



REPUBLIC OF KENYA
ELEVENTH PARLIAMENT – (THIRD SESSION)
THE SENATE
ORDER PAPER
THURSDAY, JUNE 18, 2015 AT 2.30 P.M

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers (As Listed in the Appendix)
6. Notices of Motion
7. Statements (As Listed in the Appendix)
8. * THE KENYA NATIONAL EXAMINATIONS COUNCIL (AMENDMENT) BILL
(SENATE BILL NO. 7 OF 2015)
(Sen. David Musila)
(First Reading)
9. * THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF
ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILL NO. 8 OF 2015)
(Sen. Hassan Omar Hassan)
(First Reading)
10. * THE NATIONAL HOSPITAL INSURANCE FUND (AMENDMENT) BILL
(SENATE BILL NO. 9 OF 2015)
(Sen. Martha Wangari)
(First Reading)
11. *** THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILL NO. 5 OF
2015)
(Chairperson, Standing Committee on Finance, Commerce and Budget)
(Second Reading)
(Resumption of Debate interrupted on Wednesday, 17th June, 2015)
12. * THE REPRODUCTIVE HEALTH CARE BILL (SENATE BILL NO. 17 OF
2014)
(Sen. Judith Sijeny)
(Second Reading)
(Resumption of Debate interrupted on Tuesday, 26th May, 2015)

...../Bill

13. **MOTION** – (Sen. (Prof.) Anyang' Nyong'o)

THAT, aware that the Government of Kenya has a 29.8% shareholding in Kenya Airways Limited thereby being the largest single shareholder in the company;

COGNIZANT of the fact that Kenya Airways Limited, the National Flag carrier, has been experiencing tremendous delays and cancellation of flights;

AWARE that each delay and or cancellation has led to grave losses to the airline thereby worsening the debt burden of the corporation;

REALIZING that the airline is now in debt to the tune of 18 Billion Kenya Shillings;

FURTHER AWARE that the current business plan of the airline does not seem to take into full account necessary measures to turn the company around;

CONCERNED that the situation, if left unchecked, may lead to the collapse of the company and great loss to the nation, investors and the Kenyan taxpayers;

NOW THEREFORE, the Senate resolves to establish a select committee to conduct an inquiry into the affairs of Kenya Airways Limited and its subsidiaries, and report to the Senate within three months, taking into account the following-

- i) The leasing and buying arrangement of aircrafts since 1996;
- ii) The role of off-shore companies in the investment affairs of the airline;
- iii) The identity of the share holders of these off-shore companies and their relationship with the management of Kenya Airways Limited;
- iv) The employment policies and practices of personnel, including engineers, pilots, cabin crew and ground personnel;
- v) The reason for delayed and cancelled flights, their frequency and the magnitude of losses attendant therein; and
- vi) Any other matter that may shed light on the financial and management crisis currently facing the airline;

AND FURTHER that the Members of the Select Committee are:-

1. Sen. (Prof.) Anyang' Nyong'o
2. Sen. Mutahi Kagwe
3. Sen. Hassan Omar
4. Sen. Daniel Karaba
5. Sen. (Dr.) Boni Khalwale
6. Sen. (Dr.) Agnes Zani
7. Sen. Lesuuda Naisula
8. Sen. Peter Mositet
9. Sen. (Prof.) Wilfred Lesan
10. Sen. Billow Kerrow
11. Sen. James Orengo

(Resumption of Debate interrupted on Wednesday, 27th May, 2015)

...../Motion

14. **MOTION** – (Sen. Abdirahman Hassan)
(Department of Education)

THAT:

AWARE that the country in general and North Eastern region, in particular, currently faces an acute shortage of teachers;

Noting that the problem in schools in North Eastern region counties has been exacerbated by the recent refusal by teachers to report to their duty stations in the region;

CONCERNED that, the National Government has no plans to overturn the current freeze on regular recruitment of teachers;

The Senate calls upon the National Government to immediately reintroduce the untrained teacher (UT) programme as well as in-service training for untrained teachers in the North Eastern region as a measure to bridge the shortage of teachers in the region.

15. **MOTION** – (Sen. Beatrice Elachi)
(Department of Interior and Coordination of National Government)

THAT, cognizant that Article 12 of the Constitution guarantees a right to citizenship; noting that it is the right of every Kenyan attaining 18 years to register and be issued with a National Identity Card ; further noting that the National Identity Card is at the core in determining the extent to which an individual enjoys his or her fundamental rights and freedoms; concerned that Orphans and Vulnerable Children attaining the age of 18 years in children's homes have difficulties obtaining the National Identity Cards, the Senate urges the National Government to take remedial, policy, administrative and legislative measures to improve and expedite the process of registration for National Identity Cards especially for the Orphans and Vulnerable Children who live in children's homes and have attained 18 years of age.

16. **MOTION** – (Sen. Sammy Leshore)
(Department of Health)

THAT, cognizant that the core mandate of the National AIDS Control Council (NACC) is to develop strategies, policies and guidelines relevant to the prevention and control of HIV and AIDS in Kenya; noting that the operational structure of NACC has not been aligned to the Constitution of Kenya 2010; acknowledging the objects of devolution as set out under Article 174 of the Constitution; recognizing that under the Fourth Schedule, the health function has been devolved except for the health policy and referral hospitals; concerned that an estimated 1.2 million Kenyans are infected with HIV/AIDS and a 100,000 are infected annually; recognizing the need to achieve an *"AIDS free society"* by stepping up the fight against the pandemic at the County level, the Senate urges the National Government to set up the National AIDS Control Council (NACC) County offices in all County Headquarters with the National Headquarters providing overall co-ordination and that the resources allocated for the fight against HIV/AIDS be disbursed and managed at the County level.

17. **MOTION** - (The Chairperson, Sessional Committee on County Public Accounts and Investments)

THAT, the Senate adopts the Interim report of the Senate Sessional Committee on County Public Accounts and Investments on the inquiry into County Government Accounts for the Financial Year 2012/2013- (1st January to 30th June, 2013).

18. **MOTION** - (The Chairperson, Standing Committee on Finance, Commerce and Budget)

THAT, the Senate adopts the Report of the Commission on Revenue Allocation on the recommended County Governments Budget ceilings on recurrent expenditures for new structures for the Financial Year 2015/16 pursuant to section 107 (2A) of the Public Finance Management Act laid on the Table of the House on Wednesday, 1st April, 2015.

19. **MOTION** - (The Chairperson, Standing Committee on Finance, Commerce and Budget)

THAT, the Senate adopts the Report of the Standing Committee on Finance, Commerce and Budget on Operations of Makueni County Assembly laid on the Table of the House on Wednesday, 1st April, 2015.

NOTICE

The Senate resolved on 11th February, 2015 as follows:-

THAT, pursuant to Standing Order 100 (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

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■ Denotes a Majority /Minority Party Bill

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■ Denotes a Committee Bill

■ Denotes a National Assembly Bill

■ Denotes any other Bill

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...../Appendix

APPENDIX**1. PAPER**

Business of the Senate for the coming week.

2. STATEMENTS

- a) The Senate Majority Leader to issue a Statement on Business of the Senate for the coming week;
- b) The Chairperson of the Standing Committee on Finance, Commerce and Budget to issue a Statement on the depreciation of the Kenya Shilling against other major currencies (Sen. Mutahi Kagwe);
- c) The Chairperson of the Standing Committee on Finance, Commerce and Budget to issue a Statement on revenue collection from Samburu National Game Reserve (Sen. Sammy Leshore);
- a) The Chairperson of the Standing Committee on Agriculture, Livestock and Fisheries to issue a Statement on the position by Government on the production and use of GMOs technology in Kenya (Sen. Kisasa Mshenga);
- b) The Chairperson of the Standing Committee on Finance, Commerce and Budget to issue a Statement on the review of rates for allowances in the Public Service by the Salaries and Remuneration Commission (Sen. Kiraitu Murungi);
- c) The Chairperson of the Standing Committee on Education to issue a Statement on delayed payment of salaries to lecturers (Sen. Danson Mwazo);
- d) The Chairperson of the Standing Committee on Agriculture, Livestock and Fisheries to issue a Statement on construction of Gatitu Nyayo Tea Factory (Sen. Daniel Karaba);
- e) The Chairperson of the Standing Committee on Lands and Natural Resources to issue a Statement on the destruction of Mau Forest (Sen. George Khaniri);
- f) The Chairperson of the Standing Committee on Lands and Natural Resources to issue a Statement on destruction of riparian areas specifically at Konate junction in Bonyamatuta Ward, Mugirango Constituency (Sen. Kennedy Mong'are).
