



THIRTEENTH PARLIAMENT
THE SENATE
OFFICIAL REPORT



Fifth Session

Tuesday, 2nd June, 2026 at 2.30 p.m.

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Tuesday, 2nd June, 2026

*The House met at the Senate Chamber,
Parliament Buildings, at 2.32 p.m.*

[The Speaker (Hon. Kingi) in the Chair]

PRAYER

DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

The Speaker (Sen. Kingi): Clerk, do we have quorum?

(The Clerk-at-the-Table consulted with the Speaker)

Serjeant-at-Arms, kindly ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

Order, hon. Senators! Kindly, take your seats. Clerk, you may proceed to call the First Order.

COMMUNICATION FROM THE CHAIR

WELCOME TO HON. SENATORS TO PART III OF THE FIFTH SESSION

The Speaker (Sen. Kingi): Hon. Senators, I take this opportunity to welcome you back from the recess. I hope you had time to meet with your constituents, friends and families over the past two weeks.

Part Three of the Fifth Session commences today and will run until the rise of the Senate on Thursday, 2nd July, 2026. As you will recall, in Part Two of the Session, the Senate considered and passed six Bills: The Division of Revenue Bill (National Assembly Bills No.2 of 2026); The Equalisation Fund Appropriation Bill (National Assembly Bills No.21 of 2025); The Kenya National Population Council Bill (National Assembly Bills No.72 of 2023); The Public Procurement and Asset Disposal

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(Amendment) Bill (National Assembly Bills No.48 of 2024); The Forest Conservation and Management (Amendment) Bill (National Assembly Bills No.38 of 2025); and the mediated version of The National Disaster Risk Management Bill (National Assembly Bills No.24 of 2023). These Bills have been referred to the National Assembly for consideration.

Hon. Senators, of these Bills, the National Disaster Risk Management Bill, (National Assembly Bills No.24 of 2023), the Equalisation Fund Appropriation Bill, (National Assembly Bills No.21 of 2025) and The Forest Conservation and Management (Amendment) Bill, (National Assembly Bills No.38 of 2023) were assented to by His Excellency the President on Friday, 29th May, 2026.

The Senate also considered and passed the following Motions: the Report of the Standing Committee on Finance and Budget on the Stoppage of Transfer of Funds to the County Government of Meru pursuant to Article 225(3) of the Constitution and Section 97(1) of the Public Finance Management Act; Report on the Proceedings of the Artificial Intelligence Conference on the Role of Parliament in Shaping the Future for Responsible AI held in Kuala Lumpur, Malaysia; Mainstreaming Gender Perspectives in Legislative and Policy Processes; Implementation of Recommendations by Select Committees on County Public Accounts and County Public Investments and Special Funds on Auditor-General Reports for Financial Year 2024/2025; Extension of Time for Consideration of the Traffic (School Transport) Rules, 2026, the Traffic (Drunk-Driving) Rules, 2026, the Traffic (Motor Vehicle Inspection) Rules, 2026, and the National Transport and Safety Authority (Operation of Commercial Vehicles) Regulations, 2026; and Approval of Sittings of the Senate to be held in Kilifi County.

I commend all Senators for your dedication in advancing legislative business. However, we still have a long way to go in processing business. As hon. Senators will note from the Programme of Business, there are several Bills at the Second Reading and Committee of the Whole, as well as Motions on various matters. Additionally, in the coming days, the Senate will be expected to consider other financial instruments, including the County Allocation of Revenue Bill, 2026, the County Governments Additional Allocations Bill, 2026, and the respective Cash Disbursement Schedules.

In this regard, I urge all hon. Senators to remain focused and committed by prioritising plenary sittings as we continue to discharge our mandate. My office remains open and accessible to all of you for consultations and support in fulfilling your duties.

I wish you fruitful deliberations in Part Three of the Fifth Session.

Thank you.

(Applause)

Next Order.

PAPER LAID

The Speaker (Sen. Kingi): The Senate Majority Leader.

THE SOCIAL HEALTH INSURANCE ACT, TARIFFS FOR HEALTHCARE
SERVICES (AMENDMENT), 2026 (LEGAL NOTICE NO.78 OF 2026)

Sen. Wafula: Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the Senate today, Tuesday, 2nd June, 2026-

The Social Health Insurance Act, Tariffs for Healthcare Services (Amendment) Regulations, 2026, Legal Notice No. 78 of 2026.

(Sen. Wafula laid the document on the Table)

The Speaker (Sen. Kingi): Next Order.

QUESTIONS AND STATEMENTS

STATEMENTS

The Speaker (Sen. Kingi): Statements pursuant to Standing Order No.53(1). Senator from Busia County, the hon. Andrew Omtatah is not here. That statement is dropped.

IRREGULAR DEVELOPMENT OF AFFORDABLE HOUSING
PROJECTS ON PUBLIC AND COMMUNITY LAND

(Statement dropped)

Senator from Nandi County, the hon. Samson Cherarkey.

COMPENSATION OF FORMER EMPLOYEES
OF NANDI COUNTY GOVERNMENT

Sen. Cherarkey: Mr. Speaker, Sir, thank you. It is good to see you are back.

Mr. Speaker, Sir, I rise, pursuant to Standing Order No.53 (1), to seek a statement from the Standing Committee on Labor and Social Welfare on a matter of countywide concern regarding the compensation of former employees of the County Government of Nandi, whose appointments were unprocedurally revoked in the year of our lord in 2024.

In 2024, the County Government of Nandi unilaterally revoked the appointment of more than 1,800 employees following a human resource audit by the Public Service Commission (PSC), which revealed that there may have been irregularities in their recruitment. Notably, the reported irregularities were administrative in nature and were not attributed to the affected employees, but they nevertheless suffered the consequences. Some of the affected individuals sought redress in the courts and were awarded compensation after the court determined that the County Government of Nandi had violated their constitutional right to fair administrative action.

Others have since been reinstated or re-employed by the County Government of Nandi. However, many others are yet to receive any compensation from the injustice they suffered from the County Government of Nandi.

Mr. Speaker, Sir, in this statement, the committee should address the following-

(1) Whether the County Government of Nandi has provided any form of compensation to the former employees whose appointments were revoked in 2024, but who never sought redress in the courts following the determination by the Employment and Labour Relations Court at Eldoret in Petition E-0112 and E-0116 of 2024 (consolidated) that the revocation was unprocedural and violated the constitutional rights of labor rights of the concerned employees to their fair administrative action.

(2) The number of the former employees who have been reinstated or re-employed by the County Government of Nandi to date, including whether there is a structured engagement between the County Government of Nandi and the affected individuals to ensure they are adequately apprised of employment opportunities within the county public service board and accorded priority in the recruitment exercise.

(3) The measures instituted by the County Government of Nandi to ensure that future human resource audit and verification exercises are undertaken in a manner that safeguards procedural fairness and ensures employees do not suffer consequences of administrative errors that are not directly attributed to them.

(4) Whether the PSC could issue general guidance to regulate the manner in which the county government addresses the reported human resource irregularities to ensure compliance with the Constitution.

(5) Whether the County Government of Nandi could consider instituting policies to provide for psychosocial support to employees affected by such a process in view of the mental and emotional toll occasioned by the loss of livelihood.

PROTECTION OF CONSUMERS IN MOBILE MONEY TRANSFERS

Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Information, Communication and Technology on a matter of national concern regarding the protection of consumers who lost their funds through erroneous mobile transfer, particularly on M-Pesa and other mobile money platforms.

Many Kenyans continue to lose money after erroneously sending funds to unintended recipients through mobile money platforms. In many instances, the affected consumers are left to pursue the recipients directly with limited support from service providers, notwithstanding that---

(Loud consultations)

The Speaker (Hon. Kingi): Order, hon. Senators. We may consult, but keep it on the down low.

Proceed, honourable Senator.

Sen. Cherarkey: In many instances, the affected consumers are left to pursue the recipients directly with limited support from service providers, notwithstanding the fact that the transactions occur on platforms owned, operated and controlled by those service providers who also earn revenue from the transactions.

Kenyan courts have addressed related questions on mistaken payments, recovery of funds and duty of care owed by financial and mobile service providers. For example, in the *Kingdom Bank Limited vs Alice Wanja of 2024*, the court held that money paid by mistake is recoverable and that the receiving institutions are expected to act expeditiously with disputed funds. Further, in *Safaricom PLC vs Kafwa (2023)* (this must be a Bukusu), the court affirmed that Safaricom owes its customers a duty of care in relation to services provided on its platform.

It is, therefore, necessary to review existing regulatory framework, including the roles of the Central Bank of Kenya, the Communications Authority of Kenya and Competition Authority of Kenya, in ensuring that mobile money platform provide remedies to affected consumers.

In the statement, the committee should address the following-

(1) The number of complaints received by the Central Bank of Kenya, the Communications Authority of Kenya and the Competition Authority of Kenya relating to erroneous mobile transfers, including the total value of funds reported lost, recovered or unrecovered from 2020 to date.

(2) The existing procedures and timelines applied by Safaricom and other mobile service providers in tracing, freezing, reversing or recovering funds sent erroneously upon notification by affected consumers.

(3) The legal, technical and operational limitations, if any, that prevent mobile money service providers from freezing or reversing erroneous transactions within a reasonable time after notification.

(4) The measures taken by the Central Bank of Kenya, the Communications Authority of Kenya and the Competition Authority of Kenya to protect consumers, resolve complaints and enforce compliance by mobile money service providers.

(5) The status of any proposed policy, regulatory or compensation framework intended to provide clear recourse for victims of erroneous mobile money transfer, including whether service providers will be required to establish mandatory reversal, escrow, freezing or compensation mechanisms.

(6) The steps being undertaken by the Central Bank of Kenya, Competition Authority of Kenya and Communications Authority of Kenya to ensure transparency and accountability by mobile money service providers through public discourse of complaints, reversals, unrecovered funds, enforcement actions, sanctions and consumer redress mechanisms.

Mr. Speaker, Sir, I thank you for the indulgence.

The Speaker (Hon. Kingi): Senator from Busia County, you may proceed with a statement that had earlier been dropped.

IRREGULAR DEVELOPMENT OF AFFORDABLE HOUSING
PROJECTS ON PUBLIC AND COMMUNITY LAND

Sen. Okiya Omtatah: Thank you, Mr. Speaker, Sir, for your indulgence.

I rise, pursuant to Standing Order 53(1), to seek a statement from the Standing Committee on Land, Environment and Natural Resources on a matter of national concern regarding the irregular development of affordable housing projects on public and community land.

Mr. Speaker, Sir, grave concerns have arisen from the Auditor General's report on the affordable housing programme, which reveals that numerous projects have been undertaken without lawful allocation, proper documentation or adherence to established legal procedures. These actions contravene constitutional provisions, particularly Articles 10, 40, 60, 62 and 63 on national values, property rights and land management. They further breach the Land Act, the Land Registration Act, the Community Land Act, the Public Finance Management Act and the Physical and Land Use Planning Act, pointing to systemic lapses within the implementing agencies, including the State Department of Housing and Urban Development and the National Land Commission (NLC).

In the statement, the committee should address the following-

(1) A comprehensive register of all affordable housing projects flagged by the Auditor General as lacking proper land ownership documentation with details on allocation and implementation status.

(2) The legal status of land on which these projects sit, confirming whether due process was followed in allocation, reservation or conservation.

(3) Compliance with constitutional requirements for public participation and consent, particularly in relation to community land under the Community Land Act.

(4) The steps taken to regularise land ownership, including issuance of valid titles or leasehold interests to secure beneficiaries' rights.

(5) Actions taken against culpable officers or entities and detailed preventive measures to ensure strict compliance with land laws, planning standards and public finance management in the current and future projects.

(6) Whether investigations have been initiated by relevant oversight and enforcement agencies, including the Ethics and Anti-Corruption Commission (EACC) and provide their current status.

It is signed, Andrew Omtatah Okoiti, MP, Senator from Busia.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. Mundigi.

INCREASE IN STUDENT STRIKES IN SECONDARY
SCHOOLS IN EMBU COUNTY

Sen. Munyi Mundigi: Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Education on a matter of countrywide concern regarding the alarming increase in student strikes in secondary schools across Embu County.

Mr. Speaker, Sir, a stable and uninterrupted learning environment is essential for the effective implementation of the school curriculum, particularly during the second term when candidates and other learners are preparing for their final examinations. The recent surge in unrest and strikes in several schools has disrupted learning, caused destruction of property and raised concerns among parents, teachers and the wider public.

Reports indicate that institutions such as Kegonge Boys' High School, Kyeni Girls' High School, Siakago Day Secondary School, Kiamuringa Secondary School, Kangaru School, Kavutiri Secondary School, Kanyueri Boys' High School, Nthagaiya Girls' High School and Gatunduri Secondary School, among others, have been affected.

In the statement, the committee should address the following-

(1) Whether the Ministry of Education has undertaken investigations to determine the underlying causes of the increasing student strikes and unrest in Embu County and across the country.

(2) The immediate steps being implemented by the Ministry to contain the current situations and prevent further strikes and disruption of learning.

(3) Plans to reinforce guidance and counselling programmes in all learning institutions and preventive and supportive measures for students.

(4) The long-term strategies and policy measures intended to permanently address the underlying causes of student unrest, ensuring stability, discipline and a conducive learning environment in schools nationwide.

(5) Mechanisms for accountability, communication and stakeholder engagement to ensure parents, learners and teachers and to prevent the integrity of their education system.

Senator Alexander Munyi Mundigi, “Doctor” of Embu County.

The Speaker (Hon. Kingi): Statement by Sen. Consolata Wakwabubi. That statement is dropped.

DELAYED PAYMENTS TO KNEC CONTRACTED OFFICIALS
ENGAGED IN ADMINISTRATION OF NATIONAL EXAMINATIONS

(Statement dropped)

Proceed, Sen. Beth Syengo.

PAYMENT OF 2024 CHAN INSURANCE COVER

Sen. Beth Syengo: Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.53 (1) to seek a statement from the Standing Committee on Labour and Social Welfare on a matter of national concern regarding the payment of Kshs42 million for insurance cover in respect of the 2024 African Nations Championship (CHAN).

Mr. Speaker, Sir, a payment of approximately Kshs42 million for insurance brokerage services relating to CHAN 2024 was made to RiskWell Insurance Brokers Limited. The firm was registered shortly before the tournament and records from the

Insurance Regulatory Authority (IRA) indicate that it was not licensed as an insurance broker for the relevant period.

Additionally, members of the 2024 CHAN Local Organising Committee were not fully involved or briefed on the procurement and payment process relating to the insurance cover.

In the statement, the committee should address the following-

(1) The circumstances under which the payment of Kshs42 million was made for CHAN 2024 insurance cover, including the source of the funds, the approving authority, the date of payment, the beneficiary account and the entity responsible for initiating the payment.

(2) The reasons the insurance brokerage services were awarded to RiskWell Insurance Brokers Limited, including whether the firm was duly licensed by IRA at the time of engagement and payment.

(3) The procurement process followed in engaging the insurance broker, including the number of bids or quotations received, the evaluation criteria applied, the bid amount submitted and the basis upon which the successful firm was selected.

(4) The circumstances under which the 2024 CHAN Local Organising Committee was kept out of insurance procurement and payment process, despite its role in tournament planning, risk management and coordination.

(5) The measures being taken to establish accountability and safeguard public funds, including action by the Ministry of Youth Affairs, Creative Economy and Sports, the Football Kenya Federation (FKF), IRA, the Public Procurement Regulatory Authority (PPRA) and investigative agencies to recover any irregular payments and prevent reoccurrence in future international sporting events.

Thank you.

The Speaker (Hon. Kingi): Senator for Taita Taveta County, Hon. Mwaruma.

ADMISSIONS INTO TEACHER TRAINING COLLEGES ON KUCCPS PORTAL

Sen. Mwaruma: Thank you, Mr. Speaker, Sir, for this opportunity.

I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Education on a matter of national concern regarding admissions into teacher training colleges. The Kenya Universities and Central Placement Service (KUCCPS) has yet to open its portal for applications to diploma teaching courses. This delay risks disadvantaging learners who are passionate about joining the teaching profession.

In the statement, the committee should address the following-

(1) The reasons applications to join teacher training colleges through KUCCPS remain disabled and the expected timelines to have the issue resolved.

(2) The approved teacher training colleges, private and public, in the country, including their capacity in terms of learners, teaching and non-teaching staff.

(3) The fees charged by these colleges per learner together with the government's capitation support, indicating whether the capitation is disbursed at once or in tranches. If in tranches, specifying the number and amount per tranche for the year.

(4) Whether the Government has plans to ensure that the learners in these colleges are eligible for support from the Higher Education Loans Board (HELB).

I thank you.

The Speaker (Hon. Kingi): Senator from Kirinyaga County, Sen. James Murango.

ATHARI ZA UAGIZAJI MCHELE USIOTOZWA
USHURU KUTOKA NCHI ZA NJE

Sen. (Dr.) Murango: Asante Mstahiki Spika kwa nafasi hii. Nasimama kwa mujibu wa Kanuni ya Kudumu 53 (1) ya Kanuni za Kudumu za Seneti kuomba kauli kutoka Kamati ya Biashara, Ukuzaji wa Viwanda na Utalii kuhusu athari zinatotokana na kuendelea kuagizwa nchini kwa mchele usiotozwa ushuru.

Kuongezeka kwa uagizaji wa mchele kutoka nje ya nchi umevuruga pakubwa soko la mchele nchini. Hali hii imesababisha wakulima kutoweza kuuza zaidi ya tani metriki 100 za mchele, huku wakitarajiwa kuvuna msimu wa pili wa zao la mchele katika kipindi kifupi kijacho.

Hali hii inahatarisha maisha na uchumi wa maelfu ya wakulima, hasa katika maeneo yanayolimwa mpunga kama Mwea, Ahero, Bunyala na West Kano, ambao hutegemea kilimo cha mpunga kama chanzo chao kikuu cha mapato.

Katika kauli hiyo, kamati izingatie yafuatayo-

(1) Sababu na msingi wa sera iliyopelekea kuagizwa mchele usiotozwa ushuru licha ya kuwepo kiwango kikubwa cha mchele hapa nchini ambao haujauzwa, pamoja na kutaja kiwango cha mchele kilichoagizwa na waagizaji waliohusika.

(2) Mipango iliyowekwa kuzuia wakulima kupata hasara, ikifahamika kuwa tani metriki 100 za mchele hazijapata soko huku msimu wa pili wa mavuno ya mchele ukikaribia.

(3) Hatua za kuwakinga wakulima wa mchele dhidi ya ushindani usio wa haki unaotokana na uagizaji wa mchele kutoka nje ya nchi, kudhibiti bei ya mchele na kuhakikisha sekta ya mchele nchini inalindwa na kuimarishwa.

(4) Tathmini iliyofanywa na serikali ya kitaifa kuhusu athari za kuagiza mchele kutoka nje ya nchi usiotozwa ushuru kwa wakulima humu nchini, wasagaji wa mchele na sekta nzima ya matokeo ya tathmini hiyo yawasilishwe mbele ya Seneti.

(5) Hatua za kuimarisha uzalishaji wa mchele nchini kuhakikisha wakulima wanapata soko la uhakika, kuupa kipaumbele matumizi ya mchele hapa nchini katika taasisi za umma na katika mipango ya Serikali ya utoaji wa chakula.

KUZOROTA KWA MAUZO YA MAJANI
CHAI KATIKA SOKO ZA NJE

Mheshimiwa Spika, nasimama kwa mujibu wa Kanuni ya Kudumu 53 (1) ya Kanuni za Kudumu za Seneti kuomba kauli kutoka Kamati ya Kilimo, Mifugo na Uvuvi kuhusu kuzorota kwa mauzo ya majani chai kutoka Kenya katika soko za nje.

Kufuatia utozaji wa ushuru wa asilimia 0.8 kwa mauzo ya majani chai yanayoenda nje ya nchi, wakulima wa majani chai na wadau mbalimbali nchini wameelezea kufadhaishwa kwao na kupungua kwa kiwango kikubwa kwa ununuzi wa majani chai kutoka Kenya kutokana na ongezeko la gharama linalosababishwa na ushuru huo mpya.

Mbali na hayo, kumekuwa na wasiwasi kuhusu kuendelea kupotea kwa masoko muhimu ya majani chai kama Sudan na Iran, kufuatia changamoto za kidiplomasia, pamoja na madai ya mienendo isiyo ya kimaadili kutoka kwa baadhi ya wahusika katika sekta ya chai nchini. Hali hii inatishia maisha ya maelfu ya wakulima wa majani chai ambao hutegemea kilimo cha majani chai kuwa kipato ama riziki yao.

Katika kauli hiyo, kamati izangatie yafuatayo-

(1) Sababu ya kuanzishwa kwa ushuru asilimia 0.8 kwa mauzo ya majani chai nje ya nchi, ikiangazia jinsi umma ulivyoshirikishwa na iwapo mashauriano ya kutosha yalitekelezwa baina ya serikali na wadau wake.

(2) Iwapo Serikali imetathmini athari za ushuru huo kwa mauzo ya majani chai kutoka masoko ya nje, hasa kutoka soko la Mashariki ya Kati, ikijumuisha taarifa ya kueleza ikiwa taasisi husika zimefanya mazungumzo na wanunuzi na wauzaji ili kubaini changamoto halisi.

(3) Mikakati ambayo idara husika nchini imechukua kuzuia Kenya kupoteza masoko ya kimataifa ya majani chai na pia kueleza ikiwa serikali inakusudia kuondoa ushuru huo ili kuimarisha ushindani wa majani chai kutoka Kenya.

(4) Hatua ya dharura ambayo serikali itachukua ili kuwalinda wakulima wa majani chai dhidi ya upungufu wa mapato kutokana na kuzorota kwa mauzo ya majani chai katika masoko ya nje;

(5) Hatua za kidiplomasia ambazo Serikali inachukua kusuluhisha utata uliopo kati ya Kenya na Sudan ili kurejesha uuzaji wa majani chai kutoka Kenya nchini Sudan.

(6) Mikakati ambayo serikali inachukua kuangazia madai ya mienendo isiyo ya maadili kutoka kwa baadhi ya wahusika katika sekta ya majani chai nchini wanaodaiwa kujihusisha na udanganyifu pamoja na biashara isiyo ya kimaadili dhidi ya wanunuzi kutoka Iran, hali iliyoharibu sifa na hadhi ya majani chai ya Kenya katika soko huko Iran.

Mimi ni Kamau Murango, Seneta wa Kaunti ya Kirinyaga.

The Speaker (Hon. Kingi): Proceed, Sen. Joe Nyutu.

STATUS AND OPERATIONAL CAPACITY OF BLOOD BANKS

Sen. Joe Nyutu: Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Health on a matter of national concern regarding the status and operational capacity of blood banks in the country.

Blood banks are a critical pillar of the healthcare system, ensuring timely access to safe blood and blood products for patients in need. However, persistent challenges including inadequate stocks, shortages of screening reagents and uneven distribution to county referral hospitals have raised serious concerns about the ability of the Kenya National Blood Transfusion Service (KNBTS) to meet the national demand. Addressing these gaps is essential to safeguarding lives, strengthening emergency responses and upholding the integrity of our healthcare system.

In the statement, the committee should address the following-

(1) The current status and distribution of blood banks and satellite transfusion services nationwide, including their operational capacity and adequacy in serving the population.

(2) Details of current blood bank stock levels by blood group and region and assess whether existing supplies are sufficient to meet national demand.

(3) Availability and adequacy of blood screening reagents and laboratory supplies for infectious disease testing including HIV, Hepatitis B, Hepatitis C and syphilis and outline measures to address any shortages.

(4) Whether all county referral hospitals and blood transfusion centres are adequately equipped with functional screening equipment, storage facilities and qualified personnel to ensure safe blood services.

(5) Measures by the Ministry of Health to guarantee timely and equitable distribution of blood and blood products to county referral hospitals and other health facilities particularly during emergencies and periods of acute shortage.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Next is Sen. Hamida Kibwana.

DEATH OF MS. RACHEL WANDETO

Sen. Kibwana: Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations on a matter of national concern regarding the tragic attack and subsequent death of Ms. Rachel Wandeto who succumbed to severe burn injuries on 18th May, 2026, at Kenyatta National Hospital (KNH) after being assaulted by mass assailants in Mwiki, Nairobi.

In recent times, the country has witnessed increasing hostility, threats, online abuse, politically motivated intimidation and acts of violence targeting individuals perceived to hold differing views or positions on various matters in society. This growing culture of intolerance threatens the democratic values upon which our nation is founded and risks entrenching violence as a response to disagreement.

In the statement, the committee should address the following-

(1) The status of investigations into the attack and death of Ms. Rachel Wandeto, including steps taken to ensure accountability to all perpetrators.

(2) The prevalence and patterns of targeted violence in form of particular or socially motivated attacks, threats and harassments and measures taken by security agencies to protect targeted citizens and victims of such violence.

(3) Effectiveness of existing laws and enforcement mechanisms in addressing hate speech, incitement, cyber harassment and gender-based intimidation.

(4) Interventions promoting tolerance, peaceful engagement and protection of constitutional freedoms, including adequacy of psychosocial and legal support for affected families and victims of targeted violence.

Mr. Speaker, Sir, if you allow, I will read the second one that you have approved.

FIRE INCIDENTS IN LEARNING INSTITUTIONS

Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations on a matter of national concern regarding the alarming increase in fire incidents in learning institutions across the country, including the fire outbreak at Utumishi Girls Academy in Gilgil, Nakuru County, that occurred on 28th May, 2026, and previous tragic incidents such as the devastating incident at Hillside Endarasha Academy that occurred in September 2024 among many others whose causes and accountability remains unresolved.

The continued occurrence of fires in our schools has become a national concern that threatens safety, wellbeing and the lives of learners across Kenya. These incidents have left behind destruction of property, disruption of learning, trauma among students and parents in some cases and tragic loss of lives.

In the Statement, the committee should address the following-

(1) Circumstances surrounding the fire incident at Utumishi Girls Academy, including the cause of the fire, the number of learners affected and the status of investigations.

(2) Status and findings of investigations into school fire incidents from 2022 to date, including the 2024 Hillside Endarasha Academy tragedy and criminal action taken against those found culpable.

(3) Existing safety and emergency response protocols applicable to learning institutions, particularly boarding schools, including when the protocols were last reviewed or revised and whether they are adequate.

(4) The number of learning institutions, particularly boarding schools, that have functional and up to date safety and emergency evacuation equipment including fire extinguishers, alarms, emergency exits, assembly points, evacuation plans and trained personnel.

(5) Status of safety audits conducted in learning institutions, including the date of the most recent nationwide audit, the number of schools audited, findings of the audit, the level of compliance with prescribed safety standards and the action taken against non-compliant institutions.

(6) Measures being taken by the relevant Government Ministries and agencies in collaboration with county governments to ensure regular safety inspections and enforcement of compliance in all institutions of learning.

(7) The interventions being undertaken to support affected learners, staff and families, including measures to ensure the safe resumption of learning in affected institutions.

I thank you, Mr. Speaker, Sir.

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM NDURURUMO GIRLS HIGH SCHOOL

The Speaker (Hon. Kingi): Hon. Senators, allow me to make this Communication.

I would like to acknowledge the presence in the Public Gallery this afternoon of a visiting delegation of five teachers and 91 learners from Ndururumo Girls High School, in Laikipia County. The delegation is visiting the Senate for an academic exposition.

On behalf of the Senate and on my own behalf, I extend a warm welcome to the delegation and wish them a fruitful visit.

I will allow the Senator for Laikipia County, under one minute, to extend a word of welcome.

Sen. Kinyua: Asante Bw. Spika kwa kunipa fursa hii.

Ningependa kuwakaribisha wanafunzi na walimu wa shule ya Ndururumo ambayo iko Nyahururu, Kaunti ya Laikipia. Hii shule inajulikana kwa sababu huwa wamebobeza sana kwa masomo. Kuna wanafunzi wengi ambao wamesomea katika shule hii na wameshika nyadhifa tofauti katika Jamhuri ya Kenya.

Ningependa kuwahimiza wanafunzi watie bidii katika masomo yao na walenge juu, kwa sababu wakilenga juu, sina shaka rohoni mwangu kuwa watakuwa viongozi wa kesho na wanaweza kufika mahali popote ambapo wanataka. Wanaweza kuwa rais, naibu rais, magavana, daktari au rubani au chochote kile wanataka bora watie bidii katika masomo yao.

Jambo lingine ambalo ningependa kuomba wanafunzi na hasa wa Jamhuri ya Kenya---

The Speaker (Hon. Kingi): Senator for Laikipia County, one minute is 60 seconds. Please, conclude.

Sen. Kinyua: Ningependa kuomba wanafunzi wa Kenya nzima wawe na nidhamu katika masomo yao. Tumeona janga ambalo limetokea kule Gilgil kwa sababu ya wanafunzi---

Asante, Bw. Spika, kwa kunipa fursa hii.

(An hon. Member spoke off record)

Sen. Kinyua: Utovu wa nidhamu. Bw. Spika ndiye aliyenikanganya kidogo.

The Speaker (Hon. Kingi): Hon. Senators, before I allow comments on the Statements that have been sought, pursuant to Standing Order 42(2), allow me to rearrange today's Order Paper.

We will move and handle Order No.8, and thereafter, move to Order No.14, all the way to 22. Once we are done with those Orders, we will resume the normal flow of today's Order Paper.

Clerk, kindly, proceed to call those Orders.

MOTION

NOTING OF REPORT OF PAP COMMITTEES AND ORGANS HELD IN SOUTH AFRICA, 2024

THAT, the Senate notes the Reports of the Kenya Delegation to the Sittings of the Pan-African Parliament (PAP) Committees and other Pan-African Parliament (PAP) Organs held at the Gallagher Convention Centre in Midrand, South Africa on 13th September to 20th September, 2024; and 28th October to 17th November, 2024, laid on the Table of the Senate on Tuesday, 2nd December, 2025.

(Sen. (Dr.) Mungatana on 13.05.2026)

(Resumption of debate interrupted on 13.05.2026 - Morning Sitting)

The Speaker (Hon. Kingi): Do we have the requisite quorum?

(Sen. Madzayo stood in his place)

Senator for Kilifi County, kindly, take your seat.

(The Clerk-at-the-Table consulted with the Speaker)

Hon. Senators, debate on this Motion has been concluded. I will, therefore, proceed to put the question.

(Question put and agreed to)

COMMITTEE OF THE WHOLE

(Order of the Committee read)

[The Speaker (Hon. Kingi) left the Chair]

IN THE COMMITTEE

[The Temporary Chairperson (Sen. Wakili Sigei) in the Chair]

THE COUNTY OVERSIGHT AND ACCOUNTABILITY
BILL (SENATE BILLS NO.3 OF 2024)

(Several Senators stood in their place)

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Senators, order! Hon. Members, you may resume your seats. We are proceeding to the Committee of the Whole.

(Loud consultations)

Order, Members! Let us take our seats. Sen. Wakoli, the Chairperson of the Senate Standing Committee on Agriculture, Livestock and Fisheries, and the Senate Majority Whip, Sen. Murgor, the Chairperson of the Senate Standing Committee on Labour and Social Welfare, Sen. Faki, the Chairperson of the Senate Standing Committee on Lands, Environment and Natural Resources, as well as Sen. Roba, the Chairperson of the Senate Committee on Finance and Budget are needed to be in the Chamber now.

(Sen. Murgor and Sen. M. Kajwang' stood in their place)

Order, hon. Members! Sen. Murgor and Sen. Kajwang', take your seats.

(Loud consultations)

Sen. Kinyua and Sen. Nyutu, if you are consulting, please, do so in low tones.

Hon. Senators, we will proceed to deal with the Nuts and Oil Crops Development Bill, (Senate Bills No.47 of 2023). Sen. Kajwang', you are a Member of the Senate Standing Committee on Agriculture, Livestock and Fisheries. Please, approach the Chair.

THE NUTS AND OIL CROPS DEVELOPMENT
BILL (SENATE BILLS NO.47 OF 2023)

The Chairperson (Sen. Wakili Sigei): I call upon Sen. M. Kajwang on behalf of the Chairperson to the Committee on Agriculture, Livestock and Fisheries to move the amendment.

Clause 3

Sen. M. Kajwang: Mr. Temporary Chairperson, Sir, I beg to move-

THAT the Bill be amended by deleting clause 3 and substituting therefor the following new clause —

3. The object of this Act is to —

- (a) regulate the nuts and oil crops subsector;
- (b) promote a globally competitive nuts and oil crops subsector;

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- (c) increase production and processing of safe and healthy nuts and oil crops produce and products;
- (d) promote value addition to the nuts and oil crops produce and their products;
- (e) generate higher income for the nuts and oil crops farmers and traders by introducing improved varieties of the nuts and oil crops produce with higher yield;
- (f) provide continuous and sustained research and extension services for the development of the nuts and oil crops subsector;
- (g) facilitate the introduction of modern nuts and oil crops farming techniques and general modernization of their subsector; and
- (h) implement effective marketing strategies.

(Question of the amendment proposed)

The Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 4

Sen. M. Kajwang: Mr. Temporary Chairperson, Sir, I beg to move—
THAT clause 4 of the Bill be amended —

- (i) in subclause (3) deleting the word “Kilifi” appearing immediately after the words “shall be in” and substituting therefor the word “Nairobi”; and
- (ii) by inserting the following new subclause immediately after subclause (3)—(3A) The Board may establish such other offices in Kenya as it may consider necessary for the discharge of its functions under this Act.

(Question of the amendment proposed)

The Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 5

Sen. M. Kajwang: Mr. Temporary Chairperson, Sir, I beg to move—
THAT clause 5 of the Bill be amended—

- (a) in subclause (1) by deleting the introductory clause and substituting therefor the following new introductory clause —
(1) The Board shall consist of—
- (b) by inserting the following new paragraph immediately after

paragraph (c)—

- (ca) the Principal Secretary responsible for finance or a representative nominated by the Principal Secretary in writing;
- (c) in subclause (1) by deleting paragraph (d) and substituting therefor the following new paragraph—

- (d) three persons with five years' experience in the nuts and oil subsector appointed by the cabinet secretary, of whom—

- (i) one shall be a farmer representing the nuts subsector;
 - (ii) one shall be a farmer representing the oil crops subsector; and
 - (iii) one shall be a processor;

- (d) by deleting paragraph (e) and substituting therefor the following new paragraph—

- (e) one person with five years' experience in the nuts and oil crops subsector, nominated by the Council of Governors;

- (e) in subclause (2) by inserting the words “as a member of the Board” appearing in the introductory clause immediately after the words “for appointment”.

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

- (3) In making appointments under subsection (1)(d), the Cabinet Secretary shall ensure that not more than two-thirds of the appointees are of the same gender, and shall give due consideration to diversity in age, regional and ethnic background.

(Question of the amendment proposed)

The Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 6

Sen. M. Kajwang: Mr. Temporary Chairperson, Sir, I beg to move—
THAT clause 6 of the Bill be amended—

- (a) in the marginal note by deleting the word “member” appearing immediately after the word “appointment as a” and substituting therefor the word “chairperson”;
- (b) in the introductory clause by deleting the word “member of the Board” appearing immediately after the words “appointment as a” and substituting therefor the word “chairperson”;

- (c) in paragraph (b) by deleting the word “and” appearing immediately after the words “in Kenya;”; and
- (d) by inserting the following new paragraph immediately after paragraph (b)—(ba) has knowledge and experience of at least ten years in matters relating to agriculture; and.

(Question of the amendment proposed)

The Chairperson (Sen. Wakili Sigei): Division will be at the end. I call upon Sen. M. Kajwang on behalf of the Chairperson to the Committee on Agriculture, Livestock and Fisheries to move the amendment to Clause 7.

Clause 7

Sen. M. Kajwang: Mr. Temporary Chairperson, Sir, I beg to move—
THAT clause 7 of the Bill be amended by deleting the words “section 6” and substituting therefor the words “section 5”.

(Question of the amendment proposed)

The Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 8

(Question that clause 8 be part of the Bill proposed)

Division will be at the end.

Clause 9

Sen. M. Kajwang: Mr. Temporary Chairperson, Sir, I beg to move—
THAT clause 9 of the Bill be amended—

- (a) in paragraph (a) by deleting the words “crop industry” appearing immediately after the words “nuts and oil” and substituting therefor the word “crops subsector”;
- (b) by deleting paragraph (b) and substituting therefor the following new paragraph—
- (c) make recommendations to the Cabinet Secretary on the development of national strategies, plans and policies relating to the nut and oil crop subsector;
- (d) in paragraph (e) by deleting the words “crop industry” appearing immediately after the words “nuts and oil” and substituting therefor

- the word “crops subsector”;
- (e) in paragraph (f) by deleting the words “crop industry” appearing immediately after the words “nut and oil” and substituting therefor the word “crops subsector”.
 - (f) In paragraph (g) by deleting the words “marketing and the exportation” appearing immediately after the words “regulate the” and substituting therefor the words “import and export”;
 - (g) in paragraph (h) by deleting the word “industry” appearing immediately after the words “nuts and oil crops” and substituting therefor the word “subsector”;
 - (h) in paragraph (i) by—
 - (i) deleting the words “crop industry” appearing immediately after the words “nuts and oil” and substituting therefor the word “crops subsector”; and
 - (ii) deleting the word “and” appearing immediately after the words “Kenya Bureau of Standards;”
 - (i) in paragraph (j) by deleting the word “coordinate” appearing at the beginning of the paragraph and substituting therefor the word “facilitate”.
 - (j) by deleting paragraph (k) and substituting therefor the following new paragraph—
 - (k) support counties in the development of programmes for farmer assistance including access to farm inputs and affordable credit facilities; and
 - (k) by inserting the following new paragraph immediately after paragraph (k)—(ka) carry out such other functions as may be assigned by the Cabinet Secretary or conferred under any other law.

(Question of the amendment proposed)

The Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 10

Sen. M. Kajwang: Mr. Temporary Chairperson, Sir, I beg to move—
THAT clause 10 of the Bill be amended in subclause (2) by deleting the word “industry” appearing immediately after the words “nuts and oil crops” and substituting therefor the word “subsector”.

(Question of the amendment proposed)

The Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clauses 11 and 12

(Question, that Clauses 11 and 12 be part of the Bill proposed)

The Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 13

Sen. M. Kajwang: Mr. Temporary Chairperson, Sir, I beg to move—
THAT Clause 13 of the Bill be amended in subclause (3) by deleting the word “five” appearing immediately after the words “a term of” and substituting therefor the word “three”.

(Question of the amendment proposed)

The Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clauses 14, 15 and 16

(Question, that Clauses 14, 15 and 16 be part of the Bill proposed)

Division will be at the end.

Clause 17

Sen. M. Kajwang: Mr. Temporary Chairperson, Sir, I beg to move—
THAT the Bill be amended by deleting clause 17 and substituting therefor the following new clause—

17.(1) Liability shall not attach to the Board or to any of its members, officers, agents or staff for loss or damage incurred as a result of an act or omission done in good faith and without negligence in the performance or exercise or the intended performance or exercise of any duty or power imposed by or conferred under this Act.

(2) Any expenses incurred by any person in any suit or prosecution brought against him or her in any court, in respect of any act which is done or purported to be done by him or her under the direction of the Board, shall, if the court holds that such act was done in good faith, be paid out of the funds of the Board, if such expenses are not recovered by the person in such suit or prosecution.

(3) The provisions of subsection (1) shall not relieve the Board of the liability to pay compensation or damages to any person for any injury to him or her, his or her property or any

of his or her interests caused by the exercise of any power conferred by this Act or any other written law or by the failure, wholly or partially, of any works.

(Question of the amendment proposed)

The Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 18

(Question, that Clause 18 be part of the Bill proposed)

Division will be at the end.

Clause 19

Sen. M. Kajwang: Mr. Temporary Chairperson, Sir, I beg to move—
THAT the Bill be amended by deleting clause 19.

(Question of the amendment proposed)

The Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 20

Sen. M. Kajwang: Mr. Temporary Chairperson, Sir, I beg to move—
THAT clause 20 of the Bill be amended—

- (i) in subclause (1) by deleting the words “Schedule” appearing immediately after the words “accordance with the” and substituting therefor the words “First Schedule”
- (ii) in subclause (2) by deleting the words “Schedule” appearing immediately after the words “provided in the” and substituting therefor the words “First Schedule”.

(Question of the amendment proposed)

The Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 21

Sen. M. Kajwang: Mr. Temporary Chairperson, Sir, I beg to move—
THAT clause 21 of the Bill be amended—

- (a) in paragraph (a) by deleting the word “Government” appearing

- immediately after the words “National”;
- (b) in paragraph (b) by inserting the word “warehouses,” immediately after the words “nursery operators,”;
- (c) by deleting paragraph (c);
- (d) in paragraph (d) by deleting the word “crop industry” appearing immediately after the words “nuts and oil” and substituting therefor the word “crops subsector”;
- (e) in paragraph (i) by inserting the words “farm inputs, affordable” immediately after the words “promote access to”; and
- (f) by inserting a new paragraph immediately after paragraph (k)—
 - (ka) promote the diversification of nuts and oil crop products and by-products at the county level;

(Question of the amendment proposed)

The Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 22

The Temporary Chairperson (Sen. Wakili Sigei): I call upon Sen. M. Kajwang’ to move the proposed amendment to Clause 22.

Sen. M. Kajwang’: I beg to move—
THAT the Bill be amended by deleting clause 22.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 23

The Temporary Chairperson (Sen. Wakili Sigei): I call upon Sen. Kajwang’ to move the proposed amendment to Clause 23.

Sen. M. Kajwang’: I beg to move—
THAT the Bill be amended by deleting Clause 23.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 24

(Question, that Clause 24 be part of the Bill proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 25

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Members, I call upon Sen. M. Kajwang' to move the proposed amendment on behalf of the Chairperson, Standing Committee on Agriculture, Livestock and Fisheries.

Sen. M. Kajwang': Mr. Temporary Speaker, Sir, I beg to move—
THAT Clause 26 be amended as proposed.

The Temporary Chairperson (Sen. Wakili Sigei): That should be Clause 25. Take it up again, Sen. M. Kajwang'.

Sen. M. Kajwang': My apologies, Mr. Temporary Chairman, Sir.

I beg to move—

THAT Clause 25 be amended—

(a) in the marginal note by deleting the words “of processors”;
(b) in subclause (1) by inserting the words “marketing, export or import” immediately after the words “in the processing,”;

(c) by inserting the following new subclause immediately after subclause (1)—

(1A) Despite subsection (1), the Board shall, in consultation with county governments, develop a licensing framework for small-scale processors of nuts and oil crops intended for domestic markets, with county governments responsible for issuing trade licences to small-scale processors operating within their respective counties.

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

(2) A person who intends to process, market, export or import nuts and oil crop products shall submit an application to the Board in the prescribed form together with—

(a) such documents and information as the Board may prescribe; and

(b) the prescribed fees.

(e) in subclause (3) by—

(a) deleting the words “A county executive committee member” appearing in the introductory clause and substituting therefor the words ‘The Board’; and

(b) deleting the words “county executive committee member” appearing immediately after the words “conditions as the” in paragraph (b) and substituting therefor the word “Board”.

(f) in subclause (4) by deleting the words “by the respective county executive committee member,” appearing after the words “the applicant”.

(g) in subclause (5) by —

(a) deleting the words “county executive committee member” appearing immediately after the words “Where the” and substituting therefor the word “Board”; and

- (b) deleting the words “county executive committee member” appearing immediately after the words “grant a licence, the” and substituting therefor the word “Board”;
- (h) by inserting the following new subclause immediately after subclause (5)—
 - (5A) In this section, a small-scale processor means a person or enterprise engaged in the processing of nuts and oil crops using limited capital investment and basic or semi-mechanized equipment, whose annual processing capacity does not exceed the threshold prescribed by the Board and whose operations are primarily intended to serve domestic markets.

(Question of the amendment proposed)

Division will be at the end.

Clause 26

The Temporary Chairperson (Sen. Wakili Sigei): I call upon Sen. M. Kajwang’ to move the proposed amendment to clause 26 on behalf of the Chairperson, Standing Committee on Agriculture, Livestock and Fisheries.

Sen. M. Kajwang’: Mr. Temporary Chairman, Sir, I beg to move—
THAT clause 26 of the Bill be amended—

(a) in subclause (1) by —

(a) deleting the words “A county executive committee member” appearing at the beginning of the subclause and substituting therefor the word “The Board”; and

(b) deleting the words “county executive committee member” appearing immediately after the words “manner as the” and substituting therefor the word “Board”.

(b) in subclause (2)—

(a) by deleting the words “county executive committee member” appearing in the introductory clause and substituting therefor the word “Board”;

(b) by deleting the words “county executive committee member” appearing immediately after the words “lodged with the” in paragraph (c) and substituting therefor the word “Board”.

(c) in subclause (3) by —

(a) deleting the words “The county executive committee member” appearing at the beginning of the subclause and substituting therefor the words “The Board”;

(b) deleting the words “county executive committee member” appearing immediately after the words “such conditions as the” and substituting therefor the word “Board”.

(Question of the amendment proposed)

Division will be at the end.

Clause 27

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Members, I call upon Sen. M. Kajwang, once again, to move the proposed amendment.

Sen. M. Kajwang: Mr. Temporary Chairman, Sir, I beg to move—
THAT Clause 27 of the Bill be amended—

(a) in subclause (1)—

(a) by deleting the words “The county executive committee member” appearing at the beginning of the subclause and substituting therefor the word “The Board”; and

(b) by deleting the words “or county legislation” appearing immediately after the words ‘this Act’ in paragraph (a).

(b) in subclause (2) by deleting the introductory clause and substituting therefore the following new introductory clause—

(2) The Board shall not revoke the licence under subsection (1)(a) unless the Board—

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 28

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Senators, I call upon Sen. M. Kajwang to move the proposed amendment to clause 28 on behalf of the Chairperson Standing Committee on Agriculture, Livestock and Fisheries.

Sen. M. Kajwang: Mr. Temporary Chairman, Sir, I beg to move—
THAT clause 28 of the Bill be amended—

(a) in subclause (2) by —

(a) deleting the words “The county executive committee member” appearing at the beginning of the subclause and substituting therefor the words “The Board”; and

(b) deleting the words “committee member” appearing immediately after the words ‘period as the’ and substituting therefor the word ‘Board’.

(b) in subclause (3) by deleting the words ‘county executive committee member’ appearing immediately after the words ‘such notice, the’ and substituting therefor the word ‘Board’;

(c) in subclause (4) by deleting the words ‘county executive committee member’ appearing immediately after the words ‘cancelled by the’ and substituting therefor the word ‘Board’.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 29

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Senators, I call upon Sen. M. Kajwang to move the proposed amendment to clause 29 on behalf of the Chairperson Standing Committee on Agriculture, Livestock and Fisheries.

Sen. M. Kajwang: Mr. Temporary Chairman, Sir, I beg to move—
THAT the Bill be amended by deleting clause 29 and substituting therefor the following new clause—

29.(1) An applicant who is aggrieved by the decision of the Board not to issue a licence under this Act may, within fourteen (14) days from the date of receiving the decision, submit a written appeal to the Board for review.

(2) The Board shall consider the appeal and provide a response within fourteen days of receiving the appeal and may—

(a) uphold its original decision;

(b) reverse its decision and issue the licence; or

(c) take any other action that is deemed appropriate for the implementation of this Act.

(3) If the applicant is still aggrieved by the Board's decision after the review, the applicant may, within fourteen days of receiving the decision on the appeal to the Board file an appeal to the High Court.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clauses 30, 31, 32, 33 and 34

*(Question, that Clauses 30, 31, 32, 33 and 34
be part of the Bill proposed)*

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 35

The Temporary Chairperson (Sen. Wakili Sigei): I call upon Sen. M. Kajwang to move the proposed amendment on behalf of the Chairperson.

Sen. M. Kajwang: Mr. Temporary Chairman, Sir, I beg to move—
THAT Clause 35 of the Bill be amended by—

(a) deleting the word “industry” appearing after the words “nuts and oil crops” and substituting therefor the word “subsector”; and

(b) deleting the words “cotton industry” appearing immediately after the words ‘development of the’ and substituting therefor the words “nuts and oil crops subsector.”’.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 36

(Question that Clause 36 be part of the bill proposed)

Division will be at the end.

Clause 37

The Temporary Chairperson (Sen. Wakili Sigei): I call upon Sen. M. Kajwang’ to move the proposed amendment on behalf of the Chairperson Standing Committee on Agriculture, Livestock and Fisheries.

Sen. M. Kajwang’: Mr. Temporary Chairman, Sir, I beg to move—
THAT Clause 37 of the Bill be amended in subclause (1) by—

(a) deleting the words ‘of not less than twenty thousand shillings’ appearing immediately after the words ‘to a fine’ and substituting therefor the words ‘not exceeding five hundred thousand shillings’; and

(b) deleting the words ‘six months, or to’ appearing immediately after the words ‘not exceeding’ and substituting therefor the words ‘one year or’.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 38

The Temporary Chairperson (Sen. Wakili Sigei): I call upon Sen. M. Kajwang’ to move the proposed amendment.

Sen. M. Kajwang’: Mr. Temporary Chairman, Sir, I beg to move—

THAT Clause 38 of the Bill be amended by deleting subclause (2) and substituting therefor the following new subclause—

(2) Without prejudice to the generality of subsection (1), the regulations may provide for —

(a) conditions for registration;

(b) forms to be used in the application for registration, and related activities;

- (c) the process of application for registration and related activities;
and
- (d) the regulation of contracts between growers, processors and other players in the nut and oils subsector industry;
- (e) the procedure for licensing and regulation of marketing agents, transporters, processors, exporters, and importers;
- (f) the forms and fees payable in respect of any matter required to be done under this Act;
- (g) mechanisms for dispute resolution within the nuts and oil crops subsector;
- (h) the standards and procedures for the grading and classification of nuts and oil crops and their products;
- (i) food safety requirements, including standards for handling, transportation, processing, and marketing of nuts and oil crops produce, and products; and
- (j) the duration and renewal periods for licences and registration certificates issued under this Act.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clauses 39, 40, 41, 42 and 43

*(Question, that Clauses 39, 40, 41, 42 and 43
be part of the Bill proposed)*

Division will be at the end.

Clause 44

The Temporary Chairperson (Sen. Wakili Sigei): I call upon Sen. M. Kajwang' to move the proposed amendment to Clause 44.

Sen. M. Kajwang': Mr. Temporary Chairman, Sir, I beg to move-
THAT Clause 44 of the Bill be amended by deleting the word "Authority" appearing immediately after the words "made by the" and substituting therefor the word 'Board'.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 45

(Question, that Clause 45 be part of the Bill proposed)

Division will be at the end.

New Clause 35A

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Senators, I call upon Sen. M. Kajwang' to move the proposed amendment to introduce New Clause 35A.

Sen. M. Kajwang': Mr. Temporary Chairman, Sir, I beg to move-

THAT the Bill be amended by inserting the following new clause immediately after Clause 35—

35A. Declaration of nuts and oil crops.

(1) The crops specified in the Second Schedule are nuts and oil crops for purposes of this Act.

(2) The Cabinet Secretary may, by notice in the Gazette, declare any other crop to be a nuts and oil crop for purposes of this Act.

(Question of the New Clause 35A proposed)

(New Clause 35A read the First Time)

(Question, that New Clause 35A be read a Second Time proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end. I call upon Sen. M. Kajwang' to move the proposed amendment.

The Schedule

Sen. M. Kajwang': Mr. Temporary Chairman, Sir, I beg to move-

THAT the Bill be amended by renumbering the existing Schedule as the First Schedule.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end. I call upon Sen. M. Kajwang' to move the proposed amendment on the New Schedule.

New Schedule

Sen. M. Kajwang': Mr. Temporary Chairman, Sir, I beg to move-

THAT the Bill be amended by inserting the following New Schedule immediately after the First Schedule—

SECOND SCHEDULE (s. 2) NUTS AND OIL CROPS

1. Coconut
2. Cashew nut
3. Macadamia nut
4. Ground nuts
5. Castor beans
6. Sunflower
7. Oil seed jojoba
8. Shied safflower
9. Sesame
10. Linseed
11. Oil Palm
12. Bambara nut
13. Cotton seed

(Question of the New Schedule proposed)

(New Schedule read the First Time)

(Question, that the New Schedule be read a Second Time proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 2

The Temporary Chairperson (Sen. Wakili Sigei): I call upon Sen. Kajwang' to move the proposed amendment to clause 2.

Sen. M. Kajwang': Mr. Temporary Chairman, Sir, I beg to move—

THAT Clause 2 of the Bill be amended by—

(a) deleting the definition of the word 'nuts and oil crops' and substituting therefor the following new definition— "nuts and oil crops" mean the crops set out in the Second Schedule to this Act;

(b) deleting the definition of the word 'processor' and substituting therefor the following new definition— "processor" means a person who transforms nuts and oil crops produce or products into various end-use products; and

(c) inserting the following new definitions in their proper alphabetical sequence—

"grower" means a person, whether small-scale or large-scale, who cultivates nuts and oil crops for commercial purposes, and excludes those who grow nuts and oil crops solely for subsistence;

"processing" means the alteration, extraction, refinement or transformation of nuts or oil crops from their raw state into a usable or marketable

form, and includes shelling, drying, crushing, pressing, refining, fortifying, packaging or any other activity that enhances the value or shelf-life of nuts or oil crops.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Long Title

The Temporary Chairperson (Sen. Wakili Sigei): I call upon Sen. M. Kajwang' to move the proposed amendment on the Long Title on behalf of the Chairperson.

Sen. M. Kajwang': Mr. Temporary Chairman, Sir, I beg to move- THAT the long title of the Bill be amended by inserting the word "Development" immediately after the words "establish the Nuts and Oil Crops."

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 1

(Question that Clause 1 be part of the Bill proposed)

Division will be at the end.

(The Clerk-at- the Table Consulted with the Chairperson)

Hon. Members, we will do reporting once we are done with all the divisions.

THE HERITAGE AND MUSEUMS BILL,
(SENATE BILLS NO.8 OF 2023)

We shall proceed to the next Bill, that is the Heritage and Museums Bill, (Senate Bills No. 8 of 2023). I ask the Chairperson to be on standby. Sen. Murgor, you are the Chairperson of the Standing Committee on Labour and Social Welfare. Approach the Dispatch Box.

(Sen. Murgor approached the Dispatch Box)

We are proceeding to the Heritage and Museums Bill, (Senate Bills No. 8 of 2023). Chairperson of the Standing Committee on Labour and Social Welfare, proceed to call the first clause.

Clauses 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13

*(Question, that Clauses 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
and 13 be part of the Bill proposed)*

Division will be at the end.

Clauses 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24

*(Question, that Clauses 14, 15, 16, 17, 18, 19, 20, 21, 22, 23,
and 24 be part of the Bill proposed)*

Division will be at the end.

Clauses 25, 26, 27, 28, 29, and 30

*(Question, that Clauses 25, 26, 27, 28, 29,
and 30 be part of the Bill, proposed)*

Division will be at the end.

Clause 31

(Question, that Clause 31 be part of the Bill, proposed)

I call upon Sen. Murgor, the Chairperson Standing Committee on Labour and Social Welfare to move the proposed amendments.

Sen. Murgor: I beg to move:-

THAT, Clause 31 of the Bill be amended in subclause (1) by inserting the words “and council of county governors” immediately after the words “the Board”.

(Question, that Clause 31 be part of the Bill, proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clauses 32, 33, 34, 35, 36, 37, 38, 39 and 40

*(Question, that Clauses 32, 33, 34, 35, 36, 37, 38, 39
and 40 be part of the Bill, proposed)*

Division will be at the end.

Clause 41

Sen. Murgor: I beg to move:-

THAT, Clause 41 of the Bill be amended by deleting the marginal note and substituting therefor the following new marginal note —Compulsory protection order.

(Question, that Clause 41 be part of the Bill, proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 42

(Question, that Clause 42 be part of the Bill, proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 43

Sen. Murgor: I beg to move-

THAT, clause 43 of the Bill be amended in subclause (2) by —

(a) deleting paragraph (c);
(b) deleting paragraph (d) and substituting therefor the following new paragraph—

(d) research in fields of scientific, technological, biomedical or human interest; and

(c) deleting paragraph (e).

(Question, that Clause 43 be part of the Bill, proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clauses 44, 45, 46, 47, 48, 49, 50, 51, 52, 53 and 54

(Question, that Clauses 44, 45, 46, 47, 48, 49, 50, 51, 52, 53 and 54 be part of the Bill, proposed)

Division will be at the end.

Clauses 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, and 65

(Question, that Clauses 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, and 65 be part of the Bill, proposed)

Division will be at the end.

Clauses 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, and 76

(Question, that Clauses 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, and 76 be part of the Bill, proposed)

Division will be at the end.

Clauses 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, and 87

(Question, that Clauses 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, and 87 be part of the Bill, proposed)

Division will be at the end.

Clauses 88, 89, 90, 91, 92, 93, 94, 95, 96, and 97

(Question, that Clauses 88, 89, 90, 91, 92, 93, 94, 95, 96, and 97 be part of the Bill, proposed)

Division will be at the end.

Clause 98

Sen. Murgor: Mr. Temporary Chairperson, Sir, I beg to move:-
THAT, the Bill be amended by deleting Clause 98.

(Question, that Clause 98 be part of the Bill, proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 99

(Question, that, Clause 99 be part of the Bill, proposed)

Division will be at the end.

Clause 100

Sen. Murgor: Mr. Temporary Chairperson, Sir, I beg to move:-
THAT, Clause 100 (1) of the Bill be amended by—

(a) inserting the words “in consultation with council of county governors” immediately after the words “Cabinet Secretary may” in the introductory clause; and

(b) deleting paragraph (c).

(Question, that Clause 100 be part of the Bill, proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clauses 101, 102 and 103

(Question, that Clauses 101, 102 and 103 be part of the Bill, proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

New Clause 99A

Sen. Murgor: Mr. Temporary Chairperson, Sir, I beg to move-

THAT, the Bill be amended by inserting the following new clause immediately after clause 99 —

Consultation between
the
National and County
Governments

98A. (1) The national and county governments shall perform their functions and powers under this National and Act on the basis of consultation and cooperation.

(2) The National Museums of Kenya shall, in carrying out its functions under this Act, consult council of county governors on any matter that affects the functions and powers of county governments.

The Temporary Chairperson (Sen. Wakili Sigei): Sen. Murgor, approach the Chair, please.

(Sen. Murgor consulted with the Temporary Chairperson (Sen. Wakili Sigei))

Sen. Murgor: Mr. Temporary Chairperson, Sir, I beg to move:-

THAT, the New Clause 99A be now read a second time.

*(Question, that the New Clause 99A
be now read a second time, proposed)*

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

The First, Second and Third Schedules

(Question, that the First Schedule, the Second Schedule and

the Third Schedule be part of the Bill, proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clause 2, the Title and Clause 1

*(Question that Clause 2, the Title and Clause 1
be part of the Bill, proposed)*

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

So, we are done with the Heritage and Museums Bill (Senate Bills No. 8 of 2023). We shall do reporting once the last one is done.

THE STATUTORY INSTRUMENTS (AMENDMENT) BILL
(SENATE BILLS NO.10 OF 2024)

The Temporary Chairperson (Sen. Wakili Sigei): We now proceed to the Statutory Instruments (Amendment) Bill (Senate Bills No. 10 of 2024) by the Senate Majority Leader.

The next Bill is the Statutory Instruments (Amendment) Bill (Senate Bills No. 10 of 2024). The proposed amendments that we will deal with are on Justice, Legal Affairs and Human Rights Committee. Sen. Crystal Asige, you are a Member of this Committee. You will briefly move the proposed amendments on behalf of the Chairperson of the Committee.

Someone is crossing over to your desk now.

(A Clerk Assistant moved to Sen. Crystal Asige's place)

The Temporary Chairperson (Sen. Wakili Sigei): Just alert the Chair once Sen. Crystal Asige is ready.

We are going to proceed. Proceed to call the first clause.

Clause 2

The Temporary Chairperson (Sen. Wakili Sigei): I call upon Sen. Crystal Asige, on behalf of the Chairperson of the Standing Committee on Justice, Legal Affairs and Human Rights, to move the proposed amendment.

Sen. Crystal Asige:- Thank you, Mr. Temporary Chairperson, Sir. I beg to move:-

THAT, Clause 2 of the Bill be amended in the proposed new section 24A by—

(a) deleting the word “regulatory-making” appearing immediately after the word “a” at the beginning of the proposed subsection (1) and substituting therefor the word “regulation-making”;

(b) deleting the word “regulatory-making” appearing immediately after the words “be made the” in the proposed subsection (2) and substituting therefor the word “regulation-making”;

(c) deleting the proposed subsection (3);

(d) deleting the proposed subsection (4) and substituting therefor the following new subsection —

(4) If a regulation-making authority under subsection (1), without a reasonable cause, fails to make a statutory instrument within the required timelines—

(a) the responsible Cabinet Secretary; or

(b) any other person authorised to make a statutory instrument under an Act of Parliament; commits an offence and is liable, on conviction, to a fine and not exceeding two million shillings.

(e) inserting the following new section immediately after the proposed new section 24A —

<p>24B. authority fails time, any petition consideration.</p>	<p>Petition to make a statutory instrument.</p>	<p>(1) If a regulation-making person may petition Parliament and may submit the together with a draft of the statutory instrument for</p>
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<p>Cap. petition in (Procedure) Act.</p>	<p>7E.</p>	<p>(2) A person shall submit the accordance with the Petitions to Parliament</p>
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(3) If the relevant House allows the petition, the Clerk of that House shall within seven days of tabling the report submit to the regulation-making authority a copy of —

(a) the report containing the decision of the House for implementation; and

(b) the draft statutory instrument, if any, that was submitted by the petitioner, for consideration.

(4) The regulation-making authority shall implement the recommendations of the House within sixty days of receipt of the report.

(Question, that Clause 2 be amended, proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

The Title and Clause 1

*(Question, that the Title and Clause 1
be part of the Bill, proposed)*

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

That also brings us to a close on the Statutory Instruments (Amendment) Bill (Senate Bills No.10 of 2024). We will do the reporting once the rest of the Bills are done.

THE SPORTS (AMENDMENT) (NO. 2) BILL
(SENATE BILLS NO.45 OF 2024)

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Senators, the next Bill that we are going to deal with is the Sports (Amendment) (No. 2) Bill (Senate Bills No. 45 of 2024).

The Chairperson, Standing Committee on Labour and Social Welfare, you will move the amendments once you are called upon.

Now, we will proceed to the Sports (Amendment) (No.2) Bill (Senate Bills No.45 of 2024).

Please, call out the first clauses.

Clauses 3 and 4

(Question that Clauses 3 and 4 be part of the Bill, proposed)

Division will be at the end.

Clause 5

The Temporary Chairperson (Sen. Wakili Sigei): I call upon the Chairperson, Standing Committee on Labour and Social Welfare, to move the proposed amendments.

Sen. Murgor: Mr. Temporary Chairperson, I beg to move:-

THAT, Clause 5 of the Bill be amended in subsection (2) of the proposed New Section 38c by—

(a) inserting the words “who shall be from different sporting disciplines;” immediately after the words “finance or economics” in paragraph (e); and

(b) inserting the words “who shall be from different sporting disciplines from the disciplines represented under paragraph (e)” immediately after the words “finance or economics,” in paragraph (f).

(Question, that Clause 5 be part of the Bill, proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division will be at the end.

Clauses 6 and 7

(Question, that Clauses 6 and 7 be part of the Bill, proposed)

Division will be at the end.

Clause 2, the Title and Clause 1

(Question, that Clause 2, the Title and Clause 1 be part of the Bill, proposed)

Division will be at the end.

Honourable Senators, that also brings us to a close on the proposals for amendments to the Sports (Amendment) (No. 2) Bill (Senate Bill No.45 of 2024).

THE COUNTY HALL OF FAME BILL
(SENATE BILLS NO.18 OF 2023)

The Temporary Chairperson (Sen. Wakili Sigei): The next Bill is the County Hall of Fame Bill (Senate Bills No.18 of 2023).

Please, proceed to call the first Clause.

Clauses 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12

(Question, that Clauses 3, 4, 5, 6, 7, 8, 9, 10,11 and 12 be part of the Bill proposed)

Division will be at the end.

Clauses 13, 14, 15, 16, 17, 18, 19, 20, and 21

(Question, that Clauses 13, 14, 15, 16, 17, 18, 19, 20, and 21 be part of the Bill, proposed)

Division will be at the end.

Clause 2, Title and Clause 1

(Question, that Clause 2, Title and Clause 1 be part of the Bill, proposed)

Division will be at the end.

Hon. Senators, that also brings us to the conclusion of the County Hall of Fame Bill (Senate Bills No.18 of 2023). We shall do the reporting cumulatively with the rest of the Bills.

We shall now proceed to the Public Audit (Amendment) Bill (National Assembly Bill No.4 of 2024). I expect the Chairperson, Standing Committee on Finance and Budget, to be present in the Chamber.

(Sen. Ali Roba was not in the Chamber)

In the absence of the Chairperson, Standing Committee on Finance and Budgets, we shall shelve that for the moment. Do we have any Members of that committee, for that matter?

(The Clerk-at-the-Table consulted with the Temporary Chairperson)

We will pend the Public Audit (Amendment) Bill (National Assembly Bill No. 4 of 2024) for any Member of the Committee on Finance and Budget to be present.

THE PUBLIC FUNDRAISING APPEALS BILL
(SENATE BILLS NO.36 OF 2024)

We will now proceed to the Public Fundraising Appeals Bill (Senate Bills No.36 of 2024).

Please, call out the first clauses.

Clauses 3, 4, 5, 6, 7, 8, 9 and 10

(Question, that Clauses 3, 4, 5, 6, 7, 8, 9 and 10 be part of the Bill, proposed)

Division will be at the end.

Clauses 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20

(Question, that Clauses 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 be part of the Bill, proposed)

Division will be at the end.

Clauses 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30

(Question, that Clauses 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30 be part of the Bill, proposed)

Division will be at the end.

Clauses 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40

(Question, that Clauses 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40 be part of the Bill, proposed)

Division will be at the end.

Clauses 41, 42, 43, 44, 45, 46, and 47

*(Question, that Clauses 41, 42, 43, 44, 45, 46,
and 47 be part of the Bill, proposed)*

Division will be at the end.

Clause 2, Title and Clause 1

*(Question, that Clause 2, Title and Clause
1 be part of the Bill, proposed)*

Division will be at the end.

Hon. Senators, that concludes on the Public Fundraising Appeals Bill (Senate Bills No.36 of 2024). We shall shortly do the reporting.

THE PUBLIC AUDIT (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILLS NO.4 OF 2024)

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Senators, the next is the Public Audit (Amendment) Bill (National Assembly Bills No.4 of 2024).

Sen. Tabitha, you will alert the Chair once you are ready.

Hon. Senators, we are ready to proceed. Clerk, you may call the first clauses.

Clauses 3, 4, 5 and 6

(Question, that Clauses 3, 4, 5 and 6 be part of the Bill, proposed)

Division at the end. Next.

Clause 7

Sen. Tabitha Mutinda: Mr. Temporary Chairperson, Sir, I beg to move: THAT, the Bill be amended by deleting Clause 7.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end.

Clauses 8, 9, 10 and 11

(Question, that Clauses 8, 9, 10 and 11 be part of the Bill, proposed)

Division at the end.

Clause 12

Sen. Tabitha Mutinda: Mr. Temporary Chairperson, Sir, I beg to move:-
THAT, Clause 12 of the Bill be amended in the proposed new subsection (1) by deleting the word “Senior” appearing immediately after the words “shall be a”.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end.

Clause 13

Sen. Tabitha Mutinda: Mr. Temporary Chairperson, Sir, I beg to move:-
THAT, Clause 13 of the Bill be amended in paragraph (a) in the proposed new subsection (1) by deleting the word “Senior” appearing immediately before the words “Deputy Auditor-General”. Subsection (2) of the provision will require an amendment

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end.

Clauses 14, 15, 16, 17, 18, 19 and 20

*(Question, that Clauses 14, 15, 16, 17, 18
19 and 20 be part of the Bill, proposed)*

Division at the end.

Clause 21

Sen. Tabitha Mutinda: Mr. Temporary Chairperson, Sir, I beg to move:-
THAT, the Bill be amended by deleting clause 21 and substituting therefor the following new clause—

Repeal of
section 25
of Cap. 412B 21. Section 25 of the principal Act is repealed.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end.

Clause 22

Sen. Tabitha Mutinda: Mr. Temporary Chairperson, Sir, I beg to move:-
THAT, the Bill be amended by deleting clause 22 and substituting therefor the following new clause—

Repeal of
section 26 of
Cap. 412B 21. Section 25 of the principal Act is repealed.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end.

Clause 23

Sen. Tabitha Mutinda: Mr. Temporary Chairperson, Sir, I beg to move:-
THAT, the Bill be amended by deleting clause 23 and substituting therefor the following new clause—

Repeal of
section 27 of
Cap. 412B 21. Section 27 of the principal Act is repealed.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end.

Clause 24

Sen. Tabitha Mutinda: Mr. Temporary Chairperson, Sir, Chair, I beg to move:-
THAT, Clause 24 of the Bill be amended in the proposed new section 31(1) by inserting the following new paragraph immediately after paragraph (b) —

(ba) at the end of an audit process on a public entity, there shall be an exit meeting between the officers of the office of the Auditor-General and the accounting officer of the respective entity to deliberate on an issue raised in the audit report.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end.

Hon. Senators, that concludes the proposals. Sorry, we still have a few others which we will need to deal with. Call them out.

Clauses 25, 26, 27, 28, 29 and 30

(Question, that Clauses 25, 26, 27, 28, 29 and 30 be part of the Bill, proposed)

Division at the end.

Clause 31

Sen. Tabitha Mutinda: I beg to move:-

THAT, the Bill be amended by deleting Clause 31 and substituting, therefore, the following new clause—

Amendment
of section 38

of Cap. 412B. 31. Section 38 of the principal Act is amended by deleting the words “lawfully and in an effective way” appearing immediately after the words “were done” and substituting therefor the words “in a lawful, economic, effective and efficient manner”

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end.

Clause 32

Sen. Tabitha Mutinda: I beg to move-

THAT, the Bill be amended by deleting Clause 32 and substituting therefor the following new clause— Insertion of new sections in Cap. 412B. 32. The principal Act is amended by inserting the following new sections immediately after section 38 —

Citizen

Accountability
audits.

Compliance audits. 38A. The Auditor-General may conduct periodic citizen accountability audits, upon request or at his or her own initiative, to ensure public contribution or participation in the audit process pursuant to Article 10 and 201 of the Constitution.

38B. The Auditor-General may conduct compliance audits to examine whether a public entity has complied with relevant laws, regulations and policies in the management of public resources.

Human resource
audits.

Any other audit. 38C. The Auditor-General may conduct human resource audits in public institutions.

38D. The Auditor-General may conduct any other audit that he or she may deem necessary for better carrying out of his or her functions under the Act.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end.

Clauses 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51 and 52

(Question, that Clauses 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51 and 52 be part of the Bill, proposed)

Division at the end.

New Clause 40A

Sen. Tabitha Mutinda: Mr. Temporary Chairperson, I beg to move:-

THAT, the Bill be amended by inserting the following new clause immediately after clause 40— Amendment of section 47 of Cap. 412B. 40A. Section 47 of the principal Act is amended— (a) in subsection (1) by deleting the word “three” appearing immediately after the words “Auditor-General within” and substituting therefor the word “two”; and (b) by inserting the following new subsection immediately subsection (1) — after (1A) An accounting officer shall submit the financial statements under subsection (1) in both hard copy and electronic form.

*(Question, that New Clause 40A
be read a Second Time, proposed)*

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end.

Clause 2, the Title and Clause 1

*(Question, that Clause 2, the Title and Clause 1 be part
of the Bill, proposed)*

Division at the end.

Hon. Senators, that concludes the proposal to amendments to the Public Audit (Amendment) Bill (National Assembly Bills No. 4 of 2024). We shall now move to the next one.

THE ENVIRONMENT LAWS (AMENDMENT) BILL
(SENATE BILLS NO.23 OF 2024)

We shall proceed and I expect the Chairperson, Standing Committee on Land, Environment, and Natural Resources to be present. Call out the first clause.

Clause 2

(Question, that Clause 2 be part of the Bill, proposed)

Division at the end.

Clause 3

Sen. Mwaruma: Thank you, Mr. Temporary Chairperson, Sir. I beg to move:-
THAT, Clause 3 of the Bill be amended by inserting the following new paragraph immediately after paragraph (db)-

(dc) shall ensure that women, youth, persons with disabilities as well as minorities and marginalised groups are involved in all the action plans in the management of the forests and environment.

(Question of the amendment proposed)

Division at the end.

Clauses 4, 5, 6, 7 and 8

(Question, that Clauses 4, 5, 6, 7 and 8 be part of the Bill, proposed)

Division at the end.

The Title

Sen. Mwaruma: Mr. Temporary Chairman, Sir, I beg to move-
THAT, the long title of the Bill be amended by deleting the long Title and substituting therefor the following new long Title –

“A Bill for

“An ACT of Parliament to amend the Forest Conservation and Management Act to make to make further provision for afforestation and reforestation of indigenous forest

in Kenya;” to promote tree-planting in all counties; to amend the Climate Change Act to provide for the setting and formulation of strategies to achieve national environment targets, annual carbon sequestration targets; and for connected purposes”.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Wakili Sigei): Division at the end. Senators, that brings us to the conclusion on that Bill.

THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL
(NATIONAL ASSEMBLY BILLS NO.3 OF 2024)

The Temporary Chairperson (Sen. Wakili Sigei): Proceed to call the first clause.

Clauses 3, 4, 5, 6, 7, 8, 9 and 10

(Question that Clauses 3, 4, 5, 6, 7, 8, 9 and 10 be part of the Bill, proposed)

Division at the end.

Clauses 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20

(Question, that Clauses 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 be part of the Bill, proposed)

Division at the end.

Clauses 2, the Title and Clause 1

(Question, that Clauses 2, the Title and Clause 1 be part of the Bill, proposed)

Division at the end.

The Temporary Chairperson (Sen. Wakili Sigei): Serjeant-at-Arms, could you please ring the quorum bell for three minutes?

(Division Bell was rung)

Serjeant-at-Arms, you could stop the Bell, noting that we do not have sufficient numbers to do the divisions. We will, however, proceed to report on the progress.

Shall we rise? Resume your seats, hon. Senators, we are reporting progress.

*(The Temporary Chairperson (Sen. Wakili Sigei)
consulted the Clerk-at-the-Table)*

Majority Leader, you will report on the progress. We will start with The Nuts and Oil Crops Development Bill (Senate Bills No. 47 of 2023). Proceed, Mover.

An hon. Senator: Which one is this?

The Temporary Chairperson (Sen. Wakili Sigei): The Nuts and Oil Crops Development Bill.

THE NUTS AND OIL CROPS DEVELOPMENT BILL
(SENATE BILLS NO.47 OF 2023)

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Chairperson, Sir, pursuant to Standing Order No.153, I beg to move that the Committee of the Whole do report to the Senate its consideration of the Nuts and Oil Crops Development Bill (Senate Bill No. 47 of 2023) and seek leave to sit again tomorrow.

Sen. Syengo seconded.

(Question proposed)

(Question put and agreed to)

The Temporary Chairperson (Sen. Wakili Sigei): Next is The Heritage and Museums Bill (Senate Bills No. 8 of 2023).

Mover, proceed.

THE HERITAGE AND MUSEUMS BILL
(SENATE BILLS NO. 8 OF 2023)

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Chairperson, Sir, pursuant to Standing Order No.153, I beg to move that the Committee of the Whole do report to the Senate its consideration of The Heritage and Museums Bill (Senate Bills No.8 of 2023) and seek leave to sit again tomorrow.

Sen. Syengo seconded.

(Question proposed)

(Question put and agreed to)

The Temporary Chairperson (Sen. Wakili Sigei): Next is The Statutory Instruments (Amendment) Bill (Senate Bills No. 10 of 2024).

Leader of Majority, proceed.

THE STATUTORY INSTRUMENTS (AMENDMENT) BILL
(SENATE BILLS NO.10 OF 2024)

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Chairperson, Sir, pursuant to Standing Order No.153, I beg to move that the Committee of the Whole do report to the Senate its consideration of The Statutory Instruments (Amendment) Bill (Senate Bills No.10 of 2024) and seek leave to sit again tomorrow.

Sen. Syengo seconded.

(Question proposed)

(Question put and agreed to)

(Sen. Veronica Maina consulted loudly)

The Temporary Chairperson (Sen. Wakili Sigei): Order, Senator Veronica. Next is The Environment Laws (Amendment) Bill (Senate Bills No.23 of 2024) Mover, proceed.

THE ENVIRONMENT LAWS (AMENDMENT) BILL
(SENATE BILLS NO.23 OF 2024)

The Senate Majority Leader (Sen. Cheruiyot): The Sports---

The Temporary Chairperson (Sen. Wakili Sigei): The Environment Law.

The Senate Majority Leader (Sen. Cheruiyot): Sorry?

The Temporary Chairperson (Sen. Wakili Sigei): The Bill is The Environment Laws (Amendment) Bill (Senate Bills No.23 of 2024).

The Senate Majority Leader (Sen. Cheruiyot): Correct. Mr. Temporary Chairperson, Sir, pursuant to Standing Order No.153, I beg to move that the Committee of the Whole do report to the Senate its consideration of The Environment Laws (Amendment) Bill (Senate Bills No. 23 of 2024) and seek leave to sit again tomorrow.

Sen. Syengo seconded.

(Question proposed)

(Question put and agreed to)

(Sen. Cherarkey consulted loudly)

The Temporary Chairperson (Sen. Wakili Sigei): Sen. Cherarkey, order, please. The next one is The Sports (Amendment) (No.2) Bill (Senate Bills No.45 of 2024). The mover, please.

THE SPORTS (AMENDMENT) (NO.2) BILL
(SENATE BILLS NO.45 OF 2024)

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Chairperson, Sir, pursuant to Standing Order No. 153, I beg to move that the Committee of the Whole do report to the Senate its consideration of The Sports (Amendment) (No.2) Bill (Senate Bills No.45 of 2024) and seek leave to sit again tomorrow.

Sen. Syengo seconded.

(Question proposed)

(Question put and agreed to)

The Temporary Chairperson (Sen. Wakili Sigei): The next one is The Public Audit (Amendment) Bill (National Assembly Bills No.4 of 2024).

Mover, proceed.

THE PUBLIC AUDIT (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO.4 OF 2024)

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Chairperson, Sir, pursuant to Standing Order No.153, I beg to move that the Committee of the Whole do report to the Senate its consideration of The Public Audit (Amendment) Bill (National Assembly Bills No.4 of 2024) and seek leave to sit again tomorrow.

Sen. Syengo seconded.

(Question proposed)

(Question put and agreed to)

The Temporary Chairperson (Sen. Wakili Sigei): Next is the County Hall of Fame Bill (Senate Bills No.18 of 2023).

THE COUNTY HALL OF FAME BILL
(SENATE BILLS NO.18 OF 2023)

Senate Majority Leader, proceed to move.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Chairperson, Sir, pursuant to Standing Order No.153, I beg to move that the Committee of the Whole do report progress on its consideration of The County Hall of Fame Bill (Senate Bills No.18 of 2023) and seek leave to sit again tomorrow.

Sen. Syengo seconded.

(Question proposed)

(Question put and agreed to)

The Temporary Chairperson (Sen. Wakili Sigei): Next is The Public Fundraising Appeals Bill (Senate Bills No. 36 of 2024).
Mover.

THE PUBLIC FUNDRAISING APPEALS BILL
(SENATE BILLS NO.36 OF 2024)

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Chairperson, Sir, pursuant to Standing Order No. 153, I beg to move that the Committee of the Whole do report progress on its consideration of The Public Fundraising Appeals Bill (Senate Bill No. 36 of 2024) and seek leave to sit again tomorrow.

Sen. Syengo seconded.

(Question proposed)

(Question put and agreed to)

The Temporary Chairperson (Sen. Wakili Sigei): We are now proceeding to report on The County Oversight and Accountability Bill (Senate Bills No.3 of 2024).
Mover.

THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL
(SENATE BILLS NO.3 OF 2024)

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Chairperson, Sir, pursuant to Standing Order No.153, I beg to move that the Committee of the Whole do report progress on its consideration of The County Oversight and Accountability Bill (Senate Bills No.3 of 2024) and seek leave to sit again tomorrow.

Sen. Syengo seconded.

(Question proposed)

(Question put and agreed to)

(The House resumed)

[The Deputy Speaker (Sen. Kathuri) in the Chair]

PROGRESS REPORTED**THE NUTS AND OIL CROPS DEVELOPMENT BILL
(SENATE BILLS NO.47 OF 2023)**

The Deputy Speaker (Sen. Kathuri): Order, Senators. We are now reporting progress of the Committee of the Whole. We start with The Nuts and Oil Crops Development Bill (Senate Bills No. 47 of 2023).

Proceed, Chairperson.

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered The Nuts and Oil Crops Development Bill (Senate Bills No. 47 of 2023) and seeks leave to sit again tomorrow.

The Deputy Speaker (Sen. Kathuri): Mover.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to move that the House do agree with the Committee in the said report. I ask Sen. Cherarkey to second.

The Deputy Speaker (Sen. Kathuri): Sen. Samson.

(Sen. Cherarkey bowed to the Deputy Speaker)

No, could you just pronounce yourself on it? It is neater that way. The HANSARD will not show that you bowed.

Sen. Cherarkey: Clerks-at-the-Table, is what I did inappropriate? Deputy Speaker, could you order the Senator for Bomet County to sit down?

Mr. Deputy Speaker, Sir, I second.

(Question proposed)

(Question put and agreed to)

**THE HERITAGE AND MUSEUMS BILL
(SENATE BILLS NO.8 OF 2023)**

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered the Heritage and Museums Bill (Senate Bills No.8 of 2023) and seeks leave to sit again tomorrow.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to move that the House do agree with the Committee in the said report.

I ask Sen. Beatrice Ogola to second.

Sen. Ogola: Hon. Deputy Speaker, I second.

(Question proposed)

(Question put and agreed to)

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THE STATUTORY INSTRUMENTS (AMENDMENT) BILL
(SENATE BILLS NO.10 OF 2024)

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered the Statutory Instruments (Amendment) Bill (Senate Bills No.10 of 2024) and seeks leave to sit again tomorrow.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to move that the House do agree with the Committee in the said report.

I ask Sen. Beatrice Ogola to second.

Sen. Ogola: Hon. Deputy Speaker, I second.

(Question proposed)

(Question put and agreed to)

THE ENVIRONMENT LAWS (AMENDMENT) BILL
(SENATE BILLS NO.23 OF 2024)

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered the Environment Laws (Amendment) Bill (Senate Bill No.23 of 2024) and seeks leave to sit again tomorrow.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to move that the House do agree with the Committee in the said report.

I ask Sen. Wakwabubi to second.

Sen. Wakwabubi Consolata: Mr. Deputy Speaker, Sir, I second.

(Question proposed)

(Question put and agreed to)

THE SPORTS (AMENDMENT) (NO.2) BILL
(SENATE BILLS NO.45 OF 2024)

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered the Sports (Amendment) (No.2) Bill (Senate Bills No. 45 of 2024) and seeks leave to sit again tomorrow.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to move that the House do agree with the Committee in the said report.

I ask Sen. Wakwabubi to second.

The Deputy Speaker (Sen. Kathuri): Sen. Consolata Wakwabubi, whose daughter is a friend to my daughter, go ahead.

Sen. Wakwabubi Consolata: Mr. Deputy Speaker, Sir, I second.

The Deputy Speaker (Sen. Kathuri): You must know some things that happen outside the corridors of power.

(Question proposed)

(Question put and agreed to)

THE PUBLIC AUDIT (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO.4 OF 2024)

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered the Public Audit (Amendment) Bill (National Assembly Bills No.4 of 2024) and seeks leave to sit again tomorrow.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to move that the House do agree with the Committee in the said report.

I ask Sen. Cystal Asige to second.

The Deputy Speaker (Sen. Kathuri): Why have you removed the responsibility from Sen. Wakwabubi? Is it because of the remarks I made?

(Laughter)

Sen. Asige, proceed.

Sen. Crystal Asige: Thank you, Hon. Deputy Speaker. I second.

(Question proposed)

(Question put and agreed to)

THE COUNTY HALL OF FAME BILL
(SENATE BILLS NO.18 OF 2023)

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered the County Hall of Fame Bill (Senate Bills No.18 of 2023) and seeks leave to sit again tomorrow.

The Senate Majority Leader (Sen. Cheruiyot): Hon. Deputy Speaker, I beg to move that the House do agree with the Committee in the said report.

I ask Sen. Beth Syengo to second.

The Deputy Speaker (Sen. Kathuri): Sen. Beth Syengo, the President of the Women of the Orange Democratic Movement (ODM).

Sen. Beth Syengo: Thank you, Mr. Deputy Speaker, Sir. I second.

(Question proposed)

(Question put and agreed to)

THE PUBLIC FUNDRAISING APPEALS BILL
(SENATE BILLS NO.36 OF 2024)

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered the Public Fundraising Appeals Bill (Senate Bills No.36 of 2024) and seeks leave to sit again tomorrow.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to move that the House do agree with the Committee in the said report.

I ask Sen. Beth Syengo to second.

Sen. Beth Syengo: Thank you, Mr. Deputy Speaker, Sir. I second.

(Question proposed)

(Question put and agreed to)

THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL
(SENATE BILLS NO.3 OF 2024)

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered the County Oversight and Accountability Bill (Senate Bills No.3 of 2024) and seeks leave to sit again tomorrow.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to move that the Senate do agree with the Committee on the said report. I request Sen. Tabitha Mutinda to second.

Sen. Tabitha Mutinda: Mr. Deputy Speaker, Sir, I second.

(Question proposed)

(Question put and agreed to)

(Resumption of debate on Statements)

The Deputy Speaker (Sen. Kathuri): Hon. Senators, we will go back to Order No.7 so that you make a few comments on statements that were requested. We will do that for 15 minutes maximum. Any Senator who gets an opportunity should not use more than three minutes.

Proceed, Sen. Mutinda.

Sen. Tabitha Mutinda: Thank you, Mr. Deputy Speaker, Sir, for the opportunity to make brief comments.

I rise to support the statement by Sen. Hamida Kibwana regarding recurring fire incidents in learning institutions. Before I do that, allow me to also pass sincere condolences and that of my family concerning the recent loss of our beloved students of Utumishi Girls Academy in Gilgil.

Following that statement by Sen. Hamida Kibwana, I would like to affirm that security apparatus should give a full report because we want to know more. We want to know what frameworks have been put in place and what is being followed and what is not being followed. As Parliament, we have put policies in place. We also have legislations but the gap is in terms of institutions adhering to what has been put in place.

I still want to appreciate the Cabinet Secretary for Interior and National Administration for arresting the culprits. Today, we saw them being arraigned in court but it does not just end there. We saw over the weekend children in different schools in different counties burning schools.

I have not come across a colleague especially in this House who has spoken about any strike that resulted in the burning of a school. I went to St. Anne's Girls Kiriari High School in Embu. We only went on strike once and never again did it happen because what we went through in terms of discipline nobody could even try to leave alone think about it. The thought of having another strike was not there.

Mr. Deputy Speaker, Sir, as I conclude on the same, we have Article 37 of the Constitution that allows us to do what we call *maandamano*. We have shown our children how we go out to the streets and how properties are destroyed and damages that are caused. We, parents, have shown that to our young ones. It is high time---

(Sen. Tabitha Mutinda's microphone was switched off)

The Deputy Speaker (Sen. Kathuri): You should indicate to Senators when their time is lapsing using the lights. However, Senator, you had concluded and that is fine.

Next is Sen. Veronica.

Sen. Veronica Maina: Thank you, Mr. Deputy Speaker, Sir, for the opportunity to make a comment on the two statements that were made by Sen. Hamida, one of them concerning Rachel Wandeto. On my own behalf and on behalf of the Kenya Women Senators, I once again offer our deepest condolences to the family of Ms. Rachel Wandeto. It left us completely shattered and aggrieved because of the manner in which Rachel was brutally attacked on 15th May, 2026.

It is unfortunate that there is a possibility that she was attacked on the basis of a tattoo of the President on her body, therefore exhibiting the level of intolerance the attackers had against Rachel's political persuasion. That is a sad thing to do. Though we are waiting for investigations to be concluded, we hope that that is not the situation we are in right now in our republic because with the robust Constitution of 2010, I do not even imagine a Kenyan thinking that they can be intolerant because of a divergent political opinion.

Whoever did this must know we think they are big cowards who are total losers in life, in this life and in the next life, because this is not tolerable both here on earth and even in heaven. There is no place in heaven for those thugs. Imagine attacking her with acid, dousing her with petrol or some flammable content and then setting her on fire. That is brutal. It is evil and almost demonic. We rebuke and strongly condemn that attack on Rachel.

As Kenya Women Senators Association (KEWOSA), we will be taking measures because of the Gender-based violence (GBV) that has become rampant in our republic. I would like to ask the whole community to take an approach where we say no to GBV, femicide and any action that has been targeted at women and girls or even boys or any member of society, any aggravation and violent attacks on the lives of people.

We must uphold the dignity of the right to life in the Republic of Kenya. We truly are very sad about Rachel and all women who have suffered such fate. There was another acid attack. In this House, we will also be seeking for regulations on how such flammable contents are regulated so that even if it means keeping a schedule of who is buying petrol in jerry cans, they might need to report to police stations what they are doing with it because we have seen there are people who cannot even be trusted with one litre of petrol or any flammable content in this republic. We decry that this must stop.

On the schools, we hope we will have a substantive Motion to see why the students have gone the way they have gone in Utumishi Girls High School. It is very sad to see that it is girls who did it. We still need to interrogate and find out what happened to these girls. Shockingly so, we must also assess ourselves as parents whether we are doing what we are supposed to do with our students or we have outsourced all the parenting to the teachers back in the schools. The school inspectors, the ones who are supposed to take audit and quality assurance of schools, will also be called to question on what they are doing to maintain the safety and security concerns that arise in school setups and boardings.

We will need to rethink whether in this Republic we need boarding schools or it is time to say we review how we manage students in the Republic of Kenya.

Thank you, Mr. Deputy Speaker, Sir, for the moment.

The Deputy Speaker (Sen. Kathuri): Sen. Crystal Asige, please, proceed.

Sen. Crystal Asige: I hope my minutes are not going.

Thank you, Mr. Deputy Speaker, Sir. I spent Friday at Utumishi Girls Academy talking to families, authorities, counsellors, volunteers and teachers. Despite the whirlwind of narratives going around, let us set aside conjectures and speculation and focus on the bare and undisputed truth.

A total number of 16 innocent girls perished in those flames. That is 16 futures extinguished and 16 families that are shattered. Let us make no mistake about it. What happened must be condemned undoubtedly. It has sent chills across the country and everyone involved will have to answer to the law for these lost lives and the heart wrench that has ripped through families and survivors across the country.

However, dynamic and compounded circumstances continue to become. This is not just a one-off tragedy. It is a national failure on repeat. I will tell you the brutal truth with the facts. Let me show you.

In 1998, in Bombolulu Girls, 26 students died because of fire. In 2001, in Kyanguli Secondary School, 67 died. In 2017, in Moi Girls High school, 10 died. In 2024, Hillside Enderasha Academy, 21 died, and now in 2026, in Utumishi Girls, 16 died, feared to be 19 according to reports this week. Over 160 Kenyan students burned alive in school dormitories in three decades, Fire after fire, recommendation after

recommendation, declaration of non-compliance to schools after inspections that are ignored because they continue to remain operational because of kickbacks.

While we pass blame and point fingers, we ignore a deeper fire burning in the youth. Young people, generation after generation, not just this one, are bold, empowered, and unafraid to speak. They voice discomfort, over harsh discipline, academic pressures, poor living conditions, peer pressure, and unaddressed student body frustrations over the decades. Yet, our ministries are silent on deliberate mental health strategies overworked and underpaid teachers, absent resident counsellors, and disconnected parents. If we have learned anything about young people, particularly now on the second anniversary of the 25th June protests which are coming up, it is that when you do not listen to young people, they will act.

Investigations must not re-traumatize survivors. The Department of Children's Services should not be invisible at this moment because so far, we have seen the Directorate of Criminal Investigations (DCI) more than them, yet they should be the ones to promote the Mental Health Act, the Children's Health Act, as well as the Basic Education Act in all matters to do with young people in our schools. A total number of 16 souls will never graduate, build careers and raise families because we failed to act on what we already know we must do.

I, therefore, call on the Cabinet Secretary for Education to act immediately.

First, mandate professional health counsellors at every single boarding school in a phased roll out starting even next term because this is urgent.

Secondly, fully implement and enforce all past recommendations for these kinds of incidences. For instance, fire equipment, industry standard fire doors, accessible exits, habitable dormitories and psychological support for students in boarding and mixed schools.

Thirdly, establish a national mental health fund for schools that does not take shortcuts like we have seen in the past in our institution. In addition, perhaps require annual mental health audits for all schools with quarterly public reporting so that parents and the country at large can see how our kids mental health is doing and strategies around it.

The time for decisive, funded, monitored implementation is now. We do not have any more time and, or any more lives that we can lose before we take this seriously as a country.

I thank you.

The Deputy Speaker (Sen. Kathuri): Sen. Okenyuri, please proceed.

Sen. Okenyuri: Thank you, Mr. Deputy Speaker, Sir.

I would like to support Sen. Cherarkey's statement on money that is sent to erroneous mobile numbers. While Safaricom has tried to improvise ways whereby you can get back your money, I wish to state that most of the time that is dragged. By the time you get to send a message, the money has already been used on the other side. So, in my opinion, the issue of dragging how fast someone is able to get a reprieve needs to be looked into. There is no point of sending me to my bank when I have sent money to the wrong pay bill number. You take a very long time to claim money from that specific bank.

So, there has to be internal ways in which these banks can collaborate so that the person affected is able to quickly get redress, and the matters that have been forwarded to the police are quickly expedited so that this is sorted immediately.

Mr. Deputy Speaker, Sir, with regard to the statement by Sen. Mundigi on strikes in Embu County, I do not think it is just in Embu. The matter is currently across the country in a notorious group, grade 10. During our time, that was from two students. So, it is really sad that we are witnessing what we are witnessing from students who, on the other hand, would never have done this.

The matter on strikes is not just about teachers. It needs concerted effort of the teachers, government agencies and students to understand that there are channels of resolving issues when you feel uncomfortable with a certain issue, other than what we saw in Utumishi Girls High School, where students had to burn down their fellow students.

I would not directly want to point fingers but commend the DCI for swinging into action and arresting the alleged culprits so that this does not occur again next time, because already this was more of something intentional. We already viewed the Closed-Circuit Television (CCTV) footage. Some people have raised concerns why we have the CCTVs in the dormitories. Of course, there is the matter of privacy, but on the other hand, how would we have known that it is their colleague students who did this heinous act on their fellow students?

I wish this conversation centres more on bringing together the students, government agencies, parents and schools, so that parents also get to note that it does not end the moment we take our children to school. We need to follow keenly what our children are doing. My mum would randomly pop into Kenya High School just to get to know what I was doing even without my knowledge.

Sen. Ogola: Honourable Deputy Speaker, Sir, as I rise to support two statements here, one by nominated Senator, Consolata, I join fellow Kenyans in condoling with the families of the girls who lost their lives in Utumishi Girls Academy, Gilgil.

Secondly, I congratulate the President of Kenya, Dr. William Samoei Ruto, for the successful celebration that he led in Wajir. Mr. President, you went a long way to tell all Kenyans and the world that all Kenyans belong, that we had a successful celebration in Wajir, and we saw the kind of development taking place there. We assure Kenyans that we have a President who considers all areas of this Republic, unlike other people, who feel that they belong more than the others. Soon we will be demonstrating to them that we are a number and we believe in the same.

I support Sen. Consolata's statement, especially on the delayed payments for teachers who were engaged by KNEC to mark exams. I have been a teacher and I know what it means for a teacher to leave their families over the holidays to go sit and sleep in a dormitory somewhere in some school marking examinations. We will be asking that this committee goes ahead to ensure that the KNEC has the monies that are due to teachers as teachers go to mark examinations, so that as soon as they are through with the marking of exams, they are paid as they leave the marking centres. Why do I say that?

They have lost opportunities. They leave their families behind. There are other things those teachers could do. We must consider better in terms of the welfare of teachers in this Republic, if we want all the benefits that teachers give us.

Secondly, I support the statement by the Senator of Taveta County, my *jirani*, Sen. Mwaruma, on the delayed opening of the portal for applications to diploma teaching courses.

Teachers are a backbone in this country. Without teachers, even you seated there as the Deputy Speaker, would not be here because I believe there is a requirement for you to be a Member of this House.

(The amber light was switched on)

The Deputy Speaker (Sen. Kathuri): I give you maybe 30 seconds to conclude.

Sen. Ogola: Mr. Deputy Speaker, Sir, on the same note, you talked about your association with Sen. Consolata. You need to tell this House that you have known each other from a past.

The Deputy Speaker (Sen. Kathuri): Oh sure. I should.

Sen. Ogola: I support these two statements. May the issue of teachers be looked into.

The Deputy Speaker (Sen. Kathuri): Sorry, I did not disclose that we have known each other for some years, but I do not want to give more details.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, allow me to use this opportunity to pass condolence to the families of the 16 young girls that perished in the Utumishi tragedy. I join those who are calling for a quick conclusion of the investigations and the decisive action that has been taken this far.

I believe culpability should not end just with the young girls that I think have been presented before courts of law today. If within the school administration there are people who are found to have been complacent in their responsibilities, then corrective action needs to be taken.

Further to that, I hold a different view completely from what Sen. Crystal Asige is saying. I do not believe that we can be telling young people that if they are not listened to, then they will explode, especially while we are at the same time passing a message of condolence as a result of young people setting a very bad precedent by burning their schoolmates. That is akin to encouraging those young people that what they did is justifiable.

The Deputy Speaker (Sen. Kathuri): Majority Leader, there is a point of order from Sen. Asige.

Sen. Crystal Asige: Thank you, Mr. Deputy Speaker, Sir. This is just on Standing Order 105 on Statement of Fact. Perhaps, the Majority Leader did not listen to my submission in full, or perhaps when I was speaking he was in and out. I did not say that we should be telling young people that if we do not listen, they will act. Those are not my words, Speaker. The HANSARD will bear me witness. That was not what I said; not what I implied or inferred.

I would like that to be kindly withdrawn, so that it is not assumed that I am saying that we should give license for young people to do whatever they so wish if the adults that are around do not listen to what they are saying.

The Deputy Speaker (Sen. Kathuri): Maybe Sen. Crystal, you can put the record straight on what you meant. What did you say about the youngsters exploding?

Sen. Crystal Asige: That was not what I said. What I said is that if there is anything we have learnt from young people over generations, I gave examples of fires that have been started back in the 1990s. We can even go back to the 1980s. I did not go back that far. I started with 1991, Bombolulu Girls, where girls died because of a fire outbreak. Same thing, similar circumstances.

I am saying that we should learn that generation after another, young people, if they are not listened to, feel pushed to the wall to act, so that they can be listened to. My call and cry is actually that as adults, as a government, as a parliament, as an executive, we should be listening to the cries of young people before it gets to the point where they feel like they have got no other choice but to act so that they can be heard.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir in fact, what Sen. Asige is saying is precisely what I am saying. I took note of the fact that you juxtaposed your argument, which you have just repeated on the Floor, with your message of condolence.

The inference then is that because those young people are not listened to, they did what they did. We need to teach our young people to know that despite the fact that what you want is not accorded to you at a particular time, violence is never an option. What I hear many people say out there is that, "oh, you know, these young people, they watch politicians, they watch demonstrations, therefore they are doing all these things that are being done to them." We must be resolute in our message, and unequivocal, that violence is never an option to resolving anything. We can never appear to be entertaining any thoughts of--- I hear people sometimes hero-worship the silly things and the unfortunate things that happened in the Parliament of Kenya on 25th June, 2024. No responsible leader can ever look at any young person in the face and tell them that what they did was right.

As young people also we were dissatisfied with various things that were happening in society. I never sought to burn any institution, not my high school, not my university, not the Parliament that existed in that particular day. That is a message that we must repeat to everybody, so that people are quite clear that being dissatisfied with things as they are, taking the route of being violent is never an option. I thought that we need to make that clear.

The Deputy Speaker (Sen. Kathuri): Sen. Cherarkey.

Sen. Cherarkey: Mr. Deputy Speaker, Sir, there is a statement that was raised by---

(An hon. Senator spoke off record)

Mr. Deputy Speaker, Sir, you need to protect me from Sen. Crystal.

The Deputy Speaker (Sen. Kathuri): Sen. Crystal is not interrupting you in any manner. Why do you feel you need protection and you know she is harmless? She cannot do anything to you. She is a very nice lady.

Sen. Cherarkey: Mr. Deputy Speaker, Sir, you know too much, but let me proceed to state that I have seen a statement by Sen. Omtatah about affordable housing. It is very unfortunate that leaders of our calibre continue to misinform the public. This flagship affordable housing project under President William Ruto's tenure is one of the best. Article 43 states that every Kenyan has a right to housing. Therefore, the fact that the Government is intending to build 273,000 housing units in the country is very critical.

It is important to note that more than 9,000 affordable housing units have been completed up to now. We are looking at the projection that one million Kenyans will have access to affordable housing projects in this country. Also, 330,000 jobs have been created in the country. It is unfortunate that such statements can come to the Floor of the House even if you want to score political points. This is because affordable housing is trying to bring dignity and honor to many Kenyans who live in slums. This is slum upgrading which is for the first time in every county, including Meru, Nandi and in Busia, where Sen. Okiya comes from. In fact, Sen. Okiya's County has five affordable housing projects, Busia Agricultural Training Centre (ATC), Funyula Affordable Housing and Nasewa Affordable Housing Programme that is ongoing. So, we must be honest to this country.

Finally, the issue of Rachel Wandeto is very unfortunate. Burning her for drawing a tattoo of President Wiliam Ruto is a threat to political freedom. That is the consequence of tribal hate rhetoric by former impeached Deputy President. People take it casually. The fact that he continues to preach negative tribal ethnicity in this country is threatening freedom of expression. It must be called out.

I send my deepest condolences and thank the Kenya Women Senators Association (KEWOSA) for standing with her. Everybody has a right to express their political affiliation, whichever side they come from.

The Deputy Speaker (Sen. Kathuri): Proceed, Sen. Mungatana.

Sen. (Dr.) Mungatana MGH: Thank you, Mr. Deputy Speaker, Sir. I want to comment on the statement on reversal of monies from Safaricom. I want the committee to also look at the possibility of recommending that the procedure be made easy for monies in the phones of the deceased persons to be available to the relatives such as a wife or a husband, as the case may be. You find that Safaricom makes you produce a birth certificate, a burial permit and also letters of administration or a grant of probate.

The amount of money in many of the funerals that I have attended in Tana River County, is less than Kshs50,000. So, why can it not suffice for the burial permit and the letter from the chief for the family to access the money? I have attended many funerals and some of the complaints that are raised are very genuine. I want the committee, when they are engaging in this matter, to go wider. People from far off areas whose spouse, son or daughter has passed away and had little money can access it because, all the time, Safaricom remains with it.

Safaricom needs to make it easier because they are collecting from all over the country. Some of their most profitable collections are from people who have less than

Kshs50,000 in their phones. It makes no sense to ask someone to go and get a grant of probate, using a lot of money to pay an advocate for them to just access, maybe, Kshs10,000, which is in a phone. So, I urge the committee to go wider and find a way to help our people.

I submit.

The Deputy Speaker (Sen. Kathuri): I think that should be the end of this session on Statements. Maybe I will have mercy on Sen. Mariam and Sen. Murgor. I have pronounced your names, so that I can be on record, as my colleague takes over this seat.

[The Deputy Speaker (Sen. Kathuri) left the Chair]

[The Temporary Speaker (Sen. Veronica Maina) in the Chair]

Sen. Mariam Omar: Thank you, “Mr. Speaker, Sir”, for giving me this opportunity.

First, before I comment on the statement, I appreciate and thank His Excellency for celebrating Madaraka Day in Wajir County. Northern Kenya in general has recognised that a public holiday is beneficial. I beg Mr. President, because I know he will be voted for the second term, to hold the next public holiday in Mandera.

Madam Temporary Speaker, I wanted to comment on the--

The Temporary Speaker (Sen. Veronica Maina): Sen. Mariam, do not refer to me again as Mr. Speaker.

Sen. Mariam Omar: Sorry, Madam Temporary Speaker. I had not seen the change of Speakers.

I want to condole with Utumishi Girls School. Children belong to the society. In Kenya, there are demonstrations and destruction of properties. So, when children see that in the television, they think that if they do that, people will listen to them. Therefore, we need an urgent and firm action on all *maandamanos* that normally leads to destruction of properties, so that our children do not see it and implement it in schools.

Secondly, my question to the Ministry of Education, is how frequently they normally do inspection regulation of the school. Thirdly, to comment on the reversal of M-Pesa money, a colleague of mine wanted to pay rent, but, unfortunately, the money went to a wrong number and immediately the money was used. Safaricom must put that money as credit, so that the person who received it can repay it.

The Temporary Speaker (Sen. Veronica Maina): Time is up, Sen. Mariam. Proceed, Sen. Murgor.

Sen. Murgor: Thank you, Madam Temporary Speaker, for giving me the opportunity. I would like to make a comment on importation of food items as aired by Sen. (Dr.) Murango.

I agree with him that the agents that import food into the country have to be watched, controlled and managed. This is because a farmer puts their efforts, economic strength and ability to produce rice or maize. So, when the market is flooded with other foodstuffs from outside, it ruins it for them. Therefore, our farmers that produce these

foods should be protected because it is their economical source of strength and ability comes from there. Also, they should be protected because that is their livelihood.

When the market is flooded with outside items, it just ruins the market. When the President asked Kenyans to go back to the farms, a lot of food such as cereals are now being produced and therefore, giving farmers ability to sell. The market should not be ruined for them.

Thank you very much.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Senator.

MESSAGE FROM THE NATIONAL ASSEMBLY

DECISION OF THE NATIONAL ASSEMBLY ON AMENDMENTS TO THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILLS NO.2 OF 2026)

Hon. Senators, I have a communication to make on a message from the National Assembly on the decision of the National Assembly on the Senate amendments to the Division of Revenue Bill (National Assembly Bills No.2 of 2026).

Hon. Senators, I wish to report to the Senate that pursuant to Standing Order No.46(3), I have received the following message from the Speaker of the National Assembly regarding the decision of the National Assembly on the Senate amendments to the Division of Revenue Bill (National Assembly Bills No.2 of 2026).

The Message, dated Tuesday, 2nd June, 2026, was received in the office of the Clerk of the Senate on the same date. Pursuant to Standing Order No.46(4), I now report the Message.

WHEREAS on Tuesday, 10th March, 2026, the National Assembly passed the Division of Revenue Bill, (National Assembly Bills No.2 of 2026) and thereafter referred it to the Senate for consideration in accordance with Article 110 for the Constitution.

AND WHEREAS on Thursday, 14th May, 2026, the Senate considered and passed the said Bill with amendments and referred it back to the National Assembly for reconsideration in accordance with provisions of Article 112(1)(B) of the Constitution.

FURTHER WHEREAS on Tuesday, 26th May 2026, the National Assembly rejected the Senate amendments to the Division of Revenue Bill, 2026, thereby committing the Bill to a mediation committee in accordance with provisions of Article 112(2)(B) of the Constitution.

NOW THEREFORE, in accordance with the provision of Article 112 of the Constitution and Standing Orders No.41(1) and 148(B) of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate and seek the appointment of seven Senators to a Mediation Committee to consider the Bill in accordance with the provisions of Article 113 of the Constitution.

Hon. Senators, consequent to the said decision, the Speaker of the National Assembly appointed the following Members of the National Assembly to the Mediation Committee to consider the Bill in accordance with Article 113 of the Constitution.

- (1) Hon. Atandi Samuel Olunga, CBS, MP - Co-Chairperson

- (2) Hon. (Dr.) Pukose Robert, CBS, MP
- (3) Hon. Lesuda Josephine Naisula, MP
- (4) Hon. Angaya Christopher Aseka, MP
- (5) Hon. Mokaya Jafet Nyakudi, MP
- (6) Hon. Kagidi Jean Wangeshi, OGW, MP
- (7) Hon. Mutuse Ekomas Muengi, OGW, MP

Hon. Senators, I have also consequent to Article 113 of the Constitution and Standing Order No.166(2) of the Senate and in consultation with the Senate Majority Leader and Senate Minority Leader, appointed the following Senators to the Mediation Committee.

- (1) Sen. Ali Roba Ibrahim, EGH, MP - Co-Chairperson
- (2) Sen. Maureen Tabitha Mutinda, CBS, MP
- (3) Sen. (Dr.) Lelegwe Ltumbesi, MP
- (4) Sen. Cheburet Kiprono-Chemitey, MP
- (5) Sen. Ledama Olekina, CBS MP
- (6) Sen. Mohamed Faki Mwinyihaji, CBS MP
- (7) Sen. Eddy Oketch, MP.

Hon. Senators, the Mediation Committee, having now been fully constituted, will embark on its consideration of the Bill and attempt to develop a version that both Houses will pass.

I thank you.

Next Order.

The previous Speaker had given a direction on what was to be done on the statements and had named Sen. Murgor as the last person to contribute on that.

Let us move to the next Order.

BILL

Second Reading

THE ENVIRONMENTAL MANAGEMENT AND COORDINATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO.66 OF 2023)

(Sen. Crystal Asige on 07.05.2026)

(Resumption of debate interrupted on 07.05.2026)

Sen. Maanzo had already concluded on his debate. Sen. Omogeni, are you still on a request on this one? There are no more Senators interested in contributing to this Bill, so I will call on the Mover to reply.

Sen. Asige, you may proceed.

Sen. Crystal Asige: Thank you very much, Madam Temporary Speaker, for the opportunity to reply to this Environmental Management Coordination (Amendment) Bill.

I thank all Senators who were able to contribute and give their opinions and thoughts on how to enrich it even further; they are all welcome. I look forward to those suggestions and contributions being drafted into amendments that I hope to see tabled at the Committee of the Whole, which will be next.

I thank you very much and I beg to reply.

I would like to request Sen. Beatrice Ogola to Second.

The Temporary Speaker (Sen. Veronica Maina): You do not need to call a seconder because you have already replied.

Sen. Crystal Asige: I beg to reply.

The Temporary Speaker (Sen. Veronica Maina): Would you like to request the Speaker to defer the putting of the question?

Sen. Crystal Asige: Thank you, Madam Temporary Speaker. Pursuant to Standing Order No.66, I would like to request that putting of the the question be put at a later date.

The Temporary Speaker (Sen. Veronica Maina): I direct that we defer the putting of the question be deferred to a later date.

(Putting of the question on the Bill deferred)

Next Order.

I will reorganise the Order Paper, so that we move to Order No.29.

Sen. Mariam on behalf of the Chairperson Committee on Health, proceed.

Sen. Mariam Omar: Thank you, Madam Temporary Speaker. I request to move the Motion in an amended form pursuant to Standing Order No.62.

Madam Temporary Speaker, I beg to move that the Senate adopts the report of the Standing Committee---

The Temporary Speaker (Sen. Veronica Maina): Sen. Mariam Omar, you first have to abide for the Speaker to allow you to move the Motion in an amended version. I hereby allow you to proceed and move the Motion in an amended form.

MOTION

ADOPTION OF REPORT ON OVERSIGHT NETWORKING ENGAGEMENTS IN KITUI, MAKUENI AND MACHAKOS COUNTIES

Sen. Mariam Omar: Thank you Madam Temporary Speaker. I beg to move-

THAT, the Senate adopts the Reports of the Standing Committee on Health on the County Oversight and Networking Engagements in Kitui, Makueni and Machakos Counties, laid on the Table of the Senate on Thursday, 26th February, 2026; Kiambu County laid on the table of the Senate on Thursday, 19th March 2026; Bungoma and Kakamega counties, laid on the Table of the Senate on Tuesday, 21st April, 2026.

I have combined the request for the amendment of the Motions because what we saw in the five counties are almost the same. The recommendations are in the report of

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each county. Most counties lack staff motivation due to staff shortage. We have so far visited close to 28 counties and we intend to visit all the 47 counties before the end of the session.

We noted discrepancy of infrastructure. Most infrastructures are stalled because the new governors abandon projects that had been started by their predecessors and start new ones. There are a lot of stalled projects in hospitals due to that and the other reason is pending bills. There is shortage of drugs in most counties because the Kenya Medical Supplies Authority (KEMSA) refill rate is very low due to non-payments. We have asked the counties to first pay KEMSA before they request for additional drugs.

We also visited the referral hospitals and made impromptu visits to dispensaries. We have noted that most dispensaries lack technical staff to dispense the drugs. The nurses end up being the ones dispensing drugs. Those dispensaries also have shortage of staffs and those who are there are not paid on time. Therefore, their motivation is low.

We urge the county governments to promptly solve the issue of the staff. This is because human resource affects 90 per cent of the health sector. If those people are not treated well, the health sector cannot work well.

We realised that there is a lot of rejection of the Social Health Authority (SHA) claims and most hospitals cannot reclaim again because of time. Most hospitals said that they do not have finances because SHA does not remit money to the counties yet they rely on SHA 90 per cent. As a Committee, we have recommended that SHA pays the counties all the claims within 90 days.

We also realised that there is lack of maintenance in many maternity hospitals. Most of them do not have water in the taps. When the Facilities Improvement Financing (FIF) money gets into the accounts, the county governors direct that the money be transferred somewhere. Instead of using that money in the dispensaries and hospitals, they use that money for other purposes. We must restrict the governors to use money meant for hospital in the hospital and not for other purposes.

We also have to highlight some good things that we noted in the hospitals. Kakamega County has a very good mortuary. The mortuary has different sections. They have a section for police cases, bodies that are under investigations. They also have a section for Very Important Persons (VIPs) and the rates are different. They also have a section for other people. The mortuary revenue has improved because of those changes. We also urge the county governments to benchmark with the County of Kakamega, so that they can see how to increase their revenues.

Madam Temporary Speaker, there is also the issue of equipment. Most of the equipment that has been under the Mission for Essential Drugs and Supplies (MEDS) are not working. I remember in one county, they had the equipment, but the reagents were not there. They cannot use the machine because of lack of reagents. We urge that when they take the contract on this equipment, they should know who will do the maintenance of the machines, how they will do the installation and whether it will be on a cash basis.

The other issue is the information system used by the hospitals. Most of our hospitals are using paper. I remember there is one county whose system showed that they had admitted about five women for normal delivery in their system, but when we went to the physical ward in the maternity side, there were almost 30 women. So, there is

contradicting information between the system they are using and what was on the ground. So, as they automate their systems, let them correct it, so that, at least, the system can be effective. Most of these systems cost billions of shillings. There must be value for money for the system they are using.

We also realised that some counties vaccinate children. They do physical vaccinations, but when it comes to recording on the system or in the book, it is different. So, the counties must also do good record-keeping, so that at least there is accountability.

We also realised that there are Global Fund staff who are currently working under the county governments, but have not been paid to date. We have raised that issue and put this issue of the Global Fund staff under the Division of Revenue Bill, which is under the mediation committee. I hope it will be considered to solve the issue of the staff and the Global Fund.

Madam Temporary Speaker, with all those remarks, I move the Motion and request Sen. Mungatana to second.

I thank you.

The Temporary Speaker (Sen. Veronica Maina): Sen. (Dr.) Mungatana, you may proceed.

Sen. (Dr.) Mungatana, MGH: Madam Temporary Speaker, I want to thank the Hon. Vice Chairperson of the Standing Committee on Health for very ably moving this Motion. I also want to thank the team that went out to the three counties of Kitui, Makueni and Machakos.

Madam Temporary Speaker, I rise to second this Motion that we adopt this report on the findings that they made. The objective of these visits is to wake the county administration as far as health matters are concerned. It really helps when the Committee on Health moves around the counties, so that they can remind the governors that we need them to do the work they swore to do for the people.

When this committee went to assess the state and quality of infrastructure, the facilities, equipment and provision of emergency services in the counties of Kitui, Makueni and Machakos, they found them to be below par. When they went to check and assess the automation of the health services in those three counties, they found it was less than what was expected. There were gaps in the healthcare personnel in these three counties. They found a lot of things that did not live up to expectations.

One of the things I wanted to request the national Government to do is that when we come before the Senate and debate the Division of Revenue Bill, many times we have a back and forth on how much money should go to the counties. I want to say something in the defense of governors, the funds they receive may not be enough to sustain the demands of the health requirements within the counties. There is therefore a need for the national Government to reconsider the share they are taking and allow more money to trickle down to the counties in general, including these three counties and the county that I represent, Tana River County.

Having said that, in defense of the governors generally, there are specific recommendations that the governors of Kitui, Machakos and Makueni counties have been given by this committee. My prayer is that they look at them and implement them. The Governor of Kitui must be told to ring-fence emergency capital funds for the acquisition,

repair and installation of functional biomedical waste incinerators and the repair of the malfunctioning overall CCTV camera system. In short, we want it so that by next year, the Governor of Kitui County will look at where the biomedical waste goes. This is the same recommendation made to the governors of Makueni and Machakos Counties.

Biomedical waste is hazardous and can affect a lot of people and cause diseases. While we are trying to treat people, if the waste from the hospitals is not handled properly, we will end up infecting people even more. The situation is no different from the situation in my county of Tana River. When you look at the referral hospital in Hola, disposal of biomedical waste is a nightmare. There is actually no effort being put in by the county government to make sure that the hazardous waste, the biomedical waste, is handled properly. There is no effort being put by the county government to make sure that the hazardous waste, the biomedical waste that comes from the hospital is properly incinerated and destroyed.

Madam Temporary Speaker, when it rains, even the hospital area is affected by water. It becomes waterlogged. On disposal of waste, biomedical waste is a challenge and if the referral hospital in Hola in Tana River County is like that, you can imagine the situation in all other lower-level hospitals. I wanted to use this Floor to call upon the Governor, the CEC and the Chief Officer in charge of health in Tana River to do something about the disposal of biomedical waste within the counties. Just like these recommendations have been made to Makueni, Machakos and Kitui, the same, applies to Tana River County. I would not want to take a lot of time, but these reports ought to be served on the three county governments, so that the information that has been gathered by this Senate Committee on Health can be applied and next year when they are doing the rounds, they will not find the same situation as it is.

Madam Temporary Speaker, with those few remarks---

The Temporary Speaker (Sen. Veronica Maina): Sen. Danson, just to bring to your attention, the Motion was moved in an amended version to include Kiambu, Bungoma and Kakamega counties.

Sen. (Dr.) Mungatana, MGH: Yes. Madam Temporary Speaker, with those very many remarks, I beg to second.

I thank you.

(Question proposed)

The Temporary Speaker (Sen. Veronica Maina): Honourable Senators, as I call you to contribute, make contributions on this Motion, please note that the amended Motion consolidated agenda 29, 30 and 31 that brings into purview all the counties that I have read out in that question.

Honourable Senators, the Motion is now open for debate.

Proceed, Sen. Mutinda. Please give her the microphone.

Sen. Tabitha Mutinda: Thank you so much, Madam Temporary Speaker. Let me start by appreciating Members in our committee led by the Chairperson, Sen. Mandago; the Vice-Chairperson, Sen. Mariam; Sen. Hamida Kibwana; Sen. Ledama Olekina;

Senator for Kilifi, Sen. Madzayo; Senator for Lamu, Sen. Kamau and yours truly; not forgetting the new Senator.

I say so because we have conducted oversight as a committee. Sen. Onyonka, who is also a member of this committee, has participated in this work. We have carried out our oversight in a very different way compared with the other committees where I also serve. Each member has a role and mandate in specific areas of focus.

As supporters of devolution in the Senate, we have fought for more funding for counties, especially from where I sit in my other responsibilities. When we visit counties, we try to relate the allocation of 30 per cent to the health sector with the actual output. Let me appreciate the counties because, despite the challenges we have encountered as the Senate, at least, the hospitals exist. People are able to access services from these hospitals, though these services could be better.

I recall when we visited the great County of Kiambu, which is just nearby, my area of focus during oversight visits is usually the pharmaceutical sector. We often find a significant gap in record keeping. These institutions have computers, but the data does not match the physical records. We encounter situations where pharmacies operate just outside hospitals and patients are sometimes directed to specific pharmacies to obtain medication, which is not cheap.

When we visited Kiambu County, it was sad to find about 20 young mothers under the age of 18 detained in the hospital for quite some time due to lack of payment. They were stranded and did not know where to start. We did not know they were there until, during our routine checkups, they cried out for help. Their children were also detained. When we sought a solution, it was a simple process---

The Temporary Speaker (Sen. Veronica Maina): Give her the microphone.

Sen. Tabitha Mutinda: Thank you, Madam Temporary Speaker. All that was required was their birth certificate since they are under 18 and do not have national identification cards. With the birth certificate, the Social Health Authority (SHA) could register them, give them a unique identity and pay for their maternity services. It was as simple as that. All that had to be done was to involve the SHA department within the hospital in Kiambu to include these young mothers in the system.

What am I trying to say? Sometimes, those entrusted with management responsibilities are the ones creating gaps and problems. The governor has already delegated responsibility. You are the CECM of Finance or the Chief Officer of Health in that county. You are the Chief Executive Officer (CEO) of that hospital. Why can you not do your part or what needs to be done? I am happy we were able to resolve the issue and the young mothers were released. However, does it really require the intervention of the Senate for young mothers to be released from hospitals? That is unfair.

Madam Temporary Speaker, I also recall our visits to three great counties; Machakos, Kitui and Makueni. As you know, I come from Kitui County by birth and I am very proud of it. We visited hospitals in these counties. It was extremely sad to find three patients sharing a single bed in Machakos. Mark you, those patients are not the way you think that they are just young girls and boys, but men and women. The saddest part was finding six Kenyans on one bed. That is three mothers and three beautiful innocent souls or children. Of course, those mothers could not sleep. It is hard for a mother to even

have a nap because you have to be keen that the other mother does not sleep on your baby. Having six Kenyans on one bed was extremely sad. We found that in Kitui.

These are the same reports we table in this House. I wish colleague Senators were here to listen to the real reports when we go out there. It is not something that we create, but what we come across. We do not go to offices for tea, coffee and *mandazi*. Personally, I even check delivery beds. It is sad to see how women give birth in hospitals. When God gave me an opportunity to push at that time, I knew the standard of a delivery bed.

We, especially women Senators in the Committee on Health, always go to the delivery rooms. You will find a bed full of rust and that is sad. I also check bathrooms and toilets and you will find bathrooms with no doors and no water. You wonder how a woman can take care of herself in that kind of a situation. How much does a door cost? The cheapest door is as little as Kshs3,000. It appears the decency cannot be accorded.

There are many other issues that we come across. We found in some hospitals doctors assigning duties to nurses. What happens is that the doctor is in their private clinic yet on the duty roaster which I also check keenly---

Madam Temporary Speaker, this is an example. You will find it indicated Dr. Maina, but when you ask where he is, he is not physically on the ground but working through a phone, yet he is on the payroll and he is supposed to be attending to patients. Nurses have to call and describe a scenario and he gives instructions on phone. Seriously?

When we went to Machakos, we also dealt with issues of employees. We found some casuals in Machakos at that time who were offering cleaning services and all that and kept asking them why those places were not cleaned to the required standards yet staff were there. When we engaged the staff, their morale was at zero. Actually, it was negative because they had not been paid for six months.

We sought to understand from the management of Machakos Level 5 Hospital why casuals had not been paid for six months. When we engaged the casuals, they were just crying and very sad. They said they had children. Therefore, if they abandoned the work, then they would not be paid anything. It would be deemed that they never existed in the first place.

It took the intervention of the Committee on Health to ask the Governor of Machakos to immediately pay those staff their salaries for six months. You can imagine the wages they earn because it is not much, but they depend on it because they have children, rent and other basics to meet. I was happy that in less than three days, that had been sorted out. The question is, does it have to take the intervention of the Senate for these issues to be addressed?

At some point, I asked the Chief Executive Officer (CEO) of the hospital to pay for a scan for a particular patient who had run to us and was so bitter because the system was not working, but that was not his problem. Do we have to do it like that?

Madam Temporary Speaker, as I conclude, so that I allow my colleagues time to also say something, one of my happiest moments was when we visited the great County of Makueni. That is a job well done by Governor Mutula Kilonzo Jnr. We met a patient who needed surgery, because a metal needed to be installed in his system. The metal cost

Kshs200,000. The doctors were willing to do the surgery for free. The problem and challenge was that this metal was very expensive. They did not know what to say.

Do you know what the Senate Committee of Health did? The Senate Committee decided to contribute the Kshs200,000 and the Governor topped up. Those are one of the proudest moments when we move and at least take responsibility of the patients willingly as a Corporate Social Responsibility (CSR). I do not remember the *mzee's* name, but he had stayed in the hospital for five years. When we heard his story, we took the initiative as the Committee of Health and said, this man must be treated. We contributed willingly and the Governor topped up. I thank the Governor of Makueni County. Wherever that *mzee* is, may his years be added. So, we have had positives and negatives. However, I would like to urge the CEOs, County Executive Committee Member (CECMs) and Chief Officers on Health, in each and every county, that the clock is ticking. Wake up, wake up and do what is right. You do not have to wait for us, Senators, to visit the incinerators to know that the incinerator is not working.

Members of the County Assembly (MCAs) in those 47 counties, you are the first line of oversight. Before we step to the ground, do something because we are there to ensure that the people of that county, maximumly, get the services that they deserve.

Madam Temporary Speaker, with those remarks, I submit.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Tabitha, for those moving remarks.

Sen. Ogola, please proceed.

Sen. Ogola: Thank you, Madam Temporary Speaker. I carry it on from where my sister, Sen. Tabitha, has left.

From the word go, I would like to say that governors remain the CEOs of county governments. As we call on the chief officers, CECMS and COs of the hospitals, this committee must go forward and find out if those sectors are funded in order to achieve what the aspirations of the people are on health.

Madam Temporary Speaker, I support this Motion. Primarily, health is key to the Senate because Kenyans decided that health was so important to them that at the time this new Constitution was being promulgated, they overwhelmingly voted that health be devolved. Primarily, Kenyans wanted health to be devolved because of the fact that they needed the services of health to be at the hands of their representative who they had elected, was close to them, would understand their plight, know the challenges they are going through and effectively deliver on the health services.

Madam Temporary Speaker, I remember Sen. Mungatana talking about some support points for the governors or for the county governments. I would like to say that, probably the reason a number of these functions are not performing as expected, is because at the initial moment, functions were not costed. Health costs so much. We will not provide health services in this country if we have to arbitrarily give budgets to health in terms of just thinking in a county you are allocating Kshs1 billion to health. Health is a consumer of so many resources.

Let us reflect on some of our dreams within the health sector. One of them is that our people require access to health services. It is demonstrated that health services must

be as close as possible to our people. When someone is sick, they want to find services so close, which is why health services were devolved.

We are also looking for quality services that come handy in a timely way. My colleague, Sen. Tabitha talked about the many women and newborns that share beds in some of these hospitals. Shame on county governments and some of those hospitals that as many as five mothers with their newborns can share beds at a time when a mother needs all the comfort.

I was attending a conference on reproductive rights just three days ago where there were top Kenyan and Tanzanian female judicial officers along with parliamentarians. It was a pity that in a regional conference, an illustration of a picture of Mama Lucy Kibaki Hospital was displayed to the participants. There were five women on a bed with newborns with some of them sleeping on the floor.

When we talk of five or six women sleeping in one bed, Sen. Mutinda, they were not sleeping, but sitting because they cannot literally sleep. They take naps in turns. They would lay their heads as they wait for the other to rest. Do we even think of the welfare of those children? I congratulate this committee for moving around and encourage them to go out to many of those counties and see what is happening.

The state of maternal health in this county must be watched. The figures we have is that out of 100,000 women delivering, we lose 351. I keep on asking myself why women should die while delivering. Is it a sin to bring forth mankind? This committee should go ahead and look keenly at issues of maternal healthcare. Pay attention to the mortality rates of mothers and the facilities that our women have. Look at funding of immunization and family planning. From the records we have, there are times in this country when there are no family planning pills and we know the implications of that. It leads to unplanned pregnancies which leads to many other things.

I am happy about this report. There is attention to perennial healthcare and human resources issues, which remain a challenge in our hospitals. We also often see perennial healthcare strikes. Something caught my eye in this report. This committee went to a hospital and they were denied accurate neonatal mortality data. The committee should tell these officers that they are public officers working for the public and holding public documents that we must access. It is because of those documents that we are able to make decisions for Kenyans.

The Temporary Speaker (Sen. Veronica Maina): Sen. Ogola, when the House resumes you will have a balance of 14 minutes to conclude your debate.

ADJOURNMENT

The Temporary Speaker (Sen. Veronica Maina): Hon. Senators, it is now 6.30 p.m., time to adjourn the House. The Senate, therefore, stands adjourned until tomorrow, Wednesday, 3rd June, 2026 at 9.30 a.m.

The Senate rose at 6.30 p.m.