



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FIRST SESSION)

THE SENATE

VOTES AND PROCEEDINGS – SPECIAL SITTING

THURSDAY, DECEMBER 08, 2022 AT 10:00 AM

1. The Senate assembled at eight Minutes past Ten O'clock.
2. The proceedings were opened with Prayer said by the Speaker.
3. **COMMUNICATIONS FROM THE CHAIR**

The Speaker issued the following communications from the Chair –

**i) On the Special Sitting of the Senate on Thursday, 8th
December, 2022**

“On the request of the Senate Majority Leader pursuant to Standing Order 33 (1) and with the support of the requisite number of Senators, I appointed Thursday, 8th December, 2022 at 10.00 am, as a day for a Special Sitting of the Senate vide Gazette Notice No. 15198, dated 7th December, 2022.

In the Gazette Notice, I indicated that the business to be transacted at this Special Sitting shall be –

- (i) the Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bills No. 49 of 2022); and
- (ii) the County Vocational Education and Training Bill, (Senate Bills No. 3 of 2022);

As indicated at Order No. 8 in today's Order Paper, the Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bills No. 49 of 2022) has been listed for First Reading. Standing Order 145 (1) of the Senate states that "*a Bill having been read a First Time shall stand committed to the relevant Standing Committee without question put.*"

Standing Order 148 (1) states that -

"(1) Whenever a Bill is referred to a Standing Committee, the Chairperson of the Committee, the vice-chairperson or a Senator designated by the Committee to which the Bill is committed, shall present the Committee's report to the Senate within thirty calendar days of such committal."

As such therefore, upon First Reading of the Bill, the Bill stands committed to the Standing Committee on Justice, Legal Affairs and Human Rights. In terms of Standing Order 145 (5), the Committee is required to facilitate public participation and take into account the views and recommendations of the public when making its report to the Senate. I appeal to the Committee to fully utilize the current recess to process this Bill and file a report within the stipulated timelines.

Finally, in accordance with Standing Order 33 (5), the business specified in the *Gazette* Notice, and as outlined in the Order Paper, shall be the only business before the Senate during the Special Sitting, following which the Senate shall stand adjourned until Tuesday, 14th February, 2023 at 2:30 p.m., in accordance with the Senate Calendar.

I thank you".

ii) on visiting students from Josef Korbel School of International Studies, University of Denver, Colorado, United States of America

"I would like to acknowledge the presence of a delegation from Josef Korbel School of International Studies, University of Denver, Colorado, United States of America (USA) who are on an exchange

programme at the University of Nairobi. The delegation is at the Senate to observe the Plenary proceedings.

I request each Member of the delegation to stand when called out so that they may be acknowledged in the Senate tradition.

- (i) Prof. Singumbe Muyeba, Leader of the Delegation
- (ii) Prof. Abigail Kabandula
- (iii) Ms. Micael Parker
- (iv) Ms. Natalie Impraim
- (v) Mr. Benjamin Willis Gavin
- (vi) Ms Ruth Byrens
- (vii) Ms. Madison Wickett
- (viii) Ms. Brenda Fay Semerenko
- (ix) Mr. Austin Mild
- (x) Ms. Millicent Wairimu and
- (xi) Mr. Christian Muyeba

On behalf of the Senate and on my own behalf, I welcome the delegation to the Senate and wish them well for the remainder of the visit.

I thank you”.

4. MESSAGES

The Speaker conveyed the following Messages from the National Assembly –

- (i) Message from the National Assembly on the passage, by the National Assembly, of the County Governments Additional Allocations (No. 2) Bill, (Senate Bills No. 4 of 2022).**

“Honourable Senators,

I wish to report to the Senate that, pursuant to Standing Order 46 (3) and (5), I received the following Message from the Speaker of the National Assembly regarding the passage by the National Assembly, of the County Governments Additional Allocations (No. 2) Bill (Senate Bills No. 4 of 2022).

The Message, which is dated Thursday, 1st December, 2022 was received on 2nd December, 2022 while the Senate was on recess and was transmitted to all Senators on Monday, 5th December, 2022.

Pursuant to the said Standing Order, I now report the Message-

“PURSUANT to the provisions of Article 110(4) of the Constitution and Standing Order 41 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –

WHEREAS, the Senate considered the County Governments Additional Allocations (No.2) Bill (Senate Bill No. 4 of 2022) on 22nd November, 2022 and thereafter referred the Bill to the National Assembly for consideration pursuant to the provisions of Article 110(4) of the Constitution;

FURTHER WHEREAS, the National Assembly considered the said Bill on Wednesday, 30th November 2022, and passed it on Thursday, 1st December 2022 without amendments and in the form passed by the Senate;

NOW THEREFORE, in accordance with the provisions of Article 110 of the Constitution and Standing Orders 41(1) and 144 of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate.”

Honourable Senators, I have transmitted the Bill to His Excellency the President for Assent.

I thank you!”

(ii) Message from the National Assembly on the passage, by the National Assembly, of the Independent Electoral and Boundaries Commission (Amendment) Bill, National Assembly Bills No. 49 of 2022.

“Honourable Senators,

I wish to report to the Senate that, pursuant to Standing Order 46 (3) and (5), I received the following Message from the Speaker

of the National Assembly regarding the passage by the National Assembly, of the Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bills No. 49 of 2022).

The Message which is dated Friday, 2nd December, 2022 was received on Monday, 5th December, 2022 while the Senate was on recess.

Pursuant to the said Standing Order, I now report the Message-

“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 Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bill No. 49 of 2022) was published vide Kenya Gazette Supplement No. 174 of 2nd November 2022 as a Bill proposing to amend the Independent Electoral and Boundaries Commission Act, 2011 to change the composition of the Selection Panel that oversees the filling of vacant positions in the Independent Electoral and Boundaries Commission;

AND WHEREAS the National Assembly considered the Bill in all stages and passed it on Thursday, December 1, 2022 without amendments, in the form attached hereto;

NOW THEREFORE, in accordance with the provisions 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 163 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 144.

As you may have observed, the Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bills No. 49 of 2022), has been listed in today's Order paper to be read a First time.

I thank you!"

5. THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 49 OF 2022)

(The Senate Majority Leader)

Order for First Reading read;

Bill read a First Time and committed to the Standing Committee on Justice, Legal Affairs and Human Rights.

6. THE COUNTY VOCATIONAL EDUCATION AND TRAINING BILL, (SENATE BILLS NO. 3 OF 2022)

(Sen. Moses Kajwang', MP)

(Second Reading)

Order deferred.

And there being no other business in the Order Paper, the Speaker adjourned the Senate at forty three minutes past Ten O'clock, without question put, pursuant to the Standing Orders.

7. SENATE ROSE - forty three minutes past Ten O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Tuesday, February 14, 2023 at 2.30 p.m.*

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