



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FOURTH SESSION

THE SENATE

SPECIAL SITTING

VOTES AND PROCEEDINGS

TUESDAY, DECEMBER 29, 2020 AT 10.00 A.M.

1. The Senate assembled at ten O'clock.
2. The Proceedings were opened with Prayer said by the Speaker.
3. **COMMUNICATION FROM THE ON THE SPECIAL SITTING OF THE SENATE ON THE ANTI-DOPING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 51 OF 2020)**

The Speaker conveyed the following Communication from the Chair: -

“Honourable Senators,

Happy holidays. It is my pleasure and privilege to welcome you to this Special Sitting. I hope that you enjoyed your Christmas and continue to enjoy the recess period with family, relatives and friends.

Honorable Senators,

On the request of the Senate Majority Leader and with the support of the requisite number of Senators, I appointed today, Tuesday, 29th December, 2020 as a day for a Special Sitting of the Senate vide *Gazette* Notice No. 11251, dated 28th December, 2020.

In the *Gazette* Notice, I indicated that the business to be transacted at this Special Sitting shall be the consideration of the Anti-Doping (Amendment) Bill (National Assembly Bills No. 51 of 2020).

Honorable Senators,

The Bill is crucial to our country as it enables us to comply with the 2021 World Anti-Doping Code and Regulations. The Code requires that countries that wish to continue participating in local, regional and international

competitions and that wish to continue to facilitate their athletes to participate in such competitions, put in place an enhanced results management system for anti-doping rule violations by the beginning of the year 2021.

As you are all aware, Kenya is a powerhouse in athletics and therefore, it is important that the required legal framework is put in place before the end of this year to enable our athletes to continue to participate in sporting activities.

Honourable Senators,

In accordance with Standing Order 30 (5), the business specified in the *Gazette* Notice and as outlined in the Order Papers for the day, shall be the only business before the Senate during the Special Sitting, following which the Senate shall stand adjourned until Tuesday, 9th February, 2021, at 2:30 p.m., in accordance with the Senate Calendar.

Honorable Senators,

Allow me to also take this opportunity to express, on behalf of the Senate, our heartfelt condolences to the family, relatives and friends of the Retired Chief Justice Johnson Evans Gicheru, who passed away on 25th December, 2020. The late Justice Gicheru will be remembered as a great legal mind who worked tirelessly to promote judicial reforms in his service at the Judiciary.

May the Almighty God rest the soul of the late Retired Chief Justice Johnson Evans Gicheru in eternal peace.

I thank you.”

4. **MESSAGE FROM THE NATIONAL ASSEMBLY ON THE PASSAGE BY THE NATIONAL ASSEMBLY, OF THE ANTI-DOPING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 51 OF 2020)**

Honourable Senators,

I wish to bring to the attention of the Senate that on Wednesday, 23rd December, 2020, pursuant to Standing Order No. 41 (3) and (4), the Clerk delivered to me a Message from the Speaker of the National Assembly

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regarding the passage, by the National Assembly, of the Anti-Doping (Amendment) Bill (National Assembly Bills No. 51 of 2020).

The Message which is dated 23rd December, 2020, was received while the Senate was on recess and was transmitted to all Senators on 24th December, 2020, pursuant to Standing Order No. 41 (5). Further, pursuant to the said Standing Orders, I now report the Message to the Senate-

“PURSUANT to the provisions of Standing Orders 41(1) and 142 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –

***WHEREAS** the Anti-Doping (Amendment) Bill (National Assembly Bills No. 51 of 2020) was published vide Kenya Gazette Supplement No. 229 of 7th December, 2020 as a Bill proposing to amend the Anti-Doping Act (No. 5 of 2016) to broaden the application of the Act and put in place an enhanced results management system for anti-doping rule violations in compliance with the 2021 World Anti-Doping Code, amongst other provisions;*

***AND WHEREAS** the National Assembly considered the Bill in all stages and passed it on Tuesday, 22nd December 2020, without amendments, in the form attached hereto;*

***NOW THEREFORE,** in accordance with the provisions of Article 110(4) of the Constitution and Standing Order 142 of the National Assembly Standing Orders, I hereby refer the said Bill to the Senate for consideration”*

Honourable Senators,

Standing Order 157 requires that a Bill originating in the National Assembly be proceeded with by the Senate in the same manner as a Bill introduced in the Senate by way of First Reading in accordance with Standing Order 139. On account of the urgency of the Bill and on the request of the Senate Majority Leader, I convened this Special Sitting whose sole business is the consideration of the Anti-Doping (Amendment) Bill (National Assembly Bills No. 51 of 2020). I therefore direct that the

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Bill be proceeded with as indicated in the morning and afternoon Order Papers.

I thank you.

5. **THE ANTI-DOPING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 51 OF 2020)**

Order for First Reading read;

Bill read a First Time and committed to the Standing Committee on Labour and Social Welfare

6. **THE ANTI-DOPING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 51 OF 2020)**

Motion made and Question proposed: -

THAT, the Anti-Doping (Amendment) Bill (National Assembly Bills No. 51 of 2020) be now read a Second Time.

(Deputy Senate Majority Whip)

Debate arising;

There being no other Senator wishing to contribute;

Mover replied;

Raising a point of Order, the Deputy Senate Majority Whip requested that the putting of the Question be deferred to the afternoon Sitting, pursuant to Standing Order 61 (3).

And the Speaker, acceding to the request, deferred the putting of the Question to the afternoon Sitting.

And the time being Fourty minutes past Twelve O'clock, the Speaker interrupted the proceedings and adjourned the Senate without question put, pursuant to the Standing Orders.

7. **SENATE ROSE** - at Fourty minutes past Twelve O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Tuesday, December 29, 2020 at 2.30 p.m.*

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