



The SENATE

For the Welfare of Society and the Just government of the People

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Twice in as many attempts, Senate rejects Governor Kawira's impeachment by MCAs

Majority leader Aaron Cheruiyot says Senate has not lived up to the dictates of the Constitution and that it has failed to guide County Assemblies on how to carry out impeachments



A parliamentary official leads Governor Kawira Mwangaza to the Senate Chamber during the impeachment trial.

Meru Governor Kawira Mwangaza has demonstrated that she is a cat with nine political lives after she survived a second attempt in one year to remove her from office through impeachment.

In the midst of calls for an impeachment law, a majority of 47 elected Senators, rejected all the seven charges that had been brought against the Governor by MCAs and instead voted to save her.

"The Senate has not upheld any of the impeachment charges. Pursuant to Article 181 of the Constitution, Section 33(8) of the County Governments Act and Standing Order No.80(7) of the Senate Standing Orders, the Senate has failed to remove from office, by impeachment, Hon. Kawira Mwangaza, the Governor of Meru County. The governor, accordingly, continues to hold office," ruled Speaker Amason Kingi after the vote.

MCAs had lined up a total of seven charges against the Governor, but the House rejected them all, in a vote saw the lawmakers brave the long hours that spilled over into the wee hours of Thursday morning.

Majority Leader Aaron Cheruiyot, who moved the Impeachment motion, pleaded with the to relook at the Impeachment Procedure Bill.

"We cannot be the House that is castigating county assemblies for not having lived up to the dictates of our Constitution, yet as a Senate for three terms, we have not guided our county assemblies on how to properly carry out an impeachment," he told the House.

Initiated in 2018 by the Committee on Justice, Legal Affairs and Human Rights, the Bill lapsed in the 12th Parliament.

The Bill was to provide for the procedure for the removal from office, by impeachment, of a President, Deputy President, Cabinet Secretary, Govern-

nor, Deputy Governor, and member of a county executive committee.

This Bill sought to define impeachment procedures that would ensure procedural justice for every office holder who is sought to be impeached.

It also proposed a period within which court matters relating to impeachment proceedings were to be concluded so as to minimise anxiety over prolonged undecided fate of the office holders chief executive of the Nation or a County or other members of their cabinets.

The Bill was published on May 24, 2018 and introduced in the House by way of First Reading on July 3, 2018.

The House passed the Bill on October 3, 2018 with amendments and referred to the National Assembly for concurrence where it lapsed.

The proposal in the Bill provided that an MCA who intends to move a motion to impeach a Governor was to submit to the Speaker of the county assembly the motion together with a list of the members of the county assembly in support the motion.

The Speaker is to examine the motion and the list of supporting members submitted and, if satisfied that they meet the threshold, approve the motion and notify the member within four days.

If the motion fails to meet the threshold, the Speaker is to reject the motion and inform the member within four days giving reasons for the refusal.

If the Speaker fails to respond within seven days of receipt, it will be assumed that the motion has been approved and the MCA may proceed to give a notice of motion.

Where the Speaker approved the motion, the MCA shall move the motion within 14 days of giving notice.

Within two days of an MCA giving

notice the Clerk of the county assembly shall advertise in a newspaper of nationwide circulation indicating the particulars of the motion; and give the public 5 days to submit written memoranda in relation to the charges against the governor.

Seven days before the date of moving the motion, the Clerk of the county assembly shall serve the Governor with a copy of the motion, copies of the written memoranda submitted and invite the Governor to appear and be heard by the county assembly specifying the date,

time and place for the hearing.

The Governor will stand impeached if the motion is supported by two thirds of MCAs.

The Speaker of the county assembly shall submit to the Speaker of the Senate a certificate under the Speaker's hand confirming that the procedure specified provided in the law has been complied with and attach evidence of such compliance.

The Senate Speaker will have 10 days to inform the House on the decision of the County Assembly.

To succeed, impeachments must meet threshold set by Supreme Court, say Senators



Deputy Majority leader Tabitha Keroche during the debate on the impeachment, Minority leader Stewart Madzayo consults Senators Moses Kajwang and Okong'o Omogeni during the voting on Governor Kawira impeachment.

Senators have issued a warning to the County Assemblies that they will not entertain impeachments whose evidence have not met threshold set by the Constitution.

The lawmakers insist that they will be guided by the standards set by the Supreme Court.

The Senators made their comments during the debate on the impeachment of Meru Governor Kawira Mwangaza who survived ouster after she was cleared of all the seven charges against her

Senator Ledama Olekina warned the MCAs that the Senate will not be used to settle political scores urging them to interrogate the evidence at their disposal before it is brought to the Senators.

"What have seen is this impeachment trial is that the Senate being reduced to an internal audit. The MCAs presented something which negates Public Audit Act which is quite clear on the process of audit. We have been entertained by charades of just innuendos, there was nothing that you can prove. I have gone through the seven charges and none of them have been substantiated," said Senator Olekina.

Senator Prof Tom Ojienda said any kind of impeachment should have a threshold which is above the standards for criminal trial and beyond doubt.

Senator Enoch Wambua laughed of the evidence by MCAs noting that it don't help the House reach a judicious conclusion.

This after the County Assembly failed to produce evidence on claims that some of the people in the County Government are related to the Governor by blood.

To support their claim, the MCA supported photographic evidence claiming that the relationship between the officers and the Governor was a matter of public record

"The evidence is that the Governor and the officers were seen taking photos and from the photos, there is a display of public affection. How are we from Kitui supposed to make a decision on a relationship between the governor and her sisters on account of a photo which I don't know where it has come from. The Assembly failed a basic test to just draw a family tree and show us the relationship."

The Senators laid emphasise on the quality of evidence being induced before them. But they also fired a warning shot to both Governor Mwangaza and the Meru ward reps while urging the residents to call for the suspension of the devolved unit.

"Article 92 says where a county government has irretrievably broken down,



Deputy Speaker Kathuri Murungi, who is also the Meru County Senator, makes his contributions during the debate on impeachment motion.



Minority Whip Ledama ole Kina during the debate.

that county should be suspended and that county should be sent to fresh elections. Although we do not have original jurisdiction on suspending the county, we encourage the citizens of Meru to call for the suspension of the county government to send Governor Kawira Mwangaza back to the people and send MCAs back to the people," said senator Moses Kajwang.

Nairobi Senator Edwin Sifuna said he had expected charges to meet the highest threshold as per the constitution and that a decision had been made that Governor Mwangaza had to go as the governor of Meru with measures put in place to ensure that was achieved at all costs.

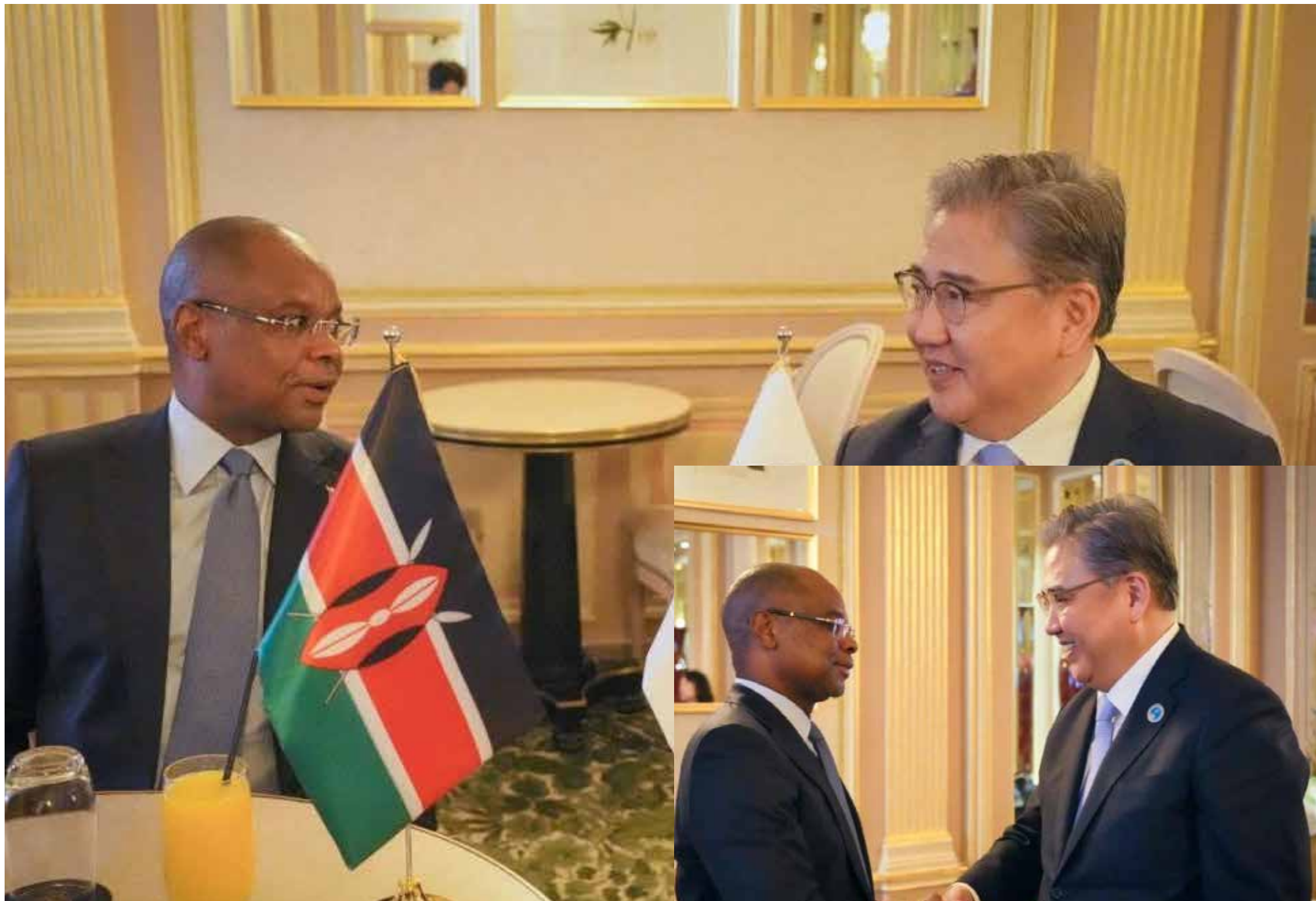
"I am disappointed because these are issues which could have been solved at

the Meru level. These are not issues to be brought to the Senate because there is no weighty issue which cannot be solved at Meru. I cannot see any evidence that can warrant the removal of the governor," said Machakos Senator Agnes Kavindu.

After voting by the 47 elected Senators, the Senate did not uphold any of the charges thus the House failed to remove from office Governor Mwangaza.

When it comes to the first charge of misappropriation and misuse of county resources, 28 Senators voted against while 19 were in favour of the charge while on charge two of nepotism and related unethical practices, 42 Senators emphatically found the charge unproven while five were convinced.

Speaker Kingi roots for increased exports to South Korea to strike trade balance



Speaker Kingi and Minister for Foreign Affairs of the Republic of Korea, Hon Park Jin, during the meeting in Paris. Inset, Speaker Kingi bids the Minister farewell after the meeting.

Speaker Amason Jeffah Kingi held fruitful bilateral engagements with the Minister for Foreign Affairs of the Republic of Korea, Hon Park Jin, in Paris.

The two leaders met on the sidelines of the ongoing Paris Peace Forum that brought together leaders from all spheres of influence from across the global.

Speaker Kingi took the opportunity to pitch for balance of trade between the two countries, saying this could be attained if more Kenyan goods and exports reached the Korean market.

The Speaker briefed the Minister on the outcome of a recent visit to Kenya by a high-level Korean delegation led by the Speaker of the National Assembly of the Republic of Korea, Rt Hon Kim Jin-Pyo.

During the visit, the leadership of the two parliaments shared experiences and explored avenues for new partnerships that would enhance their legislative capacities and enable them deliver on their mandates, Speaker Kingi recalled.

He further re-affirmed Kenya's commitment to global climate action, reiter-

ating that the successful hosting of the Africa Climate Summit in Nairobi earlier in September brought out salient issues that should inform deliberations as the world gears for the United Nations Climate Change Conference (COP28) to be held in Dubai.

In his remarks, Hon Park hailed the warm ties between Kenya and the Republic of Korea, saying the two countries would, befittingly, be celebrating 60 years of their diplomatic relations next year.

He revealed that Korea would be

hosting the South-Korea-Africa Summit in June 2024 in Seoul, and expected Kenya to play a leading role, given its position as a gate-way to the East African market.

The Minister further sought Kenya's support with respect to the forthcoming vote on the host city of the World Expo 2030, in which Korea has fronted its city of Busan as a candidate.

Speaker Kingi promised to follow up on the matter with the Ministry of Foreign Affairs and seek guidance on Kenya's position with regard to the vote.

Lawmakers push for minimum academic qualification for Parliament, County Assembly Speakers



Senators Peris Tobiko and Edwin Sifuna during the debate on petition seeking to introduce minimum academic qualification for Speakers of Parliament and County Assembly.

Senators have supported a proposal for the introduction of minimum academic qualifications for holders of the office of the Speaker of County Assemblies and Parliament.

The lawmakers argue that such qualification is necessary if the officers are to discharge their mandates effectively adding that academic success is as important as the dignity with which people carry themselves

“We should raise the threshold on people who are going to lead the county assemblies and Parliament. Academic qualifications are very important for the Speakers,” said Senator Peris Tobiko.

The lawmakers made the comments during the debate on a petition filed by Mr Simon Lenguiya, a Member of Narok County Assembly, who wants minimum academic qualifications set for the Speaker of the County Assembly, the Senate and National Assembly.

Mr Lenguiya says the roles of a Speaker of a County Assembly, Senate or National Assembly require the holders to be equipped with knowledge and understanding of the provisions of the law that will enable them to fairly, justly and

authoritatively make decisions of the House.

He further argues that any public office holder ought to be equipped with knowledge of the provisions of the law to effectively discharge their responsibilities.

“Most Speakers of County Assemblies do not have academic qualifications in law which makes it difficult for them to interpret and apply the provisions of the law in county legislative matters,” says Mr Lenguiya in the petition that is before the House.

He wants the Senate to intervene with a view to amending Section 21(1) and Section 22(1)(b) of the Elections Act by adding academic qualifications for the Speakers and their deputies in the County Assembly, the Senate and the National Assembly.

He wants the holders of the seats to have Bachelor’s degree in law.

He also wants the Standing Orders of the County Assembly, the Senate and the National Assembly to be amended to limit the powers of members of the Speakers Panel.

He says members of the Panel should

be limited to facilitation of debate but matters that require ruling be referred to the date when the Speaker or his deputy are available to make a decision.

Senator Godfrey Osotsi supported the proposals noting that there is a lacuna in law that need to be addressed.

“I wish that they looked at the issue of qualification of the Speaker holistically and not just on the issue of education. There are other aspects that we require of a Speaker. Speakers of the House such as this one, the National Assembly or county assembly must be people of high integrity,” he said.

Senator Edwin Sifuna said basic minimum level of education is important, not just in leadership, but also in everything in life.

“Under the Constitution, basic education is a right. People should be able to exercise and encourage people to acquire knowledge and qualifications as tools to enable them to effectively discharge their duties.”

Article 106 of the Constitution provides that a Speaker for each House of Parliament should have similar qualifications as for elected Members of Par-

liament.

Section 22(b)(2) of the Elections Act provides that one is qualified to be elected as an MP if he or she holds a degree from a university recognised in Kenya.

That Section 21(1) of the Elections Act also provides that the Speaker of a County Assembly shall be elected from each County Assembly from among persons qualified to have been elected as MCAs, but are not such Members.

Section 22(b)(2) of the Elections Act provides that for a person to be nominated as a candidate to become an MCA, he or she should hold a degree from a university recognised in Kenya.

However, High court ruled that MCAs shall not be required to have degrees to contest for the seats. (e) Invalidation of the provision of Section 22(b)(2) of the Elections Act for a requirement of a bachelor’s degree for one to become an MCA also implicates that there is no degree requirement for one to be elected as Speaker of County Assembly.

The Petition was committed to the Committee on Justice and Legal Affairs which must report to the House within 60 days.

Health Committee concerns after inspection tour of Kisii level 5 Hospital



Senators Okongo Omogeni and Esther Okenyuri talk to staff during the inspection tour at Kisii Level 5 hospital. Right, Health Committee chairman Jackson Mandago leads the committee in the tour of the facility.

As part of its oversight work, the Committee on Health undertook an inspection of Kisii County Referral Hospital in which members scrutinised the hospital's functions, including infrastructure, medical equipment and supplies, as well as protocols for hygiene, patient care, pharmacy operations, emergency response, infection prevention, record management and community engagement.

The Committee's findings were a mix of commendation and concern.

They praised the hospital for its proficient handling of operations, singling out the Intensive Care Unit (ICU), renal

unit, mortuary services, and the mother and baby project.

But the committee had misgiving on the inadequate record-keeping practices at the facility, flaws in procurement procedure, staff shortages in some critical areas and a malfunctioning incinerator, and a deficient oxygen supply system.

The inspection also brought to light additional issues, such as the absence of window curtains and mosquito nets in some wards, which could compromise patient comfort and safety.

The renal unit is under strain, with patients facing extended wait times due to the breakdown of five dialysis machines,

leaving only seven in operation.

The chairman of the committee, Senator Jackson Mandago took particular issue with the state of the theater's floor and directed Governor Simba Arati to ensure it is fixed.

"Fix this floor because it can easily cause infection," he told the Governor, highlighting the risk of infection due to the compromised environment.

Senator Esther Okenyuri was concerned about the delivery unit, where only one of three rooms is operational. She attributed the underutilisation to inadequate ventilation.

She advised the hospital management

to refurbish the remaining rooms to ensure they are fit for use.

"Make the rooms work, mothers cannot be waiting unnecessarily when there are other rooms that can be easily re-worked to have adequate ventilation so that they can help our mothers," she stated.

After the visit, the committee held a meeting with Governor Arati, who acknowledged the hospital's challenges and the need for improvement.

The governor noted that the current state of the facility had seen considerable improvements from the time he assumed office, expressing determination to continue refining the facility's operations.

Watchdog Committee to help recover Sh4.5 billion owed to NSSF in unremitted pension and ensure compliance



CPISFC chair Godfrey Osotsi during debate on the floor of the House, right, NSSF Managing Trustee David Koross when he appeared before the Committee

County Governments and their entities owe the National Social Security Fund (NSSF) a total of Sh4.5 billion in pension liabilities.

Managing Trustee David Koross told the County Public Investments and Special Funds Committee (CPISFC) that county governments are yet to remit Sh2.7 billion while arrears due to the defunct local authorities stand at Sh1.8 billion.

"We have held various engagements with the Intergovernmental Relations

Technical Committee to recover the debts owed by defunct local authorities. We urge the Senate to bolster our efforts to ensure that we can reclaim the funds," said Mr Koross when he appeared before the committee.

He enumerated measures NSSF is taking to recover the funds. They include a series of engagements and sensitisation forums conducted across the country through its field offices.

Senator Godfrey Osotsi, who chairs the Committee, assured the NSSF of the

Senate's support, with a commitment to endorse legislation that would mandate employers to remit NSSF contributions as required by law and to introduce deterrent measures against defaults.

"The Senate will back the NSSF in its quest to collect all pension liabilities from County Governments and other defaulters. We are prepared to support any Bill that will facilitate the fund's operations and ensure compliance within the legal framework," Senator Osotsi assured the NSSF management.

KRA Deputy Commissioner Esther Wahome outlined recourse at the disposal of the NSSF in instances where employers fail to remit contributions.

With the Retirement Benefits Authority's approval, the NSSF could appoint the authority as an agent to recover unremitted contributions, including any accrued interest and penalties.

"NSSF must formally request the Authority's approval and demonstrate that all reasonable efforts to collect the unremitted contributions from a defaulting employer have been exhausted without

success," explained Ms Wahome.

KRA has already initiated discussions with RBA agreeing that the collection of unremitted contributions was feasible through agreements with the Trustees of the pension schemes.

However, Wahome noted that current legal provisions were insufficient for the envisioned collection methods, highlighting the necessity for further enhancements to the Retirement Benefits Act and amendments to the KRA Act, which the RBA was set to pursue.

Wahome advised county pension schemes to engage with RBA to fast-track the legislative amendments proposed by KRA, thereby facilitating the efficient collection of unremitted pension contributions on behalf of the pension schemes.

This call to action underscores the collaborative effort required to address the challenges of pension fund remittance and the importance of legislative support in safeguarding the financial security of retirees.

Allow us access IFMIS for effective oversight, says Senators of a watchdog committee

Senators are now asking to be given log-in credentials into the Integrated Financial Management Information Systems (IFMIS) as part of their oversight roles.

IFMIS is the public electronic procurement system that provides an end-to-end platform intended to enhance accountability among suppliers and expenditures.

The lawmakers argue that they need the credentials so that they can access IFMIS and keep monitor and scrutinize all transactions conducted by their respective counties.

They argue that lack of access to the public financial system has kept them in the dark, thus undermining their oversight mandate.

“Every Senator must get access to the IFMIS accounts of his county so that they can have a realtime engagement on the kind of transactions,” said Sen-



Senators Omtatah and Fatuma Dullo, both members of the County Public Accounts Committee.

ator Okiya Omtatah during a meeting between the County Public Accounts Committee (CPAC) and Migori County Assembly over the financial accounts for the 2019/20 financial years.

IFMIS was launched by the government to enhance efficiency in planning, budgeting, procurement, expenditure management and reporting in the Na-

tional and county governments.

The system was designed to promoting openness and accountability in the use of public money, hence increasing transparency and cutting costs.

IFMIS works to manage suppliers, requisitions, quotations, contracts and receipts which have been moved online for a more cost-efficient transaction.

Article 96 of the constitution gives the Senate the power to defend and protect Counties and their governments by considering an approving Bill concerning counties.

“As Senators we should be in a position to monitor every transaction made through IFMIS by county executives,” he said, urging the House to take to take the challenge.

Senator Moses Kajwang, the chair of the committee, supported the call, arguing that Senators cannot be expected to oversight what they don’t know.

“We are moving in a digital space and we should be in a position to get the transactions in realtime as they happen,” he said.

Senator Richard Onyonka said the proposal is good. “If we push this IFMIS system to allow us access it will help us have an overview of he projects and demand accountability,” he said.

You will have to provide Parliament with regular updates on Haiti Mission, Joint Committee directs CS Kindiki



Interior CS Kithure Kindiki when he appeared before the Joint Committee of Parliament On security. On the right are the joint chairs of the Committee, Senator William Cheptumo and Gabriel Tongoyo.

A Joint Committee of Parliament has directed the Ministry of Interior to provide regular updates to Parliament on the Haiti Mission once the Kenya Police Officers once are deployed to Haiti.

This, the Committee said, is to ensure transparency and accountability.

The gave the directive when the Interior Cabinet Secretary Kithure Kindiki appeared before the lawmakers to defend the decision by the National Executive to deploy Kenya Police to the Mission which is part of United Nations Multinational Security Support in Haiti.

The Mission is geared towards restoring law and order as well as offering support to the Transitional Government of Haiti.

“There is need for Parliament to be involved in this whole thing,” said Senator Wiliam Cheptumo, who chairs the Committee on National Security, Defence and Foreign Relations of the Senate.

Members of the Committee wanted to understand the motivation behind Kenya’s commitment towards the Mission considering there exists no notable bilateral relations between Kenya and Haiti.

CS Kindiki explained that Kenya’s in-

volvement in the Mission is in line with the country’s national security interests and its resolve to foster global peace and security.

“We are involved because we understand that our safety and prosperity is linked with that of our global neighbours. We are involved because contributing to regional responsibility and international solidarity is not just a choice for us. It is a duty”, CS Kindiki told the joint Committee.

In accepting the request by both the United Nations Security Council (UNSC) and the Transitional Govern-

ment of Haiti to deploying her troops to the Caribbean nation, Kenya had put up two conditions, according to the CS.

The development of the framework paving the way for the Mission; which has already been met through UNSC Resolution 2699, and the provisions of the resources required by the Kenya Police Service to effect the deployment if approved by Parliament.

The Kenyan Government project a budget of 241 million US dollars out the 600 million US dollars earmarked for the 11-nation Mission.

In case any funds are spent in preparation for the Mission, the United Nations will be expected to reimburse before the deployment.

The CS told the Committee that Kenya is not expected to spend anything from her coffers on the Mission.

A contingent of 1,000 Kenya Police officers is expected to take a lead role in coordinating the Mission. Senegal, Burundi, Chad and a host of countries within the Carribbean Community (CARICOM) are set to join Kenya in the Mission which is expected to create an environment where democracy, development and dignity can flourish.

Honour heroes of colonial resistance, Senator Okenyuri pleads with Kenya, UK governments



Senator Okenyuri.

Senator Esther Okenyuri wants the Kenya and UK Governments to develop a framework for honouring prominent personalities who fiercely resisted the British colonial occupation in Kenya.

In a personal statement to the House, the Senator cited Mekatilili wa Menza of the Mijikenda, Field Marshal Muthoni wa Kirima of the Agikuyu, Koitalel arap

Samoei of the Kalenjin, Moraa Ngiti of the Abagusii as some of Kenya's heroes and heroines who must be honoured

The Senator further proposed that the two governments should facilitate the repatriation of historical artefacts held in British Museums back to their rightful owners in Kenya.

This, she argued, is important in addressing the fractured areas in Kenya's

historical past, even as the two countries keep eye on the more beneficial areas of their relationship.

"This House should take a leading role by speaking and setting the tone as to inform future engagements of both our countries and counties," the Senator in the House in the Statement.

She said King Charles III recent visit to Kenya was a matter of immense importance to the country, both as a rare mirror of Kenya's past relations and as an opportunity to re-imagine and reshape their future engagements.

She challenged the Monarch to confront some of unflattering past in Kenya's history: the lingering impact of colonial brutality on Kenyans by the British as they were establishing a colony in East Africa and the struggle for Independence, especially during the State of Emergency of 1952.

"The visit should endeavour to smoothen some of these rough edges. The reported cases of British soldiers

training in Laikipia, murdering our young girls are issues that must not be swept under the carpet," she observed.

While Senator Samson Cherarkey admitted that the King had apologised for atrocities and brutality that were meted out to Kenyans during the colonial times he appealed the King and the Government of the United Kingdom to compensate Koitalel Samoei, the Mau Mau among other freedom fighters.

"We will be grateful if we are compensated. There is nothing that can repay the pain and anguish, but the compensation must come," said Senator Cherarkey in support of the Statement.

"We request the British Government to assist us in constructing Koitalel Samoei University in Nandi County. If they can give us up to Sh100 billion, we will have a world-class university. It will have a School of Law dedicated to Jean-Marie Seroney and improve on Koitalel Samoei Mausoleum. If they give us those things, we shall forgive them unconditionally.

Senators want clarification on the pay and roles of "Advisors" in National and County Governments

Senator Eddy Aketch wants a comprehensive account provided to the House on the number of individuals employed as advisors to Cabinet Secretaries and Principal Secretaries in the national Government Executive.

The Senator wants a full disclosure of the number of advisers per Ministry and a clarification on whether the position of an advisor to a Cabinet Secretary or PS is formally recognised within the public service structure.

The Senator further wants the House to determine whether the recruitment procedures for the retinue of advisors align with employment laws and whether this upholds the values and principles articulated in the Constitution.

Through the statement he is seeking, the first term Senator wants the House given details of the performance evaluation mechanisms for the advisers, with the national Government shedding light on their remuneration and benefits packages and a comparison made with roles within the public service, and whether it commensurates with their responsibilities and qualifications.

Supporting the Statement, Senator Oburu Oginga argued that the issue of advisors is becoming notorious, not only in the national Government, but also in the county governments.

"Advisors are employed simply because they do not require scrutiny or seek Parliamentary approval. Some are more senior than those who seek parliamentary approval and go through rigorous processes," said Senator Oburu Oginga.

"It is important to understand whether these advisors' remuneration is budgeted for. Whether it passes through the budgeting process so that they are transparently employed? Is it known how much they are paid and their output?," asked Senator Oginga.

The Senators want to be given details on the contribution the advisors make to the country.

They are also concerned on whether they are just personal advisors to the CS or PS or whether they making serious input in helping the public service improve administration and services delivery to the people.

The wage bill has grown to Sh50.82



Senators Eddy OKetch and Oburu Oginga.

billion in the county governments while the national Government has grown to Sh1.17 trillion.

"It is just about time we told Kenyans who is being paid these billions in county governments and trillions in the national Government. We need full disclosure," said Majority Whip Boni Khalwale, revealing that Kakamega Governor Fedinand Barasa has employed advisors on

political affairs, economic affairs, youth affairs and for gender affairs.

"Through legislation, he is trying to sneak in an advisor for nuptial issues. This is wasteful expenditure in counties where children drop out of school because of lack of uniform, money to pay for lunch, and paltry Sh12,000 for staying in secondary school. This must be clarified."

Six Starehe Students in Senate for Voluntary Service



Six students from Starehe Boys' Centre are undertaking a three-week Voluntary Service Scheme in the Senate as part of the deliberate plan to prepare them for the future.

In the communication to the House, Speaker Amason Kingi acknowledged the presence of the students in Parliament and wished them a fruitful stay.

The students are deployed in all the directorates in the Senate and the National

Assembly where, apart from learning, they offer a helping hand to staff where needed.

The students have been split equally between the National Assembly and Senate where they operate in different Directorates like that of Legislative and Procedural Services, Finance and Accounting Services, and even the Directorate of the Speaker's office.

Nairobi Senator Edwin Sifuna wel-

comed the students and hailed the institution for its academic pedigree.

"Starehe is well known across the country for its excellence in academics and other areas for a very long time," Senator Sifuna told the House.

"Although the delegation is small, those who have gotten an opportunity to visit the Senate will have a chance to interact with the Houses of Parliament."

He encourage the students to put more

effort in their studies and ensure they give it their very best.

"If you are in Starehe Boys Centre, the path is laid out for you. This institution guarantees that in your formative years, you will have a solid base on which to build," explained the Senator

The students are Roy Victor Tanu, Yasir Adam, Hockings Juma, Jared Osira, Moses Ekutan, Emmanuel Amuhaya.

Bill to fight cattle rustling goes for second reading

The House has started debate on the Prevention of Livestock and Produce Theft Bill, 2023, which is sponsored by Senator Samson Cherarkey.

The Bill provides mechanisms for preventing, combating and eventually receding livestock and produce theft was finally moved by Senator Cherarkey on November 1, 2023.

If passed the Bill will establish legal framework for the registration of unique brands by individual farmers' livestock and produce.

The Bill aims to prevent livestock theft through branding, tracking, and record-keeping, and imposes penalties for offenses related to ownership, transport, sale, and theft of livestock and produce.

"Despite the existence of the Stock and Produce Theft Act and provisions under the Penal Code prohibiting livestock and produce theft, the practice has continued unabated. It has become necessary to address this issue comprehensively through a number of interventions including legislation," said Senator Cherarkey when moving the Bill.

The Bill is mainly geared towards addressing issues of Livestock theft that is rampant in some parts of Kenya and

which has persisted over time and often lead to the loss of life and destruction of property and therefore the livelihoods of the affected communities.

The Bill also provides a framework for the branding of livestock and the requirement to obtain a removal permit when livestock is to be moved from one premises to another.

It provides that every livestock owner will be required to brand their livestock at the age of 6 months with a registered brand of which the livestock owner is the proprietor.

The Bill was read a first time on April 9, 2023 and thereafter committed to the Committee on Agriculture, Livestock and Fisheries.

In case the livestock is older than six months at the commencement of the law, the branding will have to be done within three months of the commencement of the Act or cause it to be branded.

The Senator emphasized that the issue of handling livestock and produce theft is scattered in many laws.

These includes the Penal Code, Branding of Stock Act and the Stock and Produce Theft Act. I propose the Stock and Produce Theft Act should be repealed, especially Section 278 of the Penal Code



Senator Cherarkey..

CAP.63 laws of Kenya

The county executive committee member will have the power to prescribe further requirements on branding including branding of livestock which have not attained six months should the proposals be enacted into law.

It mandates the Cabinet Secretary in charge of Livestock to formulate a national policy and national standards on identification and movement livestock and develop and co-ordinate intergovernmental relations mechanisms in the delivery of services related to identification and movement of livestock.

This is geared towards facilitating

tracing and recovery of livestock. The Bill also creates a number of offences relating to livestock and produce theft and imposes stiffer penalties on commission of the offences

Any livestock owner who fails to apply for registration of a brand or brands their livestock with an unregistered brand.

Such a person commits an offence and is liable, on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding Sh100,000 or to both such fine and imprisonment.

Sugar Bill, 2023 finds its way onto the floor of the Senate



Navakholo MP Emmanuel Wangwe, the sponsor of Sugar Bill.

The Senate is expected to have its say when it votes on the Sugar Bill, 2023. The Bill was introduced in the House by way of First reading on Tuesday, October 31, 2023 and Speaker Amason Kingi committed it to the Committee on Agriculture and Livestock which is expected to conduct public participation and report back to the House within 30 days.

The Bill, which is sponsored by Navakholo MP Emmanuel Wangwe, originated from the National Assembly.

It seeks to reinstate the Sugar Act which was repealed through the enactment of the Crops Act in 2013.

The Bill introduces Sugar development levy on imported sugar which is meant to support the local sugar industry.

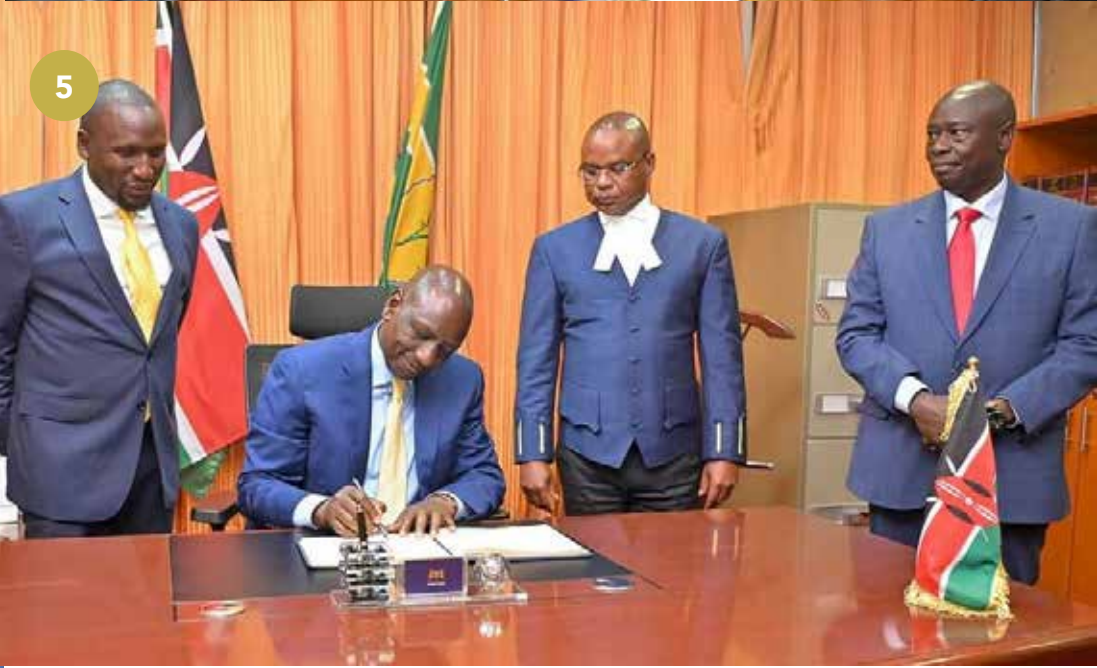
In total, 15 per cent of the levy will be used for the maintenance of local factories, 15 percent for local research, 40 percent for cane development for farmers, 15 percent for the Sugar Regulation Board, and 10 percent for roads and infrastructure development in sugar belt regions.

If enacted, it will restore the roles of Kenya Sugar Board which are being undertaken by the Sugar Directorate of the Agriculture and Food Authority established under the Agriculture and Food Authority Act.

It contains provisions on the establishment, powers and functions of the Kenya Sugar Board. It further provides the Board with the overall task of regulating, developing and promoting the sugar industry as well as facilitating the equitable access to the benefits derived from the industry.

The provides for the functions of the county government which include issuance of sugar cane nursery certificates, offering and coordinating extension services on sugar production and milling in the respective county, collaboration with the Kenya Sugar Board and law enforcement agencies, enforcing regulations with the county, among others.

The Bill contains guidelines to ensure that Government-owned sugar mills find strategic partners who can enhance their productivity.



1. Speaker Amason Kingi welcomes President William Ruto to Parliament Buildings during the State of the Nation Address.
2. Deputy Speaker Kathuri Murungi leads the Parliamentary leadership team in welcoming President Ruto to Parliament Buildings during the State of Nation address
3. Speaker Kingi and his Counterpart from the National Assembly Moses Wetangula escort the President to the National Assembly Chamber to deliver the State of the Nation Address.
4. President William Ruto poses for a photo session with Speaker Kingi and the Parliamentary Staff working in the Speaker's office.
5. President William Ruto signs the Visitors' Book in Speaker Kingi's office. Speaker Kingi, Deputy President Rigathi Gachagua and Leader of Majority Aaron Cheruiyot look on.
6. Speaker Kingi delivers his address to the Joint Sitting of Parliament during the State of Nation.



7. *Speaker Kingi and the Senate leadership escorts President William Ruto and Deputy President Rigathi Gachagua out of the Speaker's Office after signing the Visitors' Book.*
8. *Speakers Kingi and Moses Wetangula (National Assembly) with Senate Public Communications Officers before President William Ruto's arrival for the State of Nation address.*
9. *President William Ruto, Speakers Amason Kingi and Moses Wetangula with senior Parliamentary staff just before the State of Nation Address.*
- 10 *Speaker Kingi, National Assembly Speaker Moses Wetangula and Clerk of the Senate Jeremiah Nyegenye wait the arrival of President Ruto for the State of Nation address.*



1. In the midst of Governor Kawira proceedings, Minority Whip Ledama ole Kina had the opportunity his birthday. In this picture he is seen cutting the cake to commemorate his big day in the Senators' Lounge.
2. Speaker Kingi was among the Members who celebrated ole Kina's big day.
3. Senators, led by Speaker Kingi enjoy the cake as they serenade Senator ole Kina.
4. Senator ole Kina and his support team during the Birthday party.

Mwakilishi Wadi ataka Maspika wa Mabunge yote nchini Kenya kuwa na digrii



Spika Kingi kwenye kikao cha Bunge la Seneti.

Huenda Maspika kwenye Mabunge ya Kaunti, Bunge la Kitaifa na Seneti wakalazimika kuwa na shahada ya Digrii iwapo ombi ambalo limetolewa kwa Bunge la Seneti kuhusiana na uteuzi wa Maspika

ka wa Bunge hilo, Bunge la Kitaifa na Mabunge mbalimbali ya Kaunti litaona mwanga.

Kwenye ombi lililowasilishwa kwenye Seneti na Mwakilishi kwenye Bunge la Kaunti ya Narok Simon Lenguiya, Maspika wa mabunge yote nchini watatakiwa kuwa na shahada ya digrii ili kuhudumu kwenye nyadhfa hizo.

Lenguiya anasema wajibu wa Uspika kwenye Seneti, Bunge la Kitaifa na Mabunge ya Kaunti unahitaji ujuzi na maarifa ya kiwango cha juu ili kuwa mahiri kwenye utekelezaji wa majukumu yanayohusu ofisi hiyo.

Mkazi huyo wa Narok anasisitiza kuwa ipo haja kwa Spika kuwa na viwango sawa vya elimu na Wabunge. Ombi hilo, iwapo litapata uungwaji mkono linalenga kuweka sheria ya kuwataka Maspika wa Mabunge ya Kaunti kuwa na Digrii. Tayari sheria inawataka Maspika wa Seneti na Bunge la Kitaifa kuwa na kiwango hicho cha elimu.

Tayari Kifungu cha 106 cha Katiba ya Kenya kinamtaka Spika wa Bunge la Kitaifa na Seneti kuwa na viwango sawa vya elimu na ilivyo kwa Mbunge au Seneta aliyechaguliwa. Sehemu ya 22(b)(2) ya Sheria za Uchaguzi inaeleza kuwa kwa mtu kufuzu kuchaguliwa kuwa Mbunge au Seneta ni lazima awe na Digrii kutoka chuo kikuu kinachotambuliwa rasmi nchini.

Aidha Sehemu ya 21(1) ya Sheria za Uchaguzi inaeleza kuwa Spika wa Bunge la Kaunti anaweza tu kuchaguliwa iwapo anafuzu kuwania kiti cha Uwakilishi Wadi. Zaidi sehemu ya 22(b)(2) ya Sheria za Uchaguzi inaeleza kuwa kwa mtu kufuzu kuwa Mwakilishi Wadi, ni lazima awe na Digrii. Hata hivyo, mwongozo huu ulibadilishwa na Mahakama kwenye kesi iliyowasilishwa na Muungano wa Mabunge ya Kaunti (County Assemblies Forum, CAF) na watu wengine sita ambapo mahakama iliamuru kuwa si lazima kwa Mwakilishi

Wadi au mgombea wa nafasi hiyo kufuzu Shahada ya Digrii. Uamuzi huo uliashiria kuwa si lazima kwa Spika au mtu anayeazimia kuwa Spika wa Bunge la Kaunti kuwa na Shahada hiyo.

Kwenye ombi lake, ambalo lilisomwa kwenye Seneti na Naibu Spika Seneta Kathuri Murungi, Lenguiya anataka Sehemu za 21(1) na 22(1) (b) za Sheria za Uchaguzi kufanyiwa mageuzi ili Maspika na Manaibu wao kwenye Mabunge yote nchini wawe na Digrii.

Vilevile Mwakilishi huyo anataka maamuzi makuu kwenye Bunge kutengewa Spika na Naibu wake pekee, na sio wabunge wengine wanaoshikilia nafasi hizo wakati Spika na Naibu wake hawapo Bungeni.

Ombi hilo sasa limewasilishwa kwa Kamati ya Seneti ya Haki na Sheria ili kujadiliwa, huku Kamati hiyo ikitarajiwa kuwasilisha ripoti yake ndani ya kipindi cha siku 60 kufungamana na Kanuni za Seneti.

Seneta alalamikia kupanda kwa visa vya mimba za mapema Bungoma

Seneta wa Kaunti ya Bungoma Wafula Wakoli anaitaka Kamati ya Elimu kwenye Seneti kutoa taarifa kuhusu kuongezeka kwa visa vya mimba za mapema kwenye Kaunti yake. Seneta Wafula anataka Kamati hiyo iarifu Seneti kuhusu idadi ya wanafunzi wa shule za upili katika Kaunti ya Bungoma waliopata mimba mwaka huu wa 2023, ikilinganishwa na mwaka uliopita wa 2022.

Vilevile Seneta huyo anaitaka Kamati hiyo kubaini sababu zinazochangia kuongezeka kwa visa hivyo vya mimba za mapema, hususan katika shule ya Upili ya St. Thomas Aquinas, Chesikaki ambapo wanafunzi takriban 54 wameathirika, hii ikiwa ni asilimia 22 ya wanafunzi wote shuleni humo.

Aidha kwenye ombi hilo la taarifa, Kamati hiyo inayoongozwa na Seneta wa Murang'a Joseph Nyutu inatakiwa kutoa maelezo kuhusu hatua ambazo Serikali imechukua dhidi ya wahusika waliowapachika mimba wanafunzi hao, ili kukomesha hali hii ambayo imeathiri viwango vya masomo katika kaunti hiyo.

Kwenye ombi jingine la taarifa, Seneta Wafula Wakoli anataka maelezo bayana kuhusu ujenzi wa barabara yenye safu mbili ya kutoka makutano ya Sang'alo



Seneta Wakoli.

hadi Kanduyi kwenye Kaunti ya Bungoma.

Seneta huyo anaitaka Kamati ya Seneti ya Barabara, Uchukuzi na Makao kutoa taarifa kuhusu hali ya ujenzi wa barabara pacha kutoka makutano ya Sang'alo hadi Kanduyi katika Kaunti ya Bungoma. Katika taarifa hiyo, Wakoli anaitaka Kamati hiyo iwasilishe hati zote za zabuni kutoka Serikali ya Kaunti ya Bungoma zilizotumika katika ujenzi wa barabara hiyo, ikiorodhesha vifaa vyote na gharama zote pamoja na gharama

ya wafanyakazi waliyohusika katika ujenzi wa barabara hiyo.

Kamati hiyo inayoongozwa na Seneta wa Kiambu Karungo Thangwa inatakiwa kuwasilisha nakala ya makubaliano kati ya Serikali ya Kitaifa na Serikali ya Kaunti ya Bungoma kuhusu mradi huo, ikielezea kwa kina kazi inayoendelea na iwapo muda uliokadiriwa kukamilika kwa mradi huo ulipita.

Kamati hiyo vilevile imetwikwa jukumu la kueleza hali halisi ya kifedha ya mradi huo, ikielezea kiwango cha fedha

kilicholipwa na Serikali ya Kitaifa kwa Serikali ya Kaunti ya Bungoma na sababu zinazosababisha kucheleweshwa kwa malipo ya fedha zilizosalia.

Ujenzi wa barabara hiyo ya kilomita 6.5 ulianzishwa wakati wa hatamu za Gavana aliyeondolewa mamlakani kwenye uchaguzi mkuu uliopita Wycliffe Wangamati na ulitarajiwa kukamilika katika kipindi cha miaka miwili. Ujenzi huu uliratibiwa kugharimu shilingi bilioni 1.4.

All about the Public Communications of the Senate

They receive visitors and will always be ahead of any group of people walking around Parliament Buildings.

They are conspicuous at events organised by Parliament; moving across the breadth and length of the entire marquee just to ensure that everything goes according to plan.

They are the Public Communications Officers of the Senate; whose mandate is to project and improve the image of the Senate as an institution.

Most people do not quite understand what Public Communications is all about, especially in the context of the Senate and the justification for its existence.

Public Communications draws its existence from Article 35 of the Constitution that allows citizens to access to information held by the state.

In some places, the role is referred to as corporate communications or corporate affairs. But being a Public organisation the name public communications suffices.

As a public institution, the Senate has an obligation in explaining what it does in serving the people.

Year in year out, delegations, both from local and overseas institutions, visit



Students of PAG Secondary School, Lodwar, when they visited during the Senate Mashinani in September.

the Senate to learn, to familiarise themselves with mandate of Parliament, and how this mandate is executed.

Whether the visitors are curious students or Members of County Assemblies (MCAs) or diplomats or any other members of the public organized in groups, the Public Communications officers have their work cut out.

Through their departments, these officers organise events for the Senate, handle customer service and design and develop publications such as Information, Communication and Education (ICE) materials which help inform members of the public about the Senate.

It is through them that the public ed-

ucation and outreach side of the Senate comes to bear.

Public education and outreach is an exercise in finding grace within the precincts of patience; content mastery, delivery and confidence.

On a normal day, public communications officers handle the barrage of questions borne out of fertile imaginations and curiosity of the various delegations that troupe to Parliament Buildings.

Oftentimes they find themselves fielding questions from brilliant students with razor sharp intelligence or from members of the public who are smarter than them.

As they go about educating their

clients, public communication officers have to keep up with good communication tenets of being simple, concise and accurate so as not to mislead.

Imagine a primary school pupil looking you straight in the eye and poses a question: "What will happen if they bomb Parliament?" and so many other questions that are very hypothetical.

Away from public education and outreach, protocol and etiquette also form a part of the tasks handled by Public Communication officers.

The Senate, and Parliament by extension, play a big role in Kenya's diplomacy, which in our parlance here is referred to as parliamentary diplomacy.

Part of the delegations visiting the Senate comprise diplomats and therefore it is incumbent upon public communications officers to ensure a seamless visit devoid of any hitches as something small might result into a diplomatic tiff.

Optics matter a lot in diplomacy hence a lot of attention is paid to greetings and such things as posture.

At hand are the public officers who are exemplars of model protocol and etiquette standards to assist in such ventures.

The department also assists in handling of visa and travel of members and such like matters.

This Week in History



"Before devolution, primary schools in Nairobi City and seven other municipalities were managed by the defunct Nairobi City Council and the respective municipalities. The process of the transfer of assets and liabilities of these defunct authorities to county governments is still ongoing. If this process is not superintended or supervised, then counties stand to lose lot of assets, particularly land that belongs to schools."

Senator Moses Kajwang' contributing to the debate on the motion for the adoption of County Public Accounts and Investments Committee Report on the inquiry into possible loss of funds through acquisition of land by the National Land Commission **November 15, 2018.**



"Upon the Kenya Revenue Authority (KRA) realising that these alleged fraudulent companies were not registered, what did they do? Have they followed up? Do we have any cases to recover the money owed to the taxman from these companies? It is time we acted and I urge this House to approve and positively support this Report. We should follow up to ensure that those mentioned are prosecuted upon investigation."

Senator Judith Pareno contributing to the debate on the motion for the adoption of County Public Accounts and Investments Committee Report on the inquiry into possible loss of funds through acquisition of land by the National Land Commission **November 15, 2018.**



"It is within the public domain that the headquarters of the Ministry of Lands, situated at Community's Ardh House has 12 floors. However, more often than not, you hear parties talk about documents that have been manufactured or prepared on 13th floor. Once those documents, which are fake titles, are prepared and some conveyance is done it means that, therefore, like we say in law, no one can give better titles than where it belongs or than he has. The principle of nemo dat non quod habet."

Senator (Dr.) Boniface Kabaka contributing to the debate on the motion for the adoption of County Public Accounts and Investments Committee Report on the inquiry into possible loss of funds through acquisition of land by the National Land Commission **November 15, 2018.**



"We have got to put a halt to this nonsense and the country expects that this House will move steadfast. I salute Sen. M. Kajwang' and his Committee for the good work that they have done through a lot of intimidation. We want to prove to this country that no amount of intimidation will stop the war on corruption. This House has set the right mood in that direction. We will support the Government in its war against corruption."

Senator Njeru Ndwiga contributing to the debate on the motion for the adoption of County Public Accounts and Investments Committee Report on the inquiry into possible loss of funds through acquisition of land by the National Land Commission **November 15, 2018.**



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