



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FIFTH SESSION)

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, OCTOBER 06, 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 Speaker.
3. **COMMUNICATION FROM THE CHAIR ON THE REPORT BY THE NATIONAL TREASURY ON ALL NEW LOANS BY THE GOVERNMENT FROM 1ST APRIL 2021 TO 31ST AUGUST, 2021**

The Speaker conveyed the following Communication from the Chair-

“Honourable Senators,

Vide a letter referenced DMD4/264 ‘B’, dated 27th September, 2021, the National Treasury and Planning submitted a report on all new loans contracted by the Government from 1st April, 2021 to 31st August, 2021. This report contains details on all new loans signed between the National Government and various creditors for the stated period.

Section 31 (3) of the Public Finance Management Act, 2012 states that-

“At the end of every four months, the Cabinet Secretary shall submit a report to Parliament stating the loan balances brought forward, carried down, drawings and amortizations on new loans obtained from outside Kenya or denominated in foreign currency, and such other information as may be prescribed by regulations, specifying—

- (a) the names of the parties to the loan;*
- (b) the amount of the loan and the currency in which it is expressed and in which it is repayable;*
- (c) the terms and conditions of the loan, including interest and other charges payable and the terms of repayment;*
- (d) the amount of the loan advanced at the time the report is submitted;*

(e) *the purpose for which the loan was used and the perceived benefits of the loan; and such other information as the Cabinet Secretary may consider appropriate”.*

Honourable Senators,

This report is submitted to the Senate for information. However, the Standing Committee on Finance and Budget may scrutinize the contents of this report and make observations and recommendations thereon.

I thank you.”

4. **PETITION**

Pursuant to Standing Order 232(2), the Chairperson, Standing Committee on National Security, Defence and Foreign Relations tabled the report of the Standing Committee on a Petition to the Senate by the True North Society of Kenya, concerning enactment of a military veterans’ law to address the needs of military veterans and their families.

Pursuant to Standing Order 232(2), the Speaker allowed comments and observations in relation to the Petition.

5. **PAPERS**

The following papers were laid on the Table of the Senate -

- i) Report of the Standing Committee on National Security, Defence and Foreign Relations, on a Petition to the Senate by the True North Society of Kenya, concerning enactment of a military veterans’ law to address the needs of military veterans and their families.
- ii) Interim Report of the Standing Committee on National Security, Defence and Foreign Relations on a fact finding mission to Laikipia County, concerning the incessant banditry attacks in the County.

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

- iii) Annual Report of the Public Service Commission for the Financial Year 2020/2021.
- iv) Report of the National Treasury and Planning on All New Loans contracted by Government of Kenya from 1st April, 2021 to 31st August, 2021.
- v) Report of the Auditor General on the Financial Statements of Kiambu Water and Sewerage Company Limited for the Year ended 30th June, 2019.

- vi) Report of the Auditor General on the Financial Statements of Murang'a County Assembly Car and Mortgage Loan Scheme Fund for the Year ended 30th June, 2019.
- vii) Report of the Auditor General on the Financial Statements of Murang'a Water and Sanitation Company Limited for the Year ended 30th June, 2019.
- viii) Report of the Auditor General on the Financial Statements of Naromoru Water and Sanitation Company Limited for the Year ended 30th June, 2019.
- ix) Report of the Auditor General on the Financial Statements of Homa Bay County Water and Sanitation Company Limited for the Year ended 30th June, 2019.
- x) Report of the Auditor General on the Financial Statements of Garissa Water and Sewerage Company Limited for the Year ended 30th June, 2019.

(The Deputy Senate Majority Leader)

6. **STATEMENTS**

a) **Pursuant to Standing Order 47 (1)**

Nominated Senator (Sen. Isaac Ngugi Githua, MP) made a Statement, his maiden speech, on the important role played by the youth in the development of the country.

In the Statement, the Senator averred that the place of the youth in any society could never be underestimated. He argued that in Kenya there is a very youthful population whose energy remains untapped. He stated that the Senate had the opportunity to rectify this by encouraging counties to grant the youth more opportunities and to mobilize and constructively engage them and designing policies that improve their welfare.

The Senator indicated that, while serving as a Senator representing the youth, he would do his best to articulate the needs of all the youth in the country, including the minority populations where communities such as the Ogieks, Dorobo, Elmolo, Waata, Makonde and many others fall. The Senator also stated that he would endeavor to work with the youth by encouraging them to desist from habits such as irresponsible use of drugs and alcoholism, which are harmful to them.

The Senator acknowledged the successes and challenges of past Parliaments and honored those who heroically struggled to bring freedom and justice in the first and second liberation struggles. He pledged to further the aspirations of Kenyans for a responsive government based on essential values for equality, social justice, shared prosperity and rule of law.

b) Pursuant to Standing Order 51 (1) (a)

The Vice-Chairperson, Standing Committee on National Security, Defence and Foreign Relations issued a statement concerning a fact finding mission to Laikipia County, concerning the incessant banditry attacks in the County by the Committee.

Thereupon, the Chairperson informed the House that following a Statement made by the Senator for Laikipia County, Sen. John Kinyua, concerning the incessant banditry attacks in Laikipia County, the Committee undertook a fact-finding mission to Laikipia County which was undertaken on 13th September, 2021.

The Chairperson reported that during the visit, the Committee held three meetings in Matuiku Shopping Centre, Wangwachi Anti-Stock Theft Camp and Olomoran Shopping Centre. At the meetings, the Committee established that the Kuki Gallman Conservancy was one of the identified dens of bandits who had been harassing and attacking the residents of Laikipia. The residents thereby recommended to the Committee that the Conservancy be taken up by the Government and be placed under the management of the Kenya Wildlife Services. The Committee also observed that learning institutions in the three locations had not resumed, thereby affecting education for children in the areas.

The Chairperson also reported that the Committee established that while there were National Police Reservists engaged by the Government, there was need to recruit more police officers to improve surveillance and facilitate prompt responses during attacks and raids in the county.

The Chairperson informed the Senate that there was cessation of hostility owing to the fact that the National Government had intervened and intensified security operations in the county. However, the residents requested that the intensified operation be sustained with better coordination from the national command center.

The Chairperson submitted that the Standing Committee would pursue the matter and hold another meeting with stakeholders in order to find a lasting solution to the security situation in Laikipia County and to table a comprehensive report thereon.

7. **MOTION-ADOPTION OF REPORT OF THE SESSIONAL COMMITTEE ON DELEGATED LEGISLATION ON THE PUBLIC FINANCE MANAGEMENT (EQUALIZATION FUND ADMINISTRATION) REGULATIONS, 2021 AND APPROVAL OF THE PUBLIC FINANCE MANAGEMENT (EQUALIZATION FUND ADMINISTRATION) REGULATIONS, 2021**

(The Chairperson, Sessional Committee on Delegated Legislation)

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Sessional Committee on Delegated Legislation on the Public Finance Management (Equalization Fund Administration) Regulations, 2021, Legal Notice No. 54 of 2021, laid on the Table

of the Senate on Tuesday, 28th September, 2021; and pursuant to Section 205 (4) of the Public Finance Management Act, **approves** the Public Finance Management (Equalization Fund Administration) Regulations, 2021, Legal Notice No. 54 of 2021.

(Resumption of debate interrupted on Wednesday, 29th September, 2021)
(Division)

Order deferred.

8. **THE DISASTER RISK MANAGEMENT BILL (SENATE BILLS NO. 14 OF 2021)**
(Sen. Mutula Kilonzo Jr, MP and Sen. Sakaja Johnson, MP)

Motion made and Question proposed;

THAT, the Disaster Risk Management Bill (Senate Bills No. 14 of 2021) be now read a Second time.

(Resumption of debate interrupted on Wednesday, 29th September, 2021)
(Division)

Order deferred.

9. **THE KENYA CITIZENSHIP AND IMMIGRATION (AMENDMENT) BILL (SENATE BILLS NO. 33 OF 2021)**
(Sen. Irungu Kang'ata, MP)

Motion made and Question proposed;

THAT, the Kenya Citizenship and Immigration (Amendment) Bill (Senate Bills No. 33 of 2021) be now read a Second time.

(Resumption of debate interrupted on Thursday, 30th September, 2021)
(Division)

Order deferred.

10. **THE LAW OF SUCCESSION (AMENDMENT) BILL (SENATE BILLS NO. 15 OF 2021)**
(Sen. Abshiro Halake, MP)

Motion made and Question proposed;

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

(Resumption of debate interrupted on Tuesday, 5th October, 2021)
(Division)

Order deferred.

11. **THE PUBLIC PRIVATE PARTNERSHIPS BILL (NATIONAL ASSEMBLY BILLS NO. 6 OF 2021)**

(The Senate Majority Leader)

Motion made and Question proposed;

THAT, the Public Private Partnerships Bill (National Assembly Bills No. 6 of 2021) be now read a Second time.

***(Resumption of debate interrupted on Tuesday, 5th October, 2021)
(Division)***

Order deferred.

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

Order read;

Motion made and Question proposed;

THAT, the Health (Amendment) Bill (Senate Bills No. 26 of 2020) be now read a Second time.

(Sen. (Dr.) Ali Abdullahi, MP – 05/10/2021)

Debate interrupted on Tuesday, 5th October, 2021 resumed;

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

13. **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, October 07, 2021 at 2.30 p.m.*