



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FOURTH SESSION)

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, MAY 08, 2025 AT 2.30 PM

1. The Senate assembled at thirty Minutes past Two O'clock.
2. The proceedings were opened with Prayer said by the Speaker.

3. **QUORUM OF THE SENATE**

The Speaker, having counted the Honourable Senators present at the commencement of the Sitting and confirming that there was no Quorum, directed that the Bell be rung for ten minutes, pursuant to Standing Order 40;

And there being a Quorum before the expiry of the ten minutes;

The Speaker invited the Clerk to call the Orders of the Day.

4. **COMMUNICATION FROM THE CHAIR ON VISITING TEACHERS AND STUDENTS FROM ST. TERESA SECONDARY SCHOOL IN MURANG'A COUNTY**

The Speaker conveyed the following Communication from the Chair:

"Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting teachers and students from St. Teresa Secondary School in Murang'a County. The delegation comprises three (3) teachers and sixty-four (64) students, who are in the Senate for a one-day academic exposition.

Honourable Senators,

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

I thank you."

5. **MESSAGE FROM THE NATIONAL ASSEMBLY ON THE PASSAGE OF THE SOCIAL PROTECTION BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2025)**

The Speaker conveyed the following Message from the National Assembly:

“Honourable Senators,

I wish to report to the Senate that, pursuant to Standing Order 46 (3), I received the following Message from the Speaker of the National Assembly regarding the passage by the National Assembly of the Social Protection Bill (National Assembly Bill No. 12 of 2025).

The Message, dated Wednesday, 30th April, 2025, was received in the Office of the Clerk of the Senate on Tuesday, 6th May, 2025.

Pursuant to Standing Order 46(4), I now report the Message –

***“PURSUANT** to the provisions of Standing Order 41(1) and 142 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly—*

***WHEREAS**, the Social Protection Bill (National Assembly Bill No. 12 of 2025) was published vide Kenya Gazette Supplement No. 43 of 20th March 2025 as a Bill to provide a framework for the administration of non-contributory social protection interventions and to establish the National Board for Social Protection;*

***AND WHEREAS**, the National Assembly considered the said Bill and passed it with amendments on Wednesday, 30th April, 2025 in the form attached hereto;*

***NOW THEREFORE**, in accordance with the provisions Article 110(4) of the Constitution and Standing Orders 41 and 142 of the National Assembly Standing Orders, I hereby refer the said Bill to the Senate for consideration.”*

Honourable Senators,

Pursuant to Standing Order No. 163 which requires that a Bill which originates in the National Assembly be proceeded with by the Senate in the same manner as a Bill introduced in the Senate by way of First Reading in accordance with Standing Order No.144. I direct that the Social Protection Bill (National Assembly Bill No. 12 of 2025) be listed in the Order paper for Tuesday, 13th May, 2025, for First Reading.

I thank you.”

6. **PETITION**

Pursuant to Standing Order 236(2)(a), the Senator for Nandi County (Sen. Samson Cherarkey, MP) presented a Petition to the Senate by the officials of the Kenya Union of Clinical Officers’ (KUCO) concerning discrimination, interference and violation of Clinical Officers’ practice rights by the Ministry of Health (MoH), the Council of Governors (CoG) and the Social Health Authority (SHA).

Pursuant to Standing Order 238 (1), the Speaker committed the Petition to the Standing Committee on Labour and Social Welfare for consideration.

7. **PAPERS LAID**

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

- i. Statement by the Chairperson, Standing Committee on Labour and Social Welfare, relating to the activities of the Committee for the period, January to April, 2025.

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

- ii. Statement on the business of the Senate for the week commencing Tuesday, 13th May, 2025.

(The Senate Majority Whip)

8. **QUESTIONS AND STATEMENTS**

a) Statement pursuant to Standing Order 53 (1)

- i. The Nominated Senator (Sen. Hamida Kibwana, MP) sought a Statement from the Standing Committee on Health regarding the status of implementation of the Senate resolution on the *Promotion of Mental Health Facilities for Mothers*.
- ii. The Nominated Senator (Sen. Hamida Kibwana, MP) sought a Statement from the Standing Committee on Roads, Transportation and Housing regarding the inconsistent quality of in-flight service and passenger experience by certain international airlines operating flights to and from African destinations, including Kenya.
- iii. The Senator for Busia County (Sen. Andrew Omtatah, MP) sought a Statement from the Standing Committee on Finance and Budget regarding the Government's decision to lease out Public sugar companies.

b) Statements pursuant to Standing Order 56 (1) (b)

- i. The Statement by the Chairperson, Standing Committee on Information, Communication and Technology relating to the activities of the Committee for the period, January to April, 2025, was **deferred**.
- ii. The Statement by the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights relating to the activities of the Committee for the period, January to April, 2025, was **deferred**.
- iii. The Chairperson, Standing Committee on Labour and Social Welfare made a Statement relating to the activities of the Committee for the period, January to April, 2025.

c) Statement pursuant to Standing Order 57 (1)

The Senate Majority Leader issued a Statement on the business of the Senate for the week commencing Tuesday, 13th May, 2025.

9. **MOTION – REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE FOURTH BASIS FOR ALLOCATING THE SHARE OF NATIONAL REVENUE AMONG COUNTIES**

(The Chairperson, Standing Committee on Finance and Budget)

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the Fourth Basis for Allocating the Share of National Revenue Among the Counties, laid on the Table of the Senate on Thursday, 17th April, 2025, and that pursuant to Article 217(1) of the Constitution, approves the Fourth Basis for Allocating the Share of National Revenue Among the Counties for the Financial Years 2025/2026 to 2029/2030 as follows-

County Allocation = (Baseline Allocation Ratio*Ksh.387.425 billion) + {[(0.45*Population Index) + (0.35*Equal Share Index) + (0.12*Poverty Index) + (0.08*Geographical Size Index)] *Additional County Equal Share above the baseline}.

Where –

- i. *Baseline =Ksh.387.425 billion being the equitable share for the Financial Year 2024/2025;*
- ii. *Baseline Allocation Ratio = The allocation factor derived from each County's allocation for the Financial Year 2024/2025;*
- iii. *The Population Index is based on the 2019 Kenya Population and Housing Census (KPHC);*
- iv. *The Poverty Index is based on the 2022 Kenya Poverty Report by the Kenya National Bureau of Statistics (KNBS);*
- v. *Geographical Size is capped at 10%.”*

Order read.

Order deferred.

10. **MOTION - CONSOLIDATION OF BURSARY FUNDS FOR EQUITABLE ACCESS TO EDUCATION IN KENYA**

Order read;

Motion made and Question proposed;

THAT AWARE THAT, Pursuant to Article 53 of the Constitution, every child in Kenya is entitled to free and compulsory basic education, and the Basic Education Act provides that, basic education should be guided by principles such as equitable access to all youth and equal access to education or institutions;

FURTHER AWARE THAT, many students in secondary schools and higher education institutions come from financially disadvantaged backgrounds, making it difficult for them to afford school fees and access education opportunities;

NOTING THAT, over the years, various interventions have been made, including the issuance of bursaries through the National Government Constituency Development Fund (NCDF), National Government Affirmative Action Fund (NGAAF), the Ministry of Education and county governments through various county bursary funds;

CONCERNED THAT, despite these efforts, schools fees remain unaffordable for many parents and the allocation of bursaries has been plagued by nepotism, favoritism, and political manipulation, lack of transparency and accountability; FURTHER CONCERNED THAT public learning institutions are primarily funded by the Government through the Ministry of Education, and in the financial year 2024/25, approximately Kshs. 656 billion was allocated to the education sector, making it difficult to ascertain the specific funds granted to each student and that the lack of transparency in the disbursement of bursaries from various agencies makes it difficult to determine the total amount allocated in a financial year, thus hindering efforts to ensure equitable access to education for financially disadvantaged students;

NOW THEREFORE, the Senate urges the Ministry of Education, to:

- 1) audit the funds allocated to bursaries by both the National Government and county governments;
- 2) consolidate the funds distributed by various government entities and agencies, with the aim of directing these funds directly to schools as supplementary capitation to facilitate the achievement of free secondary education; and
- 3) calculate the cost of education per learner and make this information public for primary, secondary, and tertiary institutions, including a detailed breakdown of the annual financial requirements for each student across the country.

(Sen. Karungo Thang'wa, MP – 07.05.2025)

Debate interrupted on Wednesday, 7th May, 2025 (Morning Sitting) resumed;

And there being no more Senator wishing to contribute;

Mover replied;

Pursuant to Standing Order 66 (3), the Mover requested for the deferment of the putting of the Question to a later date.

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

The Temporary Speaker (Sen. Catherine Mumma, MP), for the convenience of the Senate pursuant to Standing Order 34 (2A), adjourned the Senate at forty-two minutes past Six O'clock without Question put.

11. **SENATE ROSE** – at forty two minutes past Six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Tuesday, May 13, 2025 at 2:30 pm*

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