



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, APRIL 16, 2024 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. **QUORUM OF THE SENATE**

The Speaker, having counted the Honourable Senators present at the commencement of the Sitting and confirming that there was a Quorum, invited the Clerk to call out the Orders of the day.

4. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following Communications from the Chair –

i) Resumption of Sittings of the Senate for Part II of the Third Session

“Honourable Senators,

I take this opportunity to welcome Honourable Senators back from the recess, which coincided with the observance of the Easter holiday for the Christian and Ramadhan for the Muslim faiths. I hope you had time to meet with your constituents, friends and families over the past two weeks. I also hope that you took some time to rest and rejuvenate your spirits for the resumption of regular sittings. Part II of the Senate Calendar commences today and will run until the rise of the Senate on Thursday, 30th May, 2024.

Honourable Senators,

In the coming days, we expect the Standing Committee on Finance and Budget to table its report on the Division of Revenue Bill. The passage of the Division of Revenue Bill will be followed by the introduction of the County Allocation of Revenue Bill, the County Governments Additional Allocations Bill and the

respective Cash Disbursements Schedules. These are crucial financial instruments for the effective functioning of county governments.

I urge the Standing Committee on Finance and Budget to expeditiously conclude on the Division of Revenue Bill as its conclusion will pave the way for the subsequent financial instruments.

As Honourable Senators are aware, the legislative business before the Senate is heavy. The Speaker in consultation with the Senate leadership will be keen to implement measures aimed at expediting the processing of the legislative agenda of the Senate. These measures will include enforcement of time limits on Petitions, Questions and Statements, as well as the time allocation for Motions and Bills pursuant to the Standing Orders.

In this respect, and to facilitate expeditious consideration of business, respective movers must be in the chamber whenever their business is scheduled in the Order Paper.

Honourable Senators,

At its meeting, held today, 16th April, 2024, the Senate Business Committee has approved a Schedule for Statements pursuant to Standing Order 56(1)(b) to be issued by Committee Chairpersons. We look forward to hearing the work that Committees are undertaking, the impact that this work is making, their plans for the next few months, and a report on the status of implementation of resolutions of the Senate.

Honourable Senators,

Concerning facilitation of Members of Parliament, the Parliamentary Service Commission has expedited the completion of the Parliamentary Tower (Bunge Tower) in order to bridge the deficit in office accommodation for all Members of Parliament. The Commission has begun the process of allocation and subsequent occupation of the offices.

In this respect, the Office of the Clerk, will shortly issue a circular communicating the allocation of offices to all Senators. The allocation of offices, as is the practice, is based on the Order of Precedence as set out at Standing Order 3 (2) of the Senate Standing Orders. The allocation also takes into account the leadership offices of the Senate. The Serjeant-at-Arms will liaise with Senators to coordinate the movement into the allocated offices. Senators are requested to cooperate to make the transition as smooth and seamless as possible.

Honourable Senators,

As I conclude, I wish to reiterate that my office remains open and accessible to all Senators for consultations and support in the fulfilment of your duties.

I wish you fruitful deliberations in the second part of the Third Session.

I thank you.”

ii) Visiting Delegation from the Parliament of Uganda

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, a visiting delegation from the Parliament of Uganda. The delegation comprises Members and Parliamentary Officers of the Committee on Rules, Privileges and Discipline who are on a benchmarking visit with the counterpart Committee in the Senate.

Honourable Senators,

I request each Member of the delegation to stand when called out so that you may be acknowledged in the Senate tradition -

1.	Hon. Rev. Fr. Charles Onen, MP	Leader of the Delegation.
2.	Hon. Margaret Aleper Achilla, MP	Member.
3.	Hon. Alex Ndeezi, MP	Member.
4.	Hon. Atkins Katusabe, MP	Member.
5.	Hon. Nalule Aisha Kabanda, MP	Member.
6.	Hon. Gabriel Okumu, MP	Member.
7.	Hon. Catherine Akumu Mavunjina, MP	Member.
8.	Elisha Bafirawala	Assistant Director, Litigation and Compliance
9.	Alfred Agany Smart	Aide to Hon. Alex Ndeezi, MP
10.	Agatha Akankunda	Clerk Assistant

On behalf of the Senate and on my own behalf, I extend a warm welcome and wish you a fruitful visit.

I thank you.”

5. MESSAGE FROM THE NATIONAL ASSEMBLY – PASSAGE, BY NATIONAL ASSEMBLY, OF THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 3 OF 2024)

The Speaker conveyed the following Message from the National Assembly –

“Honourable Senators,

I wish to report to the Senate that, pursuant to Standing Order 46(3) & (5), I received the following Message, while the Senate was on recess, from the Speaker of the National Assembly regarding the passage, by the National Assembly, of the Statutory Instruments (Amendment) Bill (National Assembly Bills No. 3 of 2024).

The Message, which is dated Tuesday, 4th April, 2024, was received on Friday, 5th April, 2024, in the Office of the Clerk of the Senate.

Pursuant to the said Standing Order, I now report the Message –

‘PURSUANT to the provisions of Standing Order 41(1) and 142 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –

WHEREAS, the Statutory Instruments (Amendment) Bill (National Assembly Bill No. 3 of 2024) was published vide Kenya Gazette Supplement No. 27 on 1st February 2024 as a Bill seeking to amend the provisions of the Statutory Instruments Act, 2013 to enable the Committee on Delegated Legislation to require the regulation making authority to submit to Parliament a copy of any regulation that ceases to have effect by operation of law, and to further obligate Parliament to notify the general public in two newspapers of wide circulation, that a Statutory Instrument which ceases to have effect by operation of law is a nullity;

AND WHEREAS, on Thursday, 21st March 2024, the National Assembly considered the Statutory Instruments (Amendment) Bill (National Assembly Bill No. 3 of 2024) and passed it with amendments in the form attached hereto;

FURTHER NOTING THAT, the National Assembly referred the Statutory Instruments (Amendment) Bill (National Assembly Bill No. 2 of 2023) to the Senate for consideration on 6th December 2023, the processing of the Statutory Instruments (Amendment) Bill (National Assembly Bill No. 3 of 2024) be undertaken alongside the earlier Bill with a view to harmonizing the two Bills;

NOW, THEREFORE, in accordance with the provisions of Article 110 of the Constitution and Standing Orders 41(1) and 142 of the National Assembly Standing Orders, I hereby refer the said Bill to the Senate for consideration.’

Honourable Senators,

The Message was received with a request from the Leader of the Majority Party in the National Assembly, who is the Sponsor of the Bill, that the Senate Majority Leader co-sponsors and introduces the Bill in the Senate.

Pursuant to the provisions of Standing Order No. 163 (2) which states –

163 (2) Before a Bill originating from the National Assembly is read a First Time in the Senate, the Speaker shall notify the Senate whenever a Message is received from the Speaker of the National Assembly naming a Senator or Senators who have been nominated by the Sponsor of the Bill to co-sponsor the Bill in the Senate.

Honourable Senators,

I will, at the appropriate time, direct the Clerk to Read the Statutory Instruments (Amendment) Bill (National Assembly Bills No. 3 of 2024) a First Time.

I thank you.”

6. PAPERS LAID

The following Papers were laid on the Table of the Senate –

- i) The National Police Service Report for 2023.
- ii) Report of the Auditor General on Financial Statements of the County Executive of Elgeyo Marakwet for the year ended 30th June, 2023.
- iii) Report of the Auditor General on Financial Statements of the County Assembly of Elgeyo Marakwet for the year ended 30th June, 2023.
- iv) Report of the Auditor General on Financial Statements of Elgeyo Marakwet County Assembly Catering Services Revolving Fund for the year ended 30th June, 2023.
- v) Report of the Auditor General on Financial Statements of Elgeyo Marakwet County Assembly Car and Mortgage Revolving Fund for the year ended 30th June, 2023.
- vi) Report of the Auditor General on Financial Statements on Receiver of Revenue – Elgeyo Marakwet County Government for the year ended 30th June, 2023.
- vii) Report of the Auditor General on Financial Statements of County Revenue Fund – Elgeyo Marakwet County Government for the year ended 30th June, 2023.
- viii) Report of the Auditor General on Financial Statements of Elgeyo Marakwet Alcoholic Drinks Control Fund for the year ended 30th June, 2023.
- ix) Report of the Auditor General on Financial Statements of Elgeyo Marakwet County Education Fund for the year ended 30th June, 2023.
- x) Report of the Auditor General on Financial Statements of the County Executive of Isiolo for the year ended 30th June, 2023.
- xi) Report of the Auditor General on Financial Statements of the County Assembly of Isiolo for the year ended 30th June, 2023.

- xii) Report of the Auditor General on Financial Statements of the County Executive of Laikipia for the year ended 30th June, 2023.
- xiii) Report of the Auditor General on Financial Statements of the County Assembly of Laikipia the year ended 30th June, 2023.
- xiv) Report of the Auditor General on Financial Statements of the County Assembly of Laikipia Car Loan and Mortgage (Staff) Scheme Fund for the year ended 30th June, 2023.
- xv) Report of the Auditor General on Financial Statements of Laikipia County State and Public Officers Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2023.
- xvi) Report of the Auditor General on Financial Statements of County Revenue Fund – Laikipia County Government for the year ended 30th June, 2023.
- xvii) Report of the Auditor General on Financial Statements of Receiver of Revenue – Laikipia County Government for the year ended 30th June, 2023.
- xviii) Report of the Auditor General on Financial Statements of Laikipia County Revenue Board for the year ended 30th June, 2023.
- xix) Report of the Auditor General on Financial Statements of Laikipia County Enterprise Fund for the year ended 30th June, 2023.
- xx) Report of the Auditor General on Financial Statements of Laikipia County Emergency Fund for the year ended 30th June, 2023.
- xxi) Report of the Auditor General on Financial Statements of Laikipia County Development Authority for the year ended 30th June, 2023.
- xxii) Report of the Auditor General on Financial Statements of the County Assembly of Laikipia Car Loan and Mortgage (Members) Scheme Fund for the year ended 30th June, 2023.
- xxiii) Report of the Auditor General on Financial Statements of Laikipia County Co-operative Development Revolving Fund for the year ended 30th June, 2023.
- xxiv) Report of the Auditor General on Financial Statements of Laikipia County Education Bursary Fund for the year ended 30th June, 2023.
- xxv) Report of the Auditor General on Financial Statements of the County Executive of Samburu for the year ended 30th June, 2023.

- xxvi) Report of the Auditor General on Financial Statements of the County Assembly of Samburu for the year ended 30th June, 2023.
- xxvii) Report of the Auditor General on Financial Statements of Samburu County Executive Staff Mortgage (Members) Scheme Fund for the year ended 30th June, 2023.
- xxviii) Report of the Auditor General on Financial Statements of Samburu County Persons Living with Disability Fund the year ended 30th June, 2023.
- xxix) Report of the Auditor General on Financial Statements of Samburu County Youth and Women Enterprise Development Fund for the year ended 30th June, 2023.
- xxx) Report of the Auditor General on Financial Statements of Samburu County Bursary Fund for the year ended 30th June, 2023.
- xxxi) Report of the Auditor General on Financial Statements of Receiver of Revenue – Samburu County Government for the year ended 30th June, 2023.
- xxxii) Report of the Auditor General on Financial Statements of Samburu County Community Conservancies Fund for the year ended 30th June, 2023.

(The Senate Majority Leader)

7. QUESTIONS AND STATEMENTS

a) **Statements, pursuant to Standing Order 52 (1)**

- i) Nominated Senator (Sen. Gloria Orwoba, MP) made a Statement on the 8th International Parliamentarians Conference on the Implementation of the Programme of Action of the International Conference on Population and Development (ICPD), that was held in Oslo, Norway, from 10th April to 12th April, 2024.

The Senator explained that discussions at the conference, which was held as the world commemorated the 30th anniversary of the adoption of the Programme of Action of the ICPD, centred around sexual and reproductive health and rights. The Senator highlighted that the progress made in advancing sexual and reproductive health and rights was scrutinized, along with impact of societal challenges, the COVID-19 pandemic and other global crises on women and girls.

The Senator noted that parliamentarians at the conference pledged to work towards people-centered and data-driven policies and to further champion for strengthened healthcare systems and universal access to sexual and reproductive health services through enhanced funding.

- ii) The Senator for Nandi County (Sen. Samson Cherarkey, MP) made a Statement on the outstanding performance of Kenyan athletes at the Boston Marathon on Monday, 15th April, 2024.

The Senator expressed pride in the athletes who, he noted, had demonstrated exceptional prowess at the Boston Marathon. The Senator particularly applauded Hellen Obiri, Sharon Lokedi, Edna Kiplagat and Evans Chebet who secured spots at the podium.

The Senator thereupon, called on the Senate leadership to explore the possibility of athletes addressing the Senate. This, he noted, would motivate the athletes and serve to demonstrate appreciation to the athletes for flying the Kenyan flag high.

The Senator concluded by calling on Government agencies in the sports sector to address all issues, especially doping and match-fixing, which threatened to tarnish the good reputation of Kenya internationally.

b) Requests for Statements pursuant to Standing Order 53(1)

- i) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, MP) sought a Statement from the Standing Committee on Health concerning the status of healthcare services in Kisumu County.
- ii) Request for a Statement by the Senator for Uasin Gishu County (Sen. Jackson Mandago, MP) from the Standing Committee on National Security, Defence and Foreign Relations regarding reported cases of missing children in Langas Estate in Uasin Gishu County was **dropped** in the absence of the Senator.

c) Statements, pursuant to Standing Order 56(1)(b)

- i) The Chairperson, Standing Committee on Devolution and Intergovernmental Relations made a Statement relating to the activities of the Committee for the period January to March, 2024.
- ii) The Chairperson, Standing Committee on Education made a Statement relating to the activities of the Committee for the period January to March, 2024.
- iii) The Statement by the Chairperson, Standing Committee on Agriculture, Livestock and Fisheries relating to the activities of the Committee for the period January to March, 2024 was **dropped** in the absence of the Chairperson.

8. THE NATIONAL RATING BILL (NATIONAL ASSEMBLY BILLS NO. 55 OF 2022)

Order read;

Motion made and Question proposed;

THAT, the National Rating Bill (National Assembly Bills No. 55 of 2022) be now read a Second Time.

(The Senate Majority Leader)

Debate arising;

And there being no other Senator wishing to contribute;

Mover replied;

Pursuant to Standing Order 66 (3), the Mover requested that the putting of the Question be deferred to a later date;

And the Temporary Speaker (Sen. Catherine Mumma, MP) acceding to the request, deferred the putting of the Question to a later date.

9. **THE MATERNAL, NEWBORN AND CHILD HEALTH BILL (SENATE BILLS NO. 17 OF 2023)**

Order read;

Motion made;

THAT, the Maternal, Newborn and Child Health Bill (Senate Bills No. 17 of 2023) be now read a Second Time.

(Sen. Beatrice Ogolla, MP)

And the time being thirty Minutes past Six O'clock, the Temporary Speaker (Sen. Catherine Mumma, MP) interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

10. **SENATE ROSE** - at thirty Minutes past Six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Wednesday, April 17, 2024 at 9:30 a.m.*