



REPUBLIC OF KENYA
TWELFTH PARLIAMENT – (FIFTH SESSION)
THE SENATE
ORDER PAPER

TUESDAY, MAY 11, 2021 AT 10.00 A.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 COFFEE BILL (SENATE BILLS NO. 22 OF 2020)**
(Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

(First Reading)

9. **THE NATURAL RESOURCES (BENEFIT SHARING) BILL (SENATE BILLS NO. 25 OF 2020)**
(Sen. (Dr.) Agnes Zani, MP)

(First Reading)

10. **THE HEALTH (AMENDMENT) BILL (SENATE BILLS NO. 26 OF 2020)**
(Sen. (Dr.) Abdullahi Ali, MP)

(First Reading)

11. **THE BASIC EDUCATION (AMENDMENT) BILL (SENATE BILLS NO. 4 OF 2021)**
(Sen. Beatrice Kwamboka, MP)

(First Reading)

...../Bills

12. **THE KENYAN SIGN LANGUAGE BILL (SENATE BILLS NO. 5 OF 2011)**
(Sen. (Dr.) Getrude Musuruve, MP and Sen. (Prof. Margaret Kamar, MP)

(First Reading)

13. **THE COUNTY VOCATIONAL EDUCATION AND TRAINING (SENATE BILLS NO. 6 OF 2021)**
(Chairperson, Standing Committee on Education)

(First Reading)

14. **THE CONSTITUTION OF KENYA (AMENDMENT) BILL, 2020**
(The Senate Majority Leader)

(Second Reading)

***(Resumption of debate interrupted on Thursday, 6th May, 2021 –
Afternoon Sitting)***

15. **COMMITTEE OF THE WHOLE**
THE CONSTITUTION OF KENYA (AMENDMENT) BILL, 2020
(The Senate Majority Leader)

16. **THE CONSTITUTION OF KENYA (AMENDMENT) BILL, 2020**
(The Senate Majority Leader)

(Third Reading)

17. **THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 30 OF 2021)**
(Chairperson, Standing Committee on Finance and Budget)

(Second Reading)

18. **THE MENTAL HEALTH (AMENDMENT) BILL (SENATE BILLS NO. 28 OF 2020)**
(Sen. (Arch.) Sylvia Kasanga, MP)

(Second Reading)

19. **THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 30 OF 2020)**
(Sen. Johnes Mwaruma, MP)

(Second Reading)

20. **THE COMMUNITY HEALTH SERVICES BILL (SENATE BILLS NO. 34 OF 2020)**
(Sen. (Dr.) Agnes Zani, MP)

(Second Reading)

...../Bills

21. THE INVESTMENT PROMOTION (AMENDMENT) BILL (SENATE BILLS
NO. 2 OF 2021)

(Sen. (Dr.) Alice Milgo, MP)

(Second Reading)

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...../Notice

NOTICE

NOTICE is given that, pursuant to Standing Order 251A and 251B, the sitting will be a hybrid sitting consisting of Senators who are physically present in the Senate Chamber and Senators participating virtually from a remote location through **Zoom** online meeting platform, as per guidelines issued by the Speaker pursuant to Standing Order 251A(4).

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KEY

****- Denotes a Majority / Minority Party Bill

***- Denotes a National Assembly Bill

** - Denotes a Committee Bill

*- Denotes any other Bill

...../Appendix

APPENDIX**1. PETITION**

Petition to the Senate by Mr. Paulo Kiprotich Mosbei concerning historical injustices suffered by the Torobeek community.

(The Speaker of the Senate)

2. PAPERS

- i) Hotuba ya Mheshimiwa Samia Suluhu Hassan, Rais wa Jamhuri ya Muungano wa Tanzania akihutubia kikao cha pamoja cha Bunge la Seneti na Bunge la Taifa la Jamhuri ya Kenya, Nairobi, Tarehe 5 Mei, 2021.
- ii) Report of the Committee on Agriculture, Tourism and Natural Resources of the East African Legislative Assembly on budgetary enhancement in the agricultural sector.
- iii) Report of the Committee on Regional Affairs and Conflict Resolution of the East African Legislative Assembly on progress made by the East African Community on the Development of its Common Foreign and Security Policies.
- iv) Budget of the East African Community for the Financial Year 2020/2021.
- v) The East African Community Supplementary Appropriation (No. 2) Bill, 2020.
- vi) The East African Community Appropriation Bill, 2020.
- vii) Report of the Cabinet Secretary for the National Treasury and Planning to Parliament on New Loans Contracted by the Government of Kenya from 1st September, 2020 to 31st March, 2021.
- viii) Report on the County Government's Budget Implementation Review Report for the Financial Year 2019/2020.

(The Senate Majority Leader)

- ix) Report of the Standing Committee on Finance and Budget on the Salaries and Remuneration Commission (Amendment) Bill (Senate Bills No. 31 of 2020).

(Chairperson, Standing Committee on Finance and Budget)

3. NOTICES OF MOTION**i) DEBATE ON THE ADDRESS TO PARLIAMENT BY HER EXCELLENCY SAMIA SULUHU HASSAN, PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA.**

(The Senate Majority Leader)

THAT, pursuant to Standing Order 24 (6), the Thanks of the Senate be recorded for the Address to Parliament, by Her Excellency Samia Suluhu Hassan, President of the United Republic of Tanzania, delivered on Wednesday, 5th May, 2021.

ii) PROVISION OF COLOSTOMY BAGS TO COLON CANCER PATIENTS AND SURVIVORS IN COUNTY HOSPITALS

THAT, AWARE THAT the colon is part of the digestive system with a major role in the absorption of water, minerals and elimination of waste;

FURTHER AWARE THAT colon cancer can cause serious blockage of the colon that may necessitate removal of parts of the colon, the entire colon or the entire colon and the rectum;

COGNIZANT THAT persons who have gone through ileostomy, colostomy and urostomy need to use a bag to empty their wastes for the rest of their lives post-surgery;

CONCERNED THAT urine bags, adult diapers, artificial breasts, colostomy or ileostomy bags are not listed as goods exempt from tax or zero rated in the First and Second Schedules of the VAT Act 2013, and therefore attract 16 per cent value added tax and customs duty;

ACKNOWLEDGING THAT Article 43(1a) of Constitution of Kenya states that everyone has a right to the highest attainable standards of health, and health is a devolved function and therefore under the mandate of the county governments;

NOW THEREFORE, the Senate calls upon the Ministry of Health and) in partnership with the Council of Governors to:

1. create and maintain a register of all the colon cancer patients and survivors in county hospitals, including the biodata of the histology of the patients;
2. provision of colostomy bags for those who are permanent users;
3. include the purchase of palliative care products in the health budgets of all county governments;

4. ensure all county hospitals stock these palliative care products to enable increased access and lower commercial prices; and
5. engage the Treasury and Kenya Revenue Authority (KRA) to waive taxes on long-term health consumables such as colostomy bags, prosthesis and others in the upcoming budgetary cycle to ease the burden on Kenyans.

4. STATEMENTS

a) Pursuant to Standing Order 47 (1)

- i) The Senator for Vihiga County, (Sen. George Khaniri, MP) to make a statement concerning the increase of fuel prices in the country;
- ii) The Senator for Homa Bay County, (Sen. Moses Kajwang', MP) to make a statement concerning review of regulatory framework for unmanned aircraft systems (drones) in Kenya;
- iii) The Senator for Vihiga County, (Sen. George Khaniri, MP) to make a statement concerning the third wave of the COVID-19 global pandemic and concerns raised about its vaccine;
- iv) The Senator for Vihiga County, (Sen. George Khaniri, MP) to make a statement concerning the increasing rate of unemployment caused by the COVID-19 global pandemic.

b) Pursuant to Standing Order 48 (1)

- i) The Senator for Lamu County, (Sen. Anuar Loitiptip, MP) to seek a statement from the Standing Committee on National Security, Defence and Foreign relations regarding the maritime border dispute in the Indian Ocean between Kenya and Somalia.
- ii) Nominated Senator, (Sen. (Dr.) Getrude Musuruve, MP) to seek a statement from the Standing Committee on Education regarding challenges faced by teenage mothers and their children.
- iii) Nominated Senator, (Sen. Naomi Shiyonga, MP) to seek a statement from the Standing Committee on National Security, Defence and Foreign Relations on the state of preparedness of the Nairobi City County Fire Brigade in suppressing fire disasters in the city.
- iv) Nominated Senator, (Sen. Millicent Omanga, MP) to seek a statement from the Standing Committee on Finance and Budget regarding cushioning Kenyans from the negative socio-economic impact of COVID-19 caused by the partial lockdown.

- v) Nominated Senator, (Sen. Naomi Shiyonga, MP) to seek a statement from the Standing Committee on Land, Environment and Natural Resource concerning the rise of illegal hunting for bush meat, which poses a threat to dik-diks and giraffes in the Tsavo National Park.

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

- i) The Chairperson, Standing Committee on Agriculture, Livestock and Fisheries to make a statement relating to the activities of the Committee.
- ii) The Chairperson, Standing Committee on Devolution and Intergovernmental Relations to make a statement relating to the activities of the Committee.
- iii) The Chairperson, Standing Committee on Education to make a statement relating to the activities of the Committee.
- iv) The Chairperson, Standing Committee on National Cohesion, Equal Opportunity and Integration.

d) Pursuant to Standing Order 53

The Senator for Nandi County, (Sen. Samson Cherarkey, MP) to make a personal statement.

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