



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – FIRST SESSION

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, SEPTEMBER 08, 2022 AT 9.00 A.M.

1. The Senate assembled at Nine O'clock.
2. The Proceedings were opened with prayer said by the Clerk.
3. **COMMUNICATION FROM THE CLERK ON WELCOME AND NOTIFICATION ON THE FIRST SITTING**

The Clerk of the Senate issued the following Communication -

“Honourable Senators, It is my pleasure and privilege to welcome you to this First Sitting of the Senate. I take this opportunity to congratulate you on your election.

Honourable Senators, Standing Order No.3 (1) (a) of the Senate Standing Orders provides as follows-

On the First Sitting of a new Senate pursuant to the President’s notification under Article 126(2) of the Constitution, the Clerk shall read the notification of the President as published in the Gazette.

Honourable Senators, pursuant to this provision of the Standing Orders, I now proceed to read the notification of the President, as follows:-

**“GAZETTE NOTICE No. 10528
THE CONSTITUTION OF KENYA
FIRST SITTING OF THE SENATE”**

I quote -

“IN EXERCISE of the powers conferred by Article 126 (2) of the Constitution of Kenya, I, Uhuru Kenyatta, President and Commander in-Chief of the Kenya Defence Forces, appoint that the First Sitting of the Senate shall be held at the Main Parliament Buildings in the Senate Chamber, Nairobi, on the 8th September, 2022, at 9.00 a.m.”

The Gazette Notice is dated 5th September, 2022, and is signed by His Excellency the President. I now proceed to lay the *Gazette Notice* on the Table of the Senate.

Honourable Senators, Standing Order No. 3 (1)(b) requires that on the first sitting of a new Senate, pursuant to the President's notification under Article 126(2) of the Constitution, the Clerk shall -

“lay a list of the names of the persons elected as Senators on the Table of the Senate;”

I now lay on the Table of the Senate, *Gazette Notice No. 9955* dated 24th August, 2022, that lists the persons elected as Senators and *Gazette Notice No. 10537*, dated 7th September, 2022, containing the persons nominated as Senators, pursuant to Article 98(1) (b), (c) and (d) of the Constitution.

I thank you.”

4. **PAPERS LAID**

The following Papers were laid on the Table of the Senate, pursuant to Standing Order 3(1) (b) -

- (i) Gazette Notice No. 10528 dated 5th September, 2022 designating the place and time of the first sitting of the Senate;
- (ii) Gazette Notice No. 9955 dated 24th August 2022, containing names of the persons elected as Senators, pursuant to Article 98(1)(a) of the Constitution; and
- (iii) Gazette Notice No. 10537 dated 7th September, 2022, containing names of the persons nominated as Senators, pursuant to Article 98(1)(b)(c) and (d) of the Constitution.

(Clerk of the Senate)

5. **COMMUNICATION FROM THE CLERK ON THE PROCEDURE TO BE FOLLOWED IN ADMINISTRATION OF OATH/AFFIRMATION OF OFFICE**

The Clerk of the Senate issued the following Communication –

“Honourable Senators, I have the following Communication to make relating to the procedure that will be followed in the administration of oath / affirmation of office of Senator.

Honourable Senators, Standing Order No.3(1)(c) requires that on the first sitting of a new Senate, pursuant to the President's notification under Article 126(2) of the Constitution, the Clerk shall administer the Oath / Affirmation of Office provided for in the Third Schedule to the Constitution to all Senators present in the Senate, in the order set out in Standing Order No.3(2).

Standing Order No. 3 (2) provides as follows:-

“The Clerk shall administer the Oath or Affirmation of Office to Senators in alphabetical order using the following order of precedence-

(a)Senators with the longest cumulative period of service in the Senate;

(b)Senators with the longest cumulative period of service in the Senate and in the National Assembly;

(c)Senators with the longest cumulative period of service in the National Assembly;

(d)Senators with the longest cumulative period of service in any other legislature; and

(e)all other Senators.

Honourable Senators, it is important to observe that Standing Order No.3(3) provides as follows: -

“Pursuant to Article 74 of the Constitution, no person shall assume or perform any functions of the office of a Senator before taking and subscribing to the Oath or Affirmation of Office provided for under paragraph (1).”

Standing Order No.3(4) further provides:-

“When the Clerk is administering the Oath or Affirmation of Office to Senators and before the Clerk has administered the Oath or Affirmation of Office to the Speaker, any question arising in the Senate shall be determined by the Clerk who shall, during that period, exercise the powers of the Speaker.”

Honourable Senators, pursuant to Standing Order No.3(1)(c) I shall now proceed to administer the Oath or Affirmation of office to all Senators here present in the order of precedence that is set out in the Standing Order No.3(2) and captured in the Appendix to today's Order Paper.

In order to facilitate this process, the name of each Senator shall be called out. When called out, the Senator shall proceed to the podium on my right and thereupon shall have the option to take the Oath or Affirmation of Office in accordance with their respective religious persuasion.

After taking the Oath or Affirmation of Office, the Senator shall proceed to subscribe to the Oath or Affirmation of Office at the Table on my left by signing the Oath or Affirmation Book.

Honourable Senators, we are now ready to commence the process. I will ask that the Clerk-at-the-Table calls out the name of each Senator as set out in the Appendix to the Order Paper.”

6. ADMINISTRATION OF OATH/AFFIRMATION OF OFFICE

The Clerk administered the Oath/Affirmation of Office to Senators in the order of precedence in alphabetical order in line with Standing Order 3 (2), as indicated below:-

<u>NAME</u>	<u>COUNTY</u>
1. Sen. Adan Dullo Fatuma	Isiolo County
2. Sen. Madzayo Stewart Mwachiru	Kilifi County
3. Sen. Murkomen Onesimus Kipchumba	Elgeyo Marakwet
4. Sen. Kajwang' Moses Otieno	Homabay County
5. Sen. Cheruiyot Aaron Kipkirui	Kericho County
6. Sen. Khalwale Boni	Kakamega County
7. Sen. Margaret Jepkoech Kamar	Nominated Senator
8. Sen. Lelegwe Steve Ltumbesi	Samburu County
9. Sen. Boy Issa Juma	Kwale County
10. Sen. Cherarkey Samson K.	Nandi County
11. Sen. Mogeni Erick Okong'o	Nyamira County
12. Sen. Mwaruma Johnes Mwashushe	Taita Taveta County
13. Sen. Mwinyihaji Mohamed Faki	Mombasa County
14. Sen. Nderitu John Kinyua	Laikipia County
15. Sen. Olekina Ledama	Narok County
16. Sen. Wambua Enoch Kiio	Kitui County
17. Sen. Muthama Agnes Kavindu	Machakos County
18. Sen. Haji Abdul Mohammed	Garissa County
19. Sen. Oginga Oburu (Dr.)	Siaya County
20. Sen. Kipkiror William Cheptumo	Baringo County
21. Sen. Onyonka Richard Momoima	Kisii County
22. Sen. Ekomwa James Lomenen	Turkana County
23. Sen. Kathuri Murungi	Meru County
24. Sen. Maanzo Daniel Kitonga	Makueni County
25. Sen. Shakila Abdalla Mohamed	Nominated Senator
26. Sen. Mungatana Danson Buya	Tana River County

27. Sen. Peris Pesi Tobiko	Nominated Senator
28. Sen. Roselinda Soipan Tuya	Nominated Senator
29. Sen. Abass Sheikh Mohamed	Wajir County
30. Sen. Joyce Chepkoech Korir	Nominated Senator
31. Sen. Osotsi Godfrey Atieno	Vihiga County
32. Sen. Recha Julius Murgor	West Pokot County
33. Sen. Mwenda Julius Gataya	Tharaka Nithi County
34. Sen. Kamau Joseph Githuku	Lamu County
35. Sen. Thangwa Paul Karungo	Kiambu County
36. Sen. Murango James Kamau	Kirinyaga County
37. Sen. Beatrice Akinyi Oyomo	Nominated Senator
38. Sen. Beth Kalunda Syengo	Nominated Senator
39. Sen. Betty Batuli Montet	Nominated Senator
40. Sen. Catherine Muyeka Mumma	Nominated Senator
41. Sen. Chesang Allan Kiprotich	Trans Nzoia County
42. Sen. Chute Mohamed Said	Marsabit County
43. Sen. George Mungai Mbugua	Nominated Senator
44. Sen. Gloria Magoma Orwoba	Nominated Senator
45. Sen. Hamida Ali Kibwana	Nominated Senator
46. Sen. Hezena M. Lemaletian	Nominated Senator
47. Sen. Keroche Tabitha Karanja	Nakuru County
48. Sen. Mandago Jackson Kiplagat	Uasin Gishu County
49. Sen. Mariam Sheikh Omar	Nominated Senator
50. Sen. Maureen Tabitha Mutinda	Nominated Senator
51. Sen. Methu John Muhia	Nyandarua County
52. Sen. Miraj Abdullahi Abdulrahman	Nominated Senator
53. Sen. Mundigi Alexander Munyi	Embu County
54. Sen. Ngugi Joe Joseph Nyutu	Murang'a County
55. Sen. Nyamu Karen Njeri	Nominated Senator
56. Sen. Odhiambo Ojienda Tom	Kisumu County
57. Sen. Oketch Eddy Gicheru	Migori County
58. Sen. Okoti Andrew Omtatah	Busia County
59. Sen. Raphael Chimera Mwinzagu	Nominated Senator
60. Sen. Roba Ali Ibrahim	Mandera County
61. Sen. Seki Lenku Ole Kanar	Kajiado County
62. Sen. Sifuna Edwine Watanya	Nairobi City County
63. Sen. Veronica Waheti Nduati	Nominated Senator
64. Sen. Wakili Hillary Kiprotich Sigei	Bomet County
65. Sen. Wamatinga Wahome	Nyeri County

7. **COMMUNICATION FROM THE CLERK ON THE PROCEDURE OF ELECTING THE SPEAKER**

The Clerk of the Senate issued the following Communication -

“Honourable Senators, having undertaken the business of administration of Oath / Affirmation of Office of Senator, we shall now proceed to the next business which is, election of the Speaker of the Senate.

Honourable Senators, Standing Order No. 4 provides-

“A Speaker shall be elected when the Senate first meets after a General Election and before the Senate proceeds with the dispatch of any other business, except the administration of the Oath or Affirmation of Office to Senators present.”

Pursuant to the Standing Orders, a number of activities were required for the election of the Speaker before this first sitting. I will proceed to detail each such activity and the manner in which we have complied with the Standing Orders.

Firstly, Standing Order No. 5(1) requires-

“Upon the President notifying the place and date for the first sitting of a new Senate pursuant to Article 126(2) of the Constitution, the Clerk shall, by notice in the Gazette, notify that fact and invite interested persons to submit their nomination papers for election to the office of the Speaker.”

Vide Gazette Notice No. 10531 dated 5th September, 2022, and an advertisement in *The Daily Nation* and *The Standard* newspapers of 6th September, 2022, the Clerk of the Senate invited persons to submit their nomination papers for election to the office of Speaker of the Senate.

Honourable Senators, Secondly, Standing Order No.5(4) requires that-

“The Clerk shall maintain a register in which shall be shown the date and time when each candidate’s nomination papers were received and shall ascertain that every such candidate for election to the office of Speaker is qualified to be elected as such under Article 106 of the Constitution.”

I hereby confirm that a register has been maintained in accordance with the requirements of this Standing Order.

Thirdly, Standing Order No.5 (5) requires that-

“Immediately upon the close of the nomination period provided for in paragraph (2), the Clerk shall-

(a) Publicise and make available to all Senators, a list showing all qualified candidates; and

(b) make available to all Senators, copies of the curriculum vitae of the qualified candidates.”

Honourable Senators, I hereby confirm that a list showing all qualified candidates was publicised and was made available to all Senators. I further confirm that I made available to all Senators copies of the curriculum vitae of the qualified candidates.

For the position of Speaker of the Senate, the following seven (7) candidates were validly nominated as at the close of the nomination period

–

No.	Candidate's name	Identification Number
1.	Aluochier Isaac Aluoch Polo	7277176 (P/No. AK0730899)
2.	George Bush	29187184
3.	Karuri Fredrick Muchiri	27034362
4.	Kingi Amason Jeffah	13447110
5.	Kinyua Beatrice Kathomi	24387381
6.	Kuria George Njoroge	27437723
7.	Musyoka Stephen Kalonzo	8932417

Honourable Senators, Standing Order No. 6 (1) provides that the election of the Speaker shall be by secret ballot. Polling booths have been provided on either side of the Table for the marking of ballot papers. Standing Order 6 (2) states that –

The Clerk shall, at the commencement of each ballot, cause the ballot box, empty and unlocked, to be displayed to the Senate and shall, in the presence of the Senate, lock the box, which shall thereafter be kept in the full view of the Senate until the conclusion of the ballot.

I now direct the Serjeant-at-Arms to display the empty and unlocked ballot box to the Senate, and to thereafter lock the ballot box.

I further direct the Serjeant-at-Arms to place the ballot box on the Table of the Senate, as required under Standing Order 6 (2).

Honourable Senators, pursuant to Standing Order 6(3), we shall now proceed to the ballot. Each Senator when called out will come to the Table where one (1) ballot paper will be issued and thereafter proceed to one of the two (2) polling booths to mark their ballot paper by placing a mark in the space opposite the name of their preferred candidate.

After marking of the ballot paper, each Senator will be required to fold the marked ballot paper and place the ballot paper into the ballot box which is on the Table of the Senate.

I thank you.”

8. **ELECTION OF THE SPEAKER**

The Clerk explained the procedure for the election of the Speaker pursuant to the provisions of Article 106 of the Constitution and Standing Order No’s 4 to 12.

The ballot box was opened and displayed to the assembled Senate and subsequently locked before voting commenced thereon.

Having outlined the rules on election of the Speaker, each Senator present was issued with a ballot paper.

At the conclusion of the voting, the Clerks counted the votes at the Table of the Senate, in the presence of the following Senators who were witnesses for the respective candidates:-

- i) Sen. Methu, John Muhia – representing Mr. Amason Jeffah Kingi.
- ii) Sen. Thangwa, Paul Karungo – representing other candidates.

The Clerk announced the results of the first ballot as follows:

1. **Aluochier** Isaac Aluoch Polo - 0
2. **George** Bush - 0
3. **Karuri** Fredrick Muchiri - 0
4. **Kingi** Amason Jeffah - 46
5. **Kinyua** Beatrice Kathomi - 0
6. **Kuria** George Njoroge - 0
7. **Spoilt votes** - 0

The Clerk thereupon declared Mr. Amason Jeffah Kingi duly elected Speaker having exceeded the required votes of two thirds of all Senators, being 45 votes.

Consequently, Mr. Amason Jeffah Kingi was escorted to the Chamber of the Senate by the Sergeant-at-Arms.

The Hon. Amason Jeffah Kingi was introduced to the Clerk by Sen. Stewart Madzayo and escorted by Sen. Aaron Cheruiyot and Sen. Veronica Nduati, thereupon, the Clerk administered the Oath of Office to the Speaker.

The Speaker submitted himself to the will of the Senate and gave the following communication.

9. **COMMUNICATION FROM THE CHAIR - ACCEPTANCE SPEECH BY THE SPEAKER**

The Speaker, having been sworn in, proceeded to give his acceptance speech –

“Honourable Senators, Distinguished Guests, Ladies and Gentlemen,

I am profoundly humbled and overwhelmed by the great honour and privilege you have bestowed upon me by electing me as your Speaker, of the Fourth Senate and the Thirteenth Parliament of the Republic of Kenya. I am deeply humbled and touched by the immense confidence and trust that you have placed on me. I therefore accept with humility, and pledge that I shall perform to my utmost ability, the constitutional responsibilities and duties of the office of Speaker of the Senate for the next five (5) years, with due diligence and decorum.

Distinguished Senators, allow me with great pleasure, to congratulate and salute all of you - the new Senators of the Fourth Senate, for emerging triumphant in the just-concluded general elections after a bruising political contest. Your election to the high office of Senator of your various counties and constituencies is a demonstration of the faith and confidence that the electorate have in your capabilities to serve, transform and improve their welfare and well-being. Today, you are invited to grapple with the challenges and work towards meeting the high expectations of the Kenyan people.

Honourable Senators, I also wish to recognize my worthy opponents Mr. Isaac Aluoch Polo Aluochier, Ms. Beatrice Kathomi Kinyua, Mr. George Bush, Mr. Fredrick Muchiri Karuri, and, Mr. George Njoroge Kuria, for the valiant, mature and well-fought competition. We have ably demonstrated that we can compete democratically and without rancour in a dignified race. *Hongera kwenu.*

I also extend congratulations to our newly elected colleagues in our sister House – the National Assembly - and wish them every success as we begin to execute national duties of jointly steering our beloved country to greater heights.

In embracing the spirit of devolution, I am delighted by the rich blend of membership of the Fourth Senate drawn from former Members of the National Assembly, Governors and Members of County Assemblies (MCAs). I note that nine (9) former members of the National Assembly and four Members of County Assemblies have joined the Senate while some have returned after a hiatus. They bring with them invaluable experience that will enrich the House. We are also fortunate to have a diverse blend of professionals joining the Senate including top legal minds no-less-than a Senior Counsel, scholars, doctors, renowned members of the civil society among others.

Let me also take this opportunity to acknowledge the contributions of Senators from the Third Senate who did not return including the eight (8) members of the Third Senate who were elected as Governors. I am confident that they will continue to serve Kenyans in different capacities. Kenyans from all walks of life deserve a pat on the back for demonstrating to the entire world that we have a mature and vibrant democracy following the peaceful general elections held on 9th August, 2022 and the subsequent petition filed and concluded at the Supreme Court.

Distinguished Senators, permit me at this juncture, to pay my singular special tribute to my immediate predecessor, the **Rt. Hon. Kenneth Makelo Lusaka, EGH, MP** who was recently elected as the Governor of Bungoma County. He ably presided over the Third Senate in perhaps one of the most challenging periods in our country's history.

Historically, the first Senate was established in 1963 and functioned until 1966 when it was dissolved and merged with the House of Representatives to form the National Assembly. The First Senate under the 2010 constitution was inaugurated on 28th March 2013 primarily to oversee the implementation of the devolved system of governance.

It is worth mentioning that at the onset of devolution, Senate was sailing in uncharted waters. None of the political leadership and pioneer Senators had a clear idea what their tasks entailed. As Speaker Lusaka noted on 31st August, 2017, they had to "*learn how to swim by swimming*". It was largely trial and error at first.

The Senate of the 12th Parliament to a great measure, played an instrumental role in improving the legislative regime, work systems and coherence of key processes that have gradually bolstered devolution implementation.

My predecessors and their leadership teams, guided by unity of purpose and the will to actualise devolution, initiated work systems, spearheaded a series of retreats, workshops and seminars that rapidly crafted the

framework of transacting and administering Senates in the 11th and 12th Parliaments.

As the renowned American writer and political commentator Walter Lipmann wrote, and I quote – “***the final test of a Leader is that he leaves behind in other men (and women) the conviction and the will to carry on.***” We salute both the Rt. Hon. Ekwere Ekwere and Rt. Hon. Kenneth Lusaka and their leadership teams for their remarkable contributions. The Fourth Senate must now build on the decade of institutional maturity.

Permit me to also appreciate and laud the Clerk of the Senate, Mr. Jeremiah Nyegenye and his team for their unwavering and steadfast support and for making the appropriate preparations for this momentous occasion.

Honourable Senators, Devolution as a novel developmental model was meant to ensure balanced, equitable and just development in all the regions of Kenya. I can submit without fear of contradiction that, so far it is working.

I welcome and associate myself with the positive spirit exhibited and pronouncements made by the newly elected Governors to change their strategy of engagement and work more closely with the Senate, the National Assembly and the National Government.

In addition, the pledge and commitment currently being witnessed to intensify the fight against corruption in their respective governments is highly commendable. Kenyans are looking forward to a new dawn and expect Senators to aggressively defend devolution and county governments better. We must ensure devolution works for the people and more accountability is exercised.

Distinguished Senators, the critical question is: ***what next for our Fourth Senate? How do we build on the achievements of the first, second and Third Senates?***

Fundamentally, the Senate must continue to play its constitutional mandate and role more vigorously. Just to reiterate and remind ourselves Hon. Senators, the primary mandate of the Senate is to represent the counties and their governments, and protect the interests of the counties and hence successful implementation of devolution process.

The Senate is involved in law-making by considering, debating and approving Bills concerning counties, determines the allocation of revenue among counties; exercises oversight over the national revenue allocated to the counties and participates in the oversight of State officers by

considering and determining any resolution to remove the President and Deputy President.

Distinguished Senators, the Senate is the bastion of devolution. Devolution has been a game changer and has significantly transformed our country. The county governments are currently receiving billions of shillings courtesy of the Senate's intervention, to finance various development programmes and provide essential services that are aimed at improving the well-being and welfare of the Kenyan people.

Massive infrastructural projects have been built throughout the country, including roads, educational and health facilities as well as housing projects. In addition, local entrepreneurs, youth and women have greatly benefitted in terms of securing business and employment opportunities.

Distinguished Senators, Since 2013, without doubt, devolution has dramatically altered the political and socio-economic fabric of Kenya.

Kenyans are currently reeling and undergoing tough economic times. The Senate is duty-bound to be more sensitive to the dictates and aspirations of the ordinary *Mwananchi*.

Going forward, with the rich blend of its membership, it is incumbent upon the Fourth Senate to play its due constitutional role and ensure that National and county governments deliver on their mandate to improve or lighten the burden of the people. We, hence, cannot rest on our laurels; we must build on the foundation already created, achievements made and strive to make devolution work more effectively and better. We must initiate and enact more devolution-compliant legislation and Bills since our predecessors have identified a number of grey areas in our devolved system of governance.

We will adopt a pro-active approach in our pursuit to make Senate an effective governance institution to Kenyans and let Senate be their sanctuary in times of distress. I urge and encourage Kenyans to make the Senate their beacon of sobriety and hope.

The Fourth Senate will strive to reach out and harmoniously work with the National Assembly. Hitherto, supremacy wars witnessed in the past between our two Houses have tended to ferment unnecessary acrimony and grandstanding which adversely impacted on legislative outputs.

I call upon and encourage Hon. Senators to address emerging contentious legislative challenges and resolve them within stipulated mediation frameworks while adopting collegiate approaches noting that these processes are intended to serve the best interest of the people. That

is how tangible and progressive milestones will be realized by our bicameral Parliament.

Distinguished Senators, I also wish to urge Honourable Senators to adopt and nurture bi-partisan and collegiate leadership approaches that will transform and invigorate the Senate to embrace the various political shades and interests represented in the Thirteenth Parliament and ensure they find their rightful space.

Under the new Senate leadership, we will endeavour to ensure that-

- i. The Senate work strategy will be reviewed as appropriate to enable Senators perform their constitutional and leadership responsibilities through systems that are predictable and adequately facilitated to enable them deliver efficiently and quality services;
- ii. Dynamic and innovative programmes and activities of the Senate guided by the need to respond to key priorities of the counties shall be initiated to respond to identified challenges;
- iii. The Senate will continually bolster and strengthen internal collaborative linkages, deepen existing partnerships and engagement between the Senate, national and county government departments and agencies; regional and international development partners as well as non-state actors to work closely and harmoniously with the devolution family; and
- iv. Learning and leadership are indispensable to each other.

We will ensure continuous capacity development and empowerment of Senators and their secretariats so that they constantly update their skills and expertise; and ensure they acquire requisite parliamentary exposure to enable them handle complex and new frontiers of legislative and public affairs.

The Senate will endeavour to be responsive to emergent situations and re-ignite the manner in which 'traditional' legislative services and relations with various stakeholders and counties are offered.

Honourable Senators, elections come and go. We have concluded the electoral phase and must now proceed to the critical transitional and development phases after the delicate ballet dance of politics. We have to overcome and begin to heal from challenges borne out of divisive political alignments. I urge and call upon our people to refocus, embrace unity and move forward.

No Kenyan should feel left out. It is now time to put behind us political rivalries, roll our sleeves and together focus on building the *New Kenya* that we all desire.

Distinguished Senators, Kenyans expect from us nothing short of servant, responsive and effective leadership. Let us aspire to be forthright in the performance of our legislative functions especially in undertaking oversight roles, so that the citizenry can build trust, find refuge and solace in the Senate of the Republic of Kenya. We should neither entertain nor accept any discourse that would divide or polarize Kenyans.

Honourable Senators, as I conclude, I wish to undertake that, under my stewardship, my commitment to you Hon. Senators and the people we represent, is to be a faithful and impartial servant; ready to discharge my diverse roles and responsibilities with due diligence and in accordance with the Constitution of Kenya and the Senate Standing Orders.

Finally, to quote *the former United States President, John F. Kennedy*, **“Ask not what your country can do for you – ask what you can do for your country”**. We all have a collective, solemn and patriotic duty and responsibility to rally fellow leaders and Kenyans to put the interests of our country first and move it to the next level of development and prosperity.

On my part, I shall respect and uphold the rule of law, legality and nurture the culture of constitutionalism; and I shall protect and defend the Constitution of the Republic of Kenya and always safeguard the mandate and role of the Senate.

Hon. Senators, I welcome you all to join me as we embark on this journey together.

Thank You All, God Bless the Senate, and God Bless Kenya.”

10. **COMMUNICATION FROM THE CHAIR ON THE PROCEDURE FOR ELECTION OF THE DEPUTY SPEAKER**

The Speaker issued the following Communication from the Chair -

“Honourable Senators, Standing Order No. 13 provides that *“as soon as practicable after the election of a Speaker following a General Election, a Deputy Speaker shall be elected”*. Standing Order 13 (4) further provides that the procedure for the election of the Deputy Speaker shall, with necessary modifications, be the same as that prescribed for the election of the Speaker.

A number of activities were required for the election of the Deputy Speaker before this sitting. I will proceed to detail each such activity and the manner in which we have complied with the Standing Orders.

Firstly, Standing Order No. 5(1) requires-

“Upon the President notifying the place and date for the first sitting of a new Senate pursuant to Article 126(2) of the Constitution, the Clerk shall, by notice in the Gazette, notify that fact and invite interested persons to submit their nomination papers for election to the office of the Deputy Speaker.”

Vide Gazette Notice No. 10532 dated 5th September, 2022, and an advertisement in *The Daily Nation* and *The Standard* newspapers of 6th September, 2022, the Clerk of the Senate invited persons to submit their nomination papers for election to the office of Deputy Speaker of the Senate.

Secondly, Standing Order No.5 (4) requires that-

“The Clerk shall maintain a register in which shall be shown the date and time when each candidate’s nomination papers were received and shall ascertain that every such candidate for election to the office of Deputy Speaker is qualified to be elected as such under Article 106 of the Constitution.”

Honourable Senators, for the position of the Deputy Speaker of the Senate, the following candidates were duly nominated as at the close of the nomination period -

No.	Candidate’s name	Identification Number
1.	Madzayo Stewart Shadrack Mwachiru	0159777
2.	Murungi Kathuri	11544617

Honourable Senators, pursuant to Standing Order 8, a candidate may, by written notice to the Clerk, withdraw his or her candidature before a ballot is started. In this regard, I wish to draw the attention of Honourable Senators that this morning, by a letter dated 8th September, 2022 and addressed to the Clerk of the Senate, Senator Madzayo Stewart Shadrack Mwachiru, withdrew his candidature for the position of Deputy Speaker of the Senate.

Honourable Senators, Senator Madzayo Stewart Shadrack Mwachiru having withdrawn his candidature for the position of Deputy Speaker of

the Senate, we now have only one duly nominated candidate for the position of Deputy Speaker of the Senate.

Standing Order 11, as read together with Standing Order 13(4) provides that if there is only one candidate who has been duly nominated for election as Deputy Speaker at the expiry of the nomination period, that candidate shall be declared forthwith to have been elected Deputy Speaker without any ballot or vote being required.

Consequently, pursuant to the provisions of Standing Order 11 as read together with Standing Order 13(4), I hereby forthwith declare Senator Murungi Kathuri, to be duly elected as the Deputy Speaker of the Senate. I shall now proceed to administer the Oath or Affirmation of office on the Deputy Speaker.

I thank you.”

Consequently, Mr. Murungi Kathuri was escorted to the Chamber of the Senate by the Sergeant-at-Arms;

The Hon. Murungi Kathuri was introduced by Sen. James Murango and escorted by Sen. Alexander Mundigi, thereupon, the Speaker of the Senate administered the Oath of Office to the Deputy Speaker.

11. **COMMUNICATION ON ADJOURNMENT OF THE SENATE**

The Speaker issued the following Communication from the Chair -

“Honourable Senators, we have come to the conclusion of business appearing in today’s Order Paper.

Standing Order No. 24 (1) provides that the President shall address the opening of each newly elected Parliament. Consequently, the date of the opening of Parliament shall be determined after consultations between the two Speakers of Parliament and the Presidency.

There being no other business, the Senate now stands adjourned until such date as shall be notified as the date set for the opening of Parliament.

I thank you.”

And the time being thirty minutes past Three O'clock, the Speaker adjourned the Senate until a date to be notified, without Question put pursuant to the Standing Orders.

12. **SENATE ROSE** - at Thirty minutes past Three O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
a date to be notified.*

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