



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FOURTH SESSION)

THE SENATE

VOTES AND PROCEEDINGS (AFTERNOON SITTING)

TUESDAY, MAY 12, 2020 AT 2:30 PM

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

i) Statements pursuant to Standing Order 47(1)

- a) Nominated Senator (Sen. Petronilla Were Lokorio, MP) made a statement on a matter of general topical concern pursuant to Standing Order 47 (1), namely, the adverse impact that the COVID-19 pandemic is having on the prevention and control of malaria and other diseases of public health concern such as HIV/AIDS and TB.

In her statement, the Senator informed the House that a modelling analysis by the World Health Organisation (WHO) on the potential impact of disruptions in malaria prevention and control brought about by the COVID-19 pandemic has predicted that malaria deaths in Sub-Saharan Africa may reach 769,000 this year: twice the number of deaths reported in 2018, and a return to malaria mortality levels last seen 20 years ago. She added that there are alleged cases of patients being turned away from public hospitals in Kenya owing to the disruption of normal services occasioned by the COVID-19 outbreak. She noted that even where patients are able to access treatment, the similarity of symptoms between malaria and COVID has been causing confusion amongst health workers often leading to misdiagnosis of patients and undertreatment of malaria cases.

In order to mitigate against this, the Senator implored the Ministry of Health and respective County Governments to institute urgent measures to integrate malaria prevention and control interventions in the COVID-19 response, including vector control treatment, and clinical and diagnostic services.

Following contributions by Senators, the Deputy Speaker referred the Statement to the Ad-Hoc Committee on COVID – 19 Situation in Kenya

pursuant to Standing Order 47 (3) for consideration, and directed that the Committee reports back to the House on Tuesday, 19th May, 2020.

- b) The Senator for Kakamega County (Sen. Cleophas Malalah, MP) made a statement on the exclusion of Health Administrative Officers in Kenya from the benefits of COVID-19 Medical Emergency Fund.

In his statement, the Senator referred to a circular released by the Salaries and Remuneration Commission (SRC) addressed to the Cabinet Secretary, National Treasury, on COVID-19 Medical Emergency Allowance and Benefits for Frontline Healthcare Workers in National and County Governments. He asserted that the letter informed the Cabinet Secretary that the Commission had deliberated on the matter and had approved the same to an estimated cost of Kshs. 3,013,390,000 for a period of three months with effect from 1st April, 2020, subject to availability of funds.

The Senator raised concern that the SRC had deliberately and discriminately excluded some key frontline healthcare workers, one of them being the Health Administrative Officers. The Senator sought the following clarifications: from the Ministry of Health on the definition of a health worker; how SRC determined the cadres to benefit from the welfare package as directed by the President; whether the SRC is aware of the other cadres that play an administrative role in the management of health facilities including hospital administrators; and, the reasons for omission of these cadres from benefitting from this welfare package and how this will be corrected.

The Senator concluded by urging the Ad-hoc Committee on the COVID-19 to delve further into these and more issues about discriminatory payments to health workers in Kenya through engagements with the relevant institutions and stakeholders and ensure a fair and all-inclusive payment system for health workers is arrived at and implemented.

Following contributions by Senators, the Deputy Speaker referred the Statement to the Ad-Hoc Committee on COVID – 19 Situation in Kenya pursuant to Standing Order 47 (3) for consideration, and directed that the Committee reports back to the House on Tuesday, 19th May, 2020.

ii) Statements pursuant to Standing Order 48(1)

- a) Nominated Senator (Sen. Millicent Omanga, MP) sought a statement from the Standing Committee on Education on the security of students at the University of Nairobi.
- b) The Senator for Isiolo County (Sen. Fatuma Dullo, MP) sought a statement from the Standing Committee on Education on the alleged irregular recruitment of teachers by the Teachers Service Commission (TSC).
- c) The Senator for Murang'a County (Sen. Irungu Kang'ata, MP) sought a statement from the Standing Committee on Trade, Tourism and Industrialization on provision of tax waivers to small scale traders following

the government's tax waivers to cushion the public against the effects of COVID-19 pandemic.

The Deputy Speaker referred the Statement to the Standing Committee on Finance and Budget and directed that the Committee tables a report with concrete recommendations on the matter in three weeks.

4. **THE REPRESENTATION OF SPECIAL INTERESTS GROUPS LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 52 OF 2019)**

(The Senate Majority Leader)

Order for First Reading read;

Bill read a First time and committed to the Standing Committee on Justice, Legal Affairs and Human Rights.

5. **THE PANDEMIC RESPONSE AND MANAGEMENT BILL (SENATE BILLS NO. 6 OF 2020)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Pandemic Response and Management Bill (Senate Bills No. 6 of 2020) be now read a Second Time.

*(Vice Chairperson, Ad Hoc Committee on COVID-19 Situation in Kenya –
12.05.2020 (Morning Sitting))*

Debate interrupted on Tuesday, 12th May, 2020 (Morning Sitting) resumed;

There being no other Senator wishing to contribute;

The Mover replied;

Raising a point of order and pursuant to Standing Order 61 (3), the Mover requested the Deputy Speaker to defer putting of the question to another day;

And the Deputy Speaker acceding to the request deferred putting of the question to a later date.

6. **COMMITTEE OF THE WHOLE
CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE
OFFICE OF THE COUNTY ATTORNEY BILL (SENATE BILLS NO. 3 OF 2018)**

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

***(Resumption of debate interrupted on Tuesday, 25th February, 2020)
(Division)***

Order read;

Order deferred.

- 7. **COMMITTEE OF THE WHOLE**
CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE
PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL (SENATE BILLS
NO. 22 OF 2018)

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

(Resumption of debate interrupted on Tuesday, 25th February, 2020)
(Division)

Order deferred.

- 8. **COMMITTEE OF THE WHOLE**
CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE
COUNTY EARLY CHILDHOOD EDUCATION BILL (SENATE BILLS NO. 26 OF
2018)

(Chairperson, Standing Committee on Education)

(Resumption of debate interrupted on Tuesday, 25th February, 2020)
(Division)

Order deferred.

- 9. **MOTION – FOURTH AND FIFTH PROGRESS REPORTS OF THE AD-HOC**
COMMITTEE ON COVID – 19 SITUATION IN KENYA

Order read;

Motion made in amended form;

THAT, the Senate adopts the Fourth and Fifth Progress Reports of the Ad-hoc Committee on COVID –19 Situation in Kenya, laid on the Table of the Senate on Tuesday, 5th May, 2020 and on Tuesday 12th May, 2020 respectively.

(Chairperson, Ad-hoc Committee on COVID-19 Situation in Kenya)

And the time being thirty Minutes past Six O'clock, the Deputy Speaker interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

- 10. **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
Tuesday, May 19, 2020 at 10:00 a.m.