



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (THIRD SESSION)

THE SENATE

ORDER PAPER

THURSDAY, NOVEMBER 07, 2019 AT 2:30 P.M.

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions (as listed in the Appendix)
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 SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2018)**  
(The Senate Majority Leader)  
*(First Reading)*
9. **\*\*\*THE SECTIONAL PROPERTIES BILL (NATIONAL ASSEMBLY BILL NO. 23 OF 2019)**  
(The Senate Majority Leader)  
*(First Reading)*
10. **\*THE REGISTRATION OF PERSONS (AMENDMENT) BILL (SENATE BILLS NO. 14 OF 2019)**  
(Sen. (Dr.) Isaac Mwaura, MP)  
*(Second Reading)*
11. **\*\*\*THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) (NO. 2) BILL (NATIONAL ASSEMBLY BILLS NO. 13 OF 2018)**  
(The Senate Majority Leader)  
*(Second Reading)*

...../Motion

12. **MOTION - FREE ADMINISTRATION OF THE SNAKE BITES ANTI-VENOM IN PUBLIC HEALTH FACILITIES**

(Sen. Beatrice Kwamboka, MP)

**THAT, AWARE THAT,** there is an abundance of snakes in various parts of the country namely; Kitui, Baringo, Wajir, Kajiado, Embu and Tana River Counties among others, which poses a high mortality rate of snake bites across these counties;

**FURTHER AWARE THAT,** all patients bitten by snakes should be assessed by medically-trained staff to determine the species responsible, the amount of venom injected and the variable time course for development of signs, requiring that patients be kept under observation for at least 24 hours;

**CONCERNED THAT,** these incidences of snake bites are a neglected emergency in Kenya owing to the low awareness of snake bites as a public health problem in the country resulting to victims being maimed and even losing lives;

**FURTHER CONCERNED THAT,** poor infrastructure and poverty contribute to delays in seeking and receiving treatment for snake bites including the high cost of acquiring and storing the anti-venom;

**RECOGNIZING THAT,** it is essential for snakebite victims to get supportive care followed by the administration of the anti-venom as soon as possible following a snake bite;

**NOTING THAT,** Article 43 (1) (a) of the Constitution provides that every person has the right to the highest attainable standard of health;

**NOW THEREFORE,** the Senate urges the Ministry of Health in collaboration with the County governments to establish programs to sensitize people on the management of snake bites and to ensure timely supply and free administration of the anti-venom in public health facilities, concentrating on sub county health facilities in the affected counties, and further ensure that these facilities are equipped with the necessary infrastructure for the storage of the anti-venom.

13. **MOTION - EXERCISE BY THE DEPUTY COUNTY GOVERNORS OF THE POWERS AND FUNCTIONS VESTED IN THE OFFICE OF THE COUNTY GOVERNOR IN THE ABSENCE OF THE SUBSTANTIVE HOLDER OF THE OFFICE**

(Sen. Ledama Olekina, MP)

**THAT, COGNIZANT THAT,** Article 179(4) of the Constitution designates the County Governor and the Deputy County Governor as the chief executive and deputy chief executive of the County, respectively;

**FURTHER COGNIZANT THAT,** pursuant to Article 180(6) of the Constitution, a County Governor and Deputy County Governor are elected on a joint ticket, with Article 179(5) providing that, whenever the County Governor is absent, the Deputy County Governor shall act as the County Governor;

**AWARE THAT,** in several Counties, Deputy County Governors have had to serve as County Governors due to the absence of the substantive County Governors, arising from ill health, incapacity or orders emanating from the Courts barring the substantive Governor from accessing office;

...../Motion

**ACKNOWLEDGING THAT**, section 32(4) of the County Governments Act places limitations on the exercise, by the Deputy County Governor while acting as Governor, of the powers to nominate, appoint or dismiss that are assigned to the Governor under the Constitution or other written law;

**NOTING THAT**, other than the said limitations under section 32(4) of the County Governments Act, no other restraints are placed in law on the exercise, by the Deputy County Governor, of the powers and functions of the Governor whenever the Governor is absent;

**AWARE THAT**, in exercising the powers and functions of County Governor pursuant to Article 179(5) of the Constitution, Deputy County Governors face a myriad of legal, operational and administrative challenges, which hinder the effective functioning of county governments and the efficient delivery of services to the public;

**NOW THEREFORE**, the Senate recommends that the National Treasury, the Controller of Budget, the Auditor General, and the respective County Assemblies and County Executive Committee Members, to work closely with the Deputy County Governor, while exercising the functions of County Governor, in order to facilitate the effective functioning of county governments and the efficient delivery of services to the public.

14. **MOTION –REPORTS OF THE PARLIAMENT OF KENYA DELEGATION TO THE GLOBAL SUMMIT ON OPEN GOVERNANCE PARTNERSHIP**

(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

**THAT**, this House notes the Reports of the Parliament of Kenya Delegation on the Global Open Governance Partnership Summits held in Tbilisi, Georgia, from 17<sup>th</sup> to 19<sup>th</sup> July, 2018, laid on the Table of the House on Wednesday, 20<sup>th</sup> February, 2019, and in Ottawa, Canada, from 29<sup>th</sup> to 30<sup>th</sup> May, 2019, laid on the Table of the House on Thursday, 11<sup>th</sup> July, 2019.

15. **MOTION - REPORT ON THE THIRD STATUTORY MEETING OF THE COMMITTEE ON ECONOMIC DEVELOPMENT, REGIONAL INTEGRATION AND NATURAL RESOURCES OF THE FORUM OF PARLIAMENTS OF THE INTERNATIONAL CONFERENCE OF THE GREAT LAKES REGION (FP-CGLR)**

(Sen. Samuel Poghio, MP)

**THAT**, this House notes the Report on the 3rd Statutory Meeting of the Committee on Economic Development, Regional Integration and Natural Resources of the Forum of Parliaments of the International Conference of the Great Lakes Region (FP-ICGLR) held in Bujumbura, Burundi, from 13<sup>th</sup> to 14<sup>th</sup> March, 2019, laid on the Table of the House on Tuesday, 21<sup>st</sup> May, 2019.

16. **MOTION - REPORTS OF THE SIXTH ORDINARY SESSION OF THE FOURTH PAN-AFRICAN PARLIAMENT AND THE FIRST ORDINARY SESSION OF THE FIFTH PARLIAMENT OF THE PAN-AFRICAN PARLIAMENT**

(Sen. (Dr.) Abdullahi Ali, MP)

**THAT**, this House notes the Reports of the Sixth Ordinary Session of the Fourth Pan- African Parliament held in Midrand, South Africa, from 7<sup>th</sup> to 18<sup>th</sup> May, 2018,

...../Motion

laid on the Table of the House on Tuesday, 24<sup>th</sup> July, 2018; and, the First Ordinary Session of the Fifth Parliament of the Pan African Parliament held in Kigali, Rwanda, from 18<sup>th</sup> October to 3<sup>rd</sup> November, 2018, laid on the Table of the House on Tuesday, 12<sup>th</sup> March, 2019.

17. **MOTION- REPORTS OF THE PARLIAMENT OF KENYA DELEGATION TO THE ASSEMBLIES OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS.**

(Sen. Susan Kihika, MP)

**THAT**, the Senate notes the reports of the Parliament of Kenya Delegation to the 139<sup>th</sup> Assembly of the Inter-Parliamentary Union (IPU) and related meetings held in Geneva, Switzerland from 14<sup>th</sup> to 18<sup>th</sup> October, 2018, laid on the Table of the Senate on Thursday, 6<sup>th</sup> December, 2018, and the 140<sup>th</sup> Assembly of the Inter-Parliamentary Union (IPU) and related meetings held in Doha, State of Qatar from 6<sup>th</sup> to 10<sup>th</sup> April, 2019, laid on the Table of the Senate on Tuesday, 23<sup>rd</sup> July, 2019.

18. **MOTION – REPORT OF THE PARLIAMENT OF KENYA DELEGATION TO THE UNITED NATIONS CONFERENCE ON CLIMATE CHANGE (COP 24).**

(Sen. (Dr.) Abdullahi Ali, MP)

**THAT**, the Senate notes the Report of the Parliament of Kenya Delegation to the United Nations Conference on Climate Change (COP 24) held in Katowice, Poland, from 3<sup>rd</sup> to 14<sup>th</sup> December, 2018, laid on the Table of the Senate on Thursday, 25<sup>th</sup> July, 2019.

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**NOTICE**

The Senate resolved on 13<sup>th</sup> February, 2019 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. PETITIONS**

- (i) Petition to the Senate on corruption and embezzlement of funds in the County Government of Narok with regards to awarding tenders.

*(The Speaker of the Senate)*

- (ii) Report of the Standing Committee on Land, Environment and Natural Resources on the Petition on the adverse environmental and social effects arising from the construction of Phase 2A of the Standard Gauge Railway (Nairobi- Naivasha Section).
- (iii) Report of the Standing Committee on Land, Environment and Natural Resources on the Petition on the budgetary support to wildlife conservancies for sustainable conservation and community development.
- (iv) Report of the Standing Committee on Land, Environment and Natural Resources on the Petition on alleged unlawful deprivation of a parcel of land situated in Kaputiei North, Kajiado County.
- (v) Report of the Standing Committee on Land, Environment and Natural Resources on the Petition on ownership of Mgeno Land Reserve.
- (vi) Report of the Standing Committee on Land, Environment and Natural Resources on the Petition on non-payment of compensation for land compulsorily acquired to construct Mwatate-Taveta-Holili Road.
- (vii) Report of the Standing Committee on Land, Environment and Natural Resources on the Petition on the effects of iron ore mining at Kishushe in Taita Taveta County.

*(Chairperson, Standing Committee on Land, Environment and Natural Resources)*

**2. PAPER**

Report of the Auditor-General on the Financial Statements of Vihiga County Community Empowerment Fund for the Year ended 30<sup>th</sup> June 2018.

*(The Senate Majority Leader)*

**3. NOTICE OF MOTION - REPORT ON THE 12<sup>TH</sup> SESSION OF THE CONFERENCE OF PARTIES TO THE CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES**

(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 12<sup>th</sup> Session of the Conference of Parties to the Convention on the Rights of Persons with Disabilities held at the United Nations Headquarters in New York, USA from 11<sup>th</sup> to 13<sup>th</sup> June, 2019.

...../Appendix

**4. STATEMENTS**

(i) **Pursuant to Standing Order 47(1)**

Nominated Senator (Sen. Abshiro Halake, MP) to make a statement on electoral violence in the by-election campaigns.

(ii) **Pursuant to Standing Order 52(1)**

The Senate Majority Leader to issue a statement on the business of the Senate for the week commencing Tuesday, 12<sup>th</sup> November, 2019.

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