



REPUBLIC OF KENYA

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THE SENATE

PROGRAMME OF SENATE BUSINESS

WEEK COMMENCING TUESDAY, MAY 14, 2019

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*\* 12<sup>TH</sup> PARLIAMENT \* 3<sup>RD</sup> SESSION*

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Printed and Published by the  
Clerk of the Senate  
Parliament Buildings  
NAIROBI

10<sup>th</sup> May, 2019

**REPUBLIC OF KENYA**  
**THE SENATE**  
**TWELFTH PARLIAMENT (THIRD SESSION)**  
**PROGRAMME OF SENATE BUSINESS**  
**FOR THE WEEK COMMENCING TUESDAY, MAY 14, 2019**

**TUESDAY:** Communication from the Chair, Messages, Petitions, Papers, Notices of  
14/05/2019 Motion, Statements, Motions and Bills.

**A. \*THE NATURAL RESOURCES (BENEFIT SHARING) BILL (SENATE BILLS NO. 31 OF 2018)**

(Sen. (Dr.) Agnes Zani, MP)

*(Second Reading)*

*(Resumption of debate interrupted on Wednesday, 27<sup>th</sup> March, 2019)*

*(Division)*

**B. \*THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL (SENATE BILLS NO. 28 OF 2018)**

(Sen. Ledama Olekina, MP)

*(Second Reading)*

*(Resumption of debate interrupted on Wednesday, 3<sup>rd</sup> April, 2019)*

*(Division)*

**C. MOTION – REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE COUNTY GOVERNMENTS' INFRASTRUCTURE PROJECTS**

(Chairperson, Standing Committee on Finance and Budget)

**THAT**, this House adopts the Report of the Standing Committee on Finance and Budget on the County Governments' infrastructure projects comprising County Executive Headquarter offices, Assembly Chambers and offices and County State officers' residences, laid on the Table of the Senate on Thursday, 29<sup>th</sup> November, 2018.

*(Resumption of debate interrupted on Thursday, 28<sup>th</sup> March, 2019)*

*(Division)*

**D. \*THE DETERMINATION OF THE NATURE OF BILLS (PROCEDURE) BILL (SENATE BILLS NO. 30 OF 2018)**

(Sen. Mutula Kilonzo Jnr., MP and Sen. Sakaja Johnson, MP)

*(Second Reading)*

*(Resumption of debate interrupted on Wednesday, 3<sup>rd</sup> April, 2019)*

- E. **\*THE MENTAL HEALTH (AMENDMENT) BILL (SENATE BILLS NO. 32 OF 2018)**  
(Sen. (Arch.) Sylvia Kasanga, MP)  
*(Second Reading)*
- F. **\*THE ELECTION LAWS (AMENDMENT) BILL (SENATE BILLS NO. 33 OF 2018)**  
(Sen. Ledama Olekina, MP)  
*(Second Reading)*
- G. **\*THE NATIONAL COHESION AND PEACE BUILDING BILL (SENATE BILLS NO. 35 OF 2018)**  
(Sen. Judith Pareno, MP)  
*(Second Reading)*
- H. **\*THE ELECTION LAWS (AMENDMENT) (NO. 2) BILL (SENATE BILLS NO. 37 OF 2018)**  
(Sen. (Dr.) Agnes Zani, MP)  
*(Second Reading)*
- I. **\*\*\*THE GOVERNMENT CONTRACTS BILL (NATIONAL ASSEMBLY BILLS NO. 9 OF 2018)**  
(The Senate Majority Leader)  
*(Second Reading)*
- J. **\*THE KENYA MEDICAL SUPPLIES AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO. 38 OF 2018)**  
(Sen. Mary Seneta, MP)  
*(Second Reading)*
- K. **\*\*\*\*THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 39 OF 2018)**  
(The Senate Majority Leader)  
*(Second Reading)*
- L. **\*THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2019)**  
(Sen. Aaron Cheruiyot, MP and Sen. Isaac Mwaura, MP)  
*(Second Reading)*
- M. **MOTION - COMPLETION OF ALL STALLED PROJECTS UNDER COUNTY GOVERNMENTS THROUGH BUDGETARY MANAGEMENT**  
(Sen. Charles Reubenson Kibiru, MP)

**THAT, AWARE THAT** Kenya has had a development blueprint of Vision 2030 since 2008 which has guided planning and development for the last decade, with a focus to making Kenya an industrialized middle income economy with a higher per capita income for its citizens;

**FURTHER AWARE THAT**, the development planning of the country is funded from the Consolidated Fund through the annual budget whereby revenues generated by Kenyans through taxes, levies, and fees that are supplemented with support of development partners in the form

of outright loans, conditional loans, grants and/or unconditional grants to support growth and development across the country;

**COGNIZANT THAT**, any diversion from the Vision 2030 blueprint as well as the President’s “Big Four” Agenda, would negatively impact the development trajectory that seeks to ensure a long term microeconomic stability resulting in a revision of targets on the goals for socio-economic, cultural, environmental, technological and political transformation;

**NOTING THAT**, whereas the National Government’s Budget is based on Vision 2030 and “Big Four” Agenda, the County Governments’ Budgets are based on their respective County Integrated Development Plans, (CIDPs) which are expected to dovetail with the overall national development blueprint;

**CONCERNED THAT**, there are glaring discrepancies in progress made in development among counties, particularly among the 14 devolved functions caused by lack of accountability, integrity, professionalism and remaining a blemish on the successes of devolution;

**ACKNOWLEDGING**, the tribulations, ridicule, pecuniary embarrassment and negative socio-economic impact that pending bills have had on the local business community who supplied or undertook a service for the county governments, and the attendant slowdown in actual project completion, the rise in stalled projects dotting counties, with County Governors prioritizing new projects instead of the completion of those which have stalled;

**FURTHER ACKNOWLEDGING THAT**, the National Treasury in its circular No. 9/2018 detailed the five hundred and forty five (545) projects which have stalled in the 47 Counties, and their status of completion, collectively amounting to an estimated project cost of three hundred and sixty six (366) Billion Kenya shillings;

**NOW THEREFORE**, the Senate recommends that the National Treasury in partnership with the Controller of Budget, Commission on Revenue Allocation, the Council of Governors and the County Assemblies Forum to-

1. Ensure that all the County Integrated Development Plans (CIDP’s) and Annual Development Plans (ADP’s) are aligned to Vision 2030 with an implementation, monitoring, and evaluation framework in place;
2. Address Pending Bills by prioritizing their payment, creating clear timeframes for payment and publishing a schedule of payment of the same; and
3. Prioritize the completion of stalled development projects prior to undertaking or funding new projects.

**N. MOTION - REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE ANNUAL REPORT OF THE COUNTY GOVERNMENTS BUDGET IMPLEMENTATION REVIEW FOR FINANCIAL YEAR 2017/2018**

(Chairperson, Standing Committee on Finance and Budget)

**THAT**, this House adopts the Report of the Standing Committee on Finance and Budget on the Annual Report of the County Governments Budget Implementation Review for Financial Year 2017/2018, laid on the Table of the Senate on Wednesday, 27<sup>th</sup> March, 2019.

**O. MOTION - THE REALIZATION OF GENDER EQUITY IN ELECTIVE AND APPOINTIVE POSITIONS IN KENYA**

(Sen. (Canon) Naomi Waqo Jilo, MP)

**AWARE THAT**, the Constitution of Kenya recognizes dignity, economic, social and cultural rights, education, housing and the right to health including reproductive health; and that the principle of equality and non-discrimination is established as a core value of leadership and the national values and principles of governance include human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of marginalized groups, among others;

**FURTHER AWARE THAT**, the Constitution of Kenya has very progressive articles that indicate commitment to the international and regional obligations arising from treaties and conventions and other Commitments signed or ratified;

**COGNIZANT** that Kenya has ratified the Convention on Elimination of all forms of discrimination against Women and the Protocol to the African Charter on Human and People's Rights of the Right of Women which are international instruments that are key to promoting women's rights;

**RECALLING** that policy framework to enhance gender equality has also been developed, and include the National Gender and Development Policy 2000, the Kenya Vision 2030, Sessional paper No. 2, of 2006, the National Land Policy, the National Policy for Response to Gender Based Violence, and the National Policy for the Abandonment of Female Genital Mutilation;

**NOTING THAT**, despite there being sound constitutional provisions and elaborate policy framework to realise gender equity, both national government and county governments have not done enough to realise the achievement of gender equality;

**CONCERNED** that women in Kenya experience hardships when it comes to elective offices, and are underrated by society with most opportunities for elective and appointive offices being awarded to men;

**NOW THEREFORE THE SENATE RESOLVES**

- 1) that Parliament fast track the enactment of the law that shall give effect to the one third gender rule; and,
- 2) that pursuant to Article 81 of the Constitution both the National and County governments observe the principle of equality, and empowers the female gender by increasing the appointive position to at least fifty per cent.

**P. MOTION - RENAMING OF MURANG'A UNIVERSITY OF TECHNOLOGY TO KENNETH MATIBA UNIVERSITY OF TECHNOLOGY.**

(Sen. Isaac Mwaura, MP)

**THAT AWARE THAT**, Murang'a University of Technology (MUT) is a Chartered University established under Section 13 of the Universities Act, 2012, and is positioning itself to develop a distinctive profile as a progressive and international Technical University, growing its enrolment strategically;

**FURTHER AWARE** that the University is located in Murang'a County, the home County of the late politician Kenneth Njindo Matiba, who died a patriotic and political hero, with numerous achievements spanning four decades;

**NOTING THAT**, the late Matiba was a prolific industrialist in the hospitality and education sector, and an accomplished public servant having served as the first indigenous African Permanent Secretary for Education in 1963; Permanent Secretary for Commerce; Chairperson of the Kenya Football Federation from 1974-78; a member of parliament for Kiharu constituency; Cabinet Minister for Health; Culture & Social Services; and Transport & Communications;

**FURTHER NOTING THAT**, the late Matiba was part of the opposition alliance that led the liberation struggle for the restoration of multi-party democracy through the Forum for the Restoration of Democracy (FORD), later founding FORD –Asili under which he ran for presidency in 1992 general election;

**COGNIZANT** that under the Heroes Act, 2014, the state is obliged to confer recognition to the late statesman for his cardinal contributions to the political and economic growth of this country;

**FURTHER COGNIZANT** that other patriotic Kenyans like Jomo Kenyatta, Daniel arap Moi, Masinde Muliro, Dedan Kimathi and Jaramogi Oginga Odinga have been accorded such recognition;

**NOW THEREFORE**, the Senate urges the National Government in remembrance of Matiba's contribution to our Nation, to rename Murang'a University of Technology to Kenneth Matiba University of Technology.

## **Q. MOTION - ESTABLISHMENT OF THE INFRASTRUCTURE NEEDS OF SELECTED COUNTY GOVERNMENTS**

(Sen. Okong'o Mogeni, MP)

**AWARE** that the Senate, on 16<sup>th</sup> July 2015, resolved to establish an *ad hoc* Committee to inquire into the status of County Headquarters and identify the needs of each of the forty-seven counties, which would form the basis for possible assistance to the identified counties;

**RECALLING THAT** the *ad hoc* Committee on County Headquarters tabled its Report in the Senate on 3<sup>rd</sup> December 2015 in which it recommended that 11 Counties be supported, as follows:

1. Those in dire need and requiring immediate assistance ('AA category'):  
Isiolo, Lamu, Nyandarua, Tana River and Tharaka Nithi Counties; and
2. Those requiring assistance to help them develop their Headquarter infrastructure ('A category'):  
Bomet, Kitui, Marsabit, Nyamira, Siaya and Taita Taveta Counties.

**FURTHER RECALLING THAT** with regard to the five counties classified under the 'AA category', the Committee recommended that each be allocated a sum of Kshs.800 million as conditional grants, while the six counties classified under the 'A category' be each allocated a sum of Kshs.300 million as conditional grants;

**AWARE THAT** the Senate, on 1<sup>st</sup> March 2016 adopted, without amendments, the Report of the *ad hoc* Committee on County Headquarters;

**COGNIZANT THAT** following the said resolution of the Senate, conditional grants have been advanced to the five counties classified under the ‘AA category’, during the financial years 2017/2018, 2018/2019 and further allocations have been budgeted for the financial year 2019/2020;

**CONCERNED THAT** to date, no allocations have been made by way of conditional grants to the six counties identified as requiring assistance under category A, and that these counties continue to experience grave challenges in terms of infrastructure that have hampered their operations;

**AWARE THAT** the said counties are at various stages of putting up the infrastructure required to make them fully operational, and that some may have already been completed;

**ACKNOWLEDGING THAT** the Senate is mandated to protect the interests of counties and their governments, which includes ensuring that the county governments are fully operational;

**NOW, THEREFORE,** the Senate resolves that the Standing Committee on Devolution and Intergovernmental Relations undertakes an assessment of the current status of county government facilities in the following counties, and to report to the Senate within three months:

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**1. Under ‘category AA’:**

Isiolo, Lamu, Nyandarua, Tana River and Tharaka Nithi Counties; with a view to ascertaining uptake of the funds allocated so far, progress made in construction of County Headquarter facilities, and whether any additional budgetary support is still required; and

**2. Under ‘category A’:**

Bomet, Kitui, Marsabit, Nyamira, Siaya and Taita Taveta Counties; with a view to ascertaining the current status of County Headquarter facilities, which would form the basis for possible budgetary assistance to the said Counties.

**R. Any Other Business**

**WEDNESDAY:** Communication from the Chair, Messages, Petitions, Papers,  
15/04/2019 Notices of Motion, Statements, Motions and Bills and Business that is not concluded on Tuesday, 14<sup>th</sup> May, 2019.

**A. MOTION- (The Senate Majority Leader)**

**THAT** pursuant to Standing Order 159, the amendments of the National Assembly to the County Governments (Amendment) (No.2) Bill (Senate Bills No. 7 of 2017) be now considered.

**B. MOTION – ADOPTION OF THE REPORT OF THE MEDIATION COMMITTEE ON THE WAREHOUSE RECEIPT BILL (SENATE BILLS NO. 10 OF 2017)**

(Chairperson, Mediation Committee)

**THAT**, the Senate adopts the Report of the Mediation Committee on the Warehouse Receipt System Bill (Senate Bills No. 10 of 2017) laid on the Table of the Senate on Tuesday, 14<sup>th</sup> May, 2019 and pursuant to Article 113 of the Constitution and Standing Order 161 (3) of the Senate Standing Orders approves the mediated version of the Bill.

**C. COMMITTEE OF THE WHOLE**

**\*\*THE COUNTY EARLY CHILDHOOD EDUCATION BILL (SENATE BILLS NO. 26 OF 2018)**

(Chairperson, Standing Committee on Education)

*(Resumption of debate interrupted on Wednesday, 27<sup>th</sup> March, 2019)  
(Division)*

**D. COMMITTEE OF THE WHOLE**

**\*THE PUBLIC PARTICIPATION BILL (SENATE BILLS NO. 4 OF 2018)**

(Sen. Amos Wako, MP)

*(Resumption of debate interrupted on Wednesday, 27<sup>th</sup> March, 2019)  
(Division)*

**E. COMMITTEE OF THE WHOLE**

**\*THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL (SENATE BILLS NO. 22 OF 2018)**

(Sen. Judith Pareno, MP)

*(Resumption of debate interrupted on Wednesday, 27<sup>th</sup> March, 2019)  
(Division)*

**F. COMMITTEE OF THE WHOLE**

**\*THE TREATY MAKING AND RATIFICATION (AMENDMENT) BILL (SENATE BILLS NO. 23 OF 2018)**

(Sen. Fatuma Dullo, MP)

*(Resumption of debate interrupted on Wednesday, 27<sup>th</sup> March, 2019)  
(Division)*

**G. COMMITTEE OF THE WHOLE**

**\*\*THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILLS NO. 11 OF 2017)**

(The Senate Majority Leader)

*(Consideration of National Assembly Amendments)*

**H. COMMITTEE OF THE WHOLE**

**\*THE RETIREMENT BENEFITS (DEPUTY PRESIDENT AND DESIGNATED STATE OFFICERS) (AMENDMENT) BILL (SENATE BILLS NO. 2 OF 2018)**

(Sen. Ledama Olekina, MP)

**I. COMMITTEE OF THE WHOLE**

**\*THE CARE AND PROTECTION OF OLDER MEMBERS OF SOCIETY BILL (SENATE BILLS NO. 17 OF 2018)**

(Sen. Aaron Cheruiyot, MP)



**J. COMMITTEE OF THE WHOLE**

**\*\*THE DATA PROTECTION BILL (SENATE BILLS NO. 16 OF 2018)**

(Chairperson, Standing Committee on Information and Technology)

**K. \*THE CONSTITUTION OF KENYA (AMENDMENT) BILL (SENATE BILLS NO. 40 OF 2018)**

(Sen. Aaron Cheruiyot, MP)

*(Second Reading)*

**L. Any Other Business**

**THURSDAY:**           **Communication from the Chair, Messages, Petitions, Papers,  
16/05/2019           Notices of Motion, Statements, Motions and Bills and Business that is not  
concluded on Wednesday, 15<sup>th</sup> May, 2019.**

**A. MOTION –REPORT OF THE PARLIAMENT OF KENYA DELEGATION TO 50<sup>TH</sup> SESSION OF AFRICAN CARIBBEAN PARLIAMENT (ACP) AND 35<sup>TH</sup> SESSION OF THE ACP – EU JOINT PARLIAMENTARY ASSEMBLY**

(Sen. (Prof.) Margaret Kamar, MP)

**THAT**, this House notes the Report of the Parliament of Kenya delegation to the 50<sup>th</sup> Session of the ACP Parliamentary Assembly and the 35<sup>th</sup> Session of the ACP-EU Joint Parliamentary Assembly held in Brussels, Belgium from 13<sup>th</sup> to 20<sup>th</sup> June, 2018.

**B. MOTION –REPORT OF THE PARLIAMENT OF KENYA DELEGATION TO THE GLOBAL SUMMIT ON OPEN GOVERNANCE PARTNERSHIP**

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

**THAT**, this House notes the Report on the Global Summit on Open Governance Partnership in Tbilisi, Georgia, 17<sup>th</sup> to 19<sup>th</sup> July, 2018 laid on the Table of the House on Wednesday, 20<sup>th</sup> February, 2019.

**C. MOTION - ADDRESSING THE PLIGHT OF STREET FAMILIES IN URBAN CENTRES**

(Sen. Beatrice Kwamboka, MP)

**AWARE THAT** the Street Families Rehabilitation Trust Fund (SFRTF) was established on 11<sup>th</sup> March, 2003 by the then Ministry of Local Government to address the concerns of all homeless, destitute and vulnerable persons in urban areas, and was registered as a body Corporate in August, 2010 under the Trustees (perpetual succession) Cap 164, Laws of Kenya;

**FURTHER AWARE THAT** the mandate of SFRTF includes coordinating rehabilitation activities for street families; conducting public education on street families issues; mobilizing resources and fundraising as well as receiving donations and funding street families rehabilitation programmes; managing donations for the rehabilitation of street families through a trust fund; monitoring expenditure and disbursement of donations; and advising the government and other relevant agencies on matters relating to rehabilitation of street families;

**NOTING THAT** Article 43 (1) of the Constitution of Kenya provides for the right to every person to the highest attainable standard of health, accessible and adequate housing, adequate food of acceptable quality, clean and safe water in adequate quantities, education, and social security;

**CONCERNED THAT** the street family phenomenon has persisted despite the existence of the SFRTF and street families do not enjoy the rights enshrined in the Constitution due to lack of a national policy on the rehabilitation of street families, with women and children being the primary victims;

**COGNIZANT THAT** the Ministry of Devolution and ASAL Areas through the SFRTF supports children and youth through charitable and community based organizations which are vetted and approved for funding under the rescue, rehabilitation and reintegration of street families programme;

**NOTING THAT** both the National and County Governments have a role to play in addressing the plight of street families across the Country;

**NOW THEREFORE** the Senate resolves that Ministry of Devolution and ASAL Areas in collaboration with the Council of Governors-

- 1) conducts a census of street families in all urban centres in the country to determine their numbers and demographics;
- 2) develops a clear policy on street families rehabilitation and reintegration at county level; and
- 3) tables an audit report of how funds allocated to the SFRTF have been utilized since the Fund was established, indicating the impact of the rehabilitation exercise

**D. MOTION-REPORTS OF THE SIXTH ORDINARY SESSION OF THE FOURTH PAN-AFRICAN PARLIAMENT AND THE FIRST ORDINARY SESSION OF THE FIFTH PARLIAMENT OF THE PAN-AFRICAN PARLIAMENT**

(Sen. (Dr.) Abdullahi Ali, MP)

**THAT**, this House notes the Reports of the Sixth Ordinary Session of the Fourth Pan- African Parliament held in Midrand, South Africa, from 7<sup>th</sup> to 18<sup>th</sup> May, 2018, laid on the Table of the House on Tuesday, 24<sup>th</sup> July, 2018; and, the First Ordinary Session of the Fifth Parliament of the Pan African Parliament held in Kigali, Rwanda, from 18<sup>th</sup> October to 3<sup>rd</sup> November, 2018, laid on the Table of the House on Tuesday, 12<sup>th</sup> March, 2019.

**E. MOTION - CREATION OF SUPPORT SERVICES FOR THE DISCIPLINED FORCES & THEIR FAMILIES**

(Sen. George Khaniri, MP)

**THAT APPRECIATING** the commitment and sacrifice by members of the disciplined forces in protecting our country from both internal and external aggression;

**AWARE** of the risky and stressful environment that the officers are exposed to daily in the line of duty, combined with the increased terrorism threats at home, and abroad;

**NOTING** that members of the disciplined forces, and by extension, their families are exposed to traumatic incidents both at home and abroad that manifest as living in constant fear, debilitating depression, nightmares, crippling anxiety and thoughts of suicide commonly referred to as Post Traumatic Stress Disorder (PTSD) leaving them exposed to the stigma of society and unable to care for themselves and their families the way they could before;

**RECOGNIZING** that there is no structured national comprehensive program for post-traumatic stress counseling either for active or returning soldiers and their families;

**NOW THEREFORE** the Senate calls upon the Ministry of Interior and Co-ordination of National Government, in partnership with the Ministry of Defence, to establish counseling and support centers in all premises housing disciplined forces, and provide mandatory counseling to all service personnel and the families of those currently serving, and those who may have been killed in the line of duty.

#### **F. MOTION - WAIVER OF INTEREST ON HELB LOANS FOR GRADUATES**

(Sen. (Dr.) Abdullahi Ali, MP)

**THAT, AWARE THAT** Higher Education Loans Board (HELB) has, for over the last two decades, become the leading financier of higher education in Kenya whose mandate is to source funds and lend them as affordable loans, bursaries and scholarship to students pursuing higher education in recognized institution;

**COGNIZANT THAT**, the Ministry of Education announced that the government has lost Kshs. 7.2b through people defaulting payment on loans issued by HELB translating to 74,692 graduates who have defaulted the loans payment;

**NOTING THAT**, measures were taken to enhance the HELB loan recovery process which included a six month waiver of accumulated interest and penalties, and working with law enforcement officers to make sure the defaulters who are employed payback the loans;

**CONCERNED THAT**, there are graduates from institutions of higher learning who have not been gainfully employed for many years after graduation, and are therefore burdened with loans that have accumulated interest and penalties that they have no means to repay;

**FURTHER CONCERNED THAT**, when beneficiaries fail to remit their monthly instalments for more than three months, HELB reports them to the Credit Reference Bureau (CRB) preventing them from accessing loan facilities with any financial institution in Kenya, accessing employment opportunities in the government and major private and publicly listed companies and the loan guarantors are pursued and forced to service the HELB loan;

**NOW THEREFORE**, the Senate recommends that the Ministry of Education and HELB –

1. institutes a six (6) month full waiver of all the interest and penalties accrued, including the lifting of Credit Reference Bureau blacklisting, for defaulters who are willing to repay their loans in entirety, within the six (6) month period; and
2. embarks on a forty-five (45) day sensitization exercise preceding the waiver, no later than ninety (90) days after the passage of this motion.

**G. MOTION - ESTABLISHMENT OF NATION-WIDE CENTRES AND SATELLITE CLINICS FOR SICKLE CELL DISEASE AT COUNTY, SUB-COUNTY AND WARD LEVELS.**

(Sen. Naomi Masitsa Shiyonga, MP)

**THAT, AWARE THAT** Article 43(1)(a) of the Constitution provides that every person has the right to the highest attainable standard of health, which includes the right to health care services, including reproductive health care;

**NOTING THAT**, Parliament enacted the Health Act (2017) whose objects encompass the need to establish a national health system at the national and county levels, as well as to facilitate, in a progressive and equitable manner, the highest attainable standards of health services;

**ACKNOWLEDGING THAT** Sickle Cell Disease, a severe hereditary form of anaemia in which a mutated form of haemoglobin distorts the red blood cells into a crescent shape at low oxygen levels, and is prevalent amongst those of African descent, has been acknowledged by World Health Organization (WHO) as a major public health priority which has had devastating effects on populations in many parts of Kenya;

**FURTHER ACKNOWLEDGING** the lack of comprehensive information and care programs for Sickle Cell Disease is occasioned by the poor public awareness, unavailability of routine health data and nationally recognised treatment guidelines;

**CONCERNED** by the lack of national screening programmes for Sickle Cell Disease despite the serious health problems it causes, and its contribution to childhood deaths in Kenya;

**NOW, THEREFORE**, the Senate urges the National and County Governments to establish nation-wide screening at existing medical centres and satellite clinics, and the provision of counselling on the management of sickle cell disease, a lifelong medical condition that has no cure, at the county, sub-county and ward levels.

**H. MOTION - IMPROVING ALLOCATION OF RESEARCH FUNDS TOWARDS HIGHER LEARNING**

(Sen. (Arch.) Sylvia Kasanga, MP)

**AWARE THAT**, early childhood education and village polytechnics are a function of the County Governments. Secondary schools, Universities, Tertiary institutions and other institutions of research are a function of the National Government under the Fourth Schedule of the Constitution;

**FURTHER AWARE THAT**, institutions of higher learning have two basic functions, teaching and conducting research;

**CONCERNED THAT**, such institutions largely concentrate on “teaching” rather than “research”, as a method of enhancing and imparting the practical application of skills, attitude and knowledge by learners;

**NOTING THAT**, funds allocated towards community and development oriented academic research are neither sustainable nor adequate;

**ACKNOWLEDGING THAT**, various national policies on research and innovation are available, but fragmentation in the sector has short-changed the vision of a progressive national research agenda, thereby emboldening low science culture among the population, low global competitiveness ranking, inadequate funding, and poor linkages between academic research and commercial industry;

**NOW THEREFORE**, the Senate urgently calls upon the Ministry of Education, Science and Technology:

- (i) To provide a comprehensive report from all institutions of higher learning on the status and performance of Research & Innovation Programs in the Country;
- (ii) Re-assess Sector Policies, and Develop new work-plans towards:
  - a. Improving allocation of funds for Academic as well as Sustainable Community Based Research to public institutions of higher learning.
  - b. Providing subsidies, and frameworks for partnerships between public & private institutions of higher learning to enable collaboration and better organization in research and innovations for community/county development Projects.

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## **KEY**

**\*\*\*\*\* - Denotes a Majority /Minority Party Bill**

**\*\*\* - Denotes a National Assembly Bill**

**\*\* - Denotes a Committee Bill**

**\* - Denotes any other Bill**