



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FIFTH SESSION

VOTES AND PROCEEDINGS

WEDNESDAY, AUGUST 04, 2021 AT 2.30 P.M.

1. The Senate assembled at thirty minutes past Two O'clock.
2. The proceedings were opened with Prayer said by the Temporary Speaker (Sen. Rose Nyamunga, MP).

3. **PETITIONS**

- (a) Pursuant to Standing Order 232(2), the Chairperson, Standing Committee on Tourism, Trade and Industrialization tabled before the Senate a Report of the Committee on a Petition by residents of Uasin Gishu County concerning the liquidation of Moi University Savings and Credit Society Limited (MUSCO).
- (b) Pursuant to Standing Order 230(2)(a), Nominated Senator (Sen. Abshiro Halake, MP), presented to the Senate a petition concerning the murder of Environmentalist and Conservationist, Ms. Joannah Stutchbury and protection of the environment and natural resources.

Pursuant to Standing Order 231, the Temporary Speaker (Sen. Rose Nyamunga) invited Senators to make comments, observations or seek clarification in relation to the Petition and, subsequently, committed it to the Standing Committee on National Security, Defence and Foreign Relations, pursuant to Standing Order 232(1).

- (c) Pursuant to Standing Order 230(2)(a), the Temporary Speaker (Sen. Rose Nyamunga, MP), presented to the Senate a petition by residents of Kisumu, concerning the COVID-19 situation at the Kibos Sugar Factory Limited in Kisumu County.

Pursuant to Standing Order 231, the Temporary Speaker (Sen. Rose Nyamunga, MP) invited Senators to make comments, observations or seek clarification in relation to the Petition and, subsequently, committed it to the Standing Committee on Health pursuant to Standing Order 232(1).

- (d) Pursuant to Standing Order 230(2)(a), the Senator for Bungoma County (Sen. Moses Wetang'ula, MP), presented to the Senate a petition by the residents of Webuye East Sub County on the Gazettement of Chitambe (Webuye) Hill Forest *vide* Legal Notice No.106: proposed declaration of public forest Chitambe (Webuye) Hill Forest dated 25th June, 2021.

Pursuant to Standing Order 231, the Temporary Speaker (Sen. Rose Nyamunga, MP) invited Senators to make comments, observations or seek clarification in relation to the Petition and, subsequently, committed it to the Standing Committee on Lands Environment and Natural Resources pursuant to Standing Order 232(1).

4. PAPERS LAID

- i.) The Anti-Counterfeit (Amendment) Regulations, Legal Notice No. 117 of 2021; and
- ii.) The Anti-Counterfeit (Recordation) Regulations, Legal Notice No. 118 of 2021.

(The Deputy Senate Majority Whip)

- iii.) Report of the Standing Committee on Education on the County Vocational Education and Training Bill, (Senate Bills No. 6 of 2021).

(Sen. Mary Seneta, MP, on behalf of the Chairperson, Standing Committee on Education)

- iv.) Report of the Standing Committee on National Security, Defence and Foreign Relations on the National Flag, Emblems and Names (Amendment) Bill (Senate Bills No. 36 of 2020).

(The Vice Chairperson, Standing Committee on National Security, Defence and Foreign Relations)

5. STATEMENTS

(a) Pursuant to Standing Order 47 (1)

- (i) Nominated Senator (Sen. Iman Falhada Dekow, MP) made a statement concerning the alarming rate of suicide cases in Kenya.

Thereupon, the Senator informed the Senate that the World Health Organisation (WHO) rates suicide as a serious global public health issue that is among the top 20 leading causes of death worldwide, estimating that suicide accounts for more than malaria, breast cancer, war and homicide.

The Senator also informed the Senate that World Population ranks Kenya at position 114 among the 175 countries with the highest suicide rates, with Kenya's suicide rate being 6.5 suicides per 100,000 people. Data compiled between April and June 2021 by the Department of Operations at Directorate of Criminal Investigation (DCI) showed that at least 483 people committed suicide in the last three months, with Central Kenya leading. The Senator further reminded the Senate that these statistics represented a sharp increase, considering that only 196 suicide cases were reported in 2019, according to the Kenya National Bureau of Statistics (KNBS).

In conclusion, the Senator noted that the country was grappling with the Covid-19 pandemic and its repercussions and every Kenyan had been affected. She, therefore, urged the government and all leaders to come forth and address the matter before it gets out of hand.

Following contributions from Senators, the Temporary Speaker (Sen. Judith Pareno, MP), pursuant to Standing order 47(3), referred the matter to the Standing Committee on Health for consideration and reporting to the Senate.

- (ii) The Senator for Nairobi City County (Sen. Sakaja Johnson, MP) made a statement on a matter of general topical concern, namely the double taxation on footwear importers and traders by the Kenya Revenue Authority.

Thereupon, the Senator informed the Senate that following an East African Community gazette, Legal Notice. No. EAC 118/2021, a tariff was introduced that imposed a duty rate of 25% or 1 US dollar per pair of shoes imported, whichever is higher, as at 1st July 2021. Noting that initially footwear traders and importers were required to pay a benchmark duty fee of Kshs. 2,000,000 for a 40ft container, Sen. Sakaja, MP, stated that with the introduction of this tariff, the duty had risen to a range of between Kshs.6,000,000 to 8,000,000 for the same.

The Senator also informed the Senate that only the Kenya Revenue Authority had effected the Gazette Notice as the other East African countries were yet to implement the same, making Kenyan footwear importers and traders to lose business to neighboring countries. This had raised the prices of shoes that are mainly worn by low-income citizens by 300%.

In conclusion, the Senator recommended that the relevant House Committee investigate the justification of the double taxation that is specifically targeted at the footwear sector as well as task the Commissioner General of the Kenya Revenue Authority to clarify in detail the justification and formula behind the double taxation of footwear.

Following contributions from Senators, the Temporary Speaker (Sen. Judith Pareno, MP) pursuant to Standing Order 47(3) referred the matter to the Standing Committee on Tourism, Trade and Industrialization for consideration.

b) Pursuant to Standing Order 48 (1)

- i) The Senator for Nairobi City County (Sen. Sakaja Johnson, MP) sought a Statement from the Standing Committee on Roads and Transportation on the state of affairs on Outering Road in Nairobi County.
- ii) The Senator for Nandi County (Sen. Samson Cherarkey, MP) sought a statement from the Standing Committee on Health concerning the approval process and importation procedure for COVID-19 vaccine into Kenya.
- iii) Nominated Senator (Sen. Abshiro Halake, MP) sought a statement from the Standing Committee on Education concerning the high drop-out rates of school-going girls.

6. THE LAW OF SUCCESSION (AMENDMENT) BILL (SENATE BILLS NO. 15 OF 2021)

Order for Second Reading read;

Motion made;

THAT, the Law of Succession (Amendment) Bill) (Senate Bills No. 15 of 2021) be now read a Second time.

(Sen. Abshiro Halake, MP – 03.08.2021)

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

7. **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
Thursday, August 05, 2021 at 2:30 p.m.*