



REPUBLIC OF KENYA

THE SENATE

ELEVENTH PARLIAMENT – THIRD SESSION

VOTES AND PROCEEDINGS

TUESDAY, OCTOBER 13, 2015 AT 2.30 P.M.

1. The Senate assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer.
3. **COMMUNICATION FROM THE CHAIR REGARDING THE ADDRESS TO PARLIAMENT BY H. E. (DR.) JAKAYA MRISHO KIKWETE, PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA**

The Speaker conveyed the following communication from the Chair-

“Honourable Senators, as you may recall, pursuant to Standing Order 25, the President of the United Republic of Tanzania, H. E. (Dr.) Jakaya Mrisho Kikwete, addressed a joint sitting of Parliament on Tuesday, 6th October, 2015. I would like to guide the House on how we shall proceed on this matter.

Honourable Senators, Standing Order 25 (3) of the Senate Standing Orders states as follows:-

“(3) Standing order 23 (*President entering or leaving the Chamber*) and 24 (*President’s Address to Parliament*) shall, with necessary modifications, apply to a visiting Head of State or such other dignitary.”

Standing Order 24 (5) and (6) provides as follows:

“(5) *whenever the President delivers an address, a Senator may, as soon as practicable thereafter, lay the Presidential Address on the Table of the Senate following the reading of such Address.*

(6) *a Senator may give a notice of Motion, that “The thanks of the Senate be recorded for the exposition of public policy contained in the Address of the President” but debate on the Address shall not exceed three sitting days.”*

Honourable Senators, on Thursday, 8th October, 2015 the Senate Majority Leader laid on the Table of the Senate the speech by H. E. Jakaya Kikwete and gave a Notice of Motion that *“The thanks of the Senate be recorded for the Address to Parliament by the President of the United Republic of Tanzania delivered on Tuesday, 6th October, 2015.”*

Pursuant to Standing Order 25 (3), I now direct that the said Motion will be limited to a maximum of two Hours with ten minutes for the Senate Majority Leader and five minutes for each other Senator speaking and that five minutes before the time expires, the Mover shall be called upon to reply.

I thank you.”

4. PAPER LAID

The following Paper was laid on the Table of the House-

Report of the 132nd Inter Parliamentary Union Assembly and related meetings held on 26th March – 1st April, 2015 in Hanoi, Vietnam.

(Sen. Catherine Mukiite Nabwala)

5. STATEMENTS PURSUANT TO STANDING ORDER 45

- i. Pursuant to the provisions of Standing Order 45 (2) (b), the Senator for Vihiga County (Sen. George Khaniri) sought a Statement from the Chairperson of the Standing Committee on Health regarding the death of Mr. Alex Madaga at the Kenyatta National Hospital.
- ii. The following Statements were issued pursuant to the provisions of Standing Order 45 (2) (b)-

- (a) The Chairperson of the Standing Committee on Labour and Social Welfare issued a Statement sought by the Nominated Senator (Sen. Liza Chelule) regarding access to finances by youth, women and persons with disabilities.

Thereupon, the Chairperson informed the Senate that-

-the Government was aware of the financial challenges faced by the youth, women and persons with disability in executing government tenders that they win and that the government has taken measures to ensure these groups continue bidding and supplying government tenders including extension of the mandate of the Youth Enterprise Development Fund and the Women Enterprise Fund to offer LPO/LSO financing for the youth and women, increased access to government procurement opportunities and invoice discounting arrangements.

-the Uwezo Fund Oversight Board has received 55,456 applications from groups and institutions and that the Board had approved Ksh. 4,250,400,000 of the Ksh. 5, 354,400,000 fund to groups and institutions that met the eligibility criteria as set in the Public Finance Management (Uwezo Fund) Regulations, 2014.

- (b) The Chairperson of the Standing Committee on Health issued a Statement sought by the Nominated Senator (Sen. Martha Wangari) regarding the deteriorating medical care standards in the country.

Thereupon, the Chairperson informed the Senate that-

-the Medical Practitioners and Dentists Board had the mandate to regulate the practice of medicine, dentistry and health institutions in Kenya. However, it was not possible to give the number of quack doctors in the country as they were being identified by the health regulatory body during inspections and that they were arrested and charged.

-in the last ten years the Board had successfully prosecuted a total of 13 cases involving quack doctors while in the year 2014-2015, a total of 89 people had been arrested and were currently before various courts in the country.

-in 2013, the Ministry in collaboration with the Board had gazetted new rules to strengthen regulation of the health sector.

- (c) The Chairperson of the Standing Committee on Health issued a Statement sought by the Nominated Senator (Sen. Daisy Kanainza) regarding the death of Ms. Mourine Tata after delivery.

Upon issuing the Statement, the Speaker ruled that it was inadequate and that the Chairperson be given a further two weeks to issue a comprehensive Statement.

- (d) The Chairperson of the Staning Committee on Land and Natural Resources issued a Statement sought by the Senator for West Pokot County (Sen. (Prof.) John Lonyangapuo) regarding the destruction of indigenous trees and charcoal burning in the North Rift region.

Thereupon, the Chairperson informed the House that-

-charcoal burning is taking place in Baringo and Elgeyo Marakwet counties in Kolowa and Tot areas respectively occasioned by the clearing of vegetation to create space for an irrigation scheme which has been sanctioned by the Baringo and Elgeyo Marakwet county governments.

-the Ministry of Environment and Natural Resources had instituted measures to ensure that charcoal burning was regulated including, mounting of joint operations to arrest and prosecute illegal

charcoal producers, suspension of the issuance of charcoal movement permits in counties where cases of unauthorized production have been taking place, county and sub-county environmental committees had been formed to vet and recommend individuals or groups for charcoal production and sensitization through public barazas to discourage people engaged in illegal charcoal burning.

6. MOTION – ADDRESS TO PARLIAMENT BY H. E (DR) JAKAYA MRISHO KIKWETE, PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA

Motion made and question proposed;

THAT, pursuant to the provisions of Standing Order 25 (3), the Thanks of the Senate be recorded for the Address to Parliament by the President of the United Republic of Tanzania delivered on Tuesday, 6th October, 2015.

(The Senate Majority Leader)

Debate arising;

There being no other Senator willing to contribute;

The Mover replied;

Before the Question was put and pursuant to Standing Order 72 (1), the Temporary Speaker (Sen. (Dr.) Machage) informed the House that the Question did not affect Counties.

Question put and **agreed to.**

RESOLVED ACCORDINGLY

THAT, pursuant to the provisions of Standing Order 25 (3), the Thanks of the Senate be recorded for the Address to Parliament by the President of the United Republic of Tanzania delivered on Tuesday, 6th October, 2015.

7. THE OFFICE OF THE COUNTY ATTORNEY BILL, (SENATE BILL NO. 37 OF 2014)

(Chairperson, Committee on Legal Affairs and Human Rights)

Order for Second Reading read;

Motion made-

THAT, the Office of the County Attorney Bill, (Senate Bill No. 37 of 2014) be now read a Second Time.

(Chairperson, Committee on Legal Affairs and Human Rights)

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

8. 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, October 14, 2015 at 2.30 p.m*

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