



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – SECOND SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, FEBRUARY 13, 2024 (AFTERNOON SITTING)**

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Honourable Speaker
4. **COMMUNICATION FROM THE CHAIR**

The Speaker issued the following Communications to the House –

**a) On Business that Lapsed at the end of the Second Session and Reconstitution of Sessional Committees**

**“Honourable Members,**

I wish to welcome you back to the House for the Third Session of the Thirteenth Parliament. It is my hope that after a well-deserved break, you are now rejuvenated and ready to embark on the business that lies ahead of us this Session. I also hope you had time to enjoy the Christmas and New Year festivities with your families, and that during the period you also got an opportunity to interact with your constituents on matters of development.

Reflecting on the last Second Session, it is gratifying to note the immense business transacted by the House. Notably, a total of sixty-nine (69) Bills were introduced in the House out of which, seventeen (17) were passed and assented to. Out of these, I would like to single out the National Government Constituencies Development Fund (Amendment) Bill (National Assembly Bill No. 13 of 2023) and the National Lottery Bill (National Assembly Bill No. 69 of 2023) which were passed on 6<sup>th</sup> December, 2023. I wish to inform you that His Excellency the President assented to the two Bills on 11<sup>th</sup> December, 2023 and the Acts are now in operation.

**Honourable Members,** apart from legislation, the House also adopted one hundred and seventy-nine (179) Motions on various subject matters including school feeding programmes, access to healthcare in the country, road safety, cost of electricity, and investment incentives in the country as well as social protection measures. Further, five hundred and forty-three (543) Questions were processed, covering diverse topics such as the cost of living, national security, and sports management. Moreover, one hundred and fourteen (114) Petitions were received, out of which Fifty-four (54) were presented to the House.

With regard to Committees, one hundred and fifty-one (151) Reports were tabled by various Committees. The Reports were on various matters including reports on Bills,

vetting of persons for appointments to various state offices, statutory instruments, inquiries, and petitions. The House also received and considered reports of the Auditor General on the examination of accounts of the National Government and various state corporations. These Reports and other papers form part of the two thousand two hundred and sixty (2,260) Papers that were laid on the Table of the House last session.

Having said that, **Honourable Members**, I wish to bring to the attention of the House the fact that, in accordance with the Standing Orders, certain business that was not dispensed with at the end of the Second Session has now lapsed. This includes all Motions, all Statements, Questions and some Bills.

With regards to the lapsing of Bills, I wish to draw the attention of the House to the provisions of Standing Order 141(2)(b), which provides as follows, and I quote –

*“141. (2) A Bill that has been published, read a First Time or in respect of which the Second Reading has not been concluded—  
.....;  
at the end of two consecutive Sessions of the same Parliament shall lapse at the end of the second Session and may be republished in the same or different form in accordance with Standing Order 114 (Introduction of Bills).*

Consequent to the said provision, the **Equalisation Fund Bill (National Assembly Bill No. 47 of 2022)**, sponsored by the Member for Tiaty, the Hon. William Kamket, MP, **lapsed**.

Regarding Questions, **Honourable Members**, I am aware that at the end of the Second Session, two hundred and eighty-one (281) Questions were transmitted to Cabinet Secretaries (CSs). Where, one hundred and twenty-five (125) Questions were responded to, leaving one hundred and fifty-six (156) Questions awaiting response from respective Cabinet Secretaries.

In this regard, where a Member is still desirous of obtaining a response to the transmitted Question(s), I will permit the Leader of the Majority Party to prioritize such Questions when scheduling the appearance of Cabinet Secretaries before the House. Members are therefore advised to visit the Question’s Office to formally indicate such desire by close of business on Thursday, 22<sup>nd</sup> February 2024.

All other Questions that had not been transmitted to Cabinet Secretaries, Constitutional Commissions, and Independent Offices have lapsed however the concerned Members are at liberty to file them afresh, if they so wish.

**Honourable Members**, having laid out the procedure on the reintroduction of lapsed business, I now direct that any Committee or individual Member wishing to re-introduce any such business do so in accordance with the Standing Orders and our parliamentary practice. Honourable Members who may not be clear on the procedure are advised to visit the Table Office for assistance.

**Honourable Members**, as we commence this Session, it is my sincere hope that the House will build on its impressive performance in the Second Session to gain traction for an even better performance in the Third Session.

**Honourable Members**, I also wish to draw the attention of the House to the fact that, there are a number of Committees whose term lapses with the session. These are, the

House Business Committee, the Committee of Powers and Privileges and the Committee on Members' Services and Facilities. Consequently, the three Committees ought to be reconstituted.

Indeed, as you have noticed in today's Order Paper, the House is scheduled to consider a Motion under Order No. 8 on the reconstitution of the House Business Committee. Once approved, the House will adjourn to allow the Committee to meet and schedule Business for the remainder of the week.

Further, I take this opportunity to urge the Committee on Selection to expedite the nomination of Members to serve in the other two remaining Committees for consideration by the House.

**Honourable Members**, you may also recall that on 21<sup>st</sup> November 2023, I directed the Clerk to designate a suitable place in the restaurant within the Main Parliament Buildings for exclusive use by Members of Parliament. This has not only been done but, in addition, some renovation works have since been undertaken in the Members' Restaurant and Lounge. The improvement of the facilities, which extended to the Main Chamber and other parts of the National Assembly Buildings and its courtyards, are intended to provide proper facilities in order to facilitate you to carry out your constitutional mandate in a suitable environment.

**Honourable Members**, you will further recall that on the same 21<sup>st</sup> November, 2023, I directed the Clerk to circulate to all Members the *Revised Members' Rules for the Members Restaurant*. I now instruct the Clerk to publish the Rules and instruct, alongside the Clerk of the Senate and the Director-General, to ensure they are enforced. I also urge all Members to observe the said Rules, particularly *Rule 3 (Sitting Restrictions)*, *Rule 4 (Admission of Visitors)*, *Rule 5 (Dress Code)*, *Rule 6 (Conduct of Members)*, and *Rule 7 (Conduct of Visitors)*.

In conclusion, **Honourable Members**, as we embark on the legislative agenda of the National Assembly for the Third Session, I urge you all to carry out the sacrosanct duty of being representatives of the people with all dedication.

I also wish you success, individually as Members and collectively as a House, as you carry out this noble national duty for the welfare of our people. I thank you."

**b) On visiting Delegation from the National Assembly of Zambia**

**"Honourable Members**, I wish to introduce to you a delegation from the National Assembly of Zambia comprising of the First Deputy Speaker, the Hon. Chisongano Malungo, MP and the Second Deputy Speaker, the Hon. Moyo Moses Frank, MP.

**Honourable Members**, the delegation is accompanied by six (6) officers of the National Assembly of Zambia led by the Deputy Clerk, Mr. Stephen C. Kawimbe.

**Honourable Members**, the delegation<sup>9</sup> is in the country on a study visit to benchmark on the mental health practices and policies that the Parliament of Kenya has put in place for Members and staff. The delegation seeks to learn ways of addressing systemic challenges and mitigation measures on mental health at the workplace.

**Honourable Members**, on my behalf and that of the National Assembly, I welcome them to the Parliament of Kenya and wish them fruitful engagements during their stay in the country. Thank you!"

## **5. PAPERS LAID**

The following Papers were laid on the Table of the House–

- (i) Legal Notice No. 170 of 2023 relating to the Capital Markets (Alternative Investment Funds) Regulations, 2023 and the Explanatory Memorandum from the National Treasury;
- (ii) Legal Notice No. 171 of 2023 relating to the Capital Markets (Credit Rating Agencies) Regulations, 2023 and the Explanatory Memorandum from the National Treasury;
- (iii) Legal Notice No. 172 of 2023 relating to the Capital Markets (Public Offers, Listing and Disclosures) Regulations, 2023 and the Explanatory Memorandum from the National Treasury;
- (iv) Legal Notice No. 173 of 2023 relating to the Capital Markets (Collective Investment Schemes) Regulations, 2023 and the Explanatory Memorandum from the National Treasury;
- (v) The Public Procurement Capacity Building Levy Order, 2023 from the National Treasury; and
- (vi) The proposed Public Private Partnerships Regulations, 2023 from the National Treasury.
- (vii) Report of the Auditor-General on National Government for the financial year 2022/2023.
- (viii) Performance Audit Report on Conservation of Heritage Sites by National Museums of Kenya for February 2024 from the Office of the Auditor-General.

*(Deputy Majority Leader)*

## **6. STATEMENTS**

The Member for Elgeyo Marakwet County (the Hon. Caroline Ngélechei, MP) made a General Statement pursuant to Standing Order 43(1) regarding the tragic demise of the Marathon World Record Holder, Mr. Kelvin Kiptum who passed on following a road accident on February 11, 2024 at the Kaptagat area along Elgeyo Marakwet-Ravine road.

Thereafter, the Honourable Speaker gave Members an opportunity to convey their Messages of condolences.

Members observed that the late athlete was a hero who at only 24 years of age, had a whole life ahead of him to achieve incredible greatness. He was an extraordinary sportsman who has left an extraordinary mark in the globe.

## **7. MOTION - APPOINTMENT OF MEMBERS TO THE HOUSE BUSINESS COMMITTEE**

THAT, pursuant to the provisions of Standing Order 171(1)(f), this House approves the appointment of the following Members to the House Business Committee in addition to those specified under paragraphs (a), (b), (c), (d) and (e) –

- (i) The Hon. Omboko Milemba, CBS, M.P.
- (ii) The Hon. Robert Mbui, CBS, M.P.

- (iii) The Hon. Hon. Faith Wairimu Gitau, M.P.
- (iv) The Hon. Samuel K. Chepkonga, CBS, M.P.
- (v) The Hon. Adan Wehliye Keynan, CBS, M.P.
- (vi) The Hon. Tom Joseph Francis Kajwang', M.P.
- (vii) The Hon. Sarah Paulata Korere, M.P.
- (viii) The Hon. Joshua Mbithi Mwalyo, M.P.
- (ix) The Hon. Umul Ker Kassim Sheikh, M.P.

*(The Leader of the Majority Party)*

There being no debate arising;

Question put and agreed to.

There being no other Business and the time being twenty-eight minutes past three O'clock, the Hon. Speaker adjourned the House without Question put pursuant to the Standing Orders.

8. **HOUSE ROSE** - at twenty-eight minutes past three O'clock.

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**M E M O R A N D U M**

The Speaker will take the Chair on  
Wednesday, February 14, 2024 at 9.30am

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