



REPUBLIC OF KENYA
TWELFTH PARLIAMENT – (SECOND SESSION)

THE SENATE

SUPPLEMENTARY ORDER PAPER
THURSDAY, SEPTEMBER 13, 2018 AT 2.30 PM

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers (as listed in the Appendix)
6. Notices of Motion (as listed in the Appendix)
7. Statements (as listed in the Appendix)
8. ***THE COUNTY STATUTORY INSTRUMENTS BILL (SENATE BILLS NO. 21 OF 2018)**
(Sen. Samuel Poghiso, MP)
(First Reading)
9. ***THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL (SENATE BILLS NO. 22 OF 2018)**
(Sen. Judith Pareno, MP)
(First Reading)
10. ***THE TREATY MAKING AND RATIFICATION (AMENDMENT) BILL (SENATE BILLS NO. 23 OF 2018)**
(Sen. Fatuma Dullo, MP)
(First Reading)
11. ****THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (SENATE BILLS NO. 24 OF 2018)**
(Chairperson, Delegated Legislation Committee)
(First Reading)

12. **MOTION- APPROVAL OF MEMBERSHIP TO SELECT COMMITTEE**

(The Senate Majority Leader)

THAT, pursuant to Standing Orders 187, 189 and 218, the Senate approves the nomination of Sen. Fred Outa, MP to serve in the Standing Committee on Health.

13. **MOTION APPROVAL OF MEMBERSHIP TO THE PARLIAMENTARY SERVICE COMMISSION**

(Chairperson, Standing Committee on Labour and Social Welfare)

THAT, the Senate notes the report of the Standing Committee on Labour and Social Welfare on the nomination to the Parliamentary Service Commission and approves the appointment of Hon. Samuel Kiprono Chepkong’ a as a member of the Parliamentary Service Commission pursuant to Article 127 (2) (d) of the Constitution.

14. **MOTION - EXTENSION OF TIME**

(Chairperson, Ad Hoc Committee on Tea)

AWARE that the Senate passed a Motion establishing an Ad Hoc Committee to conduct an inquiry into the challenges facing the tea sector in Kenya, on 14th March, 2018;

FURTHER AWARE that the Committee was required to table a Report to the Senate within five months from the date of establishment;

CONCERNED that the duration accorded to the committee lapsed on 15th August, 2018 while the Senate was on recess;

REGRETTING, that due to the heavy workload, the Committee is yet to conclude its inquiry and requires more time;

NOW THEREFORE, the Senate resolves to extend the mandate and duration of the committee by a further sixty (60) days to enable the Committee to conclude its work and table a report in the Senate.

15. **MOTION - ENFORCEMENT OF THE NATIONAL TRANSPORT AND SAFETY AUTHORITY (OPERATION OF MOTORCYCLE) REGULATIONS, 2015**

(Sen. (Arch.) Sylvia Kasanga, MP)

AWARE that the National Transport and Safety Authority (NTSA) is mandated to plan, manage and regulate the road transport system, while ensuring the provision of safe, reliable and efficient road transport services;

FURTHER AWARE that motorcycle transport services have been rapidly embraced throughout the country leading to several challenges including: rise in road accidents involving motorcycle riders, unlawfulness, insecurity and road congestion;

COGNIZANT that the National Transport and Safety Authority (Operation of Motorcycles) Regulations that came into force on January 1, 2016 have not adequately addressed the challenges associated with the high numbers of motorcycles as a mode of transport;

...../Motion

NOW THEREFORE, the Senate resolves that the Ministry of Transport, Infrastructure, Housing, and Urban Development: -identify strategies to enforce the National Transport and Safety Authority (Operation of Motorcycles) Regulations; in collaboration with County Governments, develop programs to sensitize and educate members of boda-boda associations and the public on the laws regulating motorcycle operations; submits a Report to the Senate within ninety(90) days outlining the short and long term strategies, and preventative measures that are being put in place to halt the rising cases of road carnage involving motorcycle riders.

(Resumption of Debate interrupted on Thursday, 2nd August, 2018)

16. **MOTION - DEVELOPMENT AND IMPLEMENTATION OF A NATIONAL DISASTER RISK FINANCING STRATEGY**

(Sen. George Khaniri, MP)

THAT, WHEREAS Kenya’s disaster profile is dominated by droughts, fire, floods, terrorism, diseases and epidemics that disrupt livelihoods, destroy infrastructure, divert planned use of resources, interrupt economic activities and retard development;

FURTHER WHEREAS the government, through its various agencies, is ultimately responsible for disaster reduction, preparedness and management;

COGNIZANT of the fact that government agencies involved in disaster management are usually overwhelmed when called upon to provide response services during disasters and emergencies;

AWARE that the Kenya Red Cross Society Act, Cap 256 of the Laws of Kenya establishes the Kenya Red Cross Society, a sole national Red Cross Society in Kenya, as a voluntary aid society;

RECOGNIZING, the efforts of the Kenya Red Cross Society to provide first-line disaster response services in incidences of disasters and other emergencies across the country;

OBSERVING, the huge financial resources required to finance disaster reduction, preparedness and other emergency services;

NOTING that one of the sources of the Kenya Red Cross Society in financing its operations is through accepting unrestricted contributions and assistance, in any form, from individuals, public authorities and private bodies;

APPRECIATING, the efforts made by the prudent management of funds by the Kenya Red Cross Society;

FURTHER AWARE that emergency fund is a substantial proportionate Vote Head in both the national and county government budgets;

CONCERNED, that the Kenya Red Cross Society has not been allocated a budget from the national and county governments despite the huge contribution in disaster and emergency response across the country;

...../Motion

NOW THEREFORE, the Senate urges the national and county governments to explore collaborative mechanisms for the Kenya Red Cross Society to support and implement a paradigm shift from post disaster response to risk reduction by developing and implementing a national disaster risk financing strategy across all sectors and incorporate it into the national and county development planning and financing processes.

17. **MOTION -IMPROVEMENT OF KENYA’S POSITION IN THE WORLD ECONOMIC FORUM TRAVEL AND TOURISM COMPETITIVENESS INDEX**

(Sen. Ledama Olekina, MP)

THAT, AWARE that the Ministry of Tourism have developed and published the Kenya National Tourism Blueprint 2030 in May 2017;

FURTHER AWARE that Kenya Tourism Agenda 2018 – 2022, launched in April 2018, establishes the foundation for the National Tourism Blueprint 2030 and is the tool for initiating the components of the Blue Print;

ALSO AWARE that the contribution of travel and tourism to Kenyan GDP stood at 9.7 % in 2017, up from the 9.3 % previous year;

COGNIZANT that in the next 10 years every industry will be changed by technology;

ALSO AWARE that Kenya Tourism Board has partnered with Google, Safaricom, Kenya Wildlife Service and Tourism Finance Corporation to create new digital content for local tourism;

CONCERNED that Kenya tourism industry’s potential is underutilized;

AWARE that Kenya’s position in World Economic Forum’s Travel & Tourism Competitiveness Index Ranking is 80 out of 136 in 2017, having improved by 2 points from 2015, while having currently the lowest score in cultural resources and business travel with 1.6 points out of 7;

FURTHER CONCERNED that majority of the solutions proposed by the tourism agenda are brick and mortar type and not addressing the trends; noting that in less than two years, the share of online booking globally has grown from 9% to almost 33% and the lucrative and fast-growing segment of business tourism;

ALSO CONCERNED that Kenya will continue to attract only beach and park type tourists ignoring the large number of conference and business travellers, who largely never leave Nairobi and are offered minimal exposure to Kenya;

NOW THEREFORE, the Senate calls upon the Ministry of Tourism to approach tourism sector with modern innovation and implement tangible, measurable and impactful solutions, resulting in improvement of Kenya’s ranking in the World Economic Forum Travel & Tourism Competitiveness Index 2019 by 6 positions and improve the lowest score of cultural resources and business travel by 1 point.

...../Motion

18. **MOTION - REPORT OF THE 138TH ASSEMBLY OF THE INTER - PARLIAMENTARY UNION (IPU)**
(Sen. Susan Kihika, MP)

THAT, this House notes the Report of the 138th Assembly of the Inter - Parliamentary Union (IPU) and related meetings held in Geneva, Switzerland from 22nd - 28th March, 2018 laid on the Table of the Senate on Thursday, 21st June, 2018.

19. **MOTION - REPORT OF THE SENATE DELEGATION TO THE AFRICAN PARLIAMENTARIANS' NETWORK AGAINST CORRUPTION (APNAC) CONFERENCE**
(Sen. (Dr.) Isaac Mwaura, MP)

THAT, this House notes the Report of the Senate Delegation to the African Parliamentarians' Network Against Corruption (APNAC) Conference held in Ghana from 17th - 18th March, 2018, laid on the Table of the House on Tuesday, 19th June, 2018.

20. **MOTION - REPORT OF THE STANDING COMMITTEE ON EDUCATION ON THE 20TH COMMONWEALTH EDUCATION MINISTERS CONFERENCE**
(Chairperson, Standing Committee on Education)

THAT, this House notes the Report of the Standing Committee on Education on the 20th Conference of Commonwealth Education Ministers (20CCEM) held in Nadi, Fiji from 19-23 February, 2018, laid on the Table of the House on Thursday, 12th July, 2018.

21. **MOTION - REPORT OF THE GLOBAL PARLIAMENTARY CONFERENCE (GPC) HELD AT THE WORLD BANK HEADQUARTERS**
(Sen. (Dr.) Abdullahi Ali, MP)

THAT, this House notes the Report of the proceedings of the Global Parliamentary Conference (GPC), held at the World Bank Headquarters, in Washington DC, United States of America from 16th to 17th April, 2018, laid on the Table of the House on Thursday, 12th July, 2018.

22. **MOTION - REPORT OF THE 49TH SESSION OF THE AFRICAN CARIBBEAN PACIFIC PARLIAMENTARY ASSEMBLY AND INTER - SESSIONAL MEETING**
(Sen. (Prof.) Margaret Kamar, MP)

THAT, this House notes the Report of the 49th Session of the ACP Parliamentary Assembly and Inter- Sessional meeting of the ACP-EU Joint Parliamentary Assembly held on 20th - 22nd March, 2018 in Brussels, Belgium, laid on the Table of the House on Tuesday, 31st July, 2018.

23. **MOTION -REPORT OF THE STANDING COMMITTEE ON LABOUR AND SOCIAL WELFARE ON THE 2018 COMMONWEALTH GAMES**
(Sen. (Dr.) Alice Milgo, MP)

THAT, this House notes the Report of the Standing Committee on Labour and Social Welfare on the 2018 Commonwealth Games held in Gold-Coast, Australia from 4th to 15th April, 2018 laid on the Table of the House on Wednesday, 1st August, 2018.

...../Motion

24. MOTION – REPORT OF THE STANDING COMMITTEE ON EDUCATION ON THE TVET CONFERENCE

(Sen. (Dr.) Christopher Lang’at, MP)

THAT, this House notes the Report of the Standing Committee on Education on the TVET Conference held in Victoria, Canada from 27th April – 2nd May, 2018 laid on the Table of the House on Wednesday, 1st August, 2018.

25. MOTION - ESTABLISHMENT OF YOUTH POLYTECHNICS IN COUNTIES

(Sen. (Prof.) Margaret Kamar, MP)

THAT, AWARE THAT Youth Polytechnics, also known as Village Polytechnics, are educational institutions that offer primary school leavers opportunities to acquire relevant knowledge especially technical and vocational skills to increase their employability;

FURTHER AWARE THAT youth polytechnics provide industrial and entrepreneurial skills training to young people in order to increase employment opportunities, reduce dependency levels and increase self-reliance among the youth;

RECALLING THAT in 2005, the Youth Training Department of the then Ministry of Youth Affairs and Sports was established through the Presidential Circular No.1 of 2005, with a mandate of revitalizing the Youth Polytechnics countrywide in order to empower youth through provision of accessible, appropriate and quality training in technical, vocational, industrial, entrepreneurship and life skills;

COGNIZANT THAT youth polytechnics are a devolved function;

PERSUADED THAT Vocational Education and Training is a critical aspect for a developing economy and that it would contribute towards the realization of the Big Four Agenda;

CONCERNED THAT, in Kenya, the number of young people who have completed the primary school education but have not joined secondary schools continues to rise by the day;

FURTHER CONCERNED THAT county governments have not prioritized youth polytechnic functions despite the polytechnics’ capacity to ultimately contribute to both social and economic development;

NOW THEREFORE the Senate calls upon each of the 47 county governments to-

- a) establish youth polytechnics in every location within their respective the areas of jurisdiction and to revamp the already existing youth polytechnics;
- b) to develop a structure/guidelines for sensitizing the youth who have completed their primary school education but have not joined form one to embrace vocational training in order to acquire the necessary skills to join the labour market.

NOTICE

The Senate resolved on 14th February, 2018 as follows:-

THAT, pursuant to Standing Order 106 (1), the Senate resolves that debate on a Motion not sponsored by the Majority or Minority Party or a Committee shall be limited in the following manner:-

A maximum of three hours with not more than twenty minutes for the Mover, twenty minutes for the Majority Party Official Responder, twenty minutes for the Minority Party Official Responder and fifteen minutes for each other Senator speaking and that fifteen minutes before the time expires, the Mover shall be called upon to reply.

KEY

******** - Denotes a Majority/Minority Party Bill

******* - Denotes a National Assembly Bill

****** - Denotes a Committee Bill

***** - Denotes any other Bill

APPENDIX

1. PAPERS LAID

- a) Report of the Standing Committee on Labour and Social Welfare on the proposed appointment of Hon. Samuel Kiprono Chepkong'a as a member of the Parliamentary Service Commission.

(Chairperson, Standing Committee on Labour and Social Welfare)

- b) Report of the Auditor-General on the financial statements of the Marsabit County Executive Emergency Fund for the year ended 30 June, 2017.
- c) Report of the Auditor-General on the financial statements of the Kwale County Trade Revolving Fund for the year ended 30 June, 2016.
- d) Report of the Auditor-General on the financial statements of the Busia County Assembly Car Loan and Mortgage Scheme (Revolving Fund) for the year ended 30 June, 2017.
- e) Report of the Auditor-General on the financial statements of the Bungoma County Trade Development Fund for the year ended 30 June, 2017.
- f) Report of the Auditor-General on the financial statements of the Bungoma County Youth Empowerment Fund for the year ended 30 June, 2017.

(The Senate Majority Leader)

2. NOTICES OF MOTION

a) APPROVAL OF MEMBERSHIP TO SELECT COMMITTEE

(The Senate Majority Leader)

THAT, pursuant to Standing Orders 187, 189 and 218, the Senate approves the nomination of Sen. Fred Outa, MP to serve in the Standing Committee on Health.

b) APPROVAL OF MEMBERSHIP TO THE PARLIAMENTARY SERVICE COMMISSION

(Chairperson, Standing Committee on Labour and Social Welfare)

THAT, the Senate notes the report of the Standing Committee on Labour and Social Welfare on the nomination to the Parliamentary Service Commission and approves the appointment of Hon. Samuel Kiprono Chepkong'a as a member of the Parliamentary Service Commission pursuant to Article 127 (2) (d) of the Constitution.

3. STATEMENTS

a) Statement Pursuant to Standing Order No. 47

Nominated Senator (Sen. (Canon) Naomi Waqo, MP) to issue statement on the killing of Ms. Sharon Otieno, who was a student at Rongo University.

b) Statement Pursuant to Standing Order No. 52 (1)

The Senate Majority Leader to issue a statement on the business of the Senate for the week commencing Tuesday, 18th September, 2018.
