



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (THIRD SESSION)

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, DECEMBER 03, 2019 AT 2.30 P.M.

1. The Senate assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer said by the Speaker.
3. **COMMUNICATION FROM THE CHAIR - VISITING REPRESENTATIVE FROM THE COMMONWEALTH PARLIAMENTARY ASSOCIATION (CPA) INTERNATIONAL HEADQUARTERS**

The Speaker conveyed the following Communication from the Chair-

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, of Mr. Anthony Staddon from the Commonwealth Parliamentary Association (CPA) International Headquarters, United Kingdom.

Mr. Staddon is in Parliament on the invitation of the CPA-Kenya Branch, to carry out a self-assessment exercise on the CPA Recommended Benchmarks for Democratic Legislatures. The CPA Recommended Benchmarks for Democratic Legislatures were published in 2006, and comprise 87 indicators for excellence in Commonwealth parliamentary and legislative practice.

Mr. Staddon is scheduled to hold meetings with the Speakers of the Houses of Parliament, the Leadership of Houses, Chairpersons of Select Committees and members of the CPA-Kenya Branch Executive Committee.

Honourable Senators,

Upon conclusion of the self-assessment exercise, the CPA will prepare a report that will highlight the status of each Member Parliament in upholding the recommended benchmarks.

On behalf of the Senate and on my own behalf, I welcome Mr. Anthony Staddon to the Senate and wish him well for the remainder of the visit.

I thank you”.

4. **PETITION**

The following report on a Petition was laid on the Table of the Senate: -

Report of the Standing Committee on National Security, Defence and Foreign Relations on its consideration of the Petition to the Senate on the Settlement of Awards to Ex-Kenya Airforce Officers and Servicemen.

(Chairperson, Standing Committee on National Security, Defence and Foreign Relations)

5. **PAPER**

The following Paper was laid on the Table of the House: -

Report on the Twentieth Ordinary Session of the Executive Committee of the Forum of the Parliaments of the Member States of the International Conference of the Great Lakes Region (FP-ICGLR).

(The Senate Majority Leader on behalf of Sen. Samuel Poghio, MP)

6. **STATEMENTS**

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

Nominated Senator (Sen. (Dr.) Getrude Musuruve, MP) made a Statement on the commemoration of the UN Convention on the Rights of Persons with Disabilities, scheduled for 13th December, 2019.

Thereupon, the Senator informed the Senate that the Convention on the Rights of Persons with Disabilities is an international human rights treaty of the United Nations intended to protect the rights and dignity of people with disabilities. It is the only UN human rights instrument with an explicit sustainable development dimension. Further, the Senator commended Kenya for having been among the first countries to ratify the Convention in May, 2008. It is, indeed, a reality that from the time Kenya ratified the UN convention on the rights of persons with disabilities, a number of positive strides have been made in the country.

The Senator, however, decried the state of representation of PWDs after the 2017 elections as there were counties that conspicuously lacked representatives of PWDs and, in some county assemblies, PWDs were represented by persons without any disability, which flouts the UN Convention’s political, social and economic stand on PWDs.

The Senator also commended H.E. the President for appointing Commissioner Washington Sati, who is Deaf, as the Vice-Chairperson of the Commission on Administrative Justice; Ms. Josephtha Mukobe, who is of little stature, as a Principal Secretary; and Mr. Peter Muchiri, who has a physical disability, as the Chairperson of the National Council for Persons with Disabilities.

(ii) Pursuant to Standing Order 48(1)

The Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) sought a statement from the Standing Committee on Land, Environment and Natural Resources on operationalization of the Mining Act and, in particular, the Royalty Fund.

(iii) Pursuant to Standing Order 51(1)(b)

Sen. Johnson Sakaja, MP, on behalf of the Chairperson of the Standing Committee on National Security, Defence and Foreign Relations, issued a Statement relating to the activities of the Committee for the period 1st July, 2019 to 30th September, 2019.

7. THE REGISTRATION OF PERSONS (AMENDMENT) BILL (SENATE BILLS NO. 14 OF 2019)

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Registration of Persons (Amendment) Bill (Senate Bills No. 14 of 2019) be now read a Second Time.

(Sen. (Dr.) Isaac Mwaura, MP – 07.11.2019)

Debate interrupted on Wednesday, 20th November, 2019 resumed;

Mover replied;

Raising a point of order, the Mover requested that the putting of the Question be deferred to a later date, pursuant to Standing Order 61(3).

And the Deputy Speaker acceding to the request, nominated Wednesday, 4th December, 2019 as the day when the Question shall be put.

8. MOTION – ADOPTION OF REPORT OF SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON ACCOUNTS OF COUNTY EXECUTIVES FOR FINANCIAL YEAR 2014/2015

THAT, the Senate adopts the Report of the Sessional Committee on County Public Accounts and Investments on the Inquiry into the Financial Operations of Baringo, Busia, Elgeyo Marakwet, Embu, Kajiado, Kericho, Kilifi, Kirinyaga, Kisii, Kwale, Lamu, Makueni, Marsabit, Meru, Nakuru, Narok, Nyamira, Uasin Gishu, Vihiga and West Pokot County Executives for Financial year 2014/2015 (1st July, 2014 to 30th June, 2015), laid on the Table of the Senate on Wednesday, 9th October, 2019.

(Chairperson, Sessional Committee on County Public Accounts and Investments)

(Resumption of debate interrupted on Wednesday, 6th November, 2019)

(Division)

Order deferred.

9. **MOTION - ADOPTION OF THE REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON THE FINANCIAL OPERATIONS OF VARIOUS COUNTY EXECUTIVES FOR THE FINANCIAL YEAR 2013/2014**

THAT, the Senate adopts the Report of the Sessional Committee on County Public Accounts and Investments on the inquiry into the Financial Operations of Kiambu, Busia, Kwale, Tana River, Trans Nzoia, Nyandarua, Migori, Kisumu, Samburu, Kericho, Bomet, Bungoma, Garissa, Isiolo, Kitui, Lamu, Makueni, Mandera, Marsabit, Meru, Mombasa, Nyamira, Taita Taveta, Uasin Gishu, Vihiga and Wajir County Executives for the Financial Year 2013/2014 (1st July, 2013-30th June, 2014), laid on the Table of the Senate on Thursday, 21st November, 2019.

(Chairperson, Sessional Committee on County Public Accounts and Investments)
(Resumption of debate interrupted on Tuesday, 26th November, 2019)
(Division)

Order deferred.

10. **THE CARE AND PROTECTION OF CHILD PARENTS BILL (SENATE BILLS NO. 11 OF 2019)**

(Sen. Beatrice Kwamboka, MP)

(Second Reading)
(Resumption of debate interrupted on Wednesday, 13th November, 2019)
(Division)

Order deferred.

11. **THE ALTERNATIVE DISPUTE RESOLUTION BILL (SENATE BILLS NO. 19 OF 2019)**

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

(Second Reading)
(Resumption of debate interrupted on Tuesday, 19th November, 2019)
(Division)

Order deferred.

12. **THE KENYAN SIGN LANGUAGE BILL (SENATE BILLS NO. 15 OF 2019)**

(Sen. (Dr.) Getrude Musuruve, MP and Sen. (Prof.) Margaret Kamar, MP)

(Second Reading)
(Resumption of debate interrupted on Tuesday, 26th November, 2019)
(Division)

Order deferred.

13. **THE COUNTY LICENSING (UNIFORM PROCEDURE) BILL (SENATE BILLS NO. 17 OF 2019)**

(Sen. Mercy Chebeni, MP)

(Second Reading)
(Resumption of debate interrupted on Tuesday, 26th November, 2019)
(Division)

Order deferred.

14. **THE ELECTION (AMENDMENT) BILL (SENATE BILLS NO. 18 OF 2019)**
(Sen. (Eng.) Ephraim Maina, MP)

Order for Second Reading read;

Order deferred.

15. **THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) (NO. 2) BILL (NATIONAL ASSEMBLY BILLS NO. 13 OF 2018)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Statute Law (Miscellaneous Amendments) (No. 2) Bill (National Assembly Bills No. 13 of 2018) be now read a Second Time.

(The Senate Majority Leader)

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

16. **SENATE ROSE** - at thirty minutes past six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Wednesday, December 04, 2019 at 2:30 p.m.*

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