



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FIFTH SESSION)

VOTES AND PROCEEDINGS

WEDNESDAY, NOVEMBER 10, 2021 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. **PETITION**

Pursuant to Standing Order 232(2), Nominated Senator (Sen. Rose Nyamunga, MP), on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations, tabled the Report of the Standing Committee on Devolution and Intergovernmental Relations, on a Petition to the Senate by Residents of Wajir County, concerning governance malpractices in the Wajir County Government.

Pursuant to Standing Order 232(2), the Speaker allowed comments in relation to the Petition.

4. **PAPERS**

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

- i) Report of the Auditor General on the Bungoma County Assembly Employee Car Loan and Mortgage Fund for the year ended 30th June 2019.
- ii) Report of the Auditor General on the Laikipia County Assembly Members Car Loan and Mortgage Fund for the year ended 30th June 2019.
- iii) Report of the Auditor General on the Gatamathi Water and Sanitation Company Limited for the year ended 30th June 2019.

(The Senate Majority Leader)

- iv) Report of the Standing Committee on Devolution and Intergovernmental Relations on a Petition to the Senate by Residents of Wajir County concerning governance malpractices in the Wajir County Government.

(Sen. Rose Nyamunga, MP, on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

5. NOTICE OF MOTION - ALTERATION OF THE SENATE CALENDAR FOR THE FIFTH SESSION

(The Senate Majority Leader)

THAT, notwithstanding the Resolutions of the Senate made on 16th February, 2021 (approval of the Senate Calendar), 24th March, 2021, 30th March, 2021 and 25th May, 2021, (alteration of the Senate Calendar); and pursuant to Standing Order 29(4), the Senate resolves to further alter its Calendar (Regular Sessions) for the Fifth Session, 2021, in respect of Part VI, to adjourn the Senate on 18th November, 2021 and resume its regular sittings on Tuesday, 30th November, 2021, and that the Senate Calendar (Regular Sessions) for the Fifth Session be altered accordingly.

6. STATEMENTS PURSUANT TO STANDING ORDER 48 (1)

- i) The Senator for Machakos County (Sen. Agnes Muthama, MP) sought a statement from the Standing Committee on Finance and Budget regarding the implementation of the provisions of the Kenya Deposit Insurance Act, 2012.
- ii) The Senator for Bomet County (Sen. (Dr) Christopher Lang'at, MP) sought a statement from the Standing Committee on Agriculture, Livestock and Fisheries regarding the sale of uncertified maize seeds to farmers in Bomet, parts of Kericho and Narok counties.
- iii) Nominated Senator (Sen. Naomi Shiyonga, MP) sought a statement from the Standing Committee on Devolution and Intergovernmental Relations regarding the failure by the National Government to operationalize various Acts to ensure that counties and host communities benefit from the proceeds emanating from mining, energy and petroleum resources.
- iv) The Senator for Kilifi County (Sen. Stewart Madzayo, MP) sought a statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the status of Kenya's compliance with the African Union (AU) legal instruments and policy frameworks.
- v) The Senator for Nandi County (Sen. Samson Cherarkey, MP) sought a statement from the Standing Committee on Justice, Legal Affairs and Human Rights regarding a public apology by the United Kingdom to the Talai Community of Kenya and compensation for the violation of the rights of the Community as ordered by the United Nations Human Rights Council.

- vi) The Senator for Kericho County (Sen. Aaron Cheruiyot, MP) sought a statement from the Standing Committee on Land, Environment and Natural Resources on the status of issuing title deeds to Government learning institutions.
- vii) Nominated Senator (Sen. (Dr) Getrude Musuruve Inimah, MP) sought a statement from the Standing Committee on Energy regarding the status of provision of electricity connection in the counties.

7. **MOTION – ALTERATION OF THE SENATE CALENDAR FOR THE FIFTH SESSION**

Order read;

Motion made and Question proposed;

THAT, notwithstanding the Resolutions of the Senate made on 16th February, 2021 (approval of the Senate Calendar), 24th March, 2021, 30th March, 2021 and 25th May, 2021, (alteration of the Senate Calendar); and pursuant to Standing Order 29(4), the Senate resolves to further alter its Calendar (Regular Sessions) for the Fifth Session, 2021, in respect of Part VI, to adjourn the Senate on 18th November, 2021 and resume its regular sittings on Tuesday, 30th November, 2021, and that the Senate Calendar (Regular Sessions) for the Fifth Session be altered accordingly.

(The Senate Majority Leader)

Debate arising;

And there being no other Senator wishing to contribute;

The Mover replied;

Before the Question was put and pursuant to Standing Order 79 (1), the Speaker ruled that the Motion did not affect counties.

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, notwithstanding the Resolutions of the Senate made on 16th February, 2021 (approval of the Senate Calendar), 24th March, 2021, 30th March, 2021 and 25th May, 2021, (alteration of the Senate Calendar); and pursuant to Standing Order 29(4), the Senate resolves to further alter its Calendar (Regular Sessions) for the Fifth Session, 2021, in respect of Part VI, to adjourn the Senate on 18th November, 2021 and resume its regular sittings on Tuesday, 30th November, 2021, and that the Senate Calendar (Regular Sessions) for the Fifth Session be altered accordingly.

8. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON JUSTICE, LEGAL AFFAIRS AND HUMAN RIGHTS ON THE INQUIRY INTO EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES IN KENYA**

Order read;

Motion Made and Question proposed;

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights on the Inquiry into Extrajudicial Killings and Enforced Disappearances in Kenya laid on the Table of the Senate on Tuesday, 19th October, 2021.

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights – 09/11/2021)

Debate interrupted on Tuesday, 9th November, 2021 resumed;

Debate arising;

And there being no other Senator wishing to contribute;

The Mover replied;

Before the Question was put and pursuant to Standing Order 79 (1), the Temporary Speaker (Sen. John Kinyua Nderitu, MP) ruled that the Motion did not affect counties.

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights on the Inquiry into Extrajudicial Killings and Enforced Disappearances in Kenya laid on the Table of the Senate on Tuesday, 19th October, 2021.

9. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON JUSTICE, LEGAL AFFAIRS AND HUMAN RIGHTS ON A STATEMENT SOUGHT BY SEN. MUTULA KILONZO JR. MP, REGARDING DELAYS IN THE APPOINTMENT OF JUDGES OF THE HIGH COURT AND THE COURT OF APPEAL**

Order read;

Motion Made;

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights on a statement sought by Sen. Mutula Kilonzo Jr. MP, regarding delays in the appointment of Judges of the High Court and the Court of Appeal laid on the Table of the Senate on Tuesday, 19th October, 2021.

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

And the time being thirty minutes past six O'clock, the Temporary Speaker (Sen. John Kinyua Nderitu, MP) 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
Thursday, November 11, 2021 at 2.30 p.m.*

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