REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FIFTH SESSION)

THE SENATE

SUPPLEMENTARY ORDER PAPER

TUESDAY, NOVEMBER 17, 2026 AT 2.30 PM

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. *****THE ANTI-DOPING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 66 OF 2026)**
   (The Senate Majority Leader)
   (First Reading)
9. **MOTION – ALTERATION OF THE SENATE CALENDAR FOR THE FIFTH SESSION (2026)**
   (The Senate Majority Leader)

   THAT, notwithstanding the resolutions of the Senate made pursuant to Standing Order 32 on 17th February and 3rd June, 2026, and the provisions of Standing Order 34 (Hours of Meeting), the Senate resolves to alter its Calendar for the Fifth Session – 2026, so as not to hold a morning sitting on Wednesday, 18th November, 2026.

10. **MOTION - REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE COUNTY GOVERNMENT (ADDITIONAL ALLOCATIONS) CASH DISBURSEMENT SCHEDULE FOR FINANCIAL YEAR 2026/2027**
    (The Chairperson, Standing Committee on Finance and Budget)

    THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the County Governments (Additional Allocations) Cash Disbursement Schedule for the Financial Year 2026/2027, laid on the

...../Motions

Table of the Senate on Wednesday 11th November, 2026 and that, pursuant to Section 17 (7) of the Public Finance Management Act and Standing Order 189 (3), the Senate approves the County Governments (Additional Allocations) Cash Disbursement Schedule for the Financial Year 2026/2027.

(Resumption of debate interrupted on Thursday, 12th November, 2026)
(Division)

11. **MOTION – REPORT OF THE MEDIATION COMMITTEE ON THE COOPERATIVES BILL (NATIONAL ASSEMBLY BILLS NO. 7 OF 2024)**
(The Chairperson, Mediation Committee)

THAT, the Senate adopts the Report of the Mediation Committee on the Cooperatives Bill (National Assembly Bills No. 7 of 2024), laid on the table of the Senate on Wednesday, 4th November, 2026; 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.

(Resumption of debate interrupted on Wednesday, 4th November, 2026 – Afternoon Sitting)
(Division)

12. ***THE PUBLIC PARTICIPATION BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2025)**
(The Senate Majority Leader)

(Second Reading)
(Resumption of debate interrupted on Thursday, 8th October, 2026)
(Division)

13. **COMMITTEE OF THE WHOLE**
****THE REFERENDUM BILL (SENATE BILLS NO. 3 OF 2026)**
(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

(Resumption of debate interrupted on Wednesday, 7th October, 2026 – Afternoon Sitting)
(Division)

14. **COMMITTEE OF THE WHOLE**
***THE ENVIRONMENTAL MANAGEMENT AND COORDINATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 66 OF 2023)**
(Sen. Crystal Asige, MP, Co–Sponsor)

(Resumption of debate interrupted on Wednesday, 7th October, 2026 – Afternoon Sitting)
(Division)

……./Bills

15. **COMMITTEE OF THE WHOLE**
****THE BUSINESS LAWS (AMENDMENT) BILL (SENATE BILLS NO. 51 OF 2024)**
(The Chairperson, Standing Committee on Trade, Industrialization and Tourism)

(Consideration of the National Assembly amendments)

16. **COMMITTEE OF THE WHOLE**
*****THE CULTURE BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 202**
(The Senate Majority Leader)

17. **COMMITTEE OF THE WHOLE**
***THE SEEDS AND PLANT VARIETIES (AMENDMENT) BILL (SENATE BILLS NO. 4 OF 2025)**
(Sen. Ledama Olekina, MP)

18. *****THE SPORTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 5 OF 2026)**
(Sen. Eddy Oketch, MP, Co–Sponsor)

(Second Reading)
(Resumption of debate interrupted on Wednesday, 11th November, 2026 – Afternoon Sitting)

19. **MOTION - CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE ELECTIONS (AMENDMENT) (NO. 2) BILL (SENATE BILLS NO. 29 OF 2024)**
(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

THAT, the National Assembly amendments to the Elections (Amendment) (No. 2) Bill (Senate Bills No. 29 of 2024) be now considered.

20. **MOTION - REPORT OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES ON A PETITION BY THE SINGLE MOTHERS ASSOCIATION OF KENYA CONCERNING THEIR EVICTION FROM PROPERTY REF. NO: CP & ARCH/00219, EXCISION OF L.R. NO. 209/6738 IN ZIWANI WARD IN NAIROBI COUNTY**
(The Chairperson, Standing Committee on Land, Environment and Natural Resources)

THAT, the Senate adopts the Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by the Single Mothers Association of Kenya concerning their eviction from Property Ref. No: CP & ARCH/00219, Excision of L.R. No. 209/6738 in Ziwani Ward in Nairobi County, laid on the Table of the Senate on Wednesday, 16th September, 2026.

...../Motions

21. **MOTION - REPORT OF THE STANDING COMMITTEE ON LABOUR AND SOCIAL WELFARE ON A PETITION TO THE SENATE REGARDING THE WINDING UP AND LIQUIDATION OF TECHNICAL UNIVERSITY OF KENYA STAFF RETIREMENT BENEFIT SCHEME**
(The Chairperson, Standing Committee on Labour and Social Welfare)

THAT, the Senate adopts the Report of the Standing Committee on Labour and Social Welfare on a Petition to the Senate regarding the winding up and liquidation of Technical University of Kenya Staff Retirement Benefit Scheme, laid on the Table of the Senate on Wednesday, 7th October, 2026.

22. **MOTION - REPORT OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES ON A PETITION BY RESIDENTS OF KITHIMA LOCATION CONCERNING ALLEGED GRABBING OF PUBLIC LAND IN MERU COUNTY**
(The Chairperson, Standing Committee on Land, Environment and Natural Resources)

THAT, the Senate adopts the Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by residents of Kithima location concerning alleged grabbing of public land in Meru County, laid on the Table of the Senate on Wednesday, 16th September, 2026.

23. **MOTION - REPORT OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES ON A PETITION BY MR. HEZEKIAH KURIA KARANJA AND OTHERS CONCERNING THE EVICTION OF KOROGOCHO COMMUNITY LIVING ALONG THE NAIROBI RIVER CORRIDOR AFTER ITS DECLARATION AS A SPECIAL PLANNING AREA**
(The Chairperson, Standing Committee on Land, Environment and Natural Resources)

THAT, the Senate adopts the Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by Mr. Hezekiah Kuria Karanja and others concerning the eviction of Korogocho community living along the Nairobi River Corridor after its declaration as a Special Planning Area, laid on the Table of the Senate on Wednesday, 16th September, 2026.

24. **MOTION - REPORT OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES ON A PETITION BY THE CULTURAL ENVIRONMENTAL CARE SOCIETY CONCERNING CONVERSION OF L.R. NO. 209/2378/1 PUMWANI MAJENGO FROM PUBLIC TO PRIVATE LAND**
(The Chairperson, Standing Committee on Land, Environment and Natural Resources)

THAT, the Senate adopts the Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by the Cultural

……/Motion

Environmental Care Society concerning conversion of L.R. No. 209/2378/1 Pumwani Majengo from public to private land, laid on the Table of the Senate on Wednesday, 16th September, 2026.

25. *****THE BASIC EDUCATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 59 OF 2023)**
(The Senate Majority Leader)

(Second Reading)

26. *****THE BASIC EDUCATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2025)**
(The Senate Majority Leader)

(Second Reading)

27. *****THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 17 OF 2025)**
(The Senate Majority Leader)

(Second Reading)

28. ***THE AGRICULTURE AND FOOD AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO. 13 OF 2023)**
(Sen. James Murango, MP)

(Second Reading)

29. *****THE KENYA HEALTH PRODUCTS AND TECHNOLOGIES REGULATORY AUTHORITY BILL (NATIONAL ASSEMBLY BILL NO. 54 OF 2022)**
(The Senate Majority Leader)

(Second Reading)

30. *****THE QUALITY HEALTHCARE AND PATIENTS SAFETY BILL (NATIONAL ASSEMBLY BILLS NO. 41 OF 2025)**
(The Senate Majority Leader)

(Second Reading)

31. ***THE COUNTY WARDS (EQUITABLE DEVELOPMENT) BILL (SENATE BILLS NO. 20 OF 2024)**
(Sen. Karungo Thangwa, MP and Sen. Godfrey Osotsi, MP)

(Second Reading)

32. *****THE PUBLIC SERVICE INTERNSHIP BILL (NATIONAL ASSEMBLY BILLS NO. 63 OF 2022)**
(The Senate Majority Leader)

(Second Reading)

...../Bills

33. ***THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILLS NO. 39 OF 2024)**
(Sen. George Mbugua, MP)

(Second Reading)

34. *****THE CROPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 8 OF 2023)**
(The Senate Majority Leader)

(Second Reading)

35. **MOTION – REPORT OF THE STANDING COMMITTEE ON NATIONAL SECURITY, DEFENCE AND FOREIGN RELATIONS ON SESSIONAL PAPER NO.1 OF 2025 ON THE FOREIGN POLICY OF THE REPUBLIC OF KENYA**
(The Chairperson, Standing Committee on National Security, Defence and Foreign Relations)

THAT, the Senate adopts the report of the Standing Committee on National Security, Defence and Foreign Relations on Sessional Paper No. 1 of 2025 on the foreign policy of the Republic of Kenya, laid on the table of the Senate on Tuesday, 31st March, 2026.

36. **MOTION - REPORT OF THE STANDING COMMITTEE ON AGRICULTURE, LIVESTOCK AND FISHERIES ON STAKEHOLDER FORUM ON THE CHALLENGES FACING THE SUGAR SECTOR HELD AT MABANGA AGRICULTURAL TRAINING COLLEGE IN BUNGOMA COUNTY ON 26TH MAY, 2026**
(The Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

THAT, the senate adopts the Report of the Standing Committee on Agriculture, Livestock and Fisheries on Stakeholder Forum on the challenges facing the sugar sector held at Mabanga Agricultural Training College in Bungoma County on 26th May, 2026, laid on the Table of the Senate on Wednesday, 5th August, 2026.

37. **MOTION - THE IMPLEMENTATION OF SECTION 39(K) OF THE BASIC EDUCATION ACT ON THE PROVISION OF SANITARY TOWELS**
(Sen. Karen Nyamu, MP)

THAT AWARE THAT, Section 39(k) of the Basic Education Act requires the Cabinet Secretary responsible for education to provide free, sufficient and quality sanitary towels to every girl child registered and enrolled in a public basic education institution who has reached puberty, together with a safe and environmentally sound mechanism for their disposal and that Section 88(2)(g) of the Act provides for conditional capitation funds to facilitate the acquisition of sufficient and quality sanitary towels for eligible girls in public basic education institutions;

...../Motion

RECOGNIZING THAT, the National Government has continued to commit public resources towards the provision of sanitary towels to school-going girls, demonstrating its commitment to menstrual dignity, school attendance and equal access to education;

NOTING THAT, currently the administration of the sanitary towels programme is undertaken through the State Department responsible for Gender and Affirmative Action and the National Government Affirmative Action Fund (NGAAF);

CONCERNED THAT, the current administration of sanitary towels through the State Department of Gender and the National Government Affirmative Action Fund (NGAAF) and limited funding contravenes the provision of Sections 39(k) and 88(2) (g) of the Basic Education Act;

FURTHER CONCERNED THAT, sanitary towels procured using public funds are distributed or presented by elected leaders in public functions or other individualized distribution channels making the entitlement guaranteed to school-going girls by law be perceived as personal donations or favour from the leaders;

NOW THEREFORE, THE SENATE RESOLVES THAT, the Ministry of Education-

1. fully complies with the provisions of Section 39(k) of the Basic Education Act, by aligning the administration, financing and delivery of the sanitary towels to verified numbers of eligible girls and sufficient provision throughout the school calendar;

2. puts in place safeguards to protect the programme from political exploitation, including prohibiting the personal branding or presentation of sanitary towels procured using public funds as donations or favours from individual public or elected officials;

3. pursuant to the provisions of Section 88(2)(g) provides adequate and predictable funding and establishes a robust accountability mechanism to track allocations, procurement, delivery and coverage at school level; and

4. should submit an annual report to Parliament on the compliance to the provisions of Sections 39(k) and 88(2)(g) of the basic Education Act.

...../Notice

NOTICE

The Senate resolved on 11th February, 2026 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**

NOTICE is given that, pursuant to Standing Order 259 (1), the Sitting will be a hybrid sitting consisting of Senators who are physically present in the Senate Chamber and Senators participating virtually from a remote location through Zoom online meeting platform, as per guidelines issued by the Speaker pursuant to Standing Order 258 (4).

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...../Notice of Amendments

NOTICE OF AMENDMENTS

A. **THE ELECTIONS (AMENDMENT) (NO. 2) BILL (SENATE BILLS NO. 29 OF 2024)

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

(Consideration of the National Assembly amendments)

NATIONAL ASSEMBLY AMENDMENTS

THAT Clause 2 of the Bill be amended by—

(a) deleting paragraph (c) and substituting therefor the following new paragraph—

(c) deleting the definition of "political party" and substituting therefor the following new definition—

"political party" has the meaning assigned to it under section 2 of the Political Parties Act;"

(b) deleting paragraph (d).

CLAUSE 3

THAT Clause 3 of the Bill be amended by deleting paragraph (c).

CLAUSE 9

THAT Clause 9 of the Bill be amended in paragraph (a) by inserting the word "assembly" immediately after the word "county" in the proposed new paragraph (b).

CLAUSE 10

THAT Clause 10 of the Bill be amended by deleting paragraph (b) and substituting therefor the following new paragraph—

(b) in subsection (1), by deleting the word "nominated" appearing immediately after the words "may be" in the opening statement and substituting therefor the word "registered";

NEW CLAUSE 13A

THAT the Bill be amended by inserting the following new Clause after Clause 13—

Amendment of section 26 of Cap. 7.

13A. Section 26 of the principal Act is amended by inserting the following new subsection after subsection (2)—

(3) A person who registers as a voter during the period when registration of voters is suspended for the purposes of a by-election as contemplated under section 5(1)(b) shall not be eligible to contest in the electoral area affected by the by-election.

CLAUSE 15

THAT Clause 15 of the Bill be amended by inserting the following new paragraphs immediately after paragraph (a)—

(aa) by deleting subsection (2B);

(ab) by deleting subsection (2C);

CLAUSE 16

THAT Clause 16 of the Bill be amended by deleting paragraph (c) and substituting therefor the following new paragraph—

(c) in subsection (3), by—

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

(b) is the symbol of another independent candidate within the same county or of a political party; or

(ii) deleting paragraph (c) and substituting therefor the following paragraph—

(c) so nearly resembles the symbol of another independent candidate within the same county or political party or any other legal entity registered under any other written law."

CLAUSE 19

THAT Clause 19 of the Bill be amended by deleting paragraph (a).

CLAUSE 20

THAT the Bill be amended by deleting Clause 20.

CLAUSE 21

THAT the Bill be amended by deleting Clause 21.

CLAUSE 22

THAT the Bill be amended by deleting Clause 22.

CLAUSE 23

THAT the Bill be amended by deleting Clause 23 and substituting therefor the following new Clause—

Amendment of section 44 of Cap. 7.

23. Section 44 of the principal Act is amended by inserting the following new subsection immediately after subsection (4)—

Cap. 411C.

(4A) In procuring the technology, the Commission shall ensure that, subject to the Constitution, this Act and the Data Protection Act, the technology is accessible and available for scrutiny by candidates, courts and such other persons as required under the law.

CLAUSE 24

THAT Clause 24 of the Bill be amended by deleting paragraph (c).

CLAUSE 25

THAT Clause 25 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph—

(a) deleting subsection (2) and substituting therefor the following new subsection—

(2) A member of Parliament may be recalled—

(a) for gross violation of a provision of the Constitution or any other law;

(b) where there are serious reasons for believing that the member has committed a crime under national or international law; or

(c) for gross misconduct.

NEW CLAUSE 26A

THAT the Bill be amended by inserting the following new Clause after Clause 26—

Amendment of section 47 of Cap. 7.

26A. Section 47 of the principal Act is amended by deleting subsection (5) and substituting therefor the following new subsection—

(5) A recall election shall be decided by—

(a) a simple majority of the voters voting in the recall election; and

(b) the concurrence of at least one-third of—

(i) the registered voters in every ward of the affected constituency, in the case of a member of the National Assembly; or

(ii) the registered voters in every constituency of the affected county, in the case of a member of the Senate.

CLAUSE 30

THAT the Bill be amended by deleting Clause 30.

CLAUSE 32

THAT the Bill be amended by deleting Clause 32.

NEW CLAUSE 33

THAT the Bill be amended by inserting the following new Clauses immediately after Clause 32—

Amendment of section 109 of Cap. 7.

33. Section 109 of the principal Act is amended by—

(a) deleting subsection (3) and substituting therefor the following new subsection—

(3) The Commission shall make or amend its regulations and publish them in the *Gazette* not later than four months before the date of a general election.

(b) by inserting the following new subsection immediately after subsection (3)—

(3A) The Commission shall subject the regulations made or amended pursuant to subsection (3) to public participation in accordance with the Statutory Instruments Act.

Cap. 2A.

(c) deleting subsection (4).

B. **THE REFERENDUM BILL (SENATE BILLS NO. 3 OF 2026)

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

I. NOTICE is given that, the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights, intends to move the following amendments to the Referendum Bill (Senate Bills No. 3 of 2026), at the Committee Stage—

CLAUSE 3

THAT clause 3 of the Bill be amended in paragraph (c) by inserting the words "as specified in clause 18" immediately after the words "of the Constitution".

CLAUSE 4

THAT clause 4 of the Bill be amended by inserting the following new subclause immediately after subclause (2)—

(3) The conduct of a referendum under this Act shall comply with the principles set out under Articles 10, 81, 86, and 232 of the Constitution.

CLAUSE 6

THAT clause 6 of the Bill be amended in subclause (1) by inserting the word "the" immediately after the words "information on" in paragraph (a).

CLAUSE 7

THAT clause 7 of the Bill be amended by inserting the following new subclause immediately after subclause (2)—

(3) Each county assembly shall facilitate public participation in their respective county before approving or rejecting the draft Bill.

CLAUSE 8

THAT clause 8 of the Bill be amended—

(a) in subclause (5) by deleting the introductory clause and substituting therefor the following new clause —

(5) If a House of Parliament fails to pass the Bill within three months from when the Bill was introduced as stipulated in Article 257(7) of the Constitution, the Speaker of that House shall —

(b) in subclause (6) by deleting the words "eighteen months" appearing immediately after the words "reject the Bill within" and substituting therefor the words "fourteen days".

...../Notice of Amendments

CLAUSE 9

THAT clause 9 of the Bill be amended by inserting the following new subclause immediately after subclause (3)—

(4A) Where draft Bills are merged into one draft Bill, there shall be separate referendum questions framed for each matter with its own options and symbols.

CLAUSE 10

THAT clause 10 of the Bill be amended—

(a) in subclause (2) by deleting the word "may" appearing immediately after the words "The Commission" and substituting therefor the word "shall";

(b) in paragraph (b) of subclause (3) by deleting the word "civic" appearing immediately after the word "conduct" and substituting therefor the word "voter"; and

(c) in paragraph (a) of subclause (4) by inserting the words "in Braille or sign language" appearing immediately after the word "Kiswahili.

CLAUSE 11

THAT clause 11 of the Bill be amended in subclause (1) by deleting the words "section 9" and substituting therefor the words "section 10".

CLAUSE 14

THAT clause 14 of the Bill be amended by inserting the following new subclauses immediately after subclause (2) —

(3) Every referendum committee shall maintain accurate and complete records of all contributions, donations, expenditures and other financial transactions relating to referendum campaigns.

(4) A referendum committee shall submit to the Commission, in the prescribed manner and within the prescribed timelines, information on all donations received and expenditure incurred during the referendum period.

(5) The Commission shall publish periodic campaign financing reports submitted under this section in a manner accessible to the public.

(6) The accounts of every referendum committee shall be subjected to an independent audit conducted by a qualified auditor in the prescribed manner.

...../Notice of Amendments

(7) A State officer, public officer or public entity shall not use public resources, public funds, public office, government infrastructure or official functions to support or oppose any referendum question or option.

CLAUSE 16

THAT clause 16 of the Bill be amended—

(a) in the introductory clause by deleting the word "the" appearing immediately after the words "conclusion of" and substituting therefor the words "a national"; and

(b) in subclause (2) by inserting the words "and a petition has not been filed pursuant to section 25 of this Act" immediately after the words "approved in the referendum".

CLAUSE 17

THAT clause 17 of the Bill be amended by inserting the following new subclause immediately after subclause (3)—

(4) Upon conclusion of a referendum under subsection (3) the Commission shall, within three days of that referendum, declare the results by notice in the *Gazette*.

CLAUSE 20

THAT clause 20 of the Bill be amended in subclause (3) by inserting the word "or" immediately after the words "seven days of presentation" in paragraph (a).

CLAUSE 22

THAT clause 22 of the Bill be amended—

(a) in subclause (1) by deleting the words "been guilty of a corrupt practice" appearing immediately after the words "alleged to have" and substituting therefor the words "committed an act of corruption"; and

(b) in subclause (2) by deleting the words "presented by the Commission" appearing immediately after the words "a referendum petition".

CLAUSE 23

THAT the Bill be amended by deleting clause 23 and substituting therefor the following new clause—

Filing of a referendum petition.

23. A referendum petition shall be signed by every petitioner or an advocate acting on behalf of the petitioner.

CLAUSE 24

THAT the Bill be amended by deleting clause 24 and substituting therefor the following new clause—

Composition of the Bench.

24. (1) A referendum petition shall be heard and determined by a bench of three judges appointed by the Chief Justice.

(2) A petition with respect to a county referendum shall be heard and determined by at least one judge appointed by the Chief Justice.

CLAUSE 27

THAT clause 27 of the Bill be amended in subclause (1) by deleting the words "section 43" appearing immediately after the words "the provisions of" and substituting therefor the words "section 42".

CLAUSE 30

THAT clause 30 of the Bill be amended in subclause (2) by deleting the words "subsection (2)" appearing after the words "An appeal under" and substituting therefor the words "subsection (1)".

CLAUSE 34

THAT clause 34 of the Bill be amended in subclause (1) by inserting the following new paragraphs immediately after paragraph (a)—

(aa) order a scrutiny or a recount of the votes cast in the referendum;
(ab) issue structural directions to the Commission;

CLAUSE 36

THAT clause 36 of the Bill be amended by inserting the following new subclause immediately after subclause (4)—

(5) Notwithstanding the provisions of subsection (1), where litigation arises from a referendum, all documents relating to that referendum shall be retained up to the end of the litigation process.

...../Notice of Amendments

CLAUSE 37

THAT clause 37 of the Bill be amended—

(a) in the marginal note by deleting the words "the Election Offences Act." appearing immediately after the words "Application of the"; and

(b) by inserting the word "the" appearing immediately after the words "provisions of".

CLAUSE 38

THAT clause 38 of the Bill be amended by inserting the following new subclause immediately after subclause (1)—

(1A) A request for cooperation made by the Commission to private entities shall be lawful, reasonable, proportionate and in writing.

CLAUSE 40

THAT clause 40 of the Bill be amended in subclause (1) by inserting the word "the" immediately after the words "prescribed under".

CLAUSE 41

THAT clause 41 of the Bill be amended—

(a) in subclause (1) by deleting the words "and provisions" appearing immediately after the words "of the purposes"; and

(b) by inserting the following new subclauses immediately after subclause (3)—

(4) Before submitting any proposed regulations to Parliament for approval under this section, the Commission shall publish the draft regulations in the *Gazette*, on its official website and in at least one newspaper of national circulation and invite public comments for a period of not less than fourteen days.

(5) The Commission shall consider and publish a summary of the comments received under subsection (4) including an explanation of whether and how the comments were incorporated into the final draft regulations.

CLAUSE 2

THAT clause 2 of the Bill be amended—

(a) in the definition of the word "polling station" by inserting the words "section 2 of" immediately after the words "to it under";

...../Notice of Amendments

(b) in the definition of the word "register of voters" by inserting the words "section 2 of" immediately after the words "to it under"; and

(c) in the definition of the word "voter" by inserting the words "section 2 of"
(d) immediately after the words "to it under".

II. NOTICE is given that, the Senator for Nyamira County (Sen. Erick Mogeni Okong'o, MP), intends to move the following amendments to the Referendum Bill (Senate Bills No. 3 of 2026) at the Committee Stage—

CLAUSE 10

THAT clause 10 of the Bill be amended by inserting the following new subclause immediately after subclause (4)—

(4A) The Commission shall, when framing the referendum question, ensure that a separate question is framed for every Article of the Constitution proposed for amendment except where the various articles being amended relate to a single subject or related subject matter.

CLAUSE 14

THAT clause 14 of the Bill be amended by inserting the following new subclause immediately after subclause (1)—

(1A) Where public funds are allocated for financing of the activities of referendum committees, they shall be distributed equally amongst the national referendum committees.

C. **THE BUSINESS LAWS (AMENDMENT) BILL (SENATE BILLS NO. 51 OF 2024)

(The Chairperson, Standing Committee on Trade, Industrialization and Tourism)

(Consideration of the National Assembly amendments)

NATIONAL ASSEMBLY AMENDMENTS

CLAUSE 2

THAT, the Bill be amended by deleting clause 2 and substituting therefor the following new clause—

"2. The Investment Promotion Act is amended by deleting the heading "PART II—
INVESTMENT CERTIFICATES—APPLICATION AND ISSUE, ETC" appearing immediately after section 2 and substituting therefor the following new heading— "PART II—REGISTRATION OF FOREIGN INVESTMENTS"

CLAUSE 3

THAT, the Bill be amended by deleting clause 3.

CLAUSE 4

THAT, clause 4 of the Bill be amended—

(a) in the proposed section 4(1) by deleting the word "direct" appearing immediately after the word "foreign".

(b) by deleting the proposed section 4(2) and substituting therefor the following—

(2) A foreign investor shall apply for registration of a foreign investment in the prescribed form.

CLAUSE 5

THAT, clause 5 of the Bill be amended—

(a) in the proposed new section 6(1) by deleting the word "direct" appearing immediately after the word "foreign"; and

(b) by deleting the proposed section 6(2) and substituting therefor the following new provision—

(2) In determining whether an investment and any activity related to the investment are beneficial to Kenya for the purposes of subsection (1)(c), the Authority shall consider the extent to which the investment or activity will contribute to the conditions specified in paragraphs (a), (b) (c), (d) and (e) and any or all of the conditions specified in paragraphs (f), (g) and (h)—

(a) creation of employment for Kenyans;

...../Notice of Amendments

(b) acquisition of new skills or modern compatible state of the art technology for Kenyans;

(c) contribution to tax revenues or other Government revenues;
(d) utilization of domestic raw materials, supplies and services if available and can meet the required standards;

(e) adoption of necessary value addition in the processing of local, natural and agricultural resources;
(f) transfer of technology to Kenya;
(g) an increase in foreign exchange, either through exports or import substitution; and
(h) utilization, promotion, development and implementation of information and communication technology.

CLAUSE 8

THAT, clause 8 of the Bill be amended—
(a) in paragraph (a) by—
(i) deleting the word "six" appearing in the proposed new subsection 1(a) and substituting therefor the word "three"; and
(ii) deleting the word "six" appearing in the proposed new subsection 1(b) and substituting therefor the word "three".
(b) by deleting paragraph (b)

CLAUSE 10

THAT, clause 10 of the bill be amended-

(a) in paragraph (b) by deleting the proposed definition of the word "employer" and substituting therefor the following new definition--
"employer" means any person, public body, firm, corporation or company who or which has entered into a contract of service to employ any individual, whether the duties of the employee are performed remotely or on-site, and includes the agent, foreman, manager or factor of such person, public body, firm, corporation or company;
(b) in paragraph (c), by inserting the following new definitions in the proper alphabetical sequence—
"third beneficiary" means a person or entity, other than the employer or employee, for whose benefit the services of an employee are provided pursuant to a business process outsourcing arrangement;

"Information technology enabled service" means a service that is delivered, facilitated or substantially performed through the use of information and communication technology and includes customer support, data processing, data management, transcription, digitisation, technical support, back-office services, content development, data analytics and such other technology-enabled services as may be prescribed by Regulations;

CLAUSE 12

THAT, clause 12 of the Bill be amended in paragraph (c) by deleting the proposed definition of the word "employer" and substituting therefor the following new definition—

"employer" means any person, public body, firm, corporation or company who or which has entered into a contract of service to employ any individual, whether the duties of the employee are performed remotely or on-site, and includes the agent, foreman, manager or factor of such person, public body, firm, corporation or company;

CLAUSE 13

THAT, clause 13 of the Bill be amended—

(a) by deleting paragraph (a);

(b) in paragraph (b), by deleting the proposed definition of the term "social, physical and urban infrastructure"

(c) by inserting the following new definition in the proper alphabetical sequence —

"social and physical infrastructure" means social or physical amenities, infrastructure or services necessary for social welfare and the functioning and wellbeing of people, and includes urban infrastructure and any other associated social and physical infrastructure necessary to support the wellbeing of the people.

CLAUSE 14

THAT, the Bill be amended by deleting clause 14.

CLAUSE 15

THAT, the Bill be amended by deleting clause 15.

CLAUSE 17

THAT, clause 17 of the Bill be amended by deleting paragraph (c).

CLAUSE 19

THAT, clause 19 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph—

...../Notice of Amendments

(a) in paragraph (b) by deleting the words "destruction or alienation" appearing immediately after the word and substituting therefor the word "disposal"

CLAUSE 20

THAT, the Bill be amended by deleting clause 20 and substituting therefor the following new clause—

"20. Section 27 (1) of the Anti-Counterfeit Act is amended by deleting paragraph (a) and substituting therefor the following new paragraph—

(a) is ordered by a court to return, release or otherwise dispose of those goods as specified in the order:
Provided that in the case of counterfeit goods, such goods shall be disposed at the expense of the local manufacturer or importer, as the case may be, based on the environmental considerations and the capacity of the country to dispose the goods or shall be reshipped;"

CLAUSE 22

THAT, clause 22 of the Bill be amended—

(a) by deleting paragraph (a); and
(b) in paragraph (b) by deleting the expression "subsection (4)" and substituting therefor the expression "subsection (14)".
(c) by inserting the following new paragraph immediately after paragraph (b) —
(d) deleting the word "Agency" wherever it appears and substituting therefor the word "Authority"

CLAUSE 23

THAT, the Bill be amended by deleting clause 23 and substituting therefor the following new clause—

"23. Section 35 of the Anti-Counterfeit Act is amended by deleting subsection (2) and substituting therefor the following new subsection—

(2) A person convicted of an offense under section 24, 31, and 32 (h)(i), (j), (k), (l), (m) and (n), shall be liable to imprisonment for a term not exceeding three years, or a fine not exceeding two million shillings, or both.

CLAUSE 24

THAT, the Bill be amended in clause 24 by deleting the expression "seven" appearing in paragraph (b) and substituting therefor the expression "five".

NEW CLAUSES

THAT, the Bill be amended by inserting the following new clauses immediately after clause 24—

...../Notice of Amendments

Amendment of section 2 of Cap. 485.

25. The Business Registration Service Act is amended in section 2 by deleting the definition of the word "Cabinet Secretary" and substituting therefor the following new definition-

"Cabinet Secretary" means the Cabinet Secretary for the time being responsible for matters relating to Investments, Trade and Industry;

Amendment of section 4 of Cap. 485.

26. The Business Registration Service Act is amended in section 4 by deleting subsection (1) and substituting therefor the following—

(1) The Service shall, under the general supervision of the Cabinet Secretary, be responsible for the implementation of policies, laws and other matters relating to the Companies, Business names, partnerships, limited liability partnerships, trusts, bankruptcy, insolvency, hire-purchase, and security rights;

Amendment of section 3 of Cap. 486

27. The Companies Act is amended in section 3 (1) by inserting the following new definition in proper alphabetical sequence—

"Cabinet Secretary" means the Cabinet Secretary for the time being responsible for matters relating to Investments, Trade and Industry;

Amendment of section 2 of Cap. 53

28. The Insolvency Act is amended in section2 (1) by inserting the following new definition in proper alphabetical sequence—

"Cabinet Secretary" means the Cabinet Secretary for the time being responsible for matters relating to Investments, Trade and Industry;

...../Notice of Amendments

D. ***THE CULTURE BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2024)
(The Senate Majority Leader)

NOTICE is given that Sen. Ledama Olekina, MP intends to move the following amendments to the Culture Bill (National Assembly Bill No. 12 of 2024) at the Committee Stage—

CLAUSE 5

THAT clause 5 of the Bill be amended by inserting the following new subclauses immediately after subclause (2)—

(3) In exercising the powers conferred by subsection (1), the Cabinet Secretary shall—

(a) consult with communities whose cultural heritage or cultural practices may be significantly affected by the proposed action before making any decision under this Act; and

(b) take into account the particular circumstances and needs of marginalised communities as defined under Article 260 of the Constitution in any matter affecting their respective cultural heritage.

(4) Subsection (3) shall not apply to administrative decisions of a routine or procedural nature.

CLAUSE 6

THAT clause 6 of the Bill be amended by—

(a) renumbering the existing clause as subclause (1); and
(b) inserting the following new subclauses immediately after the renumbered subclause (1)—

(2) Each county government shall establish a county cultural committee to advise on the promotion, protection and management of cultural activities and cultural heritage within the county.

(3) In constituting a county cultural committee under subsection (2), the county government shall ensure that the membership—

(a) reflects the diversity of communities within the county, including minorities and marginalised communities as defined under Article 260 of the Constitution; and

(b) includes community elders, traditional knowledge holders and cultural practitioners.

...../Notice of Amendments

(4) Each county government shall provide such support, including funding, as may be necessary to enable county cultural committees to promote and sustain traditional cultural heritage.

(5) The Cabinet Secretary shall, in consultation with county governments, make regulations prescribing the composition, functions, tenure and procedures of county cultural committees established under subsection (2).

CLAUSE 9

THAT clause 9 of the Bill be amended by deleting subclause (3) and substituting therefor the following new subclauses—

(3) Royalties or compensation paid under this section shall be distributed as follows—

(a) forty per centum to the community whose culture or cultural heritage has been used and which would be administered by the relevant county government;

(b) thirty per centum to the county government within whose jurisdiction the relevant culture or cultural heritage originates; and

(c) thirty per centum to the National Government.

(3A) The Cabinet Secretary shall, by notice in the Gazette, prescribe the criteria and procedure for the identification of the communities entitled to receive the community share of royalties or compensation.

(3B) Where a dispute arises as to the communities entitled to receive a share of royalties under subsection (3)(a), the dispute shall be resolved in the manner prescribed by the Cabinet Secretary.

...../Appendix

APPENDIX

1. MESSAGES

i) Message from the National Assembly, on the passage by the National Assembly, of the Anti-Doping (Amendment) Bill (National Assembly Bills No. 66 of 2026).

ii) Message from the National Assembly, on the approval by the National Assembly, of the Mediated version of the Cooperatives Bill (National Assembly Bills No. 7 of 2024).

iii) Message from the National Assembly, on the decision of the National Assembly, on the Senate amendments to the Public Audit (Amendment) Bill (National Assembly Bills No. 4 of 2024).

(The Speaker of the Senate)

2. PAPERS

i) The Wei Wei Wetland Protection Area Order (Legal Notice No. 219 of 2026).

ii) The Ondiri Wetland Protection Area Order (Legal Notice No. 220 of 2026).

iii) The Nyanturago Wetland Protection Area Order (Legal Notice No. 221 of 2026).

(The Chairperson, Select Committee on Delegated Legislation)

iv) Report of the Standing Committee on Labour and Social Welfare on its consideration of the Sports Amendment Bill (National Assembly Bills No. 5 of 2026).

(The Chairperson, Standing Committee on Labour and Social Welfare)

v) The Budget Policy Statement, 2027.

vi) The Medium Term Debt Management Strategy, 2027.

vii) The Draft Division of Revenue Bill, 2027.

viii) The Draft County Allocation of Revenue Bill, 2027.

ix) The Draft County Governments Additional Allocations Bill, 2027.

(The Senate Majority Leader)

...../Appendix

3. NOTICE OF MOTION – ALTERATION OF THE SENATE CALENDAR FOR THE FIFTH SESSION (2026)

(The Senate Majority Leader)

THAT, notwithstanding the resolutions of the Senate made pursuant to Standing Order 32 on 17th February and 3rd June, 2026, and the provisions of Standing Order 34 (Hours of Meeting), the Senate resolves to alter its Calendar for the Fifth Session – 2026, so as not to hold a morning sitting on Wednesday, 18th November, 2026.

4. QUESTIONS AND STATEMENTS

a) Statement pursuant to Standing Order 52(1)

Nominated Senator (Sen. Hezena Lemaletian, MP) to make a statement regarding the appointment of Sen. Veronica Maina, MP as the Deputy Senate Majority Leader.

b) Request for Statements pursuant to Standing Order 53 (1)

i) The Senator for Murang'a County (Sen. Joe Nyutu, MP) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the legality of traffic enforcement by non-uniformed police officers.

ii) Nominated Senator (Sen. Hezena Lemaletian, MP) to seek a statement from the Standing Committee on Health regarding the state of healthcare services and infrastructure in dispensaries across Samburu County.

iii) Nominated Senator (Sen. Tabitha Mutinda, MP) to seek a statement from the Standing Committee on Labour and Social Welfare regarding the persistent leadership disputes and governance challenges at the Football Kenya Federation (FKF).

iv) The Senator for Nyamira County (Sen. Okong'o Mogeni, SC, MP) to seek a statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the permanent closure of the Kenya Embassy in Bern, Switzerland.

...../Notice Paper I

NOTICE PAPER I

Tentative Business for

Wednesday, November 18, 2026

(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, November 18, 2026 (Morning Sitting).

A. QUESTIONS

Q. NO.	SENATOR	SUBJECT	MINISTRY
073	Sen. Eddy Oketch, MP	Contractual responsibilities and obligations under the lease agreement for the South Nyanza Sugar Company Limited	Agriculture and Livestock Development
075	Sen. Mwenda Gataya, CBS, MP	Establishment a fully-fledged National Cereals and Produce Board depot in Tharaka Nithi County	Agriculture and Livestock Development
057	Sen. Joe Nyutu, MP	Maintenance and rehabilitation of the Thika–Kenol Section of the A2 Road	Roads and Transport
061	Sen. Miraj Abdillahi, MP	Status of the construction of the island-side ramp to fully operationalize ferry services at the Mtongwe crossing in Mombasa County	Roads and Transport
063	Sen. (Dr.) Boni Khalwale, CBS, MP	Status of road construction projects in Kakamega County	Roads and Transport
071	Sen. Mwenda Gataya, CBS, MP	Delay in completion of the Chiakariga–Marimanti–Gatunga Road Project	Roads and Transport
072	Sen. Agnes Kavindu, MP	Status of road rehabilitation, maintenance and construction projects in Machakos County	Roads and Transport

../Notice Paper I

B. MOTIONS

i. REPORT OF THE REGIONAL SEMINAR: AFRICAN PARLIAMENTS FOR CLIMATE ACTION ON REDUCING METHANE, PROMOTING DEVELOPMENT, HELD AT EMARA OLE SERENI HOTEL, NAIROBI, KENYA FROM 14TH TO 18TH MAY, 2026
(Sen. Moses Kajwang', MP)

ii. REPORTS OF THE KENYA PARLIAMENTARY DELEGATION TO THE 151ST AND 152ND ASSEMBLIES OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN GENEVA, SWITZERLAND AND ISTANBUL, TÜRKIYE FROM 19TH TO 23RD OCTOBER, 2025 AND 15TH TO 19TH APRIL, 2026, RESPECTIVELY
(Sen. Catherine Mumma, MP)

iii. PROMOTION OF ARTIFICIAL INTELLIGENCE (AI) AND INNOVATION POLICY IN KENYA
(Sen. Karungo Thang'wa, MP)

iv. THE RISING CASES OF STUDENT UNREST, ARSON AND INSECURITY IN SCHOOLS IN KENYA
(Sen. Catherine Mumma, MP and Sen. Veronica Maina, MP)

...../Notice Paper II

NOTICE PAPER II

Tentative Business for

Wednesday, November 18, 2026

(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, November 18, 2026 (Afternoon Sitting).

JOINT SITTING OF PARLIAMENT - PRESIDENTIAL ADDRESS PURSUANT TO ARTICLE 132(1) (B) AND (C) OF THE CONSTITUTION
