



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (THIRD SESSION)**

**THE SENATE**

**ORDER PAPER**

**MORNING SITTING**

**WEDNESDAY, JUNE 26, 2024 AT 9.30 AM**

**PRAYER**

1. Administration of Oath
2. Communication from the Chair
3. Messages (as listed in the Appendix)
4. Petitions
5. Papers (as listed in the Appendix)
6. Notices of Motion (as listed in the Appendix)
7. Questions and Statements (as listed in the Appendix)
8. **MOTION - REPORT OF THE 66<sup>TH</sup> COMMONWEALTH PARLIAMENTARY CONFERENCE HELD IN ACCRA, GHANA FROM 30<sup>TH</sup> SEPTEMBER – 6<sup>TH</sup> OCTOBER, 2023**  
(Sen. (Prof.) Margaret Kamar, MP)

**THAT**, the Senate notes the Report of the 66<sup>th</sup> Commonwealth Parliamentary Conference held in Accra, Ghana from 30<sup>th</sup> September – 6<sup>th</sup> October, 2023 laid on the Table of the Senate on 15<sup>th</sup> February, 2024.

9. **MOTION - REPORT OF THE 147<sup>TH</sup> ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN LUANDA, ANGOLA ON 23<sup>RD</sup> TO 27<sup>TH</sup> OCTOBER, 2023**  
(Sen. Catherine Mumma, MP)

**THAT**, the Senate notes the Report of 147<sup>th</sup> Assembly of the Inter-Parliamentary Union (IPU) and related meetings held in Luanda, Angola on 23<sup>rd</sup> to 27<sup>th</sup> October, 2023 laid on the Table of the Senate on Thursday 29<sup>th</sup> February, 2024.

...../Motion

10. **MOTION - REPORT OF THE 63<sup>RD</sup> SESSION OF THE OACPS PARLIAMENTARY ASSEMBLY AND THE 43<sup>RD</sup> SESSION OF THE ACP-EU JOINT PARLIAMENTARY ASSEMBLY MEETINGS HELD IN BRUSSELS, BELGIUM**

(Sen. Kathuri Murungi, MP)

**THAT**, the Senate notes the Report of the 63<sup>rd</sup> Session of the OACPS Parliamentary Assembly and 43<sup>rd</sup> Session of the ACP-EU Joint Parliamentary Assembly Meetings in Brussels, Belgium laid on the table of Senate on Wednesday, 6<sup>th</sup> December, 2023.

11. **MOTION - REPORT OF THE 9<sup>TH</sup> INTER-PARLIAMENTARY UNION (IPU) GLOBAL CONFERENCE OF YOUNG PARLIAMENTARIANS HELD IN HANOI, VIETNAM FROM 15<sup>TH</sup> TO 17<sup>TH</sup> SEPTEMBER, 2023**

(Sen. John Methu, MP)

**THAT**, the Senate notes Report of the 9<sup>th</sup> Inter-Parliamentary Union (IPU) Global Conference of Young Parliamentarians held in Hanoi, Vietnam from 15<sup>th</sup> to 17<sup>th</sup> September, 2023 laid on the table of Senate on Tuesday, 5<sup>th</sup> March, 2024.

12. **MOTION - REPORT OF THE KENYA DELEGATION TO THE EXTRAORDINARY SESSION OF THE SIXTH PARLIAMENT OF THE PAN-AFRICAN PARLIAMENT (PAP) HELD AT THE GALLAGHER CONVENTION CENTRE, MIDRAND, SOUTH AFRICA, FROM 20<sup>TH</sup> TO 27<sup>TH</sup> MARCH, 2024**

(Sen. Danson Mungatana, MP)

**THAT**, the Senate notes the Report of the Kenya Delegation to the Extraordinary Session of the Sixth Parliament of the Pan-African Parliament (PAP) held at the Gallagher Convention Centre, Midrand, South Africa, from 20<sup>th</sup> to 27<sup>th</sup> March, 2024, laid on the Table of the Senate on Wednesday, 24<sup>th</sup> April, 2024.

13. **MOTION - REPORT OF THE KENYA DELEGATION TO THE 148<sup>TH</sup> ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN GENEVA, SWITZERLAND FROM 23<sup>RD</sup> TO 27<sup>TH</sup> MARCH, 2024**

(Sen. Catherine Mumma, MP)

**THAT**, the Senate Notes the Report of the Kenya Delegation to the 148<sup>th</sup> Assembly of the Inter-Parliamentary Union (IPU) and Related Meetings Held in Geneva, Switzerland from 23<sup>rd</sup> to 27<sup>th</sup> March, 2024 laid on the Table of the Senate on Thursday, 30<sup>th</sup> May, 2024.

...../Motion

14. **MOTION – REPORT OF THE 14TH ORDINARY SESSION OF THE PLENARY ASSEMBLY AND RELATED MEETINGS OF THE FORUM OF PARLIAMENTS OF THE INTERNATIONAL CONFERENCE OF THE GREAT LAKES REGION, HELD IN LIVINGSTONE, ZAMBIA, FROM 15TH TO 19TH APRIL, 2024**

(Sen. Ali Ibrahim Roba, MP)

**THAT**, the Senate notes the report of the 14<sup>th</sup> Ordinary Session of the Plenary Assembly and Related Meetings of the Forum of Parliaments of the International Conference of the Great Lakes region, held in Livingstone, Zambia, from 15<sup>th</sup> to 19<sup>th</sup> April, 2024 laid on the Table of the Senate on Thursday, 30<sup>th</sup> May, 2024.

15. **MOTION - ESTABLISHMENT OF A MONTHLY CAR FREE DAY AND COUNTY CAR FREE ZONES**

(Sen. Crystal Asige, MP)

**THAT, AWARE THAT** Kenyans have a right to a clean and healthy environment pursuant to Article 42 of the Constitution;

**NOTING THAT** the National Climate Change Action Plan identifies transportation as the fourth largest contributor to greenhouse gas emissions, which

if uncontrolled, will result to negative impact of climate change with adverse effect to millions of Kenyans;

**CONCERNED THAT** the number of private vehicles has significantly grown, leading to increased road accidents, carbon emission and vehicle congestion, costs of which are in excess of Kshs. 100 billion in GDP per year;

**NOW THEREFORE** the Senate urges the Ministry of Roads and Transport, Ministry of Environment, Climate Change and Forestry, in collaboration with the Council of Governors and the National Climate Change Council to –

- i.) identify, publicize and execute suitable monthly car-free days and County car-free zones in urban areas across the country;
- ii.) Identify and develop County car-free zones, also known as “pedestrians’ precincts”, in urbanized areas, where its infrastructure and activities are restricted to pedestrians alone;
- iii.) provide affordable, safe and universally designed public transport access to and around these car-free zones, including, but not limited to, development of Bus Rapid Transport (BRT) in the urban areas;

...../Motion

- iv.) Design inclusive mobility infrastructure that supports non – motorized transport facilities, such as pedestrian spaces, bicycle lanes and green spaces, within the Central Business District of every County; and
- v.) ensure inter-modal connectivity among the various transport modes.

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**NOTICE**

The Senate resolved on 14<sup>th</sup> February, 2024 as follows:-

**THAT**, pursuant to Standing Order 111 (1), the Senate resolves that debate on a Motion not sponsored by the Majority or Minority Party or a Committee shall be limited in the following manner:-

A maximum of three hours with not more than twenty minutes for the Mover, twenty minutes for the Majority Party Official Responder, twenty minutes for the Minority Party Official Responder and fifteen minutes for each other Senator speaking and that fifteen minutes before the time expires, the Mover shall be called upon to reply.

**KEY**

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

**\*\*\*- Denotes a National Assembly Bill**

**\*\*- Denotes a Committee Bill**

**\*- Denotes any other Bill**

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**APPENDIX**

**1. MESSAGES**

- i) Message from the National Assembly on the passage, by the National Assembly, of the mediated version of the Division of Revenue Bill (National Assembly Bills No. 14 of 2024).
- ii) Message from the National Assembly on the passage (with amendments), by the National Assembly, of the Equalization Fund Appropriation (No. 2) Bill (Senate Bills No. 30 of 2023).
- iii) Message from the National Assembly on the passage, by the National Assembly, of the National Disaster Management Bill (National Assembly Bills No. 24 of 2023).

*(The Speaker of the Senate)*

**2. PAPERS**

- i) Report of the Commission on Administrative Justice on the Status of Administrative Justice and Access to Information in Kenya from the year 2012 to 2023.
- ii) Annual Statutory Report of the Council of Governors for the period 2022/ 2023.
- iii) Report of the Office of the Controller of Budget on County Governments Budget Implementation Review for the first nine months of financial year 2023/ 2024.
- iv) Report of the Office of the Controller of Budget on National Government Budget Implementation Review for the first nine months of financial year 2023/ 2024.
- v) The Annual Report of the Commission on Revenue Allocation and Financial Statements for the financial year 2022/2023.
- vi) Report of the Commission on Revenue Allocation on Own Source Revenue Potential and Tax Gap Study of County Governments.
- vii) The Commission on Revenue Allocation Recommendation on the Basis for Equitable Sharing of Revenue between the National and County Governments for the financial year 2024/ 2025.

...../Appendix

- viii) Report of the Auditor General on the Financial Statements of the Kakamega County Rural Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June, 2022.
- ix) Report of the Auditor General on the Financial Statements of the Kakamega County Rural Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June, 2023.
- x) Report of the Auditor General on the Financial Statements of the Cherang'any Marakwet Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June, 2023.
- xi) Report of the Auditor General on the Financial Statements of the Ruiru – Juja Water and Sewerage Company Limited for the year ended 30<sup>th</sup> June, 2023.
- xii) Report of the Auditor General on the Financial Statements of Bungoma Municipality for the year ended 30<sup>th</sup> June, 2023.

*(The Senate Majority Leader)*

**3. NOTICE OF MOTION - APPROVAL OF SITTINGS OF THE SENATE TO BE HELD IN BUSIA COUNTY**

*(The Senate Majority Leader)*

**THAT, AWARE** that the Senate of Kenya is established under Article 93 of the Constitution and its main role, as set out at Article 96 is to represent, serve and protect the interests of the counties and their governments;

**FURTHER AWARE** of the critical role that the Senate plays in the interlinkage between the National and County levels of government, and the need to enhance the interaction between the Senate and county governments, as a means of bringing the Senate closer to the counties and the general public;

**ACKNOWLEDGING** the successes made during the sittings of the Senate outside Nairobi held in Uasin Gishu, Kitui and Turkana Counties in September, 2018, 2019 and 2023, respectively;

**FURTHER ACKNOWLEDGING** the recommendation of the Senate Business Committee that a sitting of the Senate be held away from the traditional premises in Parliament Buildings, Nairobi, during the term of the 13<sup>th</sup> Parliament; and the subsequent resolution of the Senate made on 8<sup>th</sup> March, 2023, to hold plenary and committee sittings in the counties for a one-week period within the month of September in every Session of the 4<sup>th</sup> Senate, except during an election year with the objective to: -

..... **/Appendix**

- 1) promote the role and work of the Senate and enhance public awareness regarding the Business of the Senate and Parliament in general;
- 2) highlight existing and new opportunities for engagement in the legislative process;
- 3) develop and strengthen partnerships at the county level of government; and
- 4) provide an opportunity to members and staff of county assemblies to learn and share best practices with Senators and parliamentary officers;

**NOW THEREFORE**, pursuant to Article 126 (1) of the Constitution, the Senate resolves to hold its Plenary and Committee sittings in Busia County, from 23<sup>rd</sup> to 27<sup>th</sup> September 2024.

#### **4. QUESTIONS AND STATEMENTS**

**Question No. 037     The Senator for Kakamega County (Sen. (Dr.) Boni Khalwale, CBS, MP) to ask the Prime Cabinet Secretary and the Cabinet Secretary for Foreign and Diaspora Affairs:**

- a) Could the Cabinet Secretary disclose the number and identities of all Kenyans currently working in the Gulf States?
- b) How many Kenyans have lost their lives while working in the Gulf States from 2022 to date?
- c) What support does the Government provide to families of Kenyans who die while overseas, and could the Cabinet Secretary explain any actions being taken by the Government to facilitate the repatriation of the body of MS Mildred Busolo Lianza (deceased) from Saudi Arabia to Malinya village in Kakamega County?

**Question No. 040     The Senator for Kisumu County (Sen. (Prof) Tom Ojienda, SC, MP) to ask the Prime Cabinet Secretary and Cabinet Secretary for Foreign and Diaspora Affairs:**

- a) Could the Cabinet Secretary outline the obligations of the Government to Kenyans in the diaspora who face arrest, detention and deportation, and highlight any diplomatic agreements entered into with other countries on the applicable protocols?

..... /Appendix

- b) What protocols has the Government established for re-admitting deportees into the country, and could the Cabinet Secretary provide a list of Kenyans deported back to the country since 2010, stating reasons for each case where a deportee was refused admission?
- c) How does the Ministry of Foreign and Diaspora Affairs handle complaints and reports of human rights violations against Kenyans in the diaspora before, in the course of and after detention and deportation, and could the Cabinet Secretary disclose the number of Kenyans who have died in detention, and also provide details of all court cases initiated by Kenyans regarding such violations?
- d) What measures has the Government put in place to safeguard dependants and property left behind by deportees, and could the Cabinet Secretary also explain the initiatives taken by the Government to facilitate the reintegration process for the deportees?

**Question No. 021**

**The Senator for Nairobi City County (Sen. Edwin Sifuna, MP) to ask the Cabinet Secretary for the National Treasury and Economic Planning:**

- a) What has occasioned the failure by the e-Citizen digital platform to process and reflect payments made to some institutions such as the National Health Insurance Fund (NHIF), and could the Cabinet Secretary explain steps taken to remedy the situation?
- b) Where does the convenience fee charged and all other payments that fail to reflect on the platform end up?
- c) Could the Cabinet Secretary report on the safety, efficiency, efficacy and reliability of the e-Citizen digital payment platform, in light of the numerous complaints of delays and technical issues that followed the onboarding of a significant number of Government services on the platform?



**Question No. 060**

**Nominated Senator (Sen. Catherine Mumma, MP) to ask the Cabinet Secretary for the National Treasury and Economic Planning:**

- a) What was the allocation for development expenditure in the National Government budget for the Financial Year 2022/2023, and could the Cabinet Secretary indicate the percentage of the expenditure that was financed by Government's ordinary revenue, loans and grants from development partners?
- b) How much of the development expenditure was spent on pending bills for projects commenced and/ or completed in preceding financial years, and could the Cabinet Secretary provide a list of these projects along with their corresponding amounts?
- c) Could the Cabinet Secretary provide a list of all development projects undertaken by the National Government in the said financial year, specifying their names, sectors, locations, corresponding expenditure, completion dates and indicate whether each project was initiated in the said financial year or preceding financial years?
- d) Could the Cabinet Secretary provide details on all conditional grants by the National Government to the counties in the said financial year, including the project names and the corresponding amounts, beneficiary counties and any funding partners involved?
- e) Were there any additional development funding or aid from development partners in the said financial year and, if so, could the Cabinet Secretary specify the amount and the projects funded along with their respective locations?

**Question No. 057**

**The Senator for Kisumu County [Sen. (Prof.) Tom Ojienda, SC, MP] to ask the Cabinet Secretary for Environment, Climate Change and Forestry:**

- a) Could the Cabinet Secretary elaborate on the climate change initiatives put in place both nationally and in each county, considering the diverse topography and unique environmental and climate change needs of each county?
- b) What expertise was engaged and what criteria was applied in developing the national climate change initiatives and tailoring them to the specific needs of each county?

..... /Appendix

- c) Could the Cabinet Secretary explain the measures put in place to enhance the capacity of each county government to implement the climate change initiatives in their respective counties, including the technical expertise of county governments to address environmental and climate change concerns, as well as the allocation of budgetary resources to each county within the designated timelines for these initiatives?
- d) Could the Cabinet Secretary provide progress reports on the implementation of the climate change initiatives in each county?

**Question No. 072      The Senator for Kirinyaga County (Sen. James Murango, MP) to ask the Cabinet Secretary for Environment, Climate Change and Forestry:**

- a) Could the Cabinet Secretary explain the measures the Ministry has put in place to mitigate the continued release of effluent and other pollutants from Embu County into River Rupingazi, River Thiba and other rivers in Kirinyaga County, leading to damage and loss of the marine biodiversity?
- b) What steps is the Ministry taking to assess the extent of damage caused by chemicals discharged into the rivers, considering the huge and negative impact on people's health?
- c) What steps has the Ministry taken to eradicate or control the causes of rising pollution levels in rivers within Kirinyaga County to guarantee the safety of water consumed by residents?

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## **NOTICE PAPER**

### **Tentative Business for Wednesday, June 26, 2024 (Afternoon Sitting)**

*(Published pursuant to Standing Order 43 (1))*

It is notified that the Senate Business Committee has approved the following **tentative** business to appear in the Order Paper for Wednesday, June 26, 2024 (Afternoon Sitting).

#### **A. BILL AT FIRST READING**

\*\*\*THE NATIONAL DISASTER MANAGEMENT BILL (NATIONAL ASSEMBLY BILLS NO. 24 OF 2023)

(The Senate Majority Leader)

#### **B. BILLS AT COMMITTEE OF THE WHOLE STAGE**

- i) \*\*\*THE GAMBLING CONTROL BILL (NATIONAL ASSEMBLY BILLS NO. 70 OF 2023)  
(The Senate Majority Leader)
- ii) \*THE TEA (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2023)  
(Sen. Wakili Hillary Sigei, MP)
- iii) \*THE MATERNAL, NEWBORN AND CHILD HEALTH BILL (SENATE BILLS NO. 17 OF 2023)
- iv) \*\*\*\*THE METEOROLOGY BILL (SENATE BILLS NO. 45 OF 2023)  
(The Senate Majority Leader)
- v) \*THE NUTS AND OIL CROPS DEVELOPMENT BILL (SENATE BILLS NO. 47 OF 2023)  
(Sen. Hamida Kibwana, MP)
- vi) \*\*\*THE CANCER PREVENTION AND CONTROL (AMENDMENT) (NO. 2) BILL (NATIONAL ASSEMBLY BILLS NO. 45 OF 2022)  
(Sen. Samson Cherarkey, MP – Co- Sponsor)
- vii) \*\*\*THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 59 OF 2022)  
(The Senate Majority Leader)

#### **C. BILLS AT THE SECOND READING STAGE**

- i) \*THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 46 OF 2023)  
(Sen. Johnes Mwaruma, MP)

...../Notice Paper

- ii) \*THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 49 OF 2023)  
(Sen. Lenku Ole Kanar Seki, MP)
- iii) \*\*THE LOCAL CONTENT BILL (SENATE BILLS NO. 50 OF 2023)  
(The Chairperson, Standing Committee on Energy)
- iv) \*THE CO-OPERATIVE SOCIETIES (AMENDMENT) BILL (SENATE BILLS NO. 53 OF 2023)  
(Sen. Mariam Sheikh Omar, MP)
- v) \*THE EARLY CHILDHOOD EDUCATION (AMENDMENT) BILL (SENATE BILLS NO. 54 OF 2023)  
(Sen. Eddy Oketch, MP)
- vi) \*THE FIRE AND RESCUE SERVICES PROFESSIONALS BILL (SENATE BILLS NO. 55 OF 2023)  
(Sen. Mohamed Abass Sheikh, MP)

**D. MOTIONS**

- i) APPROVAL OF SITTINGS OF THE SENATE TO BE HELD IN BUSIA COUNTY  
(The Senate Majority Leader)
- ii) REPORT OF THE SELECT COMMITTEE ON COUNTY PUBLIC ACCOUNTS ON ITS CONSIDERATION OF THE REPORTS OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF THARAKA NITHI, HOMA BAY, KAKAMEGA, KIRINYAGA, MAKUENI, MERU, BOMET, MURANG'A, NANDI, NYAMIRA, NYERI, SIAYA, VIHIGA, WAJIR AND SAMBURU COUNTY EXECUTIVES FOR THE FINANCIAL YEAR 2019/2020  
(The Chairperson, County Public Accounts Committee)
- iii) REPORTS OF THE SELECT COMMITTEE ON COUNTY PUBLIC INVESTMENTS AND SPECIAL FUNDS ON ITS CONSIDERATION OF THE AUDIT REPORTS OF VARIOUS WATER SERVICE COMPANIES FOR THE FINANCIAL YEARS 2018/2019, 2019/2020 AND 2020/2021  
(The Chairperson, Committee on County Public Investments and Special Funds)
- iv) MOTION - ADDRESSING THE CHALLENGE OF POWER PURCHASE AGREEMENT RENEWALS AND ELECTRICITY SUPPLY IN KENYA  
(Sen. Wahome Wamatinga, MP)

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