



REPUBLIC OF KENYA

THE SENATE

PROGRAMME OF SENATE BUSINESS

WEEK COMMENCING WEDNESDAY, JUNE 02, 2021

** 12TH PARLIAMENT * 5TH SESSION*

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

28th May, 2021

REPUBLIC OF KENYA

THE SENATE

TWELFTH PARLIAMENT (FIFTH SESSION)

PROGRAMME OF SENATE BUSINESS FOR THE WEEK
COMMENCING WEDNESDAY, JUNE 02, 2021

WEDNESDAY Communication from the Chair, Messages, Petitions,
02/06/2021 Papers, Notices of Motion, Statements, Motions, Bills and
any other Business not concluded on Tuesday, 25th May,
2021 (Afternoon Sitting).

- A. THE MENTAL HEALTH (AMENDMENT) BILL (SENATE BILLS
NO. 28 OF 2020)
(Sen. (Arch.) Sylvia Kasanga, MP)

(Second Reading)

*(Resumption of debate interrupted on Tuesday, 18th May, 2021 – Afternoon
Sitting)*

(Division)

- B. THE WILDLIFE CONSERVATION AND MANAGEMENT
(AMENDMENT) BILL (SENATE BILLS NO. 30 OF 2020)
(Sen. Johnes Mwaruma, MP)

(Second Reading)

*(Resumption of debate interrupted on Tuesday, 25th May, 2021 – Afternoon
Sitting)*

C. THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 30 OF 2021)

(Chairperson, Standing Committee on Finance and Budget)

(Second Reading)

D. THE COMMUNITY HEALTH SERVICES BILL (SENATE BILLS NO. 34 OF 2020)

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

(Second Reading)

E. THE INVESTMENT PROMOTION (AMENDMENT) BILL (SENATE BILLS NO. 2 OF 2021)

(Sen. (Dr.) Alice Milgo, MP)

(Second Reading)

F. THE PARLIAMENTARY POWERS AND PRIVILEGES (AMENDMENT) BILL (SENATE BILLS NO. 33 OF 2020)

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

(Second Reading)

G. MOTION – ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON INQUIRY INTO ALLEGATIONS OF IRREGULARITIES BY THE KENYA MEDICAL SUPPLIES AUTHORITY IN PROCUREMENT OF PHARMACEUTICAL EQUIPMENT

(Chairperson, Standing Committee on Health)

THAT, the Senate adopts the Report of the Standing Committee on Health on inquiry into allegations regarding irregularities in the procurement of various pharmaceutical equipment and products by the Kenya Medical Supplies Authority (KEMSA), laid on the Table of the Senate on Tuesday, 30th March, 2021.

H. MOTION – ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE COVID-19 PANDEMIC SITUATION IN KENYA

(Chairperson, Standing Committee on Health)

THAT, the Senate adopts the First Progress Report of the Standing Committee on Health on the Covid-19 pandemic situation in Kenya, laid on the Table of the Senate on Tuesday, 30th March, 2021.

I. MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON THE CONFERMENT THE OF CITY STATUS TO NAKURU MUNICIPALITY

(Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on the conferment of City status to Nakuru Municipality, laid on the Table of the Senate on Tuesday, 25th May, 2021, and pursuant to Section 8 (6) of the Urban Areas and Cities Act, approves the conferment of City status to Nakuru Municipality.

J. MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS, CONCERNING THE IMPASSE ON THE BUDGETARY ESTIMATES FOR FINANCIAL YEAR 2020/2021 FOR KIRINYAGA COUNTY BETWEEN THE COUNTY EXECUTIVE AND THE COUNTY ASSEMBLY

(Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations, on the impasse on the budgetary estimates for financial year 2020/2021 for Kirinyaga County, between the County Executive and the County Assembly, laid on the Table of the Senate on Tuesday, 25th May, 2021.

K. Any Other Business

THURSDAY

03/06/2021

Communication from the Chair, Messages, Petitions, Papers, Notices of Motion, Statements, Motions, Bills and any other Business not concluded on Wednesday, 2nd June, 2021.

**A. COMMITTEE OF THE WHOLE
THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 30 OF 2021)**

(Chairperson, Standing Committee on Finance and Budget)

B. THE COUNTY LICENSING (UNIFORM PROCEDURES) BILL (SENATE BILLS NO. 32 OF 2020)

(Sen. Mercy Chebeni, MP)

(Second Reading)

C. THE NATIONAL FLAG, EMBLEMS AND NAMES (AMENDMENT) BILL (SENATE BILLS NO. 36 OF 2020)

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

(Second Reading)

D. THE SALARIES AND REMUNERATION COMMISSION (AMENDMENT) BILL (SENATE BILLS NO. 31 OF 2020)

(Chairperson, Standing Committee on Finance and Budget)

(Second Reading)

E. THE SALARIES AND REMUNERATION COMMISSION (AMENDMENT) BILL (SENATE BILLS NO. 31 OF 2020)

(Chairperson, Standing Committee on Finance and Budget)

(Second Reading)

F. MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON ROADS AND TRANSPORTATION ON INQUIRY INTO THE OPERATIONALIZATION OF THE NATIONAL CONSTRUCTION AUTHORITY (DEFECTS LIABILITY) REGULATIONS

(Chairperson, Standing Committee on Roads and Transportation)

THAT, the Senate adopts the report of the Standing Committee on Roads and Transportation on its inquiry into the operationalization of the National

Construction Authority (Defects Liability) Regulations, laid on the Table of the Senate on Thursday, 24th September, 2020.

G. MOTION – ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE ALLEGED NEGLIGENCE BY THE KENYATTA NATIONAL HOSPITAL IN THE MEDICAL CASE OF THE LATE (PROF.) KEN WALIBORA, PRIOR TO HIS DEATH
(Chairperson, Standing Committee on Health)

THAT, the Senate adopts the Report of the Standing Committee on Health on the alleged negligence by the Kenyatta National Hospital in the medical case of the late (Prof.) Ken Walibora, prior to his death, laid on the Table of the Senate on Tuesday, 30th March, 2021.

H. MOTION - FAST TRACKING CULTURAL DEVELOPMENTS IN COUNTIES
(Sen. (Arch.) Sylvia Kasanga, MP)

THAT, WHEREAS Kenya is a multi-ethnic and multi-racial country with rich and diverse cultural resources such as traditional medicine and foods, arts, craft, music, dances, dress among others;

AWARE THAT, the Constitution, in its preamble acknowledges the cultural diversity of the Kenyan people who are determined to live in peace and unity as one indivisible sovereign nation whilst, Article 11 of the Kenyan Constitution recognizes culture as the foundation of the nation;

NOTING that, while the Department of Culture under the Ministry of Sports, Culture and Heritage has been playing some of the key roles in promotion of cultural integration, formulation of policies and standards that will guide the development of culture, little information has been available to the Kenyan public;

ACKNOWLEDGING, that culture performs a significant role in the life of a child, the cultural background in which a child is brought up affects the totality of his or her life's activities;

CONCERNED, that our children are losing their sense of identity due to the negative influences due to inadequate cultural identity catalyzed by globalization which has led to catastrophic consequences to the next generation as experienced in our country where a majority of young people are showing symptoms of feeling

suicidal, anxious, feeling of hopelessness, anger, violence, feeling isolated, and paranoia;

NOW THEREFORE, the Senate urges the Cabinet Secretary, Ministry of Sports, Culture and Heritage to –

- a) Formulate cultural development policies and initiatives to inculcate stronger community values, safeguard Kenya’s heritage, recognize local heroes and promote socio-cultural opportunities in the counties; and
- b) Formulate strategies to create an enabling environment for protection and promotion of diversity of cultural expressions in all counties.

I. MOTION – REPORT OF THE PARLIAMENT OF KENYA DELEGATION TO THE 141ST ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS, HELD IN BELGRADE, SERBIA FROM 13TH TO 17TH OCTOBER, 2019

(Sen. Susan Kihika, MP)

THAT, the Senate notes the report of the Parliament of Kenya Delegation to the 141st Assembly of the Inter-Parliamentary Union (IPU) and related meetings, held in Belgrade, Serbia, from 13th to 17th October, 2019 laid on the Table of the House on Wednesday, 4th March, 2020.

J. Any Other Business

TUESDAY

06/07/2021

Communication from the Chair, Messages, Petitions, Papers, Notices of Motion, Statements, Motions, Bills and any other Business not concluded on Thursday, 3rd June, 2021.

A. COMMITTEE OF THE WHOLE
THE COOPERATIVE SOCIETIES (AMENDMENT) BILL (SENATE BILLS NO. 11 OF 2020)

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

B. COMMITTEE OF THE WHOLE
THE MENTAL HEALTH (AMENDMENT) BILL (SENATE BILLS NO. 28 OF 2020)

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

C. THE COFFEE BILL (SENATE BILLS NO. 22 OF 2020)

(Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

(Second Reading)

D. THE NATURAL RESOURCES (BENEFIT SHARING) BILL (SENATE BILLS NO. 25 OF 2020)

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

(Second Reading)

E. THE HEALTH (AMENDMENT) BILL (SENATE BILLS NO. 26 OF 2020)

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

(Second Reading)

F. THE BASIC EDUCATION (AMENDMENT) BILL (SENATE BILLS NO. 4 OF 2021)

(Sen. Beatrice Kwamboka, MP)

(Second Reading)

G. THE KENYAN SIGN LANGUAGE BILL (SENATE BILLS NO. 5 OF 2011)

(Sen. (Dr.) Getrude Musuruve, MP and Sen. (Prof.) Margaret Kamar, MP)

(Second Reading)

H. MOTION – PROVISION OF COLOSTOMY BAGS TO COLON CANCER PATIENTS AND SURVIVORS IN COUNTY HOSPITALS

(Sen. (Dr.) Gertrude Musuruve Inimah, MP)

THAT, AWARE THAT the colon is part of the digestive system with a major role in the absorption of water, minerals and elimination of waste;

FURTHER AWARE THAT colon cancer can cause serious blockage of the colon that may necessitate removal of parts of the colon, the entire colon or the entire colon and the rectum;

COGNIZANT THAT persons who have gone through ileostomy, colostomy and urostomy need to use a bag to empty their wastes for the rest of their lives post-surgery;

CONCERNED THAT urine bags, adult diapers, artificial breasts, colostomy or ileostomy bags are not listed as goods exempt from tax or zero rated in the First

and Second Schedules of the VAT Act 2013, and therefore attract 16 per cent value added tax and customs duty;

ACKNOWLEDGING THAT Article 43(1a) of Constitution of Kenya states that everyone has a right to the highest attainable standards of health, and health is a devolved function and therefore under the mandate of the county governments;

NOW THEREFORE, the Senate calls upon the Ministry of Health and) in partnership with the Council of Governors to:

1. create and maintain a register of all the colon cancer patients and survivors in county hospitals, including the biodata of the histology of the patients;
2. provision of colostomy bags for those who are permanent users;
3. include the purchase of palliative care products in the health budgets of all county governments;
4. ensure all county hospitals stock these palliative care products to enable increased access and lower commercial prices; and
5. engage the Treasury and Kenya Revenue Authority (KRA) to waive taxes on long-term health consumables such as colostomy bags, prosthesis and others in the upcoming budgetary cycle to ease the burden on Kenyans.

K. Any Other Business

KEY

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

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

**** - Denotes a Committee Bill**

*** - Denotes any other Bill**