



THIRTEENTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, OCTOBER 1, 2024 AT 2.30 PM

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 Rt. Honourable Speaker issued the following three (3) Communications to the House–

(a) Recognition of a Delegation from the National Assembly of Nigeria

“Honourable Members,

I wish to introduce to you a delegation from the National Assembly of Nigeria who are seated in the Speaker’s Row. The delegation comprises Members of the Committee on Constitutional and Electoral Review and Committee on Women Affairs. They are:

- (i) The Sen Patrick Ndubueze, MP - Leader of the Delegation;
- (ii) The Sen. Kawu Sumaila, MP;
- (iii) The Hon. Miriam Odinaka, MP; and
- (iv) The Hon. Tajudeen Kareem, MP.

Honourable Members, the delegation is accompanied by four (4) parliamentary staff and one (1) official from United Nations (UN) Women, who are seated in the Speaker’s Gallery. The delegation is in the country to benchmark on strategic Inter-Parliamentary relations and to share experiences pertaining to parliamentary practices, and to gain deeper insights into legislative processes, as well as gender-responsive legal reforms.

Honourable Members, 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. Thank you!”

(b) Notice of Motion for Proposed Removal from Office by Impeachment of H.E. Rigathi Gachagua, EGH, as the Deputy President of the Republic of Kenya

“Honourable Members, Pursuant to Article 150(1)(b) of the Constitution and Standing Orders 64 and 65, I wish to notify the House that I am in receipt of a Notice of a Special Motion, dated Thursday, 26th September, 2024 and received on Friday, 27th September, 2024 from the Member for Kibwezi West Constituency, the Hon. Eckomas Mwangi Mutuse, M.P. The Hon. Member seeks a resolution of the House for the

removal from office, by impeachment, of H.E. Rigathi Gachagua, EGH, as the Deputy President of the Republic of Kenya.

Honourable Members, Article 150(1)(b) of the Constitution provides as follows, and I quote—

“150. (1) The Deputy President may be removed from office—

(a)

(b) on impeachment—

(i) on the ground of a gross violation of a provision of this Constitution or any other law;

(ii) where there are serious reasons to believe that the Deputy President has committed a crime under national or international law; or

(iii) for gross misconduct.”

The Notice of the Special Motion by the Member for Kibwezi West seeks a resolution of the House for the removal from office, by impeachment, of our Deputy President on the grounds specified under Article 150(1)(b) of the Constitution and sets out the particulars in respect of each ground.

Honourable Members, the Special Motion before the House presents an unprecedented constitutional moment in our democracy. Without doubt, it summons this House to test, for the first time under the 2010 Constitution, the provisions of our Constitution relating to the removal from office, by impeachment, of our Deputy President.

It will be recalled that during the term of the 6th Parliament on 27th April 1989, the then Member for Embakasi, the Hon. David Mwenje successfully moved the House to pass a Vote of No Confidence in the then Vice-President and Minister for Home Affairs, H.E. Josphat Karanja. The Motion received an affirmative resolution of the House.

Honourable Members, It is instructive to note that upon the promulgation of the new Constitution of Kenya in August 2010, the then office of the Vice-President assumed a new clothing as the office of the Deputy President. This new clothing embedded in it a new manner of election, assumption of office and removal from office of the Second-in-Command.

Whereas the previous Constitution conferred upon the President the power to appoint and remove the Vice-President, the Constitution of Kenya 2010 shifted the removal of the Deputy President to Parliament. This lays the ground for the notice of the Special Motion by the Member for Kibwezi West.

Honourable Members, Standing Order 64(2), relating to removal, by impeachment, requires the Speaker to dispose of a Special Motion within three days of receipt of notice by a Member. Standing Order 64(2) as read in the light of Articles 259(5) and (6) of the Constitution, gives the Speaker the deadline of today, Tuesday 1st October, 2024 to notify the House of receipt of the Special Motion and its admissibility or otherwise.

Honourable Members, having notified the House of the Special Motion, I will now highlight the preliminary procedural and legal requirements relating to processing a Special Motion for removal from office, by impeachment, of the Deputy President.

Article 150(2) of the Constitution provides that the provisions of Article 145 of the Constitution shall apply, with the necessary modifications, to the removal from office,

by impeachment, of the Deputy President. In particular, Article 145(1) of the Constitution provides that—

“a member of the National Assembly, supported by at least one third of all the members, may move a motion for impeachment of the President –

- (a) on the ground of a gross violation of a provision of the Constitution or of any other law;*
- (b) where there are serious reasons for believing that the President has committed a crime under national or international law; or*
- (c) for gross misconduct.”*

Procedurally, Standing Order 64(1) provides that—

“Before giving notice of motion under Article 150 of the Constitution, a Member shall deliver to the Clerk a copy of the proposed motion in writing—

- (a) stating the grounds and particulars in terms of Article 145(1) of the Constitution upon which the proposed motion is made;*
- (b) signed by the Member; and*
- (c) signed in support by at least a third of all the Members.”*

Further, Honourable Members, Standing Order 64(1A) lays out the criteria for admissibility of grounds for removal from state office. For clarity, Standing Order 64(1A) states and I quote—

(1A) The grounds specified in a motion under this Standing Order shall be admissible if—

- (a) framed clearly to particularize and disclose a gross violation of the Constitution or other written law, where gross violation of the Constitution or other written law is indicated as a ground for the intended removal;*
- (b) stating with precision, the provisions of the Constitution or other written law that are alleged to have been grossly violated, where gross violation of the Constitution or other written law is indicated as a ground for the intended removal; and*
- (c) accompanied by necessary evidence, including annexures or sworn testimonies in respect of the allegations.*

The foregoing procedural and legal requirements for processing Special Motions are buttressed by precedents and jurisprudence in various Speaker’s Rulings and Court decisions.

Honourable Members, today, I will refrain from re-stating the jurisprudence and focus on determining the admissibility of the Notice of the proposed Special Motion filed by the Member for Kibwezi West. In determining the admissibility of the Special Motion, I am required to examine its form, threshold, framing of the grounds and attachment of the necessary evidence.

Standing Order 64(1) provides for the criteria for determining whether the proposed motion meets the requirements of the Constitution and the Standing Orders as to form and the threshold. On form, it should—

- (a) be in writing;*
- (b) state the grounds and particulars in terms of Article 150(1)(b) of the Constitution upon which the proposed motion is made;*
- (c) be signed by the Member; and*
- (d) be signed in support by at least one-third of all the Members of the Assembly.*

Having examined the Notice of the Special Motion by the Member for Kibwezi West, I find that the Special Motion meets the requirements relating to form and threshold set out in the in Articles 145(1) and 150(1)(b) of the Constitution and Standing Order

64(1). I have also satisfied myself that the number of Members who have appended their signatures in support of the Special Motion exceed the minimum threshold of 117 Members of this House.

Honourable Members, with regard to admissibility of the grounds set out in the Special Motion, I am guided by Standing Orders 64(1A), which provides that the grounds specified in a Special Motion shall be admissible if—

- (a) *framed clearly to particularize and disclose a gross violation of the Constitution or other written law, where gross violation of the Constitution or other written law is indicated as a ground for the intended removal;*
- (b) *stating with precision, the provisions of the Constitution or other written law that are alleged to have been grossly violated, where gross violation of the Constitution or other written law is indicated as a ground for the intended removal; and*
- (c) *accompanied by necessary evidence, including annexures or sworn testimonies in respect of the allegations.*

Honourable Members, having examined the proposed Special Motion, I note that in keeping with the requirements of Article 150(1)(b) of the Constitution and Standing Order 64(1A), the Member has stated eleven (11) grounds for removal from office, by impeachment, of H. E. the Deputy President. In addition, I do note that the Special Motion as submitted to my office also contains the particulars upon which the Member seeks to move the House to consider the Special Motion.

With respect to evidence, the Member has attached documents, including annexures and a sworn affidavit to substantiate the grounds stated in the Special Motion. Consequently, Honourable Members, I find that the proposed Special Motion by the Hon. Eckomas Mwengi Mutuse, MP. meets the requirements of Articles 145(1) and 150(1)(b) of the Constitution and Standing Orders 64 and 65 with regard to form, threshold and grounds necessary for a Member to move a Special Motion for the proposed removal from office, by impeachment, of the Deputy President.

Honourable Members, having determined that the Special Motion is admissible, let me now focus on the next step of giving Notice of the Special Motion to the House. Standing Order 47(4A) provides that, with respect to a motion for removal of person from office, a Member shall give Notice of Motion in the House within three sitting days following approval by the Speaker.

In the circumstances therefore, the Member for Kibwezi West ought to give Notice of his Special Motion either today or tomorrow. Given the nature of timelines applicable to this Special Motion, when we reach Order No. 6, that is 'Notices of Motion', I will accord an opportunity to the Member for Kibwezi West to give the Notice of the Special Motion. Thereafter, I will give further guidance on the matter.

The House is accordingly guided. I thank you!"

(c) Consideration of the Special Motion for the Removal from Office, by Impeachment of H.E. Rigathi Gachagua as the Deputy President Republic of Kenya

Honourable Members, you will recall that earlier, at the commencement of this sitting, I notified the House of receipt of a Notice of a Special Motion, by the Member for Kibwezi West Constituency, the Hon. Eckomas Mwengi Mutuse, OGW, MP seeking the removal from office, by impeachment, of H.E. Rigathi Gachagua, EGH as the Deputy President of the Republic of Kenya.

You may further recall that after the Notice of the Special Motion was given by the Member for Kibwezi West, several Members rose in their places and raised a number of procedural concerns for my guidance. The Members who spoke include the Leader of the Majority Party, the Hon. Kimani Ichung'wah, EGH, MP; the Leader of the Minority Party, the Hon. Junet Mohammed, CBS, MP; the Majority Chief Whip, the Hon. Sylvanus Osoro, CBS MP; the Hon. Farah Maalim, MP; the Hon. Geoffrey Ruku, MP; and the Hon. Maj. (Rtd.) Bashir Abdullahi, MP.

Honourable Members, cognizant of the obligation on the House to dispose of the Special Motion with urgency, I undertook to address the concerns expeditiously in order to allow the House to proceed with the next stages of the Special Motion. As Members are aware, the seven days available to this House to dispose of the Motion will lapse on Tuesday, 8th October 2024.

In this regard, I retreated to my Chamber to apply my mind to the issues, and also convened a meeting of the House Business Committee for purposes of deliberating on the next steps to be taken with regard to the Special Motion and the procedural concerns raised in the House.

Honourable Members, I have summarized the issues raised by Members as follows—

- (1) Calculation of the number of Members required to meet the voting thresholds that apply to the impeachment of a Deputy President;
- (2) Whether the House shall conduct Public Participation in its consideration of the Motion, and if so, the modalities of such an exercise;
- (3) The right of the Deputy President to be afforded an opportunity to be heard; and
- (4) Security arrangements for Members of Parliament.

Honourable Members, now allow me to examine each of the issues. With regard to the First Issue on calculating the number of Members required to meet the voting thresholds that apply to the impeachment of a Deputy President, the attention of the Speaker was drawn to the current Membership of the House in light of the four (4) vacancies relating to Magarini, Ugunja and Banisa Constituencies and the seat recently vacated by the Hon. John Mbadi upon his appointment to the Cabinet. The query around this issue sought guidance on whether calculating the voting thresholds prescribed in Article 145 of the Constitution would take into account the vacancies and the existing 345 Members of the House.

I wish to refer the House to the express provisions of Article 145(1) and (2) of the Constitution which provide clear guidance on this issue. The Articles provide, and I quote —

- (1) A member of the National Assembly, supported by at least a third of all the members, may move a motion for the impeachment of the President—
 - a. on the ground of a gross violation of a provision of this Constitution or of any other law;

- b. where there are serious reasons for believing that the President has committed a crime under national or international law; or (c) for gross misconduct.
- (2) If a motion under clause (1) is supported by at least two-thirds of all the members of the National Assembly—
- a. the Speaker shall inform the Speaker of the Senate of that resolution within two days; and
 - b. the President shall continue to perform the functions of the office pending the outcome of the proceedings required by this Article.

Members will note the instructive words in both provisions subject the prescribed thresholds to “ALL the Members”. To the extent that no reference is made to “existing” Members, the thresholds can only be applied to the membership of the National Assembly that is prescribed under Article 97 of the Constitution.

In this regard, a Member who proposes a motion for the impeachment of a President or Deputy President must be supported by at least one-third of the 349 Members of the House, being 117 Members. By extension, for the House to pass a resolution on a Motion for the impeachment of a President or Deputy President, the Motion must be supported by at least two-thirds of the 349 Members of the House, being 233 Members.

A related issue raised with respect to the first issue was whether the validity of the proceedings of the House would be affected in light of the four (4) vacant seats. Notably, Article 124(3) of the Constitution provides that the proceedings of a House of Parliament are not invalid merely on account of a vacancy in its membership. This settles the first issue.

Hon. Members, the Second Issue was on the conduct of public participation in considering the Special Motion and the modalities of such an exercise. At the very outset, permit me to note that it would be absurd for any person to imagine that a Motion such as the one presently before the House may be concluded without the participation of the public.

Honourable Members, Article 118(2) of the Constitution categorically enjoins Parliament to “facilitate public participation and involvement in the legislative and other business of Parliament and its committees.”

My attention has also been drawn to various court decisions relating to the removal from office of state officers including county governors. I am indeed persuaded that public participation is an integral element of the process of removal of an elected State officer from office.

Having reiterated the centrality of public participation to the process, how then shall the public participate in the consideration of the Special Motion?

Honourable Members, in answering this question, the House Business Committee has addressed this issue during its meeting this afternoon and approved a programme of public participation across the country to be coordinated from the 47 Counties. The Clerk shall communicate the full details of the programme, for the information of the

public, through print and electronic media advertisements to run from tomorrow, 2nd October, 2024.

Honourable Members, with regard to the administrative arrangements to facilitate public participation, the House Business Committee also resolved on the following modalities—

- (1) THAT, the public participation will be undertaken on Friday, 4th October 2024. Consequently, all other parliamentary activities previously scheduled between Thursday, 3rd until Monday, 7th October, 2024, shall be suspended;
- (2) THAT, this unprecedented occasion is one which requires the House to summon all Members to avail themselves and participate in all activities relating to the Special Motion. Further, Standing Order 68 provides that a Motion for the removal of a person from office takes precedence over all other business on the Order Paper. Consequently, the Consideration of the Special Motion shall have priority over all activities of the House, whether domestic or foreign; and
- (3) THAT, the House Business Committee will seek a resolution of the House to—
 - (a) suspend the sitting of the House on Thursday, 3rd October 2024 in order to facilitate the administrative arrangements for public participation; and
 - (b) hold a morning sitting on Tuesday, 8th October 2024 and commence an early afternoon sitting on the same day to consider the Special Motion.

Further, Honourable Members I have been requested by the Mover of the Motion and in consultation with the House Business Committee, to convene a forum for a briefing of Members on the modalities of the public participation programme. In this regard, I will interrupt tomorrow's morning sitting at noon and adjourn the House for this purpose. I also direct the Clerk to make necessary arrangements for the briefing session. Honourable Members, the Third issue touched on the manner of affording the Deputy President an opportunity to be heard and the modalities of the same. In this case, Standing Order 67 obliges the House to afford the Deputy President an opportunity to be heard either in person, through a representative or both. Further, the House is under an obligation to accord the Deputy President, the right to fair administrative action under Article 47 and the right to fair hearing under Article 50 of the Constitution.

Drawing from the foregoing and the timeline provided for the House to dispose the Motion for which Notice was given today, the Deputy President of the Republic of Kenya is entitled to appear before the House in person, through legal representative, or both during consideration of the Motion.

Noting that the Special Motion shall be considered on 8th October, 2024, I have directed that the H.E. the Deputy President be notified of his right to appear on the said date and the allocation of time from 5.00 p.m. to 7.00 p.m.

Honourable Members, The Fourth and final issue that was raised for guidance was on the security of Members whose support of the Special Motion may affect their personal safety.

The security and safety of Members is a paramount priority for the Parliamentary Service Commission which is charged with providing services and facilities to ensure the efficient and effective functioning of Parliament.

As Chairman of the Parliamentary Service Commission, I assure all Members that, apart from the existing arrangements made for their security and safety, additional arrangements shall be considered, if the need arises, in consultation with the National Police Service.

Honourable Members, as I conclude, I urge each one of us and the public to truly grasp the magnitude of the unprecedented journey the House is about to embark on. In promulgating the Constitution, Kenyans bestowed upon themselves and generations yet to come a document that reshaped the very soul of our nation. Indeed, our Constitution is a living document that espouses the aspirations of our people. To this end, on Friday the 27th day of August 2010, Kenyans affirmed their sovereign and inalienable right to establish a government anchored in democracy, social justice, and the rule of law.

The power to impeach is a profound check on the conduct of a State Officer.

To safeguard the rights of an affected State Officer, the Constitution prescribes high and graduated thresholds on the National Assembly. The thresholds reflect the gravity of the task before the House. This Special Motion is not just an inquiry into the conduct of a State Officer; it is also a momentous test of the resilience of the constitutional procedures meticulously designed by the framers.

As you proceed to scrutinize the conduct of the Deputy President, the House is also under scrutiny with respect to its fidelity to the Constitution and its obligation to uphold the rights of every Kenyan. I have no doubt that we will rise to this defining moment; that we shall confront this test with dignity, resolve, and the utmost integrity. I am confident that the House shall prove itself worthy of the trust placed on it by the Constitution and the people it represents.

Honourable Members, In summary therefore, I wish to guide the House as follows—

THAT, while the threshold for admitting the Special a Motion under the Articles 145 and 150 is 117 Members, the threshold for passing a resolution on the Motion for the impeachment of a President or Deputy President is 233 Members of this House.

THAT, public participation is an integral element of the process of removal of an elected State officer from office. In this regard, the H o u s e B u s i n e s s C o m m i t t e e has approved a programme of public participation across the country to be coordinated from the 47 Counties on 4th October, 2024.

THAT, in order to observe the requirements of Articles 47 and 50 of the Constitution and Standing Order 67, H.E. the Deputy President shall be notified of his right to appear before the House on Tuesday, 8th October, 2024 and the allocation of time between 5.00 and 7.00pm.

THAT, in addition to the existing arrangements made for the security and safety of Members, additional arrangements shall be considered in the usual manner in consultation with the National Police Service.

The House is accordingly guided.

I thank you!

5. PAPERS

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

- (i) Annual Report and Financial Statements for Kenya Tourism Board for the financial year 2020/2021 from the Ministry of Tourism and Wildlife;
- (ii) Audit of the financial statements for the Office of the Auditor-General and Staff Car Loan and Mortgage Schemes for the financial years ended 30th June 2018, 30th June 2019, 30th June 2020, 30th June 2021 and 30th June 2022;
- (iii) Performance Audit Report on Management of Cash and Domestic Debt by the National Treasury for September 2024 from the Office of the Auditor-General;
- (iv) Performance Information Systems Audit Report on the Pensions Department Management Information System for September 2024 from the Office of the Auditor-General; and
- (v) Reports of the Auditor-General and Financial Statements for the year ended 30th June 2024 and the certificates therein in respect of the following institutions:
 - a) Central Bank of Kenya;
 - b) Public Sector Accounting Standards Board; and
 - c) Capital Markets Authority.
- (vi) Report of the Auditor-General and Financial Statements of the National Government Fund (NG-CDF) for Subukia Constituency for the year ended 30th June, 2023 and the certificates therein;
- (vii) Report to Parliament on all new loans contracted by Government of Kenya from 1st May, 2023 to 31st August, 2024 from the National Treasury and Economic Planning; and
- (viii) Annual Performance Report for the Micro, Small and Medium Enterprises (MSMEs) Credit Guarantee Scheme for the period from 1st July 2023 to 30th June 2024 from the National Treasury and Economic Planning.

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

- (ix) Report of the Kenyan Delegation to the 64th Session of the OACPS Parliamentary Assembly and the 1st Session of the OACPS -EU Joint Parliamentary Assembly held in Luanda, Angola from 17th to 21st February 2024.

(The Hon. Gladys Boss – Leader of the Delegation)

6. NOTICES OF MOTION

The following Notice of Motion was given –

(a) **Report of the Kenyan Delegation to the 64th Session of the OACPS Parliamentary Assembly and the 1st Session of the OACPS -EU Joint Parliamentary Assembly held in Luanda, Angola from 17th to 21st February 2024**

THAT, this House **notes** the Report of the Kenyan Delegation to the 64th Session of the OACPS Parliamentary Assembly and the 1st Session of the OACPS-EU Joint Parliamentary Assembly held in Luanda, Angola from 17th to 21st February 2024, laid on the Table of the House on Tuesday, 1st October 2024.

(The Hon. Gladys Boss – Leader of the Delegation)

(b) **Proposed Removal from Office by Impeachment of H.E. Rigathi Gachagua, EGH, as the Deputy President of the Republic of Kenya**

Pursuant to the provisions of Article 150 (1)(b) and (2) and Article 145 of the Constitution and Standing Orders 64 and 65 of the Standing Orders of the National Assembly of the Republic of Kenya, this House **resolves** to remove from Office, by Impeachment, His Excellency Rigathi Gachagua, EGH, the Deputy President of the Republic of Kenya on the following grounds:

- (a) **Gross Violation of Articles 10(2)(a), (b) and (c); 27(4), 73(1)(a) and (2) (b); 75(1)(c), and 129(2) of the Constitution and Articles 147(1), as read with Article 131(2)(c) and (d) of the Constitution.** The Special Motion alleges that H. E. the Deputy President has persistently made utterances threatening to discriminate, exclude and unlawfully deny sections of the people of Kenya and regions of the Republic of Kenya equal opportunities for public service appointments and allocation of public resources.
- (b) **Gross Violation of Articles 147(1) and 152(1) of the Constitution by undermining the President and the Cabinet and the effective discharge of the national government's executive mandate.** The Special Motion alleges that H. E. the Deputy President has made unilateral public statements inconsistent with policy positions collectively adopted by the Government and contradicted the President on critical matters of governance and the exercise of the President's function as a symbol of national unity.
- (c) **Gross Violation of Articles 6(2), 10(2)(a), 174, 186(1), 189(1) and the Fourth Schedule to the Constitution by undermining Devolution.** The Special Motion alleges that H. E. the Deputy President interfered with the running of Nairobi City County Government by inciting citizens against lawful directives of the County Government on the planning and relocation of markets and publicly disparaging the leadership of the County Government and its decisions.

- (d) **Gross Violation of 160(1) of the Constitution on the Institutional and Decisional Independence of Judges.** The Special Motion alleges that H. E., the Deputy President, has undermined the institutional and decisional independence of a judge through public attacks on a judge of the High Court of Kenya and falsely threatening to file a petition for the removal of the said Judge in a matter in which he was a party.
- (e) **Gross Violation of Articles 3(1) and 148(5)(a) of the Constitution on the fidelity to the Oath of Office and Allegiance.** The Special Motion alleges that H. E. the Deputy President breached his Oath of Office and Allegiance on account of the utterances and actions attributed to the Deputy President under Grounds (1), (2), and (3) of the Special Motion;
- (f) **Serious reasons to believe that H.E. the Deputy President has committed crimes under sections 13(1)(a) and 62 of the National Cohesion and Integration Act.** The Special Motion alleges that H. E the Deputy President has persistently made inflammatory, reckless, inciteful public utterances over the last two years in contravention of the law.
- (g) **Serious reasons to believe that H.E. the Deputy President has committed gross economic crimes, under sections 45(1), 46, 47(a)(3), and 48 (1) of the Anti-Corruption and Economic Crimes Act and sections 2, 3, 4, and 7 of Proceeds of Crime and Anti-Money Laundering Act.** The Special Motion alleges that H. E, the Deputy President, has committed gross economic crimes, namely, conflict of interest, abuse of office, and conspiracy to commit crimes under sections by inexplicably amassing property estimated at Kshs. 5.2 billion that is incompatible with his known legitimate income; and by trading with the Office of the Deputy President holds through proxies.
- (h) **Serious reasons to believe that H. E the Deputy President has committed crimes by continuously misleading members of the public through false, malicious, divisive and inciteful remarks that are contrary to the provisions of section 132 of the Penal Code and section 29 of the Leadership and Integrity Act.**
- (i) **Gross Misconduct that is incompatible with the high calling and dignified status of the Office of the Deputy President and member of the Cabinet and the National Security Council.** The Special Motion alleges that H. E. the Deputy President has publicly attacked and undermined the work of the National Security Intelligence Service and its Officers.
- (j) **Gross Misconduct by openly or publicly insubordinating the President, who is the Head of State and Government.**
- (k) **Gross Misconduct by persistently bullying state and public officers.**

(The Hon. Mwengi Mutuse)

(Change of Chair from the Rt. Honourable Speaker to the Deputy Speaker)

7. STATEMENTS

- a) Pursuant to the provisions of Standing Order 44(2)(b), the Chairperson of the Departmental Committee on Health, the Hon. Dr. Robert Pukose, MP issued a Statement regarding the shift from NHIF to SHIF role out on Universal Health Coverage.

In the Statement, the Chairperson informed the House that the Ministry in line with the Public Procurement and Asset Disposal Act, CAP 412C undertook procurement of the Integrated Healthcare Information Technology System as part of implementation of Universal Health Care in the country. He added that the Ministry submitted that the primary aim of this integrated System was to address the existing challenges in the healthcare sector including issues of interoperability, data quality, accessibility, and affordability.

The Chairperson stated that the system procured was both a Social Health Authority System and a National Integrated Information Technology System for the entire health sector. The System was therefore not solely managing Social Health Insurance but was providing for various components aimed at delivering a comprehensive and integrated healthcare system for the country.

The System, if implemented by the Ministry of Health would contribute significantly to the digitization and modernization of Kenya's healthcare system, ensuring accessible, affordable, and high-quality care for all Kenyans as envisioned in the Kenya Health Policy (2014-2030) and the Kenya Universal Health Coverage Policy (2020-2030).

- b) Requests for Statements pursuant to the provisions of Standing Order 44(2)(c)—
- (i) The Member for Funyula (Hon. (Dr.) Ojiambo Oundo) requested for a Statement from the Chairperson of the Departmental Committee on Justice and Legal Affairs regarding the Welfare of prison officers.
 - (ii) The Member for Langata (Hon. Phelix Odiwuor) requested for a Statement from the Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations regarding current management and public access to Uhuru Gardens.
 - (iii) The Member for Migori (Hon. Fatuma Zainabu) requested for a Statement from the Chairperson of the Departmental Committee on Environment, Forestry and Mining regarding mining activities in Macalder Gold Belt in Migori County.
 - (iv) The Member for Wajir South (Hon. Mohammed Adow) requested for a Statement from the Chairperson of the Departmental Committee on Justice and Legal Affairs regarding status of delimitation of electoral units.
 - (v) The Member for Narok North (Hon. Agnes Pareiyo) requested for a Statement from the Chairperson of the Departmental Committee on Trade, Industry and Cooperatives regarding sale of *Ufundi* Co-op Plaza by *Ufundi* Sacco.
 - (vi) The Member for Ganze (Hon. Kazungu Tungule) requested for a Statement from the Chairperson of the Departmental Committee on Tourism and Wildlife regarding increased invasions of elephants in Ganze Constituency.

8. THE TECHNOPSIS BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2024)

Motion made and Question proposed-

THAT, the Technopolis Bill (National Assembly Bill No. 6 of 2024) be now read a Second Time.

(The Hon. John Kiarie – 14.08.2024)

Debate having been concluded on Thursday, September 26, 2024;

Mover having replied;

Question put and agreed to.

Bill read a Second Time and committed to Committee of the whole House tomorrow.

9. SPECIAL MOTION – CONSIDERATION OF A NOMINEE FOR APPOINTMENT AS THE DIRECTOR-GENERAL OF THE COMPETITION AUTHORITY

Motion made and Question proposed –

THAT, taking into consideration the findings of the Joint Committee of the National Assembly Departmental Committee on Finance and National Planning and the Senate Standing Committee on Finance and Budget in its Report on the vetting of a nominee for appointment as the Director-General of the Competition Authority, *laid on the Table of the House on Thursday, 26th September 2024*, and pursuant to section 12(1) of the Competition Act, CAP 504 and section 3 and 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Mr. David Kibet Kemei** as the Director-General of the Competition Authority.

(The Co-Chairperson, Joint Parliamentary Committee on vetting of a nominee for appointment as the Director-General of the Competition Authority)

Debate Arising;

Mover replied;

Question put and agreed to.

10. THE ETHICS AND ANTI-CORRUPTION COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2024)

Order for Second Reading read;

Motion made and Question proposed-

THAT, the Ethics and Anti-Corruption Commission (Amendment) Bill (National Assembly Bill No. 11 of 2024) be now read a Second Time.

(The Leader of the Majority Party and the Leader of the Minority Party)

Debate arising;

Mover replied;

Question put and agreed to.

Bill read a Second Time and committed to Committee of the whole House tomorrow;

(Change of Chair from the Rt. Hon. Speaker to the Deputy Speaker)

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

11. HOUSE ROSE - at Seven O'clock

M E M O R A N D U M

The Speaker will take the Chair on,
Wednesday, October 2, 2024 at 9.30 a.m.

--X--