



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (THIRD SESSION)**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, MARCH 06, 2024 AT 2.30 P.M. (AFTERNOON SITTING)**

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

The Speaker issued the following Communication -

**Recognition of Delegation from the United Republic of Tanzania**

**“Honourable Members,**

I wish to introduce to you a delegation of Honourable Members of the Budget Committee from the National Assembly of the United Republic of Tanzania, who are seated in the Speaker's Row. They comprise of: -

1. The Hon. Daniel Baran Sillo, MP – Chairperson (**Head of Delegation**);
2. The Hon. Omari Mohamed Kigua, MP;
3. The Hon. Shamsi Vuai Nahodha, MP
4. The Hon. Mariam Madalu Nyoka, MP;
5. The Hon. Dkt Charles Kimei, MP;
6. The Hon. Subira Khamis Mgalu, MP;
7. The Hon. Jonas William Mbunda, MP;
8. The Hon. Juma Hamad Omar, MP;
9. The Hon. Kwagilwa Reuben Nhamanilo, MP;
10. The Hon. Stella Ikupa, MP;
11. The Hon. Joseph Zacharius Kamonga, MP;
12. The Hon. Josephat Sinkamba Kandege, MP;
13. The Hon. Leah Jeremiah Komanya, MP;
14. The Hon. Rashid Abdallah Rashid, MP;
15. The Hon. Zainab Athumani Katimba, MP;
16. The Hon. Bahati Khamis Kombo, MP;
17. The Hon. Vedastus Manyinyi Mathayo, MP;
18. The Hon. Oran Manase Njeza, MP;
19. The Hon. Omar Ali Omar, MP;
20. The Hon. Zaytun Seif Swai, MP; and
21. The Hon. Bahati Keneth Ndingo, MP.

Honourable Members, the delegation, accompanied by nine (9) members of staff from the Committee Secretariat, is in the country to benchmark with their counterpart Committee in the National Assembly, share experiences on areas of mutual interest and foster parliamentary democracy and diplomacy.

On my own 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. I thank you!"

## **5. PAPERS**

The following papers were laid on the Table –

- (a) Sessional Paper No. 2 of 2018 on National Ethics and Anti-Corruption Policy from the Office of the Attorney General;
- (b) The Kenya-European Union Economic Partnership Agreement from Ministry of Investments, Trade and Industry;
- (c) Reports of the Auditor-General and Financial Statements for the years ended 30th June, 2021 and 30th June, 2022 and the certificates therein in respect of:
  - (i) Our Lady of Perpetual Succour Girls' Secondary;
  - (ii) Mosop Mixed Secondary School;
  - (iii) St. Michael Unyuani Secondary School;
  - (iv) Kwale Girls High School;
  - (v) Mishi Mboko Girls High School;
  - (vi) Kanyariri High School; and
  - (vii) The Salvation Army Likoni High School for the Visually Impaired.
- (d) The Annual National Government Budget Implementation Review Report for the financial year 2022/23 from the Office of the Controller of Budget.

## **6. NOTICES OF MOTION**

The following Notices of Motion were given –

- (i) **Consideration of the Report of the Auditor-General on the Financial Statements for the Parliamentary Mortgage Scheme Fund, Parliamentary Car Loan Scheme Fund and Parliamentary Catering Fund**

**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 Parliamentary Mortgage Scheme Fund, Parliamentary Car Loan Scheme Fund, Parliamentary Car Loan Scheme Fund and Parliamentary Catering Fund for the Financial Years 2020/2021 and 2021/2022, *laid on the Table of the House on Thursday, 23<sup>rd</sup> August 2023.*

- (ii) **Consideration of the Report of the Auditor-General on the Financial Statements for the Local Authorities Provident Fund**

**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 Local Authorities' Provident Fund for the Financial Years 2019/2020 to 2021/2022, *laid on the Table of the House on Thursday, 23<sup>rd</sup> August 2023.*

- (iii) **Consideration of Reports of the Auditor-General on the Financial Statements for the Kenya Slum Upgrading Low-Cost Housing & Infrastructure Trust Fund**

**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.*

(iv) **Consideration of Reports of the Auditor-General on Financial Statements for the Commodities Fund**

**THAT**, this House **adopts** the Fifth Report of the Special Funds Accounts Committee on its consideration of the Report of the Auditor-General on the Financial Statements for the Commodities Fund for the Financial Years 2018/2019, 2019/2020, 2020/2021 & 2021/2022, *laid on the Table of the House on Thursday, 7<sup>th</sup> December 2023.*

(v) **Consideration of Reports of the Auditor-General on Financial Statements for the Stores and Services Fund and the Occupational Safety and Health Fund**

**THAT**, this House **adopts** the Sixth Report of the Special Funds Accounts Committee on its consideration of the Report of the Auditor-General on the Financial Statements for the Stores and Services Fund for Financial Years 2020/2021 & 2021/2022 and the Occupational Safety and Health Fund for the Financial Years 2020/2021 & 2021/2022, *laid on the Table of the House on Thursday, 7<sup>th</sup> December 2023.*

(vi) **Consideration of Reports of the Auditor-General on Financial Statements for the Land Settlement Fund and the Railway Development Fund (Holding Account)**

**THAT**, this House **adopts** the Seventh Report of the Special Funds Accounts Committee on its consideration of the Report 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.*

(vii) **Consideration of the Report of the Auditor-General on Financial Statements for Street Families' Rehabilitation Trust Fund**

**THAT**, this House **adopts** the Eighth Report of the Special Funds Accounts Committee on its consideration of the Report of the Auditor-General on the Financial Statements for Street Families Rehabilitation Trust Fund for the Financial Years 2017/2018, 2018/2019, 2019/2020, 2020/2021 and 2021/2022, *laid on the Table of the House on Thursday, 7<sup>th</sup> December 2023.*

*(The Hon. Abdul Dawood, HSC, MP - Vice-Chairperson,  
Special Funds Accounts Committee)*

(viii) **Provision of Mental Healthcare Services in Sub-Counties**

**THAT**, aware that Article 43(1)(a) of the Constitution provides that every person has the right to the highest attainable standard of health including the right to health care services; further aware that, mental health is a key determinant of overall health and socio-economic development; recognizing that, the Constitution assigns to the national government the responsibility of matters of health policy; concerned that, according to the World Health Organization (WHO), mental and neurological disorders are common and about ten (10) percent of the global population suffer from at least one mental health disorder at any given time; concerned that, psychiatric units are only available in a few facilities in the country and patients requiring psychiatric services have limited or no access to these facilities; acknowledging that, access to healthcare facilities would lead to improved

overall health, increased economic productivity, social equity and improved quality of life for all; now therefore, this House urges the National Government, through the Ministry of Health, to collaborate with County Governments to develop a policy integrating mental health services in all healthcare facilities in the country

*(The Hon. Mishi Mboko, CBS, MP)*

**7. MOTION – REPORT ON THE CONSIDERATION OF THE 2024 MEDIUM-TERM DEBT MANAGEMENT STRATEGY**

Motion made and Question proposed –

**THAT**, this House **adopts** the Report of the Public Debt and Privatization Committee on its consideration of the 2024 Medium-Term Debt Management Strategy, *laid on the Table of the House on Thursday, 29<sup>th</sup> February 2024*, and pursuant to the provisions of section 15(4) of the Public Finance Management Act, 2012 and Standing Order 232A (7) and (8) –

- (a) **approves** the 2024 Medium-Term Debt Management Strategy; and
- (b) makes the **Policy and Financial Resolutions** contained in the Schedule to the Order Paper.

*(The Chairperson, Public Debt & Privatization Committee – 05.03.2024)*

Debate on the Motion having been concluded on Tuesday, 5<sup>th</sup> March, 2024;

Question put and agreed to.

**8. MOTION - REPORT ON THE 2024 BUDGET POLICY STATEMENT**

Motion made and Question proposed;

**THAT**, this House **adopts** the Report of the Budget and Appropriations Committee on the Budget Policy Statement (BPS) for the financial year 2024/2025 and a compendium of Departmental Committee reports on the 2024 BPS, *laid on the Table of the House on Tuesday, 5<sup>th</sup> March 2024*, and pursuant to the provisions of section 25(7) of the Public Finance Management Act, 2012 and Standing Order 232(9) and (10) –

- (a) **approves** the Budget Policy Statement (BPS) for the financial year 2024/2025;
- (b) makes the following **Financial Resolutions** with respect to the BPS-
  - (i) **That**, the National Government budget ceiling be approved at Kshs. **2,564,563,100,000;**

*of which:*

- |  |                                |
|--|--------------------------------|
| 1) Executive                                   | Kshs. <b>2,488,650,300,000</b> |
| <i>Of which:</i> Office of the Auditor General | Kshs. <b>8,599,500,000</b>     |
| 2) Parliament                                  | Kshs. <b>43,623,000,000</b>    |
| 3) Judiciary                                   | Kshs. <b>23,690,300,000</b>    |

- (ii) **Resolves that**, the allocation to County Government Equitable Share be approved at Kshs. **391,117,000,000;**
- (iii) **Resolves that**, consistent with the latest audited and approved revenues for FY 2020/21 amounting to Kshs 1,570,562,945,014, the allocation to the Equalization Fund be set at Kshs. **7,852,814,725;**
- (iv) **Approves that**, the arrears to the Equalization Fund be set at Kshs. **3,547,185,275;**

- (v) **Approves that**, the allocation for the County Additional Allocations be approved at Kshs. **48,196,590,924** as per the third schedule which shall form the basis for the County Government Additional Allocations Bill, 2024;
- (vi) **Resolves that**, consistent with the approved borrowing strategy in the Medium-Term Debt Management Strategy, the projected fiscal deficit be set at Kshs **703,870,000,000** (3.9% of GDP) being the difference between total revenues and grants and total expenditure and net lending.
- (c) **That**, the first and second schedules form the basis for the ceilings for the FY 2024/2025 Budget Estimates;
- (d) **That**, once approved by the House, these recommendations **SHALL** form the basis for FY 2024/2025 budget estimates;
- (e) **orders that**, the *First Schedule* to the Order Paper forms the basis for the ceilings for the FY 2024/25 Budget Estimates; and
- (f) makes the **Policy Resolutions** contained in the *Second Schedule* to the Order Paper (*Non-financial recommendations relating to the Budget Policy Statement for the financial year 2024/25*).

*(The Chairperson, Budget and Appropriations Committee)*

Debate arising;

*(Change of Chair from the Honourable Speaker to the Deputy Speaker)*

*(Change of Chair from the Deputy Speaker to the Fourth Chairperson)*

Mover replied;

Putting of question deferred pursuant to the provision of Standing Order 53(3).

**9. THE NATURAL RESOURCES (BENEFIT SHARING) BILL (SENATE BILL NO. 6 OF 2022)**

Order for Second Reading Read;

Motion made and Question proposed –

**THAT**, the Natural Resources (Benefit Sharing) Bill (Senate Bill No. 6 of 2022) be now read a Second Time.

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

Debate interrupted on Tuesday, March 5, 2024 resumed;

Rising in his place on a Point of Order pursuant to the provisions of Standing Order 35(1), the Member for Kipkelion East (Hon. Joseph Chererot, MP) objected that there was no quorum present in the House;

And the Fourth Chairperson having ascertained the claim, ordered that the Division Bell be rung for ten (10) minutes;

And there being No Quorum after the expiry of ten minutes;

And the time being Fifty-Four Minutes Past Six O'clock, the Fourth Chairperson interrupted proceedings and adjourned the House without Question put pursuant to the Standing Orders 35(2)(a).

10. HOUSE ROSE - at Six minutes to Seven O'clock.

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**MEMORANDUM**

The Speaker will take the Chair on,  
Thursday, March 7, 2024 at 02.30 p.m.

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