



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, DECEMBER 6, 2023 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. 11, 12, 15, 16, 17, 18 and 19** 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 – APPROVAL OF 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, 7th December 2023, commencing at 9.30 am for purposes of considering priority business ahead of the December recess.

- 10*. PROCEDURAL MOTION – REDUCTION OF PUBLICATION PERIOD OF A SPECIFIED BILL
(The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 120, this House resolves to reduce the publication period of the National Government Administration Laws (Amendment) Bill (National Assembly Bill No. 73 of 2023) from fourteen (14) days to twelve (12) days.

- 11*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE NATIONAL LOTTERY BILL (NATIONAL ASSEMBLY BILL NO. 69 OF 2023)
(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 Lottery Bill (National Assembly Bill No. 69 of 2023).

(Question to be put and Third Reading)

- 12*. MOTION – SESSIONAL PAPER NO. 2 OF 2023 ON THE NATIONAL TAX POLICY
(The Chairperson, Departmental Committee on Finance and National Planning)

THAT, this House **adopts** the Report of the Departmental Committee on Finance and National Planning on its consideration of the Sessional Paper No. 2 of 2023 on the National Tax Policy, *laid on the Table of the House on Thursday, 23rd November 2023*, and approves *Sessional Paper No. 2 of 2023* on the National Tax Policy as recommended in the Report.

(Question to be put)

- 13*. THE BASIC EDUCATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 59 OF 2023)
(The Hon. Mary Wamaua, M.P.)

First Reading

- 14*. THE ENVIRONMENTAL MANAGEMENT AND COORDINATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 66 OF 2023)
(The Hon. Irene Mayaka, M.P.)

First Reading

- 15*. THE NATIONAL GOVERNMENT ADMINISTRATION LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 73 OF 2023)
(The Leader of the Majority Party)

First Reading

- 16*. MOTION – CONSIDERATION OF THE PUBLIC FINANCE MANAGEMENT (ULINZI PRIME HEALTH SERVICES FUND) REGULATIONS, 2023
(The Chairperson, Committee on Delegated Legislation)

THAT, this House **adopts** the Report of the Committee on Delegated Legislation on its consideration of the Public Finance Management (Ulinzi Prime Health Services Fund) Regulations, 2023, *laid on the Table of the House on Tuesday, 5th December, 2023*, and pursuant to the provisions of section 24(4) of the Public Finance Management Act, 2012, approves the Public Finance Management (Ulinzi Prime Health Services Fund) Regulations, 2023 *published as Legal Notice No. 175 of 2023*.

17*. COMMITTEE OF THE WHOLE HOUSE

The Gambling Control Bill (National Assembly Bill No. 70 of 2023)
(The Leader of the Majority Party)

18*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) (No.2) BILL (NATIONAL ASSEMBLY BILL NO. 68 OF 2023)

(The Leader of the Majority Party)

Second Reading

19*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 67 OF 2023)

(The Leader of the Majority Party)

Second Reading

20*. MOTION: 012/2023 – BANNING THE GROWING OF EUCALYPTUS TREES IN THE COUNTRY

(The Hon. Moses Kirima, M.P.)

THAT, aware that, the eucalyptus tree species are popular among large scale and commercial tree farmers in Kenya; noting that, these tree species are grown in most ecological zones in the country and in particular in the *Western, Central Rift Valley, Central Kenya, parts of Eastern and the Coastal Regions* of the country; acknowledging that, farming of the eucalyptus trees has been on the rise due to their fast growth, good economic returns and diverse commercial uses such as transmission poles, fuelwood, timber, plywood, pulp, fencing posts and building materials among others; concerned that, eucalyptus trees species are majorly cited as high water depleting agents through high consumption, transpiration and evaporation thus causing the drying up of streams, rivers and depletion of groundwater water sources; deeply concerned that, the high depletion of water by the said trees has caused adverse negative effects on soil fertility, land degradation and are a serious threat to the biodiversity; recognizing that, due to the serious threats posed by the Eucalyptus trees to the biodiversity, there is need therefore for their removal and replacement with other types of trees to improve conservation of water sources and the ecosystem; this House **resolves** that the National Government through the Ministry of Environment, Climate Change and Forestry –

- (i) orders absolute banning of planting eucalyptus trees and encourages planting of indigenous species across the country;
- (ii) orders the uprooting of all eucalyptus trees and replacement with other varieties of trees particularly, indigenous species to ensure conservation of water sources and preserve the ecosystem; and
- (iii) initiates the process of putting in place punitive measures against persons who defy the above orders.

21*. MOTION: 013/2023 – ESTABLISHMENT OF STRATEGIC GRAIN STORAGE RESERVES AND SILOS IN CLOSE PROXIMITY TO SMALLHOLDER FARMERS
(The Hon. Jessica Mbalu M.P.)

THAT, aware that, agriculture is the backbone of the Kenya's economy contributing approximately 33% of the GDP and employing more than 40 percent of the total population and 70 percent of the rural population; noting that the sector's performance has been declining as a result of adverse effects of climate change, resulting in droughts, famine and food insecurity; further noting that Smallholder farming is predominantly rain-fed cereal grain farming and farmers experience boom harvest every time there is adequate rains; concerned that such farmers majorly lack proper post-harvest grain handling and modern storage facilities and resort to selling their harvest almost immediately after harvesting at low prices when market is flooded to reduce the risk of suffering losses through spoilage; cognizant of the fact that the current state of affairs exacerbates poverty in rural areas and there is need for instituting measures that boost local production to augment our grain reserves as stipulated under the National Food and Nutrition Security Policy, which would also lead to a reduction of grains imports in the country; this House now **resolves** that the Government through Ministry of Agriculture and Livestock Development establishes strategic grain storage reserves and silos in close proximity to smallholder farmers so as to address post-harvest inefficiencies.

22*. MOTION: 014/2023 – POLICY ON INTEGRATING A CURRICULUM FOR ENVIRONMENTAL CONSERVATION IN PRIMARY AND SECONDARY SCHOOLS
(The Hon. Umul Ker Kassim, M.P.)

THAT, aware that, Article 42 of the Constitution accords every person the right to a clean and healthy environment and that Article 69(1)(d) of the Constitution also mandates the State to encourage public participation in the management, protection conservation of the environment; concerned that, the prevailing climate change and global warming has adversely affected our ecosystems and biodiversity causing unprecedented droughts, food insecurity and famine thus affecting livelihoods and our economy, further concerned that, there is a general lack of awareness or insensitivity among our citizens regarding the place of environmental conservation in preserving our biodiversity; noting that, there is need to inculcate a culture of environmental conservation practices to restore and maintain balanced natural ecosystems, and ensure protection of biodiversity, including reducing the effects of pollution and conserving natural resources for our future generations; this House **resolves** that the Government through the Ministry of Environment, Climate Change and Forestry develops and implements a policy on integrating a curriculum for environmental conservation in primary and secondary schools in the Country.

23*. MOTION: 015/2023 – 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; 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.

24*. MOTION: 016/2023 – IMPLEMENTATION OF FIRST AID TRAINING AS A CORE SUBJECT IN SCHOOLS

(The Hon. Caleb Amisi, M.P.)

THAT, aware that first-aid training is a key component of Emergency Medical Response (EMR); further aware that first-aid response promotes a safer and healthier community by reducing accidents and injuries; noting that lack of first-aid training and skills among the general public has contributed to the aggravation of preventable injuries and accidents which, in some cases, has led to loss of lives; further noting that the current education system does not include first-aid training as a compulsory subject in the curriculum which deprives students of essential knowledge and skills necessary for their personal safety and that of persons around them; acknowledging that it is critical to equip students with the ability to assess and handle day-to-day emergencies in schools and at home; now therefore, this House **urges** the National Government through the Ministry of Education to develop and implement a comprehensive first-aid curriculum for schools across the country.

25*. MOTION: 017/2023 – ESTABLISHMENT OF A NATIONAL FUND TO SUPPORT VICTIMS OF GENDER-BASED VIOLENCE

(The Hon. Mary Emaase, M.P.)

THAT, aware that Article 29 of the Constitution provides the right of every person to freedom from any form of violence; further aware that, gender-based violence (GBV) is a serious violation of human rights with records indicating that one in every three women will experience sexual or physical violence in their lifetime; noting that according to the UN Refugee Agency (UNHCR), gender-based

violence includes sexual, physical, mental and economic harm inflicted in public or in private and may involve threats of violence, coercion and manipulation in the form of intimate partner violence, sexual violence, child marriage, and female genital mutilation; further noting that, timely response to and effective post-management of GBV incidences is critical in curbing the effects of these incidences to victims; concerned that at present, there are inadequate gender-based violence response centres and shelters in the country with limited resources being provided for victims seeking assistance; further concerned that, there are inadequate rehabilitation and reintegration programmes for victims and perpetrators of gender-based violence; recognizing that, victims of gender-based violence as well as perpetrators require specialized professional assistance for full reintegration into the community; this House therefore **resolves** that the Government through the relevant Ministry establishes a national fund to ensure all survivors of GBV have adequate, timely and unhindered access to quality services that meet their needs, and support victims of GBV to have access to timely and unhindered quality services.

26*. MOTION: 018/2023 – ADOPTION OF GOVERNMENT-TO-GOVERNMENT (G2G) MODEL TO ACQUIRE AND SUPPLY FERTILIZERS TO FARMERS AT SUBSIDISED 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 (G2G) model has been noted to lower cost of products; further recognizing that, there are countries willing to enter into a G2G agreements; appreciating that G2G has been proven to be effective in the 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 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;
- (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

..... /26*(Cont'd)

of Kenya, Kenya Planters Cooperative Union (KPCU), Kenya Grain Growers Cooperation Union (KGGCU), Pyrethrum Board of Kenya among others for increased agricultural productivity.

27*. MOTION: 019/2023 – POLICY AND FUNDING FOR SUGARCANE FARMING IN THE COUNTRY

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

THAT, aware that, commercial sugarcane production in Kenya was introduced in the early years of independence with an aim of eliminating dependence on sugar importation and contributing to economic transformation in the sugar belt and the country at large through agriculture; acknowledging that, at its pinnacle, the sugar industry significantly contributed to the country's National Gross Domestic Product (GDP) and became one of the largest employers which supported livelihoods of many Kenyans both directly and indirectly; concerned that, over the last 25 years, sugarcane farming particularly in Western Kenya has been declining significantly, thereby dipping sugar production from over 600,000 metric tonnes per year in the 1990s to less than 300,000 metric tonnes in recent years; noting that, the decline in sugarcane farming has forced local millers to operate far below their milling capacities and pushed the country to over-rely on net importation of sugar, which negatively impacts on the balance of trade; noting that, the decline in sugar production is attributable to factors such as mismanagement, interference and unfair competition from cheap imported sugar; further concerned that, state-owned sugar millers like Mumias Sugar Company and Nzoia Sugar Company ceased milling while owing farmers hundreds of millions of shillings; appreciating that, the Government has been putting in place strategies, policies and regulations to define roles of millers and major players and stakeholders in the sugar industry in a bid to revamp the sector; concerned that, the acute shortage of sugarcane resulting from mass abandonment of sugarcane farming continues to roll back initiatives for reviving sugar milling; recognizing that, further investment in revamping sugar companies before reviving sugarcane farming would occasion loss of the invested public funds instead of yielding success; now therefore, this House **resolves** that, the National Government, through the Ministry of Agriculture and Livestock Development, reviews the sugar development policies to provide that every investor-miller sets aside definite funds for development of sugarcane farming, incentivizing farmers to embrace sugarcane growing and to enhance cane production in each of the respective zones.

28*. MOTION: 020/2023 – 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

..... /28*(Cont'd)

assistance to persons with severe disabilities (PWSO) are oftentimes the immediate family members of the PWSO; 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 (PWSO) as a distinct category requiring social protection and support, and further, develops and implements a cash transfer programme for these primary caregivers.

29*. MOTION: 021/2023 – NATIONAL SENSITIZATION AND SUPPORT FOR COMBATING SICKLE CELL AND HAEMOPHILIA DISEASES
(The Hon. Peter Nabulindo, M.P.)

THAT, aware that Article 43(1) of the Constitution entitles every person to the right to the highest attainable standard of health, which includes the right to health care services; further aware that, every year, an estimated 14,000 children born in Kenya suffer from sickle cell and haemophilia diseases, with the highest prevalence rate being within Western, Nyanza and Coastal Regions; concerned that, failure to undertake sickle cell and haemophilia screening at birth hinders timely administration of appropriate treatment and other mitigation measures to forestall high infant mortality caused by preventable diseases like malaria; cognizant that, national population surveys does not include data on sickle cell and haemophilia diseases; concerned that, the dearth of data and information negatively hinders prioritization of resources and implementation of sickle cell disease management programs; recognizing that, the number infant deaths caused by the disease continues to grow as a result of underfunding due to lack of data on the number of cases of the killer disease; now therefore, this House **resolves** that the National Government, through the Ministry of Health, and in conjunction with county governments –

- (a) conducts awareness and sensitization programmes on sickle cell and haemophilia diseases and supports research and training for medical personnel on the two diseases; and
- (b) puts in place measures for mandatory screening of newborns sickle cell and haemophilia diseases in all public health facilities in the country in order to create a database to guide funding and other interventions aimed at curbing the diseases and reducing infant mortalities resulting from the diseases.

30*. MOTION: 022/2023 – 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.

31*. MOTION: 023/2023 – 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.

32*. MOTION: 024/2023 – AFFIRMATIVE ACTION PLAN FOR THE PROVISION OF WATER IN ARID AND SEMI-ARID AREAS

(The Hon. Mwengi Mutuse, M.P.)

THAT, aware that, Article 43 of the Constitution as read together with section 9 of the Water Act, 2016 provide for the access to clean, safe and adequate water for all citizens; further aware that, access to water guarantees human and animal health, food security, clean and sustainable environment among other socio-economic drivers; acknowledging that, with a population of nearly 53 million, about 28 million Kenyans lack access to safe water while 41 million lack access to improved sanitation; further acknowledging the rising water demand in the country and the growing water scarcity due to climate change, population growth, urbanization, water pollution, and poor management of water resources; noting that, the lack of clean, safe and adequate water affects economic activities, food security, education, and health and that the effects are especially evident in rural areas and urban slums; further noting that, with recurring drought, the country experiences acute water shortage resulting in loss of lives, livelihoods, as well as environmental degradation with arid and semi-arid (ASAL) areas being the most affected; recognizing that this has led to economic decline in these areas partly due to successive marginalization and/or under investment in water; further recognizing that, during rainy seasons, these areas experience destructive immense surface water flow sometimes leading to flooding, and that with adequate supply of water, these ASAL areas can greatly contribute to food security, employment and wealth creation hence reduce poverty and accelerate national economic growth; this House therefore **urges** the National Government through the relevant Ministry, to

- (i) institutionalize rainwater harvesting and storage in the country and particularly in the Arid and Semi-Arid areas; and
- (ii) develop an affirmative action programme for investment in water harvesting, purification, storage and distribution in the Arid and Semi-Arid areas.

33*. MOTION: 025/2023 – DEVELOPMENT OF A FRAMEWORK TO MITIGATE FLOOD HAZARDS

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

THAT, aware that the Constitution recognizes the people's respect for the environment and the determination to sustain it for the benefit of future generations; further aware that the country has been experiencing some of its worst flood events during the rainy season in recent years; concerned that the effects of climate change will exacerbate the frequency and intensity of these extreme flood events; further concerned that floods pose a direct threat to the safety and security of Kenyans causing significant loss of life and mass displacement which leads to severe economic setbacks; recognizing that there is need to take proactive measures by developing an actionable framework to implement strategic water harvesting techniques to mitigate against perennial flooding; acknowledging that rainwater harvesting would not only alleviate the destructive impacts of excessive runoff rainwater but also contribute to long-term water availability; now therefore, this

..... /33*(Cont'd)

House **urges** the national government through the Ministry of Environment, Climate Change and Forestry to develop a national framework providing for, among other things, the prevention and control of flooding in flood-prone areas in the country, emergency response coordination and evacuation, and long-term rainwater management systems through harvesting and storage.

34*. MOTION: 026/2023 – PROVISION OF APPROPRIATE ACCESS TO MARKETS IN THE COUNTRY

(The Hon. Beatrice Kemei, M.P.)

THAT, aware that, the Kenya Roads Act, 2007 mandates the various road authorities to, among other functions, control roads and road reserves, and access to roadside developments; further aware that, market centres are ordinarily constructed along road developments across the country; noting that, due to improper planning, some of the marketplaces have no access roads leading buyers and traders to encroach on the roads and road reserves; further noting that, there have been instances of accidents leading to multiple deaths due to this unregulated use of road development; appreciating that, proper access roads to market places would ease access by buyers and thereby avert accidents due to the converging of traders and buyers on roadsides, thus enhancing road safety and service delivery while providing opportunities for economic engagement for the traders; now therefore, this House **resolves** that the Government, through the Ministry of Roads & Transport, develops a framework to ensure that where market centres exist along road developments, appropriate access is provided including service lanes and access roads.

35*. MOTION: 027/2023 – 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.

36*. MOTION: 028/2023 – REGULATORY FRAMEWORK FOR THE MONEYLENDER INDUSTRY IN THE COUNTRY

(The Hon. Beatrice Kemei, M.P.)

THAT, aware that the Consumer Protection Act, 2012 provides for the protection of the consumer and prevention of unfair trade practices in consumer transactions in line with Article 46 of the Constitution; further aware that there exists unregulated moneylenders, commonly referred to as ‘*shylocks*’, that provide loans outside the scope of formal financial institutions; noting that with the repeal of the Moneylenders Act in 1984, unscrupulous business people have exploited the loopholes to the detriment of the general public; concerned that these lenders operate outside of the formal financial sector and as such, engage in predatory practices such as high interest rates, hidden fees, unclear terms and conditions and aggressive loan recovery methods; further concerned that the absence of clear and enforceable regulations is untenable and requires immediate remedy; recognizing that the effects of these unregulated operations extend beyond financial implications but are also social and emotional with reports of depression, family breakups and even instances of suicide by borrowers due to excessive penalties and harsh recovery methods; now therefore, this House **resolves** that the government, through the National Treasury and Economic Planning develops a framework to regulate unlicensed money lenders to promote a fair and sustainable financial system.

37*. MOTION: 029/2023 – FORMULATION OF A GOVERNMENT-TO-GOVERNMENT FRAMEWORK FOR IMPORTATION AND DISTRIBUTION OF ESSENTIAL FOODSTUFF AND GOODS

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

THAT, aware that, Kenya National Trading Corporation (KNTC) Ltd., a State Corporation in the Ministry of Industry, Trade & Investment; recalling that, KNTC was established under Session Paper No. 1 of 1965 in recognition of the importance of trade and industry in economic development of the then newly independent Kenya; noting that, among other functions, the corporation acts as the procurement agent for the government and participates in promotion of wholesale and retail trade with a view to strengthening and promoting supply chain of essential products in the country; appreciating that the corporation plays a crucial role in supporting Micro, Small & Medium Enterprises (MSME) sector through the supply of raw materials, provision of consultancy services and the identification of markets for their products; concerned that the price of foodstuffs and other essential basic commodities in the country have incredibly risen, causing majority of Kenyan households financial distress in the face of surging inflationary pressures, weakening shilling, high cost of fossil fuels, supply chain gaps, declining agricultural productivity orchestrated by high input prices, climate change and variability; concerned that, the decline in local food production has been

..... /37*(Cont'd)

progressively pushing Kenya to the edge of becoming a net importer of foodstuff; noting that the prices of foodstuff and other essential goods imported into the country by merchants have also been on the rise; acknowledging that Government-to-Government arrangements and frameworks are important divers in trade, economic integration and bears better outcomes in pushing downward pressure on costs for goods and stabilizing market supply conditions; now therefore, this House now **resolves** that the Ministry of Industry, Trade & Investment urgently establishes a framework for Government-to-Government contractual agreements for importation and distribution of foodstuff and other essential goods in the country through the Kenya National Trading Corporation Ltd. with a view to normalizing market supply conditions and prices for such basic food commodities.

38*. MOTION: 030/2023 – **POLICY FRAMEWORK FOR GOVERNMENT-TO- GOVERNMENT SOURCING OF ELECTRICITY EQUIPMENT AND ON CONNECTION AND BILLING OF ELECTRICITY INFRASTRUCTURE**
(The Hon. Geoffrey Ruku, M.P.)

THAT, acknowledging that, Kenya Vision 2030 identifies energy as an enabler to achieving social, economic and political pillars and that access to affordable, reliable and quality power is crucial for economic growth and development; aware that, prompt connectivity to affordable and stable electricity power is an essential enabler for spurring rural economies, thus contributing to national growth and development towards attainment of the Vision 2030; recognizing that, the Kenya Power Company Ltd. is the is national electricity utility company responsible for connection and billing of electricity to customers throughout the country and it also undertakes electricity licensing, metering, billing, offering emergency electricity services and customer relations; concerned that, the cost of electricity in the country has increased significantly over the years thus burdening households and industrial users with high costs of production; further concerned that the protracted chain of stages that characterize the processing of new electricity connections, coupled with delays in importation of critical electricity connection equipment such as transformers, conductors and meters overseas causes a red tape that results in inordinate delays in concluding new connections to electricity; considering that the convoluted process of connection to electricity and attendant management challenges that grapple the Kenya Power in managing electricity in the country bear serious implications on cost of living and retard economic growth by making businesses less competitive thereby diverting potential investments to other economies in the region; cognizant of the fact that, Government-to-Government procurement is an important factor in trading and efforts towards increased economic integration and bears better outcomes in curbing supplies hitches, in order to increase operational efficiency and impacting the overall prices of electricity, this House **resolves** that the Ministry of Energy to –

- (i) formulate a policy framework Government-to-Government agreements to facilitate local assembly of essential equipment for electricity connections

such as transformers, conductors, meters and attendant equipment in order to address unwarranted supply hitches and to guarantee quality assurance of the equipment; and,

- (ii) formulates management contracts with contractors with private entities to manage power connections and billing services on behalf of the Kenya Power with a view to enhancing efficiency.

39*. MOTION: 031/2023 – MANDATORY GUIDANCE AND COUNSELING TO ALL STUDENTS IN PRIMARY AND SECONDARY SCHOOLS

(The Hon. Rahab Mukami, M.P.)

THAT, aware that most pupils in primary and secondary schools are currently facing ethical behavioral challenges, manifested in the rampant cases of drug and substance abuse, socially unacceptable sexual misadventures and anti-social behavior that has contributed to their poor study habits, academic under-achievement and increased conflict with parents, teachers and guardians, noting that there have been increased cases of school violence in the form of school strikes and burning of schools, cognizant of the fact that a breakup from cultural norms, rising unemployment rates and stress from parents among other factors has heightened and negatively affected the students behavior’s in schools leading to increased suspensions or expulsions and drop outs; deeply concerned that students from families experiencing domestic violence, separation, single parenthood, terminal illnesses and the recent COVID-19 pandemic among other myriad of problems are prone to depression; appreciating that there is need for guidance of teenagers at their formative stages in life; this House therefore **urges** that the Government through the Ministry of Education introduces mandatory weekly guidance and counseling to all students in primary and secondary schools in Kenya by redefinition of counselors’ roles, restructuring curriculum programs, implementation of comprehensive school counseling programs and development of systemic support.

40*. MOTION: 032/2023 – DEVELOPMENT OF MEASURES TO MITIGATE DIGITAL EXCLUSION

(The Hon. Marianne Kitany, M.P.)

THAT, aware that the Government of Kenya has prioritized digitization and automation of government processes and services as part of the Kenya Digital Master Plan (2022-2030), the blueprint for leveraging and deepening the contribution of information and communications technology (ICT) to accelerate the country’s economic growth; further aware that, the Government is committed to consolidating the industrial, academic institutions and other innovators to co-invest in emerging technologies to create high-quality jobs that leverage on artificial intelligence, robotics and other technologies; cognizant of the fact that, the Government intends to increase internet broadband connectivity across the country through construction of 100,000 km of national fiber optic connectivity network; concerned that, as the country rapidly digitizes services and processes, the high costs of data, internet services as well as purchase of internet-enabled digital

devices may lead to digital exclusion of a majority of Kenyans; recognizing that, there is need to bridge the existing gap in ICT to ensure inclusivity in access to internet make Kenya a regional ICT hub while keeping pace with shifting technological changes; noting that, the Government's plan for a digital superhighway may not be realized without deliberate interventions to lower data costs; now therefore, this House **resolves** that, the Government, through the Ministry of Information, Communication and the Digital Economy formulates a policy to:

- (a) regulate internet billing by Internet Service Providers (ISPs) by providing for metered billing of internet use based on consumption in order to mitigate exploitation and secure economic interests of internet users in line with Article 46 of the Constitution; and,
- (b) require Internet Service Providers to develop and deploy quality metered billing systems capable of monitoring customer usage, convert to readable details and creating invoices based on consumption and align their metrics with the value the customers get from various internet services.

41*. **MOTION: 033/2023 – FORMULATION OF A REGULATORY FRAMEWORK ON ARTIFICIAL INTELLIGENCE IN THE COUNTRY**
(The Hon. Marianne Kitany, M.P.)

THAT, aware that the world is rapidly embracing Artificial Intelligence (AI), which is the use of a digital computer or computer-controlled robots to perform tasks commonly associated with intelligent beings; acknowledging that, the 2022 Government Artificial Intelligence Readiness Index report ranked Kenya fifth in Africa and 90th globally in readiness to adopt Artificial Intelligence (AI); further acknowledging that the Oxford Insights Survey 2022 pegged Kenya's readiness to adopt AI at 40.3%; appreciating that AI has brought forth positive benefits that have increased efficiency in different sectors such as healthcare, manufacturing and robotics; concerned that, the exponential rate at which Artificial Intelligence is being embraced in the society without proper regulatory mechanisms has caused various negative consequences such as rising cases of disinformation and fake news; noting that there is need to protect Kenyans from the potential AI-instigated harms such as privacy breaches, AI-powered fake technology algorithms, algorithmic discrimination, autonomous weapons, job displacement and economic inequality, social manipulation and misinformation, financial market manipulation, and privacy invasion; now therefore, this House **urges** the Government, through the Ministry of Information, Communication and the Digital Economy to:

- (a) formulate a regulatory framework and ethical guidelines for implementation of Artificial Intelligence (AI) in the country to control its potential misuse; and,
- (b) develop and execute a public awareness programme on Artificial Intelligence to raise understanding of AI, foster transparency and promote responsible use of AI for the benefit of all.

42*. MOTION: 034/2023 – ESTABLISHMENT OF A NATIONAL POLICY TO COMBAT OBSTETRIC VIOLENCE
(The Hon. Gathoni Wamuchomba, M.P.)

THAT, aware that, Article 43(1)(a) provides for the right of every person to access the highest attainable standard of health; further aware that, poor quality of health services especially maternal care has been a recurring concern among women in the country; noting that there is increased pre- and post-partum mistreatment and dehumanized care of women by healthcare providers, also known as *obstetric violence*; further noting that obstetric violence includes, but is not limited to, disrespectful and abusive behaviour, physical and verbal abuse, neglect, forced medical procedures, humiliation and assault in healthcare settings; concerned that sustained class-based disparities shape different maternal and infant health outcomes with women of low socio-economic status experiencing greater levels of obstetric violence; further concerned that these not only affect women's physical and mental health, but also impact on the overall health outcomes of mothers and their newborns, significantly contributing to high maternal mortality rates; cognizant of the fact that there exists no national policy or framework to address and prevent obstetric violence; now therefore, this House **resolves** that the National Government, through the Ministry of Health, develops a policy on prevention of obstetric violence in healthcare facilities in the country and providing for a framework for regular monitoring and reporting of cases to curb incidences of pre- and post-partum mistreatment of women seeking health services.

43*. MOTION: 035/2023 – 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.

44*. MOTION: 036/2023 – ESTABLISHMENT OF A REGULATORY FRAMEWORK FOR CRYPTOCURRENCY

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

THAT, aware that Article 231(2) of the Constitution mandates the Central Bank of Kenya (CBK) to formulate monetary policy, promote price stability, and to issue currency among other functions; further aware that the National Payments Systems Act provides that Central Bank may, by notice in the Gazette, designate a payment instrument if the Bank is of the opinion that the payment instrument is of widespread use as a means of making payment and may affect the payment systems of Kenya; or to protect the interests of the public or of the integrity of the payment instrument; noting that use of cryptocurrency has gained traction in the recent past and has become an increasingly significant aspect of the modern financial ecosystem; further noting that Kenya is the amongst the leading countries in cryptocurrency ownership in Africa; concerned that the widespread use of cryptocurrency in the country without regulation could drive financial instability, market manipulation and potential illegal financial activities; further concerned that if left unregulated, cryptocurrencies may unofficially replace and devalue the domestic currency; cognizant of the fact that the Finance Act, 2023 introduced tax on income derived from the transfer or exchange of digital assets which include cryptocurrencies, digital documents, audible content, motion picture, and other related digital data; acknowledging that there is need to establish a regulatory framework to ensure mandatory registration of cryptocurrency and digital wallets; now therefore, this House urges the National Government, through the National Treasury & Economic Planning, to develop a framework for the establishment of a regulatory framework on the use of cryptocurrencies in the country and provide for licensing, governance and operations of cryptocurrency-related business.

45*. MOTION: 037/2023 – FORMULATION OF A LAND USE POLICY ON ZONING OF LAND FOR AGRICULTURE AND BUILT DEVELOPMENT

(The Hon. Timothy Wanyonyi, M.P.)

THAT aware that land is a critical but limited factor of production that supports human habitation and food production; noting that, agriculture is Kenya's main awwa- economic mainstay; appreciating that, that the Central Bank of Kenya (CBK) *Monetary Policy Committee Agriculture Sector Survey 2022* estimated the contribution of the agriculture sector to the country's Gross Domestic Product (GDP) to be 22% directly and 27% indirectly, through its linkages with other sectors; further appreciating that, the Survey showed that the sector employs over 40% of the Kenya's total population; concerned that, in the *Land Reform, Vol. 3* publication, the Kenya Land Alliance Land estimated that only 17% of the country's land mass is classified as suitable for rain-fed agriculture land while the remainder is either semi-arid or arid; further concerned that, the country's

agricultural productivity has been decreasing over the years; cognizant of the fact that, the decline in agricultural productivity is partly attributable to the shrinking agricultural land due to unplanned settlements that encroach on agricultural lands; further concerned that, agricultural lands in rural areas are continually being subdivided into small portions for built development, thereby diminishing the size of land available for agriculture; noting that, there is need to put in place measures for effective land use in the country in order to guarantee optimal use of agriculture; now therefore, this House **resolves** that, the Government, through the Ministry of Lands, Public Works, Housing and Urban Development puts in place a policy framework for effective land use in rural areas by consolidating and designating zones for built development for commercial and residential developments with shared public utilities and separate zones for agricultural use in order to arrest further diminishing of agricultural land and steady the country's agricultural productivity.

Denotes Orders of the Day

NOTICES

I. THE GAMBLING CONTROL BILL (NATIONAL ASSEMBLY BILL NO. 70 OF 2023)

1. Notice is given that the Chairperson of the Departmental Committee on Sports and Culture intends to move the following amendments to the Gambling Control Bill, 2023 at the Committee Stage—

LONG TITLE

THAT, the Long Title be amended by inserting the words “of Kenya” immediately after the words “Gambling Regulatory Authority”.

CLAUSE 2

THAT, clause 2 of the Bill be amended—

- (a) in the definition of “Authority” by inserting the words “of Kenya” immediately after the words “Regulatory Authority”;
- (b) by deleting the definition of “betting premises”;
- (c) by deleting the definition of “Committee”;
- (d) in the definition of “lottery” by deleting the words “or otherwise howsoever”;
- (e) by deleting the definition of “manufacture”;
- (f) by deleting the definition of “online gambling”;
- (g) by deleting the definition of “player”;
- (h) by deleting the definition of “pool betting”;
- (i) by deleting the definition of “winning”;
- (j) by inserting the following new definitions in their proper alphabetic sequence—
“beneficial owner” has the meaning assigned to it in the Companies Act;

“betting premises” means premises used for the purposes of betting to which the public has access and which are kept or used, on one or more occasions, for the purpose of—

- (a) bets being made therein between persons resorting to the premises and the owner, occupier or keeper thereof, or any person using the premises, or any person procured or employed by or acting for or on behalf of the owner, occupier, keeper or person using the premises, or of any person having the care or management or in any manner conducting the business thereof; or
- (b) any money or valuable thing being received by or on behalf of the owner, occupier, keeper or person aforesaid as or for the consideration for any assurance, undertaking, promise or agreement, express or implied, to pay or give, or for securing the paying or giving by some

other person of, any money or valuable thing on any horse race, or other race, fight, game, sport, lottery or exercise, or any other event or contingency;

“manufacture” means to produce, import, sell, lease, make available, distribute, maintain or repair a gambling device and may include—

- (a) to supply;
- (b) to perform maintenance of gambling equipment; or
- (c) to provide gambling services;

“online bookmaker” means a person who carries on any form of betting by means of remote communications, including virtual games, virtual sports as well as other forms of gambling;

“online gambling” means any form of gambling in which persons participate by the use of remote communication and on the internet;

“pool betting” means the making of bets, other than bets made by means of totalisator, whether the bets are made on the system known as a fixed odds betting or otherwise, by a number of persons on terms that the winnings of such of those persons as are winners shall be, or be a share of, or be determined by reference to, the stake money paid or agreed to be paid by those persons;

“punter” means a person who is in possession of a valid ticket or other kind of valid receipt issued by a licensee relating to gambling;

“reporting institution” has the meaning assigned to it in the Proceeds of Crime and Anti-Money Laundering Act;

“Tribunal” means the Gambling Appeals Tribunal established in section 91;”

CLAUSE 4

THAT, clause 4 of the Bill be amended in sub-clause (1) by deleting paragraph (h) and substituting therefor the following new paragraph—

“(h) pursuant to sections 2A, 36A, 36B and 36C of the Proceeds of Crime and Anti-Money Laundering Act, 2009, regulate and supervise the reporting institutions licensed under this Act;”

CLAUSE 5

THAT, clause 5 of the Bill be amended—

- (a) by deleting paragraph (a) and substituting therefor the following new paragraph—
 - “(a) implement and ensure compliance to this Act;”
- (b) in paragraph (b) by deleting the words “single business” and substituting therefor the words “trade”;

- (c) by deleting paragraph (d) and substituting therefor the following new paragraph—
“(d) ensure periodic monitoring and evaluation of betting, lotteries and gaming trade permits issued by county governments;”; and
- (d) by deleting paragraph (e) and substituting therefor the following new paragraph—
“(e) handle complaints and facilitate arbitration; and”

PART III

THAT, the title to Part III be amended by inserting the words “OF KENYA” immediately after the words “REGULATORY AUTHORITY”.

CLAUSE 6

THAT, clause 6 of the Bill be amended—

- (a) in sub-clause (1) by inserting the words “of Kenya” immediately after the words “Regulatory Authority”;
- (b) by deleting sub-clause (3) and inserting the following new sub-clause—
“(3) The Authority shall be the successor to the Betting Control and Licensing Board established under section 3 of the Betting, Lotteries and Gaming Act.”
- (c) by deleting sub-clause (4).

CLAUSE 7

THAT, clause 7 of the Bill be amended—

- (a) in sub-clause (1) by deleting paragraph (e) and inserting the following new paragraph—
“(e) three persons, not being public officers appointed by the Cabinet Secretary, being persons with background in finance, law, betting and lotteries or business management, provided that—
 - (i) one shall represent persons with disabilities; and
 - (ii) one shall represent faith-based organizations.
- (b) in sub-clause 3 by inserting the words “based on satisfactory performance” immediately after the words “one further term of three years”.
- (c) by deleting sub-clause (4) and inserting the following new sub-clause—
“(4) In appointing the members of the Board under subsection (1)(e), the Cabinet Secretary shall
 - (a) ensure that not more than two-thirds of the members are of the same gender,
 - (b) observe the principle of regional and ethnic balance; and
 - (c) have due regard to the principle of fair competition and merit as the basis for the appointments.”

CLAUSE 8

THAT, clause 8 of the Bill be amended—

- (a) in sub-clause (1) by deleting paragraph (d) and substituting therefor the following new paragraph—

“(d) was not a director, employee, or shareholder of a gambling operator in the preceding five years;”

- (b) in sub-clause (2) by inserting the words “without the option of a fine” immediately after the words “imprisonment for a term exceeding six months” appearing in paragraph (b);

CLAUSE 10

THAT, clause 10 of the Bill be amended in sub-clause (1)—

- (a) in paragraph (i) by deleting the word “within” appearing in the opening sentence;
 (b) by deleting paragraph (j);
 (c) by deleting paragraph (l); and
 (d) in paragraph (o) by inserting the words “and make determination on” immediately after the word “receive”.

CLAUSE 11

THAT, the Bill be amended by deleting clause 11 and substituting therefor the following new clause—

Gambling operation
 guidelines.

11. (1) The Cabinet Secretary shall, in consultation with the Authority, prescribe guidelines of practice on the manner in which facilities for gambling are operated, whether by the holder of a licence under this Act or by any other person.

(2) A guideline issued under subsection (1) shall describe arrangements that should be made by a person providing facilities for gambling for the purposes of—

- (a) ensuring that gambling is conducted in a fair and open way;
 (b) protecting children and other vulnerable persons from being harmed or exploited by gambling;
 (c) making assistance available to persons who are or may be affected by problems related to gambling;
 (d) protecting of vulnerable gamblers;
 (e) information and data protection in accordance with the Data Protection Act;
 (f) online payment protection;
 (g) creation of secure online gambling environment;
 (h) ethical and responsible marketing;
 (i) safety measures against criminal activities, anti-money laundering and terrorism; and
 (j) public awareness and education campaigns.

No. 29 of 2022.

(3) The Cabinet Secretary may, in consultation with the Authority, review the guidelines issued under this section.

(4) Before issuing or revising the guidelines under this section, the Cabinet Secretary and the Authority shall consult—

- (a) any person who represents licensing authorities;
- (b) the body responsible for the protection of the best interests of the child, as established in the Children Act;
- (c) any person who represents the Inspector General of Police;
- (d) any person who represents the interests of punters; and
- (e) the members of public in such manner as the Authority considers appropriate.

CLAUSE 12

THAT, the Bill be amended by deleting clause 12 and inserting the following new clause—

Powers of the Board.

12. (1) The Board shall have all powers necessary for the proper performance of its functions under this Act.

(2) Without prejudice to the generality of subsection (1), the Board shall have power to —

- (a) control, supervise and administer the assets of the Authority in such manner as best promotes the purpose for which the Authority is established;
- (b) receive any grants, gifts, donations or endowments made to the Authority and make disbursements therefrom in accordance with the provisions of this Act;
- (c) conduct such investigations as may be necessary for the enforcement of this Act;
- (d) approve the opening, operation and closing of the bank accounts of the Authority with the approval of the National Treasury;
- (e) conduct such investigations as may be necessary for the implementation of the Act;
- (f) inquire into any complaint against a licensee; and
- (g) undertake any activity necessary for the fulfilment of any of the functions of the Board.

CLAUSE 15

THAT, clause 15 of the Bill be amended by deleting the words “in consultation with relevant government agencies” and substituting therefor the words “on the advice of the Salaries and Remuneration Commission.”

CLAUSE 16

THAT, clause 16 of the Bill be amended in sub-clause (1) by deleting the words “in consultation with relevant government agencies” and substituting therefor the words “on the advice of the Salaries and Remuneration Commission,”

NEW CLAUSE

THAT, the Bill be amended by inserting the following new clause immediately after clause 16—

Removal of the
Director-General.

16A. (1) The Director-General may be removed from office by the Board in accordance with the terms and conditions of service for—

- (a) gross misconduct or misbehavior;
- (b) bankruptcy;
- (c) incompetence or neglect of duty;
- (d) violation of the Constitution or any other written law; or
- (e) inability to perform the functions of office by reason of physical or mental incapacity.

(2) Before the Director General is removed under subsection (1), the Director-General shall be given—

- (a) sufficient notice of the allegations made against him or her; and
- (b) an opportunity to present his or her defence against the allegations.

CLAUSE 17

THAT, clause 17 of the Bill be amended in sub-clause (2)—

- (a) by deleting the word “keeping” appearing in paragraph (f) and substituting therefor the word “keep”; and
- (b) by deleting the word “keeping” appearing in paragraph (g) and substituting therefor the word “keep”.

CLAUSE 18

THAT, clause 18 of the Bill be amended by deleting the words “in consultation with the relevant Government agencies” and substituting therefor the words “on the advice of the Salaries and Remuneration Commission”.

CLAUSE 21

THAT, clause 21 of the Bill be amended—

- (a) by deleting paragraph (b); and
- (b) in paragraph (g) by deleting the word “lend” and substituting therefor the word “lent”.

CLAUSE 23

THAT, the Bill be amended by deleting clause 23 and inserting the following new clause—

Annual estimates.

23. (1) At least three months before the commencement of each financial year, the Board shall cause to be prepared estimates of the revenue and expenditure of the Board of that year.

(2) The annual estimates shall make provisions for all estimated expenditure of the Board for the financial year concerned, and in particular shall provide for the—

- (a) payment of salaries, allowances and other charges in respect of the staff of the Board;
- (b) payment of pensions, gratuities and other charges in respect of former staff of the Board;
- (c) proper maintenance of the buildings and grounds of the Board;
- (d) maintenance, repair and replacement of the equipment and other property of the Board;
- (e) payment of allowances of the members of the Board and the members of the Board; and
- (f) creation of such reserve funds to meet future or contingent liabilities in respect of retirement benefits, insurance, replacement of buildings or equipment, or in respect of such other matters as the Board may deem fit.

CLAUSE 24

THAT, clause 24 of the Bill be amended in sub-clause (2) by inserting the word “Management” immediately after the words “Public Finance”.

CLAUSE 27

THAT, clause 27 of the Bill be amended—

- (a) in sub-clause (1) by inserting the words “or service” immediately after the words “the activity”; and
- (b) in sub-clause (2) by deleting the words “as it deems fit” appearing in paragraph (r) and substituting therefor the words “as may be prescribed in regulations.”

CLAUSE 29

THAT, clause 29 of the Bill be amended—

- (a) in sub-clause (1) by deleting the words “under the Second Schedule” appearing in paragraph (a) and substituting therefor the words “by the Cabinet Secretary in regulations;”;
- (b) in sub-clause (3)—
 - (i) by inserting the words “in relation to the body corporate and its directors, as applicable” immediately after the words “consider” appearing in the opening sentence;
 - (ii) by deleting paragraph (d);
 - (iii) by deleting paragraph (e);
- (c) in sub-clause (4)—
 - (i) by inserting the words “or the directors of the body corporate” immediately after the word “applicant” appearing in the opening sentence in paragraph (a);
 - (ii) by deleting the words “in the opinion of the Authority, was” appearing in sub-paragraph (a)(iii) and substituting therefor the words “is proven to be”;
- (d) in sub-clause (6) by deleting the words “An applicant” and substituting therefor the words “A person”;
- (e) by deleting sub-clause (8).

CLAUSE 30

THAT, clause 30 of the Bill be amended by deleting sub-clause (3) and inserting the following new sub-clause—

“(3) A gambling licence issued under this section shall be valid for a period of twelve months from the date of issue or for such other period as may be prescribed in regulations.”

CLAUSE 31

THAT, clause 31 of the Bill be amended in sub-clause (1) by deleting the words “may be determined by the Communications Authority of Kenya from time to time” appearing in paragraph (c) and substituting therefor the words “prescribed by the Cabinet Secretary in consultation with the Authority and the Communications Authority of Kenya”.

CLAUSE 32

THAT, clause 32 of the Bill be amended in sub-clause (1) by deleting the words “attached to the” appearing in paragraph (d) and substituting therefor the words “prescribed in the Act and which is required for the issuance of a”.

CLAUSE 33

THAT, clause 33 of the Bill be amended in sub-clause (2) by deleting the words “mutatis mutandis” and substituting therefor the words “with the necessary modifications”.

CLAUSE 35

THAT, clause 35 of the Bill be amended—

- (a) in sub-clause (1) by deleting the word “prominently” wherever it appears;
- (b) in sub-clause (3) by deleting the word “licenses” and substituting therefor the word “license”.

CLAUSE 36

THAT, the Bill be amended by deleting clause 36.

CLAUSE 40

THAT, clause 40 of the Bill be amended in sub-clause (3) by deleting the words “not provided for under this Act” and substituting therefor the words “prescribed under section 27(2)(r).”

CLAUSE 43

THAT, clause 43 of the Bill be amended in sub-clause (1) by deleting the word “by”.

CLAUSE 45

THAT, the Bill be amended by deleting clause 45.

CLAUSE 46

THAT, the Bill be amended by deleting clause 46.

CLAUSE 47

THAT, the Bill be amended by deleting clause 47 and substituting therefor the following new clause—

Application for a permit. **47.** (1) A holder of a gambling licence issued by the Authority under section 27 shall apply for a trade permit from the respective county government for a premise within which the person intends to carry out the licensed gambling activity.

(2) An application for a gambling permit shall be in such manner as may be prescribed by the respective county government and shall be accompanied by—

- (a) the fee prescribed by the respective county government;
- (b) a licence issued by the Authority; and
- (c) such other information as the county government may consider necessary for the determination of the application.

(3) A county government shall grant a permit upon determining the suitability of the intended premises for which the application is made and considering the requirements set out in subsection (2).

(4) A permit issued under this Act shall not be transferable.

CLAUSE 51

THAT, the Bill be amended by deleting clause 51.

CLAUSE 53

THAT, clause 53 of the Bill be amended in sub-clause (4) by deleting the word “above”.

CLAUSE 54

THAT, the Bill be amended by deleting clause 54 and inserting the following new clause—

Conduct of a public lottery.

54. (1) The Authority or county government shall, in respect of any public lottery impose the conditions prescribed in the Act or in regulations to ensure that a lottery is promoted and conducted efficiently for the purpose for which it is being promoted.

- (2) In conducting a public lottery under this Act, a promoter—
 - (a) may deduct operating expenses not exceeding twenty per cent of gross proceeds of the lottery;
 - (b) shall provide insurance bond or bank guarantee for the conduct of the lottery;
 - (c) shall ensure proper and equitable distribution of the charitable funds of the lottery;
 - (d) shall take reasonable measures to ensure that a purchaser of a ticket or a chance in a lottery is protected against fraud; and
 - (e) shall take such steps as it may deem necessary to ensure that any conditions imposed by the Authority are complied with.

(3) In this section, the term “gross proceeds” means the total proceeds received from a lottery prior to any deductions.

CLAUSE 56

THAT, clause 56 of the Bill be amended in sub-clause (2) by deleting paragraph (l).

CLAUSE 59

THAT, clause 59 of the Bill be amended in sub-clause (2)—

- (a) by deleting the words “or otherwise” appearing in paragraph (b); and
- (b) by deleting the words “or otherwise” appearing in paragraph (c).

CLAUSE 63

THAT, clause 63 of the Bill be amended in sub-clause (1) by inserting the word “the” immediately after the words “in consultation with”.

CLAUSE 66

THAT, the Bill be amended by deleting clause 66 and inserting the following new clause—

Control of betting
machines.

66. (1) A licensee shall ensure that their betting machines—

- (a) are sourced from a certified source with international certification standards;
- (b) have an import certificate issued by the Authority indicating the model and the functions of the machine; and
- (c) undergo standards verification after every three months.

(2) The standards verification referred to in subsection (1)(c) and developed by the Authority shall be conducted by the Kenya Bureau of Standards.

(3) A person shall not operate a betting machine unless the person has been issued with a valid bookmaker’s licence.

(4) A single bet in a gambling machine shall be a minimum of twenty shillings only.

CLAUSE 67

THAT, clause 67 of the Bill be amended by deleting sub-clause (4) and substituting therefor the following new sub-clause—

“(4) The Cabinet Secretary shall, in consultation with the Authority, make regulations prescribing the places where gambling machines shall be placed including the distance to-

- (b) learning institutions;
- (c) religious establishment; and
- (d) residential areas.”

CLAUSE 70

THAT, clause 70 of the Bill be amended in sub-clause (3) by inserting the word ‘the’ immediately after the words “prescribed under”.

CLAUSE 71

THAT, clause 71 of the Bill be amended—

- (a) in sub-clause (2) by deleting the word “ecosystem” appearing in paragraph (c) and substituting therefor the word “system”;
- (b) in sub-clause (3) by deleting the word “strictly”;
- (c) in sub-clause (4) by deleting the word ‘may’ and substituting therefor the word ‘shall’; and
- (d) in sub-clause (6) by deleting the opening sentence in paragraph (a) and inserting the following new opening sentence—
 - “(a) the platforms for participation which may, where applicable, include—”

CLAUSE 75

THAT, clause 75 of the Bill be amended in sub-clause (7) by inserting the following proviso—

“Provided that this provision shall not apply to free bets and bonus bets conducted in the ordinary course of business.”

CLAUSE 76

THAT, clause 76 of the Bill be amended in sub-clause (4) by inserting the following new paragraph immediately after paragraph (c)—

“(ca) cash deposits;”

CLAUSE 77

THAT, clause 77 of the Bill be amended—

- (a) in sub-clause (1) by deleting the words “permitting or assisting” appearing in paragraph (c);
- (b) by deleting sub-clause (3) and inserting the following new sub-clause—
 - “(3) Nothing in this section shall be construed as limiting an operator from offering free bets and bonus bets in the ordinary course of business.”

CLAUSE 79

THAT, clause 79 of the Bill be amended—

(a) by deleting sub-clause (1) and inserting the following new sub-clause—

“(1) A licensee shall deposit all the player’s money in a bank account or mobile money or, upon a player’s request, make a cash payment to the player:

Provided that a licensee shall maintain a register of all monies paid out to a punter.”

(b) by deleting sub-clause (3) and inserting the following new sub-clause—

“(3) A licensee holding a player’s bank account shall—

(a) not enforce or execute, any charge, write-off, set-off or other claim against a player’s account;

(b) not combine the account with any other account in respect of any debt owed to it by a player; or

(c) credit any interest payable on a player’s account, only to the player’s account.”

CLAUSE 80

THAT, clause 80 of the Bill be amended—

(a) by deleting sub-clause (2) and inserting the following new sub-clause—

“(2) Where the whereabouts of a player remain unknown for a period of five years, the monies standing to the credit of the player’s account shall be presumed abandoned and the licensee shall remit such monies to the Unclaimed Financial Assets Authority.”

(b) by deleting sub-clause (3) and inserting the following new sub-clause—

“(3) A licensee shall maintain a register of all monies remitted under subsection (2).”

CLAUSE 81

THAT, clause 81 of the Bill be amended in paragraph (c) by deleting the words ‘collector of taxes’ and substituting therefor the word “Collector”;

CLAUSE 82

THAT, clause 82 of the Bill be amended in sub-clause (1) by deleting paragraph (d) and inserting the following new paragraph—

“(d) meets the requirements prescribed by the Authority in regulations.”

CLAUSE 83

THAT, clause 83 of the Bill be amended by deleting the word “Committee’ and substituting therefor the word “Tribunal’.

CLAUSE 86

THAT, clause 86 of the Bill be amended by deleting sub-clause (2) and inserting the following new sub-clauses—

“(2) A person commits an offence if the person—

- (a) uses or permits the use of an amusement machine in respect of which a licence has not been issued under subsection (1); or
- (b) contravenes or allows the contravention of any condition provided for or imposed by the county government.

“(2A) A person who commits an offence under subsection (2) shall be liable on conviction to a fine not exceeding one million shillings or to imprisonment for a term not exceeding one year, or to both.”

CLAUSE 87

THAT, clause 87 of the Bill be amended—

- (a) in sub-clause (3) by deleting the words “as may be imposed” and substituting therefor the words “as shall be prescribed in regulations”;
- (b) by deleting sub-clause (4).

CLAUSE 88

THAT, the Bill be amended by deleting clause 88 and subsisting therefor the following new clause—

Authorization of media promotions with prizes.

88. (1) A person shall not, without a license issued by the Authority, conduct a media promotion with prizes.

(2) A person who undertakes media promotion in either electronic or print media with prizes licenced under this section shall be subject to the conditions prescribed by the Authority in regulations.

(3) The conditions referred to in subsection (2) shall include—

- (a) eligibility of participants;
- (b) costs of participation;
- (c) dates of the promotion;
- (d) prizes to be won;
- (e) verification of winnings by the Authority;
- (f) process of claiming prizes won; and
- (g) publication of prize awards.

CLAUSE 90

THAT, the Bill be amended by deleting clause 90 and subsisting therefor the following new clause—

Advertisement
gambling.

of **90.** (1) A person shall not, without the approval of the Authority, promote the advertisement of a gambling activity on electronic medium or any other form of communication by—

- (a) holding himself out by advertisement, promotion, notice or public placard with the aim of enticing members of the public to participate in gambling;
- (b) displaying any written or printed placard or notice relating to any form of game of chance in any shape or form so as to be visible in a public street or place;
- (c) printing or publishing, or causing to be printed or published, any advertisement or notice;
- (d) using a prominent personality or celebrity, public vehicle or lifestyle advertising to promote gambling; or
- (e) advertising gambling by organizing, promoting or sponsoring a sporting event, trade fairs, exhibitions, shows, cultural, artistic, recreational, educational or entertainment programmes or any other event.

(2) A gambling advertisement shall—

- (a) indicate the addictive nature of gambling;
- (b) notify players to play responsibly;
- (c) prohibit children from playing;
- (d) not use false, misleading or deceptive message likely to create an erroneous positive impression of gambling;
- (e) not be featured or broadcasted on television or radio between six o'clock in the morning and ten o'clock in the evening unless during a live sporting event;
- (f) not be erected on an advertisement billboard of close proximity to a learning institution; and
- (g) dedicate twenty per cent of aired advertisement towards promotion of responsible gambling.

(3) The Cabinet Secretary may, in consultation with the Authority, make regulations providing for—

- (a) the circumstances under which the national lottery, and licensed gambling activities may be advertised;
- (b) information that is to appear in an advertisement;
- (c) the places where, circumstances or manner in which signs relating to a national lottery or gambling activity may be displayed;

(d) conditions requiring advertisements about the gambling service authorised by the licence including—

- (i) publication only to certain classes of persons;
- (ii) the content which may require specified words to be included in the advertisement;
- (iii) content not to be included in an advertisement;
- (iv) content not to be published in certain types of publications or media; and
- (v) requirement for the content of the advertisement to be approved by the Authority.

(4) A person who contravenes the provisions of this section commits an offence and shall on conviction be liable to a fine not exceeding twenty million shillings or to imprisonment for a term not exceeding ten years, or to both.

CLAUSE 91

THAT, the Bill be amended by deleting clause 91 and inserting the following new clause—

The Gambling Appeals Tribunal.

91. (1) There is established a body to be known as the Gambling Appeals Tribunal.

(2) The Tribunal shall consist of—

- (a) a Chairperson appointed by the President from among persons qualified to be judges of the High Court;
- (b) two persons appointed by the Judicial Service Commission who shall be advocates of the High Court; and
- (c) four persons appointed by the Cabinet Secretary from among persons who possess knowledge and experience in matters relating to gambling, business administration, risk management or law enforcement studies.

(3) The Chairperson and members of the Tribunal shall be appointed by the Cabinet Secretary by notice in the *Gazette*.

(4) A person shall be eligible for appointment as a member of the Tribunal if that person—

- (a) meets the requirements of Chapter Six of the Constitution;
- (b) has a relevant bachelors' degree from a university recognized in Kenya;
- (c) has at least ten years' experience in a relevant sector;
- (d) is not a public officer;
- (e) has not at any time within the preceding five years been an employee of the Authority or the National Lottery Board;
- (f) has not been convicted of an offence under any law and sentenced to imprisonment for a term exceeding six months without the option of a fine;
- (g) has not been adjudged bankrupt by a court of competent jurisdiction; and

- (h) has not in the last twelve months immediately preceding the appointment, had direct or indirect personal or commercial interest in the sector regulated under this Act.
- (5) The Chairperson or a member of the Tribunal shall hold office—
- (a) in case of the Chairperson, for a term not exceeding three years and shall not be eligible for re-appointment; and
 - (b) in case of a member, for a term not exceeding three years and shall be eligible for re-appointment for one further term of three years based on satisfactory performance.
- (6) The members of the Tribunal, other than the Chairperson, shall serve on a part-time basis.
- (7) The Chairperson or member of the Tribunal shall cease to hold office if that person—
- (a) resigns from office by notice in writing addressed to—
 - (i) the President, in the case of the Chairperson; or
 - (ii) the Cabinet Secretary, in the case of a member;
 - (b) becomes a public servant or an employee of the Authority or the National Lottery Board;
 - (c) is absent from three consecutive meetings of the Tribunal without the permission of the Chairperson;
 - (d) is adjudged bankrupt by a court of competent jurisdiction;
 - (e) is convicted of a criminal offence under any law and sentenced to imprisonment for a term exceeding six months without the option of a fine;
 - (f) is unable to perform the functions of the office by reason of physical or mental infirmity; or
 - (g) is otherwise unable or unfit to discharge the functions of the office.
- (8) A person appointed as the Chairperson or a member of the Tribunal shall, before assuming office, take or subscribe to the oath or affirmation before the Chief Registrar of the Judiciary.
- (9) The functions of the Tribunal shall be to hear and determine appeals from, the national or county governments,—
- (a) against any decision of the Authority or the National Lottery Board;
 - (b) regarding complaints arising out of the outcome of a gambling transaction;
 - (c) regarding complaints arising out of the functionality of gambling machines and equipment; and
 - (d) regarding any other matter as may be prescribed under this Act or referred to it by the Board.

(10) Save as expressly provided by this Act, the Tribunal shall regulate its own procedure.

(11) The Judicial Service Commission shall provide secretariat services to the Tribunal and shall assign or appoint such secretary and other support staff as may be necessary for the Tribunal to effectively perform its functions.

(12) The Cabinet Secretary shall prescribe, in regulations, the procedures for the operationalization of the Tribunal.

CLAUSE 92

THAT, the Bill be amended by deleting clause 92 and subsisting therefor the following new clause—

Remuneration of members of the Tribunal. **92.** The Chairperson and the members of the Tribunal shall be paid such remuneration and allowance as shall be determined by the Cabinet Secretary on the advice of the Salaries and Remuneration Commission.

CLAUSE 94

THAT, clause 94 of the Bill be amended—

- (a) in sub-clause (1) by deleting the word “Committee” and substituting therefor the word “Tribunal”;
- (b) in sub-clause (2)—
 - (i) by deleting the word “Committee” appearing in paragraph (a) and substituting therefor the word “Tribunal”;
 - (ii) by deleting the word “Committee” appearing in paragraph (c) and substituting therefor the word “Tribunal”; and
- (c) in sub-clause (5) by deleting the word “Committee” and substituting therefor the word “Tribunal”.

CLAUSE 95

THAT, clause 95 of the Bill be amended in the opening sentence by inserting the words “who, being the” immediately after the words “A person”.

CLAUSE 98

THAT, clause 98 of the Bill be amended by inserting the words “or to both” immediately after the words “term not exceeding one year”.

CLAUSE 106

THAT, the Bill be amended by deleting clause 106 and inserting the following new clause—

Promotion
unauthorized
betting.

of
pool

106. (1) A person shall not—

- (a) promote a pool betting scheme within Kenya in contravention of the terms of a licence issued under this Act; or
- (b) promote, receive or negotiate bets on behalf of a promoter of an unauthorized pool betting scheme.

(2) A person who contravenes the provisions of subsection (1) commits an offence and shall be liable upon conviction to a fine not exceeding one million shillings or to imprisonment for a term not exceeding one year, or to both.

CLAUSE 112

THAT, clause 112 of the Bill be amended in the closing sentence by deleting the words ‘be liable’ appearing immediately after the words ‘shall be liable upon conviction’.

CLAUSE 115

THAT, clause 115 of the Bill be amended in sub-clause (1) by deleting the word ‘may’ and substituting therefor the word ‘shall’.

CLAUSE 118

THAT, clause 118 of the Bill be amended—

- (a) by inserting the following new sub-clauses immediately after sub-clause (1)—
 - “(1A) A person who enters an agreement under subsection (1) shall notify the Authority of the agreement.

(1B) The Authority shall maintain a register of all notifications made under subsection (1A), and shall notify all licensees of the self-exclusion agreement.”

- (b) in sub-clause (2)—

- (i) by deleting the word ‘or’ appearing in paragraph (a);

- (ii) in paragraph (e) by inserting the words ‘the licensee’s’ immediately after the words ‘gain access to’;

- (c) in sub-clause (3) by deleting the words ‘shall be liable to pay an administrative fine as may be prescribed by the Authority’ and substituting therefor the words ‘commits an offence and shall be liable upon conviction to a fine not exceeding

one million shillings or to imprisonment for a term not exceeding one year, or to both”;

(d) by inserting the following new sub-clause immediately after sub-clause (3)—

“(3) Despite the provisions of this section, the Cabinet Secretary shall prescribe regulations providing for the manner in which an affected person may petition the Authority for the application of the self-exclusion provisions on a vulnerable gambler.”

CLAUSE 122

THAT, clause 122 of the Bill be amended—

- (a) in sub-clause (1) by deleting the word “may” and substituting therefor the word “shall”;
- (b) in sub-clause (2) by deleting the word “foregoing” appearing in the opening sentence and substituting therefor the words “generality of subsection (1)”;
- (c) by deleting the expression “(2) For purposes of Article 94(6) of the Constitution—” and substituting therefor the expression “(3) For purposes of Article 94(6) of the Constitution—”.

CLAUSE 123

THAT, clause 123 of the Bill be amended by deleting the word “Gambling” and substituting therefor the word “Gaming”.

CLAUSE 124

THAT, clause 124 of the Bill be amended—

- (a) in sub-clause (1) by deleting the word “at”;
- (b) in sub-clause (2) by deleting the words “Government on behalf of the”;
- (c) in sub-clause (3) by inserting the words “for the unexpired period of their term” immediately after the words “be deemed to be a member of the Board”;
- (d) by deleting sub-clause (4) and inserting the following new sub-clause—

“(4) A person who was, immediately before the commencement of this Act, an employee of the former Board shall, upon the commencement of this Act, be deemed to be an employee of the Authority, subject to subsection (5).”
- (e) in sub-clause (5)—
 - (i) by deleting the expression “(2)” and substituting therefor the expression “(4)”;
 - (ii) by deleting the words “Government who were serving at the”.

CLAUSE 126

THAT, clause 126 of the Bill be amended by deleting paragraph (a).

2. Notice is given that the Chairperson of the Departmental Committee on Finance and National Planning intends to move the following amendments to the Gambling Control Bill, 2023 at the Committee Stage—

CLAUSE 124

THAT, Clause 124 of the Bill be amended by inserting the following new subsection immediately after sub-section 5-

(6) Without prejudice to section 123, the provisions of sections 29A, 44A, 55A and 59B of the repealed Act shall continue to be in force until new provisions are enacted.



LIMITATION OF DEBATE

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

Limitation of Debate on Motions

- I. **THAT**, each speech in a debate on any **Motion, including a Special motion** 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 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 Other Committee Reports

- III. **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.

The House resolved on Wednesday, August 9, 2023 as follows—

Limitation of Debate on Motions sponsored by Individual Members

- IV. THAT,** each speech in a debate on any Motion introduced by an Individual Member shall be limited in the following manner:- A maximum of one and a half hours with not more than ten (10) minutes for the Mover in moving and five (5) minutes in replying, and a maximum of five (5) minutes for any other Member speaking, including the Leader of the Majority Party and the Leader of the Minority Party; 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), December 6, 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 Wednesday (Afternoon), December 6, 2023—

A. MOTION – THE PROCEEDS OF CRIME AND ANTI-MONEY LAUNDERING (CRIMINAL ASSETS RECOVERY FUND) REGULATIONS, 2023

(The Chairperson, Committee on Delegated Legislation)

B. MOTION – THE PREVENTION OF TERRORISM (IMPLEMENTATION OF THE UNITED NATIONS SECURITY COUNCIL RESOLUTIONS ON SUPPRESSION OF TERRORISM) REGULATION, 2023

(The Chairperson, Committee on Delegated Legislation)

C. COMMITTEE OF THE WHOLE HOUSE

The Gambling Control Bill (National Assembly Bill No. 70 of 2023)

(The Leader of the Majority Party)

(If not concluded on Wednesday, December 6, 2023 – Morning Sitting)

D. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) (No.2) BILL (NATIONAL ASSEMBLY BILL NO. 68 OF 2023)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, December 6, 2023 – Morning Sitting)

E. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 67 OF 2023)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, December 6, 2023 – Morning Sitting)

F. THE NATIONAL GOVERNMENT COORDINATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 25 OF 2023)

(The Hon. Malulu Injendi, M.P.)

Second Reading

(Resumption of debate interrupted on Wednesday, November 22, 2023 – Afternoon Sitting)

(Balance of time – 2 hours 44 minutes)

G. THE PUBLIC SERVICE COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2023)

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

Second Reading

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

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

Second Reading

I. MOTION – REPORTS OF THE AUDITOR-GENERAL ON TWENTY-THREE NON-COMPLIANT STATE CORPORATIONS

(The Chairperson, Public Investments Committee on Social Services, Administration and Agriculture)

J. MOTION – PROCEEDINGS OF THE SECOND ORDINARY SESSION OF THE SIXTH PAN-AFRICAN PARLIAMENT (PAP)

(Member of the Pan-African Parliament)

K. MOTION – PROCEEDINGS OF THE 2023 UNITED NATIONS HIGH LEVEL POLITICAL FORUM ON SUSTAINABLE DEVELOPMENT

(The Vice Chairperson, Parliamentary Caucus on Sustainable Development Goals (SDGs) and Business)

L. MOTION – ENHANCING REPORTING OF PARLIAMENTARY BUSINESS ON ONLINE PLATFORMS

(The Chairperson, Committee on Parliamentary Broadcasting and Library)

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

(The Leader of the Majority Party)

Second Reading

N. THE VOCATIONAL TRAINING BILL (SENATE BILL NO. 3 OF 2022)

(The Chairperson, Departmental Committee on Education)

Second Reading

O. THE COTTON INDUSTRY DEVELOPMENT BILL (SENATE BILL NO. 5 OF 2023)

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

Second Reading



APPENDIX

NOTICE OF PETITIONS, QUESTIONS & STATEMENTS

ORDER NO. 4 - PETITIONS

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

No.	Subject	Petitioner(s)	Relevant Committee
78/2023	The National Health Insurance Fund incurred but not reported (<i>ibnr</i>) claims of over Kenya Shillings 21 billion, captured in the financial year ending 30 th June 2022	<i>To be reported by the Hon. Speaker on behalf of Mr. Bernard Muchere, a fraud risk management consultant.</i>	Public Petitions

ORDER NO. 7 - STATEMENTS

It is **notified** that, pursuant to the provisions of Standing Order 44(2)(c), the following Statement will be **requested**—

No.	Subject	Member	Relevant Committee
1.	Death of a worker at the construction site of <i>Shimoni</i> fishing port in Lungalunga Constituency	<i>Hon. Chiforomodo Mangale, MP (Lungalunga Constituency)</i>	Social Protection
