



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (SECOND SESSION)**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**MORNING SITTING**

**WEDNESDAY, NOVEMBER, 1, 2023 AT 9.30 AM**

1. The Senate assembled at thirty Minutes past Nine O'clock.

The proceedings were opened with Prayer said by the Speaker.

2. **QUORUM IN THE SENATE**

The Speaker having counted the Honourable Senators present at the commencement of the Sitting and confirming that there was no Quorum, caused the Bell to be rung for ten minutes, pursuant to Standing Order 40;

And there being a Quorum before the expiry of the ten minutes;

The Speaker invited the Clerk to call the Orders of the day.

3. **QUESTIONS AND STATEMENTS**

**QUESTIONS**

- a) **Question 019** by Nominated Senator (Sen. George Mbugua, MP) to the Cabinet Secretary for Health on the accessibility of health facilities and services to Persons with Disabilities (PWDs) was answered by the Cabinet Secretary.
- b) **Question 063** by the Senator for Kakamega County (Sen. Dr. Boni Khalwale, CBS, MP) to the Cabinet Secretary for Health on the construction of Kakamega Teaching and Referral Hospital was answered by the Cabinet Secretary.
- c) **Question 041** by the Senator for Kirinyaga County (Sen. James Murango, MP) asked by Nominated Senator (Sen. Veronica Maina, MP) to the Cabinet Secretary for Public Service, Performance and Delivery Management on the

categorization of Mwea Constituency as a hardship area was answered by the Cabinet Secretary.

- d) **Question 018** by the Senator for Turkana County (Sen. James Lomenen, MP) to the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs on Inaction of the Kenyan Government to hasten the release of the Turkana pastoralists arrested in Uganda was deferred in the absence of the Cabinet Secretary.

4. **MOTION - DECLARATION OF CATTLE RUSTLING AS A NATIONAL DISASTER AND ESTABLISHMENT OF A SPECIAL FUND FOR VICTIMS**

(Sen. William Cheptumo, MP)

THAT, AWARE THAT cattle rustling is a major menace and security threat in the South and North Rift regions and some other regions of the country;

CONCERNED THAT, the menace has since left irreparable and negative socio-economic impact which include but are not limited to increased number of widows, widowers, orphaned children, poverty, displacement of people leading to Internally Displaced Persons (IDPS), disruption of educational programs and other economic activities owing to the destruction and/or closure of educational, health and other institutions;

FURTHER CONCERNED THAT; the people living in the affected regions have been denied the enjoyment of their social, economic and political rights as guaranteed to them under the Bill of Rights as enshrined in Chapter Four of the Constitution;

NOW THEREFORE, the Senate resolves that the National Government through the Ministry of Interior and National Administration and in collaboration with the Council of Governors:

1. Declares cattle rustling a National Disaster;
2. Establish a National Task force on cattle rustling to:
  - (i) Investigate the causes of the rampant cattle rustling in the said region and the Country at large;
  - (ii) Establishes extent of loss and damage the cattle rustling has occasioned to the communities in all the affected Counties;
3. Create a special fund for mitigating the losses suffered by and in compensating all victims of cattle rustling and settle all internally displaced persons occasioned by the menace.

Order deferred.

5. MOTION - REPOSSESSION OF MOVABLE ASSETS BY LENDING INSTITUTIONS DUE TO NON-PERFORMING LOANS

Order read;

Motion made and Question proposed;

THAT, AWARE THAT the high unemployment rate in Kenya has pushed many Kenyans to seek loans from Saccos, Microfinance Institutions and Banks to start Small and Medium Enterprises (SMEs) to sustain their livelihoods;

NOTING THAT the youth in particular have invested in movable assets, including vehicles and motorcycles, to start business in the transport industry and most of them have signed up to the ride hailing apps including but not limited to Uber, Taxify, Bolt and Little cab;

COGNIZANT THAT the Banking Act 2015 CAP 488 does not provide for renegotiation on the loan repayment agreement whenever the business environment becomes unfavorable as a result of the high cost of living, lowered earnings from the App providers and high interest rates;

NOW THEREFORE the Senate urges the National Treasury and Economic Planning to come up with a policy framework to review the Banking Act in order to renegotiate the repayment terms of the loans and provide cushion for Kenyans with non-performing loans and prevent the loss of their movable assets.

*(Sen. Wahome Wamatinga, MP)*

Debate arising;

And the time being One O'clock, the Temporary Speaker (Sen. Abdul Haji Mohammed, MP) interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

6. SENATE ROSE - One O'clock.

MEMORANDUM

*The Speaker will take the Chair on  
Wednesday, November 01, 2023 at 2.30 p.m.*

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