIONAL GOVERNMENT ADMINISTRATION LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 73 OF 2023)

(The Leader of the Majority Party)

Second Reading

(Question to be put)

(Subject to Speaker's determination)

B. THE NATIONAL COHESION AND INTEGRATION BILL (NATIONAL ASSEMBLY BILL NO. 74 OF 2023)

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

First Reading

C. THE TREATY MAKING AND RATIFICATION (AMENDMENT) (No. 2) BILL (NATIONAL ASSEMBLY BILL NO. 9 OF 2024)

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

First Reading

D. COMMITTEE OF THE WHOLE HOUSE

(i) The Statute Law (Miscellaneous Amendments) (No. 2) Bill (National Assembly Bill No. 68 of 2023)

(The Leader of the Majority Party)

(ii) The Houses of Parliament (Bicameral Relations) Bill (National Assembly Bill No. 44 of 2023)

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

(Subject to conclusion of Second Reading on Wednesday, March 20, 2024 – Morning Sitting)

(iii) The Statutory Instruments (Amendment) Bill (National Assembly Bill No. 3 of 2024)

(The Leader of the Majority Party)

(Subject to conclusion of Second Reading on Wednesday, March 20, 2024 – Morning Sitting)

E. THE COUNTY LICENSING (UNIFORM PROCEDURE) BILL (SENATE BILLS NO. 9 OF 2022)

(The Chairperson, Departmental Committee on Trade, Industry and Cooperatives)

Second Reading

F. THE NATIONAL DISASTER RISK MANAGEMENT BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2023)

(The Leader of the Majority Party)

Second Reading

G. 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)

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

(The Chairperson, Departmental Committee Agriculture and Livestock)

I. 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)
