



REPUBLIC OF KENYA

**THIRTEENTH PARLIAMENT – (FOURTH SESSION)**

**THE SENATE**

**ORDER PAPER**

**THURSDAY, APRIL 03, 2025 AT 2.30 PM**

**PRAYER**

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions (as listed in the Appendix)
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 – CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE PERSONS WITH DISABILITIES BILL (SENATE BILLS NO. 7 OF 2023)**  
(The Chairperson, Standing Committee on Labour and Social Welfare)

**THAT**, the National Assembly amendments to the Persons with Disabilities Bill (Senate Bills No. 7 of 2023) be now considered.

***(Resumption of debate interrupted on Wednesday, 2<sup>nd</sup> April, 2025 -  
Afternoon Sitting)  
(Question to be Put)***

9. **\*\*\*\*THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (SENATE BILLS NO. 10 OF 2024)**  
(The Senate Majority Leader and The Senate Minority Leader)

*(Second Reading)*

***(Resumption of debate interrupted on Tuesday, 1<sup>st</sup> April, 2025)  
(Division)***

10. **MOTION - REPORT OF THE MEDIATION COMMITTEE ON THE CONFLICT OF INTEREST BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2023)**  
(Vice- Chairperson, Mediation Committee)

...../Motion

**THAT**, the Senate adopts the Report of the Mediation Committee on the Conflict of Interest Bill (National Assembly Bills No. 12 of 2023), laid on the table of the Senate on Thursday, 5<sup>th</sup> December, 2024 and further that pursuant to Article 113 (2) of the Constitution and Standing Order 167 (3) of the Senate, approves the mediated version of the Bill.

*(Resumption of debate interrupted on Thursday, 27<sup>th</sup> February, 2025)  
(Division)*

- 11. **COMMITTEE OF THE WHOLE**  
**\*THE ENERGY (AMENDMENT) BILL (SENATE BILLS NO. 42 OF 2023)**  
(Sen. Edwin Sifuna, MP)
- 12. **COMMITTEE OF THE WHOLE**  
**CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE PERSONS WITH DISABILITIES BILL (SENATE BILLS NO. 7 OF 2023)**  
(Sen. Crystal Asige, MP)
- 13. **COMMITTEE OF THE WHOLE**  
**\*\*\*\*THE COUNTY ASSEMBLIES PENSIONS SCHEME BILL (SENATE BILLS NO. 14 OF 2024)**  
(The Senate Majority Leader)
- 14. **COMMITTEE OF THE WHOLE**  
**\*\*\*THE NATIONAL DISASTER RISK MANAGEMENT BILL (NATIONAL ASSEMBLY BILLS NO. 24 OF 2023)**  
(The Senate Majority Leader)
- 15. **COMMITTEE OF THE WHOLE**  
**\*\*\*THE LAND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 40 OF 2022)**  
(The Senate Majority Leader)
- 16. **MOTION - EXTENSION OF TIME OF THE SELECTION PANEL FOR THE RECRUITMENT OF NOMINEES FOR APPOINTMENT AS THE CHAIRPERSON AND MEMBERS OF THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (IEBC)**  
(The Senate Majority Leader)

**AWARE THAT**, vide Gazette Notices Nos. 1901 & 2643 dated 14<sup>th</sup> February, 2023 and 1<sup>st</sup> March, 2023, respectively, His Excellency the President declared one (1) vacancy for the position of the Chairperson of the Independent Electoral & Boundaries Commission (IEBC), and six (6) vacancies for the position of Member of the IEBC;

**FURTHER AWARE**, that vide Gazette Notice No. 715 of 27<sup>th</sup> January, 2025, His Excellency the President appointed members of the Selection Panel for the Recruitment of Nominees for Appointment as the Chairperson and Members of the Independent Electoral and Boundaries Commission;

...../Motions

**NOTING** that, upon its appointment, the Selection Panel commenced the recruitment process and longlisted all applicants and subsequently shortlisted qualified applicants for the positions of Chairperson and Member of the Independent Electoral and Boundaries Commission;

**FURTHER NOTING** that, paragraph 6(1) of the First Schedule to the Independent Electoral and Boundaries Commission Act, CAP 7C, provides that the Selection Panel shall finalise the recruitment exercise within ninety days of its appointment and forward the names of the nominees to the President;

**CONSCIOUS** that, the Selection Panel is currently undertaking the interviews of the shortlisted candidates for the positions of Chairperson and Members of the Independent Electoral and Boundaries Commission, and that, given the interview schedule of all shortlisted applicants, the Selection Panel has inadequate time to conclude the recruitment process;

**FURTHER CONSCIOUS** of the need for the Selection Panel to ensure the recruitment process complies with the constitutional principles of regional balance, representation of the youth and overall inclusivity, while ensuring that the interviews are conducted as far as is practicable, within official working days and hours;

**NOW, THEREFORE**, pursuant to the provisions of paragraph 6(2) of the First Schedule to the Independent Electoral and Boundaries Commission Act, CAP 7C, the Houses of Parliament **RESOLVE** to extend the tenure of the Selection Panel for the Recruitment of Persons for appointment as Chairperson and Members of the Independent Electoral and Boundaries Commission by a period of **fourteen (14) days from 28<sup>th</sup> April, 2025.**

- 17. **MOTION - REPORT OF THE STANDING COMMITTEE ON ENERGY ON ITS INQUIRY INTO THE LIQUEFIED PETROLEUM GAS (LPG) EXPLOSION IN MRADI AREA, EMBAKASI, NAIROBI CITY COUNTY**  
(The Chairperson, Standing Committee on Energy)

**THAT**, the Senate adopts the Report of the Standing Committee on Energy on its inquiry into the Liquefied Petroleum Gas (LPG) explosion in Mradi Area, Embakasi, Nairobi City County, laid on the Table of the Senate on Thursday, 8<sup>th</sup> August, 2024.

- 18. **MOTION - REPORT OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON ITS INQUIRY INTO PERSONAL SECURITY CONCERNS RAISED BY HON. PHILOMENA KAPKORY, DEPUTY GOVERNOR, TRANS NZOIA COUNTY**  
(The Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

**THAT**, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on its inquiry into the allegations on personal security concerns raised by Hon. Philomena Kapkory, Deputy Governor, Trans Nzoia County laid on the Table of the Senate on Tuesday, 1<sup>st</sup> October, 2024.

19. **MOTION - REPORTS OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON ITS INQUIRY INTO THE STATE OF MARKETS IN VIHIGA AND BUNGOMA COUNTIES ARISING FROM A STATEMENT SOUGHT BY SEN. GODFREY OSOTSI, MP AND SEN. DAVID WAKOLI, MP**

(The Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

**THAT**, the Senate adopts Reports of the Standing Committee on Devolution and Intergovernmental Relations on its inquiry into the state of markets in Vihiga and Bungoma counties arising from statements sought by Sen. Godfrey Osotsi, MP, and Sen. David Wafula Wakoli, MP laid on the Table of the Senate on Tuesday, 1<sup>st</sup> October, 2024.

20. **MOTION - PROGRESS REPORT OF THE STANDING COMMITTEE ON NATIONAL COHESION, EQUAL OPPORTUNITY AND REGIONAL INTEGRATION INTO AN INQUIRY ON THE DIVERSITY AND INCLUSIVITY IN THE STAFF COMPOSITION OF STATE AGENCIES IN KENYA**

(The Chairperson, Standing Committee on National Cohesion, Equal Opportunity and Regional Integration)

**THAT**, the Senate adopts Progress Report of the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration into an inquiry on the diversity and inclusivity in the staff composition of state agencies in Kenya, laid on the Table of the Senate on Thursday, 3<sup>rd</sup> October, 2024.

21. **MOTION - REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE COUNTY OVERSIGHT AND NETWORKING ENGAGEMENTS TO TAITA TAVETA, MOMBASA AND KWALE COUNTIES**

(The Chairperson, Standing Committee on Health)

**THAT**, the Senate adopts the Report of the Standing Committee on Health on the County Oversight and Networking Engagements to Taita Taveta, Mombasa and Kwale Counties, laid on the Table of the Senate on Thursday, 5<sup>th</sup> December, 2024.

22. **MOTION - REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE INSPECTION TOUR OF HEALTH FACILITIES IN WEST POKOT, TRANS NZOIA AND TURKANA COUNTIES**

(The Chairperson, Standing Committee on Health)

**THAT**, the Senate adopts the Report of the Standing Committee on Health on the inspection tour of health facilities in West Pokot, Trans Nzoia and Turkana Counties, laid on the Table of the Senate on Thursday, 5<sup>th</sup> December, 2024.

23. **\*THE PROVISION OF SANITARY TOWELS BILL (SENATE BILLS NO. 7 OF 2024)**

(Sen. Gloria Orwoba, MP)

*(Second Reading)*

...../Bills

- 24. \*THE SPORTS (AMENDMENT) (NO.2) BILL (SENATE BILLS NO. 45 OF 2024)  
(Sen. (Prof.) Tom Ojienda, MP and Sen. Raphael Chimera, MP)

*(Second Reading)*

- 25. \*THE OFFICE OF THE COUNTY ATTORNEY (AMENDMENT) BILL (SENATE BILLS NO. 47 OF 2024)  
(Sen. David Wafula Wakoli, MP)

*(Second Reading)*

**KEY**

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

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

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

**\*- Denotes any other Bill**

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**NOTICE OF AMENDMENTS**

**A. THE PERSONS WITH DISABILITIES BILL (SENATE BILL NO. 7 OF 2023)**

(Sen. Crystal Asige, MP)

**NATIONAL ASSEMBLY AMENDMENTS**

**NOTICE** is given that the National Assembly made the following amendments to the Persons with Disabilities Bill (Senate Bills No. 7 of 2023).

**CLAUSE 4**

**THAT** clause 4 of the Bill be amended—

- (a) in paragraph (a), by deleting the word “welfare” and substituting therefor the word “rights”;
- (b) in paragraph (e), by inserting the words “inclusion and” and immediately after the words “promote the”;
- (c) in paragraph (i), by inserting the words “and compulsory” immediately after the word “free”;
- (d) by inserting the following new paragraph immediately after paragraph (p)—
  - “(q) ensure inclusion of persons with disabilities in all mainstream programs and interventions”.

**CLAUSE 5**

**THAT** clause 5 of the Bill be amended—

- (a) in sub-clause (1)—
  - (i) in paragraph (a), by deleting the word “welfare” and substituting therefor the word “rights”;
  - (ii) in paragraph (c), by inserting the words “and compulsory” immediately after the word “free”;
  - (iii) by inserting the following new paragraph immediately after paragraph (f)—
    - “(g) ensure inclusion of persons with disabilities in all mainstream programs and interventions”.
- (b) in sub-clause (2), by inserting the words “responsible for matters relating to persons with disabilities” immediately after the words “committee member” appearing in the opening statement; and

...../Notice of Amendments

- (c) in sub-clause (4), by deleting paragraph (a) and substituting therefor the following new paragraph—
  - (a) a person with disabilities, who reside within the respective county;

**CLAUSE 6**

**THAT** clause 6(1) of the Bill be amended by deleting the words “protection, benefit” appearing in paragraph (a) and substitute therefor the words “equal protection, equal benefit”.

**CLAUSE 8**

**THAT** clause 8 of the Bill be amended —

- (a) in sub-clause (1), by deleting the words “on free consent” and substituting therefor the words “on free and full consent”; and
- (b) in sub-clause (2), by deleting the word “sexuality” and substituting therefor the word “sexual”.

**CLAUSE 11**

**THAT** clause 11(1)(f) of the Bill be amended by inserting the word “and inclusive” immediately after the word “quality”.

**CLAUSE 20**

**THAT** clause 20(8) of the Bill be amended by deleting the word “adoptive” appearing in paragraph (b) and substituting therefor the word “adaptive”.

**CLAUSE 21**

**THAT** clause 21 of the Bill be amended—

- (a) in sub-clause (2), by inserting the words “where an employer has at least twenty employees,” immediately before the word “reserve” in paragraph (a); and
- (b) in sub-clause (5)(e), by deleting the word “solely”.

**CLAUSE 25**

**THAT** clause 25(e) of the Bill be amended by inserting the words “putting in place mechanisms for” immediately before the words “prompt attendance”.

**CLAUSE 26**

**THAT** clause 26 of the Bill be amended –

- (a) by deleting sub-clause (1) and substituting therefor the following new sub-clause –

...../Notice of Amendments

- (1) Every person with disability has the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas, and the right to access information, on an equal basis with others, in a timely manner and without additional cost”;
- (b) in sub-clause (2), by inserting the words “forms of” immediately after the words “and other”;
- (c) in sub-clause (7), by deleting the words "Media Council of Kenya" and substituting therefor the words "Communication Authority of Kenya in consultation with the Council”;
- (d) in sub-clause (8), by deleting the words “sub-titles” and substituting therefor the words “closed captioning”; and
- (e) in sub-clause (10), by inserting the words “and private” immediately after the word “public”.

**CLAUSE 28**

**THAT** clause 28(2) of the Bill be amended by deleting the word “Kenya” appearing in paragraph (b) and substituting therefor the word “Kenyan”.

**CLAUSE 29**

**THAT** clause 29(4) of the Bill be amended by deleting the word “Kenya” and substituting therefor the word “Kenyan”.

**CLAUSE 45**

**THAT** clause 45(4) of the Bill be amended by deleting the word “five” and substituting therefor the word “three”.

**CLAUSE 50**

**THAT** clause 50 of the Bill be amended—

- (a) in sub-clause (1), by inserting the words “upon request by a member of the public or” immediately before the words “where it considers” appearing in paragraph (a);
- (b) in sub-clause (3), by inserting the words “or a member of the public” immediately after the words “regulatory body”.

**CLAUSE 56**

**THAT** clause 56 of the Bill be amended—

- (a) in sub-clause (1), by deleting the expression “Kshs. 150,000/=” and substituting therefor the words “of such amount as may be prescribed by the Cabinet Secretary”; and

...../Notice of Amendments



(b) in sub-clause (2), by deleting the expression “Kshs. 10,000/=” and substituting therefor the words “such amount as may be prescribed by the Cabinet Secretary”

**CLAUSE 62**

**THAT** clause 62 of the Bill be amended by deleting the words “one million” and substituting therefor the words “two million”.

**CLAUSE 63**

**THAT** clause 63 of the Bill be amended—

- (a) by renumbering the existing clause as sub-clause (1);
- (b) by inserting the following new sub-clause immediately after sub-clause (1)—
  - “ (2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding one million shillings or to imprisonment for a term not exceeding one year or to both”.

**CLAUSE 65**

**THAT** clause 65 of the Bill be amended by deleting the words “two hundred thousand shillings” and substituting therefore the words “two million shillings”.

**CLAUSE 66**

**THAT** clause 66 of the Bill be amended by deleting the words “two hundred thousand shillings” and substituting therefore the words “one million shillings”.

**CLAUSE 72**

**THAT** clause 72 of the Bill be amended by inserting the following new paragraph immediately after paragraph (b)—

“(c) ensuring that bus-stops are barrier-free”.

**CLAUSE 74**

**THAT** clause 74 of the Bill be amended—

- (a) in sub-clause (1) by deleting the word “alone” appearing in the opening statement; and
- (b) in sub-clause (2) by deleting the word “alone”.

**NEW CLAUSE 36A**

**THAT** the Bill be amended by inserting the following new clause immediately after clause 36—

...../Notice of Amendments

Headquarters and other offices of the Council. **36A.**(1) The headquarters of the Council shall be in Nairobi.

(2) The Council shall establish other offices and decentralize its services to such other parts of the country as it considers necessary in accordance with Article 6(3) of the Constitution.

**NEW CLAUSE 66A**

**THAT** the Bill be amended by inserting the following new clause immediately after clause 66—

Begging and receiving alms. **66A.** A person who causes, procures, encourages or solicits a child or an adult with disabilities to engage in begging or receiving alms commits an offence and shall be liable on conviction to a fine not exceeding two million shillings or imprisonment for a term not exceeding two years, or to both.

**NEW CLAUSE 73A**

**THAT** the Bill be amended by inserting the following new clause immediately after clause 73—

Housing. **73A.** Every Government agency putting up residential and commercial buildings shall reserve at least five percent of the said residential and commercial buildings for acquisition by persons with disabilities and the terms and conditions of such acquisition to persons with disabilities shall include interest free and longer periods of repayment.

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

(The Senate Majority Leader)

**NOTICE** is given that the Chairperson, Standing Committee on Labour and Social Welfare, intends to move the following amendments to the County Assemblies Pensions Scheme Bill (Senate Bills No. 14 of 2024), at the Committee Stage—

**CLAUSE 4**

**THAT** clause 4 of the Bill be amended by deleting—

- (a) subclause (2); and
- (b) the words “social security benefits including” appearing at the end of the introductory clause to subclause (3).

**CLAUSE 5**

**THAT** clause 5 of the Bill be amended by deleting—

- (a) the words “and members of staff of county assemblies” appearing at the end of subclause (1); and
- (b) deleting the words “and staff” appearing immediately after the word “assemblies” in subclause (2).

**CLAUSE 6**

**THAT** clause 6 of the Bill be amended—

- (a) by inserting the following new subclause immediately after subclause (1)—

(1A) The Board shall be a body corporate with perpetual succession and a common seal and shall, in its corporate name, be capable of—

- (a) suing and being sued;
- (b) taking, purchasing or otherwise acquiring, holding, charging or disposing of movable and immovable property;
- (c) entering into contracts; and
- (d) doing or performing all other things or acts for the furtherance of the provisions of this Act which may be lawfully done or performed by a body corporate.

- (b) in clause (2) by—
  - (i) deleting the word “two” appearing at the beginning of paragraph (c) and substituting therefor the word “three”;

...../Notice of Amendments

- (ii) deleting the word “two” appearing at the beginning of subparagraph (d) (i) and substituting therefor the word “three”; and
- (iii) deleting paragraph (e).

**CLAUSE 9**

**THAT** clause 9 of the Bill be amended—

- (a) by deleting subclause (2); and
- (b) in subclause (3) by deleting the words “The Board” appearing at the beginning of the subclause and substituting therefor the words “The Cabinet Secretary”.

**CLAUSE 11**

**THAT** clause 11 of the Bill be amended by inserting the following new paragraph immediately after paragraph (g)—

- (h) term expires;

**CLAUSE 13**

**THAT** clause 13 of the Bill be amended by deleting paragraph (g).

**CLAUSE 23**

**THAT** clause 23 of the Bill be amended by deleting subclause (2).

**CLAUSE 24**

**THAT** clause 24 of the Bill be amended by deleting—

- (a) subclause (4);
- (b) subclause (6) and substituting therefor the following new subclause—

(6) Any contribution not paid to the scheme by a sponsor within ten days after the last day of the calendar month to which the contributions relate, shall attract interest which shall not be less than the interest declared during the period the contribution remains unremitted.

...../Notice of Amendments

**CLAUSE 26**

**THAT** clause 26 of the Bill be amended—

(a) by deleting the words “or a staff of a county assembly” appearing at the end of subclause (1);

(b) in subclause (3)—

(i) by deleting paragraph (a);

(ii) in paragraph (b) -

(a) by deleting the introductory phrase to paragraph (b) and substituting therefor the following new phrase—

(b)where a member ceases being a member of a county assembly before attaining the early retirement age, that member may opt for payment of—

(b) by deleting sub paragraph (i) and substituting therefor the following new sub paragraph—

(i) not more than fifty percent of his total accrued benefits and the investments income that has accrued in respect of those contributions provided that a member may withdraw any additional voluntary contributions made into the scheme and accrued interest in full;

(iii)in the introductory phrase to paragraph (c) by deleting the words “before attaining the early retirement age” appearing at the end of the paragraph.

**CLAUSE 29**

**THAT** clause 29 of the Bill be amended by deleting the words “Despite the provisions of any other written law” appearing at the introductory part of subclause (2) and substituting therefor the words “Subject to the Retirement Benefits Act”.

...../Notice of Amendments

**CLAUSE 49**

**THAT** clause 49 of the Bill be amended by deleting subclause (4) and substituting therefor the following new subclause—

(4) Without prejudice to any proceedings instituted under the provisions of this section, a sponsor who makes a deduction from a member’s emoluments for remittance to the Scheme and fails to remit the contribution to the Scheme within fifteen days commits an offence and shall on conviction be liable to a fine not exceeding five million shillings or in the case of a natural person to imprisonment for a term not exceeding two years or to both.

**CLAUSE 52**

**THAT** the Bill be amended by deleting clause 52.

**CLAUSE 53**

**THAT** the Bill be amended by deleting clause 53 and substituting therefor the following new clause—

Transition of county assemblies to the Scheme 53. (1) A member of a county assembly who is a member of the Local Authorities Provident Fund, the Local Authorities Pension Trust, the Local Authorities Pension Trust (Defined Benefits) Scheme and the Local Authorities Pension Trust (Umbrella) Retirement Fund shall be transitioned into the Scheme within one year upon the commencement of this Act.

(2) The funds, assets and other movable or immovable property which immediately before the commencement date were held by or on behalf of the Local Authorities Provident Fund, the Local Authorities Pension Trust, the Local Authorities Pension Trust (Defined Benefits) Scheme and the Local Authorities Pension Trust (Umbrella) Retirement Fund for the members of county assemblies shall vest in the Scheme.

(3) All the records of members of county assemblies held by the Local Authorities Provident Fund, the Local Authorities Pension Trust, the Local Authorities Pension Trust (Defined Benefits) Scheme and the Local Authorities Pension Trust (Umbrella) Retirement Fund shall be transferred to the Scheme administrator.

*...../Notice of Amendments*

(4) All rights, liabilities and duties whether arising under any written law or otherwise, which immediately before the commencement date were accruing, imposed or enforceable by or against the Local Authorities Provident Fund, the Local Authorities Pension Trust, the Local Authorities Pension Trust (Defined Benefits) Scheme and the Local Authorities Pension Trust (Umbrella) Retirement Fund with regard to members of county assemblies shall vest in, be imposed on, or be enforceable against the Scheme.

**NEW CLAUSES**

**NEW CLAUSES**

**THAT** the Bill be amended by inserting the following new clauses immediately after clause 46—

Exemption from compliance with provisions of this Act	46A. The Cabinet Secretary may, by order in the <i>Gazette</i> —
	(a) exempt any person or class of persons from compliance with any specified provisions of this Act; or
	(b) extend the time for compliance by any person or class of persons with any specified provisions of this Act
	provided that nothing in this section shall apply in respect of payment of retirement benefits.

Provisions of the Retirement Benefits Act	46B. The provisions of the Retirement Benefits Act (Cap. 197) and regulations thereunder shall apply to the Fund.
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**CLAUSE 2**

**THAT** clause 2 of the Bill be amended by—

- (a) inserting the definition of the term “beneficiary” immediately after the definition of the term “Authority”—
  - “beneficiary” means a dependant, a person nominated by the member in writing or any other person other than a member entitled to receive a benefit;

...../Notice of Amendments

(b) deleting the definition of the term—

(i) “existing schemes” and inserting therefor the following new definition—

"existing scheme" means the Local Authorities Provident Fund, the Local Authorities Pension Trust, the Local Authorities Pension Trust (Defined Benefits) Scheme and the Local Authorities Pension Trust (Umbrella) Retirement Fund;

(ii) “income drawdown” and inserting therefor the following new definition—

“income drawdown” means an arrangement that allows a member of a retirement benefits scheme to access his or her accumulated retirement benefits as a regular income through reinvesting his or her benefits from an income drawdown fund registered by the Retirement Benefits Authority;

(iii) “member” and inserting therefor the following new definition—

“member” means an eligible member of a county assembly who has become a member of the Scheme and includes a person entitled to or receiving a benefit under the Scheme;

(iv) “normal retirement age” and inserting therefor the following new definition—

“normal retirement age” means the age of sixty years or such other age set out in written law or applicable policy;

(v) “spouse” and inserting therefor the following new definition—

"spouse" means a husband or a wife;

**LONG TITLE**

**THAT** the Bill be amended by deleting the long title and substituting therefor the following new long title—

AN ACT of Parliament to provide for a contributory pension scheme for members of county assemblies; establish a county assemblies pensions fund for the payment or granting of pensions or retirement benefits to members of county assemblies; and for connected purposes.

...../Notice of Amendments



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

(The Senate Majority Leader)

- i. NOTICE is given that the Chairperson, Senate Standing Committee on National Security, Defence and Foreign Relations, intends to move the following amendments to the National Disaster Risk Management Bill (National Assembly Bills No. 24 of 2023), at the Committee Stage —**

**CLAUSE 6**

**THAT** Clause 6 of the Bill be amended by deleting subclause (2) and substituting therefor, the following new subclause –

(2) The Authority shall collaborate with the County Disaster Risk Management Committees in all counties in the discharge of its functions.

**CLAUSE 7**

**THAT** Clause 7 of the Bill be amended by inserting the following new paragraphs immediately after paragraph (m) —

- (ma) develop climate change adaptation strategies to prevent, respond and mitigate the effects of disasters arising as a result of climate change;
- (mb) carry out and coordinate national damage and loss assessment in respect to disasters;
- (mc) carry out bi-annual national drill exercises as part of disaster risk management preparedness.

**CLAUSE 9**

**THAT** Clause 9(1) of the Bill be amended in paragraph (f) by deleting the word “Governors” appearing immediately after the words “Council of” and substituting therefor the words “County Governors or a representative designated in writing”.

**CLAUSE 10**

**THAT** clause 10 of the Bill be amended in subclause (2) by deleting paragraph (g).

...../Notice of Amendments

**CLAUSE 27**

**THAT** clause 27(1) of the Bill be amended in the introductory clause by inserting the words “in consultation with County Governments” immediately after the words “The Authority shall”.

**CLAUSE 28**

**THAT** clause 28 of the Bill be amended in subclause (1) by inserting the following new paragraph immediately after paragraph (d) —

- (c) develop a national multi-hazard early warning system and guidelines for its implementation.

**CLAUSE 29**

**THAT** clause 29 of the of the Bill be amended in subclause (8) by inserting the words “in consultation with the Council of County Governors” immediately after the words “Cabinet Secretary shall”.

**CLAUSE 32**

**THAT** clause 32(1) of the Bill be amended –

- (a) by deleting paragraph (b);
- (b) in paragraph (c) by inserting the words “in collaboration with the County Disaster Risk Management Centers,” immediately before the word “formulate”;
- (c) in paragraph (h) by inserting the words “in collaboration with the County Disaster Risk Management Centre and the Authority,” immediately after the word “oversee”; and
- (d) in paragraph (m) by inserting the words “and the respective county assembly” immediately after the words “to the Authority”.

**NEW CLAUSES**

**THAT** the Bill be amended by inserting the following new clauses immediately after clause 41—

Establishment of the Disaster Management Fund.	<b>41A.</b> (1) There is established the Disaster Risk Management Fund which shall be administered in accordance with section 24 of the Public Finance Management Act.
Cap 412A.	(2) The Director-General of the Authority shall be the administrator of the Fund.

*...../Notice of Amendments*

Sources of the Fund

**41B.** The Fund shall consist of —

- (a) such moneys as may be appropriated by the National Assembly;
- (b) grants or donations for the purposes of the Fund;
- (c) income generated from the proceeds of the Fund; and
- (d) any moneys accruing to or received by the Fund from any other lawful source, as may be approved by the Cabinet Secretary for the time being responsible for finance.

Objects of the Fund

**41C.** The Fund shall —

- (a) be utilized towards the provision of funds for disaster prevention, preparedness, mitigation, response and recovery measures;
- (b) provide a common basket for receipt and disbursement of funds for disaster management;
- (c) support capacity development of county governments and other institutions mandated with disaster management;
- (d) support agencies dealing with early warning systems for disaster management;
- (e) support the implementation of programmes, projects or activities to further the objectives of this Act; and
- (f) support any other purpose approved by the Board that would enhance the development and promotion of prudent disaster management in the country.

Consolidation of Public funds related to disaster management

**41D.** All public funds established for the purpose of disaster management prior to the commencement of this Act shall be consolidated into the Fund, except funds —

- (a) established to support institutions created under an Act of Parliament; or
- (b) established by county governments.

...../Notice of Amendments

Tax Exemptions on Disaster Management Assistance.	<b>41E</b> The Cabinet Secretary responsible for finance may, by regulation, exempt all materials, articles, goods or equipment intended for the use of disaster management activities from import duty, value added tax, demurrage charges, port charges and any other tax as may be determined.
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**CLAUSE 2**

**THAT** the Bill be amended in clause 2 by inserting the following new definition immediately after the definition of the words “climate change” —

“climate change adaptation” means adjustments to ecological, social or economic systems in response to actual or expected climatic impacts, in order to moderate potential damages or to benefit from opportunities associated with climate change.

**ii. NOTICE is given that Sen. Mohammed Chute, intends to move the following amendments to the National Disaster Risk Management Bill (National Assembly Bills No. 24 of 2023), at the Committee Stage —**

**CLAUSE 3**

**THAT** clause 3 of the Bill be amended by inserting the following new paragraphs immediately after paragraph (b) –

- (ba) provide for appropriate and dignified assistance and relief to victims and casualties of disasters;
- (bb) promote inclusiveness and a multidisciplinary and multisectoral approach to disaster management.

**CLAUSE 4**

**THAT** clause 4 of the Bill be amended by deleting paragraph (e) and substituting therefor the following new paragraph —

- (e) the national values and principles of governance under Article 10 of the Constitution.

*...../Notice of Amendments*

**CLAUSE 52**

**THAT** clause 52 of the Bill be amended –

- (a) by deleting the heading to Part VII and substituting therefor the following new heading –

**PART VII – MISCELLANEOUS PROVISIONS**

- (b) in subclause (2) by inserting the following new paragraph immediately after paragraph (h) —

(ha) protection of emergency responders during emergency and disaster response.

**NEW CLAUSES**

**THAT** the bill be amended by inserting the following new clauses immediately after clause 52—

Amendment to  
Cap. 412A.

**52A.** The Public Finance Management Act is amended –

- (a) in section 2 by inserting the following new definitions in their proper alphabetical order –

“emergency” has the meaning assigned to it under section 2 of the National Disaster Risk Management Act; and

“Disaster” has the meaning assigned to it under section 2 of the National Disaster Risk Management Act;

- (b) in section 110 by –

- (i) deleting the word “may” appearing immediately after the words “Executive Committee” and substituting therefor the word “shall” in the marginal note; and

...../Notice of Amendments

(ii) deleting the word “may” appearing immediately after the words “Executive Committee” and substituting therefor the word “shall” in subsection (1);

(c) in section 112 by deleting subsection (2) and substituting therefor the following new subsection –

(2) For the purposes of subsection (1), there is an urgent and unforeseen need for expenditure if –

(a) the expenditure is required to respond to an emergency or disaster in accordance with the National Disaster Risk Management Act;

(b) the emergency or disaster could not have been foreseen through the normal planning and budgeting process; and

(c) delay in making the expenditure would result in significant harm to life and property.

(d) in section 113 by –

(i) renumbering the existing provision as subsection (1); and

(ii) inserting the following new subsection immediately after subsection (1) –

(1) Notwithstanding subsection (1), the County Executive Committee member may, in order to effectively respond to an emergency or disaster and with the approval of the county assembly, exceed the limit prescribed under subsection (1) provided that —

(a) the total payment does not exceed five percent of the total county government revenue as shown in that county government’s audited financial statements for the previous financial year; and

...../Notice of Amendments

(b) the additional amount is used solely for emergency or disaster response and recovery.

**CLAUSE 2**

**THAT** clause 2 of the Bill be amended by inserting the following definitions in their proper alphabetical order –

“emergency” means an actual or imminent situation that arises suddenly, poses immediate threat to life, health, property, environment, infrastructure, economic stability or public order and that –

- (a) requires prompt coordinated action to protect life and property and restore essential services;
- (b) may be caused by natural, technological, human-induced, health or industrial incidents; and
- (c) exceeds normal response capabilities requiring multi-agency intervention;

“emergency responder” refers to a person involved in an organized response to a potential, actual or impending emergency, including but not limited to firefighters, police officers, emergency medical personnel, county government emergency management personnel, national government emergency management personnel, military personnel or an officer of a recognized humanitarian organization dealing with disaster response.

**D.\*\*\*THE LAND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 40 OF 2022)**

(The Senate Majority Leader)

**NOTICE is given that, the Chairperson to the Standing Committee on Land, Environment and Natural Resources, intends to move the following amendments to the Land (Amendment) Bill (National Assembly Bills No. 40 Of 2022), at the Committee Stage—**

**CLAUSE 3**

**THAT** clause 3 of the Bill be amended in the introductory phrase to the proposed sub-section (16) by inserting the words “publish a notice in the *Gazette* specifying the particulars of the registration and” immediately after the words “the Registrar shall”.

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...../Appendix



APPENDIX

**1. PETITION**

Petition to the Senate by Hon. Oscar Wanje concerning threats, intimidation, harassment and eviction of residents of Ganda Ward by agents of private developers.

*(The Speaker of the Senate)*

**2. PAPERS**

- i. Report of the Standing Committee on Devolution and Intergovernmental Relations and the Standing Committee on Justice, Legal Affairs and Human Rights on a Petition to the Senate by Mr. Laban Omusundi concerning restraining county governments from hiring law firms to represent them in court cases.

*(The Chairperson, Standing Committee on Devolution and Intergovernmental Relations and the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)*

- ii. Report of the Auditor General on Kitui County Climate Change Fund for fifteen (15) months period ended 30<sup>th</sup> June, 2024.

*(The Senate Majority Leader)*

**3. NOTICES OF MOTION**

- i. **EXTENSION OF TIME OF THE SELECTION PANEL FOR THE RECRUITMENT OF NOMINEES FOR APPOINTMENT AS THE CHAIRPERSON AND MEMBERS OF THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (IEBC)**

(The Senate Majority Leader)

**AWARE THAT**, vide Gazette Notices Nos. 1901 & 2643 dated 14<sup>th</sup> February, 2023 and 1<sup>st</sup> March, 2023, respectively, His Excellency the President declared one (1) vacancy for the position of the Chairperson of the Independent Electoral & Boundaries Commission (IEBC), and six (6) vacancies for the position of Member of the IEBC;

**FURTHER AWARE**, that vide Gazette Notice No. 715 of 27<sup>th</sup> January, 2025, His Excellency the President appointed members of the Selection Panel for the Recruitment of Nominees for Appointment as the Chairperson and Members of the Independent Electoral and Boundaries Commission;

...../Appendix

**NOTING** that, upon its appointment, the Selection Panel commenced the recruitment process and longlisted all applicants and subsequently shortlisted qualified applicants for the positions of Chairperson and Member of the Independent Electoral and Boundaries Commission;

**FURTHER NOTING** that, paragraph 6(1) of the First Schedule to the Independent Electoral and Boundaries Commission Act, CAP 7C, provides that the Selection Panel shall finalise the recruitment exercise within ninety days of its appointment and forward the names of the nominees to the President;

**CONSCIOUS** that, the Selection Panel is currently undertaking the interviews of the shortlisted candidates for the positions of Chairperson and Members of the Independent Electoral and Boundaries Commission, and that, given the interview schedule of all shortlisted applicants, the Selection Panel has inadequate time to conclude the recruitment process;

**FURTHER CONSCIOUS** of the need for the Selection Panel to ensure the recruitment process complies with the constitutional principles of regional balance, representation of the youth and overall inclusivity, while ensuring that the interviews are conducted as far as is practicable, within official working days and hours;

**NOW, THEREFORE**, pursuant to the provisions of paragraph 6(2) of the First Schedule to the Independent Electoral and Boundaries Commission Act, CAP 7C, the Houses of Parliament **RESOLVE** to extend the tenure of the Selection Panel for the Recruitment of Persons for appointment as Chairperson and Members of the Independent Electoral and Boundaries Commission by a period of **fourteen (14) days from 28<sup>th</sup> April, 2025.**

ii. **REPORT OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS AND THE STANDING COMMITTEE ON JUSTICE, LEGAL AFFAIRS AND HUMAN RIGHTS ON A PETITION TO THE SENATE BY MR. LABAN OMUSUNDI CONCERNING RESTRAINING COUNTY GOVERNMENTS FROM HIRING LAW FIRMS TO REPRESENT THEM IN COURT CASES**

(The Chairperson, Standing Committee on Devolution and Intergovernmental Relations and the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

**THAT**, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations and the Standing Committee on Justice, Legal Affairs and Human Rights on a Petition to the Senate by Mr. Laban Omusundi concerning restraining county governments from hiring law firms to represent them in court cases, laid on the Table of the Senate on Thursday, 3<sup>rd</sup> April, 2025.

...../Appendix

**4. QUESTIONS AND STATEMENTS**

**a) Statements Pursuant to Standing Order 53 (1)**

- i) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the violent clashes in Sondu Town which resulted in three fatalities.
- ii) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) to seek a Statement from the Standing Committee on Roads, Transportation and Housing regarding professionalism in the public service transport sector.
- iii) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the establishment and conservation of wildlife corridors in Kisumu County.
- iv) The Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the Scheme of Service for National Government Administrative Officers, specifically Chiefs and Assistant Chiefs.

**b) Statement Pursuant to Standing Order 57 (1)**

The Senate Majority Leader to issue a statement on the business of the Senate for the week commencing Tuesday, 8<sup>th</sup> April, 2025.

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...../Notice Paper

**NOTICE PAPER**

**Tentative Business for Tuesday, April 08, 2025**

*(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 Tuesday, April 08 2025.

**BILLS AT THE SECOND READING STAGE**

- i) \*THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 18 OF 2023)  
(Sen. Miraj Abdillahi Abdulrahman, MP)
- ii) \*THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 46 OF 2023)  
(Sen. Johnes Mwaruma, MP)
- iii) \*THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 49 OF 2023)  
(Sen. Lenku Ole Kanar Seki, MP)
- iv) \*THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES (CONTROL) (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2024)  
(Sen. Kathuri Murungi, MP)
- v) \*THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL (SENATE BILLS NO. 3 OF 2024)  
(Sen. Ledama Olekina, MP and Sen. William Kisang, MP)
- vi) \*THE SPORTS (AMENDMENT) BILL (SENATE BILLS NO. 33 OF 2024)  
(Sen. Edwin Sifuna, MP)
- vii) \*THE COUNTY STATISTICS BILL (SENATE BILLS NO. 5 OF 2024)  
(Sen. Ali Ibrahim Roba, MP)
- viii) \*THE COUNTY WARDS (EQUITABLE DEVELOPMENT) BILL (SENATE BILLS NO. 20 OF 2024)  
(Sen. Karungo Thangwa, MP and Sen. Godfrey Osotsi, MP)

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