



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

SUPPLEMENTARY ORDER PAPER

THURSDAY, APRIL 27, 2023 AT 2.30 PM

PRAYER

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers (as listed in the Appendix)
6. Notices of Motion (as listed in the Appendix)
7. Questions and Statements (as listed in the Appendix)
8. **MOTION – AD HOC COMMITTEE TO INVESTIGATE THE PROLIFERATION OF RELIGIOUS ORGANIZATIONS AND THE CIRCUMSTANCES LEADING TO THE DEATHS OF MORE THAN 95 PEOPLE IN SHAKAHOLA, KILIFI COUNTY**
(Sen. (Dr.) Boni Khalwale, CBS, MP.)

THAT, AWARE THAT under the Bill of Rights, the Constitution of Kenya grants every person the right to freedom of conscience, religion, thought, belief and opinion, and that every Kenyan has the right to manifest any religion or belief through worship, practice, teaching or observance, including observance of a day of worship;

FURTHER AWARE THAT, new religious groups, institutions or places of worship, and faith-based nongovernmental organizations (NGOs) must register with the Registrar of Societies, which reports to the Attorney General's Office, yet indigenous and traditional religious groups are not required to register;

...../Motion

COGNIZANT THAT, there has been increased activity and membership in extremist occult religious organizations in the country;

CONCERNED THAT, the current recorded death toll of an apparent occultist religious group led by one Paul Mackenzie Nthenge, in Shakahola Village, Kilifi County has reached 95 persons, while the search for more buried victims continues;

NOW THEREFORE in exercise of its oversight function, the Senate resolves to establish an Ad Hoc committee to –

- i.) investigate the circumstances leading to the death of the followers of the Good News International Church led by one Paul Mackenzie Nthenge in Shakahola Village, Kilifi County;
- ii.) investigate the role played by one Paul Mackenzie of the Good News International Church, his pastoral team and the Kilifi County Security committee in aiding and abetting the deaths of the followers of the Good News International Church in Shakahola, Kilifi County;
- iii.) establish through the office of the Registrar of Societies, the number and activities of religious groups in the country including their registration and compliance status;
- iv.) audit the legal and registration framework for religious organizations in the country;;
- v.) develop a legislative proposal on regulation of religious activities in the country; and,
- vi.) make any other recommendation that will prevent religious organizations from extreme indoctrination of their followers including radicalization, spiritual and financial exploitation.

and submit a report to the House within 90 days;

AND FURTHER THAT, the following Senators be appointed to serve in the committee –

1. Sen. (Rtd. Justice) Stewart Madzayo, CBS, MP;
2. Sen. Wakili Hillary Kiprotich Sigei, MP;
3. Sen. Tabitha Mutinda, MP;
4. Sen. Veronica Maina, MP;
5. Sen. William Kipkiror Cheptumo, CBS, MP;
6. Sen. Shakila Mohammed, MP;
7. Sen. David Wakoli, MP
8. Sen. Hamida Kibwana, MP;
9. Sen. Richard Onyonka, MP;
10. Sen. Eddy Oketch, MP; and
11. Sen. Abdul Haji, MP.

...../Motion

8. ****THE EQUALIZATION FUND APPROPRIATION BILL (SENATE BILLS NO. 3 OF 2023)**

(The Chairperson, Standing Committee on Finance and Budget)

(Second Reading)

(Resumption of debate interrupted on Wednesday, 26th April, 2023 – Afternoon Sitting)

9. **MOTION - ADOPTION OF THE REPORT OF THE SELECT COMMITTEE ON DELEGATED LEGISLATION ON ITS CONSIDERATION OF THE STATUTORY INSTRUMENTS (EXEMPTION FROM EXPIRY) REGULATIONS, 2022**

(The Chairperson, Select Committee on Delegated Legislation)

THAT, the Senate adopts the Report of the Select Committee on Delegated Legislation on its consideration of the Statutory Instruments (Exemption from Expiry) Regulations, 2022, laid on the Table of the Senate on Tuesday, 28th March, 2023; and that pursuant to Section 18 of the Statutory Instruments Act, resolves to **annul** in its entirety, the Statutory Instruments (Exemption from Expiry) Regulations Legal Notice No. 217 of 2022.

10. **COMMITTEE OF THE WHOLE**

***THE PARLIAMENTARY POWERS AND PRIVILEGES (AMENDMENT) BILL (SENATE BILLS NO. 5 OF 2022)**

(Sen. Danson Mungatana, MP)

11. **COMMITTEE OF THE WHOLE**

***THE COUNTY VOCATIONAL EDUCATION AND TRAINING BILL (SENATE BILLS NO. 3 OF 2022)**

(Sen. Moses Kajwang', MP)

12. ***THE PROMPT PAYMENT BILL (SENATE BILLS NO. 8 OF 2022)**

(Sen. Mariam Sheikh Omar, MP)

(Second Reading)

(Resumption of debate interrupted on Wednesday, 12th April, 2023- Afternoon Sitting)

13. ***THE KENYAN SIGN LANGUAGE BILL (SENATE BILLS NO. 9 OF 2023)**

(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)

(Second Reading)

14. **MOTION – PROVISION OF FREE SANITARY TOWELS TO END PERIOD POVERTY**

(Sen. Gloria Orwoba, MP)

...../Motion

THAT, AWARE THAT period poverty refers to the common challenge plaguing women globally wherein they are unable to attend schools or work as a cause of a lack of funds for sanitary products that is both a health risk and a signal of gender inequity;

FURTHER AWARE THAT in rural Kenya, 2 out of 3 pad users receive pads from sexual partners and 65 percent of women and girls can't afford sanitary pads, forcing them to use alternative materials like grass, cotton wool and cloth which lack adequate absorbent qualities resulting in frequent leakage and hygiene issues;

CONCERNED THAT period poverty also referred to as the "shadow pandemic" contributes to global and regional gender inequity, as women are forced to solicit help from men in order to satisfy a basic health need with 10% of 15-year-old girls having sex to pay for sanitary products;

FURTHER CONCERNED THAT, data from the Ministry of Education indicates that a girl that is absent from school for four days a month loses 13 learning days, equivalent to two weeks of learning in every school term, translating to 39 learning days or six weeks of learning time in a term and up to 18 of 108 weeks in primary and 24 weeks of 144 weeks of learning in secondary school;

NOTING THAT, while the Government, through the State Department for Gender Affairs was charged with the responsibility of procuring and distributing sanitary towels for 3.7 million girls in public primary schools, special primary and secondary schools in the country at a cost of Kshs. 470 million during the 2017/2018 Financial year, which amount needs to be increased in order to fully address and mitigate the problem;

NOW THEREFORE, the Senate resolves that the Ministry of Public Service, Gender and Affirmative Action in partnership with the Ministry of Education and the Council of Governors to: -

1. facilitate provision of feminine hygiene products in all public schools;
2. ensure that all schools that don't have bathrooms that facilitate privacy, cleanliness or proper disposal of hygiene products are properly equipped;
3. create awareness and take advocacy measures on reproductive health issues related to period poverty;
4. include in the curriculum a dedicated lesson per week to teach girls on menstrual hygiene; and

...../Motion

- 5. ensure that sanitary products will be obtainable timely, consistently, and in a way that respects the dignity of concerned persons.

***(Resumption of debate interrupted on Tuesday 28th February, 2023
- Balance of time - 2hrs 41mins)***

15. **MOTION – THE DOPING MENACE THREATENING KENYA’S IMPECCABLE GLOBAL REPUTATION IN ATHLETICS**

(Sen. Samson Cherarkey, MP)

THAT, AWARE THAT in 2018 Kenya was placed under Category A by the world Anti-Doping Agency and since then forty Kenyan athletes have been banned by either the Athletics Integrity Unit (AIU) or the Anti – Doping Agency of Kenya (ADAK) and has led to a situation whereby the Kenyan athletes have to undergo intense testing before participating in major events and has immensely affected the reputation of the Kenyan athletes and the standing of Kenya in the international Sports arena where it currently ranks at number five;

CONCERNED THAT, despite the high number of alleged doping cases Kenya has only one World Anti- Doping Agency (WADA) approved blood testing laboratory forcing it to send urine tests to Qatar and South Africa for analysis and that the Anti- Doping Agency of Kenya (ADAK) is taking too long to address the doping menace which is likely to affect the state of preparedness for the athletes in the upcoming 2024 Olympic games in Paris;

NOW THEREFORE the Senate resolves that the Ministry of Youth, Sports and Arts:-

- a. Come up with modalities that can help achieve increased testing, intelligence gathering on athletes and doping awareness programmes;
- b. In collaboration with Athletics Kenya (AK) and National Olympic Committee of Kenya (NOCK) to vet all training camps, coaches, trainers and other athlete handlers;
- c. Initiate investigations at Anti – Doping Agency Kenya (ADAK) to identify and sanction all responsible officers liable for the menace of doping;
- d. In collaboration with the Directorate of Criminal Investigations and the Ethics and Anti – Corruption Commission finalize pending investigations and recommend prosecution of individuals involved in giving this banned substance to athletes; and

...../Motion

- e. In collaboration with the Ministry of Health to identify and revoke licenses for medics, pharmacies and hospitals responsible for the prescription of the commonly abused drugs by the athletes.

(Resumption of debate interrupted on Tuesday 14th March, 2023 – Balance of time – 2hrs 42mins)

16. **MOTION - COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF THE UNITED STATES EMBASSY IN NAIROBI**

(Sen. Agnes Kavindu Muthama, MP)

THAT, AWARE THAT, disaster is defined as an overwhelming event and circumstance that tests the adaptation of responses of a community or individuals beyond their capability and leads momentarily to massive disruption of function for a community or individual that often exceeds their capacity to cope using existing resources;

FURTHER AWARE THAT, such was the case with the 1998 US Embassy Bomb disaster in Nairobi in which many of the Kenyan casualties resulted from the collapse of adjacent buildings located within a two to three block radius, and with reverberations being felt in most parts of Nairobi that resulted in 213 Kenyans and 12 Americans killed and over 5000 citizens of both countries being seriously injured;

NOTING THAT, US Allies, including Kenya, have endured the great burden of death, and long-term and in many instances permanent, physical and psychological injury;

FURTHER NOTING THAT, the United States Government has since compensated some of the victims and families of US citizens, leaving the families of Kenyan citizens and certain other victims uncompensated;

NOW, THEREFORE, the Senate resolves that the Ministry of Foreign Affairs:

- (i) Advances friendship and co-operation between the United States and Kenya by supporting the eligibility of Kenyan and American victims and their personal representatives, surviving spouses and next of kin in the Victim Compensation Fund pursuant to the Justice for United States Victims of State Sponsored Terrorism Act; and
- (ii) Partners with the Ministry of Health to explore subsidized medical treatment for the surviving victims of the bomb blast.

(Resumption of debate interrupted on Thursday, 16th March, 2023 – Balance of time – 2hrs 53mins)

...../Motion

17. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON A STATEMENT SOUGHT ON THE RELOCATION OF NATIONAL GOVERNMENT ADMINISTRATIVE SERVICES FROM CHUKA TOWN TO KATHWANA COUNTY HEADQUARTERS, THARAKA NITHI COUNTY.**

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

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on a Statement sought on the relocation of National Government administrative services from Chuka town to Kathwana County Headquarters, Tharaka Nithi County laid on the Table of the Senate, on Wednesday 19th April, 2023.

18. **MOTION - REPORT OF THE 61ST SESSION OF THE ORGANISATION OF AFRICAN, CARRIBEAN AND PACIFIC STATES (OACPS) PARLIAMENTARY ASSEMBLY AND THE 42ND SESSION OF THE OACPS -EU JOINT PARLIAMENTARY ASSEMBLY HELD IN MAPUTO, MOZAMBIQUE ON 23RD OCTOBER TO 2ND NOVEMBER, 2022**

(Sen. Tabitha Mutinda, MP)

THAT, the Senate notes the Report of the 61st Session of the Organisation of African, Carribean and Pacific States (OACPS) Parliamentary Assembly and the 42nd Session of the OACPS -EU Joint Parliamentary Assembly held in Maputo, Mozambique on 23rd October to 2nd November, 2022.

19. **MOTION - RECORD OF THE PROCEEDINGS OF THE FIRST ORDINARY SESSION OF THE SIXTH PARLIAMENT OF THE PAN-AFRICAN PARLIAMENT (PAP) HELD IN GALLAGHER CONVENTION CENTRE, MIDRAND, SOUTH AFRICA ON 23RD OCTOBER – 12TH NOVEMBER, 2022.**

(Sen. Danson Mungatana, MP)

THAT, the Senate notes the Record of the Proceedings of the First Ordinary Session of the Sixth Parliament of the Pan-African Parliament (PAP) held in Gallagher Convention Centre, Midrand, South Africa on 23rd October – 12th November, 2022 laid on the Table of the Senate on Thursday, 16th February, 2023.

20. **MOTION - INTEGRATION OF ETHNIC MINORITIES AND MARGINALIZED COMMUNITIES IN KENYA**

(Sen. William Cheptumo, MP)

AWARE THAT, Kenya is a multi-ethnic country with a rich diversity of cultures, languages and traditions;

...../Motion

FURTHER AWARE THAT, ethnic minorities and marginalized communities face significant social, economic and political challenges including discrimination, marginalization and exclusion;

ACKNOWLEDGING THAT Articles 10 (2)b, 21(3), 27, 56, 91(1)(e), 100, 174(e), 177(1) (c),204(3)(b),216(4) and the Fifth Schedule to the Constitution of Kenya obligate the state to promote and protect the welfare of ethnic minorities and marginalized communities;

APPRECIATING THAT, the Government has put in place policies, legal and institutional frameworks including affirmative action programs to address the needs of other special interest groups namely children, persons with disabilities (PWDS), youth, women and the elderly;

CONCERNED THAT, ethnic minorities and marginalized communities remain largely unaddressed through similar interventions due to lack of an existing national policy and legislative framework;

NOW THEREFORE the Senate resolves that the Ministry of Public Service, Gender and Affirmative Action, the National Gender and Equality Commission and any other relevant state departments in collaboration with the Council of Governors: -

- i.) Initiate measures to identify and address the specific needs and challenges faced by ethnic minorities and marginalized communities in Kenya; and
- ii.) Develop and implement national policy and legislative framework for the integration of ethnic minorities and marginalized communities in Kenya as envisaged in the Constitution of Kenya.

21. **MOTION - DECLARATION OF CATTLE RUSTLING AS A NATIONAL DISASTER AND ESTABLISHMENT OF A SPECIAL FUND FOR VICTIMS**
(Sen. William Cheptumo, MP)

THAT AWARE THAT, cattle rustling is a major menace and security threat in the South and North Rift regions and some other regions of the country;

CONCERNED THAT, the menace has since left irreparable and negative socio-economic impact which include but are not limited to increased number of widows, widowers, orphaned children ,poverty, displacement of people leading to Internally Displaced Persons (IDPS), disruption of educational programs and other economic activities owing to the destruction and/or closure of educational, health and other institutions;

...../Motion

FURTHER CONCERNED THAT; the people living in the affected regions have been denied the enjoyment of their social, economic and political rights as guaranteed to them under the Bill of Rights as enshrined in Chapter Four of the Constitution;

NOW THEREFORE, the Senate resolves that the National Government through the Ministry of Interior and National Administration and in collaboration with the Council of Governors:

1. Declares cattle rustling a National Disaster;
2. Establish a National Task force on cattle rustling to:
 - (i) Investigate the causes of the rampant cattle rustling in the said region and the Country at large;
 - (ii) Establishes extent of loss and damage the cattle rustling has occasioned to the communities in all the affected Counties;
3. Create a special fund for mitigating the losses suffered by and in compensating all victims of cattle rustling and settle all internally displaced persons occasioned by the menace.

NOTICE

The Senate resolved on 15th February, 2023 as follows:-

THAT, pursuant to Standing Order 111 (1), the Senate resolves that debate on a Motion not sponsored by the Majority or Minority Party or a Committee shall be limited in the following manner:-

A maximum of three hours with not more than twenty minutes for the Mover, twenty minutes for the Majority Party official responder, twenty minutes for the Minority Party official responder and fifteen minutes for each other Senator speaking; and further that fifteen minutes before the time expires, the Mover shall be called upon to reply.

KEY

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

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

**** - Denotes a Committee Bill**

***- Denotes any other Bill**

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NOTICE OF AMENDMENTS

A. *THE PARLIAMENTARY POWERS AND PRIVILEGES (AMENDMENT) BILL (SENATE BILLS NO. 5 OF 2022)

(Sen. Danson Mungatana, MP)

NOTICE is given that the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights, intends to move the following amendments to the Parliamentary Powers and Privileges (Amendment) Bill (Senate Bills No. 5 of 2022) at the Committee Stage —

CLAUSE 2

THAT clause 2 of the Bill be amended by inserting the words “The Parliamentary Powers and Privileges (Amendment) Act, hereinafter referred to as” at the beginning of the introductory clause.

INSERTION OF NEW CLAUSE 3A

THAT the Bill be amended by inserting the following new clause immediately after clause 3 –

3A. Section 16 of the principal Act is amended in paragraph (d) by deleting the expression “38” appearing immediately after the words “under section” and substituting therefor the expression “37”.

CLAUSE 4

THAT clause 4 of the Bill be amended –

(a) in the introductory clause by deleting the words “Parliamentary Powers and Privileges Act hereinafter referred to as the” appearing immediately after the word “The”;

(b) by deleting the proposed new section 23A and substituting therefor the following new section –

23A. In this Part, “responsible officer” means –

(a) a Cabinet Secretary;

(b) a county governor;

(c) the chairperson of a commission established under the Constitution;

- (d) the Auditor-General;
- (e) the Controller of Budget;
- (f) the chairperson and the accounting officer of a corporate body; and
- (g) a public officer to whom a resolution or report of a House or a Committee of Parliament is submitted in accordance with this Act.

(c) in the proposed new section 23C –

- (i) by renumbering the existing provision as subsection (1); and
- (ii) inserting the following new subsection immediately after the new subsection (1)–

(2) A person liable for an offence under subsection (1) shall be personally liable for the fine and public funds shall not be used to pay such a fine.

B. *THE COUNTY VOCATIONAL EDUCATION AND TRAINING BILL (SENATE BILLS NO. 3 OF 2022)

(Sen. Moses Kajwang’, MP)

NOTICE is hereby given that the Chairperson, Standing Committee on Education, intends to move the following amendments to the County Vocational Education and Training Bill (Senate Bills No. 3 of 2022), at the Committee Stage –

CLAUSE 4

THAT clause 4 of the Bill be amended –

- (a) by deleting paragraph (l);
- (b) by deleting paragraph (m) and substituting therefor the following new paragraph–
 - (m) development and implementation of a national qualifications framework to provide for progression, recognition and equation of qualifications, credit transfers and exemptions with respect to vocational education and training in counties; and
- (c) in paragraph (n) by deleting the words “and education” appearing immediately after the words “private vocational”.

CLAUSE 5

THAT clause 5 of the Bill be amended in paragraph (e) by deleting the words “education and” appearing immediately after the words “development of vocational”.

CLAUSE 6

THAT clause 6 of the Bill be amended –

- (a) in the marginal note by deleting the words “education and” appearing immediately after the words “of a vocational”;
- (b) in the introductory clause by deleting the words “education and” appearing immediately after the words “establish a vocational”;
- (c) in paragraph (b) by deleting the words “education and” appearing immediately after the words “at the vocational”; and
- (d) in paragraph (d) by deleting the words “education and” appearing immediately after the words “in the vocational”.

...../Notice of Amendments

CLAUSE 7

THAT clause 7 of the Bill be amended in subclause (2) by –

- (a) deleting the words “education and” appearing immediately after the words “adequate vocational” in paragraph (b);
- (b) deleting the words “education and” appearing immediately after the words “county vocational” in paragraph (c);
- (c) deleting paragraph (d) and substituting therefor the following new paragraph –
 - (d) conduct training and capacity building programmes targeting centre managers, trainers and staff of vocational training centres that provide vocational education and training to trainees with disabilities;
- (d) deleting the words “education and” appearing immediately after the words “public vocational” in paragraph (e).

HEADING TO PART II

The Bill is amended in the heading to Part II by deleting the words “EDUCATION AND” appearing immediately after the words “OF VOCATIONAL”.

CLAUSE 8

THAT the Bill be amended by deleting clause 8 and substituting therefor the following new clause –

Categories of vocational training centres.	<p>8. Vocational training centres shall be categorised as —</p> <p>(a) public vocational training centres; or</p> <p>(b) private vocational training centres.</p>
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CLAUSE 9

THAT clause 9 of the Bill be amended –

- (a) in the marginal note by deleting the words “education and” appearing immediately after the words “county vocational”; and

(b) by deleting the words “education and” appearing immediately after the words “such vocational”.

CLAUSE 10

THAT clause 10 of the Bill be amended –

(a) in subclause (1) by deleting the words “education and” appearing immediately after the words “public vocational”;

(b) in subclause (2) by deleting the words “education and” appearing immediately after the words “administered in the vocational”;

(c) by deleting subclause (3) and substituting therefor the following new subclause –

(3) A sponsor shall not compromise the implementation of any law applicable to the respective vocational training centre or the professional standards and ethics of instructions in a vocational training centre.

(d) by deleting subclause (4) and substituting therefor the following new subclause –

(4) Notwithstanding the fact that the sponsor of a vocational training centre is a faith based institution, the curriculum in the training centre shall be secular.

CLAUSE 11

THAT clause 11 of the Bill be amended in subclause (1) by –

(a) deleting the words “education and” appearing immediately after the words “licensed vocational” in paragraph (b);

(b) deleting the words “education and” appearing immediately after the words “vocational” in paragraph (c);

(c) deleting the words “education and” appearing immediately after the word “vocational” in paragraph (d);

(d) inserting the word “vocational” immediately after the words “learners in all” in paragraph (e);

(e) inserting the following new paragraph immediately after paragraph (e) –

(ea) instructors and trainers in vocational training centres;

(f) deleting the words “education and” appearing immediately after the word “vocational” in paragraph (f).

CLAUSE 12

THAT clause 12 of the Bill be amended –

- (a) in the marginal note by deleting the words “education and” appearing immediately after the words “registration of vocational”;
- (b) in the introductory clause by deleting the words “education and” appearing immediately after the words “a private vocational”;
- (c) by deleting the words “education and” appearing immediately after the words “the vocational” in paragraph (a); and
- (d) by deleting the words “education and” appearing immediately after the words “operate a vocational” in paragraph (b).

CLAUSE 13

THAT clause 13 of the Bill be amended –

- (a) in the marginal note by deleting the words “education and” appearing immediately after the words “licensing of vocational”; and
- (b) by deleting the words “education and” appearing immediately after the words “licensing of”.

CLAUSE 14

THAT clause 14 of the Bill be amended –

- (a) in the marginal note by deleting the words “education and” appearing immediately after the words “relation to a vocational”;
- (b) in the introductory clause by deleting the words “education and” appearing immediately after the words “establishing a vocational”;
- (c) by deleting the words “education and” appearing immediately after the word “vocational” in paragraph (c);

(d) by deleting the words “education and” appearing immediately after the words “staff of the vocational” in paragraph (d); and

(e) by deleting the words “education and” appearing immediately after the word “vocational” in paragraph (e).

CLAUSE 15

THAT clause 15 of the Bill be amended in subclause (2) by deleting the words “education and” appearing immediately after the words “licenced vocational”;

CLAUSE 16

THAT clause 16 of the Bill be amended in subclause (1) by –

(a) deleting the words “education and” appearing immediately after the words “deregister a vocational”;

(b) deleting the words “education and” appearing immediately after the words “the vocational” in paragraph (a);

(c) deleting the words “education and” appearing immediately after the words “in the vocational” in paragraph (b); and

(d) deleting paragraph (c) and substituting therefor the following new paragraph
–

(c) the training centre has ceased to be a vocational training centre or closed down.

CLAUSE 17

THAT clause 17 of the Bill be amended in subclause (1) by deleting the words “education and” appearing immediately after the words “deregistering a vocational”.

CLAUSE 18

THAT clause 18 of the Bill be amended –

(a) in the marginal note by deleting the words “education and” appearing immediately after the words “closure of a vocational”; and

(b) in subclause (1) by deleting the words “education and” appearing immediately after the words “down a vocational”.

(c) in subclause (2) by –

- (i) deleting the words “education and” appearing immediately after the words “close down a vocational” in the introductory clause;
- (ii) deleting the words “education and” appearing immediately after the words “down the vocational” in paragraph (a);
- (iii) deleting the words “education and” appearing immediately after the words “in the vocational” in paragraph (b)(ii);
- (iv) deleting the words “education and” appearing immediately after the words “against the vocational” in paragraph (b)(iii); and

(d) in subclause (3) by deleting the words “education and” appearing immediately after the words “close down a vocational” in the introductory clause.

HEADING TO PART III

The Bill is amended in the heading to Part III by deleting the words “EDUCATION AND” appearing immediately after the words “MANAGEMENT OF VOCATIONAL”.

CLAUSE 21

THAT the Bill be amended by deleting clause 21 and substituting therefor the following new clause –

Board of Manage ment.	21. (1) There is established in each vocational training centre, a Board to be known as the Board of Management.
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(2) The Board shall comprise —

- (a) a chairperson;
- (b) a representative of the county government in the respective county within which the institution is located;
- (c) a representative of cabinet secretary in the county;

...../Notice of Amendments

- (d) one representative of the teaching staff elected by trainers in the training centre;
- (e) one representative of the non-teaching staff elected by the non-teaching staff in the training centre;
- (f) one person nominated by parents to represent parents of the trainees in the centre;
- (g) two persons appointed on the basis of their knowledge and experience in —
 - (i) leadership and management;
 - (ii) financial management;
 - (iii) technology;
 - (iv) industry;
 - (v) engineering; or
 - (vi) information communication technology.
- (h) the centre manager or the head of the vocational training centre who shall be an *ex officio* member and the secretary to the Board.

(3) The county executive committee member shall appoint the persons nominated to the Board by a notice in the *gazette*.

(4) The members of the Board shall have a minimum qualification of post secondary education.

In appointing the members under subsection (2), the county executive committee member shall take into account the need to ensure gender and ethnic representation.

CLAUSE 22

THAT clause 22 of the Bill be amended –

- (a) in paragraph (a) by deleting the words “education and” appearing immediately after the words “in the vocational”;

...../Notice of Amendments

- (b) in paragraph (b) by deleting the words “education and” appearing immediately after the words “of the vocational”;
- (c) in paragraph (c) by deleting the words “education and” appearing immediately after the words “programmes in the vocational”;
- (d) in paragraph (e) by deleting the words “education and” appearing immediately after the words “for the vocational”;
- (e) in paragraph (f) by deleting the words “education and” appearing immediately after the words “from the vocational”;
- (f) in paragraph (g) by deleting the words “education and” appearing immediately after the words “expenditure for the vocational”;
- (g) in paragraph (h) by deleting the words “education and” appearing immediately after the words “behalf of the vocational”;
- (e) by deleting paragraph (i) and substituting therefor the following new paragraph –
 - (i) receive, on behalf of the vocational training centre, fees, grants, donations, bequests or other moneys and to make disbursements on behalf of the vocational training centre; and
- (h) in paragraph (j) by deleting the words “education and” appearing immediately after the words “of the vocational”.

CLAUSE 27

THAT the Bill be amended by deleting clause 27 and substituting therefor the following new clause –

27. The Board shall submit an annual report on the management of a vocational training centre to the county executive committee member and the Authority.

CLAUSE 28

THAT clause 28 of the Bill be amended –

- (a) in the introductory clause by deleting the words “education and” appearing immediately after the words “Every vocational”;
- (b) in paragraph (a) by deleting the words “education and” appearing immediately after the words “attended the vocational”;

- (c) in paragraph (b) by deleting the words “education and” appearing immediately after the words “at the vocational”;
- (d) in paragraph (c) by deleting the words “education and” appearing immediately after the words “at the vocational”; and
- (e) in paragraph (d) by deleting the words “education and” appearing immediately after the words “of a vocational”.

CLAUSE 29

THAT clause 29 of the Bill be amended –

(a) in subclause (1) by –

- (i) deleting the introductory clause and substituting therefor the following introductory clause –
 - (1) A vocational training centre shall not employ a centre manager or a trainer unless that person–
- (ii) deleting the word “principal” appearing immediately after the words “case of a” in paragraph (b) and substituting therefor the words “centre manager”; and
- (iii) inserting the words “Technical and” immediately after the words “trainer under the” in paragraph (a).

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

- (2) Each county government shall be responsible for the recruitment and remuneration of centre managers and trainers of public vocational training centres within the county.
- (3) Each county assembly shall appropriate such funds as may be necessary to ensure the recruitment of adequate trainers to serve in vocational training centres in the county.

CLAUSE 30

THAT clause 30 of the Bill be amended in subclause (2) by deleting the words “education and” appearing immediately after the words “licensed vocational”.

CLAUSE 31

THAT clause 31 of the Bill be amended –

- (a) in subclause (1) by deleting the words “education and” appearing immediately after the words “A vocational”;
- (b) in subclause (2) by deleting the words “education and” appearing immediately after the words “A vocational”;
- (c) in subclause (3) by –
 - (i) deleting the words “education and” appearing immediately after the words “training, a vocational” in the introductory clause;
 - (ii) deleting the word “training” appearing immediately after the words “follow the” in paragraph (d) and substituting therefor the word “qualification”; and
- (d) in subclause (4) by deleting the words “education and” appearing immediately after the words “A vocational”.

CLAUSE 34

THAT clause 34 of the Bill be amended –

- (a) in the marginal note by deleting the words “education and” appearing immediately after the words “Existing vocational”; and
- (b) in subclause (1) by deleting the words “education and” appearing immediately after the words “registered as a vocational”.

CLAUSE 38

THAT clause 38 of the Bill be amended –

- (a) in subclause (1) by inserting the words “in consultation with the respective county executive committee members” appearing immediately after the words “The Cabinet Secretary”; and
- (b) in subclause (2) by –
 - (i) deleting the words “education and” appearing immediately after the words “applying to all vocational” in the introductory clause;

- (ii) deleting the word “education” appearing immediately after the words “a registered vocational” in paragraph (a) and substituting therefor the word “training”;
- (iii) deleting the words “education and” appearing immediately after the words “of a vocational” in paragraph (b);
- (iv) deleting the words “education and” appearing immediately after the words “of registered vocational” in paragraph (d); and
- (v) deleting the words “education and” appearing immediately after the words “by a vocational” in paragraph (e).

CLAUSE 2

THAT clause 2 of the Bill be amended –

- (a) by deleting the definition of the words “integrated vocational education and training centre” and substituting therefor the following new definition —

“integrated vocational training centre” means a vocational training centre designed to accommodate and provide courses and training suitable for the needs of a trainee with disability or special needs;

- (b) by deleting the definition of the word “principal”;
- (c) by deleting the definition of the words “private vocational education and training centre” and substituting therefor the following new definition —

“private vocational training centre” means a vocational training centre established, owned or operated by a private person;

- (d) by deleting the definition of the words “public vocational education and training centre” and substituting therefor the following new definition —

“public vocational training centre” means a vocational training centre established, owned or operated by a county government and includes a sponsored vocational training centre;

- (e) by deleting the definition of the words “trainee with disability”;
- (f) in the definition of the word “Board” by deleting the words “education and” appearing immediately after the words “public vocational”;

- (g) in the definition of the word “curriculum” by deleting the words “education and” appearing immediately after the words “in a vocational”;
- (h) in the definition of the word “sponsor” by deleting the words “education and” appearing immediately after the words “of a vocational”;
- (i) in the definition of the word “trainee” by deleting the words “education and” appearing immediately after the words “in a vocational”;
- (j) in the definition of the words “vocational education and training” by deleting the words “education and” appearing immediately after the words “in a vocational”;
- (k) inserting the following new definitions in their proper alphabetical sequence—

“centre manager” means the administrator of a vocational training centre who is responsible for the implementation of policy guidelines and professional practice in the training centre;

“learner with disability” means a learner whose mental characteristics, sensory abilities, physical characteristics, emotional and social adjustment or communication abilities are impaired and includes a learner who suffers from long term disability which has a substantial or long-term effect on an individual’s ability to carry out ordinary day-to-day activities including learning growth and development;

No. 29 of 2013. “trainer” means a person who is licensed and registered as a trainer under the Technical and Vocational Education and Training Act;

“vocational training center” means an institution providing training leading to the award of a certificate up to the level of artisan.

CLAUSE 1

THAT the Bill be amended by deleting clause 1 and substituting therefor the following new clause –

Short title. **1.** This Act may be cited as the Vocational Training Act, 2022.

APPENDIX

1. PAPERS

- i.) Report of the Auditor General on the financial statement of the Municipality of Eldoret for the year ended 30th June, 2022.
- ii.) Report of the Auditor General on the financial statement of the Municipality of Kathwana for the year ended 30th June, 2022.
- iii.) Report of the Auditor General on the financial statement of the Ngagaka Water and Sanitation Company Limited for the year ended 30th June, 2022.
- iv.) Report of the Auditor General on the financial statement of the Trans Nzoia County Elimu Bursary Fund for the year ended 30th June, 2022.
- v.) Report of the Auditor General on the financial statement of the Trans Nzoia County Assembly (Members and Staff) Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2022.
- vi.) Report of the Auditor General on the financial statement of the Nandi County Executive Committee Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2022.
- vii.) Report of the Auditor General on the financial statement of the Nandi County Assembly Scheme Fund for the year ended 30th June, 2022.
- viii.) Report of the Auditor General on the financial statement of the Nandi County Education Fund for the year ended 30th June, 2022.
- ix.) Report of the Auditor General on the financial statement of the Meru County Alcoholic Drinks Control Board for the year ended 30th June, 2022.
- x.) Report of the Auditor General on the financial statement of the Meru County Microfinance Corporation for the year ended 30th June, 2022.
- xi.) Report of the Auditor General on the financial statement of the County Revenue Fund for the County Government of Meru for the year ended 30th June, 2022.
- xii.) Report of the Auditor General on the financial statement of the Meru County Revenue Board for the year ended 30th June, 2022.
- xiii.) Report of the Auditor General on the financial statement of the Turkana County Co-operative Enterprise Development Fund for the year ended 30th June, 2022.

- xiv.) Report of the Auditor General on the financial statement of the Turkana County Education and Skills Development Fund for the year ended 30th June, 2022.
- xv.) Report of the Auditor General on the financial statement of the Turkana County Youth and Women Empowerment Fund for the year ended 30th June, 2022.
- xvi.) Report of the Auditor General on the financial statement of the County Revenue Fund for the County Government of Tharaka Nithi for the year ended 30th June, 2022.
- xvii.) Report of the Auditor General on the financial statement of the Tharaka Nithi Emergency Fund for the year ended 30th June, 2022.
- xviii.) Report of the Auditor General on the financial statement of the Receiver of Revenue – Revenue Statements for the County Government of Tharaka Nithi for the year ended 30th June, 2022.
- xix.) Report of the Auditor General on the financial statement of the Tharaka Nithi County Bursary Development Fund for the year ended 30th June, 2022.
- xx.) Report of the Auditor General on the financial statement of the Embu County Youth Trust Fund for the year ended 30th June, 2022.
- xxi.) Report of the Auditor General on the financial statement of the Embu County Executive Car Loan and Mortgage (Committee Members) Scheme Fund for the year ended 30th June, 2022.
- xxii.) Report of the Auditor General on the financial statement of the Embu County Government Emergency Fund for the year ended 30th June, 2022.
- xxiii.) Report of the Auditor General on the financial statement of the Embu County Education Support Fund for the year ended 30th June, 2022.
- xxiv.) Report of the Auditor General on the financial statement of the Elgeyo Marakwet County Assembly Car and Mortgage Revolving Fund for the year ended 30th June, 2022.
- xxv.) Report of the Auditor General on the financial statement of the Elgeyo Marakwet County Education Fund for the year ended 30th June, 2022.
- xxvi.) Report of the Auditor General on the financial statement of the Receiver of Revenue – Revenue Statement for the County Government of EElgeyo Marakwet for the year ended 30th June, 2022.

- xxvii.) Report of the Auditor General on the financial statement of the Elgeyo Marakwet Alcoholic Drinks Control Fund for the year ended 30th June, 2022.
- xxviii.) Report of the Auditor General on the financial statement of the Elgeyo Marakwet County Assembly Catering Services Revolving Fund for the year ended 30th June, 2022.
- xxix.) Report of the Auditor General on the financial statement of the Turkana County COVID-19 Emergency Response Fund for the year ended 30th June, 2022.
- xxx.) Report of the Auditor General on the financial statement of the West Pokot County – Bursary, Education Development and Infrastructure Fund for the year ended 30th June, 2022.
- xxxi.) Report of the Auditor General on the financial statement of the West Pokot County Assembly Staff Car Loan and Mortgage Fund for the year ended 30th June, 2022.
- xxxii.) Report of the Auditor General on the financial statement of the Uasin Gishu County Alcoholic Drinks Control Fund for the year ended 30th June, 2022.
- xxxiii.) Report of the Auditor General on the financial statement of the County Revenue Fund of the County Government of Uasin Gishu for the year ended 30th June, 2022.
- xxxiv.) Report of the Auditor General on the financial statement of the Uasin Gishu County Education Revolving Fund for the year ended 30th June, 2022.
- xxxv.) Report of the Auditor General on the financial statement of the Uasin Gishu County Inua Biashara for the year ended 30th June, 2022.
- xxxvi.) Report of the Auditor General on the financial statement of the Receiver of Revenue – Revenue Statement of the County Government of Uasin Gishu for the year ended 30th June, 2022.
- xxxvii.) Report of the Auditor General on the financial statement of the Uasin Gishu County Assembly Members Mortgage and Car Loans Scheme Fund for the year ended 30th June, 2022.
- xxxviii.) Report of the Auditor General on the financial statement of the Uasin Gishu County Staff Mortgage and Car Loans Scheme Fund for the year ended 30th June, 2022.

- xxxix.) Report of the Auditor General on the financial statement of the Uasin Gishu County Bursary and Skills Development Support Fund for the year ended 30th June, 2022.
- xl.) Report of the Auditor General on the financial statement of the Uasin Gishu County Cooperative Enterprise Development Fund for the year ended 30th June, 2022.

(The Senate Majority Leader)

2. NOTICE OF MOTION – AD HOC COMMITTEE TO INVESTIGATE THE PROLIFERATION OF RELIGIOUS ORGANIZATIONS AND THE CIRCUMSTANCES LEADING TO THE DEATHS OF MORE THAN 95 PEOPLE IN SHAKAHOLA, KILIFI COUNTY

(Sen. (Dr.) Boni Khalwale, CBS, MP.)

THAT, AWARE THAT under the Bill of Rights, the Constitution of Kenya grants every person the right to freedom of conscience, religion, thought, belief and opinion, and that every Kenyan has the right to manifest any religion or belief through worship, practice, teaching or observance, including observance of a day of worship;

FURTHER AWARE THAT, new religious groups, institutions or places of worship, and faith-based nongovernmental organizations (NGOs) must register with the Registrar of Societies, which reports to the Attorney General’s Office, yet indigenous and traditional religious groups are not required to register;

COGNIZANT THAT, there has been increased activity and membership in extremist occult religious organizations in the country;

CONCERNED THAT, the current recorded death toll of an apparent occultist religious group led by one Paul Mackenzie Nthenge, in Shakahola Village, Kilifi County has reached 95 persons, while the search for more buried victims continues;

NOW THEREFORE in exercise of its oversight function, the Senate resolves to establish an Ad Hoc committee to –

- vii.) investigate the circumstances leading to the death of the followers of the Good News International Church led by one Paul Mackenzie Nthenge in Shakahola Village, Kilifi County;
- viii.) investigate the role played by one Paul Mackenzie of the Good News International Church, his pastoral team and the Kilifi County Security committee in aiding and abetting the deaths of the followers of the Good News International Church in Shakahola, Kilifi County;

...../Appendix

- ix.) establish through the office of the Registrar of Societies, the number and activities of religious groups in the country including their registration and compliance status;
- x.) audit the legal and registration framework for religious organizations in the country;,,
- xi.) develop a legislative proposal on regulation of religious activities in the country; and,
- xii.) make any other recommendation that will prevent religious organizations from extreme indoctrination of their followers including radicalization, spiritual and financial exploitation.

and submit a report to the House within 90 days;

AND FURTHER THAT, the following Senators be appointed to serve in the committee –

- 1. Sen. (Rtd. Justice) Stewart Madzayo, CBS, MP;
- 2. Sen. Wakili Hillary Kiprotich Sigei, MP;
- 3. Sen. Tabitha Mutinda, MP;
- 4. Sen. Veronica Maina, MP;
- 5. Sen. William Kipkiror Cheptumo, CBS, MP;
- 6. Sen. Shakila Mohammed, MP;
- 7. Sen. David Wakoli, MP
- 8. Sen. Hamida Kibwana, MP;
- 9. Sen. Richard Onyonka, MP;
- 10. Sen. Eddy Oketch, MP; and
- 11. Sen. Abdul Haji, MP.

3. QUESTIONS AND STATEMENTS

STATEMENTS

a) Pursuant to Standing Order 53(1)

- i.) Seneta wa Kaunti ya Mombasa (Sen. Mohammed Faki, MP) kuomba Kauli kutoka kwa Kamati ya Kudumu ya Barabara, Uchukuzi na Makao kuhusu ujenzi wa barabara ya mzunguko wa Barclays hadi makutano ya Jomvu, barabara ya Magongo na Jomvu hadi SGR, jijini Mombasa.
- ii.) The Senator for Isiolo County (Sen. Fatuma Dullo, MP) to seek a statement from the Standing Committee on Finance and Budget regarding the delays in exchequer disbursementand reports of hacking of the IFMIS system.

- iii.) The Senator for Nairobi City County (Sen. Edwin Sifuna, MP) to seek a statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the status of operationalization of the Nairobi City County Liquor Licensing Board.
- iv.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) to seek a statement from the Standing Committee on Land, Environment and Natural Resources concerning the state of boreholes in Marsabit County.
- v.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) to seek a statement from the Standing Committee on Labour and Social Welfare regarding the staffing policy by the Marsabit County Government.
- vi.) The Senator for Nandi County (Sen. Samson Cherarkey, MP) to seek a statement from the Standing Committee on Health regarding health service provision in Nandi County.
- vii.) The Senator for Kirinyaga County (Sen. James Murango, MP) to seek a statement from the Standing Committee on Education concerning the establishment of a public teacher training college in Kirinyaga County.
- viii.) The Senator for Kirinyaga County (Sen. James Murango, MP) to seek a statement from the Standing Committee on Health regarding the circumstances surrounding the amputation of baby Ridhwan Yasir Noor’s fingers in Kerugoya County Referral Hospital.
- ix.) The Senator for Kirinyaga County (Sen. James Murango, MP) to seek a statement from the Standing Committee on Health regarding the delayed construction of Kenya Medical Research Institute (KEMRI), Wamumu station, in Mwea West sub-county.

b) Pursuant to Standing Order 57(1)

The Senate Majority Leader to issue a statement on the business of the Senate for the week commencing Tuesday, 2nd May, 2023.

NOTICE PAPER

Tentative Business for

Tuesday, May 2, 2023

(Published pursuant to Standing Order 43 (1))

It is notified that the Senate Business Committee has approved the following **tentative** business to appear in the Order Paper for Tuesday, May 2, 2023.

BILLS AT SECOND READING STAGE

- i.) *THE EMPLOYMENT (AMENDMENT) BILL (SENATE BILLS NO. 11 OF 2022)
(Sen. Samson Cherarkey, MP)
- ii.) *THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL (SENATE BILLS NO. 12 OF 2022)
(Sen. Maureen Tabitha Mutinda, MP)
- iii.) *THE MUNG BEANS BILL (SENATE BILLS NO. 13 OF 2022)
(Sen. Enoch Wambua, MP)
- iv.) *THE START-UP BILL (SENATE BILLS NO. 14 OF 2022)
(Sen. Crystal Asige, MP)
- v.) *THE TEA (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2023)
(Sen. Wakili Hillary Sigei, MP)
- vi.) *THE KONZA TECHNOPOLIS BILL (SENATE BILLS NO. 2 OF 2023)
(Sen. Gloria Orwoba, MP)
- vii.) *THE LEARNERS WITH DISABILITIES BILL (SENATE BILLS NO. 4 OF 2023)
(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)
- viii.) THE COTTON INDUSTRY DEVELOPMENT BILL (SENATE BILLS NO. 5 OF 2023)
(Sen. Beth Syengo, MP)
- ix.) *THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 OF 2023)
(Sen. Moses Kajwang' MP)

MOTIONS

- i.) INSTITUTION OF MEASURES TO CURB INCESSANT HIGH ELECTRICITY COSTS IN KENYA
(Sen. Mohamed Chute, MP)

- ii.) ENHANCING HIGHWAY SAFETY AND CONVENIENCE
(Sen. Wahome Wamatinga, MP and Sen. Mohamed Faki, MP)
- iii.) DROUGHT MITIGATION PROGRAMME IN PUBLIC SCHOOLS
(Sen. Enoch Wambua, MP)
- iv.) BAN ON THE CULTIVATION OF EUCALYPTUS TREES ON RIPARIAN LANDS
(Sen. James Kamau Murango, MP)
- v.) ARBITRARY ARRESTS OF KENYAN FISHERMEN BY UGANDAN AUTHORITIES
(Sen. (Dr.) Oburu Oginga, MP)
