



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT (FOURTH SESSION)**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**TUESDAY, JUNE 09, 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 Speaker.
3. **COMMUNICATION FROM THE CHAIR - GUIDELINES FOR SENATE PLENARY AND COMMITTEE SITTINGS**

The Speaker conveyed the following Communication from the Chair: -

“Honourable Senators,

You will recall that on 31<sup>st</sup> March, 2020, I issued a Communication setting out guidelines to facilitate the smooth flow of legislative business in Senate Plenary and Committee sittings, taking into account various measures that have been put in place by the Government to combat the COVID-19 pandemic.

These guidelines were developed after consultations with and on the advice of the Ministry of Health who had inspected the Parliamentary precincts and provided us with a Report on the state of the Parliamentary precincts and the conditions to be met to facilitate Plenary and Committee sittings.

Honourable Senators,

In the Communication issued on 31<sup>st</sup> March, 2020, I indicated that the Chamber had been re-configured to sit a maximum of 28 Senators only. Accordingly, the Senate Majority Leader and the Senate Minority Leader were requested to consult and designate the 28 Senators who were to attend the Senate Plenary sittings. The Serjeant- at-Arms was accordingly directed to ensure that only the 28 designated Senators attended Plenary sittings.

Following concerns raised by a number of Senators on the need for ALL Senators to participate in Plenary Sittings, and following a resolution by the Senate Business Committee on 20<sup>th</sup> May, 2020, arrangements were made in light of the COVID-19

pandemic situation in the country and in line with the health and social distancing protocols as contained in the Guidelines issued on 31<sup>st</sup> March, 2020 to ensure that all Senators have an opportunity to access the Chamber and participate in the Senate Plenary while within the precincts of the Main Parliament Buildings.

The New Wing Lounge of the Parliament buildings was designated as part of the Senate Chamber to accommodate the other Senators who missed seats in the main Chamber, with the exception of the Deputy Speaker, Majority and Minority Leadership and Senators with disability as well as Senators with business on the Order Paper for the day, who were to take seats in the Senate Chamber. Any extra seats in the Senate Chamber are now occupied on first come – first – sit basis.

Honourable Senators,

For the avoidance of doubt, I direct and reiterate that the health and social distancing protocols as contained in the Guidelines issued on 31<sup>st</sup> March, 2020 apply in both the Senate Chamber and the New Wing Lounge of the Parliament buildings for all Plenary sittings. Senators and parliamentary officers are required to strictly adhere to these guidelines which were purposely developed to contain the spread of COVID – 19.

I thank you.”

#### 4. **PAPERS LAID**

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

- i) The Public Health (COVID – 19 Restriction of Movement of Persons and Related Measures) (Nairobi Metropolitan Area) (Extension) Order No. 2 of 2020- Legal Notice No. 89 of 2020; and
- ii) The Public Health (COVID – 19 Restriction of Movement of Persons and Related Measures) (Mandera County) (Extension) Order, 2020 - Legal Notice No. 85 of 2020.

*(The Senate Majority Leader)*

- iii) Statement on the business of the Senate for the week commencing Tuesday, 16<sup>th</sup> June, 2020.

*(The Deputy Senate Majority Leader)*

#### 5. **STATEMENTS**

##### **i) Statements pursuant to Standing Order 47(1)**

- a) The Senator for Trans-Nzoia County (Sen. (Dr.) Michael Mbitto, MP) made a Statement regarding protection of urban green spaces.

Thereupon, the Senator informed the House that the World Environment Day was celebrated on 5<sup>th</sup> June, 2020, with the theme of celebrating biodiversity. This was a reminder that it is time to act to salvage our environment which is

facing a constant threat of degradation; preserve and protect wildlife; and, appreciate nature.

The Senator further informed the House that adequate protection and preservation of green spaces is essential thus developing laws and policies that cushion them from degradation, human encroachment and plastic pollution is fundamental. He referred to the ban on plastic bags which reduced the amount of plastic pollution in our green spaces and a further ban on single-use plastics scheduled to officially take effect this month that will see the greenspaces breath again.

The Senator urged the House to endeavor to take care of urban green spaces and improve on them, to take action and act for the environment, act for climate, and act for the planet during this time for celebration of the World Environment Day.

- b) Nominated Senator (Sen. (Dr.) Alice Milgo, MP) made a Statement on uniting in the fight against stigma linked to COVID-19.

Thereupon, the Senator informed the House of the stigma surrounding survivors of COVID-19 and their families, making their lives very hard. For patients to survive the pandemic, they need great care, hope and love. Stigmatization has never been a good method of dealing with any crisis.

The Senator highlighted several methods that can be explored to strike out stigma against COVID-19 patients and that education about the disease should be given through different channels to everyone and awareness created to people giving facts. This will help eliminate negative perceptions about the disease born out of ignorance. In addition, guidance and counseling centres should be put up to offer counseling services to both the infected and affected.

The House was informed that these steps will enlighten everyone that COVID-19 can be defeated. It will make it easy for people to volunteer for testing when they encounter any COVID-19 related symptoms and save the government the cost of contact tracing. It will also end the growing trend of people running away from quarantine centres.

The Senator concluded her statement by stating that stigmatization will end with the acceptance that no one is safe and that the disease is already here with us and it is our responsibility to fight it together.

- c) Nominated Senator (Sen. Petronilla Were, MP) made a Statement on behalf of Nominated Senator (Sen. Beth Mugo, MP) regarding the untimely death of a Kenyan, Ms. Virginia M. Asaph, allegedly as a result of negligence occasioned by staff at the M.P. Shah Hospital.

In the statement, the Senator explained the circumstances that led to the admission of Ms. Virginia M. Asaph on 26<sup>th</sup> May, 2020 between 2:00 am and 3:00 am and subsequent diagnosis with heart complications which required urgent surgery.

The Senator informed the House that the hospital demanded a deposit of Kshs. 500,000 to be paid upfront before any surgery could be performed. Throughout the night, the patient remained unattended to as her relatives mobilized

resources and finally managed to pay the deposit in the wee hours of the morning. It was only after the money had been paid that the patient was taken to theatre at 7:45 am, but unfortunately, she died at 9:39 am. The Senator expressed her concern that Ms. Asaph's death could have been prevented, had the hospital upheld their claim of being a patient-centred hospital that has compassion as one of its core values, and had the attending doctors answered to the Hippocratic Oath to which they swear when being commissioned to medical service at graduation.

The Senator concluded by requesting the Speaker to commit the matter to the Standing Committee on Health in order for the Committee to investigate the fact that the hospital caused the untimely death of a patient by putting commercial interest before the wellbeing of the patient, contrary to Article 43(1)(a) of the Constitution as read together with section 7 of the Health Act on emergency treatment.

After deliberations, the Speaker directed that the statement be referred to the Standing Committee on Health.

**ii) Statements pursuant to Standing Order 48(1)**

- a) Nominated Senator (Sen. (Arch.) Sylvia Kasanga, MP) sought a statement from the Standing Committee on Roads and Transportation regarding the operationalization of the National Construction Authority (Defects and Liability) Regulations, 2020.
- b) Nominated Senator (Sen. (Arch.) Sylvia Kasanga, MP) sought a statement from the Standing Committee on Health regarding the state of mental health amongst Kenyans, in view of the cessation movement and curfew currently obtaining in the country.
- c) Nominated Senator (Sen. Petronilla Were Lokorio, MP) sought a statement from the Ad Hoc Committee on the COVID-19 Situation in Kenya regarding welfare support for unionisable employees adversely affected by COVID-19 pandemic.
- d) Nominated Senator (Sen. (Dr.) Alice Milgo, MP) sought a statement from the Standing Committee on National Security, Defence and Foreign Relations concerning the death of one person and injury of three others by an alleged mysterious creature between September 2019 and June, 2020, in Bomet County.

The Deputy Speaker directed that the Standing Committee on National Security, Defence and Foreign Relations provides a response to the Senate on the matter in two weeks.

- e) Nominated Senator (Sen. Judith Pareno, MP) sought a statement from the Ad-hoc Committee on COVID-19 Situation in Kenya on sharing of the Kshs. 5 Billion Conditional Grant to county governments for COVID-19 emergency response.

**iii) Statement pursuant to Standing Order 52(1)**

The Deputy Senate Majority Leader issued a statement on the business of the Senate for the week commencing Tuesday, 16<sup>th</sup> June, 2020.

6. **THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (AMENDMENT) (NO. 3) BILL (NATIONAL ASSEMBLY BILLS NO. 35 OF 2019)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Independent Electoral and Boundaries Commission (Amendment) (No. 3) Bill (National Assembly Bills No. 35 of 2019) be now read a Second Time.

*(The Senate Majority Leader – 20.02.2020)*

Debate interrupted on Thursday, 2<sup>nd</sup> February, 2020 resumed on a Division;

The Speaker directed that roll call voting be taken pursuant to Standing Order 83 (1) and that the Division Bell be rung for five minutes;

After the expiry of five minutes, the Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES - 30                      NOES - 0                      ABSTENTION - 0

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Kabaka Boniface Mutinda
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu
9. Sen. Khaniri George
10. Sen. Kibiru Charles
11. Sen. Kimani Wamatangi Paul
12. Sen. Lang'at Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Mogeni Erick Okong'o
19. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Nderitu John Kinyua
24. Sen. Ongeru Samson Kegengo
25. Sen. Orengo James
26. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur

29. Sen. Wambua Enoch Kiio
30. Sen. Wario Golich Juma

Question agreed to.

Bill read a Second Time and committed to the Committee of the Whole tomorrow.

7. **THE LIFESTYLE AUDIT (NO. 2) BILL (SENATE BILLS NO. 21 OF 2019)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Lifestyle Audit (No. 2) Bill (Senate Bills No. 21 of 2019) be now read a Second Time.

*(Sen. Farhiya Ali Haji, MP – 11.03.2020)*

Debate interrupted on Wednesday, 11<sup>th</sup> March, 2020 resumed on a Division;

The Speaker directed that roll call voting be taken pursuant to Standing Order 83 (1) and that the Division Bell be rung for five minutes;

After the expiry of five minutes, the Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES - 30                      NOES - 0                      ABSTENTION - 0

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Kabaka Boniface Mutinda
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu
9. Sen. Khaniri George
10. Sen. Kibiru Charles
11. Sen. Kimani Wamatangi Paul
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbito Michael Maling'a
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Mogeni Erick Okong'o
19. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki

23. Sen. Nderitu John Kinyua
24. Sen. Ongeru Samson Kegengo
25. Sen. Orengo James
26. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
27. Sen. Poghio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wario Golich Juma

Question agreed to.

Bill read a Second Time and committed to the Committee of the Whole tomorrow.

8. **THE REPRODUCTIVE HEALTHCARE BILL (SENATE BILLS NO. 23 OF 2019)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Reproductive Healthcare Bill (Senate Bills No. 23 of 2019) be now read a Second Time.

*(Sen. Susan Kihika, MP – 02.06.20)*

Debate interrupted on Tuesday, 2<sup>nd</sup> June, 2020 resumed on a Division;

The Speaker directed that roll call voting be taken pursuant to Standing Order 83 (1) and that the Division Bell be rung for five minutes;

After the expiry of five minutes, the Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES - 30                      NOES - 0                      ABSTENTION - 0

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Kabaka Boniface Mutinda
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu
9. Sen. Khaniri George
10. Sen. Kiburu Charles
11. Sen. Kimani Wamatangi Paul
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Ltumbesi
14. Sen. Mahamud Mohamed Maalim
15. Sen. Malalah Cleophas Wakhungu

16. Sen. Mbito Michael Maling'a
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Mogeni Erick Okong'o
19. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
20. Sen. Mutula Kilonzo Junior
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Nderitu John Kinyua
24. Sen. Ongeru Samson Kegengo
25. Sen. Orengo James
26. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
27. Sen. Poghio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wario Golich Juma

Question agreed to.

Bill read a Second Time and committed to the Committee of the Whole tomorrow.

9. **COMMITTEE OF THE WHOLE**

Order for Committee read;

**IN THE COMMITTEE**

(The Acting Chairperson of Committees (Sen. Judith Pareno, MP) – in the Chair)

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

Clause 3 - deletion of clause proposed

THAT, the Bill be amended by deleting clause 3.

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

Clause 3 - vote deferred

Clauses 4 - 8

Motion made and Question proposed;

THAT, clauses 4 - 8 be part of the Bill.

Clauses 4 - 8 - vote deferred

Clause 9 - amendment proposed

THAT, clause 9 of the Bill be amended by inserting the following new paragraphs immediately after paragraph (j)—



- (k) assess the country’s capacity to deal with the pandemic;
- (l) develop and publicize an appropriate national plan to manage the pandemic;
- (m) develop an appropriate post pandemic recovery framework for all sectors affected by the pandemic;
- (n) develop a community engagement strategy to manage the pandemic; and
- (o) provide up-to-date information to the public on the pandemic and the steps the Committee has taken to manage the pandemic and mitigate against its impact.

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

Further amendment proposed

THAT, clause 9 of the Bill be further amended by inserting the following new paragraph immediately after paragraph (j) –

- (k) make recommendations it may consider necessary to the relevant ministry to mitigate the impact of future pandemics.

*(Sen. Farhiya Ali Haji, MP)*

Further amendment withdrawn by the Mover

Clause 9 - vote deferred

Clauses 10 - 12

Motion made and Question proposed;

THAT, clauses 10 - 12 be part of the Bill.

Clauses 10 - 12 - vote deferred

Clause 13 - amendment proposed

THAT, clause 13 of the Bill be amended in subclause (1) by—

- (a) deleting the word “bi-weekly status reports providing” appearing immediately after the words “submit to Parliament” and substituting therefor the words “once in every two weeks a status report providing information on”; and
- (b) inserting the following new subparagraph immediately after subparagraph (iii) in paragraph (a)—

- (iv) resource mobilization and expenditure on the pandemic; and

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

Clause 13 - vote deferred

Clauses 14 – 18

Motion made and Question proposed;

THAT, clauses 14 – 18 be part of the Bill.

Clauses 14 – 18 - vote deferred

Clause 19 - amendment proposed

THAT, the Bill be amended by deleting clause 19.

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

Clause 19 - vote deferred

Clause 20 - amendment proposed

THAT, the Bill be amended by deleting clause 20.

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

Further amendment proposed

THAT, clause 20 of the Bill be amended by deleting paragraph (h) and substituting therefor the following new paragraphs –

- (h) provide financial support companies, micro, small and medium enterprises and other entities which have been negatively affected by the pandemic; and
- (i) provide a financial safeguards for economic losses that may have been suffered by citizens as a result of the pandemic as shall be determined in the manner prescribed by the Cabinet Secretary.

*(Sen. Farhiya Ali Haji, MP on behalf of Sen. Beth Mugo, MP)*

Amendment withdrawn by the Mover

Further amendment proposed

THAT, clause 20 of the Bill be amended by inserting the following new paragraph immediately after paragraph (h)-

- (i) support micro, small and medium enterprises which have been negatively affected by the pandemic through stimulus packages.

*(Sen. Farhiya Ali Haji, MP)*

Further amendment withdrawn by the Mover

Clause 20 - vote deferred

Clauses 21 - 24 - amendment proposed

THAT, the Bill be amended by deleting clauses 21 - 24.

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

Clauses 21 - 24 - vote deferred

Clause 25 - amendment proposed

THAT, clause 25 of the Bill be amended—

- (a) by renumbering the existing clause as subclause (1);
- (b) in the new subclause (1) deleting the word “may” appearing immediately after the words “relating to finance” and substituting therefor the word “shall”; and
- (c) by inserting the following new subclause—

(2) The Cabinet Secretary for matters relating to finance may, for purposes of subsection (1) prescribe measures restricting the Kenya Revenue Authority from the enforcement of tax obligations during a pandemic.

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

Clause 25 - vote deferred

Clause 26 - amendment proposed

THAT, Bill be amended by deleting clause 26 and substituting therefor the following new clause —

Loans and mortgages. 26. (1) Where a pandemic has a negative impact on the capacity of a borrower to meet his or her contractual obligations entered into prior to the declaration of a pandemic, the following measures shall apply during the pandemic up to two months after the end of the pandemic

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- (a) the borrower may give notice of default in writing to the respective lending financial institution specifying the reason for default to be as a result of the pandemic;
- (b) the borrower and the lending financial institution may enter into an agreement for the extension of the timelines for repayment;
- (c) where the borrower and the lending financial institution fail to agree on the timeline for extension of the repayment, the lending financial institution shall determine a reasonable timeline for repayment;

- (d) the borrower shall not be listed by a credit reference bureau on account of a default; and
- (e) the statutory notice of realisation of a security given shall not be issued.

(2) The Cabinet Secretary responsible for matters relating to finance shall—

- (a) in consultation with financial institutions, develop a criteria for debt review; and
- (b) with the approval of Parliament, implement measures to cushion lenders and borrowers.

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

Further amendment proposed

THAT clause 26 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (2) –

(2A) Where, despite the implementation of the measures specified under subsection (1), a borrower is unable to meet the contractual obligations at the expiry of the two-month period owing to the impact of the pandemic on that borrower –

- (a) the borrower and the lending financial institution shall review and may extend the terms of the arrangement entered into under subsection (1)(a) for such further period as shall be necessary as to enable the borrower meet the contractual obligations; and
- (b) the provisions of subsection (1) shall continue to apply for the duration of the arrangement entered into under paragraph (a).

*(Sen. Farhiya Ali Haji, MP on behalf of Sen. Beth Mugo, MP)*

Further amendment withdrawn by the Mover

Clause 26 - vote deferred

Clause 27 - amendment proposed

THAT, clause 27 of the Bill be amended—

- (a) by renumbering the existing clause as subclause (1);
- (b) in the new subclause (1) by inserting the words “entered into prior to the declaration of a pandemic” immediately after the words “of obligations”;
- (c) by inserting the following new subclauses immediately after the new subclause (1)—
  - (2) The Cabinet Secretary responsible for matters relating to finance shall—

- (a) in consultation with the association representing the largest number of lending institutions, prescribe an eligibility criterion for a moratorium under subsection (1); and
  - (b) prescribe the criteria to be applied by a lending financial institution in determining the period for which the moratorium will apply with respect to its borrowers.
- (3) A statutory agency shall not charge fees, interest or penalties for late payment or failure by a person to meet their obligations under a contract during the pandemic period.

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

Clause 27 - vote deferred

Clause 28 - amendment proposed

THAT, the Bill be amended by deleting clause 28 and substituting therefor the following new clause—

Contractual obligations. 28. Where a contract was entered into before the declaration of a pandemic and the pandemic affects the performance of a contractual obligation—

- (a) the defaulting party may give notice of default in writing to the other party citing the reason for the default to be as a result of the pandemic; and
- (b) the parties to a contract may enter into an arrangement to review the terms of the contract and to extend the timelines for the defaulting party to meet the contractual obligations.

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

Clause 28 - vote deferred

Clause 29 - amendment proposed

THAT, the Bill be amended by deleting clause 29.

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

Further amendment proposed

THAT, the Bill be amended by deleting clause 29.

*(Sen. Irungu Kang'ata, MP)*

Further amendment withdrawn by the Mover

Further amendment proposed

THAT, clause 29 of the Bill be amended by deleting sub-clause (1) and substituting therefor the following new sub-clauses –

(1) A tenant who is vulnerable or belongs to a vulnerable household and who, owing to the impact of the pandemic, is unable to meet their obligations under a tenancy shall give a notice in writing to the landlord or contracting party that they are unable to meet their obligations because of the pandemic.

(1A) Upon receipt of a notice under paragraph (a), the landlord may–

- (a) require proof of the tenant’s inability to meet the obligations under the agreement;
- (b) review the terms of the agreement for the duration of the pandemic and may, for this purpose, extend the time required for the meeting of the contractual obligations during the period of the pandemic.

*(Sen. Farhiya Ali Haji, MP on behalf of Sen. Beth Mugo, MP)*

Further amendment withdrawn by the Mover

Clause 29 - vote deferred  
Clause 30 - amendment proposed

THAT, the Bill be amended by deleting clause 30 and substituting therefor the following new clause—

Labour relations. 30. (1) The Cabinet Secretary responsible for matters relating to labour shall, with the approval of Parliament, develop measures to cushion employers and employees during the pandemic.

(2) The measures taken by an employer who is adversely affected by a pandemic, with respect to an employee, shall not contravene the existing employment and labour relations laws.

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

Further amendment proposed

THAT, the Bill be amended by deleting clause 30.

*(Sen. Irungu Kang’ata, MP)*

Further amendment dropped in the absence of the Mover

Further amendment proposed

THAT, clause 30 of the Bill be amended in sub-clause (1) by –

(a) deleting paragraph (b) and substituting therefor the following new paragraph

–

(b) an employer may review the terms of employment including a deduction of the wage payable to such an employee in accordance with subsection (1A).

(b) inserting the following new sub-clause immediately after sub-clause (1) –

(1A) An employer shall not deduct the salary or wage payable to an employee under subsection (1)(b) unless the employer has issued to the employee a one month’s notice of intention to deduct the salary or wages.

*(Sen. Farhiya Ali Haji, MP on behalf of Sen. Beth Mugo, MP)*

Amendment withdrawn by the Mover

Further amendment proposed

THAT, clause 30 of the Bill be amended in subsection (1) by deleting paragraph (b).

*(Sen. Farhiya Ali Haji, MP)*

Further amendment withdrawn by the Mover

Clause 30 - vote deferred

Clause 31

Motion made and Question proposed;

THAT, clause 31 be part of the Bill.

Clause 31 - vote deferred

Clause 32 - amendment proposed

THAT clause 32 of the Bill be amended in the introductory clause by deleting the word “may” appearing immediately after the words “government agencies” and substituting therefor the word “shall”.

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

Amendment withdrawn by the Mover

Further amendment proposed

THAT, clause 32 of the Bill be amended in the introductory clause by deleting the word “may” appearing immediately after the words “government agencies” and substituting therefor the word “shall”.

*(Sen. Farhiya Ali Haji, MP)*

Clause 32 - vote deferred

Clause 33 - amendment proposed

THAT, clause 33 of the Bill be amended—

- (a) by renumbering the existing clause as subclause (1);
- (b) in the new subclause (1) by—
  - (i) inserting the words “during a pandemic” immediately after the words “other law where” in the introductory clause;
  - (ii) inserting the words “subject to subsection (2)” immediately after the words “such business may” in paragraph (a);
  - (iii) deleting paragraph (b) and substituting therefore the following new paragraph—
    - (b) the Speakers of Parliament shall, with the approval of the respective House, make guidelines on the conduct of plenary and committee sittings remotely;
  - (iv) deleting paragraph (c) and substituting therefore the following new paragraph—
    - (c) the Speaker of each county assembly shall, with the approval of the respective county assembly, make guidelines on the conduct of plenary and committee sittings remotely;
- (c) by inserting the following clauses immediately after the new subclause (1)—
  - (2) The holding of a meeting under subsection (1)(a) shall be subject to the existing laws on the conduct of meetings and the validity of resolutions.
  - (3) The Cabinet Secretary for matters relating to information, communications and technology shall make regulations for the protection of data and information transmitted during meetings held remotely.

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

Clause 33 - vote deferred

Clause 34

Motion made and Question proposed;

THAT, clause 34 be part of the Bill.

Clause 34 - vote deferred

Clause 35 - amendment proposed



THAT, clause 35 of the Bill be amended in subclause (1) by deleting the word “person’s” appearing immediately after the words “discharge of the” in paragraph (a) and substituting therefor the word “officer’s”.

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

Clause 35 - vote deferred

Clause 36 - amendment proposed

THAT, clause 36 of the Bill be amended in paragraph (a) by deleting the words “from a public office” appearing immediately after the words “or other benefit” and substituting therefor the words “under this Act”.

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

Clause 36 - vote deferred

Clause 37 - amendment proposed

THAT, clause 37 of the Bill be amended by—

(a) renumbering the existing provision as subclause (1); and

(b) inserting the following new subclause immediately after the new subclause (1)—

(2) Despite any penalty that may be imposed under subsection (1), a person who is found guilty of an offence under subsection (1) is liable to pay three times the value of the misappropriated money or goods.

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

Further amendment proposed

THAT, clause 37 of the Bill be amended by deleting the words “exceeding ten million shillings” appearing immediately after the words “a fine not” and substituting therefor the words “less than three times the value of the goods or money misappropriated”.

*(Sen. Farhiya Ali Haji, MP)*

Further amendment withdrawn by the Mover

Clause 37 - vote deferred

Clause 38

Motion made and Question proposed;

THAT, clause 38 be part of the Bill.

Clause 38 - vote deferred

Clause 39 - amendment proposed

THAT, the Bill be amended by deleting clause 39 and substituting therefor the following new clause —

Regulations. 39. (1) The Cabinet Secretary may, in consultation with the National Committee and the Council of County Governors, make regulations—

- (a) prescribing anything that is required to be prescribed under this Act; and
- (b) generally, for the better carrying out of the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Cabinet Secretary may, in consultation with the National Committee and the Council of County Governors, make regulations —

- (a) to provide for measures for prevention, mitigation, preparedness, response and recovery from the pandemic;
- (b) to provide for emergency registration of the relevant professionals;
- (c) in consultation with—
  - (i) the Cabinet Secretary responsible for matters relating to information and communication technology, make regulations to provide for collection and publication of data relating to the pandemic;
  - (ii) the Cabinet Secretary responsible for the coordination of national government functions, make regulations to provide for use of listed premises as shelters to manage a pandemic;
  - (iii) the Cabinet Secretary responsible for matters relating to labour, make regulations to provide for additional services to be categorized under essential services despite the provisions of the Labour Relations Act;
  - (iv) the Cabinet Secretary responsible for matters relating to trade and industry, make regulations to provide for consumer protection measures despite the provisions of the Consumer Protection Act;

Act No. 14  
of 2007.

(v) the Cabinet Secretary responsible for matters relating to social assistance, make regulations to provide for care and protection of vulnerable persons;

Act No. 46  
of 2012.

(vi) the Cabinet Secretary responsible for matters relating to information and communication technology, make regulations to provide for conduct of public awareness and civic education on management of the pandemic; or

(d) make regulations to provide for any relevant rules or standards required for the effective implementation of this Act.

(3) For the purposes of Article 94(6) of the Constitution—

(a) the power of the Cabinet Secretary to make regulations shall be limited to bringing into effect the provisions of this Act and the fulfilment of the objectives specified under subsection (1); and

(b) the principles and standards set out under the Interpretation and General Provisions Act and the Statutory Instruments Act, 2013 in relation to subsidiary legislation shall apply to regulations made under this Act.

(4) The Cabinet Secretary shall, within three days after the publication of a regulation under this Act, ensure that a copy of the regulation is transmitted to the Clerk of the National Assembly and the Senate for tabling before each House of Parliament.

(5) Each House of Parliament shall consider and either approve or annul regulations made under this Act within seven days after the tabling of the regulations in the respective House.

Cap. 2.  
No. 23 of  
2013.

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

Clause 39 - vote deferred

Clause 40 - amendment proposed

THAT, the Bill be amended by deleting clause 40.

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

Clause 40 - vote deferred

New Clause 7A - insertion of New Clause proposed

THAT, the Bill be amended by inserting the following new clause immediately after clause 7—

Declaration of the end of a pandemic. 7A. The President shall, on the recommendation of the National Committee and by notice in the *Gazette*, declare that a pandemic is no longer a threat to the social, economic or political stability of the country.

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

Motion made and Question proposed-

THAT, the New Clause 7A be now read a Second Time.

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

New Clause 7A - vote deferred

New Clause 30A - insertion of New Clause proposed

THAT, the Bill be amended by inserting the following new clause immediately after clause 30—

Designation of vulnerable persons. 30A. (1) The Cabinet Secretary may, in consultation with the National Committee, the Council of County Governors and the Cabinet Secretary responsible for matters relating to social assistance, by notice in the *Gazette*, designate categories of vulnerable persons affected by a pandemic.

(2) Despite subsection (1), vulnerable persons shall include—

- (a) orphans and at risk children;
- (b) persons with disabilities;
- (c) poor elderly persons;
- (d) persons who have lost their source of income owing to the pandemic;
- (e) poor widows and widowers;
- (f) persons disabled by acute chronic illnesses and who cannot meet their basic needs; and
- (g) micro, small and medium enterprises affected by a pandemic.

(3) In this Part,—

“at risk child” means a child who—

- (a) is under the care of a person who suffers a disability or serious long-term ailment which renders the person unable to care for the child;
- (b) has been abandoned by a parent or parents and is not under the care of a guardian who provides the basic needs of the child; or
- (c) is under the care of parents or guardians who are unable to provide for the child’s basic needs;

“medium enterprise” means a firm, trade, service, industry or a business activity—

- (a) whose annual turnover is at least five million shillings and does not exceed eight hundred million shillings; and
- (b) which employs between fifty and ninety-nine people.

“micro enterprise” has the meaning assigned to it under section 2 of the Micro and Small Enterprises Act;

“orphan” means a child with no parents, either biological or adoptive, and who is not under the care of a guardian who provides the basic needs of the child;

No. 55 of  
2012.

“person with a disability” means a person who—

- (a) suffers from severe mental or physical disability;
- (b) the disability renders the person incapable of catering for their basic needs; and
- (c) there is no known source of income or support for the person;

No. 55 of  
2012.

“poor elderly person” means a person who has attained the age of sixty-five years and cannot meet their basic needs;

“poor widow or widower” means a widow or widower who cannot meet her or his basic needs; and

“small enterprise” has the meaning assigned to it under section 2 of the Micro and Small Enterprises Act.

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

Motion made and Question proposed-

THAT, the New Clause 30A be now read a Second Time.

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

New Clause 30A - vote deferred

New Clause 38A - insertion of New Clause proposed

THAT, the Bill be amended by inserting the following new clause immediately after clause 38—

Establishment of a fund. No. 18 of 2012.	38A. The Cabinet Secretary responsible for matters relating to finance may, where he considers it necessary, establish a fund pursuant to section 24(4) of the Public Finance Management Act for the effective mitigation and management of the adverse effects of the pandemic.
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*(Chairperson, Ad hoc Committee on COVID-19 Situation in Kenya)*

Motion made and Question proposed-

THAT, the New Clause 38A be now read a Second Time.

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

New Clause 38A - vote deferred

Clause 2 - amendment proposed

THAT, clause 2 of the Bill be amended by inserting the following new definitions immediately after the definition of the word “pandemic” –

“vulnerable household” means a family which does not have a place to reside or is living in a dwelling place subject to payment of a fee, the provider of the family is or has become unemployed or is on unpaid leave and the family has no other source of income.

No. 24 of  
2013.

“vulnerable person” means –

- (a) a person specified under sections 20, 21, 22 and 23 of the Social Assistance Act; or
- (b) such other person as the Cabinet Secretary shall designate by notice in the Gazette.

*(Sen. Beth Mugo, MP)*

Amendment dropped in the absence of the Mover

Further amendment proposed

THAT, clause 2 of the Bill be amended by deleting the definition of the term “Fund”.

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

Clause 2 - vote deferred  
The Title and Clause 1

Motion made and Question proposed;

THAT, the Title and Clause 1 be part of the Bill.

The Title and Clause 1 - vote deferred

**Progress Report;**

Motion made;

THAT, pursuant to Standing Order 148, the Committee do report to the House its consideration of the Pandemic Management and Response Bill (Senate Bills No. 6 of 2020) and seek leave to sit again tomorrow.

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

Before the Question was put and pursuant to Standing Order 79, the Acting Chairperson (Sen. Judith Paredo, MP) ruled that the Question did not affect counties.

Question put and agreed to.

- 10. **HOUSE RESUMED** – (Deputy Speaker - in the Chair)
- 11. **THE PANDEMIC MANAGEMENT AND RESPONSE BILL (SENATE BILLS NO. 6 OF 2020)**

**Progress reported;**

Motion made and Question Proposed;

THAT, the House do agree with the Committee in the said report.

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

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 79, the Deputy Speaker ruled that the Question did not affect counties;

Question put and agreed to.

12. **COMMITTEE OF THE WHOLE**

Order for Committee read;

**IN THE COMMITTEE**

(The Acting Chairperson of Committees (Sen. Judith Pareno, MP) – in the Chair)

**THE KENYA MEDICAL SUPPLIES AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO. 38 OF 2018)**

Clauses 2 & 3

Motion made and Question proposed;

THAT, Clauses 2 & 3 be part of the Bill.

Clauses 2&3 - vote deferred.

Clause 4 - amendment proposed

THAT, the Bill be amended by deleting clause 4 of the Bill and substituting therefor the following new clause—

Amendment 4. Section 4 of the Principal Act is amended by deleting of section 4 subsection (2) and substituting therefor the following new of No. 20 of subsection—  
2013.

(2) The Cabinet Secretary may assist the Authority to determine the requirement of drugs and medical supplies in National Referral hospitals.

(2A) The County Government may assist the Authority to determine the requirement of drugs and medical supplies in the respective county health facilities.

*(Chairperson, Standing Committee on Health)*

Clause 4 - vote deferred.

Clauses 5 – 7

Motion made and Question proposed;

THAT, Clauses 5 - 7 be part of the Bill.

Clauses 5 - 7 - vote deferred.

New Clause 5A - insertion of New Clause proposed



THAT, the Bill be amended by inserting the following new clauses immediately after clause 5 –

Insertion of section 6A in No. 20 of 2013	5A. The principal Act is amended by inserting the following new section immediately after section 6—  Headquarters      6A. The headquarters of the Authority shall be in the capital city, but the Authority may establish such branches as it may consider necessary.
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*(Chairperson, Standing Committee on Health)*

Motion made and Question proposed-

THAT, the New Clause 5A be now read a Second time.

*(Chairperson, Standing Committee on Health)*

New Clause 5A            - vote deferred.

New Clause 5B            - insertion of new clause proposed

THAT, the Bill be amended by inserting the following new clause immediately after clause 5A –

Amendment of section 8 of No. 20 of 2013	5B. Section 8 of the principal Act is amended—  (a) in subsection (2) by deleting the words “or medicine” appearing at the end of paragraph (a) and substituting therefor the words “medicine, business management, finance, supply chain management, or any other related field from a recognized university”;  (b) in subsection (3) by deleting paragraph (b);  (c) in subsection (4) by inserting the words “upon satisfactory performance” immediately after the words “four years and”
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*(Chairperson, Standing Committee on Health)*

Motion made and Question proposed-

THAT, the New Clause 5B be now read a Second Time.

*(Chairperson, Standing Committee on Health)*

New Clause 5B            - vote deferred.

New Clause 5C            - insertion of new clause proposed

THAT, the Bill be amended by inserting the following new clause immediately after clause 5B –

Insertion of section 9A in No. 20 of 2013

5C. The principal Act is amended by inserting the following new section immediately after section 9—

Corporation Secretary

9A. (1) There shall be a corporation secretary of the Authority who shall be competitively recruited and appointed by the Board.

(2) The terms and conditions of service of the corporation secretary shall be determined in the instrument of appointment by the Board upon the advice of the Salaries and Remuneration Commission.

(3) A person is qualified for appointment under subsection (1) if the person—

- (a) holds a degree from a recognised university;
- (b) is registered as a Certified Public Secretary under the Certified Public Secretaries of Kenya Act;
- (c) is a member of good standing of the Institute of Certified Public Secretaries of Kenya;
- (d) has at least seven years' experience in a senior management administration; and
- (e) satisfies the requirements of chapter six of the Constitution.

Cap 534

(4) The Corporation Secretary shall be the secretary to the Board and shall —

- (a) provide guidance to the Board on their duties and responsibilities and on matters of governance;
- (b) be the custodian of the seal of the organisation and account to the Board for its use;
- (c) ensure timely preparation and circulation of Board and Committee papers and minutes;

- (d) maintain and update the register of conflicts of interest;
- (e) facilitate effective communication between the organisation and the shareholders; and
- (f) ensure that the annual returns and statutory documents required to be filed under any other law are promptly filed with the relevant authorities.

*(Chairperson, Standing Committee on Health)*

Motion made and Question proposed-

THAT, the New Clause 5C be now read a Second Time.

*(Chairperson, Standing Committee on Health)*

New Clause 5C - vote deferred.

New Clause 5D - insertion of new clause proposed

THAT, the Bill be amended by inserting the following new clause immediately after clause 5C –

Amendment 5D. Section 13 of the principal Act is amended by of section 13 deleting subsection (2) and substituting therefor the of No. 20 of following new subsection—  
2013

(2) The affixing of the common seal of the Authority shall be authenticated by the signature of the Chairperson and the chief executive officer and any document not required by law to be made under seal and all decisions of the Board may be authenticated by the signatures of both the chief executive officer and the corporation secretary.

*(Chairperson, Standing Committee on Health)*

Motion made and Question proposed-

THAT, the New Clause 5D be now read a Second Time.

*(Chairperson, Standing Committee on Health)*

New Clause 5D - vote deferred.

The Title and Clause 1

Motion made and Question proposed-

THAT, the Title and Clause 1 be part of the Bill.

The Title and Clause 1- vote deferred.

**Progress Report;**

Motion made;

THAT, pursuant to Standing Order 148, the Committee do report to the House its consideration of the Kenya Medical Supplies Authority (Amendment) Bill (Senate Bills No. 38 of 2018) and seek leave to sit again tomorrow.

*(Sen. Mary Seneta, MP)*

Before the Question was put and pursuant to Standing Order 79, the Acting Chairperson (Sen. Judith Pareno, MP) ruled that the Question did not affect counties.

Question put and agreed to.

13. **HOUSE RESUMED** – (Deputy Speaker - in the Chair)

14. **THE KENYA MEDICAL SUPPLIES AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO. 38 OF 2018)**

**Progress reported;**

Motion made and Question Proposed;

THAT, the House do agree with the Committee in the said report.

*(Sen. Mary Seneta, MP)*

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 79, the Deputy Speaker ruled that the Question did not affect counties;

Question put and agreed to.

15. **COMMITTEE OF THE WHOLE**

Order for Committee read;

**IN THE COMMITTEE**

(The Acting Chairperson of Committees (Sen. Judith Pareno) – in the Chair)

**THE CANCER PREVENTION AND CONTROL (AMENDMENT) BILL (SENATE BILLS NO. 9 OF 2019)**

Clause 3 - amendment proposed

THAT, the Bill be amended by deleting clause 3 and substituting therefor the following new clause—

Amendment  
of section 5  
of No. 20 of  
2013.

3. Section 5 of the principal Act is amended —

- (a) by deleting paragraph (a) and inserting therefor the following new paragraphs—
  - (a) advise the Cabinet Secretary and county governments on matters relating to the prevention of disease, promotion of healthy living, control, treatment, referral and care of persons with cancer and to advise on the relative priorities to be given to the implementation of specific measures including detection, diagnosis and referral of children suspected to have cancer, genetic and hormonal therapies for cancer;
  - (aa) advice the Cabinet Secretary and Parliament on the resources required to finance and conduct cancer research;
- (b) in paragraph (c) by inserting the word “screening” immediately after the words “secure provision of”;
- (c) in paragraph (d) by deleting the words “in Ker appearing immediately after the words “services provic and substituting therefor the words “by the natic government”;
- (d) by inserting the following new paragraph immediately after paragraph (d) –
  - (da) collaborate with counties for the purpose of establishing facilities, delivery of services, collection and analysis of data;
  - (db) collaborate with counties in all matters related to the promotion of healthy living, prevention, diagnostic, treatment and control of cancer.
- (e) in paragraph (e) by deleting the words “of cancer” and substituting therefor the words “referral of cancer patients and promotion of health”;
- (f) in paragraph (f) by inserting the words “other government agencies” immediately after the words “collaborate with”;
- (g) by inserting the following new paragraph immediately after paragraph (f)—
  - (fa) collaborate with other national government agencies, universities, research institutions and international research institutions for cancer research;

- (h) by inserting the following new paragraph immediately after paragraph (k)—
  - (ka) develop programmes for early detection, diagnosis and referral of children suspected to have cancer;
  - (kb) provide the policy framework necessary to ensure public private partnership in childhood cancer care;

*(Chairperson, Standing Committee on Health)*

Clause 3 - vote deferred.

Clause 4 - amendment proposed

THAT, clause 4 of the Bill be amended—

- (a) by deleting paragraph (b) and substituting therefor the following new paragraph—
  - (b) deleting paragraph (j); and
- (b) by deleting paragraph (c) and substituting therefor the following new paragraph—
  - (c) inserting the following new paragraphs immediately after (i)—
    - (ja) two County Directors of Health nominated by the Council of County Governors;
    - (jb) one person representing the umbrella body of clinical pathologists in Kenya nominated by the Cabinet Secretary;

*(Chairperson, Standing Committee on Health)*

Clause 4 - vote deferred.

Clauses 5 and 6

Motion made and Question proposed-

THAT, Clauses 5 and 6 be part of the Bill.

Clauses 5 and 6 - vote deferred.

Clause 7 - amendment proposed

THAT clause 7 of the Bill be amended—

- (a) in the proposed new section 22A subsection (1) —

- (i) by inserting the word “diagnosis” immediately after the words “equipment for the prevention” appearing in paragraph (b);
- (ii) by inserting the following new paragraph immediately after paragraph (d)—
  - (da) put in place measures to improve the training and skills of health workers working in the community health unit, to ensure prompt detection and referral of persons suspected to have cancer;
- (iii) by deleting paragraph (g) (ii) and substituting therefor the following new sub-paragraph—
  - (ii) palliative care facilities and facilities for the accommodation for persons receiving cancer treatment;
- (iv) by deleting paragraph (h) and substituting therefor the following new paragraph —
  - (h) ensure that issues concerning cancer prevention, diagnosis and treatment are incorporated into the county development programmes and strategies and allocate the resources required for treatment and control of cancer;
- (b) in the proposed new section 22C —
  - (i) by inserting the word “diagnosis” immediately after the words “responsible for the prevention” appearing in subsection (1);
  - (ii) by deleting subsection (2) (b) and substituting therefor the following new paragraph —
    - (b) provide cancer screening and diagnostic services supervised by a pathologist;

*(Chairperson, Standing Committee on Health)*

Clause 7 - vote deferred

Clause 2, The Title and Clause 1

Motion made and Question proposed-

THAT, Clause 2, The Title and Clause 1 be part of the Bill

Clause 2, The Title and Clause 1 - vote deferred

**Progress Report;**

Motion made;

THAT, pursuant to Standing Order 148, the Committee do report to the House its consideration of the Cancer Prevention and Control (Amendment) Bill (Senate Bills No. 9 of 2019) and seek leave to sit again tomorrow.

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

Before the Question was put and pursuant to Standing Order 79, the Acting Chairperson (Sen. Judith Pareno, MP) ruled that the Question did not affect counties.

Question put and agreed to.

16. **HOUSE RESUMED** – (Deputy Speaker - in the Chair)

17. **THE CANCER PREVENTION AND CONTROL (AMENDMENT) BILL (SENATE BILLS NO. 9 OF 2019)**

**Progress reported;**

Motion made and Question Proposed;

THAT, the House do agree with the Committee in the said report.

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

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 79, the Deputy Speaker ruled that the Question did not affect counties;

Question put and agreed to.

18. **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, 25<sup>th</sup> February, 2020)***  
***(Division)***

Order deferred.

19. **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, 25<sup>th</sup> February, 2020)***  
***(Division)***

Order deferred.

20. **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, 25<sup>th</sup> February, 2020)  
(Division)***

Order deferred.

21. **THE PROMPT PAYMENT BILL (SENATE BILLS NO. 3 OF 2020)**

(Sen. (CPA) Farhiya Haji, MP and Sen. Sakaja Johnson, MP)

***(Resumption of debate interrupted on Tuesday, 2<sup>nd</sup> June, 2020 – Afternoon Sitting)***

Order for Second Reading read;

Order deferred.

22. **THE NATIONAL DROUGHT MANAGEMENT AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 26 OF 2019)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the National Drought Management Authority (Amendment) Bill (National Assembly Bills No. 26 of 2019) be now read a Second Time.

*(The Deputy Senate Majority Leader)*

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.

23. **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, June 16, 2020 at 2:30 p.m.*