

# PARLIAMENT OF KENYA

## THE SENATE

## THE HANSARD

**Wednesday, 25<sup>th</sup> September, 2013**

*The Senate met at the Kenyatta International  
Conference Centre at 2.30 p.m.*

*[The Speaker (Hon. Ethuro) in the Chair]*

### PRAYERS

### QUORUM CALL AT COMMENCEMENT OF SITTING

**The Speaker** (Hon. Ethuro): Hon. Senators, I am informed we have a quorum.  
So, business may now commence.  
Next Order.

### COMMUNICATION FROM THE CHAIR

*(Sen. (Dr.) Khalwale stood up in his place)*

**The Speaker** (Hon. Ethuro): Order, Sen. (Dr.) Khalwale, you may freeze!

*(Laughter)*

### LAUNCH OF BUNGE SPORTS CLUB

Hon. Senators, I have a Communication to make on the launch of Bunge Sports Club. As you may be aware, the leadership of Parliament takes measures to provide a conducive environment to Senators and the Members of the National Assembly in order to facilitate their work. It is in this spirit that over the years, the Parliament of Kenya has been extending support to Bunge Sports Club to, among other things, encourage Members to keep physically fit and healthy. We believe that a healthy body is a healthy mind. A number of parliamentarians interested in taking part in the activities of the club that include football, golf, athletics and netball have met and constituted a committee to manage the club. The club will, therefore, be launched officially this evening in the Main Parliament Buildings at the rise of both Houses, to be presided over by the co-patrons, who are the Speakers of the two Houses.

This is, therefore, to extend an invitation to all Senators to the launch at the Main Parliament Buildings and to appeal to you to not only attend the launch but also participate in the activities of the sports club.

I thank you.

### NOTICE OF MOTION

#### RELOCATION OF THE SENATE PLENARY SITTINGS FROM KICC TO COUNTY HALL

**Sen. Keter:** Mr. Speaker, Sir, on behalf of the Senate Majority Leader, I beg to give the following Notice of the Motion:-

THAT, noting that the Senate held its first sitting on 28<sup>th</sup> March, 2013, at the Amphitheatre of the Kenyatta International Conference Centre, aware that the Senate has been holding its sittings at Shimba Hills Room at KICC, noting that the Shimba Hills room is not suitable for the deliberations of the Senate; aware that the Parliamentary Service Commission is mandated to provide services and facilities to ensure the efficient and effective functioning of Parliament; cognizant that the Rules and Business Committee visited the debating Chamber in County Hall today, Wednesday, 25<sup>th</sup> September, 2013 and found it ready for occupation; further aware of the importance of the Senate in protecting the interests of the counties and their governments; the Senate resolves to move its sittings to the County Hall Chamber with effect from Tuesday, 15<sup>th</sup> October, 2013.

### STATEMENT

#### DISQUALIFICATION OF DIPLOMA GRADUATES WITH A KCSE MEAN GRADE OF C PLAIN BY TSC

**Sen. Obure:** Mr. Speaker, Sir, the Teachers Service Commission has recently issued a circular locking out graduates who hold a diploma certificate in Education and who secured a Mean Grade of C plain in the Kenya Certificate of Secondary Education (KCSE) from recruitment as teachers. This action by the TSC is causing considerable distress and agony among holders of those diploma certificates and their families after spending considerable amounts of money and time to undertake the prescribed curriculum to qualify for award of the diploma certificates.

Mr. Speaker, Sir, I would like the Chairman of the Senate Committee on Education, Information and Technology to respond to this issue of great concern and in particular---

**The Speaker** (Hon. Ethuro): Order, Sen. Obure! Hon. Senators, I wish to remind you that there are Motions slated for voting this afternoon. So, it is important that we

remain and dispose of that matter, at the very minimum before you start leaving the Chamber.

Proceed, Sen. Obure.

**Sen. Obure:** Mr. Speaker, Sir, I would like the Chairman of the Committee to tell this House:-

- (1) How many such graduates are affected in the country?
- (2) How they secured admission to training institutions offering diploma courses in the first instance?
- (3) If he could also confirm that they sat and passed the examinations prescribed for award of a diploma in education?
- (4) What option does the TSC offer to Kenyans who find themselves in this category?
- (5) Is the action by the TSC not discriminatory against this group of Kenyans considering that, like others who may have obtained better grades at the KCSE, they also sat and passed the prescribed examinations for award of these diplomas?

**The Speaker** (Hon. Ethuro): Sen. Obure, is the Statement coming from the Chairman, Committee on Education, Information and Technology?

**Sen. Obure:** Mr. Speaker, Sir, I would like to get a comprehensive Statement from the Chairman of the Committee.

**Sen. Kagwe:** Mr. Speaker, Sir, could I give the Statement in a week or two week's time?

**The Speaker** (Hon. Ethuro): Which is which?

**Sen. Kagwe:** Two weeks, Mr. Speaker, Sir.

**The Speaker** (Hon. Ethuro): Two weeks?

**Sen. Kagwe:** Yes, Mr. Speaker, Sir.

**The Speaker** (Hon. Ethuro): Except, Mr. Chairman, I do not know which one, but you will get it from the HANSARD.

Next Order.

## MOTIONS

**The Speaker** (Hon. Ethuro): Order, hon. Senators. If you look at Orders No. 8, 9 and 10, they are ready for voting, especially Orders No.9 and 10. But if you look at Order No.8, it is also just a matter of 13 minutes and we are done with it. So, that is why I was really urging Sen. Ong'era, Sen. Muthama and the rest of the Senators to stay for some time. We deferred some of these Motions from last week for purposes of voting today. So, we have to make sure we have the requisite numbers. I do not think it should take more than 15 minutes to dispose of all the three Motions. If we can do that, we will appreciate. That is why we should start.

### FORMULATION, MAPPING AND OPERATIONALISATION OF KEY DEVELOPMENT AGENDA FOR COUNTY GOVERNMENTS

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor, Senate.*

THAT, aware that the county is the main focus of devolution and that there exist multi-level structures within county governments; noting the need for counties to succeed and improve the social, economic and political well being of citizens and attain optimum levels of development within the said counties; appreciating that the devolved government structure envisioned in the Constitution of Kenya 2010 provides for different levels of government functions and responsibilities and that the interpretation and enforcement of these roles has been the subject of debate; concerned that there is still no county impact analysis strategy; the Senate urges the Council of Governors to take measures to require all counties to formulate, map and operationalise, with measurable indicators, key development agenda and deliverables for each term of the respective county governments.

*(Sen. (Dr.) Zani on 17.9.13)*

*(Resumption of Debate interrupted on 17.9.13)*

**The Speaker** (Hon. Ethuro): On Motion listed as Order No.8 by Sen.(Dr.) Zani, we have 13 minutes remaining. There was a proposed amendment by Sen. G.G. Kariuki, which we should dispose of and then we go to either the original Motion or the amended Motion.

Hon. Senators, I now wish to put the question that the Motion by Sen. (Dr.) Zani be amended as follows:-

By deleting all the words appearing immediately after the word "Senate" in the eighth line and replacing therewith the words and I quote, "directs county governments to take measures to formulate, map and operationalise with measurable indicators key development agenda and deliverables for each term of the respective county governments and submit an annual progress report to the Senate."

Hon. Senators, this Motion affects counties. So, we will take the Division. I order that the bell be rung for eight minutes.

In the meantime, could you give us the names of the Tellers?

*(The Division Bell was rung)*

Hon. Senators, the time set aside for ringing the Division Bell is over. Let us close the doors and draw the bars. We will now proceed to vote on the amendment. For those hon. Senators who have just come in, we are voting on the Motion listed as Order No.8 on the Order Paper. There is a proposed amendment to that Motion which was proposed by Sen. G.G. Kariuki. I, therefore, wish to put the question that the Motion be amended as follows:-

By deleting all the words appearing immediately after the word “Senate” in the eighth line and replacing therewith the words, “directs county governments to take measures to formulate, map and operationalise with measurable indicators key development agenda and deliverables for each term of the respective county governments and submit an annual progress report to the Senate.”

We will now proceed to the Division.

## DIVISION

### ROLL CALL VOTING

*(Question of the amendment put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. (Prof.) Anyang’-Nyong’o, Kisumu County; Sen. Billow, Mandera County; Sen. Boy Juma Boy, Kwale County; Sen. G. G. Kariuki, Laikipia County; Sen. Gwendo, Nairobi County; Sen. Hassan, Mombasa County; Sen. Kagwe, Nyeri County; Sen. Kajwang, Homa Bay County; Sen. Karaba, Kirinyaga County; Sen. Kembu-Gitura, Murang’a County; Sen. Keter, Kericho County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof. ) Kindiki, Tharaka-Nithi County; Sen. (Dr.) Kuti, Isiolo County; Sen. (Prof.) Lesan, Bomet County; Sen. Leshore, Samburu County; Sen. (Prof.) Lonyangapuo, West Pokot County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Melly, Uasin Gishu County; Sen. Mositet, Kajiado County; Sen. Musila, Kitui County; Sen. Muthama, Machakos County; Sen. Mwakulegwa, Taita Taveta County; Sen. Ndiema, Trans Nzoia County; Sen. Obure, Kisii County; Sen. Okong’o, Nyamira County; Sen. Orengo, Siaya County; Sen. Sang, Nandi County and Sen. Wako, Busia County.

**Teller of the Ayes:** Sen. Sang

**NOES:** Nil

**Teller of the Noes:** Sen. Kanainza

**The Speaker** (Hon. Ethuro): Hon. Senators, I wish to announce the results as follows:

**AYES:** 31

**NOES:** Nil

**ABSTENTIONS:** Nil

*(Question of the amendment carried by 31 votes to 0)*

*(Question of the Motion as amended proposed)*

**The Speaker** (Hon. Ethuro): I now call upon the Mover to reply.

**Sen. (Dr.) Zani:** Mr. Speaker, Sir, thank you for giving me this opportunity to reply. I will start by thanking all the Senators sincerely for their contributions that have

helped to enhance this Motion, especially the bit that will now request for an annual report from the county governments that will come to the Senate. That way, we will ensure that we have means of systemizing and ensuring that the key objectives that counties have stipulated have been adhered to.

With those few remarks, I beg to move.

**The Speaker** (Hon. Ethuro): Order, Senators. It is now time for another round of voting. Therefore, I wish to put the question for the Motion as amended.

#### ROLL CALL VOTING

*(Question of the Motion as amended put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. (Prof.) Anyang'-Nyong'o, Kisumu County; Sen. Billow, Mandera County; Sen. Boy Juma Boy, Kwale County; Sen. G. G. Kariuki, Laikipia County; Sen. Hassan, Mombasa County; Sen. Kagwe, Nyeri County; Sen. Karaba, Kirinyaga County; Sen. Kembi-Gitura, Murang'a County; Sen. Keter, Kericho County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof. ) Kindiki, Tharaka-Nithi County; Sen. (Dr.) Kuti, Isiolo County; Sen. (Prof.) Lesan, Bomet County; Sen. Leshore, Samburu County; Sen. (Prof.) Lonyangapuo, West Pokot County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Melly, Uasin Gishu County; Sen. Mositet, Kajiado County; Sen. Musila, Kitui County; Sen. Muthama, Machakos County; Sen. Mwakulegwa, Taita Taveta County; Sen. Ndiema, Trans Nzoia County; Sen. Ntutu, Narok County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; Sen. Orengo, Siaya County; Sen. Sang, Nandi County; Sen. Sijeny, Nairobi County; Sen. Wako, Busia County and, Sen. Wetangula, Bungoma County.

**Teller of the Ayes:** Sen. Hassan

**NOES:** Nil

**Teller of the Noes:** Sen. Sijeny

**The Speaker** (Hon. Ethuro): Hon. Senators, I wish to announce the results as follows:-

**AYES:** 33

**NOES:** Nil

**ABSENTIONS:** Nil

*(Question carried by 33 votes to 0)*

*(Question of the Motion as amended put and agreed to)*

*Resolved accordingly:*

THAT, aware that the county is the main focus of devolution and that there exist multi-level structures within county governments; noting the need for counties to succeed and improve the social, economic and political well-being of citizens and attain optimum levels of development within the said counties; appreciating that the devolved government structure envisioned in the Constitution of Kenya 2010 provides for different levels of government functions and responsibilities and that the interpretation and enforcement of these roles has been the subject of debate; concerned that there is still no county impact analysis strategy; the Senate directs county governments to take measures to formulate map and operationalize, with measurable indicators, key development agenda and deliverables for each term of the respective county governments and submit an annual progress report to the Senate.

**Sen. (Dr.) Machage:** On a point of order, Mr. Speaker, Sir. Would I be in order to request that the bell be rung for three minutes for the division on the other two Motions to be carried?

**The Speaker** (Hon. Ethuro): I have been agonizing on the matter raised by Sen. (Dr.) Machage. However, there is only one set of Standing Orders; the one by the resolution of the House. This is not a matter that the Chair has discretion on. Being a House of rules, we may have to persevere and in the oncoming review of the Standing Orders, it is a matter definitely flanked for reconsideration. We will now go to Motion No.9 where we have an amendment as well as a division. We will go straight to the Division.

Please, ring the Division Bell.

*(The Division Bell was rung)*

ESTABLISHMENT OF COUNTY PUBLIC  
HEALTH COMPLAINTS BOARDS

THAT, concerned with the rising cases of patient mistreatment, negligence and professional malpractice by medical personnel in public and private health institutions in Kenya which take the form of misdiagnosis, wrong decisions on treatment and prescription, medical or surgical errors, physical or verbal abuse, detention for inability to pay for services and alcoholism; aware of the devastating effects of such acts of commission and omission which have resulted in suffering, permanent injury or death of innocent Kenyans contrary to Articles 26, 43(1)(a) and 53(1) of the Constitution; concerned that most of those affected are the rural poor; further concerned that there are very few channels of addressing these abuses; the Senate urges the Government to establish public health complaint boards in all the forty-seven Counties to address the systematic accountability issues that underlie rights violations in healthcare facilities in Kenya.

*(Sen. Nobwola on 31.7.2013)*

*(Resumption of Debate interrupted on 17.9.2013)*

## **DIVISION**

### **ROLL CALL VOTING**

*(Question of the amendment put and the Senate  
Proceeded to vote by County Delegations)*

**AYES:** Sen. Abdirahman, Wajir County; Sen. (Prof.) Anyang'-Nyong'o, Kisumu County; Sen. Billow, Mandera County; Sen. Boy, Kwale County; Sen. Haji, Garissa County; Sen. Kagwe, Nyeri County; Sen. Karaba, Kirinyaga County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki, Tharaka-Nithi County; Sen. (Prof.) Lesan, Bomet County; Sen. (Prof.) Lonyangapuo, West Pokot County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mbuvi, Nairobi County; Sen. Melly, Uasin Gishu County; Sen. Mositet, Kajiado County; Sen. Musila, Kitui County; Sen. Muthama, Machakos County; Sen. Mwakulegwa, Taita Taveta County; Sen. Ndiema, Trans Nzoia County; Sen. Ntutu, Narok County; Sen. Okong'o, Nyamira County; Sen. Orengo, Siaya County; Sen. Sang, Nandi County and Sen. Wako, Busia County.

**Teller of the Ayes:** Sen. Melly

**Noes:** Nil

**Teller of Noes:** Sen. Kisasa

**The Speaker** (Hon. Ethuro): Hon. Senators, the results of the Division are as follows.

**AYES:** 26

**NOES:** Nil

**ABSENTIONS:** Nil

*(Question of the Motion as amended carried by 26 votes to 0)*

**The Speaker** (Hon. Ethuro): Open the door and ring the Division Bell for the final Vote.

*(The door was opened and the Division Bell rung)*

## **DIVISION**

### **ROLL CALL VOTING**

*(Question of the Motion as amended)*

---

**Disclaimer:** The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor, Senate.



*put and the Senate proceeded  
to vote by County Delegations)*

**AYES:** Sen Abdirahman, Wajir County; Sen. (Prof.) Anyang'-Nyong'o, Kisumu County; Sen. Billow, Mandera County; Sen. Boy, Kwale County; Sen. Haji, Garissa County; Sen. Karaba, Kirinyaga County; Sen. Kagwe, Nyeri County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki, Tharaka-Nithi County; Sen. Lesan, Bomet County; Sen. (Prof.) Lonyangapuo, West Pokot County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mbuvi, Nairobi County; Sen. Melly, Uasin Gishu County; Sen. Mositet, Kajiado County; Sen. Musila, Kitui County; Sen. Muthama, Machakos County; Sen. Mwakulegwa, Taita Taveta County; Sen. Ndiema, Trans Nzoia County; Sen. Ntutu, Narok County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; Sen. Orengo, Siaya County; Sen. Sang, Nandi County and Sen. Wako, Busia County.

**Teller of the Ayes:** Sen. Melly

**NOES:** Nil

**Teller of the Noes:** Sen. Kisasa

**The Speaker** (Hon. Ethuro): Hon. Senators, I wish to announce the results as follows.

**AYES:** 27

**NOES:** Nil

**ABSENTIONS:** Nil

*(Question of the Motion as amended carried by 27 votes to 0)*

*(Question of the Motion as amended, put and agreed to)*

*Resolved accordingly:*

THAT, concerned with the rising cases of patient mistreatment, negligence and professional malpractice by medical personnel in public and private health situations in Kenya which take the form of misdiagnosis, wrong decisions on treatment and prescription, medical or surgical errors, physical or verbal abuse, detention for inability to pay for services and alcoholism; aware of the devastating effects of such acts of commission and omission which have resulted in suffering, permanent injury or death of innocent Kenyans contrary to Articles 26, 43(1)(a) and 53(1) of the Constitution; concerned that most of those affected are the rural poor; further concerned that there are very few channels of addressing these abuses; the Senate urges the National Government to establish offices of the Medical Practitioners and Dentists Board in all the forty-seven counties to address the systematic accountability issues that underlie rights violations in healthcare facilities in Kenya.

**The Speaker** (Hon. Ethuro): Order! Close the doors and draw the bar. Sen. Wako, I am sure you are happy that Sen. Obure came back. I was wondering whether we had acquired a new staff at the Serjeant-at-Arms department. We will now move to the Senator Wako's Motion.

ESTABLISHMENT OF TRAINING INSTITUTE FOR  
COUNTY GOVERNMENT PERSONNEL

THAT, noting that Article 1 (4) of the Constitution of Kenya states that the sovereign power of the people is exercised at the national and county levels; noting further that Article 6 (2) of the Constitution recognizes that the two levels of Government are distinct and inter-dependent; aware that devolution is an important principle of governance in the new structure; recognizing the important role of the civil service the world-over causing countries to establish specialized schools of Government; further noting that the Government established a training institute for civil servants in 1956 to impart relevant knowledge, skills, attitudes, leadership and management competencies that are required for efficient and effective service delivery; noting with concern that one of the main obstacles to the efficient and effective operation of County Governments is inadequate appropriate human capacity; further noting that section 15 (2) of the sixth schedule to the Constitution places responsibility on the national Government to assist County Governments in building capacity to govern effectively and provide services for which they are responsible, the Senate calls on the national Government to take immediate measures to set up a training institute or college to give the necessary and appropriate training to personnel of County Governments.

*(Sen. Wako on 18.9.2013)*

*(Resumption of Debate interrupted on 18.9.2013)*

**The Speaker** (Hon. Ethuro): Therefore, I wish to put the Question.

**DIVISION**

ROLL CALL VOTING

*(Question put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abdirahman, Wajir County; Sen. (Prof.) Anyang'-Nyong'o, Kisumu County; Sen. Billow, Mandera County; Sen. Boy, Kwale County; Sen. Haji, Garissa County; Sen. Kagwe, Nyeri County; Sen. Karaba, Kirinyaga County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Kindiki,

---

**Disclaimer:** The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor, Senate.

Tharaka-Nithi County; Sen. (Prof.) Lesan, Bomet County; Sen. (Prof.) Lonyangapuo, West Pokot; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Melly, Uasin Gishu County; Sen. Mositet, Kajiado County; Sen. Musila, Kitui County; Sen. Muthama, Machakos County; Sen. Mwakulegwa, Taita Taveta County; Sen. Ndiema, Trans Nzoia County; Sen. Ntutu, Narok County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; Sen. Orengo, Siaya County; Sen. Sang, Nandi County; Sen. Sijeny, Nairobi County and Sen. Wako, Busia County.

**Teller of the Ayes:** Sen. (Dr.) Zani

**NOES:** Nil

**Teller of the Noes:** Sen. Nabwala.

**The Speaker** (Mr. Ethuro): Hon. Senators, I wish to announce the results as follows:-

**AYES:** 27

**NOES:** Nil

**ABSENTIONS:** Nil

*(Question carried by 27 to 0)*

**The Speaker** (Hon. Ethuro): Next Order!

### MOTION

#### ADOPTION OF REPORT ON COUNTY GOVERNMENT CASH DISBURSEMENT SCHEDULE FOR 2013/2014

THAT, pursuant to the provisions of Section 17 (7) of the Public Finance Management Act, the Senate adopts the report of the Standing Committee on Finance, Commerce and Economic Affairs on the County Government Cash Disbursement Schedule for Fiscal Year 2013/2014.

*(Sen. Kagwe, on behalf of Sen. Billow, on 25.9.2013 – Morning Sitting)*

*(Resumption of Debate interrupted on 25.9.2013- Morning Sitting)*

*(Several Senators left the Chamber)*

**The Speaker** (Hon. Ethuro): Order, Senators! As you leave, I want to make a brief announcement. I will be giving away a cheque to the Red Cross Society today. This is the Senate contribution to the Westgate tragedy. So those who will be around the lounge can participate and we will appreciate your presence. That is in the next five minutes to ten minutes. That is the money you contributed yesterday.

Hon. Senators, I think the Motion had been moved and seconded.

*(Loud consultations)*

Order hon. Senator!

That Motion had been moved and seconded. So, I am just proposing the Question and the debate can continue.

*(Question proposed)*

**The Speaker** (Hon. Ethuro): Hon. Senators, before I invite Sen. Billow to make a contribution, I would like to draw your attention to the provision of Standing Order No.98(4) because this is the first time we are getting a report of the Committee. It states:-

“No Senator may speak in a debate on Bills, Sessional Papers, Motions or Reports of Committees for more than thirty minutes without the leave of the Speaker but the Senate Majority Leader and Senate Minority Leader may each speak for a maximum of sixty minutes.”

The other bit of this Motion is that it is not time bound. So, you will talk, talk and talk until you exhaust yourself. I am sure that is sweet music to the ears of Sen. (Dr.) Khalwale.

**Sen. Kagwe:** On a point of order, Mr. Speaker, Sir. You have just told us that in a few minutes, we will be presenting a cheque outside on the Westgate disaster. Could you give us some guidance on whether we can adjourn to give the cheque or the one speaking is going to continue alone?

**The Speaker** (Hon. Ethuro): We have two options. You can either move a Motion of Adjournment of the House, or what I was initially thinking is that a representation to present the cheque as the Motion proceeds. I appreciate your argument that some of our Senators are visiting other people affected by the particular matter. So, maybe the Motion of Adjournment is the way to go.

Senate Majority Leader, you may proceed.

## MOTION FOR ADJOURNMENT

ADJOURNMENT OF THE SENATE TO FACILITATE  
PRESENTATION OF CONTRIBUTION TO THE  
VICTIMS OF THE TERROR ATTACK AT  
WESTGATE SHOPPING MALL

**Sen. (Prof) Kindiki:** Mr. Speaker, Sir, I beg to move:-

THAT the House adjourns to be able to present the contribution of the House to the victims and survivors of the Westgate Mall incident.

Mr. Speaker, Sir, we are within the three days of mourning. A number of our Senators have already gone to visit some of the bereaved families. Notably, Sen. Mugo is directly bereaved. Therefore, it means that the numbers will not be expected to increase more than what we have now.

Mr. Speaker, Sir, you have also communicated in this House that the short ceremony to issue the cheque to the Red Cross society is taking place in a few minutes. Given the importance with which this House treats its business, it is only proper that we adjourn to allow for those activities to take place and we resume tomorrow. The other option of saying that we continue with those activities is that you will have a House possibly without a quorum. I do not think that is right and proper given that the next item in the agenda, as other items, requires the attention of as many of us as possible.

With those few remarks, I move that we adjourn until tomorrow 2.30 p.m. I request Sen. (Dr.) Khalwale to second.

**Sen. (Dr.) Khalwale** seconded.

*(Question proposed)*

*(Question put and agreed to)*

### ADJOURNMENT

**The Speaker** (Hon. Ethuro): Hon. Senators, having approved the Motion to adjourn the House to tomorrow, the House stands adjourned until tomorrow, Thursday, 26<sup>th</sup> September, 2013 at 2.30 pm.

The Senate rose at 4.15 p.m.