



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

**SUPPLEMENTARY**

THURSDAY, MARCH 21, 2024 AT 2.30 P.M.

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Questions and Statements

8\*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2024)

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

*(Question to be put and Third Reading)*

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

(The Chairperson, Special Funds Accounts Committee)

**THAT**, this House **adopts** the Report of the Special Funds Accounts Committee on its consideration of the Report of the Auditor General on the Financial Statements for the Kenya Slum Upgrading Low-Cost Housing & Infrastructure Trust Fund for the Financial Year 2017/2018 to 2021/2022, and the Alcoholic Drinks Control Fund for the Financial Year 2017/2018, *laid on the Table of the House on Wednesday, 18<sup>th</sup> October 2023.*

*(Question to be put)*

10\*. MOTION – REPORTS OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS FOR THE LAND SETTLEMENTS FUND AND THE RAILWAY DEVELOPMENT FUND

(The Chairperson, Special Funds Accounts Committee)

**THAT**, this House **adopts** the Seventh Report of the Special Funds Accounts Committee on its consideration of the Reports of the Auditor-General on the Financial Statements for the Land Settlements Fund for the Financial Years 2020/2021 & 2021/2022 and the Railway Development Fund (Holding Account) for the Financial Years 2017/2018, 2018/2019, 2019/2020, 2020/2021 & 2021/2022, *laid on the Table of the House on Thursday, 7<sup>th</sup> December 2023.*

*(Question to be put)*

11\*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE HOUSES OF PARLIAMENT (BICAMERAL RELATIONS) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2023)

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

**THAT**, this House do agree with the Report of the Committee of the Whole House on its consideration of the Houses of Parliament (Bicameral Relations) Bill (National Assembly Bill No. 44 of 2022), **subject to recommittal of Clause 14.**

*(Question to be put)*

12\*. COMMITTEE OF THE WHOLE HOUSE

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

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

*(Subject to recommittal)*

13\*. THE NATIONAL DISASTER RISK MANAGEMENT BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2023)

(The Leader of the Majority Party)

Second Reading

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

(The Chairperson, Decentralized Funds Accounts Committee)

**THAT**, this House **adopts** the Report of the Decentralized Funds Accounts Committee on its consideration of the Reports of the Auditor General on the Financial Statements for the National Government Constituencies Development Fund for five Constituencies in Vihiga County for Financial Years 2013/2014, 2014/2015, and 2015/2016, *laid on the Table of the House on Wednesday, 14<sup>th</sup> February 2024.*

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

(The Chairperson, Decentralized Funds Accounts Committee)

**THAT**, this House **adopts** the Report of the Decentralized Funds Accounts Committee on its consideration of the Reports of the Auditor General on Financial Statements for the National Government Constituencies Development Fund for nine Constituencies in Bungoma County for Financial Years 2013/2014, 2014/2015 and 2015/2016, *laid on the Table of the House on Thursday, 7<sup>th</sup> March 2024.*

**16\*. THE LAND LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 65 OF 2023)**

(The Leader of the Majority Party)

Second Reading

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

(The Chairperson, Departmental Committee Agriculture and Livestock)

**THAT**, this House **adopts** the Second Report of the Departmental Committee on Agriculture and Livestock on the inquiry into the maize flour subsidy programme for the Financial Year 2022/2023, *laid on the Table of the House on Tuesday, 27<sup>th</sup> February 2024.*

**18\*. THE COUNTY LICENSING (UNIFORM PROCEDURE) BILL (SENATE BILL NO. 9 OF 2022)**

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

Second Reading

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

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# NOTICES

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

- 1) Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Houses of Parliament (Bicameral Relations) Bill, 2023 at the Committee Stage—

### LONG TITLE

**THAT**, the Long Title of the Bill be amended by inserting the word “a” immediately after the words “matters of”;

### CLAUSE 3

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

- (a) in paragraph (b) by deleting the words “of the Houses” appearing immediately after the word “either” and substituting therefor the word “House”;
- (b) in paragraph (h) by deleting the words “by the Constitution for purposes of” appearing immediately after the word “contemplated” and substituting therefor the word “under”;
- (c) in paragraph (j) by inserting the following new subparagraph immediately after subparagraph (iv)—

“(v) The procedure governing joint sittings between the Committees of Parliament;”
- (d) in paragraph (k) by deleting the words “their respective functions” appearing immediately after the word “Parliament” and substituting therefor the words “of their respective functions, or otherwise”.

### CLAUSE 5

**THAT**, Clause 5 of the Bill be amended—

- (a) in subclause (1) by inserting the words “and assented to by the President” immediately after the word “Constitution”;
- (b) in subclause (2) by inserting the words “and assented to by the President” immediately after the word “Constitution”;

### CLAUSE 6

**THAT**, Clause 6 of the Bill be amended—

- (a) in subclause (2) by deleting the words “county governments” appearing immediately after the word “concerns” and substituting therefor the word “counties”;
- (b) by inserting the following new subclause immediately after subclause (2)—
  - “(2A) In determining whether a question has arisen under Article 110 (3) of the Constitution, a Speaker shall for the purposes of subsection (2)—
    - (a) consider the Bill’s purpose, intent and legal effect;
    - (b) examine the contents of the Bill and the memorandum of objects and reasons to ascertain its inherent nature;
    - (c) consider whether the Bill falls under the exclusive mandate of the National Assembly pursuant to Article 109(3) of the Constitution; and
    - (d) consider whether the provisions of the Bill specifically affect the functions and powers of county governments set out in the Fourth Schedule to the Constitution.”
- (c) by deleting subclause (5).

**CLAUSE 10**

**THAT**, Clause 10 of the Bill be amended—

- (a) in subclause (2) by deleting the word “Speaker” appearing immediately after the words “Speaker of the originating House”;
- (b) in subclause (4) by deleting the word “on” appearing immediately after the words “notify the House” and substitute therefor the word “of”;

**CLAUSE 11**

**THAT**, Clause 11 be amended by deleting subclause (1) and substituting therefor the following new subclause—

- “(1) Where the Speakers are unable to jointly resolve a question arising under Article 110(3) of the Constitution, the Speakers may—
  - (a) refer the Bill to its sponsor for further consideration;
  - (b) jointly appoint any person or body of persons to make such recommendations within fourteen days on the way forward as may be appropriate.”

**CLAUSE 12**

**THAT**, Clause 12 of the Bill be amended—

- (a) in subclause (2) by deleting the word “shall” appearing immediately after the words “of “a money Bill”, the Assembly” and substituting therefor the word “may”;

(b) in subclause (3) by—

- (i) inserting the word “or” immediately after the word “Constitution” appearing in paragraph (a);
- (ii) by deleting paragraph (b) and substituting therefor the following new paragraph—

“(b) the relevant departmental committee of the Assembly or a Member be at liberty to adopt the Bill and that the Bill be deemed to have originated in the Assembly pursuant to the provisions of Article 109(5) of the Constitution.”

### **CLAUSE 13**

**THAT**, Clause 13 of the Bill be amended—

- (a) in the marginal note by deleting the word “Co-sponsorship” and substituting therefor the word “Adoption”;
- (b) in subclause (1) by deleting the words “to co-sponsor a Bill with” appearing immediately after the words “in charge of a Bill intends” and substituting therefor the words “that his or her Bill be adopted by”;
- (c) in subclause (2)(b) by deleting the word “co-sponsor” appearing immediately after the words “nominated to” and substituting therefor the word “adopt”.

### **CLAUSE 14**

**THAT**, Clause 14 of the Bill be amended—

- (a) by deleting subclause (4) and substituting therefor the following new subclause—

“(4) At its first sitting, a mediation committee shall appoint its Chairperson from the Members of the House that originated a Bill referred for mediation.”

- (b) in subclause (7) by inserting the words “the Chairperson, Vice-Chairperson or” immediately after the words “House by”;

### **CLAUSE 15**

**THAT**, Clause 15 of the Bill be amended—

- (a) in subclause (2) by deleting the words “and Senators” appearing immediately after the words “National Assembly” and substituting therefor the words “and the Senate”;
- (b) in subclause (4) by deleting the words “or more” appearing immediately after the word “two-thirds”

### **CLAUSE 16**

**THAT**, Clause 16 of the Bill be amended—

- (a) in subclause (1) by inserting the words “with the written permission of the Speakers of the National Assembly and the Senate” immediately after the word “may”;
- (b) by inserting the following new subclauses immediately after subclause (1)—

“(1A) The quorum of a joint sitting shall be a third of its members from the National Assembly and a third of its members from the Senate.

(1B) Unless a decision is reached by consensus, any vote to be taken in a joint sitting shall be by separate Houses.”

2) **Notice is given that the Leader of the Majority Party intends to move the following amendments to the Houses of Parliament (Bicameral Relations) Bill, 2023 at the Committee Stage—**

**CLAUSE 20**

**THAT**, Clause 20 of the Bill be amended by inserting the following new sub-clauses immediately after sub-clause (4)—

(5) If a court is satisfied that a House of Parliament, in an attempt to resolve a dispute, has not exhausted all the mechanisms of alternative dispute resolution as contemplated under this section and refers the dispute back for the reason that the House of Parliament has not complied with this section, the expenditure incurred by that House of Parliament in approaching the court shall be regarded as wasteful expenditure.

(6) The costs in respect of the wasteful expenditure under subsection (5) shall, in accordance with a prescribed procedure, be recovered without delay from a public or state officer, including a holder of a political office, who caused the House of Parliament not to comply with the requirements of this section.

3) **Notice is given that the Member for Ndhiwa (Hon. Martin Owino) intends to move the following amendments to the Houses of Parliament (Bicameral Relations) Bill, 2023 at the Committee Stage—**

**CLAUSE 2**

**THAT**, Clause 2 of the Bill be amended by inserting the following new definitions in proper alphabetical sequence —

“Originating House” means a House of Parliament in which a Bill is first introduced; and

“Second House” means a House of Parliament other than the Originating House.

4) Notice is given that the Member for Funyula (Hon. Dr. Ojiambo Oundo) intends to move the following amendments to the Houses of Parliament (Bicameral Relations) Bill, 2023 at the Committee Stage—

**CLAUSE 11**

**THAT**, Clause 11 be amended in subclause (1) by deleting paragraph (b) and substituting therefor the following new paragraph—

“(b) refer the Bill to the office of the Attorney General and the Kenya Law Reform Commission established under section 6 of the Kenya Law Reform Act, 2013 for advice on resolution of the question.”

**CLAUSE 14**

**THAT**, Clause 14 of the Bill be amended—

(a) in subclause (2) by inserting the words “within four sitting days or, when on recess, within seven calendar days” immediately after the words “mediation committee”;

(b) by deleting subclause (4) and substituting therefor the following new subclause—

“(4) The Chairperson of the mediation committee shall be appointed from the members of the House that rejected the Bill and the Vice-Chairperson shall be appointed from the members of the House that originated the Bill.”

**CLAUSE 19**

**THAT**, Clause 19 of the Bill be amended—

(a) in subclause (4) by inserting the words “and a memorandum on the extent to which the relevant committee has incorporated the views of the public in the Bill” immediately after the words “report on the Bill”;

(b) by deleting subclause (8).





## **LIMITATION OF DEBATE**

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

### **Limitation of Debate on Motions**

- II.** **THAT**, each speech in a debate on any **Motion, including a Special motion** shall be limited as follows: A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

### **Limitation of Debate on Bills sponsored by Parties or Committees**

- III.** **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**

- IV.** **THAT**, each speech in a debate on **Other Committee Reports**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House for which limitation of time has not been specified, shall be limited as follows:- A maximum of two and a half hours, with not more than twenty (20) minutes for the Mover in moving and five (5) minutes for any other Member speaking, including the Leader of the Majority Party and the Leader of the Minority Party and the Chairperson of the relevant Committee (if the Committee Report is not moved by the Chairperson of the relevant Committee), and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and further that priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

### **Limitation of Debate on Audit Committee Reports**

- V.** **THAT**, each speech in debate on **Reports of Audit Committees** be limited as follows: A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, 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 (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

## **ADJOURNMENT**

### **VI. NOTIFICATION OF RECESS (22<sup>nd</sup> March to 8<sup>th</sup> April 2024)**

Pursuant to the provisions of Standing Order 28(3) relating to the Calendar of the Assembly, and the resolution of the House of Wednesday, 14<sup>th</sup> February 2024, the Speaker notifies that, upon the rise of the House at the appointed time today, regular sittings will resume on **Tuesday, 9<sup>th</sup> April 2024 at 2.30 p.m.**

*(Thereafter, the House to adjourn without question put)*

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# **NOTICE PAPER**

## **Tentative business for**

**Tuesday, April 9, 2024**

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*(Published pursuant to Standing Order 38(1))*

It is notified that the following business is *tentatively* scheduled to appear in the Order Paper for Tuesday, April 9, 2024 –

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

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Thursday, March 21, 2024 – Afternoon Sitting)*

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

(The Chairperson, Decentralized Funds Accounts Committee)

*(If not concluded on Thursday, March 21, 2024 – Afternoon Sitting)*

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

(The Chairperson, Decentralized Funds Accounts Committee)

*(If not concluded on Thursday, March 21, 2024 – Afternoon Sitting)*

**D. THE NATIONAL LAND COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 43 OF 2023)**

(The Hon. Owen Baya, M.P.)

Second Reading

**E. THE LAND LAWS (AMENDMENT) (No. 2) BILL (NATIONAL ASSEMBLY BILL NO. 76 OF 2023)**

(The Leader of the Majority Party)

Second Reading

**F. THE COUNTY LICENSING (UNIFORM PROCEDURE) BILL (SENATE BILL NO. 9 OF 2022)**

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

Second Reading

*(If not concluded on Thursday, March 21, 2024 – Afternoon Sitting)*

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

(The Chairperson, Departmental Committee Agriculture and Livestock)

*(If not concluded on Thursday, March 21, 2024 – Afternoon Sitting)*



# **APPENDIX**

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

### **ORDER NO. 7 - STATEMENTS**

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

<b>No.</b>	<b>Subject</b>	<b>Member</b>	<b>Relevant Committee</b>
1.	Encroachment of community land at Jamhuri Location in Galole Constituency	<i>Hon. Hiribae Said, MP (Galole)</i>	Lands
2.	Mysterious disappearance of persons	<i>Hon. Abdi Ali, MP (Ijara)</i>	Administration and Internal Security
3.	Delay in disbursement of money by the National Treasury	<i>Hon. Zabeer Jhanda, MP (Nyaribari Chache)</i>	Budget and Appropriations
4.	Grade discrepancies in Kililai secondary school	<i>Hon. John Paul, MP (Igembe South)</i>	Education
5.	Erroneous classification of <i>mnazi</i> as an alcoholic drink in the crackdown of illicit brews	<i>Hon. Getrude Mbeyu, MP (Kilifi County)</i>	Administration and Internal Security
6.	Management of fund managers by the NG-CDF Board	<i>Hon. David Kiplagat, MP (Soy)</i>	NG-CDF
7.	Continued sale of <i>Roundup</i> in the country by Bayer East Africa Ltd.	<i>Hon. Geoffrey Ruku, MP (Mbeere North)</i>	Agriculture and Livestock
8.	Various aspects of financial services being offered by telecommunication companies in Kenya	<i>Hon. Irene Mayaka, MP (Nominated Member)</i>	Finance and National Planning
9.	Defilement of a minor in Kirinyaga County	<i>Hon. Njeri Maina, MP (Kirinyaga County)</i>	Administration and Internal Security
10.	Alleged land ownership by Kerio Valley Development Authority and impending evictions in West Pokot	<i>Hon. Titus Lotee, MP (Kacheliba)</i>	Lands