



REPUBLIC OF KENYA

THE SENATE

NOTICE PAPER

WEEK COMMENCING TUESDAY, SEPTEMBER 15, 2015

**** 11TH PARLIAMENT * 3RD SESSION***

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REPUBLIC OF KENYA

THE SENATE

ELEVENTH PARLIAMENT (THIRD SESSION)

PROGRAMME OF SENATE BUSINESS

FOR THE WEEK COMMENCING TUESDAY, SEPTEMBER 15, 2015

TUESDAY: Communication from the Chair, Messages, Petitions, Papers, Notices of
15/09/2015 Motion, Statements and Motions

**A. *THE KENYA NATIONAL EXAMINATIONS COUNCIL (AMENDMENT)
(NO.2) BILL, (SENATE BILL NO. 14 OF 2015)**

(Sen. Christopher Obure)

(First Reading)

**B. *THE NATIONAL CEREALS AND PRODUCE BOARD (AMENDMENT) BILL,
(SENATE BILL NO.15 OF 2015)**

(Sen. Zipporah Kittony)

(First Reading)

**C. *THE CONSTITUTION OF KENYA (AMENDMENT) BILL, (SENATE BILL
NO. 16 OF 2015)**

(Sen. Judith Sijeny)

(First Reading)

D. *THE COUNTY BOUNDARIES BILL, (SENATE BILL NO.17 OF 2015)

(Sen. Mutula Kilonzo Jr.)

(First Reading)

E. COMMITTEE OF THE WHOLE

***THE COMMUNITY LAND BILL (SENATE BILL NO 38 OF 2014)**

(Sen. (Prof.) Kindiki Kithure)

(Resumption of Debate interrupted on Thursday, 30th July, 2015)

(Division)

F. COMMITTEE OF THE WHOLE

*****THE MINING BILL (NATIONAL ASSEMBLY BILL NO. 8 OF 2014)**

(The Senate Majority Leader)

(Resumption of Debate interrupted on Wednesday, 29th July, 2015)

(Division)

G. COMMITTEE OF THE WHOLE

*** THE FOOD SECURITY BILL, (SENATE BILL NO. 23 OF 2014)**

(Sen. Beatrice Elachi)

(Resumption of Debate interrupted on Wednesday, 29th July, 2015)

(Division)

H. COMMITTEE OF THE WHOLE

*****THE CLIMATE CHANGE BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2014)**

(The Senate Majority Leader)

I. *THE COUNTY INDUSTRIAL DEVELOPMENT BILL (SENATE BILL NO. 7 OF 2014)

(Sen. (Eng.) Muriuki Karue)

(Second Reading)

J. **THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL (SENATE BILL NO. 35 OF 2014)

(Chairperson, Standing Committee on Legal Affairs and Human Rights)

(Second Reading)

K. Any Other Business

WEDNESDAY: Communication from the Chair, Messages, Petitions, Papers, Notices of Motion, Statements, Motions and Bills
16/09/2015

A. COMMITTEE OF THE WHOLE

THE TOBACCO CONTROL REGULATIONS, 2014

(Chairperson, Sessional Committee on Delegated Legislation)

(Resumption of Debate interrupted on Wednesday, 15th July, 2015)

B. COMMITTEE OF THE WHOLE

****THE PUBLIC APPOINTMENTS (COUNTY ASSEMBLY APPROVAL) BILL (SENATE BILL NO. 20 OF 2014)**

(Chairperson of the Standing Committee on Labour and Social Welfare)

C. COMMITTEE OF THE WHOLE

****THE COUNTY EARLY CHILDHOOD EDUCATION BILL, (SENATE BILL NO. 32 OF 2014)**

(Chairperson, Standing Committee on Education)

D. COMMITTEE OF THE WHOLE

****THE COUNTY ASSEMBLIES SERVICES BILL, (SENATE BILL NO. 27 OF**

2014)

(Chairperson, Standing Committee on Legal Affairs and Human Rights)

E. COMMITTEE OF THE WHOLE

*** UNIVERSITIES (AMENDMENT) BILL (SENATE BILL NO. 31 OF 2014)**

(Sen. Halima Abdille)

F. COMMITTEE OF THE WHOLE

*** THE PARLIAMENTARY POWERS AND PRIVILEGES BILL (SENATE BILL NO. 15 OF 2014)**

(Sen. (Prof) Kindiki Kithure)

G. * THE COUNTY INDUSTRIAL DEVELOPMENT BILL (SENATE BILL NO. 7 OF 2014)

(Sen. (Eng.) Muriuki Karue)

(Second Reading)

H. ** THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL (SENATE BILL NO. 35 OF 2014)

(Chairperson, Standing Committee on Legal Affairs and Human Rights)

(Second Reading)

I. Any Other Business

THURSDAY: **Communication from the Chair, Messages, Petitions, Papers, Notices of Motion, Statements, Motions and Bills**
17/09/2015

A. MOTION – (Sen. Beatrice Elachi)

(Department of Interior and Coordination of National Government)

THAT, cognizant that Article 12 of the Constitution guarantees a right to citizenship; noting that it is the right of every Kenyan attaining 18 years to register and be issued with a National Identity Card ; further noting that the National Identity Card is at the core in determining the extent to which an individual enjoys his or her fundamental rights and freedoms; concerned that Orphans and Vulnerable Children attaining the age of 18 years in children's homes have difficulties obtaining the National Identity Cards, the Senate urges the National Government to take remedial, policy, administrative and legislative measures to improve and expedite the process of registration for National Identity Cards especially for the Orphans and Vulnerable Children who live in children's homes and have attained 18 years of age.

B. MOTION – (Sen. Zipporah Kittony)

THAT, AWARE that traffic congestion in Nairobi Metropolitan Region is increasingly becoming worse leading to increased costs, longer travel times, constrained economic productivity and adverse health and environmental externalities;

CONCERNED that the economic cost of the congestion is estimated to be Kshs.1 billion annually on account of wasted man-hours and wasted fuel due to vehicular queuing;

APPRECIATING the government's effort in mitigating the problem by expanding infrastructure and initiating other interventions such as installation of traffic lights in the Central Business District;

The Senate now calls upon the Government to consider formulating additional policy interventions to mitigate the problem by:-

1. Enacting legislation to allow only high capacity public transport to operate in the city; and
2. Creating regulations to:-
 - a) Require all deliveries to business premises to be done at night;
 - b) Require construction on roads that are in use to be done at night; and
 - c) Reroute heavy commercial vehicles to use the bypasses.

C. MOTION – (Sen. Fatuma Dullo)
(Ministry of Interior and Coordination of National Government)

WHEREAS Article 51 of the Constitution of Kenya protects the rights of detained persons, persons held in custody and other imprisoned persons under the law, and requires Parliament to enact legislation to provide for the humane treatment of such persons with due regard to the relevant international human rights instruments;

OBSERVING that international instruments, including the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the United Nations Basic Principles for the Treatment of Prisoners set standards on the treatment of persons, including the right to be treated with respect; protection from discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth of other status;

AWARE of the deplorable state of correctional services throughout the country including poor living conditions in the institutions of both officers and prisoners, the poor state of sanitation and nutrition, overcrowding, lack of proper medical attention, frequent outbreak of

communicable diseases and frequent reports of deaths of inmates leading to a high rate of recidivism and the inability of former inmates to reintegrate into society;

APPRECIATING the urgent need to align the Prisons Act and Borstal Institutions Act with the Constitution of Kenya and the international instruments on the rights of detained persons;

NOW THEREFORE, the Senate resolves to establish a Select Committee to undertake an inquiry into the policy and legislation pertaining to the treatment of detained persons as well as the state of correctional institutions in Kenya, including prisons and Borstal institutions, and to submit a Report to the Senate within three months, with recommendations on such policy and legislative interventions as may be necessary to align the existing legislation on correctional services with the Constitution of Kenya and in compliance with international standards on the rights of detained persons and such other recommendations as may be necessary;

AND FURTHER that the Members of the Select Committee are-

1. Sen. Fatuma Dullo
2. Sen. (Dr.) Zipporah Kittony
3. Sen. (Dr.) Boni Khalwale
4. Sen. (Prof.) John Lonyangapuo
5. Sen. Stewart Madzayo
6. Sen. Liza Chelule
7. Sen. Judith Sijeny
8. Sen. Mutula Kilonzo Jr.
9. Sen. Stephen Sang'
10. Sen. Joy Gwendu
11. Sen. Moses Kajwang'

D. MOTION – (The Chairperson, Standing Committee on Roads and Transportation)
(Ministry of Roads and Infrastructure)

THAT, this House adopts the Report of the Standing Committee on Roads and Transportation on visits to Lamu and Nakuru County, laid on the table of the House on Wednesday 29th July, 2015.

E. MOTION – (The Chairperson, Sessional Committee on Implementation)
(Ministry Agriculture, Livestock and Fisheries)

THAT, this House adopts the report of the Sessional Committee on Implementation on its visit to Mombasa, Kilifi and Kwale Counties to follow up on the resolution of the House to support the coconut industry, undertaken between 25th and 28th April, 2015 laid on the table of the House on Wednesday 29th July, 2015.

F. *THE COUNTY INDUSTRIAL DEVELOPMENT BILL (SENATE BILL NO. 7 OF 2014)

G. **THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL
(SENATE BILL NO. 35 OF 2014)

(Chairperson, Standing Committee on Legal Affairs and Human Rights)

(Second Reading)

H. Any Other Business _____

KEY

- * * * *** - Denotes a Majority/Minority Party Bill
- * * *** - Denotes a National Assembly Bill
- * *** - Denotes a Committee Bill
- *** - Denotes any other Bill