



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FOURTH SESSION)

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, JULY 31, 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. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following Communications from the Chair:

a) Visiting teachers and students from Orero Boys High School in Rangwe Constituency, Homa Bay County

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting teachers and students from Orero Boys High School in Rangwe Constituency, Homa Bay County. The delegation comprises five (5) teachers and forty-five (45) 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.”

b) Visiting teachers and students from Kimogoro Adventist Schools in Bomet County

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting teachers and students from Kimogoro Adventist Schools in Bomet County. The delegation comprises ten (10) teachers and ninety (90) 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 GOVERNOR OF MAKUENI COUNTY ON CESSATION OF LOGGING ACTIVITIES IN KIVALE FOREST IN MBOONI WARD, MAKUENI COUNTY.**

The Senator Makueni County (Sen. Daniel Maanzo, MP) conveyed the following Message from the Governor, Makueni County:

“Mr. Speaker, Sir,

I wish to report to the Senate that, pursuant to Standing Order 49(1) of the Senate Standing Orders, I have received the following Message from the Governor of Makueni County, on cessation of logging activities in Kivale Forest in Mbooni Ward, Makueni County –

The Message dated Monday, 28th July, 2025 was received in my office on Tuesday, 29th July, 2025.

Pursuant to Standing Order 49(2), I now report the Message -

“NOTING THAT, implementation of specific National Government policies on natural resources and environmental conservation including forestry is a function devolved to County Governments;

AND NOTING THAT, there have been unexplained ongoing logging activities in Kivale Forest, located in Mbooni Ward, Makueni County, carried out without knowledge of public participation, or participation of the local community, the County Government, local administration, and the Community Forest Association (CFA);

WHEREAS, the wanton logging is being carried out despite an existing national moratorium on logging, and the loggers purportedly claim to

possess a Court order from a Makueni court authorizing the felling of trees allegedly paid for prior to the moratorium;

AND WHEREAS, interventions by the County Government of Makueni as a stakeholder on matters environment have not been considered;

CONCERNED THAT, continued logging poses a serious threat to the local ecosystem, including the degradation of critical water catchment areas such as Mulima Dam;

FURTHER CONCERNED THAT, the loggers are relying on a purported approval of the Kenya Forest Service (KFS);

CONSIDERED THAT, Kivale forest is one of the largest forest blocks in Mbooni Constituency with tress planted more than 52 years ago and considering that Kivale forest is the source of Mulima Dam, serving over 5 wards with clean water for drinking;

NOW THEREFORE, pursuant to Standing Order 49(1) of the Senate, I hereby forward this Message and request the Senate to urgently intervene and take the necessary steps to halt all ongoing logging activities in Kivale Forest in Mbooni Ward, Makueni County. I take the liberty to attach the photos.”

Mr. Speaker, Sir,

I hereby table the Message and the photos for your further action.

I thank you.”

Pursuant to Standing Order 49 (6) (c), the Speaker committed the Message to the Standing Committee on Land, Environment and Natural Resources for consideration.

6. PAPERS LAID

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

- i) Report of the Auditor-General on financial Statements of Machakos County Climate Change Fund – County Government of Machakos for the year ended 30th June, 2024.

(The Senate Deputy Majority Leader)

- ii) Statement on the business of the Senate for the week commencing Tuesday, 5th August, 2025.

(The Senate Majority Leader)

7. QUESTIONS AND STATEMENTS**a) Requests for Statements pursuant to Standing Order 53 (1)**

- i) Nominated Senator (Sen. Catherine Mumma, MP) sought a Statement from the Standing Committee on Labour and Social Welfare regarding the dire conditions faced by elderly women across the country, particularly those abandoned or are living without family support, caregivers or access to consistent social protection.
- ii) The Senator for Nandi County (Sen. Samson Cherarkey, MP) sought a Statement from the Standing Committee on Trade, Industrialization and Tourism regarding the rise in unfair asset recovery amidst rising debt defaults among households and businesses due to rising living costs, high interest rates and declining incomes.
- iii) The Senator for Nandi County (Sen. Samson Cherarkey, MP) sought a Statement from the Standing Committee on Agriculture, Livestock and Fisheries regarding the packaging of maize for purchase by the National Cereals and Produce Board (NCPB).
- iv) Nominated Senator (Sen. Peris Tobiko, MP) sought a Statement from the Standing Committee on Health regarding an infant referred to Kenyatta National Hospital (KNH) from Loitokitok Sub-County but instead taken to a private facility, Abyan Hospital in Eastleigh, Nairobi City County.
- v) The Senator for Samburu County (Sen. (Dr.) Lelegwe Ltumbesi, MP) sought a Statement from the Standing Committee on Education regarding the failure to pay salaries to the Early Childhood Development and Education (ECDE) teachers by the County Government of Samburu.
- vi) Nominated Senator (Sen. Beatrice Ogola, MP) on behalf of the Senator for Kisii County (Sen. Richard Onyonka, MP) sought a Statement from the Standing Committee on Health regarding the suspension of healthcare facilities and the disbursement of claims under the Social Health Authority (SHA).
- vii) Nominated Senator (Sen. Beatrice Ogola, MP) on behalf of the Senator for Kisii County (Sen. Richard Onyonka, MP) sought a Statement from the Standing Committee on Roads, Transportation and Housing regarding the cost and transparency in the construction of the Green Park pedestrian underpass project in Nairobi City County.
- viii) Seneta wa Kaunti ya Kirinyaga (Sen. James Murango, Mb) kutoka kwa Kamati ya Kilimo, Mifugo na Uvuvi kuhusu changamoto zinazowakumba wakulima katika Kituo cha Bodi ya Taifa ya Mazao na Hifadhi (NCPB) kilichoko Sagana, Kaunti ya Kirinyaga.
- ix) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) to seek a Statement from the Standing Committee on Devolution and

Intergovernmental Relations regarding project identification, criteria and their implementation status in Kisumu County.

- x) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) sought a Statement from the Standing Committee on Finance and Budget regarding the status of digitization, collection and accountability of own-source revenue in Kisumu County.
- xi) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) sought a Statement from the Standing Committee on Labour and Social Welfare regarding the status of youth engagement programmes and delayed payments to community contractors in Kisumu County.
- xii) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) sought a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the status of conservation and sustainable utilization of the Dunga Wetland and Lake Victoria shoreline in Kisumu County.
- xiii) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) sought a Statement from the Standing Committee on Health regarding the status and utilization of donor funded medical equipment in Kisumu County Hospitals.

b) 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, 25th August, 2025.

8. **THE TECHNOLIS BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2024)**
(The Senate Majority Leader)

(Second Reading)
***(Resumption of debate interrupted on Wednesday 30th July,
2025 – Afternoon Sitting)***
(Division)

Order deferred.

9. **THE TOBACCO CONTROL (AMENDMENT) BILL (SENATE BILLS NO. 35 OF 2024)**
(Sen. Catherine Mumma, MP)

(Second Reading)
***(Resumption of debate interrupted on Wednesday 30th July,
2025 – Afternoon Sitting)***
(Division)

Order deferred.

10. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Catherine Mumma, MP) – in the Chair)

The Creative Economy Support Bill (Senate Bills No. 30 of 2024)

Clause 3 - amendment proposed;

THAT, clause 3 of the Bill be amended—

- (a) in the introductory clause by deleting the words “and each county government” appearing immediately after the words “National Government”;
- (b) in the marginal note by inserting the word, “national” immediately after the words “Obligations of”.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 3 - vote deferred.

Clause 4 - amendment proposed

THAT, clause 4 of the Bill be amended by—

- (a) deleting the words “persons in the creative industry may publish” appearing immediately after the words “online platform” and substituting therefor the words “information on incentives, opportunities,”;
- (b) inserting the words “shall be published” immediately after the words “affairs in the creative industry”; and

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 4 - vote deferred.

Clause 5

Motion made and Question proposed;

THAT, Clause 5 be part of the Bill.

(Sen. Eddy Oketch, MP)

And there being no Senators wishing to contribute;

Clause 5 - vote deferred.

Clause 6 - amendment proposed

THAT, clause 6 of the Bill be amended —

- (a) by deleting the word “Guild” appearing immediately after the words “Creative Industry” and substituting therefor the word “Council”; and
- (b) in the marginal note by deleting the word “Guild” appearing immediately after the words “Creative Industry” and substituting therefor the word “Council”.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 6 - vote deferred.

Clause 7 - amendment proposed

THAT, clause 7 of the Bill be amended –

- (a) in the introductory clause by deleting the word “Guild” appearing immediately after the word “The” and substituting therefor the word “Council”;
- (b) in the marginal note by deleting the word “Guild” appearing immediately after the words “of the” and substituting therefor the word “Council”;
- (c) by inserting the following new paragraph immediately after paragraph (f) –

(fa) develop and publish industry standards on royalty computation, royalty collection and royalty distribution.

- (d) in paragraph (l) by deleting the word “guild” appearing immediately after the words “members of the” and substituting therefor the word “Council”.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 7 - vote deferred.

Clause 8 - amendment proposed

THAT, clause 8 of the Bill be amended by deleting subclause 1 and substituting therefor the following subclause—

- Board of the Council 8.(1) The Council shall be governed by an incorporated Advisory Board which shall consist of—
- (a) the Principal Secretary for matters relating to trade and industrialisation or a representative designated in writing;
 - (b) the Principal Secretary for matters relating to the creative economy or a representative designated in writing by the Principal Secretary;
 - (c) the Principal Secretary for matters relating to information and technology or a representative designated in writing by the Principal Secretary;
 - (d) one person representing industry players in the film industry including resellers, distributors, vendors and manufacturers of filming and photography equipment
 - (e) one person representing industry players in the music and dance industry;
 - (f) one person representing industry players in the fashion industry;
 - (g) one person representing industry players in the literary and visual arts industry;
 - (h) an Advocate of the High Court of Kenya nominated by the Law Society of Kenya; and
 - (i) one person being a public officer nominated by the Cabinet Secretary who shall be Secretary to the Board.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 8

- vote deferred.

Clauses 9 and 10

Motion made and Question proposed;

THAT, Clauses 9 and 10 be part of the Bill.

(Sen. Eddy Oketch, MP)

And there being no Senators wishing to contribute;

Clauses 9 and 10

- vote deferred.

Clause 11- amendment proposed

THAT, clause 11 of the Bill be amended in paragraph (d) by deleting the word “Guild” appearing immediately after the words “meetings of the” and substituting therefor the word “Council”.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 11- vote deferred.Clauses 12 and 13

Motion made and Question proposed;

THAT, Clauses 12 and 13 be part of the Bill.

(Sen. Eddy Oketch, MP)

And there being no Senators wishing to contribute;

Clauses 12 and 13- vote deferred.Clause 14- amendment proposed

THAT, clause 14 of the Bill be amended in paragraph (h) by deleting the words “a data base” appearing immediately after the words “maintain” and substituting therefor the words “a manual and digital database”.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 14- vote deferred.Clause 15- amendment proposed

THAT, clause 15 of the Bill be amended by deleting the word “Guild” appearing immediately after the words “Membership to the” and substituting therefor the word “Council”.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 15 - vote deferred.

Clause 16 - amendment proposed

THAT, clause 16 of the Bill be amended –

- (a) in subclause (1) by deleting the word “Guild” appearing immediately after the words “member of the” and substituting therefor the word “Council”; and
- (b) in the marginal note by deleting the word “Guild” appearing immediately after the words “Application to the” and substituting therefor the word “Council”.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 16 - vote deferred.

Clause 17 - amendment proposed

THAT, clause 17 be amended in the marginal note by deleting the word “the Guild” appearing immediately after the words “Roll of” and substituting therefor the word “Roll of creatives”.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 17 - vote deferred.

Clause 18 - amendment proposed

THAT, clause 18 of the Bill be amended –

- (a) by deleting the words “The Guild” appearing at the beginning of the clause and substituting therefor the words “The Council”; and
- (b) in the marginal note by deleting the word “Guild” appearing immediately after the words “Decentralization of the” and substituting therefor the word “Council”.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 18 - vote deferred.

Clause 19-amendment proposed

THAT, clause 19 of the Bill be amended—

(a) in the introductory clause by—

- (i) deleting the words “The Guild shall,” appearing at the beginning of the clause and substituting therefor the words “The Council shall”
- (ii) deleting the words “and shall, for this purpose” appearing immediately after the words “the creative industry” and substituting therefor the words “which shall include”;

(b) in paragraph (d), by inserting the following words, “that are aligned with county-specific needs and opportunities, ensuring that creatives across all counties can access support” after the words “and development activities”;

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 19-vote deferred.Clause 20

Motion made and Question proposed;

THAT, Clause 20 be part of the Bill.

(Sen. Eddy Oketch, MP)

And there being no Senators wishing to contribute;

Clause 20- vote deferred.Clause 21- amendment proposed;

THAT, clause 21 be amended by deleting subclause (3) and substituting therefor the following new subclause—

(3) The Regulations developed under subsection (1) shall—

- (a) ensure that a person is eligible for a grant from the fund if that person has not benefitted from any other financial support scheme by the National or county government;
- (b) prescribe the nature of financial support in paragraph (a) that will preclude a person from benefitting from the fund; and
- (c) provide for a criteria for disclosure and due diligence in establishing that a person has not benefitted from any other financial support by the National or county governments.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 21 - vote deferred.

Clause 22 - amendment proposed;

THAT, clause 22 be amended in subclause (3)—

(a) by inserting the following new paragraph immediately after paragraph (b).

(ba) collaborate with county governments to ensure that creatives in all counties have equitable access to financial support;

(b) by deleting the words “mechanism for” appearing at the beginning of paragraph (d) and substituting therefor the words “mechanisms for”.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 22 - vote deferred.

Clause 23 - amendment proposed;

THAT, clause 23 of the Bill be amended –

(a) by deleting the words “The Guild” appearing at the beginning of the clause and substituting therefor the words “The Council”; and

(b) in paragraph by (h) deleting the word “Guild” appearing immediately after the words “information as the” and substituting therefor the word “Council”.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 23 - vote deferred.

Clause 24 - amendment proposed;

THAT, clause 24 be amended by deleting the entire clause and substituting it therefor the following clause—

Application 24. The Council shall provide technical support to
for grant or creative artists which shall include –
revocation (a) application for registration, grant,
of patents. revocation and institution of legal action
for infringement of intellectual property
rights; and

(b) filing and registration of intellectual
property pursuant to international
instruments.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 24 - vote deferred.

Clause 25

Motion made and Question proposed;

THAT, Clause 25 be part of the Bill.

(Sen. Eddy Oketch, MP)

And there being no Senators wishing to contribute;

Clause 25 - vote deferred.

Clause 26 - amendment proposed;

THAT, the Bill be amended by deleting clause 26 and substituting therefor the following clause—

Scope of 26. (1) The incentives and benefits under this Part shall only be made available to members of the Council whose names have been entered into the roll of creatives.

(2) The Council shall in collaboration with county governments ensure that creative artists in remote and underserved areas whose names have been entered into the roll of creatives access the incentives.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 26 - vote deferred.

Clause 27 - amendment proposed;

THAT, clause 27 be amended in subclause (2) by –

- (a) deleting the word “Guild” appearing immediately after the words “from the” and substituting therefor the word “Council” in paragraph (j);
- (b) deleting the word “and” appearing immediately after the words “measures of creatives” in paragraph (l); and
- (c) inserting the following new paragraphs immediately after paragraph (l)

—
(la) on industrial standards in the sub-sectors represented in section 8;

(lb) on industrial standards for royalty computation, collection and distribution;

(lc) on intellectual property protection of creative work from institutions and communities;

(ld) on the procedure and criteria for nomination of industry representatives in the board of the council.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 27

- vote deferred.

New Clause 3A

- insertion of new clause proposed;

THAT, the Bill be amended by inserting the following new clause immediately after Clause 3 —

Obligations of 3A. A county government shall—
county
governments.

- (a) include the development of the creative industry in the County Integrated Development Plans for purposes of planning and resource allocation;
- (b) undertake regular consultation with the creative community in the county on areas of mutual cooperation; and
- (c) introduce monitoring and evaluation frameworks to assess the effectiveness of county level initiatives in supporting the creative sector.

Motion made and Question proposed;

THAT, New Clause 3A be now read a Second Time.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

New Clause 3A

- vote deferred.

New Clause 4A

- insertion of new clause proposed;

THAT, the Bill be amended by inserting the following new clause immediately after Clause 4 –

Data Protection.	4A. The Cabinet Secretary shall ensure that the provisions of the Data Protection Act are observed in the processing and handling of sensitive personal data of creatives on the online platform.
Cap. 411C.	

Motion made and Question proposed;

THAT, New Clause 4A be now read a Second Time.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

New Clause 4A - vote deferred.

New Clause 19A - insertion of new clause proposed;

THAT, the Bill be amended by inserting the following new clause immediately after Clause 19—

Incentives for persons with disabilities.	19A. (a) The Council shall in collaboration with county governments ensure equitable access to incentives for creatives for persons with disabilities.
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Motion made and Question proposed;

THAT, New Clause 19A be now read a Second Time.

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

New Clause 19A - vote deferred.

Clause 2 - amendment proposed;

THAT, clause 2 of the Bill be amended by—

- (a) deleting the word “Guild” in the definition of the word “Board” and substituting therefor the word “Council”
- (b) deleting the definition of the word “Guild” and substituting therefor the following new definition -
“Council” means the Creative Industry Council established under section 6;

(The Vice-Chairperson, Standing Committee on Trade, Tourism and Industrialization)

And there being no Senators wishing to contribute;

Clause 2 - vote deferred.

The Title and Clause 1

Motion made and Question proposed;

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

(Sen. Eddy Oketch, MP)

And there being no Senators wishing to contribute;

The Title and Clause 1 - vote deferred.

Progress Report -

Motion made;

THAT, the Committee of the Whole House do report to the Senate its consideration of the Creative Economy Support Bill (Senate Bills No. 30 of 2024) and seek leave to sit again tomorrow.

(Sen. Eddy Oketch, MP)

Before the Question was put and pursuant to Standing Order 84 (1), the Acting Chairperson (Sen. Catherine Mumma, MP) ruled that the Question does not affect counties;

Question put and agreed to.

11. **HOUSE RESUMED** – (Temporary Speaker (Sen. Wakili Hillary Sigei, MP) - in the Chair)
12. **THE CREATIVE ECONOMY SUPPORT BILL (SENATE BILLS NO. 30 OF 2024)**

Progress reported;

Motion made and Question proposed;

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

(Sen. Eddy Oketch, MP)

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 84 (1), the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) ruled that the Motion does not affect counties;

Question put and agreed to.

13. **COMMITTEE OF THE WHOLE**

Order for the Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Catherine Mumma, MP) – in the Chair)

The Business Laws (Amendment) Bill (Senate Bills. No. 51 of 2024)

Clauses 2 – 24, the Title and Clause 1

Motion made and Question proposed;

THAT, Clauses 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, the Title and Clause 1 be part of the Bill.

(The Senate Majority Leader)

And there being no Senators wishing to contribute;

Clauses 2 – 24, the Title and Clause 1 - vote deferred

Progress Report

Motion made –

THAT, the Committee of the Whole House do report to the Senate its consideration of the Business Laws (Amendment) Bill (Senate Bills. No. 51 of 2024) and seek leave to sit again tomorrow;

(Sen. Steve Lelegwe, MP on behalf of the Senate Majority Leader)

Before the Question was put and pursuant to Standing Order 84 (2), the Acting Chairperson (Sen. Catherine Mumma, MP) ruled that the Question does not affect counties;

And the Acting Chairperson (Sen. Catherine Mumma, MP) having ascertained that there was Quorum, pursuant to Standing Order 42 (1);

Question put and agreed to.

14. **HOUSE RESUMED** – (Temporary Speaker (Sen. Wakili Hillary Sigei, MP) – in the Chair)15. **THE BUSINESS LAWS (AMENDMENT) BILL (SENATE BILLS. NO. 51 OF 2024)**

Progress reported;

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

(Sen. Steve Lelegwe, MP on behalf of the Senate Majority Leader)

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 84 (2), the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) ruled that the Motion does not affect counties.

And the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) having ascertained that there was Quorum, pursuant to Standing Order 42 (1);

Question put and agreed to.

16. **COMMITTEE OF THE WHOLE**

Order for the Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Catherine Mumma, MP) – in the Chair)

The Early Childhood Education (Amendment) Bill (Senate Bills No. 54 of 2023)

Clause 2 - amendment proposed;

THAT, clause 2 of the Bill be amended by deleting the proposed subsection (2A) and substituting therefor the following new subsection —

(2A) A County Government shall take into account the following factors when determining the remuneration payable to an early childhood education teacher —

- (a) the minimum rate advised by the Salaries and Remuneration Commission;
- (b) minimum wage;
- (c) the qualification of individual teachers; and
- (d) any other relevant factor.

(Sen. Nderitu Kinyua, MP on behalf of the Chairperson, Standing Committee on Education)

And there being no Senators wishing to contribute;

Clause 2 - vote deferred.

Clause 3, the Title and Clause 1

Motion made and Question proposed;

THAT, Clause 3, the Title and Clause 1 be part of the Bill.

(Sen. Eddy Oketch, MP)

And there being no Senators wishing to contribute;

Clause 3, the Title and Clause 1 - vote deferred.

Progress Report

Motion made –

THAT, the Committee of the Whole House do report to the Senate its consideration of the Early Childhood Education (Amendment) Bill (Senate Bills No. 54 of 2023) and seek leave to sit again tomorrow;

(Sen. Steve Lelegwe, MP on behalf of the Senate Majority Leader)

Before the Question was put and pursuant to Standing Order 84 (2), the Acting Chairperson (Sen. Catherine Mumma, MP) ruled that the Question does not affect counties;

And the Acting Chairperson (Sen. Catherine Mumma, MP) having ascertained that there was Quorum, pursuant to Standing Order 42 (1);

Question put and agreed to.

17. **HOUSE RESUMED** – (Temporary Speaker (Sen. Wakili Hillary Sigei, MP) – in the Chair)
18. **THE EARLY CHILDHOOD EDUCATION (AMENDMENT) BILL (SENATE BILLS NO. 54 OF 2023)**

Progress reported;

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

(Sen. Eddy Oketch, MP)

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 84 (2), the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) ruled that the Motion does not affect counties.

And the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) having ascertained that there was Quorum, pursuant to Standing Order 42 (1);

Question put and agreed to.

19. **COMMITTEE OF THE WHOLE**

Order for the Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Catherine Mumma, MP) – in the Chair)

The Local Content (Amendment) Bill, 2023 (Senate Bill No. 50 of 2023)

Clauses 3, 4, 5 and 6

Motion made and Question proposed;

THAT, Clauses 3, 4, 5 and 6 be part of the Bill.

(The Chairperson, Standing Committee on Energy)

And there being no Senator wishing to contribute;

Clauses 3, 4, 5 and 6

- vote deferred

Clause 7

- amendment proposed

THAT, clause 7 of the Bill be amended in paragraph (b) by —

- (a) deleting subparagraph (iii);
- (b) deleting the words “and implementation” in subparagraph (iv) appearing immediately after the words “the development; and
- (c) deleting subparagraph (v) and substituting therefor the following new subparagraph—
 - (v) provision of guidelines to ensure local content activities shall include the participation of local persons at a quota of not less than thirty percent.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 7

- vote deferred

Clauses 8 and 9

Motion made and Question proposed;

THAT, Clauses 8 and 9 be part of the Bill.

(The Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clauses 8 and 9

- vote deferred

Clause 10

- amendment proposed

- THAT, clause 10 of the Bill be amended in subclause (1) by —
- (a) inserting the word “relevant” immediately after the words “advise the” in paragraph (b); and
 - (b) inserting the word “relevant” immediately after the words “recommendations to the” in paragraph (c)

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 10

- vote deferred

Clause 11

- amendment proposed

THAT, clause 11 of the Bill be amended in paragraph (a) by deleting the word “six” appearing immediately after the words “period of” and substituting therefor the word “twelve”.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 11

- vote deferred

Clause 12

- amendment proposed

- THAT, clause 12 of the Bill be amended in subclause (1) by —
- (a) deleting paragraph (a) and substituting therefor the following new paragraph—
 - (a) a chairperson who shall be competitively recruited by the Public Service Commission and appointed by the President by notice in the *Gazette*.
 - (b) deleting paragraph (c) and substituting therefor the following new paragraph—
 - (c) the Principal Secretary responsible for matters relating to mining or a representative designated in writing;
 - (c) deleting paragraph (f) and substituting therefor the following new paragraphs—
 - (f) one person nominated by players in the oil and gas industry in such a manner as the Cabinet Secretary responsible for matters related to oil and gas shall determine;
 - (fa) one person nominated by players in the mining industry in such a manner as the Cabinet Secretary responsible for matters related to mining shall determine;
 - (d) deleting subclause (2) and substituting therefor the following new subclause—

- (2) The persons nominated under subclause (1)(f) and (fa) shall be appointed by the relevant Cabinet Secretary by notice in the Gazette.
- (e) deleting subclause (3) and substituting therefor the following subclause—
- (1) There shall be paid to the members of the Committee such allowances as the Cabinet Secretaries responsible for matters related to petroleum, oil and mining may, in consultation with the Salaries and Remuneration Commission, determine.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 12

- vote deferred

Clauses 13, 14 and 15

Motion made and Question proposed;

THAT, clauses 13, 14 and 15 be part of the Bill.

(The Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 13, 14 and 15

- vote deferred

Clause 16

- amendment proposed

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

- (a) inserting the word “relevant” in paragraph (e) immediately after the words “addressed to the”; and
- (b) inserting the word “relevant” in paragraph (f) immediately after the words “office by the”.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 16

- vote deferred

Clauses 17 and 18

Motion made and Question proposed;

THAT, clauses 17 and 18 be part of the Bill.

(The Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 17 and 18- vote deferredClause 19- amendment proposed

THAT, clause 19 of the Bill be amended by deleting clause 19 and substituting therefor the following new clause—

Secretariat. 19. (1) The relevant Cabinet Secretaries responsible for matters related to the extractive industry shall designate an appropriate administrative unit that includes representation from each of their respective Ministries to serve as the Secretariat of the Committee.

(2) The Secretariat shall consist of —

(a) a director, who shall be competitively recruited and appointed by the Public Service Commission.

(b) such other public officers from each relevant Ministry responsible for matters related to the extractive industry as the Cabinet Secretaries shall, in consultation with the Committee, designate for the proper performance of the functions of the Secretariat under this Act.

(3) Without prejudice to subsection (2), a person is qualified to be appointed as a director, if that person—

(a) is a citizen of Kenya;

(b) holds a degree in matters related to oil, gas and mining from a university recognized in Kenya;

(c) has had at least ten years proven experience at management level; and

(d) meets the requirements of Chapter Six of the Constitution.

(2) Director shall hold office for a term of four years, renewable for one further term.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 19- vote deferredClause 20

Motion made and Question proposed;

THAT, Clause 20 be part of the Bill.

(The Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 20 - -vote deferred

Clause 21 - - amendment proposed

THAT, clause 21 of the Bill be amended in subclause (1) by inserting the word “relevant” immediately before the words “Cabinet Secretary”.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 21 - -vote deferred

Clause 22 - - amendment proposed

THAT, clause 22 of the Bill be amended in subclause (5) by inserting the word “relevant” in paragraph (f) immediately after the words “plans as the”.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 22 - -vote deferred

Clause 23

Motion made and Question proposed;

THAT, Clause 23 be part of the Bill.

(The Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 23 - -vote deferred

Clause 24 - - amendment proposed

THAT, clause 24 of the Bill be amended by deleting the introductory clause of subclause (1) and substituting therefor the following new introductory clause—

The Committee shall prescribe rules on local content certification and in doing shall—

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 24 - -vote deferred

Clauses 25, 26 and 27

Motion made and Question proposed;

THAT, Clauses 25, 26 and 27 be part of the Bill.

(The Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clauses 25, 26 and 27

-vote deferred

Clauses 28

- amendment proposed

THAT clause 28 of the Bill be amended in subclause (2) by inserting the word “relevant” in paragraph (c) immediately after the words “prescribed by the”.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 28

-vote deferred

Clause 29

Motion made and Question proposed;

THAT, Clause 29 be part of the Bill.

(The Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 29 -

-vote deferred

Clause 30

- amendment proposed

THAT, clause 30 of the Bill be amended in —

(a) subclause (1) by inserting the word “relevant” immediately before the words “Cabinet Secretary”; and

(b) subclause (2) by inserting the word “relevant” immediately before the words “Cabinet Secretary”.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 30 -

-vote deferred

Clause 31 - amendment proposed

THAT, clause 31 of the Bill be amended in the introductory clause by inserting the word “relevant” immediately before the words “Cabinet Secretary shall”.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 31 - -vote deferred

Clauses 32, 33, 34, 35 and 36

Motion made and Question proposed;

THAT, Clauses 32, 33, 34, 35 and 36 be part of the Bill.

(The Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clauses 32, 33, 34, 35 and 36 - -vote deferred

Clause 37 - amendment proposed

THAT, clause 37 of the Bill be amended in –

- (a) subclause (1) by inserting the word “relevant” immediately after the words “operator as the”;
- (b) subclause (3) by inserting the words “relevant” immediately after the words “in consultation with the”.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 37 - -vote deferred

Clauses 38, 39, 40, 41 and 42

Motion made and Question proposed;

THAT, Clauses 32, 33, 34, 35 and 36 be part of the Bill.

(The Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clauses 38, 39, 40, 41 and 42 - -vote deferred

Clause 43 - amendment proposed

THAT, clause 43 of the Bill be amended by deleting subclause (2) and substituting therefor the following new subclause –

- (2) Despite subsection (1), where the goods or services required in relation to an extractive activity are not available locally, the relevant Cabinet Secretary may, subject to such conditions as the relevant Cabinet Secretary may impose, authorise the continued importation of the required goods or service.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 43

-vote deferred

Clause 44

- amendment proposed

THAT, clause 44 of the Bill be amended in —

- (a) subclause (2) by inserting the word “relevant” immediately after the words “consultation with the”; and
(b) subclause (3) by inserting the word “relevant” immediately after the words “prescribed by the”.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 44

-vote deferred

Clause 45

- amendment proposed

THAT, clause 45 of the Bill be amended in subclause (1) by inserting the word “relevant” immediately after the words “provisions of this Act, the”.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 45

-vote deferred

Clause 46

THAT, Clause 46 be part of the Bill.

(The Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 46

-vote deferred

Clause 47- amendment proposed

THAT, clause 47 of the Bill be amended by —

(a) deleting subclause (2) and substituting therefor the following new subclause—

(2) An operator shall annually remit a tax-deductible training levy consisting of such percentage of its net revenues as the relevant Cabinet Secretary may, in consultation with the Committee, prescribe to the Fund in support of the objectives of this Act.

(b) by deleting subclause (3) and substituting therefor the following new subclause—

(3) The Cabinet Secretary responsible for matters relating to mining shall, in consultation with the Cabinet Secretary responsible for matters relating to oil, gas and other petroleum resources and the Committee, prescribe in regulations under the Act the manner in which the Fund shall be operated and applied.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 47-vote deferredClause 48- amendment proposed

THAT, clause 48 of the Bill be amended in subclause (5) by inserting the word “relevant” immediately after the words “approval of the”.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 48-vote deferredClause 49

Motion made and Question proposed;

THAT, Clause 49 be part of the Bill.

(The Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 49-vote deferredClause 50- amendment proposed

THAT, clause 50 of the Bill be amended in —

- (a) subclause (2) by inserting the word “relevant” immediately after the words “submit to the”;
- (b) subclause (3) by inserting the word “relevant” immediately after the words “submit to the

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 50

- vote deferred

Clause 51

Motion made and Question proposed;

THAT, Clause 51 be part of the Bill.

(The Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 51

-vote deferred

Clause 52

- amendment proposed

THAT, clause 52 of the Bill be amended in clause (1) by inserting the word “relevant” immediately after the words “make recommendations”.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 52

-vote deferred

Clause 53

- amendment proposed

THAT, clause 53 of the Bill be amended in clause (1) by inserting the word “relevant” immediately before the words “Cabinet Secretary”.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 53

-vote deferred

Clauses 54 and 55

Motion made and Question proposed;

THAT, Clauses 54 and 55 be part of the Bill.

(The Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clauses 54 and 55

-vote deferred

Clause 56

- amendment proposed

THAT, clause 56 of the Bill be amended by inserting the word “relevant” immediately before the words “Cabinet Secretary”.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 56

-vote deferred

Clause 57

- amendment proposed

THAT, clause 57 of the Bill be amended —

(a) by deleting subclause (1) and substituting therefor the following subclause—

(1) The Cabinet Secretary responsible for matters relating to mining shall, in consultation with the Cabinet Secretary responsible for matters relating to oil, gas, and other petroleum resources and the Committee, make regulations generally for the better carrying out of the provisions of this Act.

(b) in subclause (2) by deleting the word “Secretary” appearing immediately after the words “the Cabinet” and substituting therefor the word “Secretaries”.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 57

-vote deferred

Clause 58

Motion made and Question proposed;

THAT, Clause 58 be part of the Bill.

(The Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 58

-vote deferred

New Clause 20A

-insertion of new clause proposed

THAT, the Bill be amended by inserting New Clause 20A

General fund. 20A. (1) There shall be a general fund of the Committee which shall vest in the Committee.

(2) There shall be paid into the general fund—

- (a) such monies or assets as may accrue to or vest in the Committee in the course of the exercise of its powers or the performance of its functions under this Act;
- (b) annual contributions from the ministries responsible for matters related to the extractive industry,
- (c) all monies from any other source provided for or donated or lent to the Committee.

Motion made and Question proposed;

THAT, New Clause 20A be read a Second Time.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

New Clause 20A

-vote deferred

New Clause 20B

-insertion of New Clause proposed

THAT, the Bill be amended by inserting New Clause 20B-

Annual estimates. 20B (1) At least three months before the commencement of each financial year, the Committee shall cause to be prepared estimates of the revenue and expenditure of the Committee for that year.

(2) The Committee shall approve the annual estimates before the commencement of the financial year to which they relate and shall be submitted to the Cabinet Secretary for approval and after the Cabinet Secretary's approval, the Authority shall not increase the annual estimates without the consent of the Cabinet Secretary.

Motion made and Question proposed;

THAT, New Clause 20B be read a Second Time.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

New Clauses 20B

-vote deferred

New Clause 20C

-insertion of New Clause proposed

THAT, the Bill be amended by inserting New Clause 20C -

- Accounts and 20C (1) The Committee shall cause to be kept all proper
audit. books and records of accounts of the income,
Cap. 412A. expenditure and assets of the Committee.
- (2) Within a period of three months from the end
of each financial year, the Committee shall
submit to the Auditor-General the accounts of
the Committee together with—
- (a) a statement of the income and
expenditure of the Committee during
that year; and
 - (b) a statement of the assets and liabilities
of the Committee on the last day of that
year.
- (3) The annual accounts of the Committee shall
be prepared, audited and reported upon in
accordance with the provisions of Articles 226
and 229 of the Constitution and the Public
Financial Management Act.

Motion made and Question proposed;

THAT, New Clause 20C be read a Second Time.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

New Clause 20C -vote deferred

New Clause 59 -insertion of new clause proposed

THAT, the Bill is amended by inserting New Clause 59

- Amendment 59. The Mining Act is amended by—
to Cap.306. (a) repealing Section 46;
(b) repealing Section 47;
(c) repealing Section 49; and
(d) repealing Section 50.

Motion made and Question proposed;

THAT, New Clause 59 be read a Second Time.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

New Clause 59 -vote deferred

New Clause 60 -insertion of New Clause proposed

THAT, the Bill is amended by inserting New Clause 60

Amendment 60. The Petroleum Act is amended by deleting Part VI.
to Cap.308.

Motion made and Question proposed;

THAT, New Clause 60 be read a Second Time.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

New Clauses 60

-vote deferred

New Clause 61

-insertion of New Clause proposed

THAT, the Bill is amended by inserting New Clause 61

Amendment 61. The Energy Act is amended by—
to Cap.314. (a) in Section 10 by repealing paragraph (ee);
(b) repealing Section 206; and
(c) repealing Section 207.

Motion made and Question proposed;

THAT, New Clause 61 be read a Second Time.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

New Clause 61

-vote deferred

The Schedule

Motion made and Question proposed;

THAT, The Schedule be part of the Bill.

(The Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

The Schedule

-vote deferred

Clause 2

-amendment proposed

THAT, clause 2 of the Bill be amended by deleting the definition of the term “Cabinet Secretary” and substituting therefor the following new definition—

“Cabinet Secretary means either the Cabinet Secretary responsible for matters relating to oil, gas and other petroleum resources or the Cabinet Secretary responsible for matters relating to mining as the case may be”

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 2

-vote deferred

The Title

- amendment proposed

THAT, the title of the Bill be amended by deleting the title and substituting therefor the following new title –

A Bill for

AN ACT of Parliament to provide for a framework to facilitate the local ownership, control, and financing of activities connected with the exploitation of gas, oil, other petroleum resources, and mineral resources; to provide a framework to increase local value capture along the value chain in the exploration of gas, oil, other petroleum resources, and minerals; and for connected purposes.

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

The Title

-vote deferred

Clause 1

Motion made and Question proposed;

THAT, Clause 1 be part of the Bill.

(The Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Clause 1

-vote deferred

Progress Report

Motion made –

THAT, the Committee of the Whole House do report to the Senate its consideration of the Local Content (Amendment) Bill, 2023 (Senate Bill No. 50 of 2023) and seek leave to sit again tomorrow;

(The Vice Chairperson, Standing Committee on Energy)

Before the Question was put and pursuant to Standing Order 84 (2), the Acting Chairperson (Sen. Catherine Mumma, MP) ruled that the Question does not affect counties;

And the Acting Chairperson (Sen. Catherine Mumma, MP) having ascertained that there was Quorum, pursuant to Standing Order 42 (1);

Question put and agreed to.

20. **HOUSE RESUMED** – (Temporary Speaker (Sen. Wakili Hillary Sigei, MP) – in the Chair)
21. **LOCAL CONTENT (AMENDMENT) BILL, 2023 (SENATE BILL NO. 50 OF 2023)**

Progress reported;

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

(The Vice Chairperson, Standing Committee on Energy)

And there being no Senators wishing to contribute;

Before the Question was put and pursuant to Standing Order 84 (2), the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) ruled that the Motion does not affect counties.

And the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) having ascertained that there was Quorum, pursuant to Standing Order 42 (1);

Question put and agreed to.

22. **COMMITTEE OF THE WHOLE**

Order for the Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Catherine Mumma, MP) – in the Chair)

The Street Vendors (Protection of Livelihood) Bill (Senate Bills No. 41 of 2023)

Clauses 3

Motion made and Question proposed;

THAT, Clauses 3 be part of the Bill.

(Sen. Esther Okenyuri, MP)

And there being no Senator wishing to contribute;

Clauses 3 - vote deferred

Clause 4 - amendment proposed

THAT, clause 4 of the Bill be amended —

(a) in subclause (1) by –

(i) deleting paragraph (a);

(ii) deleting the words “the minimum standards” appearing immediately after the words “relevant stakeholders, the” in paragraph (b) and substituting therefor the words “national guidelines”;

(iii) deleting paragraph (c);

(iv) deleting paragraph (d); and

(v) inserting the words “and taking into consideration universal design principles” immediately after the words “street vending” in paragraph (e).

(b) in subclause (2) by –

(i) inserting the word “and” immediately after the words “delegate to the unit;” in paragraph (a);

(ii) deleting the words “the unit and;” appearing immediately after the words “to serve in” and substituting therefor the words “the unit.” in paragraph (b); and

(iii) deleting paragraph (c).

(Sen. George Mbugua, MP on behalf of the Chairperson, Committee on Trade, Industrialization and Tourism)

And there being no Senators wishing to contribute;

Clause 4 - vote deferred

Clause 5 - amendment proposed

THAT, clause 5 of the Bill be amended in subclause (1) by deleting the word “county” appearing immediately after the words “notice in the”.

(Sen. George Mbugua, MP on behalf of the Chairperson, Committee on Trade, Industrialization and Tourism)

And there being no Senators wishing to contribute;

Clause 5 - vote deferred

Clause 6

Motion made and Question proposed;

THAT, clause 6 be part of the Bill.

(Sen. Esther Okenyuri, MP)

And there being no Senators wishing to contribute;

Clause 6 - vote deferred

Clause 7 - amendment proposed

THAT, clause 7 of the Bill be amended in subclause (2) by deleting the word “county” appearing immediately after the words “in the”.

(Sen. George Mbugua, MP on behalf of the Chairperson, Committee on Trade, Industrialization and Tourism)

And there being no Senators wishing to contribute;

Clause 7 - vote deferred

Clause 8 - amendment proposed

THAT, clause 8 of the Bill be amended by deleting subclause (2) and substituting therefor the following new subclause —

(2) The county executive committee member shall —

(a) not designate a market as a no-vending zone; and

(b) in designating a no-vending zone consider existing businesses in the zone.

(Sen. George Mbugua, MP on behalf of the Chairperson, Committee on Trade, Industrialization and Tourism)

And there being no Senators wishing to contribute;

Clause 8 - vote deferred

Clause 9 - amendment proposed

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

(a) inserting the word “relevant” in paragraph (e) immediately after the words “addressed to the”; and

- (b) inserting the word “relevant” in paragraph (f) immediately after the words “office by the”.

(Sen. George Mbugua, MP on behalf of the Chairperson, Committee on Trade, Industrialization and Tourism)

And there being no Senators wishing to contribute;

Clause 9 - vote deferred

Clause 10 - amendment proposed

THAT, clause 10 of the Bill be amended in subclause (2) by deleting paragraph (b) and substituting therefor the following new paragraph –

(b) maintain a register of vending zones within the county.

(Sen. George Mbugua, MP on behalf of the Chairperson, Committee on Trade, Industrialization and Tourism)

And there being no Senators wishing to contribute;

Clause 10 - vote deferred

Clause 11

Motion made and Question proposed;

THAT, Clause 11 be part of the Bill.

(Sen. Esther Okenyuri, MP)

And there being no Senators wishing to contribute;

Clause 11 - vote deferred

Clause 12 - amendment proposed

THAT, clause 12 of the Bill be amended in subclause (2) by deleting the word “security,” appearing immediately after the words “limited to”.

(Sen. George Mbugua, MP on behalf of the Chairperson, Committee on Trade, Industrialization and Tourism)

And there being no Senators wishing to contribute;

Clause 12 - vote deferred

Clause 13 - amendment proposed

Clause 16 - amendment proposed

THAT, clause 16 of the Bill be amended in subclause (1) by deleting the words “with the respective county executive committee member” appearing immediately after the words “registered as a street vendor”.

(Sen. George Mbugua, MP on behalf of the Chairperson, Committee on Trade, Industrialization and Tourism)

And there being no Senators wishing to contribute;

Clause 16 -vote deferred

Clause 17 - amendment proposed

THAT, clause 17 of the Bill be amended in subclause (5) by inserting the following new paragraph after paragraph (f) —

(fa) disability registration details for a street vendor with disability;

(Sen. George Mbugua, MP on behalf of the Chairperson, Committee on Trade, Industrialization and Tourism)

And there being no Senators wishing to contribute;

Clause 17 -vote deferred

Clauses 18, 19 and 20

Motion made and Question proposed;

THAT, Clauses 18, 19 and 20 be part of the Bill.

(Sen. Esther Okenyuri, MP)

And there being no Senators wishing to contribute;

Clauses 18, 19 and 20 - -vote deferred

Clause 21 - amendment proposed

THAT, clause 21 of the Bill be amended –

(a) by inserting the following new subclause immediately after subclause (3);

(3A) A street vendor aggrieved by the decision of the county government in subclause (3) may apply to the county government for a review of the decision.

(b) in subclause (4) by deleting the words “relevant county tribunal” appearing immediately after the words “may appeal to the” and substituting therefor the words “appeals committee.”; and

(c) inserting the following new subclause immediately after subclause (4)—

(4A) A vendor who is further aggrieved by the decision of the county tribunal under this section may seek judicial review of the committee's decision.

(Sen. George Mbugua, MP on behalf of the Chairperson, Committee on Trade, Industrialization and Tourism)

And there being no Senators wishing to contribute;

Clause 21 - -vote deferred

Clause 22 - - amendment proposed

THAT, clause 22 of the Bill be amended in subclause (2) by inserting the words "responsible for public health" immediately after the words "county executive committee member".

(Sen. George Mbugua, MP on behalf of the Chairperson, Committee on Trade, Industrialization and Tourism)

And there being no Senators wishing to contribute;

Clause 22 - -vote deferred

Clause 23

Motion made and Question proposed;

THAT, Clause 23 be part of the Bill.

(Sen. George Mbugua, MP on behalf of the Chairperson, Committee on Trade, Industrialization and Tourism)

And there being no Senators wishing to contribute;

Clause 23 -vote deferred

Clause 24 - amendment proposed

THAT, clause 24 be amended by deleting subclause (1) and substituting therefor the following subclause —

- (1) Every street vendor has the right within a vending zone and adjacent areas as may be determined by the county executive member, to access essential facilities of reasonable quality including but not limited to lighting and accessible sanitation and parking facilities.

(Sen. George Mbugua, MP on behalf of the Chairperson, Committee on Trade, Industrialization and Tourism)

And there being no Senators wishing to contribute;

Clause 24-vote deferredClauses 25, 26, 27, 28, 29 and 30

Motion made and Question proposed;

THAT, Clauses 25, 26, 27, 28, 29 and 30 be part of the Bill.

(Sen. Esther Okenyuri, MP)

And there being no Senators wishing to contribute;

Clauses 25, 26, 27, 28, 29 and 30-vote deferredClause 31- amendment proposed

THAT, the Bill be amended in clause 31 by deleting the words “one hundred thousand shillings” appearing immediately after the words “fine not exceeding” and substituting therefor the words “fifty thousand shillings”.

(Sen. George Mbugua, MP on behalf of the Chairperson, Committee on Trade, Industrialization and Tourism)

And there being no Senators wishing to contribute;

Clause 31-vote deferredClause 32

Motion made and Question proposed;

THAT, Clause 32 be part of the Bill.

(Sen. Esther Okenyuri, MP)

And there being no Senators wishing to contribute;

Clause 32-vote deferredThe Schedule-amendment proposed

THAT, the Schedule be amended in paragraph (1) by inserting the following new sub-paragraph immediately after sub-paragraph (c);

(ca) be prepared pursuant to National and county planning laws;

(Sen. George Mbugua, MP on behalf of the Chairperson, Committee on Trade, Industrialization and Tourism)

And there being no Senators wishing to contribute;

The Schedule-vote deferredClause 2, the Title and Clause 1

Motion made and Question proposed;

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

(Sen. Esther Okenyuri, MP)

And there being no Senators wishing to contribute;

Clause 2, the Title and Clause 1-vote deferred**Progress Report**

Motion made –

THAT, the Committee of the Whole House do report to the Senate its consideration of the Street Vendors (Protection of Livelihood) Bill (Senate Bills No. 41 of 2023) and seek leave to sit again tomorrow;

(Sen. George Mbugua, MP on behalf of the Chairperson, Committee on Trade, Industrialization and Tourism)

Before the Question was put and pursuant to Standing Order 84 (2), the Acting Chairperson (Sen. Catherine Mumma, MP) ruled that the Question does not affect counties;

And the Acting Chairperson (Sen. Catherine Mumma, MP) having ascertained that there was Quorum, pursuant to Standing Order 42 (1);

Question put and agreed to.

23. **HOUSE RESUMED** – (Temporary Speaker (Sen. Wakili Hillary Sigei, MP) – in the Chair)

24. **THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL (SENATE BILLS NO. 41 OF 2023)**

Progress reported;

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

(Sen. Esther Okenyuri, MP)

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 84 (2), the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) ruled that the Motion does not affect counties.

And the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) having ascertained that there was Quorum, pursuant to Standing Order 42 (1);

Question put and agreed to.

25. **MOTION - REPORTS OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON ITS INQUIRY INTO THE STATE OF MARKETS IN VIHIGA AND BUNGOMA COUNTIES ARISING FROM A STATEMENT SOUGHT BY SEN. GODFREY OSOTSI, MP AND SEN. DAVID WAKOLI, MP**

Order read;

Motion made and Question Proposed;

THAT, the Senate adopts Reports of the Standing Committee on Devolution and Intergovernmental Relations on its inquiry into the state of markets in Vihiga and Bungoma counties arising from statements sought by Sen. Godfrey Osotsi, MP, and Sen. David Wafula Wakoli, MP laid on the Table of the Senate on Tuesday, 1st October, 2024.

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

Debate interrupted on Wednesday, 30th July, 2025 (Afternoon Sitting) resumed;

And the time being thirty minutes past Six O'clock, the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

26. **SENATE ROSE** – at thirty minutes past Six O'clock

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, August 05, 2025 at 2:30 pm

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