



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, AUGUST 09, 2023 AT 2.30 P.M.

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

The following Papers were laid on the Table: –

(i) Reports of the Auditor-General and Financial Statements in respect of the following Constituencies for the year ended 30th June 2022 and the certificates therein: -

- | | |
|---------------------|------------------|
| a) Dagoretti South; | n) Kieni; |
| b) Eldama Ravine; | o) Tetu; |
| c) Ol Kalou; | p) Gilgil; |
| d) Kangema; | q) Mavoko; |
| e) Gichugu; | r) Rarieda; |
| f) Kilgoris; | s) Turbo; |
| g) Mwea; | t) Mathira; |
| h) Maragua; | u) Budalangi; |
| i) Gatanga; | v) Lugari; |
| j) Ol Jorook; | w) Shinyalu; |
| k) Kinangop; | x) Kabuchai; |
| l) Ndaragwa; | y) Kimilili; and |
| m) Kigumo; | z) Sirisia. |

(Deputy Leader of the Majority Party)

(ii) Report of the Departmental Committee on Education on its study visit on Digital Transformation in Education held in Estonia from 11th to 18th May 2023.

(Hon. Eve Obara, MP - Member, Departmental Committee on Education)

5. NOTICES OF MOTION

The following Notices of Motion were given: -

(i) **Supporting and Promoting Local Fertilizer-Manufacturing Industries**

THAT, aware that, the Fertilizer and Animal Foodstuff Act, 2015 provides for the regulation of fertilizer importation in the country; further aware that, the Fertilizer and Animal Foodstuffs Board regulates the fertilizer and animal foodstuffs industry including the manufacture and production of fertilizers; noting that, the country currently relies heavily on imported fertilizer due to inadequate local production capacity; further noting that, the low local production leads to high costs for farmers, reducing their profits and results in an unhealthy reliance on imported fertilizer; concerned that, this scenario threatens the country's food security in case of supply disruptions and discourages local production; recognizing that local fertilizer production could lead to improved fertilizer quality, increased crop yields and a reduction in environmental harm caused by the use of substandard fertilizers; recalling that the country has the potential to produce fertilizer that could meet the country's domestic demand and also supply the regional market; further recognizing that there is need for the government to work with local producers to develop high quality fertilizer tailored to the needs of Kenyan farmers and crops; now therefore this House resolves that the National Government through the Ministry of Agriculture and Livestock Development, supports and promotes local fertilizer manufacturing industries by investing in research and development to bolster the domestic fertilizer manufacturing sector.

(The Hon. Samuel Atandi, MP)

(ii) **Formulation of a Framework for Government-to-Government Importation and Distribution of essential foodstuff and goods**

THAT, aware that, Kenya National Trading Corporation (KNTC) Ltd. is a State Corporation in the Ministry of Industry, Trade & Investment; recalling that, KNTC was established under Session Paper No. 1 of 1965 in recognition of the importance of trade and industry in economic development of the then newly independent Kenya; noting that, among other functions, the corporation acts as the procurement agent for the government and participates in promotion of wholesale and retail trade with a view to strengthening and promoting supply chain of essential products in the country; appreciating that the corporation plays a crucial role in supporting Micro, Small & Medium Enterprises (MSME) sector through the supply of raw materials, provision of consultancy services and the identification of markets for their products; concerned that the price of foodstuffs and other essential basic commodities in the country have incredibly risen, causing majority of Kenyan households financial distress in the face of surging inflationary pressures, weakening shilling, high cost of fossil fuels, supply chain gaps, declining agricultural productivity orchestrated by high input prices, climate change and variability; concerned that, the decline in local food production has been progressively pushing Kenya to the edge of becoming a net importer of foodstuff; noting that the prices of foodstuff and other essential goods imported into the country by merchants have also been on the rise; acknowledging that Government-to-Government arrangements and frameworks are important divers in trade, economic integration and bears better outcomes in pushing downward pressure on costs for goods and stabilizing market supply conditions; now therefore, this House now resolves that the Ministry of Industry, Trade & Investment urgently establishes a framework for Government-to-Government contractual agreements for importation and distribution of foodstuff and other essential goods in the country

through the Kenya National Trading Corporation Ltd. with a view to normalizing market supply conditions and prices for such basic food commodities.

(The Hon. Geoffrey Ruku, MP)

(iii) Policy Frameworks for Government-to-Government sourcing of electricity equipment and on connection and billing of electricity infrastructure

THAT, acknowledging that, Kenya Vision 2030 identifies energy as an enabler to achieving social, economic and political pillars and that access to affordable, reliable and quality power is crucial for economic growth and development; aware that, prompt connectivity to affordable and stable electricity power is an essential enabler for spurring rural economies, thus contributing to national growth and development towards attainment of the Vision 2030; recognizing that, the Kenya Power Company Ltd. is the national electricity utility company responsible for connection and billing of electricity to customers throughout the country and it also undertakes electricity licensing, metering, billing, offering emergency electricity services and customer relations; concerned that, the cost of electricity in the country has increased significantly over the years thus burdening households and industrial users with high costs of production; further concerned that the protracted chain of stages that characterize the processing of new electricity connections, coupled with delays in importation of critical electricity connection equipment such as transformers, conductors and meters overseas causes a red tape that results in inordinate delays in concluding new connections to electricity; considering that the convoluted process of connection to electricity and attendant management challenges that grapple the Kenya Power in managing electricity in the country bear serious implications on cost of living and retard economic growth by making businesses less competitive thereby diverting potential investments to other economies in the region; cognizant of the fact that, Government-to-Government procurement is an important factor in trading and efforts towards increased economic integration and bears better outcomes in curbing supply hitches, in order to increase operational efficiency and impacting the overall prices of electricity, this House resolves that the Ministry of Energy -

- (1) formulates a policy framework Government-to-Government agreements to facilitate local assembly of essential equipment for electricity connections such as transformers, conductors, meters and attendant equipment in order to address unwarranted supply hitches and to guarantee quality assurance of the equipment; and,
- (2) formulates management contracts with contractors with private entities to manage power connections and billing services on behalf of the Kenya Power with a view to enhancing efficiency.

(The Hon. Geoffrey Ruku, MP)

6. QUESTIONS

- a) The following Questions were asked and responded to by the Cabinet Secretary for Agriculture and Livestock Development in plenary –

- (i) **Question No. 229 of 2023** by the Member for Mwingi North (Hon. Paul Nzengu, MP) regarding milestones and other achievements attained by sending Kenya Defence Forces troops to the Democratic Republic of Congo (DRC) and exit strategies if any for Kenyan troops in the DRC.
- (ii) **Question No. 230 of 2023** by the Member for Kacheliba (Hon. Titus Lotee) regarding the measures that the Ministry of Defence has instituted to curb serious malpractices like bribery and nepotism during military recruitment and the affirmative action strategies that the Government has put in place to ensure that Kenyans from marginalized regions are considered for the ever-elusive military jobs.
- (iii) **Question No. 311 of 2023** by the Nominated Member (Hon. Ali Abdisirat) regarding status of the compensation of the family of the late *Ms. Naima Abbas*, a minor and the late *Ms. Elmia Abbas* who died on 7th of April 2019 as a result of an explosion from an unexploded ordinance within an abandoned Kenya Defence Forces (KFC) Camp in the *Diff* area of Wajir County.
- (iv) **Question No. 312 of 2023** by the Member for Moyale (Hon. Guyo Jaldesa) regarding circumstances under which the Kenya Defence Forces (KDF) settled in *Odha* Camp, Moyale Constituency and whether the prevailing conditions in the area justify their continued presence.
- (v) **Question No. 313 of 2023** by the Member for Moiben (Hon. Phyllis Bartoo, MP) regarding status of the compensation of *CPL Jackson Kimeli Cheruiyot* of Service Number 60621 (Ex-Service Member), who sustained injuries following an IED explosion in Kismayu on 17th June 2013.
- (vi) **Question No. 314 of 2023** by the Member for Suna West (Hon. Peter Masara, MP) on the circumstances that led to the eviction of *Mr. Churchill Odhiambo Osano* (Service No. 77712 from the Department of Defence Married Quarters (MQ) by the Kenya Defence Forces.

Various Members also raised Supplementary Questions which were responded to by the Cabinet Secretaries within the allotted time.

b) The following Question was deferred to a later date –

- (i) **Question by Private Notice No. 008 of 2023** by the Member for Ugunja (Hon. Opiyo Wandayi, MP) regarding an update on the status of security along Kenyan borders and specific measures implemented by the Ministry to safeguard the border areas prone to attacks.

7. STATEMENTS

The following response to a Statement was made –

Pursuant to Standing Order 42A(6B), **the Cabinet Secretary for Interior and National Administration and the Cabinet Secretary for Information, Communications and the Digital Economy** appeared before the House to respond to a Statement sought by the Member

for Manyatta (Hon. Gitonga Mukunji, MP) regarding the operations and activities of *Worldcoin*; and on National security and the recent cyber-attack on key government systems.

8. THE KENYA NATIONAL LIBRARY SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2023)

Order for First Reading read;

Bill read a First time and referred to the relevant Departmental Committee pursuant to Standing Order 127(2).

9. THE NATIONAL DISASTER RISK MANAGEMENT BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2023)

Order for First Reading read;

Bill read a First time and referred to the relevant Departmental Committee pursuant to Standing Order 127(2).

10. MOTION - CONSIDERATION OF THE REPORTS OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF STATE CORPORATIONS (REGULATORY AND GOVERNANCE AGENCIES)

THAT, this House **adopts** the Report of the Public Investments Committee on Governance and Education on its consideration of the Report of the Auditor-General on the Financial Statements of State Corporations (Regulatory and Governance Agencies) for the financial year 2018/2019, 2019/2020 and 2020/2021, *laid on the Table of the House on Tuesday, 20th June 2023*.

(The Chairperson, Public Investments Committee on Governance and Education – 08.08.2023)

Debate interrupted on Tuesday, August 8, 2023 resumed;

Mover replied;

Question put and agreed to.

11. THE PENSIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2022)

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Pensions (Amendment) Bill (National Assembly Bill No. 44 of 2022) be now read a Second Time

(The Hon. Didmus Barasa, M.P. 9.8.2023)

Debate Arising

Mover replied;

Question deferred pursuant to provisions of Standing Orders 53(3);

13. THE CANCER PREVENTION AND CONTROL (AMENDMENT) (NO. 2) BILL (NATIONAL ASSEMBLY BILL NO. 45 OF 2022)

Order for Second Reading read;

Order deferred to another day.

14. THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 59 OF 2022)

Order for Second Reading read;

Order deferred to another day.

15. MOTION – CONSIDERATION OF REPORTS OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS FOR VARIOUS FUNDS
(The Chairperson, Special Funds Accounts Committee)

Order read;

Order deferred to another day.

16. MOTION – CONSIDERATION OF THE EXCISE DUTY (AMENDMENT) REGULATION 2023

Order read;

Order deferred to another day.

17. MOTION – REPORT OF THE KENYA DELEGATION TO THE 146TH ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN THE KINGDOM OF BAHRAIN

Order read;

Order deferred to another day.

18. MOTION – REPORT OF THE 4TH GENERAL ASSEMBLY OF THE EASTERN AFRICA PARLIAMENTARY ALLIANCE ON FOOD SECURITY AND NUTRITION (EAPA-FSN) HELD IN KIGALI, RWANDA

Order read;

Order deferred to another day.

19. MOTION – REPORT ON THE INSPECTION OF VARIOUS ONE- STOP BORDER POSTS IN THE NORTHERN CORRIDOR IN THE EAST AFRICAN COMMUNITY REGION

Order read;

Order deferred to another day.

20. THE FOOD AND FEED SAFETY CONTROL COORDINATION BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2023)

Order for Second Reading read;

Order deferred to another day.

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

Order for Second Reading read;

Order deferred to another day.

22. THE SUGAR BILL (NATIONAL ASSEMBLY BILL NO. 34 OF 2022)

Order for Second Reading read;

Order deferred to another day.

And the time being twenty seven Minutes past seven O'clock the Fifth Chairperson adjourned the House without Question put pursuant to the Standing Orders.

23. HOUSE ROSE - at twenty seven Minutes past Seven O'clock

M E M O R A N D U M

The Speaker will take the Chair on
Thursday, August 10 August 2023 at 2.30 pm