



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – (FIFTH SESSION)**

**VOTES AND PROCEEDINGS**

**THURSDAY, DECEMBER 02, 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. John Kinyua Nderitu, MP).
3. **COMMUNICATION FROM THE CHAIR ON APPEARANCES BY CABINET SECRETARIES BEFORE SELECT COMMITTEES OF THE SENATE**

The Speaker conveyed the following Communication from the Chair: -

“Honourable Senators,

You will recall that at the Sitting of the Senate yesterday, Wednesday, 17<sup>th</sup> November, 2021, the Senate Minority Whip, Sen. Mutula Kilonzo Junior, CBS, MP, while contributing to the Report of the Standing Committee on Devolution and Intergovernmental Relations on a Petition to the Senate concerning boundary dispute between Kisumu, Siaya and Vihiga counties around Maseno area, brought to the attention of the Senate, that the Cabinet Secretary for Interior and Co-ordination of National Government and the Cabinet Secretary for Lands and Physical Planning, were scheduled to hold a meeting with the Standing Committee on Justice, Legal Affairs and Human Rights and the Standing Committee on National Security, Defence and Foreign Relations on another matter.

The Senator informed the House that the said Cabinet Secretaries did not appear before the Committees, and instead, sent officers from the Ministries. The officers were however not given audience by the Committees. The Senate Minority Whip expressed concern that the work of Standing Committees was being stifled by concerned Cabinet Secretaries, who upon being invited to meetings, send junior officers to meetings of Committees of the Senate.

The Senate Minority Whip was supported by a point of order raised by the Senate Minority Leader, Sen. James Orengo, EGH, SC, MP, concerning non-appearance by Cabinet Secretaries before Committees of the Senate. In the point of order, the Senate Minority Leader expressed concern about the growing trend of Cabinet Secretaries being represented by Chief Administrative Secretaries (CAS)

or junior officers from the National Executive. The Senate Minority Leader argued that the Constitutional responsibility for accountability is placed on the Cabinet Secretary, and not CASs and Principal Secretaries, and therefore, only Cabinet Secretaries should appear before Committees of the Senate.

The Point of Order by the Senate Minority Leader was supported by the Senator for Nairobi City County, Sen. Johnson Sakaja, CBS, MP; the Senator for Nyeri County, Sen. (Eng.) Ephraim Maina, EBS, MP; the Senator for Mandera County Sen. (Eng.) Mohamed Mahamud, CBS, MP; the Senator for Bungoma County, Sen. Moses Wetang'ula, EGH, MP; the Senator for Narok County, Sen. Ledama Olekina, MP; and the Senator for Kericho County, Sen. Aaron Cheruiyot, MP; who in their submissions, expressed the need for the Senate to assert its Constitutional authority of oversight.

I therefore undertook to give a way forward on the matter and in so doing, I took into consideration the views by Senators and the existing Constitutional and legal framework.

Honourable Senators,

This is obviously a very serious matter that needs to be handled with caution, respecting the complementarity between the different arms of government. On 18<sup>th</sup> March 2019, the Senate Liaison Committee held a meeting with the National Implementation and Coordination Cabinet Sub-Committee. The meeting was held on the premise that there was need for a monitoring framework for implementation of Resolutions of the Senate, and Acts of Parliament. At the meeting, it was resolved *inter-alia* that, whenever a Committee of the Senate requires submissions or appearance from a Ministry, the person to make such submissions or appearance before the Committee would be the Cabinet Secretary.

Cabinet Secretaries are invited to meetings of Parliamentary Committees by dint of Article 153 of the Constitution. Article 153(3) provides that “A *Cabinet Secretary shall attend before a committee of the National Assembly, or the Senate, when required by the committee, and answer any question concerning a matter for which the Cabinet Secretary is responsible*”. Further, Article 153 (4) requires a Cabinet Secretary to “*act in accordance with the Constitution*” and “*provide Parliament with full and regular reports concerning matters under their control*”.

Additionally, it is important to note that the power of the Senate and, indeed, of Parliament, to require the attendance of any person, is a constitutional requirement. Article 125 (1) of the Constitution gives power to committees of Parliament to summon any person to appear before it for the purpose of giving evidence or providing information. Article 125 (2) of the Constitution states -

*“For purposes of clause (1), a House of Parliament or any of its Committees has the same power as the High Court –*

- a) To enforce the attendance of witnesses and examine them on oath, affirmation or otherwise;*
- b) To compel the production of documents; and*
- c) To issue a commission or request to examine witnesses abroad.”*

Honourable Senators,

Articles 125 and 153 of the Constitution are couched in mandatory terms, and vests direct constitutional obligation on a Cabinet Secretary with respect to Parliamentary Oversight. Appearance before the Senate and its Committees is therefore, not optional, and may not be pegged on fulfillment of any pre-condition set by anyone. My understanding of this obligation is that a Cabinet Secretary has limited latitude to delegate that responsibility to another officer of the Executive.

Section 18 of the Parliamentary Powers and Privileges Act gives effect to implementation of Article 125 of the Constitution. In the event that summonses issued pursuant to this Section are not honored, the recourse by Parliament is found under Section 19 of the Act which provide that –

- i. Where a witness summoned does not appear, or appears but fails to satisfy the relevant House of Parliament or committee, the relevant House or Committee may impose upon the witness such fine, not exceeding five hundred thousand shillings, having regard to the witness' condition in life and all the circumstances of the case.*
- ii. A person may pay the fine under subsection (1) to the Clerk of the relevant House.*
- iii. Parliament or its committee may order the arrest of a person who fails to honour a summons.*

The meeting between the Liaison Committee and the National Implementation and Coordination Cabinet Sub-Committee, held on 18<sup>th</sup> March, 2019, was convened to avoid implementation of the above provisions of Section 19 of the Parliamentary Powers and Privileges Act. However, the concerns raised by Senators in the Point of Order raised by the Senate Minority Leader gives indication of a departure from the agreements reached at this meeting.

Honourable Senators,

In the circumstances, and on account of Articles 125 and 153 of the Constitution, and Section 18 of the Parliamentary Powers and Privileges Act, the position taken by some Cabinet Secretaries not to appear before Committees of the Senate is ill advised and contrary to their Constitutional requirement for oversight by Parliament. Consequently, I pronounce that Cabinet Secretaries must adhere to Article 153(3) and (4) of the Constitution and must thus appear before committees and provide the necessary documents, whenever invited to do so.

I thank you!"

4. **MESSAGE FROM THE NATIONAL ASSEMBLY ON THE APPROVAL, BY THE NATIONAL ASSEMBLY, OF THE SENATE AMENDMENTS TO THE PUBLIC PRIVATE PARTNERSHIPS BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2021)**

The Speaker conveyed the following Message from the National Assembly –

“Honourable Senators,

I wish to report to the Senate that, pursuant to Standing Order 41 (3), I have received the following Message from the Speaker of the National Assembly regarding the approval by the National Assembly of the Public Private Partnerships Bill (National Assembly Bill No. 6 of 2021).

Pursuant to the said Standing Order, I now report the Message-

*“PURSUANT to the provisions of Standing Order 41(1) of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –*

*WHEREAS the Public Private Partnerships Bill (National Assembly Bill No. 6 of 2021), having been passed by the National Assembly with amendments on 30<sup>th</sup> June, 2021 was forwarded to the Senate;*

*AND WHEREAS, the Senate also considered and passed the Bill with amendments on Thursday, 21<sup>st</sup> October, 2021 and sought National Assembly’s concurrence on the amendments in accordance with the provisions of Article 112(1)(b) of the Constitution;*

*AND FURTHER WHEREAS, the National Assembly having considered the amendments, concurred with the Senate on Tuesday, 23<sup>rd</sup> November, 2021;*

*NOW THEREFORE, the Bill having concluded the bicameral passage in the Houses, I will present the Bill to H.E. the President for Assent in accordance with the provisions of Article 112 of the Constitution.”*

Honourable Senators,

As communicated in the Message, the Speaker of the National Assembly is currently processing the Bill for Assent.

I thank you!”

## 5. PETITIONS

- i) Pursuant to Standing Order 232(2), the Chairperson, Standing Committee on Labour and Social Welfare, tabled before the Senate the report of the Standing Committee on a Petition to the Senate by former employees at the Kenya United Steel Company (KUSCO) regarding the plight of the former employees.

Pursuant to Standing Order 232, the Temporary Speaker (Sen. John Kinyua Nderitu, MP), invited Senators to comment on the Petition.

- ii) Pursuant to Standing Order 232(2), the Chairperson, Standing Committee on Labour and Social Welfare, tabled before the Senate the report of the Standing Committee on a Petition to the Senate by Mr. Isaac Nyakeriga concerning non-payment and failure by the County Government to confirm his appointment.

Pursuant to Standing Order 232, the Temporary Speaker (Sen. John Kinyua Nderitu, MP), invited Senators to comment on the Petition.

- iii) Pursuant to Standing Order 232(2), the Chairperson, Standing Committee on Labour and Social Welfare, tabled before the Senate the report of the Standing Committee on a Petition to the Senate by Mr. Daniel Matendechere concerning unfair dismissal and lack of compensation by Broadway Bakery Limited.

Pursuant to Standing Order 232, the Temporary Speaker (Sen. John Kinyua Nderitu, MP), invited Senators to comment on the Petition.

- iv) Pursuant to Standing Order 232(2), the Chairperson, Standing Committee on Energy, presented to the Senate the report of the Standing Committee on a Petition to the Senate by residents of Thange area in Makueni County, concerning the Kenya Pipeline Oil spillage into River Thange.

Pursuant to Standing Order 232, the Temporary Speaker (Sen. John Kinyua Nderitu, MP), invited Senators to comment on the Petition.

## 6. **PAPERS**

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

- i. Report of the Auditor General on the Financial Statements of Siaya County Executive for the year ended 30<sup>th</sup> June 2020.
- ii. Report of the Auditor General on the Financial Statements of Siaya County Assembly for the year ended 30<sup>th</sup> June 2020.
- iii. Report of the Auditor General on the Financial Statements of Kirinyaga County Executive for the year ended 30<sup>th</sup> June 2020.
- iv. Report of the Auditor General on the Financial Statements of Kirinyaga County Assembly for the year ended 30<sup>th</sup> June 2020.
- v. Report of the Auditor General on the Financial Statements of Kericho County Executive for the year ended 30<sup>th</sup> June 2020.
- vi. Report of the Auditor General on the Financial Statements of Nyamira County Executive for the year ended 30<sup>th</sup> June 2020.
- vii. Report of the Auditor General on the Financial Statements of Nyamira County Assembly for the year ended 30<sup>th</sup> June 2020.
- viii. Report of the Auditor General on the Financial Statements of Isiolo County Executive for the year ended 30<sup>th</sup> June 2020.

- ix. Report of the Auditor General on the Financial Statements of Isiolo County Assembly for the year ended 30<sup>th</sup> June 2020.
- x. Report of the Auditor General on the Financial Statements of Narok County Executive for the year ended 30<sup>th</sup> June 2020.
- xi. Report of the Auditor General on the Financial Statements of Marsabit County Emergency Fund for the year ended 30<sup>th</sup> June 2019.
- xii. Report of the Auditor General on the Financial Statements of Meru Water and Sewerage Services Registered Trustees for the year ended 30<sup>th</sup> June 2019.
- xiii. Report of the Auditor General on the Financial Statements of Malindi Water and Sewerage Company Limited for the year ended 30<sup>th</sup> June 2019.
- xiv. Report of the Auditor General on the Financial Statements of Kyeni Water and Sewerage Company Limited for the year ended 30<sup>th</sup> June 2019.
- xv. Report of the Auditor General on the Financial Statements of Wajir County Executive for the year ended 30<sup>th</sup> June 2020.
- xvi. Report of the Auditor General on the Financial Statements of Wajir County Assembly for the year ended 30<sup>th</sup> June 2020.
- xvii. Report of the Auditor General on the Financial Statements of Busia County Assembly for the year ended 30<sup>th</sup> June 2020.
- xviii. Report of the Auditor General on the Financial Statements of Busia County Executive for the year ended 30<sup>th</sup> June 2020.
- xix. Report of the Auditor General on the Financial Statements of Laikipia County Bursary Fund for the year ended 30<sup>th</sup> June 2019.
- xx. Report of the Auditor General on the Financial Statements of Migori County Ward Development Fund for the year ended 30<sup>th</sup> June 2019.
- xxi. Report of the Auditor General on the Financial Statements of Garissa County Revolving Fund for the year ended 30<sup>th</sup> June 2019.
- xxii. Report of the Auditor General on the Financial Statements of Kisumu County Trade Fund for the year ended 30<sup>th</sup> June 2019.
- xxiii. Report of the Auditor General on the Financial Statements of Nandi County Executive Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June 2019.
- xxiv. Report of the Auditor General on the Financial Statements of Siaya County Assembly Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June 2019.

- xxv. Report of the Auditor General on the Financial Statements of Kiambu County Emergency Fund for the year ended 30<sup>th</sup> June 2019.
- xxvi. Report of the Auditor General on the Financial Statements of Uasin Gishu County Executive Mortgage and Car Loans Scheme Fund for the year ended 30<sup>th</sup> June 2019.
- xxvii. Report of the Auditor General on the Financial Statements of Bomet Water Company Limited for the year ended 30<sup>th</sup> June 2019.
- xxviii. Annual Report on the State of the Judiciary and Administration of Justice for 2020/2021.
- xxix. Statement on the Business of the Senate for the week commencing Tuesday, 8<sup>th</sup> February, 2022.

*(The Senate Majority Leader)*

- xxx. The Fourth Progress Report of the Standing Committee on Health on the Covid-19 pandemic situation and the implementation of the Nationwide COVID-19 vaccine deployment.
- xxxi. Report of the Standing Committee on Health on the National Health Insurance Fund (Amendment) Bill (National Assembly Bills No. 21 of 2021).

*(The Chairperson, Standing Committee on Health)*

- xxxii. The Report of the Standing Committee on Finance and Budget on the approval of the Senate Nominee to the Equalization Fund Advisory Board.

*(Sen. Millicent Omanga, MP on behalf of the Chairperson, Standing Committee on Finance and Budget)*

- xxxiii. Report of the Sessional Committee on County Public Accounts and Investments on consideration of the Reports by the Auditor General on the Financial Statements of the Kericho; Kilifi; Kirinyaga; Kisii; Kwale; Machakos; Mombasa; Nandi; Baringo; Bomet; Garissa; Kajiado; and West Pokot as contained in Volume 1 of the Report and the following County Executives- Isiolo; Kakamega; Kisumu; Laikipia; Mandera; Marsabit; Nakuru; Narok; Nyandarua; Samburu; Taita Taveta; Trans-Nzoia; Uasin-Gishu; Vihiga; and Wajir County Executives respectively, for the Financial Year 2018/2019, as contained in Volume 2 of the Report.

*(Vice – Chairperson, Sessional Committee on County Public Accounts and Investments)*

- xxxiv. Report of the Standing Committee on Labour and Social Welfare on the construction of the new Dandora Stadium.

- xxxv. Report of the Standing Committee on Labour and Social Welfare on a Petition to the Senate by former employees at the Kenya United Steel Company (KUSCO) regarding the plight of the former employees.
- xxxvi. Report of the Standing Committee on Labour and Social Welfare on a Petition to the Senate by Mr. Isaac Nyakeriga concerning non-payment and failure by the County Government to confirm his appointment.
- xxxvii. Report of the Standing Committee on Labour and Social Welfare on a Petition to the Senate by Mr. Daniel Matendechere concerning unfair dismissal and lack of compensation by Broadway Bakery Limited.

*(The Chairperson, Standing Committee on Labour and Social Welfare)*

- xxxviii. Report of the Standing Committee on Labour and Social Welfare on a Petition to the Senate by residents of Thange area in Makueni County, concerning the Kenya Pipeline Oil spillage into River Thange.

*(The Chairperson, Standing Committee on Energy)*

7. **NOTICE OF MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE APPROVAL OF THE SENATE NOMINEE TO THE EQUALIZATION FUND ADVISORY BOARD**

(Sen. Millicent Omanga, MP on behalf of the Chairperson, Standing Committee on Finance and Budget)

**THAT**, the Senate adopts the Report of the Standing Committee on Finance and Budget on the approval of the Senate Nominee to the Equalization Fund Advisory Board laid on the Table of the Senate on, Thursday, 2<sup>nd</sup> December, 2021; and that pursuant to Standing Order 72 (c)(iii) of the Senate Standing Orders and paragraph 4(1)(e) of the Public Finance Management (Equalization Fund Administration) Regulations, 2021, approves Mr. Victor Ochieng' Odanga for appointment to the Equalization Fund Advisory Board.

8. **NOTICE OF MOTION - ADOPTION OF THE FOURTH PROGRESS REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE COVID-19 PANDEMIC SITUATION AND THE IMPLEMENTATION OF THE NATIONWIDE COVID-19 VACCINE DEPLOYMENT**

(The Chairperson, Standing Committee on Health)

**THAT**, the Senate adopts the Fourth Progress Report of the Standing Committee on Health on the Covid-19 pandemic situation and the implementation of the Nationwide Covid-19 vaccine deployment, laid on the Table of the Senate on Thursday, 2<sup>nd</sup> December, 2021.

9. **NOTICE OF MOTION - ADOPTION OF THE REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS ON CONSIDERATION OF THE REPORTS BY THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF VARIOUS COUNTY EXECUTIVES FOR THE FINANCIAL YEAR 2018/2019.**



(Vice - Chairperson, Sessional Committee on County Public Accounts and Investments)

**THAT**, the Senate adopts the Report of the Sessional Committee on County Public Accounts and Investments on consideration of the Reports by the Auditor General on the Financial Statements of the following County Executives for the Financial Year 2018/2019 - Embu; Homa-Bay; Kericho; Kilifi; Kirinyaga; Kisii; Kwale; Machakos; Mombasa; Nandi; Baringo; Bomet; Garissa; Kajiado; and West Pokot as contained in Volume 1 of the Report and the following County Executives- Isiolo; Kakamega; Kisumu; Laikipia; Mandera; Marsabit; Nakuru; Narok; Nyandarua; Samburu; Taita Taveta; Trans-Nzoia; Uasin- Gishu; Vihiga; and Wajir, as contained in Volume 2 of the Report, Laid on the Table of the Senate on Thursday 2<sup>nd</sup> December, 2021.

## 10. STATEMENTS

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

- i. The Senator for Laikipia County (Sen. John Kinyua Nderitu, MP) made a Statement regarding the insecurity situation in Laikipia County and the need to clear land around the Laikipia Nature Conservancy to aid visibility and enhance security operations in the County.

In the Statement, the Senator informed the Senate that Laikipia County has for months been embroiled in conflict caused by clashes between farmers and pastoralist groups/communities and attacks by bandits, leading to torching of houses and loss of lives at Ol Moran area of the County.

The Senator informed the Senate that on 6<sup>th</sup> September 2021, he made a Statement on the incessant banditry attacks on the residents of Laikipia County, where bandits had taken over the Ol Moran area and were visiting terror on innocent residents with impunity. The Senator stated that the Statement was referred to the Standing Committee on National Security, Defence and Foreign Relations pursuant to Standing Order 47(3).

The Senator said that as part of peace building efforts in the County, there have been consultations between area residents and the owners of the Laikipia Nature Conservancy to clear all the trees and bushes around the conservancy so as to aid visibility in flushing out the bandits. The clearance of about 500 meters around the conservancy will also aid the security operation in the area.

However, the Senator observed that the challenge now was that the Ministry of Environment and Forestry had outlawed the cutting of trees and subsequent charcoal burning in the area, which has made efforts to clear the bush around the conservancy difficult. The Senator concluded by calling upon the Ministry of Environment and Forestry to give special consideration and lift the ban temporarily so as to allow the clearance which will enhance security in the volatile area.

On the request of the Senator, the Speaker referred the Statement to the Standing Committee on Land, Environment and Natural Resources, Pursuant to Standing Order 47(1), for consideration.

- ii. Nominated Senator (Sen. (Dr.) Gertrude Musuruve, MP) made a Statement on an issue of general topical concern, namely; the International Day of Persons with Disabilities.

The Senator informed the Senate that, the world marks the International Day of Persons with Disabilities (PWDs) every 3<sup>rd</sup> December. The annual observance of this day was proclaimed in 1992 by the United Nations General Assembly Resolution 47/3, with an aim to increase awareness of the issues faced by persons with disabilities in every aspect of political, social, economic and cultural life.

The Senator commended the country for having made great strides in ensuring that PWDs wellbeing is addressed. She made particular reference to the introduction of Special Needs Education (SNE) at the Kenyatta University, initiated by the Government of Kenya and DANIDA, and highlighted that it was a game changer in ensuring that children with disabilities would take the academia path which was earlier restricted by societal negative perception on disability.

The Senator urged the Government and all governments globally to prioritize education of learners with disabilities by allocating more funds to (SNE) in order to cater for infrastructure, maintenance, learning materials and ensuring 100% transition of learners to secondary, tertiary and vocational education and university education.

**b) Pursuant to Standing Order 48 (1)**

- i. Nominated Senator (Sen. Beatrice Kwamboka, MP) sought a statement from the Standing Committee on National Security, Defence and Foreign Relations concerning the state of police stations in the Country.
- ii. Nominated Senator (Sen. Beatrice Kwamboka, MP) sought a statement from the Standing Committee on National Security, Defence and Foreign Relations concerning the status of an inquest into the murder of Ms. Agnes Wanjiru allegedly by a British army officer, in Nanyuki, Laikipia County, following her disappearance in March, 2012.
- iii. Nominated Senator (Sen. Abshiro Halake, MP) sought a statement from the Standing Committee on Education regarding the discontinuation of the school feeding programme in Isiolo County.
- iv. The Senator for Nyandarua County (Sen. Paul Githiomi, MP) sought a statement from the Standing Committee on Land, Environment and Natural Resources on the rampant destruction of food crops by elephants in Kiriita Ward, Ndaragwa Constituency, Nyandarua County.

- v. The Senator for Nyandarua County (Sen. Paul Githiomi, MP) sought a statement from the Standing Committee on Land, Environment and Natural Resources on the delay in issuance of title deeds to the members of *Gwa Kung'u* Self-help Group in Ndaragwa Constituency, Nyandarua County.

**c) Pursuant to Standing Order 52(1)**

The Senate Majority Leader issued a Statement on the Business of the Senate for the week commencing Tuesday, 8<sup>th</sup> February, 2022.

**11. THE COUNTY E-HEALTH BILL (SENATE BILLS NO. 39 OF 2021)**

(Sen. Judith Pareno, MP)

Order for First Reading read;

Bill read a First Time and committed to the Standing Committee on Health.

**12. THE EMPLOYMENT (AMENDMENT) BILL (SENATE BILLS NO. 54 OF 2021)**

(Sen. Samson Cherarkey, MP)

Order for First Reading read;

Bill read a First Time and committed to the Standing Committee on Labour and Social Welfare.

**13. MOTION – ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE APPROVAL OF THE SENATE NOMINEE TO THE EQUALIZATION FUND ADVISORY BOARD**

Order read;

Motion made and Question proposed:

**THAT**, the Senate **adopts** the Report of the Standing Committee on Finance and Budget on the approval of the Senate Nominee to the Equalization Fund Advisory Board laid on the Table of the Senate on Thursday, 2<sup>nd</sup> December, 2021; and that pursuant to Standing Order 72 (c)(iii) of the Senate Standing Orders and paragraph 4(1)(e) of the Public Finance Management (Equalization Fund Administration) Regulations, 2021, **approves** Mr. Victor Ochieng' Odanga, for appointment to the Equalization Fund Advisory Board.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Finance and Budget)*

Debate arising;

There being no other Senator wishing to contribute;

The Mover replied;

Pursuant to Standing Order 79 (1), the Speaker ruled that the Motion affects counties and that voting will be by delegations;

The House proceeded to a Division;

Thereupon, the Speaker, directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Speaker directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Millicent Omanga, MP – AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES - 35**

**NOES - 0**

**ABSTENTION - 1**

**AYES**

1. Sen. Adan Dullo Fatuma – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Chebeni Mercy – voted virtually on behalf of the Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George - voted virtually
11. Sen. Kibiru Charles Reubenson - voted virtually
12. Sen. Kihika Susan Wakarura
13. Sen. Kimani Wamatangi Paul
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Madzayo Stewart Mwachiru – voted virtually
17. Sen. Malalah Cleophas Wakhungu – voted virtually
18. Sen. Mbito Michael Maling’a
19. Sen. Seneta Mary Yiane – voted virtually on behalf of the Kajiado County Delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Muthama Agnes Kavindu – voted virtually
22. Sen. Mutula Kilonzo Junior – voted virtually

23. Sen. Mwangi Paul Githiomi
24. Sen. Mwaruma Johnes Mwashushe – voted virtually
25. Sen. Mwinyihaji Mohamed Faki- voted virtually
26. Sen. Nderitu John Kinyua – voted virtually
27. Sen. Ndwigwa Peter Njeru – voted virtually
28. Sen. Olekina Ledama
29. Sen. Ongeri Samson Kegengo – voted virtually
30. Sen. Orengo James – voted virtually
31. Sen. Outa Fredrick Otieno - voted virtually
32. Sen. Poghisio Samuel Losuron
33. Sen. Sakaja Johnson Arthur
34. Sen. Wako Sitswila Amos – voted virtually
35. Sen. Wambua Enoch Kiio

**ABSTENTION**

Sen. Linturi Franklin Mithika

Question agreed to.

**RESOLVED ACCORDINGLY**

**THAT**, the Senate **adopts** the Report of the Standing Committee on Finance and Budget on the approval of the Senate Nominee to the Equalization Fund Advisory Board laid on the Table of the Senate on Thursday, 2<sup>nd</sup> December, 2021; and that pursuant to Standing Order 72 (c)(iii) of the Senate Standing Orders and paragraph 4(1)(e) of the Public Finance Management (Equalization Fund Administration) Regulations, 2021, **approves** Mr. Victor Ochieng’ Odanga, for appointment to the Equalization Fund Advisory Board.

14. **THE NATIONAL HEALTH INSURANCE FUND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 21 OF 2021)**

Order Read;

Motion made and Question proposed;

THAT, the National Health Insurance Fund (Amendment) Bill (National Assembly Bills No. 21 of 2021) be now read a Second Time.

*(The Senate Majority Leader – 02.12.2021 – Morning Sitting)*

Debate interrupted on Tuesday 2<sup>nd</sup> December, 2021 (Morning Sitting) resumed;

There being no Senator wishing to contribute;

The Mover replied;

The House proceeded to a Division;

The Speaker, directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Speaker directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Millicent Omanga, MP – AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES - 36**

**NOES - 0**

**ABSTENTION - 0**

**AYES**

1. Sen. Adan Dullo Fatuma – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Chebeni Mercy – voted virtually on behalf of the Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George - voted virtually
11. Sen. Kibiru Charles Reubenson - voted virtually
12. Sen. Kihika Susan Wakarura
13. Sen. Kimani Wamatangi Paul
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Linturi Franklin Mithika
17. Sen. Madzayo Stewart Mwachiru – voted virtually
18. Sen. Malalah Cleophas Wakhungu – voted virtually
19. Sen. Mbito Michael Maling’a
20. Sen. Seneta Mary Yiane – voted virtually on behalf of the Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Muthama Agnes Kavindu – voted virtually
23. Sen. Mutula Kilonzo Junior – voted virtually
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwaruma Johnes Mwashushe – voted virtually
26. Sen. Mwinyihaji Mohamed Faki- voted virtually
27. Sen. Nderitu John Kinyua – voted virtually
28. Sen. Ndwiga Peter Njeru – voted virtually

29. Sen. Olekina Ledama
30. Sen. Onger Samson Kegengo – voted virtually
31. Sen. Orengo James – voted virtually
32. Sen. Outa Fredrick Otieno - voted virtually
33. Sen. Poghio Samuel Losuron
34. Sen. Sakaja Johnson Arthur
35. Sen. Wako Sitswila Amos – voted virtually
36. Sen. Wambua Enoch Kiio

Question agreed to.

Bill read a Second Time and committed to the Committee of the Whole today.

15. **THE HERITAGE AND MUSEUMS BILL (SENATE BILLS NO. 22 OF 2021)**

Order Read;

Motion made and Question proposed;

THAT, the Heritage and Museums Bill (Senate Bills No. 22 of 2021) be now read a Second Time.

*(Sen. (Dr.) Alice Milgo, MP – 12.10.2021)*

Debate interrupted on Tuesday 2<sup>nd</sup> November, 2021, resumed on a Division;

The Speaker, directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Speaker directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Millicent Omanga, MP – AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES - 36**

**NOES - 0**

**ABSTENTION - 0**

**AYES**

1. Sen. Adan Dullo Fatuma – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Cherarkey Samson Kiprotich

5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Chebeni Mercy – voted virtually on behalf of the Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George - voted virtually
11. Sen. Kibiru Charles Reubenson - voted virtually
12. Sen. Kihika Susan Wakarura
13. Sen. Kimani Wamatangi Paul
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Linturi Franklin Mithika
17. Sen. Madzayo Stewart Mwachiru – voted virtually
18. Sen. Malalah Cleophas Wakhungu – voted virtually
19. Sen. Mbiti Michael Maling’a
20. Sen. Seneta Mary Yiane – voted virtually on behalf of the Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Muthama Agnes Kavindu – voted virtually
23. Sen. Mutula Kilonzo Junior – voted virtually
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwaruma Johnes Mwashushe – voted virtually
26. Sen. Mwinyihaji Mohamed Faki- voted virtually
27. Sen. Nderitu John Kinyua – voted virtually
28. Sen. Ndwiga Peter Njeru – voted virtually
29. Sen. Olekina Ledama
30. Sen. Ongeru Samson Kegengo – voted virtually
31. Sen. Orengo James – voted virtually
32. Sen. Outa Fredrick Otieno - voted virtually
33. Sen. Poghisio Samuel Losuron
34. Sen. Sakaja Johnson Arthur
35. Sen. Wako Sitswila Amos – voted virtually
36. Sen. Wambua Enoch Kiio

Question agreed to.

Bill read a Second Time and committed to the Committee of the Whole tomorrow.

16. **THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL (SENATE BILLS NO. 17 OF 2021)**

Order Read;

Motion made and Question proposed;

THAT, the County Oversight and Accountability Bill (Senate Bills No. 17 of 2021) be now read a Second Time.

*(Sen. Ledama Olekina, MP – 02.11.2021)*



Debate interrupted on Tuesday 2<sup>nd</sup> November, 2021, resumed on a Division;

The Speaker, directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Speaker directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Millicent Omanga, MP – AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES - 36**

**NOES - 0**

**ABSTENTION - 0**

**AYES**

1. Sen. Adan Dullo Fatuma – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Chebeni Mercy – voted virtually on behalf of the Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George - voted virtually
11. Sen. Kibiru Charles Reubenson - voted virtually
12. Sen. Kihika Susan Wakarura
13. Sen. Kimani Wamatangi Paul
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Linturi Franklin Mithika
17. Sen. Madzayo Stewart Mwachiru – voted virtually
18. Sen. Malalah Cleophas Wakhungu – voted virtually
19. Sen. Mbito Michael Maling’a
20. Sen. Seneta Mary Yiane – voted virtually on behalf of the Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Muthama Agnes Kavindu – voted virtually
23. Sen. Mutula Kilonzo Junior – voted virtually
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwaruma Johnes Mwashushe – voted virtually
26. Sen. Mwinyihaji Mohamed Faki- voted virtually

- 27. Sen. Nderitu John Kinyua – voted virtually
- 28. Sen. Ndwiga Peter Njeru – voted virtually
- 29. Sen. Olekina Ledama
- 30. Sen. Ongeru Samson Kegengo – voted virtually
- 31. Sen. Orenge James – voted virtually
- 32. Sen. Outa Fredrick Otieno - voted virtually
- 33. Sen. Poghio Samuel Losuron
- 34. Sen. Sakaja Johnson Arthur
- 35. Sen. Wako Sitwila Amos – voted virtually
- 36. Sen. Wambua Enoch Kiio

Question agreed to.

Bill read a Second Time and committed to the Committee of the Whole tomorrow.

17. **THE INTERGOVERNMENTAL RELATIONS (AMENDMENT) BILL, (SENATE BILLS NO. 37 OF 2021)**

Order Read;

Motion made and Question proposed;

THAT, the Intergovernmental Relations (Amendment) Bill, (Senate Bills No. 37 of 2021) be now read a Second Time.

*(The Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 04.11.2021)*

Debate interrupted on Thursday, 4<sup>th</sup> November, 2021, resumed on a Division;

The Speaker, directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Speaker directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

- 1. Sen. Millicent Omanga, MP – AYES
- 2. Sen. Beatrice Kwamboka, MP - NOES

The Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES - 36**

**NOES - 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Adan Dullo Fatuma – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Chebeni Mercy – voted virtually on behalf of the Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George - voted virtually
11. Sen. Kibiru Charles Reubenson - voted virtually
12. Sen. Kihika Susan Wakarura
13. Sen. Kimani Wamatangi Paul
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Linturi Franklin Mithika
17. Sen. Madzayo Stewart Mwachiru – voted virtually
18. Sen. Malalah Cleophas Wakhungu – voted virtually
19. Sen. Mbito Michael Maling’a
20. Sen. Seneta Mary Yiane – voted virtually on behalf of the Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Muthama Agnes Kavindu – voted virtually
23. Sen. Mutula Kilonzo Junior – voted virtually
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwaruma Johnes Mwashushe – voted virtually
26. Sen. Mwinyihaji Mohamed Faki- voted virtually
27. Sen. Nderitu John Kinyua – voted virtually
28. Sen. Ndwiga Peter Njeru – voted virtually
29. Sen. Olekina Ledama
30. Sen. Ongeri Samson Kegengo – voted virtually
31. Sen. Orengo James – voted virtually
32. Sen. Outa Fredrick Otieno - voted virtually
33. Sen. Poghisio Samuel Losuron
34. Sen. Sakaja Johnson Arthur
35. Sen. Wako Sitswila Amos – voted virtually
36. Sen. Wambua Enoch Kiio

Question agreed to.

Bill read a Second Time and committed to the Committee of the Whole tomorrow.

18. **THE COUNTY GOVERNMENTS (AMENDMENT) BILL, (SENATE BILLS NO. 38 OF 2021)**

Order Read;

Motion made and Question proposed;

THAT, the County Governments (Amendment) Bill, (Senate Bills No. 38 of 2021) be now read a Second Time.

*(Sen. Moses Kajwang', MP – 16.11.2021)*

Debate interrupted on Tuesday 16<sup>th</sup> November, 2021, resumed on a Division;

The Speaker, directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Speaker directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Millicent Omanga, MP – AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES - 36**

**NOES - 0**

**ABSTENTION - 0**

**AYES**

1. Sen. Adan Dullo Fatuma – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Chebeni Mercy – voted virtually on behalf of the Uasin Gishu County Delegation
9. Sen. Kang'ata Irungu – voted virtually
10. Sen. Khaniri George - voted virtually
11. Sen. Kibiru Charles Reubenson - voted virtually
12. Sen. Kihika Susan Wakarura
13. Sen. Kimani Wamatangi Paul
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Linturi Franklin Mithika
17. Sen. Madzayo Stewart Mwachiru – voted virtually
18. Sen. Malalah Cleophas Wakhungu – voted virtually
19. Sen. Mbiti Michael Maling'a
20. Sen. Seneta Mary Yiane – voted virtually on behalf of the Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba

22. Sen. Muthama Agnes Kavindu – voted virtually
23. Sen. Mutula Kilonzo Junior – voted virtually
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwaruma Johnes Mwashushe – voted virtually
26. Sen. Mwinyihaji Mohamed Faki- voted virtually
27. Sen. Nderitu John Kinyua – voted virtually
28. Sen. Ndwiga Peter Njeru – voted virtually
29. Sen. Olekina Ledama
30. Sen. Ongeri Samson Kegengo – voted virtually
31. Sen. Orengo James – voted virtually
32. Sen. Outa Fredrick Otieno - voted virtually
33. Sen. Poghisio Samuel Losuron
34. Sen. Sakaja Johnson Arthur
35. Sen. Wako Sitswila Amos – voted virtually
36. Sen. Wambua Enoch Kiio

Question agreed to.

Bill read a Second Time and committed to the Committee of the Whole tomorrow.

19. **THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 9 OF 2021)**

Order Read;

Motion made and Question proposed;

THAT, the County Hall of Fame Bill (Senate Bills No. 9 of 2021) be now read a Second Time.

*(Sen. Kipchumba Murkomen, MP – 18.11.2021)*

Debate interrupted on Thursday, 18<sup>th</sup> November, 2021, resumed on a Division;

The Speaker, directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Speaker directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Millicent Omanga, MP – AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES - 36****NOES - 0****ABSTENTION - 0****AYES**

1. Sen. Adan Dullo Fatuma – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Boy Issa Juma- voted virtually
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Chebeni Mercy – voted virtually on behalf of the Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George - voted virtually
11. Sen. Kibiru Charles Reubenson - voted virtually
12. Sen. Kihika Susan Wakarura
13. Sen. Kimani Wamatangi Paul
14. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
15. Sen. Lelegwe Ltumbesi – voted virtually
16. Sen. Linturi Franklin Mithika
17. Sen. Madzayo Stewart Mwachiru – voted virtually
18. Sen. Malalah Cleophas Wakhungu – voted virtually
19. Sen. Mbiti Michael Maling’a
20. Sen. Seneta Mary Yiane – voted virtually on behalf of the Kajiado County Delegation
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Muthama Agnes Kavindu – voted virtually
23. Sen. Mutula Kilonzo Junior – voted virtually
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwaruma Johnes Mwashushe – voted virtually
26. Sen. Mwinyihaji Mohamed Faki- voted virtually
27. Sen. Nderitu John Kinyua – voted virtually
28. Sen. Ndwiga Peter Njeru – voted virtually
29. Sen. Olekina Ledama
30. Sen. Ongeru Samson Kegengo – voted virtually
31. Sen. Orengo James – voted virtually
32. Sen. Outa Fredrick Otieno - voted virtually
33. Sen. Poghisio Samuel Losuron
34. Sen. Sakaja Johnson Arthur
35. Sen. Wako Sitswila Amos – voted virtually
36. Sen. Wambua Enoch Kiio

Question agreed to.

Bill read a Second Time and committed to the Committee of the Whole tomorrow.

**20. PROCEDURAL MOTION – EXTENSION OF SITTING TIME**

Motion made and Question proposed;

THAT, pursuant to 31(3) (a), the Senate resolves to extend its sitting time on Thursday, 2<sup>nd</sup> December, 2021, until conclusion of business appearing on the Order Paper.

*(Sen. Ledama Olekina, MP)*

There being no Senator wishing to contribute;

Before the Question was put, the Speaker, pursuant to Standing Order 79(1), ruled that the Motion does not affect counties.

Question put and agreed to.

**RESOLVED ACCORDINGLY**

**THAT**, pursuant to 31(3)(a), the Senate resolves to extend its sitting time on Thursday, 2<sup>nd</sup> December, 2021, until conclusion of business appearing on the Order Paper.

21. **COMMITTEE OF THE WHOLE**

Order for Committee read;

**IN THE COMMITTEE**

(The Acting Chairperson of Committees (Sen. John Kinyua, MP) – in the Chair)

**The Natural Resources (Benefit Sharing) Bill (Senate Bills No. 25 of 2020)**

Clauses 3,4,5,6,7,8 and 9

Motion made and Question proposed;

THAT, Clauses 3, 4, 5, 6, 7, 8 and 9 be part of the Bill.

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

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES: 0**

**ABSTENTION: 0**

**AYES**

1. Sen. Adan, Dullo Fatuma – voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji, Abdul Mohamed – voted virtually
7. Sen. Hargura Godana – voted virtually
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kihika, Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Linturi, Franklin Mithika
14. Sen. Malalah, Cleophas Wakhungu
15. Sen. Mbito, Michael Maling’ a
16. Sen. Moi Gideon Kipsielei Towett – voted virtually
17. Sen. Seneta, Mary Yiane – voted virtually on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Nderitu John Kinyua
24. Sen. Ndwiga Peter Njeru – voted virtually
25. Sen. Olekina Ledama
26. Sen. Ongeri Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur – voted virtually
30. Sen. Wambua Enoch Kii
31. Sen. Wetang’ula Moses Masika – voted virtually

Clauses 3, 4, 5, 6, 7, 8 and 9 -

agreed to



Clause 10 – Amendment proposed

THAT clause 10 of the Bill be amended—

(a) by inserting the following new sub clause immediately after sub clause (2)—

(3A) The members of the County Benefit Sharing Committee elected under subsection (2)(d) shall serve for one single term of five years.

(b) In sub clause (4) by deleting the expression “(2)(c)” appearing immediately after the words “elected under subsection” and substituting therefor the expression “(2)(d)”.

*(The Chairperson, Standing Committee on Land, Environment and Natural Resources)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Adan, Dullo Fatuma – voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui

6. Sen. Haji, Abdul Mohamed – voted virtually
7. Sen. Hargura Godana – voted virtually
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kihika, Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Linturi, Franklin Mithika
14. Sen. Malalah, Cleophas Wakhungu
15. Sen. Mbito, Michael Maling'a
16. Sen. Moi Gideon Kipsielei Towett – voted virtually
17. Sen. Seneta, Mary Yiane – voted virtually on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Nderitu John Kinyua
24. Sen. Ndwiga Peter Njeru – voted virtually
25. Sen. Olekina Ledama
26. Sen. Ongeri Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur – voted virtually
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika – voted virtually

Clause 10 (as amended) - agreed to

Clause 11

Motion made and Question proposed;

THAT, Clause 11 be part of the Bill.

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

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Adan, Dullo Fatuma – voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji, Abdul Mohamed – voted virtually
7. Sen. Hargura Godana – voted virtually
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kihika, Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Linturi, Franklin Mithika
14. Sen. Malalah, Cleophas Wakhungu
15. Sen. Mbito, Michael Maling'a
16. Sen. Moi Gideon Kipsielei Towett – voted virtually
17. Sen. Seneta, Mary Yiane – voted virtually on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Nderitu John Kinyua
24. Sen. Ndwiga Peter Njeru – voted virtually
25. Sen. Olekina Ledama
26. Sen. Ongeri Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur – voted virtually
30. Sen. Wambua Enoch Kiio

31. Sen. Wetang'ula Moses Masika – voted virtually

Clause 11-            agreed to

Clause 12 -        Amendment proposed

THAT clause 12 of the Bill be amended in sub clause (2) by deleting the words “county and local community” appearing immediately after the word “Each”.

*(The Chairperson, Standing Committee on Land, Environment and Natural Resources)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Adan, Dullo Fatuma – voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji, Abdul Mohamed – voted virtually
7. Sen. Hargura Godana – voted virtually

8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kihika, Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Linturi, Franklin Mithika
14. Sen. Malalah, Cleophas Wakhungu
15. Sen. Mbito, Michael Maling’ a
16. Sen. Moi Gideon Kipsielei Towett – voted virtually
17. Sen. Seneta, Mary Yiane – voted virtually on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Nderitu John Kinyua
24. Sen. Ndwiga Peter Njeru – voted virtually
25. Sen. Olekina Ledama
26. Sen. Ongeri Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur – voted virtually
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika – voted virtually

Clause 12 (as amended) - agreed to

Clause 13- (Amendment proposed)

THAT clause 13 of the Bill be amended—

(a) in sub clause (1) by inserting the words “two of whom shall be of the opposite gender” immediately after the words “of five persons”; and

(b) by deleting sub clause (6) and substituting therefor the following new sub clause—

(6) The local community benefit sharing forum shall ensure that the respective local community benefits from the exploitation of natural resources and shall, for this purpose—

(a) collect and collate the views of the local community and represent the interests of the local community in the negotiations with the respective County Benefit Sharing Committee and in the implementation of a Benefit Sharing Agreement;

(b) in consultation with the local community, identify local community projects to be supported by money allocated to the

local community by the County Benefit Sharing Committee under this Act; and

- (c) over see the implementation of projects undertaken in the relevant local community using funds devolved under this Act.

*(The Chairperson, Standing Committee on Land, Environment and Natural Resources)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

- 1. Sen. (Dr.) Alice Milgo, MP - AYES
- 2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

- 1. Sen. Adan, Dullo Fatuma – voted virtually
- 2. Sen. Ali Abdullahi Ibrahim – voted virtually
- 3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
- 4. Sen. Cherarkey Samson Kiprotich
- 5. Sen. Cheruiyot Aaron Kipkirui
- 6. Sen. Haji, Abdul Mohamed – voted virtually
- 7. Sen. Hargura Godana – voted virtually
- 8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
- 9. Sen. Khaniri George – voted virtually
- 10. Sen. Kibiru Charles Reubenson – voted virtually
- 11. Sen. Kihika, Susan Wakarura
- 12. Sen. Kimani Wamatangi Paul

13. Sen. Linturi, Franklin Mithika
14. Sen. Malalah, Cleophas Wakhungu
15. Sen. Mbito, Michael Maling'a
16. Sen. Moi Gideon Kipsielei Towett – voted virtually
17. Sen. Seneta, Mary Yiane – voted virtually on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Nderitu John Kinyua
24. Sen. Ndwiga Peter Njeru – voted virtually
25. Sen. Olekina Ledama
26. Sen. Ongeru Samson Kegengo – voted virtually
27. Sen. Orenge James – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur – voted virtually
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika – voted virtually

Clause 13 (as amended) - agreed to

Clause 14

Motion made and Question proposed;

THAT, Clause 14 be part of the Bill.

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

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Adan, Dullo Fatuma – voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji, Abdul Mohamed – voted virtually
7. Sen. Hargura Godana – voted virtually
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kihika, Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Linturi, Franklin Mithika
14. Sen. Malalah, Cleophas Wakhungu
15. Sen. Mbito, Michael Maling'a
16. Sen. Moi Gideon Kipsielei Towett – voted virtually
17. Sen. Seneta, Mary Yiane – voted virtually on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Nderitu John Kinyua
24. Sen. Ndwiga Peter Njeru – voted virtually
25. Sen. Olekina Ledama
26. Sen. Ongeru Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur – voted virtually
30. Sen. Wambua Enoch Kio
31. Sen. Wetang'ula Moses Masika – voted virtually

Clause 14 -            agreed to

Clause 15-            Amendment proposed

THAT clause 15 of the Bill be amended by deleting sub clause (2).



*(The Chairperson, Standing Committee on Land, Environment and Natural Resources)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Adan, Dullo Fatuma – voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji, Abdul Mohamed – voted virtually
7. Sen. Hargura Godana – voted virtually
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kihika, Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Linturi, Franklin Mithika
14. Sen. Malalah, Cleophas Wakhungu
15. Sen. Mbito, Michael Maling'a
16. Sen. Moi Gideon Kipsielei Towett – voted virtually
17. Sen. Seneta, Mary Yiane – voted virtually on behalf of Kajiado County delegation

18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Nderitu John Kinyua
24. Sen. Ndwiga Peter Njeru – voted virtually
25. Sen. Olekina Ledama
26. Sen. Ongeru Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur – voted virtually
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika – voted virtually

Clause 15 (as amended) - agreed to

Clauses 16, 17, 18 and 19

Motion made and Question proposed;

THAT, Clauses 16, 17, 18 and 19 be part of the Bill.

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

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31****NOES:0****ABSTENTION:0****AYES**

1. Sen. Adan, Dullo Fatuma – voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji, Abdul Mohamed – voted virtually
7. Sen. Hargura Godana – voted virtually
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kihika, Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Linturi, Franklin Mithika
14. Sen. Malalah, Cleophas Wakhungu
15. Sen. Mbito, Michael Maling’ a
16. Sen. Moi Gideon Kipsielei Towett – voted virtually
17. Sen. Seneta, Mary Yiane – voted virtually on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Nderitu John Kinyua
24. Sen. Ndwiga Peter Njeru – voted virtually
25. Sen. Olekina Ledama
26. Sen. Ongeru Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Poghisi, Samuel Losuron
29. Sen. Sakaja Johnson Arthur – voted virtually
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika – voted virtually

Clauses 16, 17, 18 and 19 - agreed to

Clause 2 - (Amendment proposed)

THAT clause 2 of the Bill be amended in the definition of the word “benefit sharing agreement” by inserting the words “the exploitation of” appearing immediately after the words “revenue accruing from”.

*(The Chairperson, Standing Committee on Land, Environment and Natural Resources)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Adan, Dullo Fatuma – voted virtually
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji, Abdul Mohamed – voted virtually
7. Sen. Hargura Godana – voted virtually
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kihika, Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Linturi, Franklin Mithika
14. Sen. Malalah, Cleophas Wakhungu
15. Sen. Mbiti, Michael Maling'a
16. Sen. Moi Gideon Kipsielei Towett – voted virtually
17. Sen. Seneta, Mary Yiane – voted virtually on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi

21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Nderitu John Kinyua
24. Sen. Ndwiga Peter Njeru – voted virtually
25. Sen. Olekina Ledama
26. Sen. Ongeru Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Poghio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur – voted virtually
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika – voted virtually

Clause 2 (as amended) -            agreed to

The Title and Clause 1

Motion made and Question proposed;

THAT, the Title and Clause 1 be part of the Bill.

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

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Adan, Dullo Fatuma – voted virtually

2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji, Abdul Mohamed – voted virtually
7. Sen. Hargura Godana – voted virtually
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kihika, Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Linturi, Franklin Mithika
14. Sen. Malalah, Cleophas Wakhungu
15. Sen. Mbiti, Michael Maling’ a
16. Sen. Moi Gideon Kipsielei Towett – voted virtually
17. Sen. Seneta, Mary Yiane – voted virtually on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Nderitu John Kinyua
24. Sen. Ndwiga Peter Njeru – voted virtually
25. Sen. Olekina Ledama
26. Sen. Ongeru Samson Kegengo – voted virtually
27. Sen. Orengo James – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur – voted virtually
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika – voted virtually

The Title and Clause 1 -        agreed to

**Motion made;**

THAT, the Bill be reported with amendments.

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

Before the question was put and pursuant to Standing Order 79, the Acting Chairperson (Sen. John Kinyua, MP) ruled that the Question did not affect counties;

Question put and agreed to.

22. **HOUSE RESUMED** – The Speaker – in the Chair

23. **THE NATURAL RESOURCES (BENEFIT SHARING) BILL, (SENATE BILLS NO. 25 OF 2020)**

Bill reported **with** amendments;

Motion made and Question Proposed;

THAT, the House do agree with the Committee in the said report.

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

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 79, the Speaker ruled that the Question did not affect counties;

Question put and agreed to.

Motion made and question proposed-

THAT, the Natural Resources (Benefit Sharing) Bill, (Senate Bills No. 25 Bills of 2020) be now read a Third time.

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

There being no Senator wishing to contribute;

The House proceeded to a Division on the Third Reading of the Bill;

The Speaker directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Speaker directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Farhiya Haji, MP – AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 33**

**NOES: 0**

**ABSTENTIONS: 0**

**AYES**

The results of the Division were as follows:-

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji, Abdul Mohamed – voted virtually
7. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Lelegwe Ltumbesi – voted virtually
13. Sen. Linturi Franklin Mithika
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbiti, Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta, Mary Yiane – voted virtually on behalf of Kajiado County delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior – voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe – voted virtually
24. Sen. Mwinyihaji Mohamed Faki – voted virtually
25. Sen. Nderitu John Kinyua
26. Sen. Ndwiga Peter Njeru – voted virtually
27. Sen. Olekina Ledama
28. Sen. Ongeri Samson Kegengo – voted virtually
29. Sen. Orengo James – voted virtually
30. Sen. Poghisio, Samuel Losuron
31. Sen. Haji, Farhiya Ali – voted on behalf of Nairobi City County delegation
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika

Question – agreed to

Bill Read a Third Time and **passed.**

**24. COMMITTEE OF THE WHOLE**

Order for Committee read;

**IN THE COMMITTEE**

(The Acting Chairperson of Committees (Sen. John Kinyua, MP) – in the Chair)



**The Co-operative Societies (Amendment) Bill, (Senate Bills No. 11 of 2020**Clause 3 - Amendment proposed

THAT clause 3 of the Bill be amended in the proposed new section 2A by deleting paragraph (h).

*(Sen. Farhiya Ali, MP on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika

15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbiti Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 3 (as amended) - agreed to

Clauses 4 and 5

Motion made and Question proposed;

THAT, Clauses 4 and 5 be part of the Bill.

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

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33****NOES - 0****ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clauses 4 and 5 - agreed to

Clause 6 - Amendment proposed

THAT clause 6 of the Bill be amended in the proposed new section 6 by –

- (a) deleting the marginal note and substituting therefor the following new marginal note –

Procedure for registration of a co-operative union or apex society.

(b) deleting subsection (2);

(c) deleting the words -

(i) “or (2)” appearing immediately after the words “under subsection (1) in the introductory clause of subsection (3); and

(ii) “or county executive committee member” appearing immediately after the words “as the Commissioner” in subsection (3)(g);

(d) deleting the words “or county executive committee member” appearing immediately after the words “The Commissioner” in subsection (4);

(e) deleting the words “or the county executive committee member” appearing immediately after the words “Where the Commissioner” in subsection (5).

*(Sen. Farhiya Ali, MP on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui

6. Sen. Haji Abdul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang’ula Moses Masika – voted virtually

Clause 6 (as amended) - agreed to

Clause 7 - Amendment proposed

THAT clause 7 of the Bill be amended in the proposed new section 6A by –

(a) renumbering the subsection appearing immediately before subsection (2) as subsection (1);

(b) deleting the introductory clause in subsection (1) and substituting therefor the following new introductory clause –

(1) The Commissioner or director may reject an application for registration or pre-registration of a cooperative society where -

(c) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in subsection (2) and substituting therefor the words “director as the case may be”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kiburu Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually

21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 7 (as amended) - agreed to

Clause 8 - Amendment proposed

THAT clause 8 of the Bill be amended –

- (a) in paragraph (a) by deleting the proposed new subsection (1) and substituting therefor the following new subsection –

(1) If the Commissioner or director is not satisfied that an apex society, co-operative union or primary society, as the case may be, has not complied with this Act and is of the opinion that steps may be taken to comply with this Act, the Commissioner may provisionally register the society or union for a period not exceeding one year on such terms and conditions as the Commissioner may specify in writing.

- (b) in paragraph (b) by deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the proposed new subsection (2) and substituting therefor the word “director”;

- (c) in paragraph (c) by –

- (i) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the proposed new subsection (4) and substituting therefor the word “director”;
- (ii) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the proposed new subsection (4B) and substituting therefor the word “director”;  
and
- (iii) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the proposed new subsection (4C)(a) and substituting therefor the word “director”;  
and

(d) in paragraph (d) by deleting the words “or the county executive committee member” appearing in the introductory clause in the proposed new subsection (5) and substituting therefor the word “director.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbiti Michael Maling’a



17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 8 (as amended) - agreed to

Clause 9 - Amendment proposed

THAT clause 9 of the Bill be amended in the proposed new section 7A by–

- (a) deleting the words “or the county executive committee member” appearing immediately after the words “the Commissioner” in subsection (1);
- (b) inserting the following new subclause immediately after subsection (1) –
  - (1A) A director may make a recommendation to the Commissioner for the suspension or cancellation of registration of a primary society where the society meets the conditions for suspension or cancellation of registration under subsection (1).
- (c) deleting the words “or the county executive committee member” appearing immediately after the words “society the Commissioner” in the introductory clause in subsection (2);
- (d) deleting the introductory clause in subsection (3) and substituting therefor the following new introductory clause –
  - (1) Where the Commissioner makes an order for the suspension or cancellation of registration of a co-operative society, the Commissioner shall specify –
- (e) deleting the words “or the county executive committee member” appearing immediately after the words “the Commissioner” in subsection (4).

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually

- 23. Sen. Mwinyihaji Mohamed Faki- voted virtually
- 24. Sen. Nderitu John Kinyua
- 25. Sen. Ndwiga Peter Njeru – voted virtually
- 26. Sen. Olekina Ledama
- 27. Sen. Ongeru Samson Kegengo
- 28. Sen. Orengo James – voted virtually
- 29. Sen. Outa Fredrick Otieno - voted virtually
- 30. Sen. Poghio Samuel Losuron
- 31. Sen. Sakaja Johnson Arthur
- 32. Sen. Wambua Enoch Kiio
- 33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 9 (as amended) - agreed to

Clause 10 - Amendment proposed

THAT the Bill be amended by deleting clause 10 and substituting therefor the following new clause -

**10.** Section 8 of the principal Act is amended –

(a) by deleting subsection (2) and substituting therefor the following new subsection –

(2) A co-operative society which intends to amend its by-laws shall submit to an application to amend the by-laws in the prescribed form together with the proposed amendment, -

(a) in the case of an apex society or co-operative union, to the Commissioner; or

(b) in the case of a primary society, to the director.

(b) in subsection (3) by inserting the words “or director as the case may be” immediately after the words “If the Commissioner”;

(c) by inserting the following new subclause immediately after subclause (3) –

(A3) If the director is satisfied that the amendment by a primary society to its by-laws is not contrary to this Act, the director shall register the amendment and submit information relating to the registration, in the prescribed form, to the Commissioner for purposes of updating the register.

(c) in subsection (3A) by inserting the words “or director” immediately after the words “The Commissioner”; and

(d) in subsection (5) by inserting the words “or director” immediately after the words “the Commissioner”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kiburu Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually

21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kii
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 10 (as amended) - agreed to

Clause 11 - Amendment proposed

THAT clause 11 of the Bill be amended in the proposed new section 9 by deleting the words “county executive committee member” appearing immediately after the words “decision of the” in the introductory clause in subsection (2) and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 11 (as amended) - agreed to

Clause 12 - Amendment proposed

THAT clause 12 of the Bill be amended by deleting the words “county executive committee member” appearing immediately after the words “inserting the words or” and substituting therefor the words “director’s”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually

- 26. Sen. Olekina Ledama
- 27. Sen. Onger Samson Kegengo
- 28. Sen. Orengo James – voted virtually
- 29. Sen. Outa Fredrick Otieno - voted virtually
- 30. Sen. Poghisio Samuel Losuron
- 31. Sen. Sakaja Johnson Arthur
- 32. Sen. Wambua Enoch Kiio
- 33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 12 (as amended) - agreed to

Clause 13 - Amendment proposed

THAT the Bill be amended by deleting clause 13 and substituting the following new clause –

**13.** Section 11 of the principal Act is amended –

(a) by deleting subsection (1) and substituting therefor the following new subsection

-

(1) A certificate of registration or provisional registration signed by the Commissioner or pre-registration signed by the director shall be conclusive evidence that the society is duly registered, provisionally registered or pre-registered.

(b) in subsection (4) by inserting the words “or director” immediately after the words “by the Commissioner”;

(c) in subsection (5) by inserting the words “or director” immediately after the words “by the Commissioner”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES



## 2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33****NOES - 0****ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang’ula Moses Masika – voted virtually

Clause 13 (as amended)

-

agreed toClause14

Motion made and Question proposed;

THAT, Clauses 14 be part of the Bill.

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

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba

20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 14 - agreed to

Clause 15 - Amendment proposed

THAT clause 15 of the Bill be amended-

(a) by inserting the following new paragraph immediately before paragraph (a) -

(aa) in subsection (4) by inserting the words “respective directors” immediately after the words “in consultation with the”

(b) deleting paragraph (a) and substituting therefor the following new paragraph -

(a) in subsection (5) by inserting the words “or director as the case may be immediately after the words “appointed the Commissioner”;

(c) in paragraph (b) by deleting the words “county executive committee member” appearing immediately after the words “society to the” in the proposed new subsection (7)(b) and substituting therefor the word “director”;

(d) in paragraph (d) in the proposed new subsection (10)(b) by deleting the words “county executive committee member” appearing immediately after the words “society to the” and substituting therefor the word “Director”; and

(e) by deleting paragraph (e) and substituting therefor the following new paragraph -

(e) in subsection (11) by inserting the words “or director as the case may be” immediately after the words “unless the Commissioner”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually

21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 15 (as amended) - agreed to

Clause 16 - Amendment proposed

THAT clause 16 of the Bill be amended by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually

3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Abdul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang’ula Moses Masika – voted virtually

Clause 16 (as amended) - agreed to

Clause 17 - Amendment proposed

THAT clause 17 of the Bill be amended-

- (a) In paragraph (a) by deleting the words “county executive committee member” appearing immediately after the words “society or the” and substituting therefor the word “director”;
- (b) in paragraph (b) by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”; and

(c) in paragraph (c) by deleting the proposed new subsection (10) and substituting therefor the following new subsection -

(10) The Commissioner or the director, as the case may be, or a person nominated by the Commissioner or the director, may preside at any meeting convened under subsection (8).

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika

15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbiti Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 17 (as amended) - agreed to

Clause 18 - Amendment proposed

THAT clause 18 of the Bill be amended –

(a) by deleting paragraph (a);

(b) in paragraph (b)-

(i) by deleting the words “county executive committee member” appearing immediately after the words “society or to the” in subparagraph (i) and substituting therefor the word “director”; and

(ii) by deleting the words “county executive committee member” appearing immediately after the words “society or the” in subparagraph (ii) and substituting therefor the word “director” ;

(c) in paragraph (c) by deleting the words “county executive committee member” appearing immediately after the words “society or the” and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by



the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually

- 30. Sen. Poghismo Samuel Losuron
- 31. Sen. Sakaja Johnson Arthur
- 32. Sen. Wambua Enoch Kiio
- 33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 18 (as amended) - agreed to

Clause 19 - Amendment proposed

THAT clause 19 of the Bill be amended-

- (a) in paragraph (a) by deleting the words “county executive committee member” appearing immediately after the words “the words or the” and substituting therefor the word “director”;
- (b) in paragraph (b) by-
  - (i) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the proposed new subsection (8A) and substituting therefor the word “director” ;
  - (ii) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the introductory clause of the proposed new subsection (8C) and substituting therefor the word “director” ;
  - (iii) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the proposed new subsection (8D) and substituting therefor the word “director” ; and
  - (iv) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the proposed new subsection (8E) and substituting therefor the word “director” ;
- (c) in paragraph (d) by deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the proposed new subsection (10) and substituting therefor the word “director” .

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19

pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur

32. Sen. Wambua Enoch Kiio

33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 19 (as amended) - agreed to

Clause 20 - Amendment proposed

THAT clause 20 of the Bill be amended-

(a) in paragraph (a) by deleting the words “county executive committee member” appearing immediately after the words “words or the” in subparagraph (ii) and substituting therefor the word “director”;

(b) in paragraph (c) by-

(i) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the proposed new subsection (8A) and substituting therefor the word “director”;

(ii) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the introductory clause of the proposed new subsection (8C) and substituting therefor the word “director”;

(iii) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the proposed new subsection (8D) and substituting therefor the word “director”;

(iv) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the proposed new subsection (8E) and substituting therefor the word “director”;

(c) in paragraph (e) by deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the proposed new subsection (10) and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Onger Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 20 (as amended) - agreed to

Clause 21

Motion made and Question proposed;

THAT, Clause 21 be part of the Bill.

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

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION – 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina

14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang’ula Moses Masika – voted virtually

Clause 21 - agreed to

Clause 22 - Amendment proposed

THAT clause 22 of the Bill be amended-

- (a) in paragraph (a) by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the words “or the director”;
- (b) in paragraph (b) by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”;
- (c) by deleting paragraph (c) and substituting therefore the following new paragraph-
  - (c) in subsection (5) by deleting the introductory clause and substituting therefor the following new introductory clause –
    - (5) Where an agent claims to be or to have become unable to comply with subsection (3) by reason of lack of moneys held by or due from him, he shall give a written notification to the Commissioner or the director stating the reasons for his inability and the Commissioner or the director may —

(d) in paragraph (d) by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually



18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Onger Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 22 (as amended) - agreed to

Clause 23 - Amendment proposed

THAT clause 23 of the Bill be amended in the proposed new section 51-

- (a) by deleting the words “county executive committee member” appearing immediately after the words “register with the” in subsection (2) and substituting therefor the word “director” ; and
- (b) by deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in subsection (3) and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33****NOES - 0****ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghismo Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 23 (as amended) - agreed to

Clause 24 - Amendment proposed

THAT clause 24 of the Bill be amended-

- (a) in paragraph (a) by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”;
- (b) in paragraph (b) by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”; and
- (c) in paragraph (c) by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

- 1. Sen. (Dr.) Alice Milgo, MP - AYES
- 2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

- 1. Sen. Halake Abshiro Soka – Voted virtually
- 2. Sen. Ali Abdullahi Ibrahim –voted virtually
- 3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
- 4. Sen. Cherarkey Samson Kiprotich
- 5. Sen. Cheruiyot Aaron Kipkirui
- 6. Sen. Haji Adbul Mohammed – voted virtually
- 7. Sen. Hargura Godana- voted virtually

8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang’ula Moses Masika – voted virtually

Clause 24 (as amended) - agreed to

Clause 25 - Amendment proposed

THAT clause 25 of the Bill be amended by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang’ula Moses Masika – voted virtually

Clause 25 (as amended) - agreed to

Clause 26 - Amendment proposed

THAT clause 26 of the Bill be amended in the proposed new section 54 by –

- (a) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in subsection (1) and substituting therefor the word “director”;
- (b) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in subsection (2) and substituting therefor the word “director”; and
- (c) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in subsection (3) and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION – 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually

3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Abdul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 26 (as amended) - agreed to

Clause 27

Motion made and Question proposed;

THAT, Clauses 27 be part of the Bill.

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

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33****NOES - 0****ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo



28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 27 (as amended) - agreed to

Clause 28 - Amendment proposed

THAT clause 28 of the Bill be amended –

- (a) in paragraph (a) by deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the proposed new subsection (1) and substituting therefor the word “director”;
- (b) in paragraph (b) by deleting the words “county executive committee member” appearing immediately after the words “resolution request the” in the proposed new subsection (1B) and substituting therefor the word “director”;
- (c) in paragraph (c) by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”; and
- (d) in paragraph (d) by deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the proposed new introductory clause to subsection (4) and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33****NOES - 0****ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghismo Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang’ula Moses Masika – voted virtually

Clause 28 (as amended) - agreed to

Clause 29 - Amendment proposed

THAT the Bill be amended by deleting clause 29 and substituting therefor the following new clause-

Amendment **29.** Section 59 of the principal Act is amended –  
of section  
59 of No. 12 in subsection (1) by -  
of 1997.

inserting the words “or the director as the case may be” immediately after the words “The Commissioner” in the introductory clause;

inserting the words “or the Director” immediately after the words “satisfies the Commissioner” in paragraph (a); and

deleting paragraph (b) and substituting therefor the following new paragraph –

the applicant deposits with the Commissioner or the director such sum as security for the expenses of the inspection as the Commissioner or the director may require.

in subsection (2) by inserting the words “or the director as the case may be” immediately after the words “The Commissioner”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang’ula Moses Masika – voted virtually

Clause 29 (as amended) - agreed to

Clause 30 - Amendment proposed

THAT clause 30 of the Bill be amended by deleting the words “county executive committee member” appearing immediately after the words

“Commissioner or the” in the proposed new subclause (1) and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbiti Michael Maling’a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually

18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Onger Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 30 (as amended) - agreed to

Clause 31 - Amendment proposed

THAT clause 31 of the Bill be amended by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33****NOES - 0****ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 31 (as amended) - agreed to

Clause 32 - Amendment proposed

THAT clause 32 of the Bill be amended-  
in paragraph (a) by deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the introductory clause of the proposed new subclause (1) and substituting therefor the word “director”;

in paragraph (d) by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”; and

in paragraph (e) by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina



14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 32 (as amended) - agreed to

Clauses 33, 34 and 35 - Amendment proposed

Motion made and Question proposed;

THAT, Clauses 33, 34 and 35 be part of the Bill.

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

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clauses 33, 34 and 35 - agreed to

Clause 36 - Amendment proposed

THAT clause 36 of the Bill be amended in the proposed new section 65 by deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba

20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 36 (as amended) - agreed to

Clause 37 - Amendment proposed

THAT clause 37 of the Bill be amended-

- (a) in paragraph (b) by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”;
- (b) in paragraph (c) by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”; and
- (c) in paragraph (d) by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33****NOES - 0****ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghismo Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 37 (as amended) - agreed to

Clause 38 - Amendment proposed

THAT clause 38 of the Bill be amended in the proposed new section 67 by -

(a) deleting subsection (2) and substituting therefor the following new subsection-

(2) The director shall open and administer a co-operative societies liquidation account for primary societies with such bank as the director may determine.

(b) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the introductory clause in subsection (3) and substituting therefor the word “director”;

(c) deleting subsection (3) appearing immediately before subsection (4) and substituting the following new subsection-

(3A) The Commissioner or the director, as the case may be, may utilise the funds in the co-operative societies liquidation account to pay distribution or unpaid claims which have been certified.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually

3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Abdul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang’ula Moses Masika – voted virtually

Clause 38 (as amended) - agreed to

Clause 39 - Amendment proposed

THAT clause 39 of the Bill be amended-

(a) in paragraph (a)-

(i) by deleting the proposed new subsection (1) and substituting therefor the following new subsection-

(1) The liquidator shall exercise his powers subject to the guidance and control of the Commissioner or the director, as the case may be, and to any limitations imposed by the Commissioner or the Director.

(ii) in the proposed new subsection (1A) by-

(A) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the introductory clause and substituting therefor the word “Director”;

(B) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in paragraph (e) and substituting therefor the word “Director”;

(b) in paragraph (b) by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui



6. Sen. Haji Abdul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 39 (as amended) - agreed to

Clause 40 - Amendment proposed

THAT clause 40 of the Bill be amended by deleting the words “county executive committee member” appearing immediately after the words “the words the” and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19

pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur

32. Sen. Wambua Enoch Kiio

33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 40 (as amended) - agreed to

Clause 41 - Amendment proposed

THAT clause 41 of the Bill be amended in the proposed new subsection 71 by-

(a) deleting the words “county executive committee member as the case may be” appearing immediately after the words “Commissioner or the” in subsection (1) and substituting therefor the word “director”; and

(b) deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in subsection (2) and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich

5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang’ula Moses Masika – voted virtually

Clause 41 (as amended) - agreed to

Clause 42

Motion made and Question proposed;

THAT, Clause 42 be part of the Bill.

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

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19

pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur

32. Sen. Wambua Enoch Kiio

33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 42 (as amended) - agreed to

Clause 43 - Amendment proposed

THAT clause 43 of the Bill be amended-

(a) in paragraph (a) by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”;

(b) by deleting paragraph (b) and substituting therefor the following new paragraph-

(b) by deleting subsection (2) and substituting therefor the following new subsection –

(2) The Commissioner or the director may, upon inquiry under subsection (1), make an order requiring the person –

(a) to repay the money or restore the property or any part thereof to the co-operative society together with interest as the Commissioner or the director may determine; or

(b) to contribute such sum to the assets of the co-operative society by way of compensation as the Commissioner or the director shall consider just.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 43 (as amended) - agreed to

Clause 44 - Amendment proposed

THAT clause 44 of the Bill be amended by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kiburu Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually



21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 44 (as amended) - agreed to

Clause 45 - Amendment proposed

THAT clause 45 of the Bill be amended by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually

2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang’ula Moses Masika – voted virtually

Clause 45 (as amended) - agreed to

Clause 46 - Amendment proposed

THAT clause 46 of the Bill be amended in paragraph (a) by deleting the words “county executive committee member” appearing immediately after the words “Commissioner or the” in the proposed new paragraph (d) and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua

25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 46 (as amended) - agreed to

Clause 47

Motion made and Question proposed;

THAT, Clause 47 be part of the Bill.

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

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION – 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui

6. Sen. Haji Abdul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 47 (as amended) - agreed to

Clause 48 - Amendment proposed

THAT clause 48 of the Bill be amended in paragraph (a) by deleting the words “Commission, county executive committee member’ appearing immediately after the words “reference by the” in the proposed new subsection (2) and substituting therefor the words “Commissioner, director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19

pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur

32. Sen. Wambua Enoch Kiio

33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 48 (as amended) - agreed to

Clauses 49, 50, 51, 52, 53, 54, 55, 56, 57 and 58

Motion made and Question proposed;

THAT, Clauses 49, 50, 51, 52, 53, 54, 55, 56, 57, 58 be part of the Bill.

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

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Abdul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura

12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clauses 49, 50, 51, 52, 53, 54, 55, 56, 57 and 58 - agreed to

Clause 59 - Amendment proposed

THAT clause 59 of the Bill be amended-

(a) in paragraph (b)-

(i) by deleting the words “county executive committee member” appearing immediately after the words “words or the” in subparagraph (ii) and substituting therefor the word “director”;

(ii) by deleting the words “county executive committee member” appearing immediately after the words “words or the” in subparagraph (iii) and substituting therefor the word “director”;

(b) in paragraph (c) by deleting the words “county executive committee member” appearing immediately after the words “words or the” and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;



The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama

27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 59 (as amended) - agreed to

Clauses 60 and 61

Motion made and Question proposed;

THAT, Clauses 60 and 61 be part of the Bill.

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

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Abdul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually

8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clauses 60 and 61 - agreed to

Clause 62 - Amendment proposed

THAT clause 62 of the Bill be amended in paragraph (c) by deleting the words “county executive committee member” appearing immediately after the words “The respective” in the proposed new subsection (2) and substituting therefor the word “director”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 62 (as amended) - agreed to

Clauses 63 and 64

Motion made and Question proposed;

THAT, Clauses 63 and 64 be part of the Bill.

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

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina

- 14. Sen. Linturi Franklin Mithika
- 15. Sen. Malalah Cleophas Wakhungu
- 16. Sen. Mbito Michael Maling’ a
- 17. Sen. Moi Gideon Kipsielei Towett – voted virtually
- 18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
- 19. Sen. Murkomen Onesimus Kipchumba
- 20. Sen. Mutula Kilonzo Junior – voted virtually
- 21. Sen. Mwangi Paul Githiomi
- 22. Sen. Mwaruma Johnes Mwashushe – voted virtually
- 23. Sen. Mwinyihaji Mohamed Faki- voted virtually
- 24. Sen. Nderitu John Kinyua
- 25. Sen. Ndwiga Peter Njeru – voted virtually
- 26. Sen. Olekina Ledama
- 27. Sen. Ongeru Samson Kegengo
- 28. Sen. Orengo James – voted virtually
- 29. Sen. Outa Fredrick Otieno - voted virtually
- 30. Sen. Poghisio Samuel Losuron
- 31. Sen. Sakaja Johnson Arthur
- 32. Sen. Wambua Enoch Kiio
- 33. Sen. Wetang’ula Moses Masika – voted virtually

Clauses 63 and 64 - agreed to

New Clause 4A - Insertion of New Clause proposed

THAT the Bill be amended by inserting the following new clause immediately after clause 4-

Insertion of new section 4A in No. 12 of 1997. **4A.** The principal Act is amended by inserting the following new section immediately after section 3-

County director of cooperatives. **3A.** (1) There shall be an Office of the County Director of Cooperatives which shall be an office within the county public service.

(2) The Office shall consist of-

- (a) a director who shall be designated by the respective county executive committee member from amongst the

public officers within the county public service; and

(b) such other county public officers designated by the county executive committee member as shall be necessary for the effective performance of the Office.

(3) A county executive committee member shall, in designating a public officer under subsection (2)(a) ensure that such person has knowledge and experience in the administration and management of cooperatives

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

Motion made and Question proposed;

THAT, the New Clause 4A be now read a Second Time.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghismo Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Question – agreed to

Motion made and Question proposed;

THAT, New Clause 4A be part of the Bill

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;



The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua

- 25. Sen. Ndwiga Peter Njeru – voted virtually
- 26. Sen. Olekina Ledama
- 27. Sen. Ongeru Samson Kegengo
- 28. Sen. Orengo James – voted virtually
- 29. Sen. Outa Fredrick Otieno - voted virtually
- 30. Sen. Poghio Samuel Losuron
- 31. Sen. Sakaja Johnson Arthur
- 32. Sen. Wambua Enoch Kiio
- 33. Sen. Wetang'ula Moses Masika – voted virtually

New Clause 4A – agreed to

New Clause 5A – Insertion of New Clause proposed

THAT the Bill be amended by inserting the following new clause immediately after clause 5-

Insertion of new section 7A in No. 12 of 1997. **5A.** The principal Act is amended by inserting the following new section immediately after section 6-

Registration of a primary society.

**6A.** (1) An application to register a primary society shall be made to the Director in the prescribed form and signed by at least ten persons qualified to be members of the society under section 14.

(2) An application for registration under subsection (1) shall be submitted together with –

- (a) the prescribed fee;
- (b) minutes of the meeting of members;
- (c) four copies of the proposed by laws of the co-operative society;
- (d) information on the names, addresses and signatures of the members of the society;
- (e) proof that the members have met the requirements for membership under this Act; and
- (f) such other information as the director may require.

(3) The Director shall within twenty-one days of receipt of the application under subsection (1) carry out pre-registration procedures including –

- (a) sensitizing applicants on legal requirements for registration;
- (b) facilitating applicants to fill in any forms required for registration; and
- (c) verifying that the registration documents are conform to any conditions set by this Act or the Commissioner.

(4) The Director shall submit an application under subsection (1) to the Commissioner together with a recommendation-

(a) for the registration of the society; or

(b) for the rejection of the application for registration of the society

(5) Where the Director intends to recommend to the Commissioner that an application for registration not be granted under this section, the Director shall inform the applicant, in writing of the recommendation.

(6) An applicant who is notified of the recommendation of the respective Director under subsection (5) may lodge an objection with the Commissioner within seven days responding to the recommendation against registration.

(6) The Commissioner shall consider the information received under subsection (4) within fourteen days and shall, if satisfied that the society meets the requirements for registration under this Act, register the society.

*(Sen. Farhiya Ali on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

Motion made and Question proposed;

THAT, New Clause 5A be now read a Second Time.

*(Sen. Farhiya Ali on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33****NOES - 0****ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo

28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisi Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Question agreed to.

Motion made and Question proposed;

THAT, New Clause 5A be part of the Bill

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually

8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
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24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang’ula Moses Masika – voted virtually

New Clause 5A - agreed to

The Schedule

Motion made and Question proposed;

THAT, the Schedule be part of the Bill.

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

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
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5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
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22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang’ula Moses Masika – voted virtually

The Schedule - agreed to

Clause 2 - Amendment proposed

THAT clause 2 of the Bill be amended in paragraph (c) by inserting the following new definition immediately after the definition of the word “county executive committee member” –

“director” means the county director of co-operatives appointed under section 3A of this Act.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation



9. Sen. Khaniri George - voted virtually
10. Sen. Kibiru Charles Reubenson - voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbiti Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior – voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Clause 2 (as amended) - agreed to

The Title and Clause 1

Motion made and Question proposed;

THAT, the Title and Clause 1 be part of the Bill.

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

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33****NOES - 0****ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Hargura Godana- voted virtually
8. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
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11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
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17. Sen. Moi Gideon Kipsielei Towett – voted virtually
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22. Sen. Mwaruma Johnes Mwashushe – voted virtually
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24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo
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29. Sen. Outa Fredrick Otieno - voted virtually
30. Sen. Poghisi Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

The Title and Clause 1 - agreed to

**Motion made;**

That, the Bill be reported with amendments.

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

Before the question was put and pursuant to Standing Order 79, the Acting Chairperson (Sen. John Kinyua, MP) ruled that the Question did not affect counties;

Question put and agreed to.

25. **HOUSE RESUMED** – The Speaker – in the Chair

26. **THE CO-OPERATIVE SOCIETIES (AMENDMENT) BILL, (SENATE BILLS NO. 11 OF 2020)**

Bill reported **with** amendments;

Motion made and Question Proposed;

THAT, the House do agree with the Committee in the said report.

*(Sen. (Dr.) Agenes Zani, MP)*

Before the question was put and pursuant to Standing Order 79, the Speaker ruled that the Question did not affect counties;

Question put and agreed to.

Motion made and question proposed-

THAT, the Co- operative Socities (Amendment) Bill, (Senate Bills No 11 of 2020) be now read Third Time.

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

There being no Senator wishing to contribute;

The House proceeded to a Division on the Third Reading of the Bill;

The Speaker directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Speaker directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali, MP– AYES

2. Sen. Beatrice Kwamboka , MP - NOES

The Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted virtually on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George - voted virtually
9. Sen. Kibiru Charles Reubenson - voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Lelegwe Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Malalah Cleophas Wakhungu – voted virtually
16. Sen. Mbito Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior – voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe – voted virtually
24. Sen. Mwinyihaji Mohamed Faki- voted virtually
25. Sen. Nderitu John Kinyua
26. Sen. Ndwiga Peter Njeru – voted virtually
27. Sen. Olekina Ledama
28. Sen. Ongeri Samson – voted virtually
29. Sen. Orengo James – voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang’ula Moses Masika – voted virtually

Question – agreed to

Bill Read a Third Time and **passed.**

27. **COMMITTEE OF THE WHOLE**

Order for Committee read;

**IN THE COMMITTEE**

(The Acting Chairperson of Committees (Sen. John Kinyua Nderitu, MP) – in the Chair)

**The County Vocational Education and Training Bill (Senate Bills No. 6 of 2021)**

Clauses 3 - Amendment proposed

THAT clause 3 of the Bill be amended in paragraph (b) by deleting the words “special needs” appearing immediately after the words “trainees with” and substituting therefor the word “disability”.

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 31**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation

4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Hargura Godana – voted virtually
7. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Linturi Franklin Mithika
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling’a
15. Sen. Moi Gideon Kipsielei Towett- voted virtually
16. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu- voted virtually
19. Sen. Mutula Kilonzo Junior- voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwinyihaji Mohamed Faki- voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo– voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa Fredrick Otieno – voted virtually
28. Sen. Poghisio Samuel Lesuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika– voted virtually

Clause 3 (as amended) – agreed to

Clause 4 - Amendment proposed

THAT clause 4 of the Bill be amended—

(a) in paragraph (d) by inserting the words “in collaboration with the respective county executive committee members” immediately after the words “training and education”; and

(b) by inserting the following new paragraph immediately after paragraph (m)—

(n) registration and accreditation of private vocational and education training centres in collaboration with the respective county executive committee members.

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 31**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Hargura Godana – voted virtually
7. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Linturi Franklin Mithika
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling’a
15. Sen. Moi Gideon Kipsielei Towett- voted virtually
16. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu- voted virtually
19. Sen. Mutula Kilonzo Junior- voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwinyihaji Mohamed Faki- voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama

25. Sen. Ongeru Samson Kegengo– voted virtually
26. Sen. Orenge James – voted virtually
27. Sen. Outa Fredrick Otieno – voted virtually
28. Sen. Poghiso Samuel Lesuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kii
31. Sen. Wetang'ula Moses Masika– voted virtually

Clause 4 (as amended) – agreed to

Clause 5 – Amendment proposed

THAT clause 5 of the Bill be amended —

- (a) in paragraph (a) by deleting the words “procure and” appearing immediately before the words “put in place”;
- (b) in paragraph (f) by deleting the words “special needs” appearing immediately after the words “trainees with” and substituting therefor the word “disability”.

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 31**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation



2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Hargura Godana – voted virtually
7. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Linturi Franklin Mithika
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett- voted virtually
16. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu- voted virtually
19. Sen. Mutula Kilonzo Junior- voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwinyihaji Mohamed Faki- voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo– voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa Fredrick Otieno – voted virtually
28. Sen. Poghisio Samuel Lesuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika– voted virtually

Clause 5 (as amended) – agreed to

Clause 6

Motion made and Question proposed;

THAT, Clause 6 be part of the Bill.

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19

pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 31**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Hargura Godana – voted virtually
7. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Linturi Franklin Mithika
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett- voted virtually
16. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu- voted virtually
19. Sen. Mutula Kilonzo Junior- voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwinyihaji Mohamed Faki- voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo– voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa Fredrick Otieno – voted virtually
28. Sen. Poghisio Samuel Lesuron
29. Sen. Sakaja Johnson Arthur

30. Sen. Wambua Enoch Kiio

31. Sen. Wetang'ula Moses Masika– voted virtually

Clause 6 – agreed to

Clause 7 - Amendment proposed

THAT clause 7 of the Bill be amended—

(a) in the marginal note by deleting the words “special needs” and substituting therefor with the word “disability”;

(b) by deleting sub-clause (1) and substituting therefor the following new clause—

(1) Each county executive committee member shall, in consultation with the National Council for Persons with Disabilities established under section 3 of the Persons with Disabilities Act, establish a mechanism for the identification of trainees with disabilities and put in place such measures as may be necessary to ensure access to and provision of vocational education and training to trainees with disabilities.

(c) in sub-clause (2) by –

(i) deleting the words “special needs” appearing immediately after the words “that trainees with” in paragraph (a) and substituting therefor the word “disability”;

(ii) deleting the words “special needs” appearing immediately after the words “for trainees with” in paragraph (b) and substituting therefor the word “disability”;

(iii) deleting the words “special needs” appearing immediately after the words “by persons with” in paragraph (c) and substituting therefor the word “disability”;

(iv) deleting the words “special needs” appearing immediately after the words “to trainees with” in paragraph (d) and substituting therefor the word “disability”;

(v) deleting the words “special needs” appearing immediately after the words “to trainees with” in paragraph (e) and substituting therefor the word “disability”;

(vi) deleting the words “special needs” appearing immediately after the words “for trainees with” in paragraph (f) and substituting therefor the word “disability” and

(d) in sub-clause (3) by deleting the words “special needs” appearing immediately after the words “of trainees with” and substituting therefor the word “disabilities”.

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 31**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Hargura Godana – voted virtually
7. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Linturi Franklin Mithika
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling’a
15. Sen. Moi Gideon Kipsielei Towett- voted virtually
16. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu- voted virtually
19. Sen. Mutula Kilonzo Junior- voted virtually
20. Sen. Mwangi Paul Githiomi

21. Sen. Mwinyihaji Mohamed Faki- voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo– voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa Fredrick Otieno – voted virtually
28. Sen. Poghisio Samuel Lesuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kii
31. Sen. Wetang’ula Moses Masika– voted virtually

Clause 7 (as amended) – agreed to

Clause 8

Motion made and Question proposed;

THAT, Clause 8 be part of the Bill.

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 31**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation

2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Hargura Godana – voted virtually
7. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Linturi Franklin Mithika
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling’a
15. Sen. Moi Gideon Kipsielei Towett- voted virtually
16. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu- voted virtually
19. Sen. Mutula Kilonzo Junior- voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwinyihaji Mohamed Faki- voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo– voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa Fredrick Otieno – voted virtually
28. Sen. Poghisio Samuel Lesuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika– voted virtually

Clause 8 – agreed to

Clause 9 - Amendment proposed

THAT the Bill be amended by deleting clause 9 and substituting therefor the following new clause—

Establishment of  
public county  
vocational  
education and  
training centres.

**9.** Each county government shall, in consultation with the relevant stakeholders, establish and maintain such vocational education and training centres as it may consider necessary.

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 31**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Hargura Godana – voted virtually
7. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Linturi Franklin Mithika
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett- voted virtually
16. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu- voted virtually
19. Sen. Mutula Kilonzo Junior- voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwinyihaji Mohamed Faki- voted virtually

22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo– voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa Fredrick Otieno – voted virtually
28. Sen. Poghisio Samuel Lesuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika– voted virtually

Clause 9 (as amended) – agreed to

Clause 10 – Amendment proposed

THAT clause 10 of the Bill be amended by deleting sub-clause (3).

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 31**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation



4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Hargura Godana – voted virtually
7. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Linturi Franklin Mithika
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling’a
15. Sen. Moi Gideon Kipsielei Towett- voted virtually
16. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu- voted virtually
19. Sen. Mutula Kilonzo Junior- voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwinyihaji Mohamed Faki- voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo– voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa Fredrick Otieno – voted virtually
28. Sen. Poghisio Samuel Lesuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika– voted virtually

Clause 10 (as amended) – agreed to

Clauses 11 to 13

Motion made and Question proposed;

THAT, Clauses 11 to 13 be part of the Bill.

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 31**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Hargura Godana – voted virtually
7. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Linturi Franklin Mithika
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling’a
15. Sen. Moi Gideon Kipsielei Towett- voted virtually
16. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu- voted virtually
19. Sen. Mutula Kilonzo Junior- voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwinyihaji Mohamed Faki- voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo– voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa Fredrick Otieno – voted virtually
28. Sen. Poghisio Samuel Lesuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika– voted virtually

Clauses 11 to 13 - agreed to

Clause 14 - Amendment proposed

THAT clause 14 of the Bill be amended in paragraph (c) by deleting the words “special needs” appearing immediately after the words “into account the” and substituting therefor the word “disability”.

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 31**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Hargura Godana – voted virtually
7. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul

12. Sen. Linturi Franklin Mithika
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett- voted virtually
16. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu- voted virtually
19. Sen. Mutula Kilonzo Junior- voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwinyihaji Mohamed Faki- voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo– voted virtually
26. Sen. Orenge James – voted virtually
27. Sen. Outa Fredrick Otieno – voted virtually
28. Sen. Poghio Samuel Lesuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika– voted virtually

Clause 14 (as amended) – agreed to

Clauses 15 to 20

Motion made and Question proposed;

THAT, Clauses 15 to 20 be part of the Bill.

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 31**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Hargura Godana – voted virtually
7. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Linturi Franklin Mithika
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett- voted virtually
16. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu- voted virtually
19. Sen. Mutula Kilonzo Junior- voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwinyihaji Mohamed Faki- voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo– voted virtually
26. Sen. Orenge James – voted virtually
27. Sen. Outa Fredrick Otieno – voted virtually
28. Sen. Poghisio Samuel Lesuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika– voted virtually

Clauses 15 to 20 – agreed to

Clause 21 - Amendment proposed

THAT clause 21 of the Bill be amended—

(a) in sub-clause (1) by deleting the word “Governor” appearing immediately after the words “the Board of” and substituting therefor the word “management”;

(b) by deleting sub-clause (3) and substituting therefor the following new sub-clause—

(3) The membership of the Board shall comprise—

(a) six persons elected to represent parents of the trainees in the centre or local community;

(b) one person nominated by the County Education Board;

(c) one representative of the teaching staff elected by centre instructors;

(d) three representatives of the sponsors of the centre;

(e) one person to represent special interest groups in the community; and

(f) one person to represent persons with disability.

(c) in sub-clause (4) by deleting the word “county” appearing immediately after the words “a notice in the”; and

(d) by inserting the following new sub-clause immediately after sub-clause (4)—

(5) The county executive committee member shall, in appointing the members under subsection (3), take into account the need to ensure gender and ethnic representation.

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 31**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Hargura Godana – voted virtually
7. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Linturi Franklin Mithika
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett- voted virtually
16. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu- voted virtually
19. Sen. Mutula Kilonzo Junior- voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwinyihaji Mohamed Faki- voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo– voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa Fredrick Otieno – voted virtually
28. Sen. Poghisio Samuel Lesuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika– voted virtually

Clause 21 (as amended) – agreed to

Clauses 22 to 28

THAT, Clauses 22 to 28 be part of the Bill.

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 31**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Hargura Godana – voted virtually
7. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Linturi Franklin Mithika
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling’a
15. Sen. Moi Gideon Kipsielei Towett- voted virtually
16. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu- voted virtually
19. Sen. Mutula Kilonzo Junior- voted virtually
20. Sen. Mwangi Paul Githiomi



21. Sen. Mwinyihaji Mohamed Faki- voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo– voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa Fredrick Otieno – voted virtually
28. Sen. Poghisio Samuel Lesuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kii
31. Sen. Wetang’ula Moses Masika– voted virtually

Clauses 22 to 28 – agreed to

Clause 29 - Amendment proposed

THAT clause 29 of the Bill be amended in sub-clause (1) —

- (a) by deleting the word “manager” appearing immediately after the words “not employ a” in the introductory clause and substituting therefor the word “principal”;
- (b) by inserting the following new paragraphs immediately after paragraph (a)—
  - (aa) has a degree from a recognized university in Kenya;
  - (ab) has at least seven years’ experience as a teacher;
  - (ac) has at least three years’ experience in management or administration in the case of a principal or two years’ experience in in the case of an instructor;
- (c) by deleting the words “in case of a manager, has at least three years’ experience in management or administration;” appearing immediately after the words “least twelve months” in paragraph (d).

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 31**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Hargura Godana – voted virtually
7. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Linturi Franklin Mithika
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett- voted virtually
16. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu- voted virtually
19. Sen. Mutula Kilonzo Junior- voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwinyihaji Mohamed Faki- voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo– voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa Fredrick Otieno – voted virtually
28. Sen. Poghisio Samuel Lesuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika– voted virtually

Clause 29 (as amended) - agreed to

Clause 30

Motion made and Question proposed;

THAT, Clause 30 be part of the Bill.

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 31**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Hargura Godana – voted virtually
7. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Linturi Franklin Mithika

13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett- voted virtually
16. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu- voted virtually
19. Sen. Mutula Kilonzo Junior- voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwinyihaji Mohamed Faki- voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo– voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa Fredrick Otieno – voted virtually
28. Sen. Poghisio Samuel Lesuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika– voted virtually

Clause 30 – agreed to

Clause 31 - Amendment proposed

THAT clause 31 of the Bill be amended by deleting sub-clause (1) and substituting therefor the following new sub-clause—

(1) A vocational education and training centre registered under this Act shall offer programmes up to craft level.

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 31**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Hargura Godana – voted virtually
7. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Linturi Franklin Mithika
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett- voted virtually
16. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu- voted virtually
19. Sen. Mutula Kilonzo Junior- voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwinyihaji Mohamed Faki- voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo– voted virtually
26. Sen. Orenge James – voted virtually
27. Sen. Outa Fredrick Otieno – voted virtually
28. Sen. Poghisio Samuel Lesuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika– voted virtually

Clause 31 (as amended) – agreed to

Clause 2 – Amendment proposed

THAT clause 2 of the Bill be amended—

- (a) by deleting the definition of the word “manager”;
- (b) by deleting the definition of the word “special vocational education and training centre”;
- (c) by deleting the definition of the word “trainees with special needs”
- (d) by deleting the definition of the word “transition certificate”; and
- (e) by inserting the following new definitions in their proper alphabetical sequence—

“principal” means the administrator of a vocational education and training centre who is responsible for the implementation of policy guidelines and professional practice in a vocational education and training centre;

“trainee with disability” means a trainee whose mental characteristics, sensory abilities, physical characteristics, emotional and social adjustment or communication abilities are under-developed and include trainees who suffer from long-term disabilities that affect the body or emotions to the extent that learning growth and development is affected; and

“transitional certificate” means a certificate issued under section 34(4).

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 31**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Hargura Godana – voted virtually
7. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Linturi Franklin Mithika
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett- voted virtually
16. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu- voted virtually
19. Sen. Mutula Kilonzo Junior- voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwinyihaji Mohamed Faki- voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo– voted virtually
26. Sen. Orenge James – voted virtually
27. Sen. Outa Fredrick Otieno – voted virtually
28. Sen. Poghisio Samuel Lesuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika– voted virtually

Clause 2 (as amended) – agreed to

The Title and Clause 1

Motion made and Question proposed;

THAT, the Title and Clause 1 be part of the Bill.

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 31**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Hargura Godana – voted virtually
7. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George – voted virtually
9. Sen. Kibiru Charles Reubenson – voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Linturi Franklin Mithika
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett- voted virtually
16. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu- voted virtually
19. Sen. Mutula Kilonzo Junior- voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwinyihaji Mohamed Faki- voted virtually



22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo– voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa Fredrick Otieno – voted virtually
28. Sen. Poghisi Samuel Lesuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika– voted virtually

The Title and Clause 1 - agreed to

**Motion made: -**

THAT, the Bill be reported with amendments.

*(The Chairperson, Standing Committee on Education)*

Before the Question was put and pursuant to Standing Order 79(1), the Acting Chairperson (Sen. Nderitu Kinyua, MP) ruled that the Question did not affect counties;

Question put and agreed to.

28. **HOUSE RESUMED** – The Speaker - in the Chair
29. **COUNTY VOCATIONAL EDUCATION AND TRAINING BILL (SENATE BILLS NO. 6 OF 2021)**

Bill reported with amendments;

Motion made and Question proposed-

THAT, the House do agree with the Committee of the Whole in the said Report.  
*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 79(1), the Speaker ruled that the question did not affect counties;

Question put and agreed to.

Motion made and Question proposed -

THAT, the County Vocational Education and Training Bill (Senate Bills No. 6 of 2021) be now Read a Third Time.

*(The Chairperson, Standing Committee on Education)*

There being no Senator wishing to contribute;

The House proceeded to a Division on the Third Reading of the Bill;

The Speaker directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Speaker directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali, MP– AYES
2. Sen. Beatrice Kwamboka , MP - NOES

The Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George - voted virtually
9. Sen. Kibiru Charles Reubenson - voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Lelegwe Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Malalah Cleophas Wakhungu – voted virtually
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior – voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe – voted virtually
24. Sen. Mwinyihaji Mohamed Faki- voted virtually

- 25. Sen. Nderitu John Kinyua
- 26. Sen. Ndwiga Peter Njeru – voted virtually
- 27. Sen. Olekina Ledama
- 28. Sen. Ongeru Samson – voted virtually
- 29. Sen. Orengo James – voted virtually
- 30. Sen. Poghio Samuel Losuron
- 31. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
- 32. Sen. Wambua Enoch Kiio
- 33. Sen. Wetang'ula Moses Masika – voted virtually

Question – agreed to

Bill Read a Third Time and **passed.**

30. **COMMITTEE OF THE WHOLE**

Order for Committee read;

**IN THE COMMITTEE**

(The Acting Chairperson of Committees (Sen. John Kinyua, MP) – in the Chair)

**The Prompt Payment Bill (Senate Bills No. 16 of 2021)**

Clause 3 – Amendment proposed

THAT the Bill be amended by deleting clause 3 and substituting therefor the following new clause-

Application of the Act.  No. 33 of 2015.	<b>3.</b> This Act shall apply to payment due for all goods, works, and services procured by private entities, the national government, county governments and any other entity specified as a public entity under section 2 of the Public Procurement and Asset Disposal Act.
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*(Sen. Farhiya Haji, MP on behalf of the Chairperson, Standing Committee on Finance and Budget)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19

pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 33**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Abdul Mohamed – voted virtually
7. Sen. Hargura Godana – voted virtually
8. Sen. Chebeni Mercy- voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior- voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo– voted virtually
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno – voted virtually

30. Sen. Poghio Samuel Lesuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika- voted virtually

Clause 3 (as amended) - agreed to

Clause 4 - Amendment proposed

THAT clause 4 of the Bill be amended-

- (a) in subsection (2) by inserting the words “the full contract price and” immediately after the words “sections 5 and 6, pay”;
- (b) in subsection (4)-
  - (i) by inserting the word “full” immediately after the word “the” appearing at the beginning of paragraph (a);
  - (ii) by inserting the word “full” immediately after the word “the” appearing at the beginning of paragraph (b); and
  - (iii) by inserting the word “full” immediately after the word “the” appearing at the beginning of paragraph (c).

*(Sen. Farhiya Haji, MP on behalf of the Chairperson, Standing Committee on Finance and Budget)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 33**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Abdul Mohamed – voted virtually
7. Sen. Hargura Godana – voted virtually
8. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior- voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeri Samson Kegengo– voted virtually
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno – voted virtually
30. Sen. Poghisio Samuel Lesuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang’ula Moses Masika– voted virtually

Clause 4 (as amended)                      -agreed to

Clause 5

Motion made and Question proposed;

THAT, Clause 5 be part of the Bill

*(Sen. Sakaja Johnson, MP)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 33**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Abdul Mohamed – voted virtually
7. Sen. Hargura Godana – voted virtually
8. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’a
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior- voted virtually
21. Sen. Mwangi Paul Githiomi

22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo– voted virtually
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno – voted virtually
30. Sen. Poghisio Samuel Lesuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang’ula Moses Masika– voted virtually

Clause 5                    -agreed to

Clause 6                    -Amendment proposed

THAT clause 6 of the Bill be amended by deleting subclause (2).

*(Sen. Farhiya Ali, MP)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 33**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually



3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Abdul Mohamed – voted virtually
7. Sen. Hargura Godana – voted virtually
8. Sen. Chebeni Mercy– voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior- voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeri Samson Kegengo– voted virtually
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno – voted virtually
30. Sen. Poghisio Samuel Lesuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang’ula Moses Masika– voted virtually

Clause 6 (as amended) - agreed to

Clauses 7 to 11, the Title and Clause 1

Motion made and Question proposed;

THAT, Clauses 7 to 11, the Title and Clause 1 be part of the Bill.

*(Sen. Sakaja Johnson, MP)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19

pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES: 33**

**NOES: 0**

**ABSENTIONS: 0**

**AYES**

1. Sen. Halake Abshiro Soka – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim- voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Abdul Mohamed – voted virtually
7. Sen. Hargura Godana – voted virtually
8. Sen. Chebeni Mercy- voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kibiru Charles Reubenson – voted virtually
11. Sen. Kihika Susan Wakarura
12. Sen. Kimani Wamatangi Paul
13. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
14. Sen. Linturi Franklin Mithika
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mutula Kilonzo Junior- voted virtually
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted virtually
23. Sen. Mwinyihaji Mohamed Faki- voted virtually
24. Sen. Nderitu John Kinyua
25. Sen. Ndwiga Peter Njeru – voted virtually
26. Sen. Olekina Ledama
27. Sen. Ongeru Samson Kegengo- voted virtually
28. Sen. Orengo James – voted virtually
29. Sen. Outa Fredrick Otieno – voted virtually

30. Sen. Poghismo Samuel Lesuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika- voted virtually

Clauses 7 to 11, the Title and Clause 1 -agreed to

**Motion made;**

THAT, the Bill be reported with amendments

*(Sen. Sakaja Johnson, MP)*

Before the Question was put and pursuant to Standing Order 79(1), the Acting Chairperson (Sen. Nderitu Kinyua, MP) ruled that the Question did not affect counties;

Question put and agreed to.

31. **HOUSE RESUMED** – The Speaker – in the Chair

32. **THE PROMPT PAYMENT BILL (SENATE BILLS NO. 16 OF 2021)**

Bill reported with amendments;

Motion made and Question proposed;

THAT, the House do agree with the Committee in the said report;

*(Sen. Sakaja Johnson, MP)*

Before the Question was put and pursuant to Standing Order 79(1), the Speaker ruled that the Question did not affect counties;

Question put and agreed to.

Motion made and Question proposed;

THAT, the Prompt Payment Bill (Senate Bills No. 16 of 2021) be now read a Third Time,

*(Sen. Sakaja Johnson, MP)*

There being no Senator wishing to contribute;

The House proceeded to a Division on the Third Reading of the Bill;

The Speaker directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary

and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Speaker directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali, MP- AYES
2. Sen. Beatrice Kwamboka , MP - NOES

The Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George - voted virtually
9. Sen. Kibiru Charles Reubenson - voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Lelegwe Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Malalah Cleophas Wakhungu – voted virtually
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior – voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe – voted virtually
24. Sen. Mwinyihaji Mohamed Faki- voted virtually
25. Sen. Nderitu John Kinyua
26. Sen. Ndwiga Peter Njeru – voted virtually
27. Sen. Olekina Ledama
28. Sen. Onger Samson – voted virtually
29. Sen. Orengo James – voted virtually
30. Sen. Poghio Samuel Losuron

- 31. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
- 32. Sen. Wambua Enoch Kiio
- 33. Sen. Wetang'ula Moses Masika – voted virtually

Question – agreed to

Bill Read a Third Time and **passed.**

33. **COMMITTEE OF THE WHOLE**

Order for Committee read;

**IN THE COMMITTEE**

(The Acting Chairperson of Committees (Sen. John Kinyua, MP) – in the Chair)

**The Startup Bill (Senate Bills No. 1 of 2021)**

Clauses 3 to 7

Motion made and Question proposed;

THAT, Clauses 3 to 7 be part of the Bill.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

- 1. Sen. (Dr.) Alice Milgo, MP - AYES
- 2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 34****NOES - 0****ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George - voted virtually
9. Sen. Kibiru Charles Reubenson - voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
13. Sen. Linturi Franklin Mithika
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior – voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe – voted virtually
24. Sen. Mwinyihaji Mohamed Faki- voted virtually
25. Sen. Nderitu John Kinyua – voted virtually
26. Sen. Ndwiga Peter Njeru – voted virtually
27. Sen. Olekina Ledama
28. Sen. Ongeru Samson Kegengo
29. Sen. Orengo James – voted virtually
30. Sen. Outa Fredrick Otieno - voted virtually
31. Sen. Poghismo Samuel Losuron
32. Sen. Sakaja Johnson Arthur
33. Sen. Wambua Enoch Kiio
34. Sen. Wetang’ula Moses Masika – voted virtually

Clauses 3 to 7 - agreed to

Clause 8 - Amendment proposed

THAT clause 8 of the Bill be amended in sub clause (1)(b) by-

- (a) deleting the word “seven” appearing immediately after the words “not more than” in subparagraph (i) and substituting therefor the word “three”; and

(b) deleting the word “ten” appearing immediately after the words “be up to” appearing in subparagraph (ii) and substituting therefor the word “five”.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 34**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George - voted virtually
9. Sen. Kibiru Charles Reubenson - voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
13. Sen. Linturi Franklin Mithika
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation

19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior – voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe – voted virtually
24. Sen. Mwinyihaji Mohamed Faki- voted virtually
25. Sen. Nderitu John Kinyua – voted virtually
26. Sen. Ndwiga Peter Njeru – voted virtually
27. Sen. Olekina Ledama
28. Sen. Onger Samson Kegengo
29. Sen. Orengo James – voted virtually
30. Sen. Outa Fredrick Otieno - voted virtually
31. Sen. Poghisio Samuel Losuron
32. Sen. Sakaja Johnson Arthur
33. Sen. Wambua Enoch Kiio
34. Sen. Wetang'ula Moses Masika – voted virtually

Clause 8 (as amended) - agreed to

Clauses 9 - 31

Motion made and Question proposed;

THAT, Clauses 9 - 31 be part of the Bill.

*(Sen. Sakaja Johnson, MP)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:



**AYES - 34****NOES - 0****ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George - voted virtually
9. Sen. Kibiru Charles Reubenson - voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
13. Sen. Linturi Franklin Mithika
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior – voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe – voted virtually
24. Sen. Mwinyihaji Mohamed Faki- voted virtually
25. Sen. Nderitu John Kinyua – voted virtually
26. Sen. Ndwiga Peter Njeru – voted virtually
27. Sen. Olekina Ledama
28. Sen. Ongeru Samson Kegengo
29. Sen. Orengo James – voted virtually
30. Sen. Outa Fredrick Otieno - voted virtually
31. Sen. Poghismo Samuel Losuron
32. Sen. Sakaja Johnson Arthur
33. Sen. Wambua Enoch Kiio
34. Sen. Wetang’ula Moses Masika – voted virtually

Clauses 9 - 31 - agreed to

Clause 2 - Amendment proposed

THAT clause 2 of the Bill be amended-

- (a) by deleting the definition of the word “startup incubator”;
- (b) in the definition of the word “startup” by deleting the word “an” appearing immediately after the words “startup includes” and substituting therefor the words “a technology-based”; and

(c) by inserting the following new definition immediately after the definition of the word “startup”-

"startup incubator" means a company, partnership, non-governmental organization or limited liability partnership whose principal object is the support of the birth and development of start-ups, innovation and activities related to the transfer of technology, research, and development and innovation processes through the offer of dedicated physical spaces and services advice.

*(Sen. Farhiya Ali, MP, on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 34**

**NOES - 0**

**ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George - voted virtually
9. Sen. Kibiru Charles Reubenson - voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually

13. Sen. Linturi Franklin Mithika
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbiti Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior – voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe – voted virtually
24. Sen. Mwinyihaji Mohamed Faki- voted virtually
25. Sen. Nderitu John Kinyua – voted virtually
26. Sen. Ndwiga Peter Njeru – voted virtually
27. Sen. Olekina Ledama
28. Sen. Ongeru Samson Kegengo
29. Sen. Orengo James – voted virtually
30. Sen. Outa Fredrick Otieno - voted virtually
31. Sen. Poghio Samuel Losuron
32. Sen. Sakaja Johnson Arthur
33. Sen. Wambua Enoch Kiio
34. Sen. Wetang’ula Moses Masika – voted virtually

Clause 2 (as amended) - agreed to

The Title and Clause 1

Motion made and Question proposed;

THAT, the Title and Clause 1 be part of the Bill.

*(Sen. Sakaja Johnson, MP)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 34****NOES - 0****ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George - voted virtually
9. Sen. Kibiru Charles Reubenson - voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Kirinyaga Ephraim Mwangi Maina – voted virtually
13. Sen. Linturi Franklin Mithika
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling’ a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior – voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe – voted virtually
24. Sen. Mwinyihaji Mohamed Faki- voted virtually
25. Sen. Nderitu John Kinyua – voted virtually
26. Sen. Ndwiga Peter Njeru – voted virtually
27. Sen. Olekina Ledama
28. Sen. Ongeru Samson Kegengo
29. Sen. Orenge James – voted virtually
30. Sen. Outa Fredrick Otieno - voted virtually
31. Sen. Poghismo Samuel Losuron
32. Sen. Sakaja Johnson Arthur
33. Sen. Wambua Enoch Kiio
34. Sen. Wetang’ula Moses Masika – voted virtually

The Title and Clause 1 - agreed to

**Motion made;**

THAT, the Bill be reported with amendments.

*(Sen. Sakaja Johnson, MP)*

Before the question was put and pursuant to Standing Order 79, the Acting Chairperson (Sen. John Kinyua, MP) ruled that the Question did not affect counties;

Question put and agreed to.

34. **HOUSE RESUMED** – The Speaker – in the Chair

35. **THE STARTUP BILL (SENATE BILLS NO. 1 OF 2021)**

Bill be reported **with** amendments;

Motion made and Question Proposed;

THAT, the House do agree with the Committee in the said report.

*(Sen. Sakaja Johnson, MP)*

Before the question was put and pursuant to Standing Order 79, the Speaker ruled that the Question did not affect counties;

Question put and agreed to.

Motion made and question proposed-

THAT, the Startup Bill (Senate Bills No. 1 of 2021) be now read Third Time.

*(Sen. Sakaja Johnson, MP)*

There being no Senator wishing to contribute;

The House proceeded to a Division on the Third Reading of the Bill;

The Speaker directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Speaker directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali, MP– AYES
2. Sen. Beatrice Kwamboka , MP - NOES

The Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33****NOES - 0****ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George - voted virtually
9. Sen. Kibiru Charles Reubenson - voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Lelegwe Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Malalah Cleophas Wakhungu – voted virtually
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior – voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe – voted virtually
24. Sen. Mwinyihaji Mohamed Faki- voted virtually
25. Sen. Nderitu John Kinyua
26. Sen. Ndwiga Peter Njeru – voted virtually
27. Sen. Olekina Ledama
28. Sen. Onger Samson – voted virtually
29. Sen. Orengo James – voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Question – agreed to

Bill Read a Third Time and **passed.**

### 36. **COMMITTEE OF THE WHOLE**

Order for Committee read;

**IN THE COMMITTEE**

(The Acting Chairperson of Committees (Sen. John Kinyua, MP) – in the Chair)

**The National Health Insurance Fund (Amendment) Bill (National Assembly Bills No. 21 of 2021)**

Clauses 2, 3, 4, 5, and 6

Motion made and Question proposed;

THAT, Clauses 2, 3, 4, 5 and 6 be part of the Bill.

*(The Deputy Senate Majority Whip on behalf of the Senate Majority Leader)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul

9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika – voted virtually

Clauses 2, 3, 4, 5, and 6 - agreed to

Clause 7 - Amendment proposed

THAT clause 7 of the Bill be amended-

- (a) in paragraph (d) by deleting the proposed new definition of the word “employer” and substituting therefor the following new definition-

“employer” means a person, national government or national government entity, county government or county government entity, firm, corporation or company who or which has entered into a contract of service with an individual.

- (b) in paragraph (k) in the proposed new definition of the word “accreditation” by deleting the words “relevant body” appearing immediately after the words “provider by the” and substituting therefor the word “Board”; and
- (c) in the proposed new definition of the word “health care provider” by inserting the word “promotive” immediately after the words “palliative, convalescent, preventative”.

*(The Chairperson, Standing Committee on Health)*



There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually

- 24. Sen. Olekina Ledama
- 25. Sen. Ongeru Samson Kegengo – voted virtually
- 26. Sen. Orengo James – voted virtually
- 27. Sen. Outa, Fredrick Otieno – voted virtually
- 28. Sen. Poghio, Samuel Losuron
- 29. Sen. Sakaja Johnson Arthur
- 30. Sen. Wambua Enoch Kiio
- 31. Sen. Wetang'ula Moses Masika – voted virtually

Clause 7 (as amended) - agreed to

Clause 8 - Amendment proposed

THAT clause of the Bill be amended-

(a) in paragraph (b) in the proposed new paragraph (a) –

(i) by deleting subparagraph (iv) and substituting therefor the following new subparagraph-

(iv) funds from the national government, county governments and their respective entities for the administration of the compulsory public service employee's insurance benefit scheme or an employer who is not a national government, a county government or their respective entities, for the administration of employee benefits;

(ii) in subparagraph (v) by deleting the word “funds” appearing immediately before the words “from post retirement funds” and substituting therefor the word “contributions”.

*(The Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika – voted virtually

Clause 8 (as amended) - agreed to

Clause 9 - Amendment proposed

THAT clause 9 of the Bill be amended-

(a) in the proposed new subsection (1) by-

(i) deleting paragraph (d) and substituting therefor the following new paragraph -

(d) one person nominated by the Kenya Medical Association;

(ii) in paragraph (g) by deleting the word “one person” appearing immediately before the words “not being a Governor” and substituting therefor the words “two persons”;

(b) in the proposed new subsection (1A) by deleting the words “paragraphs (f) and (g)” appearing immediately after the words “appointed under” and substituting therefor the words “paragraphs (e), (f), (g) and (h)”.

*(The Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation

4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbiti Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika – voted virtually

Clause 9 (as amended) - agreed to

Clause 10 - Amendment proposed

THAT clause 10 of the Bill be amended-

(a) in paragraph (b) in the proposed new paragraph (c) by deleting the words “Cabinet Secretary” appearing immediately after the words “consultation with the” and substituting therefor the words “respective regulatory bodies specified under section 60 of the Health Act;

(b) by inserting the following new paragraph immediately after paragraph (d)-

(da) by inserting the following new subsection immediately after subsection (1)-

(2) The Board shall facilitate public participation and stakeholder engagement in the carrying out of its functions under this Act.

*(The Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbiti Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually

22. Sen. Nderitu John Kinyua
23. Sen. Ndwigwa Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghisi, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika – voted virtually

Clause 10 (as amended) - agreed to

Clauses 11, 12, and 13

Motion made and Question proposed;

THAT, Clauses 11,12 and13 be part of the Bill.

*(The Deputy Senate Majority Whip on behalf of the Senate Majority Leader)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation

4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika – voted virtually

Clauses 11, 12 and 13 - agreed to

Clause 14 - Amendment proposed

THAT clause 14 of the Bill be amended-

THAT clause 14 of the Bill be amended in the proposed new section 10(2) by deleting the word “Bachelor’s” appearing immediately after the words “at least a” and substituting therefor the word “Master’s”.

*(The Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the



Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbiti Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio

31. Sen. Wetang'ula Moses Masika – voted virtually

Clause 14 (as amended) - agreed to

Clause 15 - Amendment proposed

THAT clause 15 of the Bill be amended in the proposed new section 10A by inserting the following new subsection immediately after subsection (1)-

(1A) A person is qualified for appointment as a corporation secretary under subsection (1) has been a member of the Institute of certified Public Secretaries for at least ten years and the person is in good standing with the Institute.

*(The Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation

5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbiti Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika – voted virtually

Clause 15 (as amended) - agreed to

Clauses 16, 17, and 18

Motion made and Question proposed;

THAT, Clauses 16, 17 and 18 be part of the Bill.

*(The Deputy Senate Majority Whip on behalf of the Senate Majority Leader)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbiti Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo – voted virtually
26. Sen. Orenge James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika – voted virtually

Clauses 16, 17 and 18

- agreed to

Clause 19

-

Amendment proposed

THAT clause 19 of the Bill be amended-

(a) in paragraph (c) by deleting subparagraph (ii);

(b) in paragraph (d) by deleting the proposed new paragraph (e) and substituting therefor the following new paragraph-

(e) in the case of any other employer under subsection (1A)(c), a matching contribution equal to that which their employee is liable to contribute under subsection (1)(c) subject to section 6(c).

(c) by inserting the following new paragraph immediately after paragraph (d)-

(da) by inserting the following new subsection immediately after subsection (2)-

(2A) An employer other than the national government or county governments or their entities liable to pay a matching contribution under section 15 may be exempted from paying such matching contribution, if that employer has procured a private health insurance cover for its employees and the benefits are equal to or better than the benefits that the employees are entitled to under this Act.

(2B) An employer who intends to be exempted under subsection (2A) shall submit an application to the Board in writing together with a certificate issued by the Insurance Regulatory Authority to that employer—

(a) certifying that the respective employees have been insured by a private health insurer;

(b) specifying the details of the cover and the benefits; and

(c) specifying the validity period of the private health insurance cover.

(2C) The Board, -

(a) shall determine an application under subsection (2B) within thirty days of receipt; and

(b) may grant the exemption if the Board is satisfied that the private health insurance is adequate.

(d) in paragraph (i) in the proposed new subsection (6) by deleting the word “may” appearing immediately after the words “Cabinet Secretary” and substituting therefor the word “shall”.

*(The Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbiti Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually

21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwigwa Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika – voted virtually

Clause 19 (as amended) - agreed to

Clause 20 - Amendment proposed

THAT clause 20 of the Bill be amended in paragraph (f) by deleting the words “one million” appearing immediately after the words “therefor the words” in subparagraph (ii) and substituting therefor the words “five hundred thousand”.

*(The Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation

2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika – voted virtually

Clause 20 (as amended) - agreed to

Clause 21 - Amendment proposed

THAT clause 21 of the Bill be amended-

- (a) in paragraph (b) in the proposed new subsection (1) by deleting the proviso;
- (b) in paragraph (c) by inserting the words “that would have been covered by the Fund” immediately after the words “pay the costs”;
- (c) by inserting a new paragraph immediately after paragraph (c)-
  - (d) where an employer is a national government, county government or a national or county government entity, the respective accounting officer shall be personally liable for the costs that would have been covered by the Fund and incurred by the employee when seeking



treatment from a contracted health care provider during the period when the contribution is due.

*(The Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbiti Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually

19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kii
31. Sen. Wetang’ula Moses Masika – voted virtually

Clause 21 (as amended) - agreed to

Clauses 22

Motion made and Question proposed;

THAT, Clauses 22 be part of the Bill.

*(The Deputy Senate Majority Whip on behalf of the Senate Majority Leader)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbiti Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika – voted virtually

Clauses 22 - agreed to

Clause 23 - Amendment proposed

THAT clause 23 of the Bill be amended by deleting the words “by the youth” appearing immediately after the words “inserting the words” and substituting therefor the words “by unemployed persons”.

*(The Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbiti Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually

- 28. Sen. Poghio, Samuel Losuron
- 29. Sen. Sakaja Johnson Arthur
- 30. Sen. Wambua Enoch Kiio
- 31. Sen. Wetang'ula Moses Masika – voted virtually

Clause 23 (as amended) - agreed to

Clauses 24 and 25

Motion made and Question proposed;

THAT, Clauses 24 and 25 be part of the Bill.

*(The Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

- 1. Sen. (Dr.) Alice Milgo, MP - AYES
- 2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

- 1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
- 2. Sen. Ali Abdullahi Ibrahim – voted virtually
- 3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
- 4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
- 5. Sen. Khaniri George – voted virtually
- 6. Sen. Kibiru Charles Reubenson – voted virtually
- 7. Sen. Kihika Susan Wakarura

8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika – voted virtually

Clauses 24 and 25 - agreed to

Clause 26 - Amendment proposed

THAT clause 26 of the Bill be amended in paragraph (c) by-

(a) deleting the proposed subsection (3) and substituting therefor the following new subsections—

(3) The Board shall, in consultation with the Cabinet Secretary, prescribe benefits payable from the Fund including benefits available with respect to emergency treatment for –

- (a) primary angioplasty;
- (b) thrombolysis;
- (c) thrombolysis and rescue angioplasty; or
- (d) such other treatment as the Board may determine.

(3A) The benefits payable from the Fund shall be subject to such limits, and conditions as the Board may prescribe in regulations.

(b) deleting the proposed new subsection (3B) and substituting therefor the following new subsections-

(3B) The Board shall, every two years, carry out a review of the applicable tariffs payable to the Fund under section 15 and payable out of the Fund to empaneled contracted health care providers.

(3C) The Board shall use the approved risk spreading mechanism, approved claims administration services on benefits of outpatient, inpatient and on employees' benefits scheme as provided for under sections 3(iv) and (v), 15, 22 and 43.

*(The Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually

11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika – voted virtually

Clause 26 (as amended) - agreed to

Clause 27 - Amendment proposed

THAT clause 27 of the Bill be amended in the proposed new section 23 by-

(a) renumbering the provision as subsection (1); and

(b) inserting the following new subsection immediately after subsection (1)-

(2) The Board shall make regulations for the better carrying out of the provisions of this section.

*(The Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;



After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika – voted virtually

Clause 27 (as amended)

-

agreed to

Clauses 28, 29, 30, 31 and 32

Motion made and Question proposed;

THAT, Clauses 28, 29, 30, 31 and 32 be part of the Bill.

*(The Deputy Senate Majority Whip on behalf of the Senate Majority Leader)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP - NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling'a

15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghiso, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika – voted virtually

Clauses 28, 29, 30, 31 and 32 - agreed to

Clause 33 - Amendment proposed

THAT clause 33 of the Bill be amended-

- (a) paragraph (b) in the proposed new subsection (1) by deleting the words “accreditation bodies” and substituting therefor the words “regulatory bodies specified under section 60 of the Health Act”.
- (b) by deleting paragraph (d) and substituting therefor the following paragraph-
- (c) deleting subsection (3) and substituting therefor the following new subsections-
  - (3) The Board may, at any time, revoke any empanelment under this section.
    - (3A) Where the Board intends to revoke the empanelment of a health provider under subsection (3), the Board shall notify the health care provider of the intended revocation, in writing, setting out the reasons for revocation of empanelment.
    - (3B) A health provider may, upon receiving a notification under subsection (3A) submit a written response to the notification within seven days.
- (c) by deleting paragraph (e) and substituting therefor the following new paragraph-

(e) inserting the following new subsections immediately after subsections (3) -

(4) A healthcare provider whose empanelment has been revoked under this section may apply to the Board for the review of the revocation in the first instance and, if dissatisfied by the decision of the Board upon review, appeal to the High Court against the revocation.

(5) The Board shall cause the name of every healthcare provider whose empanelment is revoked to be published in the Gazette and in at least three newspapers with nationwide circulation.

*(The Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually

7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbiti Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghiso, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika – voted virtually

Clause 33 (as amended) - agreed to

Clause 34

Motion made and Question proposed;

THAT, Clauses 34 be part of the Bill.

*(The Deputy Senate Majority Whip on behalf of the Senate Majority Leader)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES

## 2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31****NOES:0****ABSTENTION:0****AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbiti Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika – voted virtually

Clause 34 - agreed to

Clause 35 - Amendment proposed

THAT clause 35 of the Bill be amended in paragraph (c) by deleting the words “one million shillings or to imprisonment for a term not exceeding twenty-four months” appearing immediately after the words “therefor the words” and

substituting therefor the words “one hundred thousand shillings or to imprisonment for a term not exceeding six months”.

*(The Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbiti Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually

18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghisi, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika – voted virtually

Clause 35 (as amended) - agreed to

Clause 36 - Amendment proposed

THAT clause 36 of the Bill be amended by-

(a) by inserting the following new paragraph immediately before paragraph (a)-

(Aa) in paragraph (a) by inserting the words “on the advice of the Central Bank of Kenya” immediately after the words “a reputable bank”.

*(The Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;



The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika – voted virtually

Clause 36 (as amended) - agreed to

Clauses 37 and 38

Motion made and Question proposed;

THAT, Clauses 34 be part of the Bill.

*(The Deputy Senate Majority Whip on behalf of the Senate Majority Leader)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbiti Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo – voted virtually

- 26. Sen. Orengo James – voted virtually
- 27. Sen. Outa, Fredrick Otieno – voted virtually
- 28. Sen. Poghisi, Samuel Losuron
- 29. Sen. Sakaja Johnson Arthur
- 30. Sen. Wambua Enoch Kiio
- 31. Sen. Wetang'ula Moses Masika – voted virtually

Clauses 37 and 38 - agreed to

Clause 39 - Amendment proposed

THAT the Bill be amended by deleting clause 39 and substituting therefor the following new clause-

Amendment **39.** The principal Act is amended by deleting of section 38 section 38 and substituting therefor the of No. 9 of following new section- 1998.

Annual reports.

**38.** (1) The Board shall, within three months after the end of each financial year, prepare and submit to the Cabinet Secretary a report of the operations of the Board for the immediately preceding year.

(2) The Cabinet Secretary shall, within three months of submission of the report under subsection (1), transmit the report to Parliament.

*(The Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES

## 2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbiti Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika – voted virtually

Clause 39 (as amended) - agreed to

Clauses 40, 41, 42, 43

Motion made and Question proposed;

THAT, Clauses 40, 41, 42, 43 be part of the Bill.

*(The Deputy Senate Majority Whip on behalf of the Senate Majority Leader)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbiti Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually

21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika – voted virtually

Clauses 40, 41, 42, 43 - agreed to

Clause 44 - Amendment proposed

THAT clause 44 of the Bill be amended by deleting the proposed new section 45A and substituting therefor the following new sections-

Application **45A.** The provisions of the Insurance Act of Cap 487. shall apply to the Fund only in respect to risk spreading and claims administration services.

Application **45B.** The provisions of the Retirement of No. 3 of Benefits Act shall apply to Fund only with respect to post-retirement medical contributions.

*(Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika – voted virtually

Clause 44 (as amended) - agreed to

Clauses 45, 46 and 47

Motion made and Question proposed;

THAT, Clauses 45, 46, 47 be part of the Bill.

*(The Deputy Senate Majority Whip on behalf of the Senate Majority Leader)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbiti Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually



- 22. Sen. Nderitu John Kinyua
- 23. Sen. Ndwigwa Peter Njeru – voted virtually
- 24. Sen. Olekina Ledama
- 25. Sen. Ongeru Samson Kegengo – voted virtually
- 26. Sen. Orengo James – voted virtually
- 27. Sen. Outa, Fredrick Otieno – voted virtually
- 28. Sen. Poghisi, Samuel Losuron
- 29. Sen. Sakaja Johnson Arthur
- 30. Sen. Wambua Enoch Kiio
- 31. Sen. Wetang'ula Moses Masika – voted virtually

Clauses 45, 46 and 47 - agreed to

New Clause 26A - Insertion of New Clause proposed

THAT the Bill be amended by inserting the following new clause immediately after clause 26-

Insertion of 26A. The principal Act is amended by inserting the new section following new section immediately after section 22A in No. 9 of 22-1998.

Non- withdrawal of benefits. 22A. (1) The Board shall not withdraw the benefits of a person undergoing treatment for a chronic illness.

(2) The Board shall, in making regulations for determining benefits under the Fund ensure that the Fund shall meet the costs of a contributor accessing inpatient services at any empaneled health care provider.

(The Chairperson, Standing Committee on Health)

Motion made and Question proposed;

THAT, New Clause 26A be now read a Second Time

*(The Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbiti Michael Maling’ a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually

27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika – voted virtually

Question agreed to

Motion made and Question proposed;

THAT, the New Clause 26A be part of the Bill  
*(The Chairperson, Standing Committee on Health)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu

14. Sen. Mbito Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeru Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghisi, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika – voted virtually

New Clause 26A – agreed to

The Title and Clause 1

Motion made and Question proposed;

THAT, the Title and Clause 1 be part of the Bill

*(The Deputy Senate Majority Whip on behalf of the Senate Majority Leader)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. John Kinyua, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and directed that the division bell be rung for five minutes;

After the expiry of five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. (Dr.) Alice Milgo, MP - AYES
2. Sen. Beatrice Kwamboka, MP – NOES

The Acting Chairperson put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

**AYES: 31**

**NOES:0**

**ABSTENTION:0**

**AYES**

1. Sen. Halake Abshiro – voted virtually on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim – voted virtually
3. Sen. Zani, Agnes Philomena – voted on behalf of Kwale County delegation
4. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County delegation
5. Sen. Khaniri George – voted virtually
6. Sen. Kibiru Charles Reubenson – voted virtually
7. Sen. Kihika Susan Wakarura
8. Sen. Kimani Wamatangi Paul
9. Sen. Kirinyaga Ephraim Maina – voted virtually
10. Sen. Lelegwe Ltumbesi – voted virtually
11. Sen. Linturi Franklin Mithika
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu
14. Sen. Mbito Michael Maling'a
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu – voted virtually
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohamed Faki – voted virtually
22. Sen. Nderitu John Kinyua
23. Sen. Ndwiga Peter Njeru – voted virtually
24. Sen. Olekina Ledama
25. Sen. Ongeri Samson Kegengo – voted virtually
26. Sen. Orengo James – voted virtually
27. Sen. Outa, Fredrick Otieno – voted virtually
28. Sen. Poghisio, Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika – voted virtually

The Title and Clause 1 - agreed to

**Motion made;**

That, the Bill be reported with amendments.

*(The Deputy Senate Majority Whip on behalf of the Senate Majority Leader)*

Before the question was put and pursuant to Standing Order 79(1), the Acting Chairperson (Sen. John Kinyua, MP) ruled that the Question did not affect counties;

Question put and agreed to.

37. **HOUSE RESUMED** – The Speaker – in the Chair

38. **THE NATIONAL HEALTH INSURANCE FUND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 21 OF 2021)**

Bill be reported **with** amendments;

Motion made and Question Proposed;

THAT, the House do agree with the Committee in the said report.

*(The Deputy Senate Majority Whip on behalf of the Senate Majority Leader)*

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 79, the Speaker ruled that the Question did not affect counties;

Question put and agreed to.

Motion made and question proposed-

THAT, the National Health Insurance Fund (Amendment) Bill (National Assembly Bills No. 21 of 2021) be now read a Third time.

*(The Deputy Senate Majority Whip on behalf of the Senate Majority Leader)*

There being no Senator wishing to contribute;

The House proceeded to a Division on the Third Reading of the Bill;

The Speaker directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17<sup>th</sup> April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Speaker directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Farhiya Ali, MP– AYES
2. Sen. Beatrice Kwamboka , MP - NOES

The Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

**AYES - 33****NOES - 0****ABSTENTION - 0**

1. Sen. Halake Abshiro Soka – Voted virtually
2. Sen. Ali Abdullahi Ibrahim –voted virtually
3. Sen. Zani Agnes Philomena- voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Haji Adbul Mohammed – voted virtually
7. Sen. Mercy Chebeni – voted virtually on behalf of Uasin Gishu County Delegation
8. Sen. Khaniri George - voted virtually
9. Sen. Kibiru Charles Reubenson - voted virtually
10. Sen. Kihika Susan Wakarura
11. Sen. Kimani Wamatangi Paul
12. Sen. Lelegwe Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Madzayo Stewart Mwachiru – voted virtually
15. Sen. Malalah Cleophas Wakhungu – voted virtually
16. Sen. Mbito Michael Maling'a
17. Sen. Moi Gideon Kipsielei Towett – voted virtually
18. Sen. Seneta Mary Yiane – voted virtually on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu – voted virtually
21. Sen. Mutula Kilonzo Junior – voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe – voted virtually
24. Sen. Mwinyihaji Mohamed Faki- voted virtually
25. Sen. Nderitu John Kinyua
26. Sen. Ndwiga Peter Njeru – voted virtually
27. Sen. Olekina Ledama
28. Sen. Onger Samson – voted virtually
29. Sen. Orengo James – voted virtually
30. Sen. Poghisio Samuel Losuron
31. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika – voted virtually

Question – agreed to

Bill Read a Third Time and **passed.**

### 39. **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.

***(Resumption of debate interrupted on Tuesday, 14<sup>th</sup> September, 2021)***

Order deferred

40. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON NATIONAL COHESION, EQUAL OPPORTUNITY AND REGIONAL INTEGRATION ON ETHNIC DIVERSITY AND INCLUSIVITY AT THE KENYA MARITIME AUTHORITY (KMA) AND KENYA PORTS AUTHORITY (KPA)**

(The Chairperson, Standing Committee on National Cohesion, Equal Opportunity and Regional Integration)

**THAT**, the Senate adopts the Report of the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration on ethnic diversity and inclusivity at the Kenya Maritime Authority (KMA) and Kenya Ports Authority (KPA) laid on the Table of the Senate on Wednesday, 1<sup>st</sup> December, 2021.

Order deferred.

41. **MOTION - ADJOURNMENT OF THE SENATE**

Motion made and Question proposed-



THAT, pursuant to Standing Orders 28 and 29, the Senate do adjourn until Tuesday, 8<sup>th</sup> February, 2022.

*(The Senate Majority Leader)*

And there being no Senator wishing to contribute;

The Speaker adjourned the Senate at fifty minutes past Nine O'clock, without Question put, pursuant to the Standing Orders.

42. **SENATE ROSE** – at fifty minutes past Nine O'clock.

**M E M O R A N D U M**

*The Speaker will take the Chair on  
Tuesday, February 08, 2022 at 2.30 p.m.*

--X--