



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – SECOND SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, JUNE 22, 2023

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

4. **COMMUNICATION FROM THE CHAIR**

The Speaker issued the following Communication from the chair:

“Honourable Members, I wish to introduce to you a delegation from the County Assembly of Kirinyaga who are seated in the Speaker’s Gallery. The delegation comprises Members of the County Assembly’s Committee on Powers and Privileges. They are:

- i) Hon. Muteti Murimi- Speaker of County Assembly/ Chairperson of the Committee of Powers and Privileges;
- ii) Hon. Timothy Kathuri - Vice- Chairperson;
- iii) Hon. Geoffrey Gakuru - Member;
- iv) Hon. Charles Nyaga- Member;
- v) Hon. Milker Thoithi - Member;
- vi) Hon. Lucy Mwaniki - Member; and
- vii) Hon. Joseph Kiragu- Member.

Honourable Members, the delegation is accompanied by the Clerk of County Assembly, Mr. Kamau Aidi and five other Assembly Staff. They are on a benchmarking with the National Assembly Committee of Powers and Privileges to learn, share experiences and best practices in the execution of their mandates.

Honourable Members, on my own behalf and that of the National Assembly, I welcome them to Parliament and wish them fruitful engagements with the counterpart Committee.”

5. **MESSAGES**

The Speaker conveyed the following Message from the Senate:

Passage of the Parliamentary Powers and Privileges (Amendment) Bill (Senate Bill No. 5 of 2022)

“Honourable Members, pursuant to the provisions of Standing Order 41(4) of the National Assembly Standing Orders, I wish to convey to the House that I have received a Message from the Senate regarding the passage of the Parliamentary Powers and Privileges (Amendment) Bill (Senate Bill No. 5 of 2022).

Honourable Members, the Parliamentary Powers and Privileges (Amendment) Bill (Senate Bills No. 5 of 2022) was published *vide* Kenya Gazette Supplement No. 176 of 8th November, 2022, as a Bill to amend the Parliamentary Powers and Privileges Act, to provide for a structured mechanism through which Parliament is able to receive reports from public officers on the resolutions passed by Parliament; and for connected purposes.

Honourable Members, the Message conveys that on Tuesday, 13th June, 2023, the Senate considered and **passed** the said Bill **with amendments**.

Honourable Members, having considered and passed the Bill, the Senate now seeks the concurrence of the National Assembly on the Bill pursuant to Article 110(4) of the Constitution and Standing Orders 46(1) of the Senate Standing Orders.

Honourable Members, Standing Order 143 (1) (c) of the National Assembly Standing Orders requires the Speaker to cause a Bill received from the Senate to be read a First Time upon conveyance of its Message. I, therefore, direct the Clerk to have the Bill listed in the Order Paper for the First Reading at the next sitting. After being Read a First Time, the Bills will stand committed to the Committee of Powers and Privileges for consideration. **I thank you.”**

6. PETITIONS

The Speaker conveyed the following Petition:

“Honourable Members, Article 119 of the Constitution accords any person the right to petition Parliament to consider any matter within its authority. Further, Standing Order 225(2)(b) requires the Speaker to report to the House any Petition other than those presented by a Member.

In this regard, Honourable Members, I wish to report to the House that my office has received a petition from a consortium of petitioners from Juja and Ruiru Constituencies, calling for urgent tarmacking of the Kiganjo-Mugutha-GwaKairu Link Road that traverses the two constituencies.

Honourable Members, the Petitioners are composed of the management, employees, students and stakeholders of the Nairobi Institute of Business Studies, Rexol-Mart Supermarket, Sahara Ridge Estate, Kimbo Nebz Village, Wembley Queen Gardens, Rays Gardens, Spur Mall, Lizzie Wanyoike Preparatory School, the G.S.U Recce Office in Ruiru, and St. Thomas Catholic Church, petitioning through one Mr. Lewis Gichini of P.O. Box 4364 Nairobi.

The Petitioners decry the sorry state of the Kiganjo-Mugutha-GwaKairu Link Road, which is a critical access road for business operators, students, pupils, homeowners, tenants, transporters, the general public as well as the G.S.U. Recce squad that utilizes it for emergency movements and operations in the area.

The Petitioners aver that they have regularly teamed up to upgrade the one-and-a-half kilometre road to murram status at their own costs, but these short-term interventions are always proven futile during rainy seasons and additionally on account of the massive traffic that wears off the link road.

They are additionally concerned about the perennial health hazards caused by dust emanating from the road that makes over 15,000 students and residents vulnerable to health complications.

Honourable Members, in light of these recurrent challenges, the Petitioners seek the bitumen standards of the Kiganjo-Mugutha-GwaKairu Link Road inclusive of the Railways/ Thika Superhighway underpass that borders Kenyatta University's Ruiru Campus in order to create an alternative access to and exit from the Superhighway in light of the perennial heavy traffic jams at the Ruiru Kimbo underpass.

Honourable Members, having established that the matter raised in the Petition is well within the authority of this House; and further, that the matters raised in this Petition are not pending before any court of law, constitutional or legal body, I hereby commit the Petition to the Public Petitions Committee for consideration pursuant to Standing Order 208A. The Committee is required to consider the Petition and report its findings to the House and to the Petitioner in accordance with Standing Order 227(2)."

7. PAPERS LAID

The following Papers were laid on the Table:-

- (i) Draft Charter for Open University of Kenya from the Ministry of Education (*to be referred to the Committee on Delegated Legislation*).
- (ii) Report of the Auditor-General and Financial Statements of Road Maintenance Levy Fund for the year ended 30th June, 2022 - Kenya Urban Roads Authority.
- (iii) Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June 2022 and the certificates therein: -
 - a) Kenya Railways Corporation;
 - b) National Housing Corporation;
 - c) Kenya Civil Aviation Authority;
 - d) National Oil Corporation of Kenya Limited; and
 - e) Energy and Petroleum Regulatory Authority.

(Leader of the Majority Party)

- (iv) Report of the Departmental Committee on Labour on its consideration of the Public Service Internship Bill (National Assembly Bill No. 63 of 2022).

(Chairperson, Departmental Committee on Labour)

- (v) Report of the Departmental Committee on Administration and Internal Security on the vetting of Ms. Anne Njoki Wang'ombe for appointment as Principal Secretary, State Department for Performance Management and Delivery Services.

(Member, Departmental Committee on Administration and Internal Security)

- (vi) 2022 NACADA Report on the National Survey on the status of Drugs and substance use in Kenya (Abridged Version)

(Chairperson, Parliamentary Caucus against Drugs and Substance Abuse)

8. NOTICES OF MOTION

The following Notices of Motion were issued –

- (i) Providing a safety net for caregivers of persons with severe disabilities

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

(Hon. Dorothy Ikiara, MP)

- (ii) Appointment of Principal Secretary for State Department for Performance Management and Delivery Services

THAT, taking into consideration the findings of the Departmental Committee on Administration and Internal Security in its Report on the Vetting of a Nominee for Appointment as Principal Secretary, State Department for Performance Management and Delivery Services, *laid on the Table of the House on Thursday, 22nd June 2023*, and pursuant to the provisions of Article 155(3)(b) of the Constitution and section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011, **approves** the appointment of **Ms. Anne Njoki Wang'ombe** as Principal Secretary, State Department for Performance Management and Delivery Services.

(Hon. Caroline Ng'elechei- Member, Departmental Committee on Administration and Internal Security MP)

9. STATEMENTS

- (i) The Leader of the Majority Party issued a Statement on the Funding of National Government Constituency Development Fund (NGCDF) and National Government Affirmative Action Fund (NGAAF).
- (ii) The Chairperson for Parliamentary Caucus against Drugs and Substance Abuse issued a General statement on the International Day against Drug abuse and illicit trafficking.

10. **THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 16 OF 2023)**

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Public Finance Management (Amendment) Bill (National Assembly Bill No. 16 of 2023) be now read a Second Time

(Leader of the Majority Party)

Debate arising;

Mover replied;

Question put and agreed to.

Bill read a Second Time and Committed to the Committee of the Whole House.

11. **SPECIAL MOTION - CONSIDERATION OF NOMINEE FOR APPOINTMENT AS THE PRINCIPAL SECRETARY, STATE DEPARTMENT FOR CORRECTIONAL SERVICES**

THAT, taking into consideration the findings of the Departmental Committee on Justice and Legal Affairs in its Report on the Vetting of a Nominee for Appointment as Principal Secretary, State Department for Correctional Services, *laid on the Table of the House on Wednesday, 21st June 2023*, and pursuant to the provisions of Article 155(3)(b) of the Constitution and section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011, **approves** the appointment of **Ms. Salome Wairimu Muhia-Beacco** as Principal Secretary, State Department for Correctional Services.

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

Debate arising;

Mover replied;

Question put and agreed to.

12. **MOTION – RATIFICATION OF THE AMENDED NAIROBI CONVENTION AND THE PROTOCOL FOR THE PROTECTION OF MARINE AND COASTAL ENVIRONMENT OF THE WESTERN INDIAN OCEAN FROM LAND BASED SOURCES AND ACTIVITIES**

Order deferred.

13. **MOTION – RATIFICATION OF THE KIGALI AMENDMENTS ON THE MONTREAL PROTOCOL ON THE SUBSTANCES THAT DEplete THE OZONE LAYER**

Order deferred.

14. **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**

Order deferred.

15. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 60 OF 2022)

Order deferred.

16. MOTION - REPORT ON THE UNITED NATIONS CONVENTION AGAINST CORRUPTION (UNCAC) AND GLOBAL PARLIAMENTARIANS AGAINST CORRUPTION (GOPAC) MEETING

Order deferred.

And the time being six minutes past Five O'clock, the Speaker interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

17. HOUSE ROSE - at six minutes past Five O'clock,

MEMORANDUM

The Speaker will take the Chair on Tuesday, June 27, 2023 at 2.30 p.m.

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