



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, JUNE 26, 2024 (MORNING SITTING)

1. The House assembled at five minutes past Ten 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 on –

The unfortunate and unprecedented events of Tuesday, 25th June 2024

Honourable Members, yesterday, 25th June 2024, will go down as a sad and tragic day in the history of our nation and that of the Parliament of Kenya. We were all treated to some unprecedented disheartening and unfortunate events and occurrences, following the passage of the Finance Bill, 2024, by this honorable House.

Indeed, our sacred institution faced a grievous breach of security and an unforgivable act of violence. The events that transpired during the invasion have shaken us to the core resulting in the loss of lives close to the precincts of Parliament. The imperative to exercise tolerance and restraint at all times by all of us cannot be gainsaid.

Honourable Members, as your Speaker and Chairperson of the Parliamentary Service Commission I am still reeling from the effects of the invasion of Parliament, the gory images of the wanton destruction of property, and the desecration of the Parliamentary square by people “masquerading” as youth and peaceful protesters, who reigned terror on Parliament and forcefully made their way in these hallowed grounds. **It is highly regrettable.**

I stand before you with a heavy heart and it is my solemn duty to address the gravity of what has occurred. The sanctity of Parliament has been violated, lives have been needlessly lost and the foundation of our democracy has been tested in ways we never imagined. On behalf of the Parliamentary Service Commission and on my own behalf, I send my condolences to the families and friends of the departed souls and wish those who are in various hospitals quick recovery.

Honourable Members, such an occurrence has never happened in the history of our nation and it is my sincere hope that we shall never have a repeat of the same! As a democratic nation and pursuant to the principles and values enshrined in our constitution, Kenyans have the right to picket and demonstrate peacefully, a right that has continued to be enjoyed by all. However, there is need to exercise absolute restraint, caution, respect for all by ensuring that such demonstrations are carried out in a peaceful manner that allows for the co-existence of all-both the protesters and the non-protesters alike.

I am not a stranger to the conversations that have been going on in this country with regards to the Finance Bill and the general state of the economy of the Nation, I laud the youth of this nation for taking the lead in this discourse and what a privilege to be alive at such a time as this to behold our children engage in and shape the course of our nation.

However, it is imperative that these discussions are held in a structured and meaningful manner, within the confines of the law in order for them to realize the desired results. Violence, disrespect and wanton destruction of property and blatant attack on public institutions shall not be condoned.

Honourable Members, I would like to charge all of us, whether Members of Parliament or citizens, as bonafide owners of this great land, we must endeavor to protect our nation, we are all citizens of this great nation and must therefore accommodate each other since Kenya is all that we have. We must stand strong always, working towards a peaceful and prosperous future ensuring that the sanctity of this institution is never compromised again.

Let us, **Honourable Members,** reaffirm our commitment to serving the people, to engage in constructive dialogue and to uphold the democratic values that bind us together. In the face of adversity, let us show resilience, unity and a steadfast dedication to the democratic process that has given our country peace and tranquility for many decades.

As I conclude, I wish to also convey that I have, this morning, received a request from the Defence Council through the Cabinet Secretary for Defence **pursuant to Article 241(3) (c) of the Constitution and sections 31(1)(b), 31(1)(c) and 32 of the Kenya Defence Forces Act, Cap. 199** seeking the approval of the House for deployment of the Kenya Defence Forces **in the interest of national security** in support of the National Police Service in various parts of the Republic of Kenya affected by ongoing violent protests that have caused destruction to critical infrastructure. The Leader of the Majority Party shall shortly move a Motion for the consideration of this request.

Finally, I would like to give you, **Honourable Members,** my assurance of your security and protection from harm by ensuring that you are able to deliver on your constitutional mandate without any fear. I have the assurance from the law enforcement agencies that the Security of Parliament will be provided at all times.

I would also like to assure members of the public that Parliament is strong and will continue to endeavor to be sensitive to the needs of the people of Kenya and uphold your interests at all times.

5. MESSAGES

The Speaker conveyed the following Message to the House –

On Nomination of A Person For Appointment As The Director-General For Health

Honourable Members, pursuant to the provisions of Standing Order 42(4), I wish to report to the House that I have received a Message from the Cabinet Secretary for Health regarding the nomination of a person for appointment as the Director-General for Health.

In the Message, **Honourable Members**, the Cabinet Secretary conveys that, in exercise of powers conferred by Section 16 (2) of the Health Act, 2017, she nominates **Dr. Patrick Omwanda Amoth** for appointment as the Director-General for Health. The Cabinet Secretary therefore seeks the approval of Parliament on the said nomination.

Honourable Members, you may wish to note that the approval of appointment of a Director-General of Health is among one of the exceptions where the applicable law prescribes approval by the two Houses of Parliament.

Therefore, **Honourable Members**, just for clarity, the vetting process shall proceed in the following manner -

- (i) **THAT**, the vetting of the nominee proposed for appointment as Director-General for Health shall be conducted by the Departmental Committee on Health of the National Assembly, jointly sitting with the Committee of the Senate;
- (ii) **THAT**, the quorum of the joint sittings of the Committees will be the respective quorums of each of the committees as stipulated in the Standing Orders of the respective Houses;
- (iii) **THAT**, as contemplated under Rule 9(6) of the Joint Rules unless a decision is reached by consensus, any vote to be taken in the joint sittings of the Committees shall be by separate Houses. This will ensure that the numerical difference of the individual Members representing the Houses in the joint sittings has no effect on the decisions of the joint sittings of the Committees;
- (iv) **THAT**, the joint Committees shall, having concluded the approval hearings, submit a Joint Report to the respective Houses in the manner contemplated by Paragraph 7 of Joint Rule No. 9; and
- (v) **THAT**, the approval process shall be conducted in accordance with the provisions of the Public Appointments (Parliamentary Approval) Act, 2011.

Honourable Members, whereas the Health Act does not provide specific timelines within which the House is to consider the nominee, section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011 requires the relevant House to undertake the exercise within twenty-eight (28) days. Conscious of the fact that the House is scheduled to proceed for recess this week, I hasten to clarify that the counting of days with respect to the consideration of the nominee will cease during the recess period and resume when the House first sits upon resumption. Therefore, the Departmental Committee on Health shall submit their Joint Report on or before **Tuesday, 13th August 2024** to enable the House to consider the proposed appointment.

Honourable Members, the Committees are expected to forthwith jointly commence the approval process and notify the nominee and the general public of the time and place for holding the approval hearings and upon conclusion, table its report within statutory timelines.

6. PROCEDURAL MOTION - FURTHER ALTERATION OF THE CALENDAR OF THE HOUSE

Motion made and Question proposed-

THAT, pursuant to the provisions of Standing Order 28(4), notwithstanding the Resolutions of the House, this House **further resolves to alter its calendar** as adopted on 14th February 2024 and amended on 25th June, 2024 so as to –

a) commence its short recess from today, Wednesday, 26th June 2024 upon adjournment of the Morning Sitting; and,

b) resume its Regular Sittings for the Second Part of the Session on Tuesday, 23rd July 2024.

(The Leader the Majority Party)

No Debate arising;

Question put and agreed to

7. MOTION - APPROVAL OF THE DEPLOYMENT OF THE KENYA DEFENCE FORCES TO RESTORE PEACE IN PARTS OF KENYA AFFECTED BY UNREST OR INSTABILITY

Motion made and Question proposed-

THAT, pursuant to Article 241(3)(c) of the Constitution and sections 31(1)(b), 31(1)(c) and 32 of the Kenya Defence Forces Act, Cap. 199, this House accedes to the request of the Defence Council dated 26th June 2024 and, in the interest of national security, **APPROVES** the deployment of the Kenya Defence Forces (KDF) in support of the National Police Service in various parts of the Republic of Kenya affected by ongoing violent protests that have caused destruction to critical infrastructure until normalcy is restored.

(The Leader of the Majority Party)

Debate arising;

Question put and agreed to.

And the time being three Minutes Past Twelve O'clock, the Speaker adjourned the House without Question put pursuant to the provisions to the Standing Orders.

8. HOUSE ROSE - at three Minutes Past Twelve O'clock.

M E M O R A N D U M

The Speaker will take the Chair on,
Tuesday, July 23, 2024 at 02.30 p.m.

--X--