



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – SECOND SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, JULY 4, 2023**

1. The House assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer.
3. **Presiding** – the Rt. Honourable Deputy Speaker.

4. **PETITIONS**

Pursuant to the provisions of Standing Order 225, the Member for Jomvu Constituency (Hon. Bady Twalib, MP) presented a petition on behalf of concerned residents of Jomvu Constituency regarding compensation of persons affected by *Mombasa-Mariakani* Road dualling project.

The Petition was committed to the Public Petitions Committee pursuant to Standing Order 227.

5. **PAPERS**

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

- (a) Report of the Auditor-General and Financial Statements on Energy and petroleum Regulatory Authority (EPRA) for the year ended 30<sup>th</sup> June, 2022.
- (b) Bi-Annual Report of the Commission on Administrative Justice for the period July - December, 2022.
- (c) Reports of the Auditor-General and Financial Statements in respect of the following Constituencies for the year ended 30<sup>th</sup> June 2022 and the certificates therein: -
  - (i) Msambweni;
  - (ii) Tiaty;
  - (iii) Mwingi West;
  - (iv) Wajir West;
  - (v) Narok East;
  - (vi) Narok South;
  - (vii) Narok North;
  - (viii) Galole;
  - (ix) Kangundo;
  - (x) Garsen;
  - (xi) Eldas;
  - (xii) Tarbaj;
  - (xiii) Bura;
  - (xiv) Subukia;

- (xv) Molo;
- (xvi) Kuresoi North;
- (xvii) Mogotio;
- (xviii) Fafi;
- (xix) Magarini;
- (xx) Kabete;
- (xxi) Kibra;
- (xxii) Konoin;
- (xxiii) Emurua Dikirr;
- (xxiv) Mbooni;
- (xxv) Rongai; and
- (xxvi) Matuga.

*(The Hon. Owen Baya, MP – The Deputy Leader of the Majority Party)*

- (d) Report of the Departmental Committee on Finance and National Planning on its consideration of the Pensions (Amendment) Bill (National Assembly Bill No. 44 of 2022.

*(The Hon. (CPA) Kimani Kuria, MP – Chairperson, Departmental Committee on Finance and National Planning)*

## 6. **STATEMENTS**

Pursuant to the provisions of Standing Order 44, the Member for Constituency (Hon. John Kiarie, MP) made a Statement regarding International Day of Parliamentarism. In the Statement, the Member informed the House that the International Day of Parliamentarism is celebrated every year on 30<sup>th</sup> of June every year in commemoration of the date in 1889 on which the Inter-Parliamentary Union (IPU) was founded. The Day was established in 2018 through a United Nations General Assembly Resolution and was particularly important for reaffirming parliamentary democracy at a time when people were losing trust in political institutions and democracy itself is facing challenges from populist and nationalist movements. He encouraged Members of the House to renew their commitment individually and collectively as a House to continue to promote transparency, accountability and inclusivity in the parliamentary democratic governance with a view to enhancing the voices of the people and realizing their aspirations for a better future.

## 7. **MOTION – CONSIDERATION OF THE PUBLIC FINANCE MANAGEMENT (NATIONAL PEACE SUPPORT OPERATIONS FUND) REGULATIONS, 2023**

Motion having been made and Question propoed –

**THAT**, this House **adopts** the Report of the Committee on Delegated Legislation on its consideration of the Public Finance Management (National Peace Support Operations Fund) Regulations, 2023, *laid on the Table of the House on Wednesday, 21<sup>st</sup> June, 2023*, and pursuant to the provisions of section 24(4) of the Public Finance Management Act, 2012, **approves** the Public Finance Management (National Peace Support Operations Fund) Regulations, published as *Legal Notice No. 58 of 2023*.

*(The Hon. Samuel Chepkong'a, MP – Chairperson, Committee on Delegated Legislation)*

Debate having been concluded on Thursday, 29<sup>th</sup> June 2023;

Mover having replied;

Question put and agreed to.

**8. THE ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILL NO. 7 OF 2022)**

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

Order for First Reading read;

Bill read a First Time and referred to the relevant committee pursuant to the Standing Orders 127.

**9. SPECIAL MOTION - CONSIDERATION OF A NOMINEE FOR APPOINTMENT AS A MEMBER OF THE SALARIES AND REMUNERATION COMMISSION**

Motion made and Question proposed;

**THAT**, taking into consideration the findings of the Departmental Committee on Labour in its Report on the vetting of a nominee for appointment as a *member* of the Salaries and Remuneration Commission, *laid on the Table of the House on Tuesday, 27<sup>th</sup> June 2023*, and pursuant to the provisions of Article 250(2)(b) of the Constitution, section 7 (11) of the Salaries and Remuneration Commission Act, 2011 and section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011, this House rejects the appointment of Dr. Phyllis Wambui Wagacha as a Member of the Salaries and Remuneration Commission.

*(The Hon. Eric Muchangi, MP – Chairperson, Departmental Committee on Labour)*

*(Change of Chair from the Hon. Deputy Speaker to the Fifth Chairperson of Committees)*

Debate arising;

Rising in his place on a Point of Order pursuant to Standing Order 95, the Member for Ainabkoi Constituency (Hon. Samuel Chepkong'a, MP) claimed to move, 'That the Mover be now called upon to reply';

And the Fifth Chairperson being of the opinion that the Motion was not an abuse of proceedings or infringement of the rights of Members;

Thereupon, Question put and agreed to;

Mover replied;

Question put and agreed to.

**10. MOTION - RATIFICATION OF THE BAMAKO CONVENTION ON THE BAN OF THE IMPORTATION INTO AFRICA AND THE CONTROL OF TRANSBOUNDARY MOVEMENT AND MANAGEMENT OF HAZARDOUS WASTE WITHIN AFRICA**

Motion made and Question proposed;

**THAT**, this House **adopts** the Report of the Departmental Committee on Environment, Forestry and Mining on its consideration of the ratification of the Bamako Convention on the Ban of the Importation into Africa and the Control of Transboundary Movement and Management of Hazardous Waste Within Africa, *laid on the Table of the House on Thursday, 4<sup>th</sup> May 2023*, and pursuant to the provisions of section 8(4) of the Treaty Making and Ratification Act, 2012, **approves** the Ratification of the Bamako Convention on the Ban of the Importation into Africa and the Control of Transboundary Movement and Management of Hazardous Waste Within Africa.

*(The Hon. David Gikaria, MP – Chairperson, Departmental Committee on Environment, Forestry and Mining)*

*(Change of Chair from the Fifth Chairperson of Committees to the Fourth Chairperson of Committees)*

Debate arising;

Mover replied;

Putting of Question **deferred** Pursuant to Standing Orders 53 (3)

**11. MOTION – RATIFICATION OF THE MINAMATA CONVENTION ON MERCURY**

Motion made and Question proposed;

**THAT**, this House **adopts** the Report of the Departmental Committee on Environment, Forestry and Mining on its consideration of the ratification of the Minamata Convention on Mercury, *laid on the Table of the House on Wednesday, 21<sup>st</sup> June, 2023* and pursuant to the provisions of section 8(4) of the Treaty Making and Ratification Act, 2012, **approves** the *ratification of the Minamata Convention on Mercury*.

*(The Chairperson, Departmental Committee on Environment, Forestry and Mining)*

Debate arising;

Mover replied;

Putting of Question **deferred** Pursuant to Standing Orders 53 (3)

**12. MOTION – APPROVAL OF THE DEFENCE COOPERATION AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF KENYA AND THE GOVERNMENT OF THE REPUBLIC OF SEYCHELLES**

Motion made and Question proposed;

**THAT**, this House **adopts** the Report of the Departmental Committee on Defence, Intelligence and Foreign Relations on its consideration of the Defence Cooperation Agreement between the Government of the Republic of Kenya and the Government of the Republic of Seychelles, *laid on the Table of the House on Tuesday, 13<sup>th</sup> June, 2023* and pursuant to the provisions of section 8(4) of the Treaty Making and Ratification Act, 2012, **approves** the Defence Cooperation Agreement between the Government of the Republic of Kenya and the Government of the Republic of Seychelles.

*(The Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations)*

Debate arising;

And the time being Seven O'clock, the Sixth Chairperson adjourned the House without Question put pursuant to the Standing Orders.

**13. HOUSE ROSE - at Seven O'clock**

**MEMORANDUM**

The Speaker will take the Chair on,  
Wednesday, July 5, 2023 at 9.30 a.m.