



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (THIRD SESSION)**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**TUESDAY, NOVEMBER 26, 2024 AT 2.30 PM**

1. The Senate assembled at thirty Minutes past Two O'clock.
2. The proceedings were opened with Prayer said by the Speaker.

3. **QUORUM OF THE SENATE**

The Speaker, having counted the Honourable Senators present at the commencement of the Sitting and confirming that there was no Quorum, directed that the Bell 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.

4. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following Communications from the Chair –

**(a) Visiting Delegation from Migori County**

“Honourable Senators,

In the Public gallery, we have seven (7) persons from Migori County. They are here on a one – day tour at the invitation of Senator for Migori County, Sen. Eddy Oketch, MP.

Honourable Senators,

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them and, on behalf of the Senate and on my own behalf, wish them a fruitful visit.

I thank you!”

**(b) Visiting Delegation from Strathmore University Nextgen Leaders Fellowship Participants**

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, a visiting delegation from Strathmore University Nextgen Leaders Fellowship Participants. The delegation consists of eight (8) faculty members and twenty (20) fellows who are undertaking a learning visit to the Senate.

Honourable Senators,

On behalf of the Senate and on my own behalf, I extend a warm welcome to the delegation and wish them all the best for during their visit.

I thank you.”

5. **PAPERS LAID**

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

- i) The State of the Nation Address by His Excellency the President delivered at a Special Sitting of Parliament on Thursday, 21<sup>st</sup> November, 2024.
- ii) The Eleventh (11<sup>th</sup>) Annual Report (2023/2024), on the Measures Taken and Progress Achieved in the Realization of National Values and Principles of Governance.
- iii) The Annual Report on the State of National Security for the period 1<sup>st</sup> September, 2023 – 31<sup>st</sup> August, 2024.
- iv) The National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA) Nineteenth (19<sup>th</sup>) Edition of the Biannual Report on the status of alcohol and drug abuse control in Kenya.

*(Sen. Gloria Orwoba, MP on behalf of the Senate Majority Leader)*

- v) Report of the Standing Committee on Justice, Legal Affairs and Human Rights on its consideration of the Political Parties (Amendment) (No. 2) Bill (Senate Bills No. 26 of 2024).
- vi) Report of the Standing Committee on Justice, Legal Affairs and Human Rights on its consideration of the Election Offences (Amendment) (No. 2) Bill (Senate Bills No. 28 of 2024).
- vii) Report of the Standing Committee on Justice, Legal Affairs and Human Rights on its consideration of the Elections (Amendment) (No. 2) Bill (Senate Bills No. 29 of 2024).

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

- viii) Report of the Mediation Committee on the Division of Revenue (Amendment) Bill (National Assembly Bills No. 38 of 2024).

*(Sen. Mohamed Mwinyihaji Faki, MP on behalf of the Vice-Chairperson, Mediation Committee)*

6. **NOTICES OF MOTION – DEBATE ON THE PRESIDENT’S ADDRESS TO PARLIAMENT – (1<sup>ST</sup> DAY)**

(The Senate Majority Leader)

THAT, pursuant to Standing Order 27 (3), the Senate -

- a) records its thanks for the exposition of public policy contained in the Address of His Excellency the President, delivered on Thursday,

21<sup>st</sup> November, 2024 and laid on the Table of the Senate on Tuesday, 26<sup>th</sup> November, 2024; and

- b) notes the following Reports submitted by His Excellency the President in fulfilment of Articles 132 (1) (c) (1) and 240 (7) of the Constitution, laid on the Table of the Senate on Tuesday, 26<sup>th</sup> November, 2024 –
- i) The Eleventh (11<sup>th</sup>) Annual Report (2023/2024), on the Measures Taken and Progress Achieved in the Realization of National Values and Principles of Governance; and
  - ii) The Annual Report on the State of National Security for the period 1<sup>st</sup> September, 2023 – 31<sup>st</sup> August, 2024.

**7. NOTICE OF MOTION – REPORT OF THE MEDIATION COMMITTEE ON THE DIVISION OF REVENUE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 38 OF 2024)**

That, the Senate adopts the report of the Mediation Committee on the Division of Revenue (Amendment) Bill (National Assembly Bills No. 38 of 2024), laid on the table of the Senate, Today, 26<sup>th</sup> November, 2024, and that, pursuant to Article 113(2) of the Constitution and Standing Order 167(3) of the Senate, approves the mediated version of the Bill.

*(Sen. Mohamed Mwinyihaji Faki, MP on behalf of the Vice- Chairperson, Mediation Committee)*

**8. STATEMENT PURSUANT TO STANDING ORDER 53 (1)**

The Senator for Marsabit County (Sen. Mohamed Chute, MP) sought a Statement from the Standing Committee on Finance and Budget regarding the pending bills and budget allocations for Marsabit County Assembly.

**9. THE OFFICE OF THE COUNTY ATTORNEY (AMENDMENT) BILL (SENATE BILLS NO. 47 OF 2024)**

(Sen. David Wakoli, MP)

Order for First Reading read;

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

**10. MOTION – DEBATE ON THE PRESIDENT’S ADDRESS TO PARLIAMENT – (1<sup>ST</sup> DAY)**

Order read;

Motion made and Question proposed;

THAT, pursuant to Standing Order 27 (3), the Senate -

- a) records its thanks for the exposition of public policy contained in the Address of His Excellency the President, delivered on Thursday, 21<sup>st</sup> November, 2024 and laid on the Table of the Senate on Tuesday, 26<sup>th</sup> November, 2024; and
- b) notes the following Reports submitted by His Excellency the President in fulfilment of Articles 132 (1) (c) (1) and 240 (7) of the Constitution, laid on the Table of the Senate on Tuesday, 26<sup>th</sup> November, 2024 –
  - i.) The Eleventh (11<sup>th</sup>) Annual Report (2023/2024), on the Measures Taken and Progress Achieved in the Realization of National Values and Principles of Governance; and
  - ii.) The Annual Report on the State of National Security for the period 1<sup>st</sup> September, 2023 – 31<sup>st</sup> August, 2024.

*(The Senate Majority Leader)*

**LIMITATION OF DEBATE PURSUANT TO STANDING ORDER 111**

Motion made and Question proposed;

THAT, pursuant to Standing Order 111(1), the debate on the Motion be limited to not more than ten minutes for each other Senator speaking.

*(The Senate Majority Leader)*

And there being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 84(2), the Temporary Speaker (Sen. Abdul Haji, MP) ruled that the Motion did not affect counties.

Question put and agreed to.

Debate arising;

And there being no other Senator wishing to contribute;

Mover replied;

Pursuant to Standing Order 66(3), the Mover requested the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) to defer putting of the Question to a later date;

And the Temporary Speaker (Sen. Wakili Hillary Sigei, MP), acceding to the request, deferred the putting of the Question to a later date.

11. **THE COUNTY ASSEMBLIES PENSIONS SCHEME BILL (SENATE BILLS NO. 14 OF 2024)**

*(The Senate Majority Leader)*

Order for Second Reading read;

Order Deferred.

12. **MOTION - CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE COTTON INDUSTRY DEVELOPMENT BILL (SENATE BILLS NO. 5 OF 2023)**

(The Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

THAT, the National Assembly amendments to the Cotton Industry Development Bill (Senate Bills No. 5 of 2023) be now considered.

Order Read;

Order Deferred.

13. **MOTION - CONSOLIDATION OF BURSARY FUNDS FOR EQUITABLE ACCESS TO EDUCATION IN KENYA**

(Sen. Karungo Thangwa, MP)

**THAT AWARE THAT**, Pursuant to Article 53 of the Constitution, every child in Kenya is entitled to free and compulsory basic education, and the Basic Education Act provides that, basic education should be guided by principles such as equitable access to all youth and equal access to education or institutions;

**FURTHER AWARE THAT**, many students in secondary schools and higher education institutions come from financially disadvantaged backgrounds, making it difficult for them to afford school fees and access education opportunities;

**NOTING THAT**, over the years, various interventions have been made, including the issuance of bursaries through the National Government Constituency Development Fund (NCDF), National Government Affirmative Action Fund (NGAAF), the Ministry of Education and county governments through various county bursary funds;

**CONCERNED THAT**, despite these efforts, schools' fees remain unaffordable for many parents and the allocation of bursaries has been plagued by nepotism, favoritism, and political manipulation, lack of transparency and accountability;

**FURTHER CONCERNED THAT** public learning institutions are primarily funded by the Government through the Ministry of Education, and in the financial year 2024/25, approximately Kshs. 656 billion was allocated to the education sector, making it difficult to ascertain the specific funds granted to each student and that the lack of transparency in the disbursement of bursaries from various agencies makes it difficult to determine the total amount allocated in a financial year, thus hindering efforts to ensure equitable access to education for financially disadvantaged students.

**NOW THEREFORE**, the Senate urges the Ministry of Education, to:

- 1) audit the funds allocated to bursaries by both the National Government and county governments;
- 2) consolidate the funds distributed by various government entities and agencies, with the aim of directing these funds directly to schools as supplementary capitation to facilitate the achievement of free secondary education; and
- 3) calculate the cost of education per learner and make this information public for primary, secondary, and tertiary institutions, including a detailed breakdown of the annual financial requirements for each student across the country.

***(Resumption of debate interrupted on Tuesday, 12<sup>th</sup> November, 2024)  
(Balance of time – 1 hr 51mins)***

Order Read;

Order Deferred.

And there being no other business on the Order Paper, the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) adjourned the Senate at twenty-eight minutes past six O'clock without Question put, pursuant to the Standing Orders.

14. **SENATE ROSE** – at twenty-eight minutes past six O'clock.

**M E M O R A N D U M**

*The Speaker will take the Chair on  
Wednesday, November 27, 2024 at 9.30 a.m.*

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