



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FOURTH SESSION)

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, SEPTEMBER 25, 2025 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 Deputy Speaker.

3. **QUORUM OF THE SENATE**

The Deputy 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 Deputy Speaker invited the Clerk to call the Orders of the Day.

4. **COMMUNICATIONS FROM THE CHAIR**

The Deputy Speaker conveyed the following Communication from the Chair:

a) Visiting Teachers and Students from Zion School Utawala, Nairobi City County

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting teachers and students from Zion School in Utawala, Nairobi City County. The delegation consists of 35 students and 7 teachers.

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

I thank you.”

b) On Substantiation of facts that a Senator alleges to be true pursuant to Standing Order 105 – Sen. Samson Cherarkey, MP

“Honourable Senators,

As you may recall, at the sitting of the Senate held on Wednesday, 24th September, 2025 (Afternoon Sitting), the Temporary Speaker (Sen. Catherine Mumma, MP) directed Sen. Samson Cherarkey, MP, to substantiate utterances made in the course of his contribution to the Motion on the report of the Standing Committee on Finance and Budget on the County Governments (Equitable Share) Cash Disbursement Schedule for Financial Year 2025/2026. The direction was as a result of a Point of Order by the Senator for Narok County, Sen. Ledama Olekina, MP, pursuant to Standing Order 105.

Standing Order 105 provides that –

“(1) A Senator shall be responsible for the accuracy of any facts that the Senator alleges to be true and may be required to substantiate any such facts instantly.

(2) If a Senator has sufficient reason to convince the Speaker that the Senator is unable to substantiate the allegations instantly, the Speaker shall require that such Senator substantiates the allegations not later than the next sitting day, failure to which the Senator shall be deemed to be disorderly within the meaning of Standing Order 121 (Disorderly conduct), unless the Senator withdraws the allegations and gives a suitable apology, if the Speaker so requires.”

Honourable Senators,

In the Point of Order, Sen. Cherarkey, MP, was required to substantiate the statement that –

“I am happy with TIFA survey results. You have seen our party, UDA, is the most popular party in this country. That is why we have elected Wakwabubi; Senator Wakwabubi from Bungoma.”

Honourable Senators,

Upon being challenged by Sen. Ledama Olekina, MP, Sen. Cherarkey, MP, was not able to substantiate his statements as required pursuant to Standing Order 105(1). He subsequently requested the Temporary Speaker (Sen. Catherine Mumma, MP) to provide the evidence at the next sitting day in accordance with Standing Order 105 (2). Having acceded to the request, the Temporary Speaker (Sen. Catherine Mumma, MP) directed that the Senator substantiates the statement at the next sitting day.

Pursuant to Standing Order 105 (2), I now invite Sen. Samson Cherarkey, MP to forthwith substantiate the claim, as raised in the Point of Order by Sen. Ledama Olekina, MP, failure to which, the Senator shall be deemed to be disorderly within the meaning of Standing Order 121. In the absence of such

substantiation, the Senator will be required to withdraw the statement and apologize to the Senate.

I thank you.”

Thereupon the Deputy Speaker invited Sen. Samson Cherarkey, MP, to either table evidence to substantiate his statement or withdraw and apologize.

Thereupon, the Senator undertook to submit to the office of the Clerk, via email, a soft copy of a report to substantiate his allegations.

c) Visiting students from Busia Universities and Colleges Student’s Association

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students from Busia Universities and Colleges Students’ Association. The delegation consists of 12 students.

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

I thank you.”

5. PAPERS LAID

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

- i) The Crops (Bixa) Regulations (Legal Notice No. 145 of 2025).

(The Senate Majority Leader)

- ii) Report of the Standing Committee on Devolution and Intergovernmental Relations on a Petition to the Senate by Mr. Japheth Makokha, the Executive Director of Tripple The Impact CBO to amend the County Governments Act 2012, on the mandate of the County Governors assigning Portfolio of a County Executive Committee Member (CECM) to the Deputy County Governors.

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

6. NOTICE OF MOTION - REPORT OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON A PETITION TO THE SENATE BY MR. JAPHETH MAKOKHA, THE EXECUTIVE DIRECTOR OF TRIPPLE THE IMPACT CBO TO AMEND THE COUNTY GOVERNMENTS ACT 2012, ON THE MANDATE OF THE COUNTY GOVERNORS ASSIGNING

PORTFOLIO OF A COUNTY EXECUTIVE COMMITTEE MEMBER (CECM) TO THE DEPUTY COUNTY GOVERNORS

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

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on a Petition to the Senate by Mr. Japheth Makokha, the Executive Director of Tripple The Impact CBO to amend the County Governments Act 2012, on the mandate of the County Governors assigning Portfolio of a County Executive Committee Member (CECM) to the Deputy County Governors, laid on the Table of the Senate on, Thursday, 25th September, 2025.

7. QUESTIONS AND STATEMENTS**Request for Statements pursuant to Standing Order 53 (1)**

- i) The Senator for Tharaka Nithi County (Sen. Mwenda Gataya, MP) sought a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the delayed demarcation of land in some parts of Tharaka Nithi County.
- ii) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) sought a Statement from the Standing Committee on Health regarding the state of public sanitation infrastructure in Kisumu County.
- iii) The Senator for Busia County (Sen. Andrew Omtatah, MP) sought a Statement from the Standing Committee on Health regarding the state and operations of Kenyatta National Hospital (KNH).
- iv) The Senator for Busia County (Sen. Andrew Omtatah, MP) sought a Statement from the Standing Committee on Energy regarding electricity connectivity in Busia County.

a) Statements pursuant to Standing Order 56 (1) (b)

- i) The Chairperson, Standing Committee on Information, Communication and Technology, made a Statement relating to the activities of the Committee for the period, April to July, 2025.
- ii) Sen. (Prof.) Tom Ojienda, SC, MP, on behalf of the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights, made a Statement relating to the activities of the Committee for the period, April to July, 2025.
- iii) Sen. Seki Lenku Ole Kanar, MP, on behalf of the Chairperson, Standing Committee on Labour and Social Welfare, made a Statement relating to the activities of the Committee for the period, April to July, 2025.

b) Statement pursuant to Standing Order 57 (1)

The Senate Majority Leader issued a Statement on the business of the Senate for the week commencing Tuesday, 30th September, 2025.

8. **MOTION - REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE COUNTY GOVERNMENTS CASH DISBURSEMENT SCHEDULE FOR FINANCIAL YEAR 2025/2026**

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the County Governments (Equitable Share) Cash Disbursement Schedule for Financial Year 2025/2026, laid on the Table of the Senate on Wednesday, 24th September, 2025 and that, pursuant to Section 17 (7) of the Public Finance Management Act and Standing Order 189 (3), the Senate approves the County Governments (Equitable Share) Cash Disbursement Schedule for Financial Year 2025/2026.

(Sen. Mohamed Faki, MP on behalf of the Chairperson, Standing Committee on Finance and Budget – 24.09.2025-Afternoon Sitting)

Debate interrupted on Wednesday, 24th September, 2025-(Afternoon Sitting) resumed;

And there being no more Senator wishing to contribute;

Sen. (Dr.) Boni Khalwale, MP, replied on behalf of the Mover;

Pursuant to Standing Order 66(3), the Senator requested for the deferment of the putting of the Question to a later date;

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

9. **MOTION - REPORT OF THE SELECT COMMITTEE ON DELEGATED LEGISLATION ON ITS CONSIDERATION OF THE AFFORDABLE HOUSING REGULATIONS (LEGAL NOTICE NO. 114 OF 2025)**

THAT, the Senate adopts the Report of the Select Committee on Delegated Legislation on its consideration of the Affordable Housing Regulations (Legal Notice No. 114 of 2025), laid on the Table of the Senate on Wednesday, 24th September, 2025; and that pursuant to Section 59(4) of the Affordable Housing Act, 2024, the Senate resolves to approve the Affordable Housing Regulations (Legal Notice No. 114 of 2025).

(The Chairperson, Select Committee on Delegated Legislation)

Debate arising;

And the time being thirty minutes past Six O'clock, the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

10. SENATE ROSE – at thirty minutes past Six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Tuesday, September 30, 2025 at 2:30 pm*

--x--