



REPUBLIC OF KENYA
THIRTEENTH PARLIAMENT – (THIRD SESSION)
THE NATIONAL ASSEMBLY
VOTES AND PROCEEDINGS

WEDNESDAY, FEBRUARY 14, 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. PAPERS

The following papers were laid on the Table of the House—

- (i) Approvals granted under Article 223 of the Constitution from the Contingencies Fund in the FY 2023/24 from the National Treasury;
- (ii) Reports of the Auditor-General and Financial Statements for the year ended 30th June 2023 and the certificates therein in respect of: -
 - a) Witness Protection Agency Staff Housing Mortgage Scheme Fund;
 - b) Office of the Registrar of Political Parties Staff Mortgage and Car Loan Scheme;
 - c) State Officers and Public Officers Motor Car Loan Scheme Fund;
 - d) Judiciary Mortgage Scheme;
 - e) The Judiciary;
 - f) Business Registration Service;
 - g) State Law Office and Department of Justice;
 - h) Office of the Registrar of Political Parties;
 - i) Teachers Service Commission;
 - j) State Department for Environment and Climate Change;
 - k) Development Receiver of Revenue Statements;
 - l) Revenue Statements of the Business Registration Service; and
 - m) Office of the Prime Cabinet Secretary.

(Deputy Leader of the Majority Party)

- (iii) Second Report of the Decentralized Funds Accounts Committee on its consideration of Financial Statements for the National Government Constituencies Development Fund for five Constituencies in Vihiga County for Financial Years 2013/2014, 2014/2015 and 2015/2016 *(Subject to Speaker's approval)*.
(Chairperson, Decentralized Funds Accounts Committee)
- (iv) Report of the Joint Committee of the Departmental Committee on Finance & National Planning and the Departmental Committee on Housing, Urban Planning and Public Works on the consideration of the Affordable Housing Bill (National Assembly Bill No. 75 of 2023).
(Chairperson, Departmental Committee on Finance & National Planning)

5. NOTICES OF MOTION

The following Notices of Motion were given -

- (i) **THAT**, this House adopts the Report of the Decentralized Funds Accounts Committee on its consideration of the Financial Statements for the National Government Constituencies Development Fund for five Constituencies in Vihiga County for Financial Years 2013/2014, 2014/2015 and 2015/2016, *laid on the Table of the House on Wednesday, 14th February 2024.*
(Chairperson, Decentralized Funds Accounts Committee)
- (ii) **THAT**, this House adopts the Report of the Public Accounts Committee on its Examination of the Report of the Auditor-General on the Financial Statements for the National Government Ministries, Departments and Agencies for the Financial Year 2020/2021, *laid on the table of the House on Thursday, 30th November, 2023.*
(Chairperson, Public Accounts Committee)
- (iii) **THAT**, pursuant to Standing Order 33(1), this House do adjourn for purposes of discussing a definite matter of urgent national importance regarding the rising case of femicide in the country.

Honourable Speaker, pursuant to Standing Order 33(1), I seek leave for the adjournment of the House for purposes of discussing a definite matter of urgent national importance regarding the rising femicide in the country.

Honourable Speaker, Article 26 of the Constitution provides that every person has the right to life. This right is inalienable and accrues to every person regardless of age, gender and social status. Sadly, there have been increasing cases of femicide and violence targeting women and girls in Kenya and especially Nairobi County. This is disheartening and goes against the provisions of the law and basic human rights.

Honourable Speaker, femicide is not just a crime but a gendered-crime and a violation of human rights. It is noted that the recent cases of femicide are not isolated incidents but symptoms of a broader issue requiring urgent national solution.

Honourable Speaker, it is against this background that I seek leave for the adjournment of the House to discuss this matter of national concern with a view to exploring possible ways of curbing the widespread cases of femicide.

Thank you, **Honourable Speaker**.

(Hon. Esther Passaris, MP)

And there being more than twenty Members standing in their places in support of the Adjournment Motion pursuant to Standing Order 33(3);
The Honourable Speaker directed that the Motion be moved after the business appearing as Order No. 14 (The Statutory Instruments (Amendment) Bill (National Assembly Bill No. 3 of 2024 - First Reading) or at 1700hrs, whichever would come earlier.

6. STATEMENT PURSUANT TO STANDING ORDER 44(2)(c)

Pursuant to the provisions of Standing Order 44(2)(c), the Chairperson, Select Committee on National Governments Constituencies Development Fund, issued a Statement on the status of disbursement of National Governments Constituencies Development Funds in response to concern raised by the Member for Rarieda (Hon. (Dr.) Otiende Amollo) on Tuesday, 13th February 2024.

7. PROCEDURAL MOTION - LIMITATION OF DEBATE ON SESSIONAL PAPERS

Motion made and Question proposed;

THAT, pursuant to the provisions of Standing Order 97(1), this House orders that each speech in a debate on any Sessional Paper shall be limited as follows:- A maximum of two and a half hours, with not more than twenty (20) minutes for the Mover in moving and five (5) minutes for any other Member speaking, including the Leader of the Majority Party and the Leader of the Minority Party and the Chairperson of the relevant Committee (if the Sessional Paper is not moved by the Chairperson of the relevant Committee), and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and further that priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

(Deputy Leader of the Majority Party)

And There being no debate arising;

Question put and agreed to.

8. PROCEDURAL MOTION - LIMITATION OF DEBATE ON REPORTS OF CONSTITUTIONAL COMMISSIONS AND INDEPENDENT OFFICES

WEDNESDAY, FEBRUARY 14, 2024

Motion made and Question proposed;

THAT, pursuant to the provisions of Standing Order 97(1), this House orders that each speech in debate on Reports of Constitutional Commissions and Independent Offices be limited as follows: - A maximum of four hours with not more than thirty (30) minutes for the Mover in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority be accorded to the Chairperson of the relevant Committee, the Leader of the Majority Party and the Leader of the Minority Party, in that order.

(Deputy Leader of the Majority Party)

There being no debate arising;

Question put and agreed to.

9. PROCEDURAL MOTION - LIMITATION OF DEBATE ON THE ANNUAL ESTIMATES AND COMMITTEE OF SUPPLY

Motion made and Question proposed;

THAT, pursuant to the provisions of Standing Order 97(1), this House orders that each speech in a debate on the Report of the Budget & Appropriations Committee on Budget Estimates contemplated under Standing Orders 239 and 240 be limited as follows: -

- (i) General Supply Debate:- A maximum of three (3) sitting days with thirty (30) minutes for the Mover in moving and fifteen (15) minutes in replying; a maximum of fifteen (15) minutes for each of the Chairpersons of the Departmental Committees and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party who shall be limited to a maximum of fifteen (15) minutes each; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the respective Chairpersons of the Departmental Committees in the order that they appear in the Second Schedule to the Standing Orders; and,
- (ii) Committee of Supply: - A maximum of six (6) sitting days for the consideration of the proposed allocations to the respective Votes/Programmes in the order specified in the Schedule submitted by the Budget and Appropriations Committee.
(Deputy Leader of the Majority Party)

Debate arising;

Question put and agreed to.

10. PROCEDURAL MOTION – LIMITATION OF DEBATE ON CONSIDERATION OF SENATE AMENDMENTS TO BILLS ORIGINATING IN THE NATIONAL ASSEMBLY

Motion made and Question proposed;

THAT, pursuant to the provisions of Standing Order 97(1), this House orders that each speech in the general debate contemplated under Standing Order 146 (Consideration of Senate amendments to Bills originating in the National Assembly) be limited as follows:- a maximum of one hour and thirty minutes, with not more than fifteen minutes (15) for the Mover in moving, fifteen minutes (15) for the Chairperson of the relevant Departmental Committee, and five (5) minutes for any other Member speaking, including the Leader of the Majority Party and the Leader of the Minority Party (if the Bill is not party-sponsored), and that five (5) minutes before the expiry of the time, the Mover shall be called upon to reply; and further that priority in speaking shall be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

(Deputy Leader of the Majority Party)

There being no debate arising;

Question put and agreed to.

11. PROCEDURAL MOTION – CONSIDERATION OF BUSINESS RECEIVED DURING THE RECESS PERIODS

Motion made and Question proposed;

THAT, notwithstanding the provisions of Standing Orders 41 and 42 relating to conveying of Messages from the Senate and from the President or the National Executive, Standing Orders 120, 122 and 126 relating to Publication, Procedure upon Publication and First Reading of Bills and Standing Order 210(2) relating to Tabling of Statutory Instruments, this House orders that during the Short and Long Recesses of the Third Session –

- (i) upon receipt of any Message from the Senate, or upon receipt of any name of a person nominated for appointment to a state or public office from the President or any other office in the National Executive, the Speaker shall forthwith refer such Message to the relevant Committee for consideration, without having to recall the House, and report such fact to the House on resumption;

- (ii) upon receipt of any Message relating to the Senate's Amendments to a Bill originating in the National Assembly, the Speaker shall forthwith refer the Schedule of the Senate Amendments to the relevant Committee for consideration pursuant to the provisions of Standing Order 145 (Senate amendments to Bills originating in the National Assembly), and report such fact to the House on resumption;
- (iii) should a Bill be published during the said period, or a published Bill become due for First Reading, the Speaker shall, upon lapse of at least three days following the publication of the Bill and following a determination that such Bill is of priority, forthwith refer such Bill to the relevant Committee for consideration pursuant to the provisions of Standing Order 127 (Committal of Bills to Committees and public participation) and cause the Bill to be read a First Time upon its next Sitting and the Second Reading may be taken forthwith, or on such other day as the House Business Committee may determine;
- (iv) should any statutory instrument be transmitted for tabling before the House during the period, the Speaker shall, following a determination that the statutory instrument is of priority, forthwith refer the statutory instrument to the relevant Committee for consideration and cause the statutory instrument to be tabled in the House upon its next Sitting in accordance with the provisions of section 11 of the Statutory Instruments Act (No. 3 of 2013); and,
- (v) should any Paper be transmitted for tabling before the House, the Speaker shall, following a determination that the Paper is of priority, forthwith refer the Paper to the relevant Committee for consideration and cause the Paper to be tabled in the House upon its next Sitting.

(Deputy Leader of the Majority Party)

Debate arising;

Question put and agreed to.

12. PROCEDURAL MOTION – LIMITATION OF DEBATE ON LEGISLATIVE PROPOSALS TO AMEND THE CONSTITUTION

Motion made and Question proposed;

THAT, pursuant to the provisions of Standing Order 97(1), this House orders that each speech in the general debate contemplated under Standing Order 114(7A)(b) (Consideration of a Legislative Proposal to amend the Constitution) be limited as follows:- a maximum of twenty minutes (20) for the Mover in moving and ten (10) minutes in replying, fifteen minutes (15) for the Leader of the Majority Party and the Leader of the Minority Party (if the Proposal is not party-sponsored), Member(s) with similar or related proposals and the Chairperson of the relevant Departmental Committee, and ten (10) minutes for any other Member speaking; and further that priority in speaking shall be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

(Deputy Leader of the Majority Party)

There being no debate arising;

Question put and agreed to.

13. THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2024)

(The Leader of the Majority Party)

Order for First Reading read;

Bill read a First time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1).

14. ADJOURNMENT OF THE HOUSE ON A DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE REGARDING THE RISING FEMICIDE IN THE COUNTRY

Motion made;

THAT, this House do now adjourn to discuss a definite matter of urgent national importance regarding the rising cases of femicide in the country.

(Hon. Esther Passaris)

Debate arising;

(Change of Chair from Speaker to Deputy Speaker)

(Change of Chair from Deputy Speaker to Third Chairperson)

QUORUM OF THE HOUSE

Rising in his place on a Point of Order pursuant to Standing Order 35, the Member for Mbeere North (Hon. Geoffrey Ruku) objected that there was no quorum present in the House;

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

There being no Quorum attained at the expiry of the ten minutes, the Third Chairperson adjourned the House without Question put pursuant to Standing Order 35(2)(a).

15. HOUSE ROSE - at twenty-five minutes past six O'clock.

MEMORANDUM

The Speaker will take the Chair on
Thursday, February 15
, 2024 at 2.30pm

---x---