



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FIFTH SESSION)

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, SEPTEMBER 09, 2026 (AFTERNOON SITTING)

1. The Senate assembled at thirty minutes past Two O'clock.
2. The proceedings were opened with Prayer said by the Speaker.
3. **QUORUM OF THE SENATE**

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

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

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

3. **PAPERS LAID**

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

- i) Report of the Office of the Controller of Budget on the National Government Budget Implementation Review for financial year 2025/2026.
- ii) The National Treasury 2026 Budget Review and Outlook Paper.

(Sen. Mohamed Faki, MP on behalf of the Senate Majority Leader)

4. **NOTICE OF MOTION - THE IMPLEMENTATION OF SECTION 39(K) OF THE BASIC EDUCATION ACT ON THE PROVISION OF SANITARY TOWELS**

(Sen. Karen Nyamu, MP)

THAT AWARE THAT, Section 39(k) of the Basic Education Act requires the Cabinet Secretary responsible for education to provide free, sufficient and quality sanitary towels to every girl child registered and enrolled in a public basic education institution who has reached puberty, together with a safe and environmentally sound mechanism for their disposal and that Section 88(2)(g) of the Act provides for conditional capitation funds to facilitate the acquisition of sufficient and

quality sanitary towels for eligible girls in public basic education institutions;

RECOGNIZING THAT, the National Government has continued to commit public resources towards the provision of sanitary towels to school-going girls, demonstrating its commitment to menstrual dignity, school attendance and equal access to education;

NOTING THAT, currently the administration of the sanitary towels programme is undertaken through the State Department responsible for Gender and Affirmative Action and the National Government Affirmative Action Fund (NGAAF);

CONCERNED THAT, the current administration of sanitary towels through the State Department of Gender and the National Government Affirmative Action Fund (NGAAF) and limited funding contravenes the provision of Sections 39(k) and 88(2) (g) of the Basic Education Act;

FURTHER CONCERNED THAT, sanitary towels procured using public funds are distributed or presented by elected leaders in public functions or other individualized distribution channels making the entitlement guaranteed to school-going girls by law be perceived as personal donations or favour from the leaders;

NOW THEREFORE, THE SENATE RESOLVES THAT the Ministry of Education-

1. fully complies with the provisions of Section 39(k) of the Basic Education Act, by aligning the administration, financing and delivery of the sanitary towels to verified numbers of eligible girls and sufficient provision throughout the school calendar;
2. puts in place safeguards to protect the programme from political exploitation, including prohibiting the personal branding or presentation of sanitary towels procured using public funds as donations or favours from individual public or elected officials;
3. pursuant to the provisions of Section 88(2)(g) provides adequate and predictable funding and establishes a robust accountability mechanism to track allocations, procurement, delivery and coverage at school level; and
4. should submit an annual report to Parliament on the compliance to the provisions of Sections 39(k) and 88(2)(g) of the basic Education Act.

5. QUESTIONS AND STATEMENTS

Requests for Statements pursuant to Standing Order 53 (1)

- i) The Senator for Nandi County (Sen. Samson Cherarkey, MP) sought a Statement from the Standing Committee on Finance and Budget

regarding the collection and management of revenue by the Kenyatta International Convention Centre (KICC).

- ii) The Senator for Nairobi City County (Sen. Edwin Sifuna, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the living conditions of refugees at the Kakuma Refugee Camp, and across the country.
- iii) The Senator for Nairobi City County (Sen. Edwin Sifuna, MP) sought a Statement from the Standing Committee on Education regarding the demolition of a perimeter wall and opening of a canal at Visa Oshwal School in Nairobi City County.
- iv) The Senator for Nairobi City County (Sen. Edwin Sifuna, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the disappearance of Ms. Shirleen Nafula Masinde from Lurende Village, Khachonge Location, Kabuchai Constituency, Bungoma County on 25th April, 2026.
- v) The Senator for Kajiado County (Sen. Seki Lenku Ole Kanar, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the proliferation of counterfeit and illicit alcoholic drinks and the loss of lives among consumers in Kenya.
- vi) The Senator for Kisii County (Sen. Richard Onyonka, MP) sought a Statement from the Standing Committee on Devolution and Intergovernmental Relations regarding the spatial planning, land-use management and development control in Kisii County.
- vii) The Senator for Kisii County (Sen. Richard Onyonka, MP) sought a Statement from the Standing Committee on Devolution and Intergovernmental Relations regarding the procurement, acquisition, utilization and management of trucks and heavy equipment by the Kisii County Government.
- viii) The Senator for Vihiga County (Sen. Godfrey Osotsi, MP) sought a Statement from the Standing Committee on Justice, Legal Affairs and Human Rights regarding the status of investigation by the Ethics and Anti-Corruption Commission (EACC) concerning the Vihiga County Government.
- ix) Nominated Senator (Sen. Hamida Kibwana, MP) sought a Statement from the Standing Committee on Labour and Social Welfare regarding the death of Ms. Rosemary Koech Kimwatu, Head of Data Protection at the Kenya Commercial Bank (KCB) Group, on Friday, 21st August, 2026 at her home in Ngong in Kajiado County.
- x) Request for Statement by the Senator for Murang'a County (Sen. Joe Nyutu, MP) from the Standing Committee on Land, Environment

and Natural Resources regarding the operational status of land registries in Murang'a County was **dropped** in the absence of the Senator.

6. QUORUM OF THE SENATE

Raising on a point of order pursuant to Standing Order 41(1), Senator for Mombasa County Sen. Mohamed Faki, MP drew the attention of the Temporary Speaker (Sen. Abdul Haji, MP) to the fact that there was no Quorum in the Senate.

And the Temporary Speaker (Sen. Abdul Haji, MP) having counted the Senators present and confirming that there was no Quorum, directed that the Bell be rung for ten minutes;

And there being no Quorum after the expiry of the ten minutes, the Temporary Speaker (Sen. Abdul Haji, MP) adjourned the Senate at twenty-six minutes past four O'clock, without Question put, pursuant to the Standing Orders.

7. SENATE ROSE – at twenty-six minutes past four O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Thursday, September 10, 2026 at 2:30 p.m.*

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