



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, APRIL 25, 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*. THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 10 OF 2024)

(The Leader of the Majority Party and the Leader of the Minority Party)

Second Reading

(Question to be put)

9*. THE PUBLIC RELATIONS AND COMMUNICATION MANAGEMENT BILL (NATIONAL ASSEMBLY BILL NO. 17 OF 2024)

(The Leader of the Majority Party)

First Reading

10*. MOTION – CONSIDERATION OF SENATE AMENDMENTS TO THE WATER (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 33 OF 2023)

(The Leader of the Majority Party)

THAT, the **Senate amendments** to the Water (Amendment) Bill (National Assembly Bill No. 33 of 2023) be now considered.

(Schedule of Senate's Amendments is published in the Notices)

11*. COMMITTEE OF THE WHOLE HOUSE

- (i) The County Licensing (Uniform Procedure) Bill (Senate Bill No. 9 of 2022)
(The Chairperson, Departmental Committee on Trade, Industry and Cooperatives)
- (ii) The National Land Commission (Amendment) Bill (National Assembly Bill No. 43 of 2023)
(The Hon. Owen Baya, M.P.)
- (iii) Consideration of Senate amendments to the Water (Amendment) Bill (National Assembly Bill No. 33 of 2023)
(The Leader of the Majority Party)

(Subject to Order No. 10)

12*. MOTION– CONSIDERATION OF THE PUBLIC FINANCE MANAGEMENT (KENYA MILLENIUM DEVELOPMENT FUND) REGULATIONS, 2024
(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 (Kenya Millennium Development Fund) Regulations, 2024, *laid on the Table of the House on Tuesday, 23rd April 2024*, and pursuant to the provisions of section 24(4) of the Public Finance Management Act, 2012, **approves** the *Public Finance Management (Kenya Millennium Development Fund) Regulations, 2024 (Legal Notice No. 51 of 2024)*, **subject to publishing a corrigenda to correct the minor errors appearing in Regulations 11 and 16.**

13*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 67 OF 2023)
(The Leader of the Majority Party)

Second Reading

14*. THE LAND LAWS (AMENDMENT) (No. 2) BILL (NATIONAL ASSEMBLY BILL NO. 76 OF 2023)
(The Leader of the Majority Party)

Second Reading

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 the 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, 7th March 2024.*

16*. MOTION – REPORTS OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF SPECIFIED STATE CORPORATIONS

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

THAT, this House **adopts** the Second Report of the Public Investments Committee on Social Services, Administration and Agriculture on its consideration of the Reports of the Auditor-General on the Financial Statements of the Kenya Medical Training College for Financial Years 2017/2018 to 2020/2021; the Kenyatta University Teaching Referral and Research Hospital for Financial Years 2019/2020; the Kenya Medical Research Institute for Financial Years 2012/2013 and 2013/2014; the Kenya Medical Laboratory Technicians and Technologists Board for Financial Years 2014/2015 to 2020/2021; and the Kenya Medical Practitioners and Dentists Council for Financial Years 2017/2018 to 2020/2021, *laid on the Table of the House on Thursday, 22nd February 2024.*

17*. MOTION – PUBLIC PETITION ON FUNDS SPENT CONTRARY TO THE PROVISIONS OF ARTICLE 223 OF THE CONSTITUTION

(The Chairperson, Public Petitions Committee)

THAT, this House **adopts** the Report of the Public Petitions Committee on its consideration of Public Petition No. 4 of 2022 regarding Funds Spent by the National Government contrary to the Provisions of Article 223 of the Constitution, *laid on the Table of the House on Tuesday, 12th March 2024.*

18*. MOTION – ENHANCING REPORTING OF PARLIAMENTARY BUSINESS ON ONLINE PLATFORMS

(The Chairperson, Committee on Parliamentary Broadcasting and Library)

THAT, this House **adopts** the Report of the Select Committee on Parliamentary Broadcasting and Library on Enhancing Reporting of Parliamentary Business on Online Platforms, *laid on the Table of the House on Wednesday, 4th October 2023.*

19*. **MOTION – INSPECTION VISIT TO SEMI-AUTONOMOUS INSTITUTIONS OF THE EAST AFRICAN COMMUNITY IN UGANDA**

(The Chairperson, Committee on Regional Integration)

THAT, this House **adopts** the Report of the Committee on Regional Integration on its consideration of the Inspection Visit to the Semi-autonomous Institutions of the East African Community in Uganda, *laid on the Table of the House on Wednesday, 29th November 2023.*

20*. **MOTION – IMPLEMENTATION STATUS OF REPORTS ON PETITIONS AND RESOLUTIONS PASSED BY THE HOUSE**

(The Chairperson, Committee on Implementation)

THAT, this House **adopts** the Report of the Select Committee on Implementation on its consideration of the First Report on Implementation Status of Reports on Petitions and Resolutions passed by the House, *laid on the Table of the House on Thursday, 26th October 2023.*

21*. **MOTION – ALLEGED UNFAIR TRADE PRACTICES BY FOREIGN INVESTORS IN KENYA**

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

THAT, this House **adopts** the Report of the Departmental Committee on Trade, Industry and Cooperatives on the Inquiry into Alleged Unfair Trade Practices by Foreign Investors in Kenya, *laid on the Table of the House on Thursday, 7th March 2024.*

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

(The Chairperson, Departmental Committee on 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, 27th February 2024.*

Denotes Orders of the Day

NOTICES

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

Notice is given that the Chairperson of the Departmental Committee on Trade, Industry and Cooperatives intends to move the following amendments to the County Licensing (Uniform Procedure) Bill, 2022 at the Committee Stage—

CLAUSE 2

THAT, Clause 2 of the Bill be amended—

- (a) in the definition of “Cabinet Secretary” by deleting the word “licensing” and substituting therefor the word “trade”;
- (b) by deleting the definition of “County Executive Committee Member”; and
- (c) by deleting the definition of “licensing authority” and substituting therefor the following new definition—

“licensing authority” means a County Licensing Board established by a county government under section 7.

CLAUSE 4

THAT, Clause 4 of the Bill be amended—

- (a) by renumbering the existing provision as sub clause (1); and
- (b) by inserting the following new sub-clause immediately after sub-clause (1) —
“(2) A licensing authority shall, in considering an application for a licence to carry out business which is ordinarily regulated by a professional body, undertake due diligence to ascertain whether the applicant is duly qualified and licensed to undertake such business.”

CLAUSE 5

THAT, Clause 5 of the Bill be amended by inserting the words “including making specific provisions to ease the application process for persons with disabilities” immediately after the word “licence” appearing in paragraph (a).

CLAUSE 6

THAT, Clause 6 of the Bill be amended—

- (a) in paragraph (a) by inserting the word “distributors” immediately after the word “suppliers”;
- (b) by deleting paragraph “(c)” and substituting therefor the following new paragraph —

“(c) consult the relevant government entity responsible for standards in order to ensure that quality of goods produced and services delivered are of high standard”;

(c) by inserting the following new paragraph immediately after paragraph (f)—

“(g) ensure that it does not prejudice national economic policies, economic activities across county boundaries or the national mobility of goods, services, capital or labour in line with Article 209(5) of the Constitution.”

CLAUSE 7

THAT, Clause 7 of the Bill be amended—

(a) by inserting following new sub clauses immediately after sub-clause (1)—

(1A) Each county government shall establish a board to be known as the County Licensing Board to perform the function of granting, amending, renewing, restoring and replacing of licences under subsection (1).

(1B) A County Licensing Board established under this section shall comprise—

- (a) the Director for the time being responsible for matters relating to revenue in the county government, who shall be the Chairperson;
- (b) the Director for the time being responsible for matters relating to trade in the county government;
- (c) the Deputy County Commissioner in charge of the specific subcounty where the licence is to be issued;
- (d) a representative of persons with disabilities who shall be nominated by the National Council for Persons with Disabilities from among persons with disabilities trading within the county; and
- (e) a subcounty administrator responsible for the specific county where the licence is to be issued.

(1C) The Cabinet Secretary shall make regulations to give effect to the provisions of this section including—

- (a) the conduct and regulation of the business and affairs of the County Licensing Board;
- (b) the appointment of persons under subsection (3)(c) and (e) on a rotational and need basis depending on the subcounty where a licence is to be issued;
- (c) the appointment of the persons appointed under subsection (3)(d);
- (d) remuneration of Board Members;
- (e) staff of the Board.

- (b) by inserting following new sub-clause immediately after sub-clause (2)—
“(2A) The mechanisms referred to under subsection (2) and the platforms to facilitate electronic application of a licence shall be designed while taking into account the needs of persons with disabilities.”

CLAUSE 9

THAT, Clause 9 of the Bill be amended by deleting sub clause (2) and substituting therefor the following new sub-clauses—

“(2) A notice under subsection (1) shall be made within three days of receipt of the application and shall specify the person to whom such information shall be submitted.”

“(2A) An applicant shall be granted a period of seven days to furnish the information requested in the notice specified under subsection (1).”

CLAUSE 10

THAT, Clause 10 of the Bill be amended in sub clause (1) by inserting the words “and timely” immediately after the words “provide sufficient” appearing in paragraph(c);

CLAUSE 11

THAT, Clause 11 of the Bill be amended by deleting sub-clause (1) and substituting therefor the following new sub-clause —

“(1) A licensing authority shall, where the respective legislation requires an application to be advertised, publish a notice of the application in at least three of the following platforms—

- (a) one daily newspaper of wide circulation within the county;
- (b) in one local radio station;
- (c) a designated public notice board at the county, ward and village levels;
- (d) official website or social media platform.

CLAUSE 14

THAT, Clause 14 of the Bill be amended in paragraph (a) by deleting the word “unconditionally”.

CLAUSE 15

THAT, Clause 15 of the Bill be amended in sub clause (1) by inserting the words “in writing” immediately after the words “inform the applicant”.

CLAUSE 17

THAT, Clause 17 of the Bill be amended —

(a) in sub clause (2) by deleting the words “and for the period stipulated in the licence “appearing immediately after the words “date of licence it renews”

(b) by inserting the following new sub clause immediately after subclause (2)—

“(2A). A licence shall be valid for the period stipulated in the licence:

Provided that a licence issued to a business intending to operate for one year or more shall be valid for one year from the date of issue”

CLAUSE 19

THAT, the Bill be amended by deleting Clause 19.

CLAUSE 20

THAT, Clause 20 of the Bill be amended—

(a) in sub clause (1) by inserting the following new paragraphs immediately after paragraph (c) —

“(d) obtains a licence fraudulently;

(e) operates a different business from that which it is licenced to operate”;

(b) by inserting the following new-sub clauses immediately after sub clause (1)—

“(2) A licensing authority shall issue a fourteen (14) days’ notice to a licensee before cancelling a licence under subsection (1)(a), (b), (d) and (e).

(3) Each county government shall establish a committee to undertake the review of a decision to cancel a licence.

“(4) The committee established under subsection (2) shall comprise—
the County Executive Committee Member for the time being responsible for matters finance;

(a) the County Executive Committee Member for the time being responsible for trade;

(b) two representatives from the Chamber of Commerce;

(c) the County Commissioner; and

(d) the County Attorney.

CLAUSE 24

THAT, Clause 24 of the Bill be amended —

(a) in sub-clause (2) by inserting the following words immediately after the words “respective county” —

“taking into consideration the following factors—

- (a) nature and scope of the licensed activity;
- (b) economic considerations;
- (c) administrative and regulatory costs;
- (d) public interest, and resource utilization; and
- (e) special interest groups.

(b) by inserting the following new sub-clause immediately after sub-clause (2)

—

(2A) Pursuant to Article 209(5) of the Constitution, the Council of Governors shall establish strategies and guidelines for —

- (a) harmonisation of licensing regulations, procedures, requirements and fee structures to ensure freedom of transit of goods and provision of services across various counties;
- (b) the progressive development of systems, including inter-county integrated digital platforms, to facilitate exchange of information, coordination and implement harmonised licensing to facilitate transit of goods and provision of services across various counties.

(c) in sub-clause (4) by deleting paragraph (b).

CLAUSE 29

THAT, Clause 29 of the Bill be amended—

- (a) in sub clause (1) by deleting the word “may” and substituting therefor the word “shall”; and
- (b) in sub clause (2) by deleting the word “may” and substituting therefor the word “shall”.

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

1) Notice is given that the Chairperson of the Departmental Committee on Lands intends to move the following amendments to the National Land Commission (Amendment) Bill, 2023 at the Committee Stage—

CLAUSE 2

THAT, the Bill be amended by deleting clause 2 and substituting therefor the following new clause —

Amendment of section 14 of No. 5 of 2012.

2. The National Land Commission Act, (in this Act referred to as “the Principal Act”), is amended by repealing section 14 and replacing therefor the following new section —

Review of grants and dispositions. no.4 of 2015.

14. (1) Subject to Article 68(c)(v) of the Constitution, the Commission shall, on its own motion or upon a complaint by the national or a county government, a community or an individual, review all grants or dispositions of public land to establish their propriety or legality

(2) Subject to Articles 40, 47 and 60 of the Constitution, the Commission shall make rules for the better carrying out of its functions under subsection (1).

(3) In the exercise of the powers under subsection (1), the Commission shall give every person who appears to the Commission to have an interest in the grantor disposition concerned, a notice of such review and an opportunity to appear before it and to inspect any relevant documents.

(4) After hearing the parties in accordance with subsection (3), the Commission shall make a determination.

(5) Where the Commission finds that the title was acquired in an unlawful manner, the Commission shall, direct the Registrar to revoke the title.

(6) Where the Commission finds that the title was irregularly acquired, the Commission shall take appropriate steps to correct the irregularity and may also make consequential orders.

(7) No revocation of title shall be effected against a *bona fide* purchaser for value without notice of a defect in the title.

(8) In the exercise of its power under this section, the Commission shall be guided by the principles set out under Article 47 of the Constitution.

(9) A person may register a determination that complies with Article 40(6) of the Constitution made under subsection (6) in High Court.

(10) Where a person registers a determination under subsection (9),

(a) includes any consequential the High Court shall enter judgment in accordance with the determination; and

(b) includes any consequential orders issued as a result of the determination.

(11) A person may enforce a judgment that is entered under subsection (9) in the manner provided in the Civil Procedure Act.

(12) The Commission shall publish all determinations made under subsection (6).

(13) A person who is aggrieved by a determination under this section may apply for review of the under section 7 of the Fair Administrative Action Act.

CLAUSE 3

THAT, the Bill be amended by deleting clause 3 and substituting therefor the following new clause —

Repeal and replacement
of section 15 of No. 5
of 2012.

3. The Principal Act is amended by repealing section 15 and replacing therefor the following new section—

Historical land
injustices

15. (1) Pursuant to Article 67 (3) of the Constitution, the Commission shall initiate, receive, admit, and investigate a complaint on present or historical land injustices, and recommend appropriate redress.

(2) For the purposes of this section, a historical land injustice means a grievance which—

- (a) was occasioned by a violation of right in land on the basis of any law, policy, declaration, administrative practice, treaty or agreement;
- (b) resulted in displacement from their habitual place of residence;
- (c) occurred between 15th June 1895 when Kenya became a protectorate under the British East African Protectorate and 27th August, 2010 when the Constitution of Kenya was promulgated;
- (d) has not been sufficiently resolved and subsists up to the period specified under paragraph (c); and
- (e) meets the criteria set out under subsection (3) of this section.

(3) For the purposes of this section, a “historical land injustice” includes a subsisting land injustice.

(4) A historical land claim may only be admitted, registered and processed by the Commission if—

- (a) it is verifiable that the act complained of resulted in displacement of the claimant or other form of historical land injustice;

- (b) the claim has not or is not capable of being addressed through the ordinary court system on the basis that—
 - (i) the claim contradicts a law that was in force at the time when the injustice began; or
 - (ii) the claim is debarred under section 7 of the Limitation of Actions Act, (Cap. 22) or any other law;
 - (c) the claimant was either a proprietor or occupant of the land upon which the claim is based; and
 - (d) no action or omission on the part of the claimant amounts to surrender or renouncement of the right to the land in question.
- (5) A claim alleging historical land injustice shall be permissible if it was occasioned by—
- (a) colonial occupation;
 - (b) independence struggle;
 - (c) pre-independence treaty or agreement between a community and the government;
 - (d) development-induced displacement for which no adequate compensation or other form of remedy was provided, including conversion of non-public land into public land;
 - (e) inequitable land adjudication process or resettlement scheme;
 - (f) politically motivated or conflict based eviction;
 - (g) corruption or other form of illegality;
 - (h) natural disaster; or
 - (i) other cause approved by the Commission.

(6) When conducting investigations under subsection (1) into historical land injustices the Commission may—

- (a) request from any person including any government department such particulars, documents and information regarding any investigation, as may be necessary; or
- (b) by notice in writing, addressed and delivered by a staff of the Commission to any person, direct such person, in relation to any investigation, to appear before the Commission at such time and place as may be specified in the notice, and to produce such documents or objects in the possession, custody or under the control of such person and which are relevant to that investigation.

(7) Where a complainant is unable to provide all the information necessary for the adequate submission or investigation of a complaint, the Commission shall take reasonable steps to have this information made available.

(8) If at any stage during the course of an investigation, the Commission is of the opinion that the resources of the Commission may be more effectively utilized if all claims within a given area or township were to be investigated at the same time, the Commission shall cause to be published in the Gazette or in such other manner as the Commission may deem appropriate, a notice advising potential complainants of the decision and inviting them to lodge claims within a period specified in such notice.

(9) A claim in respect of a matter contemplated in subsection (7) shall not be lodged after the expiry of the period specified in the said notice.

(10) The Commission, after investigating any case of historical land injustice referred to it, shall recommend any of the following remedies—

- (a) restitution;
- (b) compensation, if it is impossible to restore the land;
- (c) resettlement on an alternative land;
- (d) rehabilitation through provision of social infrastructure;
- (e) affirmative action programmes for marginalized groups and communities;
- (f) creation of wayleaves and easements;
- (g) order for revocation and reallocation of the land;
- (h) order for revocation of an official declaration in respect of any public land and reallocation;
- (i) sale and sharing of the proceeds;
- (j) refund to bona fide third party purchasers after valuation; or
- (k) declaratory and preservation orders including injunctions.

(11) Upon determination of a historical land injustice claim by the Commission, any authority mandated to act under the redress recommended shall be required to do so within three years.

(12) The Commission shall publish all determinations.

No.4 of 2015.

(13) A person who is aggrieved by a determination under this section may apply for review of the determination under section 7 of the Fair Administrative Acton Act.

NEW CLAUSE 4

THAT, the Bill be amended by inserting the following new clause immediately after Clause 3 —

Repeal and replacement of section 15 of No. 5 of 2012.

4. The principal Act is amended by repealing section 26 and replacing therefor the following new section—

Bank account

26. (1) The Commission shall open and maintain such bank accounts as are necessary for the effective management of the Commission.

(2) A court shall not issue garnishee or charging orders against a bank account under subsection (1) or any existing bank account opened and maintained by the Commission.

2) Notice is given that the Member for Marakwet West (Hon. Timothy Toroitich) intends to move the following amendments to the National Land Commission (Amendment) Bill, 2023 at the Committee Stage—

CLAUSE 3

THAT, Clause 3 of the Bill be amended by—

(a) deleting paragraph (b) and substituting therefor the following new paragraph:

(b) deleting subsection (11) and substituting therefore the following new subsections—

“(11) (1) The Commission shall complete an investigation under subsection (9) within six months.

(2) The Commission may submit to the National Assembly, a request to extend time for a period that does not exceed six months, where the Commission does not complete an investigation under paragraph (1).

(3) The National Assembly may only approve a request under subsection (2) once.

(12) The Commission shall, in consultation with the Cabinet Secretary, publish regulations to operationalize this section within six months of enacting this Act.”

III. SENATE AMENDMENTS TO THE WATER (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 33 OF 2023)

It is notified that the Senate made the following amendments to the Water (Amendment) Bill (National Assembly Bill No. 33 of 2023) —

CLAUSE 2

Senate Amendment

THAT clause 2 of the Bill be amended—

- a) by deleting paragraph (a) and inserting the following new paragraph—
 - (a) by inserting the following new definitions in the proper alphabetical sequence-

“bulk water service provider” means a water service provider, contracting authority, or any other person providing bulk water services in accordance with a license issued by the Regulatory Board for the service areas specified in the license;

“contracting authority” means-

- (a) at the national government level, a state department, agency or state corporation which intends to have its functions undertaken by a private party; or
- (b) at the county level, the county government, county agency or county corporation which intends to have its functions undertaken by a private party;

“joint committee” means a committee established by the national or county government consisting of the national government and a county government or two or more county governments;

“private party” means a party that enters into a project agreement with a contracting authority and is responsible for undertaking a project on behalf of the contracting authority under this Act;

- b) in paragraph (b) by deleting the proposed definition of “bulk water” and inserting therefor the following new definition—

“bulk water” means supply of water in bulk by a bulk water services provider to a water services provider for retail;

- c) by deleting paragraph (c).

(The Committee recommends rejection of the Senate amendment)

CLAUSE 3**Senate Amendment**

THAT, Clause 3 of the Bill be amended —

- (a) in the proposed new paragraph (g) by inserting the words “subject to the economic efficiency criteria set by the Regulatory Board” at the end of the paragraph; and
- (b) in the proposed new paragraph (h) by inserting the words “subject to the economic efficiency criteria set by the Regulatory Board” at the end of the paragraph.

(The Committee recommends rejection of the Senate amendment)

CLAUSE 4**Senate Amendment**

THAT the Bill be amended by deleting Clause 4 and inserting the following new Clause 4 —

4. Section 68 of the principal Act is amended by inserting the following new paragraphs immediately after paragraph (b)—

(ba) operate water works and provide bulk water services by entering into a bulk water purchase agreement —

(i) with an investor in accordance with the provisions of the Public Private Partnerships Act, Cap 430, subject to the economic efficiency criteria set by the Regulatory Board and after conducting public participation and consulting the relevant county government whose area of jurisdiction the water works is located; or

(ii) with a water services provider subject to the economic efficiency criteria set by the Regulatory Board.

(bb) operate water works and provide bulk water services as a bulk water services provider until such a time as the water works development agency transfers responsibility for the operation and management of water works to a county government or water services provider in whose area of jurisdiction the water works is located.

(The Committee recommends rejection of the Senate amendment)

CLAUSE 5**Senate Amendment**

THAT the Bill be amended in the proposed section 68A (2) by deleting the words “and with the approval of the Cabinet Secretary,” appearing immediately after the words “necessary thereafter”.

(The Committee recommends rejection of the Senate amendment)

CLAUSE 6**Senate Amendment**

THAT, Clause 6 of the Bill be amended—

- (a) in paragraph (a), by deleting the new proposed subsection (1) and inserting the following new proposed subsection (1)—
 - (1) As soon as possible, following the commissioning of waterworks, the water works development agency shall enter into an agreement with a county government, a joint committee, cross-county water services provider, or water services provider to provide water services within whose area of jurisdiction the services are located.
- (b) by deleting paragraph (b) and inserting the following new paragraph—
 - (b) in subsection (2) by deleting the word “authority” appearing after the words “the joint committee” and inserting therefor the words “cross-county water service providers”.
- (c) by deleting paragraph (c) and inserting therefor the following new paragraph —
 - (c) in subsection (3) by deleting the words “the authority” appearing immediately after the words “the joint committee” and inserting the words “cross-county water service providers”.

(The Committee recommends rejection of the Senate amendment)

CLAUSE 7**Senate Amendment**

THAT, Clause 7 of the Bill be amended—

- (a) by deleting paragraph (a) and inserting the following new paragraph —
 - (a) by inserting the following new paragraphs immediately after paragraph (b)—
 - (ba) evaluate and recommend bulk water tariffs and approve the imposition of such tariffs in line with consumer protection

standards for use of water for domestic and commercial purposes;

(bb) evaluate and recommend tariffs for irrigation purposes;

(b) in paragraph (b) by deleting the proposed new paragraph (c) and inserting the following new paragraph—

(c) issue licenses, set conditions for water service provision, and accredit water service providers and bulk water services providers.

(The Committee recommends rejection of the Senate amendment)

CLAUSE 9

Senate Amendment

THAT clause 9 of the Bill be amended in paragraph (b) in the proposed new subsection (3), by deleting the words “provision of water services” appearing immediately after the words “infrastructure used for the” and inserting therefor the words “contracted function”.

(The Committee recommends approval of the Senate amendment)

CLAUSE 10

Senate Amendment

THAT clause 10 of the Bill be amended by deleting the proposed subsection (4) and inserting therefor the following new subsection —

(4) Despite any provision in this Act, bulk water supply services which are primarily intended to supply water in bulk to a water services provider in a county or counties other than the county in which the bulk water abstraction works are located, shall be undertaken by bulk water services providers licensed under this section.

(The Committee recommends approval of the Senate amendment)

CLAUSE 11

Senate Amendment

THAT, the Bill be amended by deleting Clause 11.

(The Committee recommends rejection of the Senate amendment)

CLAUSE 12

Senate Amendment

THAT, Clause 12 of the Bill be amended in the proposed new section 119 (2) by inserting the following new paragraph immediately after paragraph (c):

- (d) two persons, a man and a woman, who possess a degree from a university recognized in Kenya and at least five years' experience in a relevant field, nominated by the Council of County Governors.

(The Committee recommends rejection of the Senate amendment)



LIMITATION OF DEBATE

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

Limitation of Debate on the Senate Amendments to Bills Originating in the National Assembly

- IV.** **THAT**, each speech in the general debate contemplated under Standing Order 146 (**Consideration of Senate amendments to Bills originating in the National Assembly**) shall be limited as follows:- a maximum of one hour and thirty minutes, with not more than fifteen minutes (15) for the Mover in moving, fifteen minutes (15) for the Chairperson of the relevant Departmental Committee, and five (5) minutes for any other Member speaking, including the Leader of the Majority Party and the Leader of the Minority Party (if the Bill is not party-sponsored), and that five (5) 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, 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

- V.** **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 Audit Committee Reports

- VI.** **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.

Limitation of Debate on Other Committee Reports

VII. **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.

NOTICE PAPER

Tentative business for **Tuesday, April 30, 2024**

(Published pursuant to Standing Order 38(1))

It is notified that the following business is *tentatively* scheduled to appear in the Order Paper for Tuesday, April 30, 2024 –

A. COMMITTEE OF THE WHOLE HOUSE

The Independent Electoral and Boundaries Commission (Amendment) Bill
(National Assembly Bill No. 10 of 2024)
(The Leader of the Majority Party and the Leader of the Minority Party)

B. MOTION– CONSIDERATION OF THE PUBLIC FINANCE **MANAGEMENT (KENYA MILLENIUM** **DEVELOPMENT FUND) REGULATIONS, 2024**

(The Chairperson, Committee on Delegated Legislation)

(If not concluded on Thursday, April 25, 2024)

C. 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 Thursday, April 25, 2024)

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

(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, April 25, 2024)

E. 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, April 25, 2024)

F. MOTION – REPORTS OF THE AUDITOR-GENERAL ON THE **FINANCIAL STATEMENTS OF SPECIFIED STATE** **CORPORATIONS**

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

(If not concluded on Thursday, April 25, 2024)

G. MOTION – PUBLIC PETITION ON FUNDS SPENT CONTRARY TO THE PROVISIONS OF ARTICLE 223 OF THE CONSTITUTION

(The Chairperson, Public Petitions Committee)

(If not concluded on Thursday, April 25, 2024)

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

(The Chairperson, Committee on Parliamentary Broadcasting and Library)

(If not concluded on Thursday, April 25, 2024)

I. MOTION – INSPECTION VISIT TO SEMI-AUTONOMOUS INSTITUTIONS OF THE EAST AFRICAN COMMUNITY IN UGANDA

(The Chairperson, Select Committee on Regional Integration)

(If not concluded on Thursday, April 25, 2024)

J. MOTION – IMPLEMENTATION STATUS OF REPORTS ON PETITIONS AND RESOLUTIONS PASSED BY THE HOUSE

(The Chairperson, Select Committee on Implementation)

(If not concluded on Thursday, April 25, 2024)

K. MOTION – ALLEGED UNFAIR TRADE PRACTICES BY FOREIGN INVESTORS IN KENYA

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

(If not concluded on Thursday, April 25, 2024)

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

(The Chairperson, Departmental Committee on Agriculture and Livestock)

(If not concluded on Thursday, April 25, 2024)

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**—

No.	Subject	Member	Relevant Committee
1.	Prolonged power outages in <i>Kiunga Village</i> in Lamu East Constituency	<i>Hon. (Capt) Runweida Obo, MP (Lamu East)</i>	Energy
2.	Ban on consumption on <i>Shisha</i> in Kenya	<i>Hon. Zaheer Jhanda, MP (Nyaribari Chache)</i>	Health
3.	Disbursement of the Women Enterprise Fund	<i>Hon. Marianne Kitany, MP (Aldai)</i>	Social Protection
4.	Deplorable condition of <i>Mlolongo-Quarry-Katani</i> Road in Machakos County	<i>Hon. Joyce Kamene, MP (Machakos County)</i>	Transport and Infrastructure
