



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, AUGUST 03, 2023 AT 2.30 PM

1. The Senate assembled at thirty Minutes past Two O'clock.
2. The proceedings were opened with Prayer said by the Speaker.
3. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following Communications from the Chair: -

i.) Visiting Students and Teachers from Teresia's Schools Gilgil

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, visiting teachers and students from Teresia's Schools Gilgil – Nakuru County. The group comprises four (4) teachers and twenty-eight (28) students who are in the Senate for a one- day academic exposition.

Honourable Senators,

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them and, on behalf of the Senate and on my own behalf, wish them a fruitful visit.

I thank you.”

ii.) Visiting Students and Teachers from Milimani Primary

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, visiting teachers and students from Milimani Primary School – Nairobi County. The group comprises five (5) teachers and two hundred and twenty-nine (229) students who are in the Senate for a one- day academic exposition.

Honourable Senators,

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them and, on behalf of the Senate and on my own behalf, wish them a fruitful visit.

I thank you.”

iii.) Visiting Teachers and Students from Sabis International School, Nairobi County

“Honourable Senators,

In the public gallery, we have five (5) students, accompanied by three (3) teachers from Sabis International School, Nairobi County who are in the Senate on an education tour.

Honorable Senators,

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them and, on behalf of the Senate and on my own behalf, wish them a fruitful visit.

I thank you!”

iv.) The Annual General Meeting of The Commonwealth Parliamentary Association (CPA) Kenya Branch

“Honourable Senators,

The Commonwealth Parliamentary Association (CPA) is an international organization that brings together parliamentarians from over 180 parliaments and legislatures of countries and territories within the Commonwealth community. The Association was established in 1911, making it one of the oldest and most significant parliamentary institutions in the world.

The CPA's main objectives are to promote parliamentary democracy, provide a platform for parliamentarians and parliamentary staff to exchange ideas and best practices, and foster cooperation among member countries. The Association is committed to upholding the values of the Commonwealth, including democratic governance, respect for human rights, equality, and the rule of law.

Honourable Senators,

The CPA Constitution provides for the establishment of Branches and the Members of the Legislature in which a Branch is formed are entitled to become Members of the Branch. Therefore, Membership is open to all

Members of the Senate and the National Assembly on payment of the applicable subscription fee. The affairs of each Branch are managed by an Executive Committee.

Members of Parliament who wish to become members of the CPA are required to pay a subscription fee of Kshs. 4000/-, for life membership and Kshs. 1000/-, for annual membership by completing a Membership form. The membership form may be obtained from the Office of the Clerk.

Honourable Senators,

In accordance with the rules of CPA Kenya Branch, the Branch is required to hold the Annual General Meeting to, among other things, hold elections of Members of the Executive Committee. For this purpose, the Joint Presidents have convened a meeting scheduled for Thursday, 10th August, 2023 at 10.00am in the National Assembly Chamber. The elected Members of the Executive Committee will have the responsibility of steering the Branch towards achieving the objectives of the Association.

The Executive Committee Members will be chosen based on their expertise and dedication to the principles of the Association. It is essential to elect individuals who can represent the interests of Kenya and contribute meaningfully to the CPA's collective efforts in promoting democracy, good governance, and respect for human rights. The available slots are twelve (12) to be shared on 3:5 basis between the Senate and the National Assembly. In this regard, five (5) Members will be drawn from the Senate and Seven (7) will be drawn from the National Assembly. Interested Members will be expected to be Members of the Association and only duly registered Members will be eligible to participate in the elections.

Honourable Senators,

I therefore, take this opportunity to bring this matter to the attention of all Senators and encourage Senators to join, for those who haven't done so, and also to invite interested Senators to tender their applications for the election to the Executive Committee through a written notification to the Office of the Clerk before Tuesday, 8th August, 2023.

I thank you.”

v.) Visiting Students and Teachers from Juniomax Academy Muchukwo

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, visiting teachers and students from Juniomax Academy Muchukwo- Baringo County. The group comprises seven (7) teachers and thirty-three (33) students who are in the Senate for a one- day academic exposition.

Honourable Senators,

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them and, on behalf of the Senate and on my own behalf, wish them a fruitful visit.

I thank you.”

vi.) Visiting Students and Teachers from Chebonei Girls High School

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, visiting teachers and students from Chebonei Girls High School-Bomet County. The group comprises four (4) teachers and a hundred (100) students who are in the Senate for a one- day academic exposition.

Honourable Senators,

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them and, on behalf of the Senate and on my own behalf, wish them a fruitful visit.

I thank you.”

vii.) Visiting Students and Teachers from Homabay Town Constituency Students’ Association

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, visiting teachers and students from Homabay Town Constituency Students Association - Homabay County. The group comprises eighteen (18) students who are in the Senate for a one- day academic exposition.

Honourable Senators,

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them and, on behalf of the Senate and on my own behalf, wish them a fruitful visit.

I thank you.”

viii.) Visiting Teachers and Students from Lorna Laboso Girls' Secondary School in Bomet County

“Honourable Senators,

In the public gallery, we have sixty-three (63) students, accompanied by four (4) teachers, from Lorna Laboso Girls' Secondary School – Bomet County who are in the Senate on an education tour.

Honourable Senators,

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them and, on behalf of the Senate and on my own behalf, wish them a fruitful visit.

I thank you.”

4. PETITIONS

- i.) Petition to the Senate by Mr. Benard Muchere, concerning public money allegedly stolen through the Standard Gauge Railway (SGR) project was dropped in the absence of the presenter, Sen. Andrew Omtatah Okoiti, MP.
- ii.) Pursuant to Standing Order 236 (2) (b), the Speaker reported to the Senate a Petition by residents of Marungu within Mghange, Mwanda Ward in Taita Taveta County, concerning impending eviction from their ancestral land by the Holy Rosary Catholic Parish, Mwanda.

Pursuant to Standing Order 237, the Speaker invited Senators to make comments, observations or seek clarifications in relation to the Petition and, subsequently, committed it to the Standing Committee on Land, Environment and Natural Resources pursuant to Standing Order 238 (1).

- iii.) Pursuant to Standing Order 238 (2), the Chairperson, Standing Committee on Education tabled before the Senate the Report of the Standing Committee on a Petition to the Senate concerning payment of pension to teachers who retired between 1997 and 2007.

Pursuant to Standing Order 238 (2), the Speaker invited Senators to comment on the Petition.

5. PAPERS

The following Papers were laid on the Table of the Senate: -

- i.) Report of the Standing Committee on Education on a Petition to the Senate concerning payment of pension to teachers who retired between 1997 and 2007.

(The Chairperson, Standing Committee on Education)

- ii.) The Kabeere Springs Catchment Protection Area Order, Legal Notice No. 104 of 2023.
- iii.) The Kajulu Hills Catchment Protection Area Order, Legal Notice No. 105 of 2023.
- iv.) The Manguo Swamp Groundwater Conservation Area Order, Legal Notice No. 106 of 2023.
- v.) The Marura (Ewaso Narok) Swamp Catchment Protection Area Order, Legal Notice No. 107 of 2023.

(The Deputy Senate Majority Whip)

6. **QUESTIONS AND STATEMENTS**

STATEMENT

a) Pursuant to Standing Order 53(1)

The Senator for Marsabit County (Sen. Mohamed Chute, MP) sought a Statement from the Standing Committee on Energy concerning the status of electricity connection in Marsabit County.

b) Pursuant to Standing Order 56 (1)(a)

The Chairperson, Standing Committee on Information, Communication and Technology made a Statement relating to a matter for which the committee is responsible, namely; the cryptocurrency project, World Coin.

The Chairperson noted that the project, which invites Kenyan citizens to voluntarily provide eye iris scans for a digital ID and free cryptocurrency tokens, has led to worries about its impact on the national economy, cybersecurity, and data rights. According to the Chairperson, these concerns are especially pronounced due to World Coin's use of biometric identification and the potential risks this poses for data protection. He also stressed the need for rigorous cybersecurity measures to ensure the safeguarding of citizens' financial assets.

He further asserted that the Committee has committed to investigating the activities of World Coin, and it will seek input from relevant government ministries and the Central Bank of Kenya. As part of these investigations, a session has been scheduled for August 4th, 2023, to update the Senate and

further explore the matter, he extended an invitation to Hon. Members, the public, and various stakeholders to participate in the committee sessions and work collectively towards a solution.

In conclusion the Chairperson listed a number of concerns that need to be addressed; these include data privacy, financial stability, cybersecurity risks, potential misuse and fraud, inclusivity, accessibility and the role of the Central Bank of Kenya in such cryptocurrency projects.

7. **THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILLS NO. 25 OF 2023)**

(Sen. Samson Cherarkey, MP)

Order for First Reading read;

Bill read a First Time and Committed to the Standing Committee on Devolution and Intergovernmental Relations.

8. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE COUNTY GOVERNMENTS (EQUITABLE SHARE) CASH DISBURSEMENT SCHEDULE FOR THE FINANCIAL YEAR 2023/2024 AND APPROVAL OF THE COUNTY GOVERNMENTS (EQUITABLE SHARE) CASH DISBURSEMENT SCHEDULE FOR THE FINANCIAL YEAR 2023/2024**

Order read;

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the County Governments (Equitable Share) Cash Disbursement Schedule for Financial year 2023/2024, laid on the Table of the Senate on Thursday, 27th July, 2023 and that pursuant to Section 17 (7) of the Public Finance Management Act and Standing Order 189 (3), the Senate approves the County Governments (Equitable Share) Cash Disbursement Schedule for Financial year 2023/2024.

(The Chairperson, Standing Committee on Finance and Budget- 02.08.23)

Debate interrupted on Wednesday, 2nd August, 2023 resumed;

And there being no other Senator wishing to contribute;

Mover Replied;

Pursuant to Standing Order 66 (3), the Mover requested the Temporary Speaker (Sen. Wakili Sigei, MP) to defer the putting of the Question to a later date.

And the Temporary Speaker (Sen. Wakili Sigei, MP), acceding to the request, deferred putting of the Question to Tuesday, 8th August, 2023 at 2:30 pm.

9. **THE EQUALIZATION FUND (ADMINISTRATION) BILL (SENATE BILLS NO. 14 OF 2023)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, The Equalization Fund (Administration) Bill (Senate Bills No. 14 of 2023) be now read a Second Time.

(The Chairperson, Standing Committee on Finance and Budget-27.7.2023)

Debate interrupted on Thursday, 27th July, 2023 resumed;

Pursuant to Standing Order 34 (2A), the Temporary Speaker (Sen. Catherine Mumma, MP), interrupted the proceedings and adjourned the Senate at forty minutes past Six O'clock, without Question put.

10. **SENATE ROSE** – at forty Minutes past Six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Tuesday, August 8, 2023 at 2.30 p.m.*

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