



# The SENATE

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

Issue No. 0020

## Weekly

# The end of Second Session

**The Senate has considered 59 Bills in a year in which rules were amended to allow Cabinet Secretaries to appear in the House to answer Members' questions. Five of the Bills have been enacted into law, debate on eight has been concluded while 31 Bills are pending in various stages in the House.**



*The Senate leadership pose for a picture within the precincts of the County Assembly of Turkana after they were crowned Turkana elders during the Senate Mashinani sittings in Turkana County. Senate Mashinani is one of the key activities the House conducted in the Second Session that ended on Thursday.*

**T**he Second Session of the 4th Senate ended on a high on Thursday last week, allowing the lawmakers the opportunity to take a well-deserved break.

In Parliamentary practise, Session refers to a calendar year.

The year started slowly, but picked up and ends on a high, filled with robust debates, diligent committee work and passage of crucial legislative business that will shape the agenda of the House in the near future.

The end of the Session, therefore, sums up all the work that the lawmakers executed on the floor, off it in Committees and even outside Parliament.

In a nutshell, the Session was more

than what the Senators bargained for at the beginning of the year.

It was in this Session that the House amended the Standing Orders to allow the Cabinet Secretaries to appear on the floor to respond to germane issues raised by members.

As a result of the amendment, CSs now appear before the plenary every Wednesday morning. This has allowed Senators to seek answers on important matters concerning their constituents and interrogate government policy,

Besides executing its constitutional mandate of law making, oversight and representation, the Senate participated in other crucial meeting that were key to the realisation of its mandate.

The meetings included the Devolution stakeholders' forum, the Devolution Conference, held in Uasin Gishu County, and the Senate Mashinani in Turkana County.

"The Devolution Conference was particularly instrumental in highlighting crucial areas of legislation, including own source revenue for county governments to support devolved functions," Majority Leader Aaron Cheruiyot told the House in his statement on the business of the House.

In the case of Senate Mashinani, the Senate sought to promote the role of the work of the Senate in general, highlight the existing new opportunities and engage in legislative processes; develop

and strengthen partnerships at the county level. The Senate and its committees were able to interact with the people.

Early this year, The Senate Business Committee (SBC) made a resolution to take the Mashinani programme to the far-flung corners of the county.

The growing view is that as the House moves towards the next phase of the programme, the Senate should still stick with proposals of taking its sittings to the far-flung corners of the country.

Through the Mashinani Programme, the Senate seeks to promote its role, highlight the existing new opportunities and engage in legislative processes; develop and strengthen partnerships at the county level.

During the year, the Senate published a total of 59 Bills. Five of the Bills have been enacted into law. Debate on eight has been concluded and referred to the National Assembly for concurrence while 31 Bills are pending conclusion at various stages in the Senate.

Similarly, six Bills are undergoing concurrence pursuant to Article 110 of the Constitution while five Bills have been denied concurrence.

Two Bills were negatived at the Second Reading stage, and two Bills were withdrawn by the sponsors.

Among the Bills that are yet to be concluded are the Equalisation Fund Bill and The County Government Additional Allocations Bill which proposes to give counties additional Sh56 billion.

The Additional Allocation Bill is undergoing mediation but members of the Mediation Committee are yet to meet because the National Assembly has specific issues that they have raised with the Council of Governors (CoG), which they first want to be addressed before the mediation exercise can commence.

Similarly, the House received 44 Petitions during the year. A total of 22

petitions have been concluded and the reports tabled. Another 22 are pending conclusion by the respective committees.

A total of 89 Motions were filed in the House, out of which six are pending conclusion. However, in line with the Standing Orders, all pending motions will lapse with the adjournment.

There are a total of 90 Questions that have been filed in the House by members who were seeking responses from Cabinet Secretaries.

Out of these, 51 have been responded to by the Cabinet Secretaries. This is now with specific reference to Questions to Cabinet Secretaries, three have been withdrawn and 36 are pending.

“This is an extremely busy House. You can hardly have time for anything else. So, we deserve an opportunity to get back to our constituencies and have the festive season with them and recharge for the next Session,” said Senator Okiya Omtatah when he contributed to the adjournment debate.



Speaker Amason Kingi and Senator Karungo Thangwa join Governor Anne Waiguru in admiring the gift given to Deputy President Rigathi Gachagua during the Devolution Conference in Uasin Gishu County.

## The late Sifuna was uncompromising in what he believed in, Senators say in tribute



The late Lawrence Sifuna

The House has paid glowing tribute to the late Lawrence Sifuna, a veteran politician who served as a Member of Parliament in the late 1970s to the early 1990s.

He passed away last weekend while undergoing treatment at an Eldoret hospital and was described as a people-centred leader with a firm stance against the status quo at the time of the one-party

reign.

The late Sifuna served for many years as MP for Bungoma South which was later renamed Kanduyi.

He was first elected as MP for Bungoma South in the 1979 General Election, re-elected in 1983, a position he lost during the 1988 poll.

He however romped back in the 1992 multi party election as MP for Kanduyi constituency.

Senators, who eulogised the late Sifuna on the floor of the House, described him as a freedom fighter, a charismatic leader whose gift of the gab and incorruptible ideology endeared him to many.

“When the roll call of honour of great sons and daughters of the struggle is unleashed, I dare say that Hon Sifuna will take his place of pride,” Majority Whip Boni Khalwale told the House on Tuesday.

The death of the late Sifuna was communicated to the House through a personal statement by Senator Khalwale.

“We are seated here as the Senate, being a product of decades of constitutional reforms that can be traced to the relentless fight by our second liberation warriors in the 1980s and 1990s,” said Senator Khalwale.

“These men and women risked life,

limb and property to demand greater freedoms, free speech and sustainable constitutional order that could protect our democracy.”

During his time in politics, the late Sifuna was a member of the famous group of lawmakers that were known as the “seven bearded sisters”.

The phrase was coined by the late Charles Njonjo when he served as the Attorney General.

The seven legislators were firebrands parliamentary debaters who were a thorn in the flesh of the establishment.

Apart from the late Sifuna, others were the current Governor of Siaya County, Senator James Orengo, Hon Abuya Abuya, Hon Onyango Midika, Hon Koigi wa Wamwere, Hon Chibule wa Tsuma and Hon Mashengu wa Mwachofi.

“The seven bearded sisters was based on the fact that they were uncompromising in their stands when national issues came to the Floor of the House,” explained Senator Khalwale.

Senator Godfrey Osotsi said there is a lot Kenyans can learn from the fallen MP.

“When we are sitting in this House, people’s interests come first. The late Sifuna’s time was a difficult one as we

had one party rule and dictatorship. But he stood very firm and was on the side of the people. How I wish that when we sit in this House, the primary interest should be the people we represent; not even the political parties or the Government in power.”

Whereas Senator Wahome Wamatinga challenged politicians to learn from the ideals of the late Sifuna, Senator Eddy Oketch expressed hope that his spirit will inspire the top leadership of the country to solve issues that can unite the country.

Senator Ledama ole Kina described the late as a true left-wing politician, someone whose contribution to the public service will be remembered because of his unwavering dedication to fight for the rights of the underprivileged.

“When I was growing up, the late Sifuna played a critical role in shaping the lives of many people in this country who went against the status quo,” he said.

Senator John Methu challenged politicians to ask themselves what would be written about them after they leave Parliament and the base of politics.

“I am happy that the late Sifuna has left behind a courageous, strong, fearless and trustworthy leader in the name and character of Senator Edwin Sifuna.”

# Amend Sports Fund Regulations for effective funding of sport, Labour Committee proposes in report

The Committee on Labour and Social Welfare has called for a review of the Public Finance Management Act (Sports, Art and Social Development Fund) Regulation 2018 to provide for better management and funding of sport.

The Committee also wants the Regulation reviewed to limit the focus of the fund exclusively on sports and arts.

In a report which was tabled in the House on Thursday, the Committee has tasked the Cabinet Secretary of Youth Affairs, Creative Economy and Sports, in conjunction with the Cabinet Secretary in charge of the National Treasury to undertake the review and submit a report to the Senate within 3 months.

The report follows the petition by the County Football Association (CFA) concerning the mismanagement of the sport by Football Kenya Federation (FKF).

In its petition, CFA had argued that FKF is yet to comply with legal requirements for registration as a national sports organization and that it had failed to hold elections as required under the Sports Act since it was granted a provisional certificate in 2018.

Further, the petitioners complained that FKF and county governments are yet to recognise county football associations that are duly registered under the Sports Act, 2013.

The petition was deliberated on by the nine-member Committee that is chaired by Senator Julius Murgor. Other members of the Committee are Senator George Mungai Mbugua (Vice Chairperson), Senator Stewart Madzayo, Senator Mohamed Faki Mwinyihaji, Senator Okong'o Omogeni, Senator Alexander Munyi Mundigi, Senator Crystal Asige, Senator Miraj Abdullahi Abdulrahman, and Senator Gloria Orwoba.

Presenting the report to the House, Senator Murgor said the Committee had also recommended that CFA and FKF should follow through the Sports Dispute Tribunal process on the matter of mismanagement of the sector and report to the Senate on the ruling and outcome.

Further, the Committee recommended that the Sports Registrar should submit a report to the Senate on the FKF elections before the end of March 2024.

Sen. Recha said the Committee undertakes to follow-up the matter to its logical conclusion.



*Senator Julius Murgor, the chair of the Labour Committee, (right) and Senator George Mbugua, the vice chair, (left) share light moments with some of the stakeholders who appeared before the committee in the past.*

The petition by the CFA was presented to the Senate in June 2023 by Senator Faki on behalf of CAF.

“The petition raised concerns on the issues of non-compliance of FKF, a national sports organisation registered in 2018. The non-recognition of county football associations by FKF and the failure of the Ministry in charge of Sports to obey or comply with court judgements,” said Senator Murgor told the House when he tabled the report.

CFA had sought the intervention of the House to disband the current FKF national executive committee and order fresh elections as a matter of urgency.

Other prayers included the call for recognition, upholding the rule of law and the overhaul of the Public Finance Management (Sports, Arts and Social Development Fund) Regulations, 2018 to cater for sports and arts exclusively.

The Committee met with the petitioners, the Ministry of Youth Affairs,

Creative Economy and Sports and FKF during the consideration of the petition.

The Committee observed that FKF had failed to meet some of the conditions after its registration under the Sports Acts on a provisional and conditional registration as a nation sports organisation.

While the Committee acknowledged that the Ministry does not manage football in Kenya, as it is the mandate of FKF, it had done poorly in regulating and facilitating sporting activities which is its core mandate.

During Committee hearings, the Ministry failed to explain the circumstances under which the Cabinet Secretary decided to reinstate FKF back to the office despite the Gazette Notice No. 12374 and high court petition No. E473 of 2021.

The Committee observed that CFA does not benefit from the Public Finance Management (Sports, Art and Social Development Fund) Regulation 2018 since they are not affiliated to FKF.

As a result of nonrecognition of CFA by FKF and county governments, the Committee observed that there is need to review the FKF constitution of 2017, Sports Act 2013, Public Finance Management (Sports, Art and Social Development Fund) Regulation 2018 and other relevant laws.

“The Committee also found out that the matter was also active before a court of law - the Sports Dispute Tribunal, where it was received in August, 2023. The Committee resolved to give both parties a month to iron out their differences and report back to the Committee,” said Senator Murgor.

He added: “The Committee observed that the two parties had not had any meaningful dialogue and directed that the parties await the outcome of the court process as they had failed to dialogue.”

# Seneta Okenyuri ataka utekelezaji wa Sheria ya Msaada wa Kijamii iharakishwe



Seneta Okenyuri.

**K**amati ya Kudumu ya Leba na Masuala ya Kijamii kwenye Bunge la Seneti imetakiwa kuwasilisha majibu kuhusiana na kujikokota kwa utekelezaji wa Sheria ya Msaada wa Kijamii ya mwaka 2013.

Seneta Maalum Esther Okenyuri amewasilisha ombi kwenye Seneti akitaka majibu kuhusiana na Sheria hiyo akidai

kucheleweshwa kwa utekelezaji wayo kumewaathiri vibaya Wakenya.

Seneta Okenyuri anaitaka Kamati hiyo kueleza sababu za kucheleweshwa kwa utekelezaji wa Sheria hiyo inayobuni Mamlaka ya Kitaifa ya Msaada wa Kijamii na Hazina ya Msaada wa Kijamii Kitaifa ikifafanua juhudi zinazofanywa na serikali kuzikabili changamoto zozote zinazotishia utekelezaji wa Sheria hiyo.

Anaitaka Kamati hiyo kuorodhesha sababu zilizochangia kubuniwa kwa Hazina ya Msaada wa Kijamii chini ya Sheria ya Usimamizi wa Fedha za Umma ya mwaka 2012 badala ya Sheria ya Msaada wa Kijamii ya mwaka 2013.

Aidha Seneta huyo wa chama cha UDA anaitaka Kamati hiyo chini ya Uenyekiti wa Seneta wa Pokot Magharibi Julius Murgor kutoa ufafanuzi kuhusu ramani na mikakati iliyopo ya kitaasisi na kiutawala ya kufanikisha utekelezaji wa utoaji Msaada wa Kijamii kwa Wak-

enya ikizingatiwa kuwa bado Sheria ya Msaada wa Kijamii ya mwaka 2013 haijaanza kutekelezwa ikiweka wazi maelezo ya mipango yoyote inayoendelea.

Kiongozi huyo vile vile ameitaka Kamati ya Leba na Masuala ya Kijamii kuiambia Seneti ni mikakati ipi iliyowe kwa kuhakikisha utekelezaji wa Sheria hiyo pasi kuchelewa.

Kwingineko Seneta Maalum Mariam Omar amewasilisha ombi la kauli kwenye Seneti akitaka majibu kuhusiana na ongezeko la nauli ya ndege zinazohudumu kutoka Kaunti ya Manderu.

Seneta Omar anaitaka Kamati ya Bara bara, Uchukuzi na Makazi kuchunguza ongezeko linaloendelea la nauli ya ndege zinazohudumu kutoka Kaunti ya Manderu ikibainisha kiwango cha fedha ambacho kimewasilishwa kwa Mamlaka ya Viwanja vya Ndege nchini Kenya na Mamlaka ya Ukusanyaji wa

Ushuru katika mwaka wa kifedha wa 2022/2023.

Kamati hiyo inapaswa kutoa maelezo ya safari ngapi za ndege ambazo zinaruhusiwa kila siku kwa kila shirika la usafiri wa ndege ambalo linahudumu kutoka Kaunti ya Manderu, ikionesha ada zinazotozwa na kila wakala kwa kila safari, ikizingatia ongezeko kubwa la nauli licha ya hali mbaya ya mvua ya El Nino inayowaathiri wenyeji wa Kaunti ya Manderu.

Seneta huyo wa chama cha UDM aidha anaitaka Kamati hiyo inayongozwa na Seneta wa Kaunti ya Kiambu Karungo Thang'wa kufichua mbinu inayotumiwa na Mamlaka ya Usafiri wa Angani nchini Kenya kuyasajili mashirika ya ndege yanayohudumu kwenye Kaunti ya Manderu ikiwemo ada inayotozwa kuwasajili mawakala kando na kuwasilisha orodha ya idadi ya mawakala waliosajiliwa kwa sasa kwenye Kaunti ya Manderu.

## Fungua Ubalozi nchini Morocco, Maseneta waiomba Serikali ya Kenya

**M**aseneta wamehimiza kufunguliwa kwa Ubalozi wa Kenya nchini Morocco.

Wakichangia kwenye ombi la kauli lililowasilishwa na Seneta wa Kaunti ya Migori Eddy Oketch,

Maseneta akiwemo Kiranja wa serikali kwenye Seneti na Seneta wa Kaunti ya Kakamega Dkt. Boni Khalwale walieleza umuhimu wa kufunguliwa kwa Ubalozi wa Kenya nchini Morocco wakisema hatuahyo itaongeza ushirikiano kati ya mataifa haya mawili.

Walisesema Morocco imekuwa mshirika mkuu wa Kenya barani Africa na hivyo kuwepo kwa Ubalozi wa Kenya nchini Morocco kutaboresha ushirika huo.

“Suala la kufunguliwa kwa Ubalozi wa Kenya nchini Morocco ni suala ambalo limechelewa, hamna sababu yoyote kwa Serikali ya Kenya kutokuwa na Ubalozi nchini Morocco kwa sababu uchumi unaoongoza barani Africa kwa mfano Nigeria, Afrika Kusini, Misri, Uhabeshi na Algeria una Balozi nchini Morocco,” alisema Seneta Khalwale.

“Nchi hii inahitaji kunufaika kwa kuwa na ushirikiano wa kidiplomasia na nchi ya Morocco, nafahamu serikali inajaribu



Seneta Khalwale

kufungua afisi nchini Morocco na kama inavyohitajika ni muhimu kwa utaratibu huo kuendeshwa kupitia Bunge ili Bunge litoe idhini ya kufunguliwa kwa Ubalozi kwenye mataifa kama hayo muhimu,” aliongeza Seneta Khalwale.

Akichangia kwenye ombi hilo, Kiongozi wa upande wa wachache kwenye Seneti na Seneta wa Kaunti ya Kilifi Jaji Mstaafu Stewart Madzayo aliunga mkono kwa dhati kufunguliwa kwa Ubalozi wa Kenya nchini Morocco.

“Naunga mkono hii taarifa kuhusu uhusiano wa Kenya na utawala wa Ufalme wa Morocco, ni jambo la muhimu sana kuona kwamba Kenya itakuwa na uhusiano mwema na mataifa



Seneta Oketch

mengine na uhusiano kama huo huwa na mazao mengi, kwa mfano, hufungua njia za watu kupata kazi na biashara, unaleta mambo ya biashara kuendelea katika nchi zetu za Afrika, hususan, uhusiano baina ya Kenya na Usultani wa Morocco,” alifafanua Seneta Madzayo.

Seneta Olekina vile vile aliunga mkono ufunguzi wa Ubalozi wa Kenya nchini Morocco akisema hatua hiyo itachangia manufaa makubwa kwa mataifa haya mawili.

“Hatua ya kuwa na Ubalozi wa Kenya nchini Morocco ni muhimu sana, nafahamu kuna changamoto ikizingatiwa kwamba kulikuwa na utata kuhusu uhusiano wetu wa kidiplomasia na nchi ya

Songhai inayopakana na Morocco ila ni muhimu kama nchi kuwa na Ubalozi kuisaidia idara ya masuala ya kigeni kupata ufahamu kuhusu uchumi wa nchi hiyo, hatua hiyo itasaidia kukuza biashara kati ya mataifa haya mawili,” alikariri Seneta ole Kina.

Kauli za Maseneta hao zilifuatia ombi la Seneta wa Kaunti ya Migori Eddy Oketch kwa Kamati ya Kudumu ya Usalama wa Taifa, Ulinzi na Masuala ya Uhusiano wa Kigeni kwenye Bunge la Seneti kuwasilisha taarifa kuhusiana na uhusiano wa kidiplomasia kati ya Kenya na Utawala wa Ufalme wa Morocco.

Seneta Oketch kwenye ombi lake alitaka Kamati hiyo kuifahamisha Seneti hali ilivyo sasa kidiplomasia kati ya Kenya na Morocco ikifafanua juhudi zozote zilizofanywa na serikali ya Kenya kutatua masuala tata yaliyodumu kwa muda mrefu kati ya nchi hizi mbili.

Kamati hiyo inayoongozwa na Seneta wa Kaunti ya Baringo William Cheptumo ilitakiwa pia kubaini iwapo kuna mipango yoyote ya serikali ya Kenya kufungua Ubalozi nchini Morocco ikielezea mikakati iliyowekwa na muda unaotarajiwa kwa Ubalozi huo kufunguliwa.

# Justice Committee rejects plea for compensation to the late Seroney family

A committee of the Senate has rejected a petition by the family of the late Jean Marie Seroney on claims of mistreatment, harassment, property loss and human rights violations.

In a report to the House, the Committee on Justice, Legal Affairs and Human Rights, says all the allegations made by Ms Zipporah K. Seroney in the petition lack evidence.

In the petition, Ms Seroney had claimed that the family of the late Seroney, who also served as Deputy Speaker of the National Assembly, never got any compensation for the human rights violation meted against them.

However, the Committee observed that the matter was settled by the court and the government paid the compensation as directed by the court.

“The question of compensation for the human rights violations meted on the family of the late Seroney was the subject of litigation. Following the



*The late Jean Marie Seroney*

Judgment issued by the Court on April 30, 2020, the Office of the Attorney General made full payment of Sh20 million to Ms. Zipporah Seroney, being the decretal sum inclusive of the costs of the suit,” reads the report in part.

The committee, which is chaired by Senator Wakili Hillary Sigei, established that the claim by the petitioner that the family of the late Seroney had been subjected to a concerted scheme to dispossess them of land and property acquired by the deceased fell short as it was not substantiated.

Some of the parcels of land that the petitioner claimed that the family of the late Seroney was being dispossessed of included; Miteitei/Kamali Block 4/46, Miteitei/Kamali Block 3/Nandi/64, Miteitei/Kamali Block 3/26 and Land Reference No. 10815 situated in Nandi.

“On the claims relating to forcible and unlawful dispossession of family land, the Committee found all five counts to not have been substantiated,” says the

report which was tabled in the House last week.

The family of the late legislator laments that he has never been recognised as a national hero. In its report, the Committee asked the family to submit a nomination to the National Heroes Council in accordance with provisions of the Kenya Heroes Act.

“The Committee recommends that the family members of the late Hon Seroney, the County Government of Nandi, or any other person may submit a nomination to the National Heroes Council for consideration, pursuant to provisions of the law,” the report states.

Should the House approve the report, the committee recommends that the Chief Land Registrar in collaboration with the Land Registrar of Nandi County to facilitate the processing of title deeds for all parcels reserved for public utilities following subdivision of Land Reference No. 10815 and its conversion to Songhor/Songhor Block 1 (Kipkures).

# Roads Committee looking into Nairobi County's Urban regeneration and renewal programme

The Committee on Roads, Transportation and Housing held 21 sittings from July 1 to December 6, 2023 to discharge its mandate.

Reporting the Committee's activities during the five months period, Senator Karungo Thang'wa who chairs the team said several pieces of legislation were considered.

The Committee, he said, considered the Public Transport (Motorcycle Regulation) Bill, 2023 that is sponsored by Senator Boni Khalwale.

The Committee is set to scrutinise the legislative proposal on the Street Naming and Property Addressing System Bill, 2023 that is sponsored by Sen. Fatuma Dullo.

Senator Thang'wa told the House that three Petitions have so far been referred to the Committee for consideration.

“They concern public transport on Lake Victoria between Mfangano Island in Suba Central Sub County and Mbita, Homa Bay County,” he said, adding that other Petition concern eviction and demolition of the Buxton Estate, in Mombasa

County.

Another petition concerns title deeds for properties bought at Jamii Bora Estate, Kisaju in Kajiado County.

During the period under review, 51 Statements were referred to the Committee out of which four Statements were considered and concluded.

In addition, during that period, eleven Statements were considered, but not concluded because the Committee sought supplementary information. The Committee further sought responses for 36 Statements from Government agencies. Some of the responses have been received, but not considered and other responses are yet to be received.

The Committee is also undertaking an inquiry into the urban regeneration and renewal programme of the County Government of Nairobi City.

The programme intends to demolish 13 estates, majority of which are in Eastland's area, Nairobi City County and redevelop the estates under the Affordable Housing Programme.



*Senator Karungo Thangwa, the chairman of the Committee on Roads, Transportation and Housing during of the sittings of the Committee.*

## Activities of Labour Committee for the last four months



*The Committee on Labour, chaired by Senator Julius Murgor, (Centre) during one of its sittings. Other members in the picture are Senator Mohamed Faki and Munyi Mundigi.*

The Committee on Labour and Social Welfare considered two Bills, six Petitions and 64 Statements during the period.

Taking the floor to brief the House on the committee activities for the period between July 1 and November 30, 2023, Senator George Mbugua, the vice chair, informed the lawmakers they had considered The Care and Protection of Child Parents Bill, 2023; and The County Hall of Fame Bill, 2023.

The Committee also scrutinised two

legislative proposals, namely The Labour Migration Bill, 2023; and The National Employment Authority Bill, 2023.

The Committee has already considered The Employment (Amendment) Bill, 2023, held public participation and tabled its report in the House.

“The Committee considered six petitions during the period and tabled five Reports,” said Senator George Mbugua who is the vice chair of the committee.

The Committee is still considering the Petition concerning the mismanagement

of football in the country by the Football Kenya Federation (FKF) and will table its report when the House resumes from recess.

The Committee also conducted inquiries on two of its Statements.

One of the Statements was on the plight of Kenyan migrant workers in the Kingdom of Saudi Arabia and other countries in the Middle East.

Senator Mbugua said the Committee will be tabling its report when it resumes.

The second Statement is on the pay-

ment of one-off honorarium and pension to former councillors in the defunct local authorities.

This, said Sen. Mbugua, is an ongoing matter in which the Committee is following up with the National Treasury on the payments.

The Committee held two report writing retreats on Petitions and Bills before it and one stakeholder engagement on the level of preparedness on the African Cup of Nations games.

## It is forty-five meetings for the Trade Committee

The Committee on Trade, Industrialisation and Tourism held a total of 45 sittings in five months to November 30, 2023 in which it considered various legislative items.

Among the matters the committee considered include The County Licensing, (Uniform Procedure) Bill, 2022, The Startup Bill, 2022 and The Street Vendors (Protection of Livelihood) Bill, 2023).

In a report to the House, Chairman Seki ole Lenku Kanar revealed that the Committee also looked into the Petition on the fraudulent shareholding activities and illegal acquisition of East African Breweries Limited (EABL).

It also undertook an inspection visit to Busia and Bungoma counties to assess the state of cross border trade between Kenya and Uganda and further inspect the state of the One Border Posts.

The visit and engagements saw the team make a stop at the new Nasewa Industrial Park in Busia County to inspect the implementation status of the county aggregation industrial park.

Another stop was made at Kakapel Cultural Centre in North Teso, Busia County to assess the feasibility of the



*Trade Committee led by Chair ole Kanar and Senators Esther Okenyuri and Steven Lelegwe in one of the meetings of the committee.*

cultural shrine for the promotion of tourism and cultural heritage.

The Committee also inspected the Kenya Medical Training College (KMTC) warehouses on November 30, 2023, following a statement regarding

the production and importation of cooking oil in Kenya.

“During the period, the Committee undertook one international travel following invitation by the Kenya National Chamber of Commerce and Industry

(KNCCI) to participate in the Trade Mission to the United Arab Emirates (UAE) on 5th to 11th November, 2023 in Dubai as a build up towards COP28,” said Sen. Lenku.

# Education Committee held 34 meetings



*The Education Committee when it visited Nakwamekwi and the Education Assessment Resource Centre (EARC) at the Lodwar Mixed Primary School during the Senate Mashinani in Turkana County.*

From July 1, the Committee on Education held a total of 34 sittings and considered 18 Statements sought on the floor of the House.

Outlining the Committee's activities, Senator Peris Tobiko, who is a member of the committee, told the House that the team had also considered one legislative proposal and three Petitions during the period. The Committee also held one

consultative workshop with its stakeholders and conducted oversight visits to acquaint itself with the implementation of education legal and policy framework in Turkana County.

The three petitions that were committed to the Committee for consideration are salary arrears for P1 teachers with A Level academic qualifications from 1996-2010, discrimination by the

Teachers Service Commission (TSC) on payment of hardship allowances and enhanced house allowance to some teachers in Kilifi County and discrimination in the payment of hardship allowance to teachers in Taita Taveta County.

Senator Tobiko said the Committee further conducted an oversight visit during the Senate Mashinani in Turkana County and acquainted itself with the

implementation status of education legal and policy framework in the country.

During the visit the Committee observed that there are numerous challenges in the implementation of the Sector Policy for learners and trainees with disability and resolved to hold a consultative forum with the relevant stakeholders to deliberate on ways to address these challenges.

The Committee also conducted a pre-publication scrutiny on one legislative proposal,

The Early Childhood Education (Amendment) Bill, 2023, and recommended that the Bill be published.

"I wish to thank your (Speaker's) office and the Office of the Clerk of the Senate for the continuous support accorded to the Committee in executing its mandate. I also wish to thank the Members of the Committee for their dedication and contributions during Committee activities," said Sen. Tobiko.

# Devolution Committee plans to look into budgets implementation by Counties

The Committee on Devolution and Intergovernmental Relations has processed two of the three petitions that were committed to it for consideration during the last half of the year.

Outlining the activities of the Committee for the period commencing July to December, 2023, the chairperson Senator Mohamed Abbas said only one petition is pending.

The statement made by Senator Abbas about the operations of the Committee for the period of six months.

Other than the three petitions, the Committee carried out various other activities pertaining to its mandate.

One of the petitions that have been concluded was about the refurbishment and expansion of Kajiado Municipality market.

The refurbishment and expansion falls under the County Government of Kajiado.

The second petition that was processed by the Committee concerned lack of implementation of a resolution to absorb the contracted instructors un-



*Senator Mohamed Abbas*

der the economic stimulus programme by the County Government of Nyeri.

"Petition concerning the state of insecurity in Turkana County is pending," said Senator Abbas, adding that the Committee is currently considering two Bills.

The proposed legislations are The County Governments (Amendment) Bill, 2023 and The County Assembly Services (Amendment) Bill 2023.

Sen Abbas said the Bills were as a result of proposals that were committed before it during the reporting period.

Further, the Committee received five Statements, which were sought by vari-

ous Senators, but only one has been concluded.

The Statement by Senator Boni Khalwale on the efforts by the County Government of Kakamega to anchor in law the office of the first spouse is the only one that has been concluded.

The four pending Statements are; Statement by Senator Munyi Mundigi on the disparities in development in Embu County, Statement by Senator Kavindu Muthama on the boundaries of Counties in Kenya, Statement by Senator Chute on the handover of machinery, motor vehicles and unfinished projects from the Nairobi Metropolitan Services (NMS) to the County Government of Nairobi City and the Statement by Senator Chute on the handover of unfinished projects from the second to the third County Government of Turkana.

The Committee also considered the application for conferment of city status to the Municipality of Eldoret which has since been approved by the House.

The fate of the Municipality on whether it will become a city now lies with the President.

The Committee has initiated amendments to the Intergovernmental Relations Act of 2012, whose aim is to anchor the Secretariat of the Council of Governors and the County Assemblies Forum into law.

"The process is currently ongoing. The Committee considered matters concerning welfare, benefits and remuneration of the Members of County Assemblies (MCAs). To address the issues, the Committee held consultative engagements with various stakeholders including the Salaries and

Remuneration Commission (SRC), the County Assemblies Forum (CAF) and the Association of Members of County Assemblies. The Committee will prepare its final report and table it," said Senator Abbas.

Also in the plans is to look into the performance of Counties on implementation of the Budget, conduct a post legislative scrutiny of the Urban Areas and Cities Act of 2011.

## Roads Committee inspects Japanese Do-Nou technology in Meru County

The Committee on Road, Transportation and Housing conducted an inspection tour of Meru County where it experienced community road empowerment project that is rehabilitating 26 kilometers of roads in the County.

The project enhances the accessibility to the Meru eastern and western bypass using Do-nou, a Japanese road construction technology.

The project was funded by Japan Social Development Fund and is being administered through the World Bank with the aim of improving the livelihood opportunities and accessibility for underserved communities in Meru County.

“Japan is funding projects that impact the local communities and it is determined to see this project succeed to cre-

ate employment. This project is labour intensive and a way of promoting road infrastructure in local communities,” said Japan ambassador to Kenya, Okinawa Ken.

The project development objective is to improve the basic access and improve the livelihood of the target population of the selected underserved communities of Majengo, Gitimbine and Mjini in Meru County.

“We need to see new roads. This is economic stimulus program. If the program is viable, we shall tell the world to adopt it. I come from Kiambu County, where there is black cotton soil and if this project turns to be a success stories, we shall implore Meru County to go and train other counties,” said the Sen-



The Committee on Roads led by chairman Karungo Thangwa and the Japan ambassador to Kenya pose for picture with staff in the Office of the Governor before inspecting the roads constructed through the Do-Nou technology in the county.

ate Roads, Transportation and Housing Chairperson Karungo Thangwa.

In the last one year, the projects have employed 500 residents, 46 per cent being women and 5 per cent being persons abled differently.

Do-Nou technology has rehabilitated 1.295 Km of feeder roads.



Senator Thangwa and Japan Ambassador Okinawa Ken in one of the construction site in Meru County during the inspection.

## The Committee on Energy inquiry into high cost of electricity

The Committee on Energy held a total of 27 sittings between July and November, enabling it to consider five Statements and an inquiry into the high cost of electricity in the country.

Presenting the Committee’s activities to the House, Senator William Kisang said the Committee also considered two legislative proposals, one Bill and one Petition.

The legislative proposal considered by the Committee includes the Local Content Bill, which is a Committee Bill and an amendment to the Energy Act sponsored by Senator Edwin Sifuna.

The Local Content Bill, 2023 aims to create a comprehensive legal framework that will fully enhance local content in Kenya.

“Following deliberations of the Committee, the Committee resolved to maintain the local content at 30 per cent. The Bill is currently awaiting publishing,” said Sen. Kisang.

The Energy (Amendment) Bill, 2023 seeks to amend the Energy Act, 2019 to provide for transparency in Energy purchase agreements. It was also considered by the Committee and approved for publication.

Sen. Kisang said The Bill was pub-

lished on September 1, 2023 and was introduced in the Senate by way of First Reading on Tuesday, October 17, 2023 and thereafter stood committed to the Committee on Energy for conduct public participation.

Said Sen Kisang: “The rationale for disclosure of the beneficial ownership information is to create an accurate public disclosure regime that provides transparency in the beneficial ownership and control structures of companies.”

This, he said, aids in not only promoting investor confidence and good corporate governance practices, but also in uncovering tax evasion schemes, money laundering practices, corruption schemes and other illegal activity involving either one or more companies.

The Committee’s report on the Energy Bill is in the process of being approved for tabling.

Out of the five Statements that were sought from the Committee, two have been considered and concluded.

Sen Kisang said the reports and responses received by the Committee were shared with respective Senators and the Statements concluded during the reporting period.

The Statements that were concluded

include the one sought by Senator James Lomenen on the electricity transmission infrastructure in major towns within Turkana County and another that was sought by Senator Mohamed Chute regarding the status of electricity connection in Marsabit County.

The pending Statements are one sought by Senator Alexander Mundigi on seizure by Government of an oil consignment, another that was sought by Senator Fatuma Dullo on stalled rural electrification projects in Isiolo County and another sought by Senator Edwin Sifuna on plans by the Government to hand over the management of National Oil Corporation to a private investor.

Sen Kisang said residents of Uyombo village in Kilifi County petitioned the Committee concerning the protection of the right to life, health and a clean environment and other constitutionally protected rights and fundamental freedoms.

The Committee will on January 15, 2024 visit Kilifi to listen to the stakeholders.

“The Committee has a work plan to ensure that it reports back within the 60 working days as per the Standing Orders. I believe that when we come back in February, we shall be tabling the report,”

he said.

The Committee visited Lake Turkana Wind Power in Marsabit County.

This is an independent power producer that generates 300 Megawatts (MW) into the grid using wind which is renewable energy.

“The visit gave the Committee the opportunity to familiarise with the infrastructure of Lake Turkana Wind Power Limited and noted that such critical infrastructure should be protected by our disciplined forces and not police reservists as is the case now,” he said.

The Committee also visited Tullow Oil in Turkana County during the Senate Mashinani.

The Committee noted that following exploration of oil in Turkana, a field-development plan was submitted to the Ministry of Energy and Petroleum by Tullow in 2018.

The Committee also conducted an inquiry on the high cost of electricity in the country and adopted and tabled its report on the Floor of the Senate on September 28, 2023.

“We will be asking if the Senate Business Committee (SBC) could expedite this report because it will assist in reducing the cost of power,” said Sen Kisang.



# Security Committee has considered seven Bills in five months

The Committee on National Security, Defence and Foreign Relations considered seven legislative proposals, 25 Statements, four Petitions and one resolution from a County Assembly in the 27 sittings it held between July 1 and November 30, 2023.

The Committee, jointly with the National Assembly's Committee on Administration and Internal Security, considered, and approved, the request for approval of deployment of Kenya Police officers to the Multinational Security Support (MSS) Mission for Haiti.

In a statement to the House, chairman William Cheptumo revealed the Committee considered The Fire and Rescue Services Professionals Bill, 2023, which is sponsored by Senator Sheikh Mohamed Abass and the Disaster Risk Management Bill, 2023.

Another legislative proposal the committee looked into is the Public Holidays (Amendment) Bill, 2023, sponsored by Senator Karungo Thang'wa and tabled its report on November 22, 2023.

The Committee is also sponsoring



Senator Cheptumo.

the Constitution of Kenya (Amendment) Bill, 2023, which seeks to remedy the misinterpretation of functions between the National Police Service Commission and the Inspector-General of the National Police Service.

The Bill is yet to be published as it is waiting for the outcome of a meeting with the Cabinet Secretary for Interior and National Administration, the Inspector-General and National Police Service Commission to receive their views on the Bill.

A total of 25 Statements were sought from the Committee during the period.

Senator Cheptumo said the Committee has received a total of 10 responses to the

Statements and it is awaiting responses to 15 others from the relevant Ministries.

The Committee completed its consideration of the Petition concerning the recognition and remuneration of village elders under the Nyumba Kumi Initiative and tabled its report on October 31, 2023.

Three petitions are currently being considered by the Committee.

They are Petition concerning the rampant theft of livestock in Kajiado East and Kajiado West sub-counties and Kajiado County at large; Petition on the state of insecurity in Turkana County; and Petition concerning persistent insecurity, cattle rustling, loss of lives and property in Lorroki and Malaso Divisions of Samburu County.

"The Committee has met with the petitioners and is meeting with various stakeholders, including the Cabinet Secretary for Interior and National Administration and the Inspector General of National Police Service (NPS) to conclude the Petitions," Senator Cheptumo told the House.

tumo told the House.

The Committee is considering a resolution of the County Assembly of Elgeyo-Marakwet on measures to curb banditry in Kerio Valley.

The Committee visited Elgeyo-Marakwet County on November 10, 2023 and met with the Governor and the Members of the County Assembly.

The Committee has scheduled to meet with the Cabinet Secretary for Interior and National Administration and the Inspector General of NPS as to finalise its report on the Resolution.

On foreign relations, the Committee met with the Japanese ambassador to Kenya on November 29, 2023 to explore areas of mutual cooperation.

It also sought to strengthen relations between the two countries.

A working engagement to foster and strengthen bilateral relations, including the incorporation of Senators to a Kenya-Japan Parliamentary Group and engagements with the counterpart Committee of the Japan House of Councilors is underway.

# The 13th edition of EALA games gets underway in Rwanda



Speaker Wetangula delivers his speech during the official opening of the 13th EALA games at Pele Stadium, Kigali.

National Assembly Speaker Moses Wetangula has hailed the growth of the East African Community (EAC) and urged lawmakers in regional parliaments to push for greater integration.

"We started with Kenya, Uganda and Tanzania. We have now been joined by five more countries and we therefore need to engage as one regional bloc. You are the drivers and pillars of integration," Speaker Wetangula told MPs drawn from six Member states of EAC on Saturday.

The Speaker spoke when he inaugurated the 13th edition of the East African Community (EAC) Inter-Parliamentary Games that is going on in Kigali, Rwanda.

The annual event is aimed at forging cohesion and deepening regional integration among member states.

During the games, legislators will participate in various sporting disciplines: Football, Basketball, Golf, Netball, Athletics, and Tug of war.

The six EAC partner states taking part in this year's games are Kenya, Uganda,



Speaker Wetangula leads Team Kenya to the pitch before the opening ceremony of the EALA games.

Rwanda, Tanzania, South Sudan, Burundi, along with the regional assembly, the East African Legislative Assembly (EALA).

DR Congo and Somalia are the latest states to be admitted to the bloc but they are yet to ratify their membership.

This year's event is being held under the theme: 'For a progressive, peaceful, and all-inclusive EAC.'

The games will run from December 7 to 18, 2023.

Speaker Wetangula urged the legislators to be at the forefront in agitating for legislation that will foster deeper integration for the benefit of the people.

He told the MPs that his dream is to see complete integration with one common currency, free movement of goods, services and persons within the EAC.

"Let us be drivers of integration and have fair play so that when we go back to our various parliaments we have a shared vision so as to ensure free movement of our people."

# Finance Committee considered five Bills



Senator Ali Roba, the chair of the Finance and Budget Committee, addresses delegates during the closing ceremony of the FP-ICGLR conference on behalf of Speaker Amason Kingi.

The Committee on Finance and Budget considered and tabled five key Bills and several Statements during its more than 90 meetings held between July 1 and November 28, 2023, setting the stage for cash flow in the 47 county governments.

Among the key Bills is The County Governments Additional Allocations Bill, 2023.

The other key Bill that was processed by the Committee is The Equalisation Fund Appropriation Bill, 2023.

The Bill set out the total appropriation from the Fund as Kshs10.9 billion for the 2023/24 financial year.

The Bill is at the Committee of the Whole stage.

Also considered by the Committee and passed by the House is The Equalisation Fund (Administration) Bill, 2023.

On the list of Bills considered by the Committee is The Public Finance Management (Amendment) Bill (National Assembly Bills No.16 of 2023).

The House passed the Bill with amendments, which were transmitted to the National Assembly for concurrence.

“The National Assembly rejected the Senate’s amendments to the Bill. Consequently, pursuant to Article 113 of the Constitution, the Bill was referred to a Mediation Committee,” said Senator Roba, noting that the Bill was later considered and approved by both Houses.

Also on the list of activities is The County Governments (Revenue Raising Process) Bill, 2023.

The Committee recommended that the Senate rejects the Bill on the basis that the provisions of the Bill would be a claw back on the powers of county governments to impose taxes, levies and charges under Article 209(3) and (4) of the Constitution.

The Bill proposes establishment of an Inter-Agency Committee whose mandate would be approval of introduction of new county taxes, fees, levies and charges.

This move, Senator Roba said, would be equivalent to usurping the powers of the county governments.

Additionally, he said, some of the provisions of the Bill already exist in other

Acts already approved such as the Public Finance Management Act, 2012 and Intergovernmental Relations Act, 2012.

The Bill is currently at the Second Reading Stage.

Other Bills the Committee is currently considering include The Public Finance Management (Amendment) Bill, 2023 and The County Public Finance Laws (Amendment) Bill, 2023.

The Committee also considered and tabled a report on the County Governments (Equitable Share) Cash Disbursement Schedule for the Financial Year 2023/2024.

While considering the Bills, Senator Roba said the Committee held consultative meetings with all the critical stakeholders as required by law.

The Committee also considered and concluded the four Statements.

On legislative proposals considered by the Committee, Senator Roba said his team carried out a republication scrutiny and examined two Bills.

They are The Central Bank (Amendment) Bill, 2023, sponsored by Senator Eddy Oketch and The Crypto-Assets Bill, 2023 sponsored by Senator Allan Chesang.

## This Week in History



“The Ministry chose to pay the people of Thwake in installments. The effect of this, and it is against the Constitution, is that people who have not moved from their land have now been paid. They have not moved or found alternative land, but they are now spending the money. As a result, this action will create squatters. I hope that the Committee on Agriculture, Livestock and Fisheries will resolve this question. It is against the Constitution and that is why we passed the law and the Land Acquisition Act. This was applied in Makeni on the SGR.”

Senator Mutula Kilonzo Jnr., contributing to debate on the compensation for persons affected by Thwake Dam Project on **December 13, 2017**



“The danger of cash compensations is that it has created the so-called Internally Displaced People (IDP’s) in some areas. The heads of families take money, abandon their families, go and squander the money, then come back to squat on the roadside or behind a shop in a local market, in the same area. They then emerge every time when there is stock of IDP’s to be compensated. Through this we end up spending good money for bad causes. Could the Government and the Ministry concerned re-formulate the policy on compensation, such that if one is surrendering their two acres of land for construction of a dam, they are given an alternative parcel of land depending on the area?”

Senator Moses Wetangula contributing to debate on the compensation for persons affected by Thwake Dam Project on **December 13, 2017**.



“One of the many striking features and changes in public transport in Kenya were the “Michuki Rules” which, among other measures, ensured Public Service Vehicles (PSV) were fitted with speed governors, functioning seat belts, uniforms for PSV crew and discouraged overloading. These measures, though considered radical at the onset, brought sanity and actually reduced incidents of road accidents across the country. But since old habits die hard, the country struggled to turn back to old habits.”

Senator George Khaniri during the debate on the motion on the upsurge of road accidents in the country on **December 13, 2017**.



“This is quite emotional and emotive. Part of the injustices that need to be addressed in this country is the issue of equitable distribution of teachers in our primary schools. Since 1988, I have been representing the people of West Pokot in one way or another, except for, let us say, a year when I was expelled from the party and another time in 2013 when I lost the Senate seat. I have been in leadership in that county.” –

Senator Samuel Poghishio contributing to the debate on the audit on distribution of teachers in all public schools in the country on **December 13, 2017**.



1. Majority Leader Aaron Cheruiyot tussles with the ball from a member of Parliament from Tanzanian Parliament in the first match on the opening day of the 13th EALA games at Pele Stadium, Kigali.
2. Senators Eric Omogeni offers his perspectives on the football match between Kenya and Tanzanian parliament at Pele Stadium.
3. The Kenya parliament Football team warm up in the pitch before they took on Tanzanian counterparts on Saturday.
4. Senator Cheruiyot tries to beat his Tanzanian opponent.
5. Kenya's Parliament football team on the bench led by Senator Mohamed Faki (right).
6. Kenya Team players led by Senators Miraj Abdulrahman (right), Veronicah Maina (third right) and David Wakoli (fourth right) display the Kenyan flag at the opening ceremony of the games at Pele Stadium, Kigali.
7. Nyali MP Mohamed Ali prevails over his Tanzanian opponent during the match at Pele Stadium, Kigali.



## A PUBLICATION OF THE SENATE

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