



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SIXTH SESSION)

VOTES AND PROCEEDINGS

TUESDAY, JUNE 14, 2022 AT 2.30 P.M.

1. The Senate assembled at thirty Minutes past Two O'clock.
2. The proceedings were opened with Prayer said by the Speaker.
3. **COMMUNICATION FROM THE CHAIR ON VISITING TEACHERS AND STUDENTS FROM PATTERSON MEMORIAL SECONDARY SCHOOL, KAJIADO COUNTY**

The Speaker conveyed the following Communications from the Chair: -

“Honorable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting teachers and History students from Patterson Memorial Secondary School in Kajiado County, who are on an academic trip.

Honorable Senators,

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them and, on behalf of the Senate and on my own behalf, wish them a fruitful visit.

I thank you!”

4. **MESSAGE FROM THE NATIONAL ASSEMBLY ON THE APPROVAL OF THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 1 OF 2022)**

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) and (4) of the Senate, I have received the following Message from the Speaker of the National Assembly regarding the passage of the County Allocation of Revenue Bill (Senate Bills No. 1 of 2022).

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

“PURSUANT to the provisions of Standing Orders 41(1) and 144 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –

WHEREAS, the County Allocation of Revenue Bill (Senate Bill No. 1 of 2022) was published vide Kenya Gazette Supplement No. 64 of 2022 as a special Bill concerning county governments to provide, inter alia, for the equitable allocation of revenue raised nationally among the county governments for the 2022/2023 financial year;

WHEREAS, the said Bill was passed by the Senate on Wednesday, 8th June, 2022 and referred to the National Assembly for consideration in accordance with the provisions of Article 110(4) of the Constitution;

AND WHEREAS, the National Assembly also passed the said Bill on Thursday, 9th June, 2022 **without amendments** (in the form passed by the Senate);

NOW THEREFORE, in accordance with the provisions of Article 110 of the Constitution and Standing Orders 41(1) and 144 of the National Assembly Standing Orders, I hereby **convey** the said decision of the National Assembly to the Senate.”

Honourable Senators,

Consequently, I am in the process of transmitting the Bill to His Excellency the President for assent.

I thank you.”

5. **PETITION**

Pursuant to Standing Order 232(2), Nominated Senator (Sen. Naomi Shiyonga, MP) on behalf of the Chairperson, Standing Committee on Labour and Social Welfare tabled before the Senate a Report of the Standing Committee on a Petition to the Senate concerning the recruitment and remuneration of Early Childhood Development Education (ECDE) teachers in Nyamira and Uasin Gishu counties.

6. **PAPERS**

The following Papers were laid on the Table of the Senate: -

- i.) Report of the Sessional Committee on Delegated Legislation on its consideration of the Public Finance Management (National Government) (Amendment) Regulations, Legal Notice No.89 of 2022 on variation of Public Debt Ceiling.

(The Chairperson, Sessional Committee on Delegated Legislation)

- ii.) Report of the Standing Committee on Tourism, Trade and Industrialization on the SACCO Societies (Amendment) Bill (National Assembly Bills No. 55 of 2021).

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Tourism, Trade and Industrialization)

- iii.) Report of the Standing Committee on Labour and Social Welfare on a Petition to the Senate concerning the recruitment and remuneration of Early Childhood Development Education (ECDE) teachers in Nyamira and Uasin Gishu counties.

(Sen. Naomi Shiyonga, MP) on behalf of the Chairperson, Standing Committee on Labour and Social Welfare)

- iv.) Annual Report and Financial Statements for the Capital Markets Authority for FY 2020- 2021.

(The Senate Majority Leader)

- v.) Report of the Sessional Committee on County Public Accounts and Investments on consideration of Reports by the Auditor General on Financial Statements of County Executives of Nyeri, Tharaka Nithi, Murangá, Kitui, Lamu, Siaya, Busia, Meru, Nyamira, Turkana, Makueni, Bungoma, and Elgeyo Marakwet for the for the Financial Year 2018/2019 (Volume I);

- vi.) Report of the Sessional Committee on County Public Accounts and Investments on consideration of Reports by the Auditor General on Financial Statements of County Assemblies of Bomet, Taita Taveta, Kilifi, Nyamira and Garissa for the Financial Year 2018/2019 (Volume II);

- vii.) Report of the Sessional Committee on County Public Accounts and Investments on consideration of Reports by the Auditor General on Financial Statements of County Executives of Narok, Kajiado, Kwale, West Pokot, Trans Nzoia, Turkana, Kericho, Busia, Kilifi, Machakos and Kisii for the Financial Year 2019/2020 (Volume III); and

- viii.) Report of the Sessional Committee on County Public Accounts and Investments on consideration of Reports by the Auditor General on Financial Statements of County Assemblies of Kilifi, Kwale, Taita Taveta, Garissa, Mandera, Kisumu, Mombasa, Kisii and Wajir for Financial Year 2019/2020 (Volume IV).

(Sen. Samson Cherarkey, MP on behalf of the Chairperson, Sessional Committee on County Public Accounts and Investments)

7. **NOTICE OF MOTION - APPROVAL OF THE REVISED DEBT CEILING FOR THE NATIONAL GOVERNMENT**

THAT, the Senate adopts the Report of the Sessional Committee on Delegated Legislation on the consideration of the Public Finance Management (National Government) (Amendment) Regulations, Legal Notice No. 89 of 2022, laid on the Table of the Senate on Tuesday, 14th June, 2022, and that pursuant to the provisions of section 50(2) of the Public Finance Management Act, the Senate **approves** the amendments to the Public Finance Management (National Government) Regulations, 2015 (Principal Regulations), as effected through Legal Notice No. 89 of 2022, thus varying the Public Debt Ceiling to an amount not exceeding ten trillion shillings.

(Chairperson, Sessional Committee on Delegated Legislation)

8. **THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATION BILL (SENATE BILLS NO. 2 OF 2022)**

(The Chairperson, Standing Committee on Finance and Budget)

(Second Reading)

(Resumption of debate interrupted on Wednesday, 8th June, 2022)
(Division)

Order deferred.

9. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS CASH DISBURSEMENT SCHEDULE FOR THE FINANCIAL YEAR 2021/2022 AND APPROVAL OF THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS CASH DISBURSEMENT SCHEDULE FOR THE FINANCIAL YEAR 2021/2022**

Order Read;

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the County Governments Additional Allocations Cash Disbursement Schedule for the Financial Year 2021/2022 and approval of the County Governments Additional Allocations Cash Disbursement Schedule for the Financial Year 2021/2022 laid on the Table of the Senate on Wednesday, 8th June, 2022, and that pursuant to Section 17 (7) of the Public Finance Management Act and Standing Order 183 (3), the Senate approves the County Governments Additional Allocations Cash Disbursement Schedule for Financial Year 2021/2022.

(Senate Deputy Majority Whip on behalf of the Chairperson, Standing Committee on Finance and Budget)

Debate arising;

And there being no other Senator wishing to contribute;

Mover replied;

Raising a point of order, the Mover requested that putting of the Question be deferred to a later date, pursuant to Standing Order 61(3).

And the Temporary Speaker (Sen. Judith Pareno, MP), acceding to the request, deferred putting of the Question to a later date.

10. **MOTION - APPROVAL OF THE REVISED DEBT CEILING FOR THE NATIONAL GOVERNMENT**

Order read;

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Sessional Committee on Delegated Legislation on the consideration of the Public Finance Management (National Government) (Amendment) Regulations, Legal Notice No. 89 of 2022, laid on the Table of the Senate on Tuesday, 14th June, 2022, and that pursuant to the provisions of section 50(2) of the Public Finance Management Act, the Senate **approves** the amendments to the Public Finance Management (National Government) Regulations, 2015 (Principal Regulations), as effected through Legal Notice No. 89 of 2022, thus varying the Public Debt Ceiling to an amount not exceeding ten trillion shillings.

(Chairperson, Sessional Committee on Delegated Legislation)

Debate arising;

And there being no other Senator wishing to contribute;

Mover replied;

Raising a point of order, the Mover requested that putting of the Question be deferred to a later date, pursuant to Standing Order 61(3).

And the Temporary Speaker (Sen. Judith Pareno, MP), acceding to the request, deferred putting of the Question to a later date.

11. **COMMITTEE OF THE WHOLE**
THE INTERGOVERNMENTAL RELATIONS (AMENDMENT) BILL (SENATE BILLS NO. 37 OF 2021)

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

(Resumption of debate interrupted on Wednesday, 22nd December, 2021 – Morning Sitting)

(Division)

Order deferred.

12. **COMMITTEE OF THE WHOLE**
THE LAW OF SUCCESSION (AMENDMENT) BILL, (SENATE BILLS NO. 15 OF 2021)

(Sen. Abshiro Halake, MP)

(Resumption of debate interrupted on Wednesday, 2nd March, 2022 – Morning Sitting)

(Division)

Order deferred.

13. **COMMITTEE OF THE WHOLE**
THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILLS NO. 21 OF 2021)

(Sen. Abshiro Halake, MP)

(Resumption of debate interrupted on Wednesday, 2nd March, 2022 – Morning Sitting)

(Division)

Order deferred.

14. **COMMITTEE OF THE WHOLE**
THE LIFESTYLE AUDIT BILL (SENATE BILLS NO. 36 OF 2021)

(Sen. (CPA). Farhiya Haji, MP)

(Resumption of debate interrupted on Tuesday, 1st March, 2022)

(Division)

Order deferred.

15. **COMMITTEE OF THE WHOLE**
THE SPECIAL NEEDS EDUCATION BILL (SENATE BILLS NO. 44 OF 2021)

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

(Resumption of debate interrupted on Wednesday, 2nd March, 2022 – Morning Sitting)

(Division)

Order deferred.

16. **COMMITTEE OF THE WHOLE**
THE IRRIGATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2021)

(The Senate Majority Leader)

(Resumption of debate interrupted on Wednesday, 4th May, 2022)

(Division)

Order deferred.

17. **COMMITTEE OF THE WHOLE**
THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATION BILL (SENATE
BILLS NO. 2 OF 2022)

(The Chairperson, Standing Committee on Finance and Budget)

Order deferred.

18. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

The Acting Chairperson of Committees (Sen. Judith Pareno, MP) – in the
Chair

The Community Groups Registration Bill (National Assembly Bills No. 20
of 2021)

Clauses 3-10

Motion made and Question proposed;

THAT, Clauses 3 - 10 be part of the Bill.

(The Senate Majority Leader)

Clauses 3-10 - Vote deferred

Clauses 11 – 20

Motion made and Question proposed;

THAT, Clauses 11 - 20 be part of the Bill.

(The Senate Majority Leader)

Clauses 11-30 - Vote deferred

Clauses 21 – 30

Motion made and Question proposed;

THAT, Clauses 21 - 30 be part of the Bill.

(The Senate Majority Leader)

Clauses 21-30 - Vote deferred

Clauses 31 – 41

Motion made and Question proposed;

THAT, Clauses 31 - 41 be part of the Bill.

(The Senate Majority Leader)

Clauses 31 - 41 - Vote deferred

The First Schedule

Motion made and Question proposed;

THAT, the First Schedule be part of the Bill.

(The Senate Majority Leader)

The First Schedule - Vote deferred

The Second Schedule

Motion made and Question proposed;

THAT, the Second Schedule be part of the Bill.

(The Senate Majority Leader)

The Second Schedule - Vote deferred

Clause 2, the Title and Clause 1

Motion made and Question proposed;

THAT, Clause 2, the title and Clause 1 be part of the Bill.

(The Senate Majority Leader)

Clause 2, the Title and Clause 1 - Vote deferred

Motion made: -

THAT, the Committee of the Whole House do report to the House its consideration of the Community Groups Registration Bill (National Assembly Bills No. 20 of 2021) and seek leave to sit again tomorrow.

(The Senate Majority Leader)

Before the Question was put and pursuant to Standing Order 79(1), the Acting Chairperson (Sen. Judith Pareno, MP) ruled that the Question did not affect counties;

Question put and agreed to.

19. **HOUSE RESUMED** – Temporary Speaker, Sen. Judith Pareno, MP - in the Chair
20. **THE COMMUNITY GROUPS REGISTRATION BILL (NATIONAL ASSEMBLY BILLS NO. 20 OF 2021)**
Progress reported;

Motion made and Question proposed;

THAT, the Senate do agree with the Committee of the Whole in the said report.

(Sen. Mohamed Faki, MP on behalf of the Acting Chairperson)

And there being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 79(1), the Temporary Speaker (Sen. Judith Pareno, MP) ruled that the Question did not affect counties;

Question put and agreed to.

21. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Judith Pareno, MP) – in the Chair)

The Landlord and Tenant Bill (National Assembly Bills No. 3 of 2021)

Clauses 3 - 10

Motion made and Question proposed;

THAT, Clause 3-10 be part of the Bill.

(The Senate Majority Leader)

Clauses 3-10 - Vote deferred

Clauses 11 - 20

Motion made and Question proposed;

THAT, Clause 11-20 be part of the Bill.

(The Senate Majority Leader)

Clauses 11-20 - Vote deferred

Clauses 21 - 30

Motion made and Question proposed;

THAT, Clause 21-30 be part of the Bill.

(The Senate Majority Leader)

Clauses 21-30 - Vote deferred

Clauses 31 - 40

Motion made and Question proposed;

THAT, Clause 31-40 be part of the Bill.

(The Senate Majority Leader)

Clauses 31-40 - Vote deferred

Clauses 41 - 50

Motion made and Question proposed;

THAT, Clause 41-50 be part of the Bill.

(The Senate Majority Leader)

Clauses 41-50 - Vote deferred

Clauses 51 - 60

Motion made and Question proposed;

THAT, Clause 51-60 be part of the Bill.

(The Senate Majority Leader)

Clauses 51-60 - Vote deferred.

Clauses 61 - 65

Motion made and Question proposed;

THAT, Clause 61-65 be part of the Bill.
(The Senate Majority Leader)

Clauses 61-65 - Vote deferred

The Schedule

Motion made and Question proposed;

THAT, Clause the Schedule be part of the Bill.
(The Senate Majority Leader)

The Schedule - Vote deferred

Clause 2, the Title and Clause 1

Motion made and Question proposed;

THAT, Clause2, the Title and Clause 1 be part of the Bill.
(The Senate Majority Leader)

Clause 2, the Title and Clause 1 - Vote deferred

Motion made;

THAT, the Committee of the Whole do report to the House its consideration of the Landlord and Tenant Bill (National Assembly Bills No. 3 of 2021) and seek leave to sit again tomorrow.

(The Senate Majority Leader)

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

Question put and agreed to.

22. **HOUSE RESUMED** – The Temporary Speaker (Sen. Judith Pareno, MP) – in the Chair

23. **THE LANDLORD AND TENANT BILL (NATIONAL ASSEMBLY BILLS NO. 3 OF 2021)**

Progress reported;

Motion made and Question Proposed;

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

(Sen. Mohamed Faki, MP on behalf of the Acting Chairperson)

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 79, the temporary Speaker (Sen. Judith Pareno, MP) ruled that the Question did not affect counties;

Question put and agreed to.

24. **COMMITTEE OF THE WHOLE**
THE SUGAR BILL (NATIONAL ASSEMBLY BILLS NO. 68 OF 2019)
(The Senate Majority Leader)

Order for Committee read;

Order deferred.

25. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

The Acting Chairperson of Committees (Sen. Judith Pareno, MP) – in the Chair

The Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bills No. 32 of 2021)

Clauses 3-20

Motion made and Question proposed;

THAT, Clauses 3 - 20 be part of the Bill.

(The Senate Majority Leader)

Clauses 3-20

- Vote deferred

Clauses 21 – 39

Motion made and Question proposed;

THAT, Clauses 21 – 39 be part of the Bill.

(The Senate Majority Leader)

Clauses 21 – 39 - Vote deferred

Clause 2, the Title and Clause 1

Motion made and Question proposed;

THAT, Clause 2, the title and Clause 1 be part of the Bill.

(The Senate Majority Leader)

Clause 2, the Title and Clause 1 - Vote deferred

Motion made: -

THAT, the Committee of the Whole House do report to the House its consideration of the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bills No. 32 of 2021) and seek leave to sit again tomorrow.

(The Senate Majority Leader)

Before the Question was put and pursuant to Standing Order 79(1), the Acting Chairperson (Sen. Judith Pareno, MP) ruled that the Question did not affect counties;

Question put and agreed to.

26. **HOUSE RESUMED** – Temporary Speaker, Sen. Judith Pareno, MP - in the Chair
27. **THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 32 OF 2021)**

Progress reported;

Motion made and Question proposed;

THAT, the Senate do agree with the Committee of the Whole in the said report.

(Sen. Mohamed Faki, MP on behalf of the Acting Chairperson)

And there being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 79(1), the Temporary Speaker (Sen. Judith Pareno, MP) ruled that the Question did not affect counties;

Question put and agreed to.

28. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

The Acting Chairperson of Committees (Sen. Judith Pareno, MP) – in the Chair

The Sacco Societies (Amendment) Bill (National Assembly Bills No. 55 Of 2021)

Clauses 2-9

Motion made and Question proposed;

THAT, Clauses 2 - 9 be part of the Bill.

(The Senate Majority Leader)

Clauses 2-9 - Vote deferred.

The Title and Clause 1

Motion made and Question proposed;

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

(The Senate Majority Leader)

The Title and Clause 1 - Vote deferred

Motion made: -

THAT, the Committee of the Whole House do report to the House its consideration of the Sacco Societies (Amendment) Bill (National Assembly Bills No. 55 Of 2021) and seek leave to sit again tomorrow.

(The Senate Majority Leader)

Before the Question was put and pursuant to Standing Order 79(1), the Acting Chairperson (Sen. Judith Pareno, MP) ruled that the Question did not affect counties;

Question put and agreed to.

29. **HOUSE RESUMED** – Temporary Speaker, Sen. Judith Pareno, MP - in the Chair
30. **THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 55 OF 2021)**

Progress reported;

Motion made and Question proposed;

THAT, the Senate do agree with the Committee of the Whole in the said report.

(Sen. Mohamed Faki, MP on behalf of the Acting Chairperson)

And there being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 79(1), the Temporary Speaker (Sen. Judith Pareno, MP) ruled that the Question did not affect counties;

Question put and agreed to.

31. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

The Acting Chairperson of Committees (Sen. Judith Pareno, MP) – in the Chair

The Sustainable Waste Management Bill (National Assembly Bills No. 22 of 2021)

Clauses 3-35

Motion made and Question proposed;

THAT, Clauses 3 - 35 be part of the Bill.

(The Senate Majority Leader)

Clauses 3-35 - Vote deferred

The First and Second schedules - Amendment proposed

Motion made and Question proposed;

That the First and Second schedules be part of the Bill.

(The Senate Majority Leader)

The first and Second Schedule - Vote deferred

Clause 2, the Title and Clause 1

Motion made and Question proposed;

THAT, Clause 2, the title and Clause 1 be part of the Bill.

(The Senate Majority Leader)

Clause 2, the Title and Clause 1 - Vote deferred

Motion made: -

THAT, the Committee of the Whole House do report to the House its consideration of the Sustainable Waste Management Bill (National Assembly Bills No. 22 of 2021) and seek leave to sit again tomorrow.

(The Senate Majority Leader)

Before the Question was put and pursuant to Standing Order 79(1), the Acting Chairperson (Sen. Judith Pareno, MP) ruled that the Question did not affect counties;

Question put and agreed to.

32. **HOUSE RESUMED** – Temporary Speaker, Sen. Judith Pareno, MP - in the Chair

33. **THE SUSTAINABLE WASTE MANAGEMENT BILL (NATIONAL ASSEMBLY BILLS NO. 22 OF 2021)**

Progress reported;

Motion made and Question proposed;

THAT, the Senate do agree with the Committee of the Whole in the said report.

(Sen. Mohamed Faki, MP on behalf of the Acting Chairperson)

And there being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 79(1), the Temporary Speaker (Sen. Judith Pareno, MP) ruled that the Question did not affect counties;

Question put and agreed to.

And there being no other business on the Order Paper, the Temporary Speaker (Sen. Judith Pareno, MP) adjourned the Senate at eighteen minutes past Six O'clock without Question put, pursuant to the Standing Orders.

34. SENATE ROSE – at eighteen minutes past Six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Wednesday, June 15, 2022 at 2:30 p.m.*

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