

# PARLIAMENT OF KENYA

## THE SENATE

## THE HANSARD

Thursday, 21<sup>st</sup> March, 2024

*The House met at the Senate Chamber, Parliament Buildings, at 2.30 p.m.*

*[The Speaker (Hon Kingi) in the Chair]*

PRAYERS

DETERMINATION OF QUORUM AT  
COMMENCEMENT OF SITTING

**The Speaker** (Hon. Kingi): Clerk, do we have quorum?

*(The Clerk-at-the-Table consulted with the Speaker)*

Clerk, you may proceed to call the first Order.

## COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM MURANG'A  
COUNTY ASSEMBLY

**The Speaker** (Hon. Kingi): Clerk, there is a Communication that I need to make.

Hon. Senators, I would like to acknowledge the presence in the Speaker's Gallery this afternoon of a visiting delegation from the County Assembly of Murang'a comprising Members of the Governance, Labour, Justice and Legal Affairs Committee.

The Delegation is undertaking a one-day study visit in the Senate. I request each Member of the delegation be upstanding when called, so that they may be acknowledged in the Senate tradition.

1. Hon. Jeremiah Gichobe Mbatia - Chairperson
2. Hon. Pauline Njeri Muchiri- Vice Chairperson
3. Hon. Antony Marubu Chege
4. Hon. Mark Gicheri Wainaina
5. Hon. Moses Muchiri Maina
6. Hon. Grace Shirleen Wambui
7. Mr. John Kahari
8. Mr. Paul Njoroge Kirori
9. Mr. John Macharia

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10. Ms. Grace W. Kabutha

11. Ms. Marion Waithera

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

*(Applause)*

I do not see the Senator for Murang'a. However, I will allow Sen. Veronica Maina, under one minute, to extend a word of welcome.

**Sen. Veronica Maina:** Thank you, Mr. Speaker, Sir. The delegation from Murang'a County, I want to take this opportunity to welcome you to the Senate. We are delighted to have you here. Earlier on, we had very fruitful engagements with you at the Standing Committee on Justice, Legal Affairs and Human Rights (JLAHRC) meeting, where we shared the experiences on how we can best carry out our oversight and how you can affirm the Members of the County Assembly of Murang'a in carrying out their oversight role as the representatives of the people at the county government level.

We hope that you will enjoy your study tour today, and that by the time you go back to the county, you will come better and mirror the expectations of the people of Murang'a.

So, I take this opportunity to welcome you and say that we know you will be better by the end of the day, and you can come again for better interactions on the issues that we were not able to cover during the joint JLAC meeting.

Thank you.

**The Speaker** (Hon. Kingi): Next Order, Clerk.  
The Senate Majority Leader.

## PAPERS LAID

### REPORTS OF THE AUDITOR-GENERAL ON FINANCIAL STATEMENTS OF VARIOUS ENTITIES

**Sen. (Dr.) Lelegwe Ltumbesi:** Mr. Speaker, Sir, on behalf of the Senate Majority Leader, I beg to lay the following Papers on the Table of the Senate, today, 21<sup>st</sup> March, 2024.

Report of the Auditor-General on Financial Statements of Taita-Taveta County Executive Car Loan and Mortgage Revolving Fund for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor-General on Financial Statements of Taita Taveta County Assembly Members Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Taita Taveta County Assembly Staff Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of County Government of Taita Taveta Emergency Fund for the year ended 30<sup>th</sup> June, 2023.

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Report of the Auditor-General on Financial Statements of Taita Taveta County Facilities Improvement Fund for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of County Government of Taita Taveta County Revenue Fund for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements on Special Municipality of Mwatate Fund/Board for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Nanyuki Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Nyahururu Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Rumuruti Municipality for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of the County Executive of Kisumu for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of the County Assembly of Kisumu for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Kisumu County Emergency Fund for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Kisumu County Car Loan and Mortgage Scheme Fund, County Government of Kisumu for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Kiambu County Executive Staff Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Kiambu County Assembly Car Loan and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Kiambu County Climate Change Fund for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Kiambu County Alcoholic Drinks Control Fund for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Kiambu County Education Bursary Fund for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of the County Executive of Kisii for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of the County Government of Kisii – Receiver of Revenue for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Kisii County Bursaries Fund for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Kisii County COVID-19 Emergency Fund for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Kwale Municipality for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Diani Municipality for the year ended 30<sup>th</sup> June, 2023.

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Report of the Auditor-General on Financial Statements of the County Executive of Kericho for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of the County Assembly of Kericho for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of the County Government of Kericho – Receiver of Revenue for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Kericho County Enterprise Fund for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Kericho County Emergency Fund for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Turkana County Biashara Fund for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Turkana County Education and Skills Development Fund for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Lodwar Municipality for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Busia Water and Sewerage Services Company Limited for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Wajir Water and Sewerage Company Limited for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Municipality of Hola, County Government of Tana River for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Kapsabet Municipality for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Marsabit Municipality for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Meru Water and Sewerage Services Registered Trustees for the year ended 30<sup>th</sup> June, 2023.

Report of the Auditor-General on Financial Statements of Iten Municipality for the year ended 30<sup>th</sup> June, 2023.

*(Sen. (Dr.) Lelegwe Ltumbesi laid the documents on the Table)*

#### REPORT ON THE METEOROLOGY BILL, 2023

**The Speaker** (Hon. Kingi): The Chairperson Standing Committee on Land Environment and Natural Resources, please, proceed.

**Sen. (Dr.) Lelegwe Ltumbesi:** Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the Senate, today, 21<sup>st</sup> March, 2024-

Report of the Standing Committee on Land, Environment and Natural Resources on the Meteorology Bill (Senate Bills No.45 of 2023)

*(Sen. (Dr.) Lelegwe Ltumbesi laid the document on the Table)*

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**The Speaker** (Hon. Kingi): Next Order, Clerk

## QUESTIONS AND STATEMENTS

### STATEMENTS

**The Speaker** (Hon. Kingi): Statements Pursuant to Standing Order No.53(1).  
Sen. Alexander Mundigi, you have the Floor.

#### ALLEGED DISPROPORTIONATE EXPENDITURE OF CSR FUNDS BY KPLC IN EMBU COUNTY

**Sen. Munyi Mundigi:** Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Energy regarding the alleged disproportionate expenditure of Corporate Social Responsibility (CSR) funds by the Kenya Power and Lighting Company (KPLC) in Embu County, in comparison to other Counties that are home to electricity production in Kenya.

In the Statement, the Committee should-

(1) State the amount of electricity produced in the hydroelectric dams in Embu, including Masinga, Kamburu, Kindaruma, Gitari and Kiambere by the Kenya electricity generating company KenGen and distributed by the KPLC.

(2) Outline the estimated proportion of KPLC annual profit attributable to the electricity itself that is produced in the said five dams.

(3) State the amount of money that KPLC set aside for CSR from the year 2021 to date and the counties in which the CSR budget was expended explaining the proportion of the CSR budget spent in Embu County and the project funded.

(4) Elaborate on any plans in place to improve the livelihoods of communities that house and protect electricity production in Kenya, outlining which of those plans are programmed for Embu County.

#### PURCHASE OF CEREALS BY NCPB FROM FARMERS IN EMBU COUNTY

**Sen. Munyi Mundigi:** Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Agriculture, Livestock and Fisheries regarding the purchase of cereals by the National Cereals and Produce Board (NCPB) from the farmers in Embu County.

In the Statement, the Committee should-

(1) Provide the estimated question of the last seasons' harvest in Embu County, specifying in bags of cereals produced just as maize, beans, green grams, sorghum, cowpeas, and other cereals, comparing these figures with the harvest of the previous eight seasons to restrict any trade of changes over the last four years.

(2) Outline the quantity of bags of cereal that the NCPB has purchased from Embu County farmers over the last four years, providing a yearly breakdown.

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(3) State the total amount of funds allocated for purchasing the February, 2024 harvest from Embu County farmers, noting the brand purchase price per bag of the different cereal produce.

(4) Explain any initiative by the NCPB to assist farmers in Embu County in reducing post-harvest losses, including training, resources or support services aimed at enhancing the quantity and quality of farmers' produce.

*(Loud consultations)*

**The Speaker** (Hon. King): Order, hon. Senators.  
Sen. Edwin Sifuna, you may proceed.

ALLEGED GRABBING OF PUBLIC UTILITY LAND LR.  
NO.50059/86 IN MAKADARA CONSTITUENCY

**Sen. Methu:** Mr. Speaker, Sir, I stand in for the Senator for Nairobi City County, Sen. Edwin Sifuna. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the alleged grabbing of public utility land LR. No.50059/86 in Makadara Constituency, Nairobi City County.

In the Statement, the Committee should-

(1) Establish the legal ownership of the parcel of land LR. No.50059/86, which is a road reserve lying between Buruburu Phase II and Harambe Estate.

(2) Investigate the circumstances under which a private developer acquired the land, disclosing the individual or entities responsible and legal action taken, and further spell out measures taken to ensure that residents regain access to the main road, which is currently blocked by the private developer.

(3) Appraise the Senate on the measures taken by the Government against the destruction of trees on the said parcel of land.

**Sen. Methu:** Mr. Speaker, Sir, if you allow me, I could read the second Statement.

**The Speaker** (Hon. Kingi): proceed.

NMS PENDING BILLS AND STATUS  
OF COMPLETION OF PROJECTS

**Sen. Methu:** Mr. Speaker, Sir, I rise on behalf of Sen. Sifuna, pursuant to Standing Order No.53(1), to seek a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the Nairobi Metropolitan Services (NMS) pending bills and the completion status of projects.

In the Statement, the Committee should-

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(1) Provide a comprehensive breakdown of the pending bills accumulated by the NMS before its dissolution, indicating the amounts owed to respective service providers and the respective years in which the pending bills were incurred.

(2) Indicate the plans, if any, put in place by the Office of the President to ensure that all contractors owed money by the now defunct NMS are paid specifying the timeframe.

(3) Enumerate the short-term measures deployed to recover the Kshs2.6billion reported to have been lost through advance payment made by NMS to contractors for works that have been stalled.

I thank you.

**The Speaker** (Hon. Kingi): Sen. Mandago, proceed.

DIVERSITY AND INCLUSIVITY IN STAFFING AT THE  
PARLIAMENTARY SERVICE COMMISSION (PSC)

**The Speaker** (Hon. Kingi): That Statement has been dropped.

*(Statement dropped)*

Proceed, Sen. Veronica Maina.

RECENT ROAD ACCIDENTS IN VARIOUS  
REGIONS OF THE COUNTRY

**Sen. Veronica Maina:** Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Roads, Transportation and Housing regarding the recent state of horrific traffic accidents in many parts of the country.

In the Statement, the Committee should-

(1) Investigate the causes of the accidents that took place in the following roads-

(a)Gitugi-Murang'a Road on 25<sup>th</sup> February, 2024, where three pupils from Maadili School in Juja lost their lives.

(b)Karbarnet-Marigat Road at Patkawanin in Baringo County on 16<sup>th</sup> March, 2024 involving the Kapsabet Boys High School bus, where two people, a student and a teacher lost their lives.

(c) Kimugul-Olenguruone-Silibwet Road on 19<sup>th</sup> March, 2024, that claimed the lives of five people with 15 others sustaining injuries.

(d)Katangi-Kitui-Machakos Road, on 28<sup>th</sup> February, 2024, near Katangi, that claimed the lives of nine people.

(e) Othoo-Kisumu Nairobi Highway on 29<sup>th</sup> January, 2024, at Othoo, that claimed the lives of 11 people, with 50 others sustaining injuries.

(f)Voi-Mombasa-Nairobi Highway, on 18<sup>th</sup> March, 2024 involving a Kenyatta University bus and truck, where 11 students lost their lives and 42 others sustained injuries.

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(2) Explain the roadworthiness of the vehicles involved in the accidents, stating the condition of the road infrastructure on the stretch of the road where the accidents occurred, as well as whether the drivers adhered to traffic regulations.

(3) Recommend long-lasting solutions aimed at curbing these accidents and outline mechanisms in place, if any, to ensure enforcement of traffic laws, improved road signage, maintenance and reinstatement of public awareness campaigns on road safety in Kenya.

I thank you.

**The Speaker** (Hon. Kingi): Hon. Senators, allow me at this juncture to invoke Standing Order No.45(2) to re-arrange the sequence of today's Order Paper. We will move to prosecute Order Nos.10 and 11. Thereafter, we shall resume business as contained in the Order Paper.

Clerk, proceed to call Order No.10.

## MOTION

### ADOPTION OF REPORT ON COUNTY GOVERNMENTS (ADDITIONAL ALLOCATIONS) CASH DISBURSEMENT SCHEDULE FOR FINANCIAL YEAR 2023/2024

**Sen. Ali Roba:** Thank you, Mr. Speaker, Sir. I beg to move the following Motion-

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 2023/2024, laid on the Table of the Senate on Wednesday, 20<sup>th</sup> March, 2024 and that, pursuant to Section 17 (7) of the Public Finance Management Act and Standing Order No.189 (3), the Senate approves the County Governments (Additional Allocations) Cash Disbursement Schedule for the Financial Year 2023/2024.

Mr. Speaker, Sir, this House passed the County Governments (Additional Allocations) Bill, which is now an Act of Parliament. That Bill carried about Kshs48billion as additional allocation for our counties from the national Government share, as well as grants from donors.

The passage of the Bill delayed between the National Assembly and the Senate. As such, we are only left with three months before the Financial Year ends. We want the cash disbursement schedule passed expeditiously, in order for us to facilitate the National Treasury moving the Kshs48 billion to the respective 47 county governments as recipients within the next three months.

Looking at the delay that it has caused and considering one of the critical functions of the Senate is the protection of devolution and fighting for resources to get to counties, I request my colleagues Senators to dispense off with the issue of the Cash Disbursement Schedule for the County Governments (Additional Allocation) Bill for 2023/2024, which is now an Act of Parliament.

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The only thing left between releasing the funds to the counties and funds not moving is the Cash Disbursement Schedule. Since the County Governments (Additional Allocation) Bill was extensively debated in this House, I do not want to belabour going through the details, as they have already been covered.

I beg to lay and request my Vice Chairperson, Sen. Tabitha Mutinda, to second.

**Sen. Tabitha Mutinda:** Mr. Speaker, Sir, I beg to second this Motion on the County Governments Cash Disbursement Schedule and emphasize that we are behind time.

I urge all colleagues to expedite this process, so that before we come to the end of the Financial Year 2023/2024, this Kshs48 billion can be received at the county level.

We have the First, Second, Third and Fourth schedules of the funds that we have passed. The First Schedule contains the aggregated and industrial parts amounting to Kshs4.5 billion. The Second Schedule has the court fines amounting to Kshs108 million, 20 per cent share of mineral royalties to Kshs3 billion; the Third Schedule of Kshs29 billion and the Fourth Schedule containing the transfer of national Government expenditure which amounts to Kshs4.12 billion.

I urge colleagues to visit the Senate Library and look keenly at the cash disbursement document, which has stipulated all the funds going to each and every county and where they are coming from.

As a Committee, we have pushed for funds, starting from the equitable share. We have looked at this County Governments (Additional Allocation) Bill, Equalization Fund and noticed that some counties have not made input or progress to ensure they receive these funds, hence, hindering development and services to its great people.

With those many words, I second.

I thank you.

*(Question proposed)*

**The Speaker** (Hon. Kingi): Hon. Senators, you may intervene at this juncture. However, with your concurrence, I will put the question.

**Hon. Senators:** Put the question.

**The Speaker** (Hon. Kingi): I will, therefore, proceed to put the question which is:

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 2023/2024, laid on the Table of the Senate on Wednesday, 20<sup>th</sup> March, 2024 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 2023/2024.

Hon. Senators, as you are aware, this is a matter that affects counties. We will proceed to vote by delegates. Therefore, at this juncture, I ask the Serjeant-at-Arms to ring the Division Bell for five minutes.

Hon. Senators, since the next Order also requires a Division to be taken, I will allow the Clerk to read it so that we proceed with the two.

**MOTION****ADOPTION OF REPORT ON THE MEDIUM-TERM  
DEBT MANAGEMENT STRATEGY, 2024**

THAT, the Senate, adopts the Report of the Standing Committee on Finance and Budget on the 2024 Medium Term Debt Management Strategy, laid on the Table of the Senate on Thursday, 7<sup>th</sup> March, 2024.

*(Sen. Ali Roba on 19.3.24)*

*(Resumption of debate interrupted on 20.3.24)*

*(The Division Bell was rung)*

**The Speaker** (Hon. Kingi): Serjeant-at-Arms, proceed to close the Doors and draw the Bar.

*(The Doors were closed and the Bar drawn)*

*(Several Senators stood in their places)*

Hon. Senators, kindly take your seats. I had put the question on Order No.10. Voting will be done electronically. I request hon. Senators to log out.

Serjeant-at-Arms, please, walk around and pull out any cards remaining in the delegate units. Once that exercise is done, kindly signal.

Are we done? We are good. Hon. Senators, kindly log into the delegates units. Clerk, I hope the system is up and running. Once you log in, proceed to vote by either pressing “Yes”, “No” or “Abstain”.

*(Sen. Ali Roba consulted Sen. Abass)*

**The Speaker** (Hon. Kingi): Sen. Ali Roba, kindly take your seat.

**MOTION**

ADOPTION OF REPORT ON COUNTY GOVERNMENTS (ADDITIONAL ALLOCATIONS)  
CASH DISBURSEMENT SCHEDULE FOR FY 2023/2024

**DIVISION****ELECTRONIC VOTING**

*(Question, 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 2023/2024, laid on the Table of the Senate on Wednesday, 20<sup>th</sup> March, 2024 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 2023/2024), put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka-Nithi County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. Kisang, Elgeyo-Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita-Taveta County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Thang'wa, Kiambu County; Sen. Tobiko, Kajiado County; Sen. Wafula, Bungoma County; and, Sen. Wakili Sigei, Bomet County.

**NOES:** Nil.

**The Speaker** (Hon. Kingi): Hon. Senators, the results of the Division are as follows -

**AYES:** 28

**NOES:** Nil

**ABSTENTION:** Nil

The "Ayes" have it.

*(Question carried by 28 votes to nil)*

*(Applause)*

Now, we will straight away proceed to take a Division on Order No.11. Kindly log out.

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Serjeant-at-Arms, I believe that we do not have any card inside the delegate units. Is that the position?

You may now log in and proceed to vote by pressing “Yes”, “No” or “Abstain.”

*(Sen. Cherarkey and Sen. Cheruiyot stood at their places)*

Order, hon. Senators. Sen. Cherarkey, take your seat. Senate Majority Leader, kindly take your seat.

## MOTION

ADOPTION OF REPORT ON THE MEDIUM-TERM  
DEBT MANAGEMENT STRATEGY, 2024

## DIVISION

### ELECTRONIC VOTING

*(Question, that the Senate adopts the Report of the Standing Committee on Finance and Budget on the 2024 Medium Term Debt Management Strategy, laid on the Table of the Senate on Thursday, 7<sup>th</sup> March 2024, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka-Nithi County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang’a County; Sen. Kisang’, Elgeyo-Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita-Taveta County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Thang’wa, Kiambu County; Sen. Tobiko, Kajiado County; Sen. Wafula, Bungoma County; and, Sen. Wakili Sigei, Bomet County.

**NOES:** Nil.

**The Speaker** (Hon. Kingi): Now, the results of the Division on Order No.11 are as follows-

**AYES:** 28

**NOES:** Nil

**ABSTENTION:** Nil

The “Ayes” have it.

*(Question carried by 28 votes to nil)*

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You may now proceed to undraw the Bar and open the doors.

*(The Bar was drawn and the Doors opened)*

Now, further rearrangement of the sequence of the Order Paper. Hon. Senators, we will handle Order Nos.13 to 17 before resuming the normal flow as contained in today's Order Paper.

Clerk, you may proceed to call Order Nos.13 all the way to 17.

**COMMITTEE OF THE WHOLE**

THE COFFEE BILL  
(SENATE BILLS NO.10 OF 2023)

**COMMITTEE OF THE WHOLE**

THE PREVENTION OF LIVESTOCK AND PRODUCE THEFT BILL  
(SENATE BILLS NO.12 OF 2023)

**COMMITTEE OF THE WHOLE**

THE FOOD AND FEED SAFETY CONTROL CO-ORDINATION BILL (NATIONAL ASSEMBLY  
BILLS NO.21 OF 2023)

**COMMITTEE OF THE WHOLE**

THE PARLIAMENTARY POWERS AND PRIVILEGES (AMENDMENT) BILL  
(SENATE BILLS NO.37 OF 2023)

**COMMITTEE OF THE WHOLE**

THE PUBLIC SERVICE (VALUES AND PRINCIPLES) (AMENDMENT) BILL  
(NATIONAL ASSEMBLY BILLS NO.46 OF 2022)

**COMMITTEE OF THE WHOLE**

*(Order for Committee read)*

*[The Speaker (Hon. Kingi) left the Chair]*

IN THE COMMITTEE

*[The Temporary Chairperson (Sen. Wakili Sigei) in the Chair]*

THE COFFEE BILL (SENATE BILLS NO.10 OF 2023)

**The Temporary Chairperson** (Sen. Wakili Sigei): Members, let us be seated.

Hon. Members, we are moving into the Committee of the Whole in the Coffee Bill (Senate Bills No.10 of 2023). Owing to, of course, the extent of the proposed amendments, we will move as fast as we can.

Clerk, right away we proceed.

*Clause 3*

**The Temporary Chairperson** (Sen. Wakili Sigei): I ask Sen. Methu to move the amendment.

**Sen. Methu:** I beg to move:

THAT clause 3 of the Bill be amended—

(i) by inserting the following new paragraph immediately after paragraph (a) —

(aa) regulate the coffee sector; and

(ii) in paragraph (d) by inserting the words “at the production level” immediately after the words “coffee value chain”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 4*

**The Temporary Chairperson** (Sen. Wakili Sigei): I ask the Chairperson, Standing Committee on Agriculture, Livestock and Fisheries, Sen. Methu, to proceed to move.

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move:

THAT, clause 4 of the Bill be amended in subclause (1) by deleting the words “a Board to be known as” appearing immediately after the word “established”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 5*

*(Question, that Clause 5 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division at the end.

*Clause 6*

**The Temporary Chairperson** (Sen. Wakili Sigei): Sen. Methu, kindly move the amendment.

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move:

THAT, clause 6 of the Bill be amended in subclause (2) by deleting the words “create or take part in creation of, become a member of, or” appearing immediately after the words “considers it necessary,”.

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*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division at the end.

*Clause 7*

**The Temporary Chairperson** (Sen. Wakili Sigei): Sen. Methu, proceed to move the amendment.

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move:

THAT, the Bill be amended by deleting clause (7) and substituting therefore the following new clause —

7(1) The management of the Board shall vest in a board of directors consisting of—

- (a) a chairperson appointed by the President by notice in the Gazette;
- (b) the Principal Secretary responsible for agriculture or a designated representative;
- (c) the Principal Secretary for the time being responsible for trade or a designated representative;
- (d) the Principal Secretary for the time being responsible for cooperatives or a designated representative;
- (e) two persons of the opposite gender, representing small- holder coffee growers nominated by the umbrella body for coffee cooperative societies’;
- (f) one person nominated by the largest association of estate growers;
- (g) two persons of the opposite gender with knowledge of the coffee industry nominated by the Council of County Governors; and
- (h) a chief executive officer appointed under section 15 who shall be an ex-officio member of the Board.

(2) The Cabinet Secretary shall appoint the members under subsection (1), (a), (e), (f) and (g) by notice in the Gazette.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division at the end.

*Clause 8*

**The Temporary Chairperson** (Sen. Wakili Sigei): I invite Sen. Methu to move the amendments.

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move:

THAT, the Bill be amended by deleting clause 8 and substituting therefor the following new clause—

8 (1) A person is qualified for appointment as a member of the Board under section 7(1)(a), (e), (f) and (g) if that person—

- (a) is a citizen of Kenya;
- (b) holds, in the case of a person appointed under —
  - (i) section 7(1)(a) and (g), a degree from a university recognized in Kenya; and
  - (ii) section 7 (1) (e) and (f), a certificate in secondary school education;

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(c) has at least three years' experience preferably in management in the coffee sector; and

(d) meets the requirements of leadership and integrity set out in Chapter Six of the Constitution.

(2) A person is not qualified for appointment to the Board if that person—

(a) is convicted of a criminal offence and sentenced to a term of imprisonment of at least six months;

(b) is a member of Parliament or county assembly; or

(c) is adjudged bankrupt.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division at the end.

*Clause 9*

**The Temporary Chairperson** (Sen. Wakili Sigei): I invite the Chairperson to move the amendments.

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move:

THAT, the Bill be amended by deleting clause 9 and substituting therefore the following new clause—

9. The persons appointed under section 7(1) (a), (e), (f), (g) shall serve for a term of three years renewable for one further term.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division at the end.

*Clause 10*

*(Question, that Clause 10 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division at the end.

*Clause 11*

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move:

THAT clause 11 of the Bill be amended in –

(a) subclause (1) by –

(i) deleting the words “board of directors” appearing immediately after the word “The” at the beginning of subclause (1) and substituting therefore the word “Board”.

(ii) inserting the words “as set out in the second schedule” at the end of paragraph (c);

(iii) deleting the words “coffee growers, nursery operators, coffee cooperative societies, coffee associations, and coffee estates in the country;” appearing immediately after the words “of coffee dealers” in paragraph (k);

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(iv) deleting paragraph(o);  
(v) by inserting the following new paragraphs immediately after paragraph (n) –  
(na) regulate the marketing and trading of coffee; and  
(nb) source markets and market Kenyan coffee in the international market”.

(b) subclause (2) by deleting the words “board of directors” appearing at the beginning of subclause (2) and substituting therefor the word “Board”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division at the end.

*Clauses 12-18*

*(Question, that Clauses 12, 13, 14, 15, 16, 17 and 18  
be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 19*

**The Temporary Chairperson** (Sen. Wakili Sigei): Sen. Methu, proceed to move the amendment.

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move:

THAT, clause 19 of the Bill be amended by deleting the words “the Board or to any of its members” appearing immediately after the words “attach to the” and substituting therefor the words “members of the Board”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division at the end.

*Clauses 20-24.*

*(Question, that Clauses 20, 21, 22, 23 and 24  
be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 25*

**The Temporary Chairperson** (Sen. Wakili Sigei): Sen. Methu, move the amendment.

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move:

THAT, clause 25 of Bill be amended in subclause (1) by inserting the following new paragraphs immediately after paragraph (c) —

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- (d) warehouse; or
- (e) commercial coffee miller.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 26*

**The Temporary Chairperson** (Sen. Wakili Sigei): Mover, proceed to move the amendment.

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move:  
THAT, clause 26 of the Bill be amended by—

(a) deleting subclause (1) and substituting therefore the following new subclause—

(1) A coffee grower, nursery operator, grower miller, commercial miller, coffee roaster, cooperative society, coffee association or coffee estate shall register with the respective county government where they are based.

(b) inserting the following new subclauses immediately after subclause (1) —

(1A) Despite subsection (1), a grower who is a registered member of a coffee cooperative society or association which is registered by a county government, shall be exempted from registration by that county government;

(1B) Subsection (1A) shall apply to a grower on condition that the cooperative society or association is registered in the same county as that which the grower is carrying out business;

(1C) A registered cooperative society or association shall —

(a) submit a register of its members to the respective county government at the beginning of each calendar year; and

(b) furnish the county government with information on any change of membership within thirty (30) days of a change of membership.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clauses 27 and 28*

*(Question, that Clause 27 and 28 be  
part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 29*

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**The Temporary Chairperson** (Sen. Wakili Sigei): Mover of the proposed amendments, Sen. Methu, proceeds to move the amendment.

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move:

THAT, clause 29 of the Bill be amended in subclause (2) by deleting the word “the” appearing immediately after the words “brokerage services at” and substituting therefor the word “an”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 30*

*(Question, that Clause 30 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 31*

**The Temporary Chairperson** (Sen. Wakili Sigei): I ask the Mover of the amendment proposed to move.

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move:

THAT, Clause 31 of the Bill be amended by deleting the word “provider” appearing immediately after the words “A licence holder”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 32*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:-

THAT, clause 32 of the Bill be amended in subclause (6) by inserting the words “and is liable, on conviction, to a fine not exceeding five hundred thousand shillings, or to imprisonment for a term not exceeding one year, or to both” immediately after the words “commits an offence”

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 33*

*(Question that Clause 33 be part of the Bill, proposed)*

The Division will be at the end.

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*Clause 34*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 34 of the Bill be amended in subclause (2) by deleting the word “sub-regulations” appearing immediately after the words “the provision of” and substituting therefor the word “subsection”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clauses 35 and 36*

*(Question that Clause 35 and 36 be part of the Bill, proposed)*

The Division will be at the end.

*Clause 37*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, the Bill be amended by deleting Clause 37 and substituting therefor the following new clause —

**37.** Where an applicant is dissatisfied with the decision of a licensing authority not to issue a licence, revoke or cancel a licence under this Act, the applicant may make an application to the Dispute Resolution Committee established under section 87. <sup>Appeals</sup>

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clauses 38-41*

*(Question that Clauses 38, 39, 40 and 41  
be part of the Bill, proposed)*

Division will be at the end.

*Clause 42*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 42 of the Bill be amended in subclause (9) by deleting the word “the” appearing immediately after the words “for sale in” and substituting therefor the word “an”.

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*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 43*

*(Question that Clause 43 be part of the Bill, proposed)*

Division will be at the end.

*Clause 44*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 44 of the Bill be amended by deleting paragraph (3) and paragraph (4).

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 45*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, clause 45 of the Bill be amended in subclause (6) by inserting the words “and fifty” immediately after the words “remit two hundred”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 46*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 46 of the Bill be amended in subclause (1) —

- (a) by deleting the word “the” appearing immediately after the words “auction in” in paragraph (a) and substituting therefor the word “an”;
- (b) by inserting the following new paragraph immediately after paragraph(b) —  
(ba) international exchange.
- (c) by inserting the words “in consultation with county governments and the Board” immediately after the words “the Cabinet Secretary” in paragraph (c).
- (d)

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

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*Clause 47*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, clause 47 of the Bill be amended —

- (a) in subclause (1) by deleting the words “and may for this purpose, sell own clean coffee to a licensed roaster for local value addition and sale” appearing immediately after the words “sale in coffee”;
- (b) by inserting the following clauses immediately after subclause (1) —
  - (1A) Before a contract for direct sale is completed, a sample of not more than 250 grams of the coffee intended for sale shall be submitted to an exchange for quality analysis and price discovery.
  - (1B) An exchange in which the sample is delivered under subclause (1) shall within fourteen days, issue to the coffee grower a report on the quality and the price discovery in the prescribed form.
  - (1C) Despite the provisions of subclause (1A) and (1B), a contract for future sales shall not be subjected to price and grade discovery at an exchange.
- (c) In subclause (3) by deleting the words “and a licenced roaster” appearing immediately after the words “licenced coffee grower” in the introductory clause.
- (d)

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 48*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, the Bill be amended by deleting clause 48 and substituting therefor the following new clause—

- 48.** (1) The Capital Markets Authority shall licence an exchange for the purposes of trading coffee. Licencing and  
functions of an  
exchange.
- ) An exchange shall—
    - ) manage its auction floor, the central sample room, the information registry and the direct settlement system;
    - ) maintain records relating to coffee sales, coffee samples and sweepings;
    - ) avail sales catalogues to interested parties in accordance with the Capital Markets Act;
    - ) disseminate market information for every auction and an analysis of performance on, weekly and monthly basis; and
    - ) carry out such other function as the Cabinet Secretary for trade may prescribed
  - ) The proceeds of the sale of coffee at an Exchange shall be deposited in a direct settlement system established in accordance with the Capital Markets Act.

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*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 49*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 49 of the Bill be amended in—

- (a) subclause (2) by deleting the word “the” appearing immediately after the words “receipt endorsed by” and substituting therefor the word “an”;
- (b) by deleting subclause (3);
- (c) subclause (4) by inserting the words “and is liable, on conviction, to a fine not exceeding five hundred thousand shillings, or to imprisonment for a term not exceeding six months, or to both” immediately after the words “commits an offence”;
- (d) the marginal note by deleting the word “the” appearing immediately after the words “Management of” and substituting therefor the word “an”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 50*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 50 of the Bill be amended by deleting subclause (1) and substituting therefor the following new subclause—

- (1) A grower or a broker appointed by a grower shall, in the presence of a commercial miller and in consultation with an exchange, prepare a sales catalogue for all the coffee in a licenced warehouse in accordance with the Act.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 51*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 51 of the Bill be amended in-

- (a) in subclause (2) by deleting the words “the respective county” appearing immediately after “this act and” and substituting therefore the words “other relevant”

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- (b) subclause (6) by inserting the words “and is liable, on conviction, to a fine not exceeding three hundred thousand shillings, or to imprisonment for a term not exceeding six months, or to both “immediately after the words “commits an offence”

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 52*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, clause 52 of the Bill be amended—

- (i) in subclause (1) by deleting paragraph (b) and substituting therefor the following new paragraph—
- (b) notification and registration of direct sales contract, certificate of origin, certificate of quality and any other relevant approvals issued by the Board.
- (ii) by deleting subclause (3) and substituting therefor the following new subclause—
- (3) Clean coffee imports shall —
- (a) be accompanied by the certificate of origin and phytosanitary certificate issued by the country of origin and adhere to Kenyan coffee standards; and
- (b) be inspected and issued with Phytosanitary Certificate by the Kenya Plant Health Inspectorate Service.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 53*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move that:

THAT, Clause 53 of the Bill be amended in subclause (2) by inserting the words “and is liable, on conviction, to a fine not exceeding twice the value of the blended coffee, or to imprisonment for a term not exceeding one year, or to both” immediately after the words “commits an offence”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 54*

*(Question that Clause 54 be part of the Bill, proposed)*

Division will be at the end.

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*Clause 55*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move that:  
THAT, Clause 55 of the Bill be amended in subclause (9) by inserting the words “in collaboration with the county governments and other relevant bodies” immediately after the words “the institute shall”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clauses 56 and 57*

*(Question that Clauses 56 and 57  
be part of the Bill, proposed)*

Division will be at the end.

*Clause 58*

- Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:  
THAT, Clause 58 of the Bill be amended by—
- (i) inserting the following new paragraph immediately after the introductory phrase—
    - (a) such monies as may be appropriated by the National Assembly for the purposes of the Board; and
  - (ii) renumbering the existing paragraph(a) as paragraph (aa).

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 59*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:  
THAT, the Bill be amended by deleting Clause 59 and substituting therefor the following new clause—

(1) The Cabinet Secretary shall, in consultation<sup>Coffee development</sup> with the Board and county governments and by notice in<sup>levy</sup> the *Gazette*, impose a levy of two percent on the export import value remitted by coffee buyers to the Board through the direct settlement system for the development of the coffee industry.

(2) the levy imposed under subsection (1) shall be apportioned as follows—

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thirty per centum to the Institute;  
fifteen per centum to the Board for regulatory purposes;  
twenty per centum for price stabilization which shall be managed by the Commodities Fund;  
ten per centum to the Board for marketing purposes; and  
twenty-five per centum to the county growing areas on pro-rata basis as a conditional grant for coffee development.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clauses 60, 61 and 62*

*(Question that Clauses 60, 61 and 62 be part of the Bill, proposed)*

Division will be at the end

*Clause 63*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move that:  
THAT, Clause 63 of the Bill be amended by deleting the word “March” appearing immediately after the words “thirty first of” and substituting therefor the word “June”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 64*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:  
THAT, Clause 64 of the Bill be amended in subclause (1) by inserting the words “and Training” immediately after the words “the Coffee Research”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clauses 65 and 66*

*(Question, that Clauses 65 and 66 be part of the Bill, proposed)*

Division will be at the end.

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*Clause 67*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 67 of the Bill be amended —

- (a) in subclause (1) by —
  - (i) deleting the word “board” appearing immediately after the words “vest in a” in the introductory phrase and substituting therefore the word “Council”
  - (ii) deleting paragraph (a) and substituting therefore the following new paragraph —
    - (a) a chairperson of the Council appointed by the Cabinet Secretary by notice in the *Gazette*;
  - (iii) deleting paragraph (b);
  - (iv) deleting paragraph (e) and substituting therefor the following new paragraph—
    - (e) the Director General of the Kenya Agricultural Research Institute;
  - (v) by deleting the word “Cabinet Secretary” appearing immediately after the words “coffee growers nominated” in paragraph (f) and substituting therefor the words “largest association of estate growers”;
  - (vi) by deleting the words “Council of County Governors” appearing immediately after the words “nominated by the” in paragraph (g) and substituting therefor the words “umbrella body of cooperative societies”;
  - (vii) by deleting paragraph (h) and substituting therefor the following new paragraph—
    - (h) a chief executive officer appointed in accordance with section 74 who shall be an ex-officio member of the Council.
- (b) by deleting subclause (3) and substituting therefor the following new subclause—
  - (3) A person is qualified for appointment as a chairperson of the Council of the Institute if that person holds a postgraduate degree in crop research or a related field from a university recognized in Kenya and has three years’ experience in the coffee sector.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 68*

**Sen. Methu:** Hon. Temporary Chairperson, I beg to move:

THAT, Clause 68 of the Bill be amended by deleting the expression “40 (1) (f) (g) and (h)” appearing immediately after the words “appointed under section” and substituting therefor the expression “67(a) (e) (f) (g) and (h)”

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 69*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

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- THAT, Clause 69 of the Bill be amended in subclause (1) —
- (a) by deleting the word “board” appearing immediately after the words “member of the” in the introductory phrase and substituting therefor the word “Council”.
  - (b) In paragraph (a) by deleting the word “board” appearing immediately after the words “meeting of the” and substituting therefor the word “Council”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 70*

- Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:  
THAT, Clause 70 of the Bill be amended in subclause (1) by—
- (a) inserting the following new paragraph immediately after paragraph (e) —
    - (f) develop curriculum and offer training on research findings.
  - (b) by deleting the word “board” appearing immediately after the words “functions as the” in paragraph (r) and substituting therefor the word “Council”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 71*

- Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:  
THAT, Clause 71 of the Bill be amended by deleting the word “board” appearing immediately after the word “The” at the beginning of the clause and substituting therefor the word “Council”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 72*

- Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:  
THAT, the Bill be amended by deleting clause 72 and substituting therefor the following clause—

**72.** The provisions of the First Schedule on the conduct of business and the affairs of the board of directors shall apply to the Council with necessary modifications.

Conduct of  
business of the  
Council of the  
Institute

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*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 73*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 73 of the Bill be amended—

- (a) by deleting the word “board” appearing immediately after the words “members of the” and substituting therefor the word “Council”; and
- (b) in the marginal note by deleting the word “board” appearing immediately after the words “members of the” and substituting therefor the word “Council”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 74*

**Sen. Methu:** I beg to move-

THAT, Clause 74 of the Bill be amended by deleting subclause (1) and substituting therefor the following new clause —

**74.** There shall be a chief executive officer of the Institute who shall be competitively recruited and appointed by the Council of the Institute on such terms and conditions as the Council shall determine.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 75*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 75 of the Bill be amended by deleting the word “board” appearing immediately after the word “The” at the beginning of the clause and substituting therefor the word “Council”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 76*

*(Question, that Clause 76 be part of the Bill proposed)*

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Division will be at the end.

*Clause 77*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 77 of the Bill be amended by deleting the words “institute or to any of its members” appearing immediately after the words “not attach to the” and substituting therefor the words “members of the Council”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 78*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 78 of the Bill be amended by deleting the word “board” appearing immediately after the words “designated by the” and substituting therefor the word “Council”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 79*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, the Bill be amended by deleting clause 79 and substituting therefor the following new clause —

**79.** All letters and instruments written or made by or on behalf of the Council of the Institute, other than those required by law to be under seal, and all decisions of the Council of the Institute, shall be signed under the hand of the chief executive officer or in the absence of the chief executive officer, a person authorized by the Council of the Institute.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 80*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move—

THAT, Clause 80 of the Bill be amended by—

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- (i) inserting the following new paragraph immediately after the introductory phrase—
  - (a) such monies as may be appropriated by the National Assembly for the purposes of the Institute;
- (ii) renumbering the existing paragraph(a) as paragraph (aa).

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 81*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 81 of the Bill be amended by deleting the word “board” appearing immediately after the word “The” at the beginning of the clause and substituting therefor the word “Council”.

*(Question of the amendment proposed)*

**The Temporary Speaker** (Sen. Wakili Sigei): Division will be at the end.

*Clause 82*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 82 of the Bill be amended by deleting the word “board” appearing immediately after the word “The” at the beginning of the clause and substituting therefor the word “Council”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clauses 83, 84 and 85*

*(Question, that Clauses 83, 84 and 85 be part of the Bill proposed)*

Division will be at the end.

*Clause 86*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 86 of the Bill be amended by deleting the word “March” appearing immediately after the words “thirty-first of” and substituting therefor the word “June”.

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

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*Clause 87*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:  
 THAT, the Bill be amended by deleting clause 87 and substituting therefor the following new clause —

87.(1) Disputes related to issuance of permits, licensing, nomination<sup>Disputes</sup> of Board members or council members and other matters that may<sup>Committees</sup> arise in the coffee sector shall be resolved, in the first instance, by a Dispute Resolution Committee.

Each licensing authority shall have an ad hoc Dispute Resolution Committee that consists of a chair and two other members appointed by notice in the *Gazette*, in the case of—  
 the Board, the Cabinet Secretary; and  
 the county governments, the respective governor;  
 A member of the committee shall not be a member of a licencing authority.

A dispute resolution committee may regulate its own procedure.  
 A licencing authority shall provide secretarial services to a dispute resolution committee.

The Cabinet Secretary shall make rules on the procedure for nominating members to a Dispute Resolution Committee.

Decisions regarding any dispute contemplated under this section shall be made by the relevant Dispute Resolution Committee within thirty days of the hearing of the dispute in question.

A person who is dissatisfied with the decision of a Dispute Resolution Committee may appeal to the High Court.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 88*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:  
 THAT, clause 88 of the Bill be amended in subclause (1) by inserting the words “a licenced exchange” immediately after the words “The Board”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 89*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:  
 THAT, Clause 89 of the Bill be amended in subclause (2) by deleting paragraph (b) and substituting therefor the following new paragraph—



in furnishing such information, makes a statement which they know to be false, commits an offence and shall be liable, on conviction to a fine not exceeding fifty thousand shillings or to imprisonment not exceeding three months, or both.

*(Question of the amendment proposed)*

Clause 90

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move-  
THAT, Clause 90 of the Bill be amended-

(a) in subclause (1) by deleting the words “board of the institute” appearing immediately after the words “opinion of the” and substituting therefor the words “Council”; and

(b) in subclause (2) by deleting the word “board” appearing immediately after the words “Consent of the” and substituting therefor the word “Council”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division at the end.

Clause 91

*(Question, that Clause 91 be part of the Bill, proposed)*

Division will be at the end.

Clause 92

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move-  
THAT, Clause 92 of the Bill be amended in subclause (1) by deleting the words “less than twenty” appearing immediately after the words “a fine of not” and substituting therefor the words “more than fifty”.

*(Question of the amendment proposed)*

Clause 93

*(Question, that Clause 93 be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

Clause 94

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move-  
THAT, Clause 94 of the Bill be amended-

(a) in subclause (1) by inserting the words “and the Council of County Governors” immediately after the words “with the Board”.

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(b) in subclause (2) by-

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

(b) the forms to be used—

(i) in the application for registration, licensing, permits, contracts, bulking of coffee, coffee traceability and related activities;

(ii) to give notice to an importer on the intention to destroy coffee;

(iii) in submission of monthly returns to the Board by growers and roasters;

(iv) by a laboratory to report on quality compliance;

(ii) inserting the following new paragraph immediately after paragraph(k) —

(i) operationalization of the Direct Settlement System;

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 95*

*(Question, that Clause 95 be part of the Bill, proposed)*

Division will be at the end.

*Clause 96*

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move-

THAT, Clause 96 of the Bill be amended by deleting the word “board” appearing immediately after the words “vest in the” and substituting therefor the word “Council”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 97 - 102*

*(Question, that Clauses 97, 98, 99, 100  
and 102 be part of the Bill, proposed)*

Division will be at the end.

*New Clause 25A*

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move-

THAT, the Bill be amended by inserting the following new clause immediately after clause 25—

25A. (1) The Board and county governments shall regulate the production and processing of coffee with a view of —

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- (a) promoting productivity;
  - (b) promoting access to markets;
  - (c) facilitating provision of infrastructure including farm inputs;
  - (d) providing post-harvest services;
  - (e) providing extension services;
  - (f) providing incentives to farmers; and
  - (g) providing credit facilities.
- (2) The Board and county governments shall maintain the necessary statistical information with respect to the coffee sector for proper planning.

*(Question of the New Clause 25A proposed)*

*(New Clause 25A read the First Time)*

*(Question, that New Clause 25A be read a Second Time proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division at the end.

*New Clause 44A*

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move-  
 THAT, the Bill be amended by inserting following new Clause immediately  
 after clause 44 —

Resolution by a  
 cooperative  
 society or  
 a coffee union

- 44A. (1) A cooperative society or a coffee union-
- (a) shall in charging a fee to its growers, adhere to the society’s budget and not exceed ten percent of the gross earnings from the coffee sales;
  - (b) despite having a registered brokerage firm, may engage the services of a private brokerage firm; and
  - (c) may pass a resolution to borrow money;
- (2) A resolution under subsection (1) (b) and (c) shall be made at a general or special meeting convened by the commissioner for cooperative development and be supported by at least three quarters of its members.
- (3) The commissioner for cooperative development shall take and keep a record of the proceeding of the meeting, which record shall include a list of the members present and the resolutions made.

*(Question of the New Clause 44A proposed)*

*(New Clause 44A read the First Time)*

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*(Question, that New Clause 44A be read a  
Second Time proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*New Clause 44B*

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move-  
THAT, the Bill be amended by inserting following new clause immediately after  
Clause 44A —

(1) Every contract for milling of coffee shall be in writing and shall contain such information as may be prescribed.

(2) A commercial miller shall –

(a) ensure that the grower or grower’s representative is given reasonable notice to be present during the milling process;

(b) take out comprehensive insurance cover against fire, theft, and other risks for all coffee in its possession and custody;

(c) account for mill spillage or sweepings and all other coffee byproducts to the growers and the Board;

(d) digitize its operations to ensure weight precision, timely dissemination of information and protection of growers’ data;

(e) submit returns on coffee received and milled to the Board and the respective county government; and

(f) comply with the prescribed standard coffee grades.

*(Question of the New Clause 44B proposed)*

*(New Clause 44B read the First Time)*

*(Question, that New Clause 44B be read a Second Time proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*New Clause 51A*

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move-  
THAT, the Bill be amended by inserting the following new clause immediately  
after Clause 51-

Sale of coffee in an  
international exchange

51A. (1) A grower or an agent representing the grower may offer coffee for sale, in the prescribed manner, in an international exchange and may for this purpose enter in to a written contract for future sale.

(2) A contract under subsection (1) shall include the following information-

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- (a) the name of the exchange
- (b) the quality of coffee;
- (c) the quantity of coffee;
- (d) the mode of payment; (e) the mode and place of storage;
- (f) the details of insurance cover; and
- (g) a dispute resolution clause.

(3) The contract under subsection (1) shall be submitted to the Board within fourteen days of the signing of the contract.

(4) The Cabinet Secretary shall prescribe regulations on sale of coffee at the international exchange.

*(Question of the New Clause 51A proposed)*

*(New Clause 51A read the First Time)*

*(Question, that New Clause 51A be read a Second Time proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*New Clause 51B*

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move-

Coffee  
trading  
licence.

THAT, the Bill be amended by inserting the following new clause immediately after Clause 51A-

The Board may, for the purpose of trading in the international coffee market and auction-

(a) issue a coffee trading licence to a grower or a buyer; and

(b) in collaboration with the Cabinet Secretary for trade, issue trade insurance to a cooperative society to indemnify it from any risk on any coffee exported in an international market or auction.

*(Question of the New Clause 51B proposed)*

*(New Clause 51B read the First Time)*

*(Question, that New Clause 51B be read a Second Time proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

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*The First Schedule*

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move-

THAT, the first schedule to the Bill be amended-

- (a) in the title by deleting the words “OR THE BOARD OF THE INSTUTUTE” appearing immediately after the words “BOARD OF DIRECTORS”;
- (b) in paragraph (1)—
  - (i) by deleting the words “or the board of the institute” appearing immediately after the words “board of directors” in sub- paragraph (1);
  - (ii) by deleting the words “or the board of the institute” appearing immediately after the words “board of directors” in sub- paragraph (2);
  - (iii) by deleting the words “or the board of the institute” appearing immediately after the words “board of directors” in sub- paragraph (3);
  - (iv) by deleting the words “or the board of the institute” appearing immediately after the words “board of directors” in sub- paragraph (4);
  - (v) by deleting the word “respective” appearing immediately after the words “business of the” in sub- paragraph (5);
  - (vi) by deleting sub-paragraph (6) and substituting therefor the following new sub-paragraph—

(6) The chairperson shall preside at every meeting of the board at which the chairperson is present and in the absence of the chairperson, the members of the board present shall elect one person from their number to preside over the meeting of the board and that person shall have all the powers of the chairperson.

(vii) by deleting the words “or the board of the institute” appearing immediately after the words “board of directors” in sub- paragraph (7);

(viii) by deleting the words “or the board of the institute” appearing immediately after the words “board of directors” in sub- paragraph (8);

(ix) by deleting sub-paragraph (9) and substituting therefor the following new sub-paragraph—

(9) Subject to provisions of this Schedule, the board may determine its own procedure and the procedure of any committee of the board and for the attendance of other persons at its meetings.

(c) in paragraph (2) —

(i) by deleting sub-paragraph (1) and substituting therefor the following new sub-paragraph—

(1) If a member of the board of directors is directly or indirectly interested in any matter before the board and is present at a meeting of the board of directors at which the matter is the subject of consideration, the member shall, at the meeting and as soon as is reasonably practicable after the commencement of the meeting, disclose the interest of the member in the matter and shall not take part in the deliberations or vote on, the matter.

Disclosure of interest.

(ii) by deleting sub-paragraph (3) and substituting therefor the following new sub-paragraph—

Any contract or instrument which if entered into or executed by a person not being a body corporate, would not be required to be under seal may be entered into or executed on behalf of the board of directors by any person generally or specially authorized by the board of directors for that purpose.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*The Second Schedule*

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move- THAT, the Second schedule of the Bill be amended- (i)at item no. 3 by deleting the words “warehouseman’s” appearing in the first column and substituting therefor the words “warehouse operator’s; and (ii)by substituting item no. 7 with the following new item-

7. Coffee trading licence	Board
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*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 2*

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move- THAT, clause 2 of the Bill be amended- (a) in the definition of the following terms— (i) “coffee grower” by inserting the words “is linked to a licenced pulping station,” immediately after the words “coffee in Kenya and”; (ii) “clearing house” by deleting the word “the” appearing immediately after the word “on behalf of “and substituting therefore the word “an” (iii) “sweepings” by deleting the word “the” appearing immediately after the words “for sale at “and substituting therefore the word “an” (iv) “Institute” by inserting the words “and Training” immediately after the words “the Coffee Research” (b) by deleting the definition of the term — (i) “broker” and substituting therefore the following new definition —

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“broker” means a person cleared by an exchange and licensed by the Capital Markets Authority, who may be appointed by a grower or an association of growers in accordance with the Capital Markets Act, to sell their coffee on their behalf through an Exchange;

(ii) “direct sale” and substituting therefore the following new definition—

“direct sale” means a contractual arrangement between a registered grower, coffee co-operative society, coffee union, grower-miller or a coffee estate and an overseas buyer for the sale of own clean coffee based on mutually accepted terms and conditions enforceable in law and includes settlement of coffee sales proceeds through the direct settlement system on-boarded by a coffee exchange.

(iii) “sales catalogue” and substituting therefore the following new definition —

“sales catalogue” means a standard document prepared by a grower or a broker appointed by a grower in the presence of a commercial miller and in consultation with an exchange, for sale of clean coffee at an exchange;

(c) by inserting the following definitions in their proper alphabetical sequence—

"buni" means coffee dried in the fruit or cherry but does not include hulled buni, also referred to as clean coffee, heavy buni or light buni;

"co-operative society" means a co-operative society registered under the Co-operative Societies Act, Cap 490; and

“Council” means the Council of the Institute as provided for under Section 67.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

### *The Long Title*

**Sen. Methu:** Mr. Temporary Chairperson, Sir, I beg to move-

THAT, the Bill be amended by deleting the long title and substituting therefor the following new title-

AN ACT of Parliament to provide for: the establishment of the Coffee Board of Kenya and the Coffee Research and Training Institute; the roles of the National and the county governments; the regulation, development and promotion of the coffee industry; and for connected purposes.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

### *Clause 1*

*(Question, that the Title and Clause 1 be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

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Hon. Senators, we are now done with the Coffee Bill (Senate Bills No.10 of 2023), order No.13.

We are now going to Order No.14. Hon. Senators, this is not long. So, let us proceed.

THE PREVENTION OF LIVESTOCK AND PRODUCE BILL  
(SENATE BILLS NO.12 OF 2023)

*Clauses 3-10*

*(Question, that Clauses 3, 4, 5, 6, 7, 8, 9  
and 10 be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 11*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move-  
THAT, Clause 11 of the Bill be amended in subclause (1) by inserting the words, “in consultation with the council of county governors,” immediately after the words “The Cabinet Secretary”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clauses 12-14*

*(Question, that Clauses 12, 13, and 14  
be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 15*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move-  
THAT, Clause 15 of the Bill be amended in subclause (2) by deleting paragraph (b) and substituting therefor the following new paragraph-  
(b) collaborate with the relevant investigative agencies in the recovery of stolen livestock;

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clauses 16-32*

*(Question, that Clauses 16, 17, 18, 19, 20  
21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31  
and 32 be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 33*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move-  
THAT, Clause 33 of the Bill be amended by deleting the word “years” appearing immediately after the words “than five hundred” and substituting therefor the words “thousand shillings”

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 34*

*(Question, that Clause 34 be  
part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 35*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move-  
THAT, Clause 35 of the Bill be amended in subclause (1) by inserting the words, “in consultation with the council of governors,” immediately after the words “The Cabinet Secretary”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clauses 36-38*

*(Question, that Clause 36, 37 and 38  
be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

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*New Clause 9A*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move:

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

Appeals. 9A. (1) A person who is aggrieved by the decision of the county the county executive committee member with respect to registration, transfer or cancelation of a brand, may appeal to the High court.  
(2) An appeal under this section shall be lodged within thirty days from the date on which the appellants first received the notice of the decision.

*(Question of the New Clause 9A proposed)*

*(New Clause 9A read the First Time)*

*(Question, that New Clause 9A be read a  
Second Time proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end

*Clause 2*

**Sen. Methu:** Mr. Temporary Chairman, Sir, I beg to move-

THAT, Clause 2 of the Bill be amended by inserting the following definition immediately after the definition of “identifier” —

“Inspector” means the person designated as an inspector under section 15;

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end

*The Title and Clause 1*

*(Question, that the Title and Clause 1  
be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

Hon. Members, we are done with the Prevention of Livestock and Produce Theft Bill (Senate Bills No.12 of 2023). Therefore, we will move to Order No.15.

THE FOOD AND FEED SAFETY CONTROL CO-ORDINATION BILL  
(NATIONAL ASSEMBLY BILLS NO.21 OF 2023)

*Clauses 3-11*

*(Question, that Clauses 3, 4, 5, 6, 7, 8, 9, 10  
and 11 be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clauses 12-21*

*(Question, that Clauses 12, 13, 14, 15, 16, 17, 18,  
19, 20 and 21 be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 22*

**Sen. (Dr.) Lelegwe Ltumbesi:** Mr. Temporary Chairman, Sir, I beg to move—  
THAT, Clause 22 of the Bill be amended in sub-clause (2) by deleting the words  
“conduct risk management” appearing immediately after the words “the Controller may”  
and substituting therefor the words “advise on the appropriate risk management  
measures”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clauses 23 and 24*

*(Question, that Clauses 23 and 24  
be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 25*

**Sen. (Dr.) Lelegwe Ltumbesi:** Mr. Temporary Chairman, Sir, I beg to move—  
THAT, Clause 25 of the Bill be amended in sub-clause (3) by inserting the  
following new sub-clause—

3A. on receipt of the report under subsection (3) (b), the governor shall submit the  
report to the respective County Assembly.

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*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clauses 26-34*

*(Question, that Clauses 26, 27, 28, 29, 30, 31,  
32, 33 and 34 be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*First Schedule*

**Sen. (Dr.) Lelegwe Ltumbesi:** Mr. Temporary Chairman, Sir, I beg to move—  
THAT, the First Schedule be amended by inserting the following new items immediately after item no 3 —

3A. Each county government department dealing with matters relating to agriculture;

3B. Each county government department dealing with matters relating to health.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Second Schedule*

*(Question, that Second Schedule  
be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clause 2, the Title and Clause 1*

*(Question, that Clause 2, the Title and Clause 1  
be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

Hon. Members, we are now done with the Food and Feed Safety Control Coordination Bill (National Assembly Bills No.31 of 2023.)

We now move to the Next Order; Order No.16; The Parliamentary Powers and Privileges (Amendment) Bill (Senate Bills No.37 of 2023).

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THE PARLIAMENTARY POWERS AND PRIVILEGES  
(AMENDMENT) BILL (SENATE BILLS NO. 37 OF 2023)

**The Temporary Chairperson** (Sen. Wakili Sigei): Sen. Veronica Maina, kindly approach the Chair.

*(Sen. Veronica Maina consulted with the Temporary  
Chairperson (Sen. Wakili Sigei))*

Let us proceed, Hon. Senators.

*Clause 3*

**The Temporary Chairperson** (Sen. Wakili Sigei): Hon. Members, I call upon the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights, Sen. Veronica Maina to move.

**Sen. Veronica Maina:** Mr. Temporary Chairperson, Sir, on behalf of the Chairperson of the Committee on Justice, Legal Affairs and Human Rights, I beg to move

THAT, Clause 3 of the Bill be amended in paragraph (b), in the proposed new subsection (5A), by deleting the word “seven” appearing immediately after the words “not earlier than” and substituting therefore the word “fourteen”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be and the end

*Clause 4*

**The Temporary Chairperson** (Sen. Wakili Sigei): The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights, Sen. Veronica Maina to move.

**Sen. Veronica Maina:** Mr. Temporary Chairperson, Sir, there is a more elaborate proposal that has been made in respect of this same Clause and so, I wish to withdraw what has been proposed in Order Paper and the same amendment be dropped.

*(Proposed amendment to Clause 4 by  
Sen. Wakili Sigei dropped)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Sen. Osotsi, please, proceed.  
*(Sen. Osotsi stood up in his place)*

Very well, Sen. Osotsi, resume your seat. I will invite you when we get to Clause 7.

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Let us move on, Clerk.

I call upon Sen. Osotsi to move the further amendments to Clause 4.

*Clause 4*

**Sen. Osotsi:** Mr. Temporary Chairperson, Sir, I beg to move- THAT, Clause 4 of the Bill be amended by deleting paragraph (e) and substituting therefor the following new paragraph –

(e) by inserting the following new subsections immediately after subsection (3) –

(4) The Clerk shall transmit the order of arrest to the Inspector General for execution in accordance with the National Police Service Act.

(5) If the Inspector-General fails, without sufficient cause, to effect an order of arrest within seven days from the date of receipt of the order, the order may be effected by an officer of the respective House of Parliament as shall be directed by that House or Committee.

(6) Where an order of arrest is to be effected by an officer of a House of Parliament, the Inspector-General shall, where requested by Parliament, assist the officer of the House in the conduct of the arrest.

(7) A person arrested pursuant to an order of arrest under subsection (5) shall –

(a) be held at –

(i) Parliament Police Station; or

(ii) any other police station *gazetted* under section 40 of the National Police Service Act, in the case of a person arrested outside Nairobi City County or its environs; and

(b) be produced before court, or the House or Committee that summoned him on the next working day.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.

*Clauses 5 and 6*

*(Question, that Clauses 5 and 6 be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will at the end.

*New Clause 5A*

**Sen. Osotsi:** Mr. Temporary Chairperson, Sir, I beg to move -

THAT, the Bill be amended by inserting the following new clause immediately after clause 5 –

5A. The principal Act be amended by inserting the following new section immediately after section 32 –

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Responsibility 23A. A person who is guilty of an offence for penalty. under this Act shall be personally liable for any fine imposed and public funds shall not be used to pay such a fine.

*(Question of the New Clause 5A proposed)*

*(New Clause 5A was read a First time)*

*(Question, that New Clause 5A be read a Second Time, proposed)*

*Clause 2, the Title and Clause 1*

*(Question, that Clause 2, the Title and Clause 2  
be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Division will be at the end.  
Hon. Senators, we are now done with the Parliamentary Powers and Privileges (Amendment) Bill (Senate Bills No. 37 of 2023); Order No. 16.

We are now progressing to Order No.17; The Public Service (Values and Principles) (Amendment) Bill (National Assembly Bills No. 46 of 2022).

THE PUBLIC SERVICE (VALUES AND PRINCIPLES) (AMENDMENT) BILL  
(NATIONAL ASSEMBLY BILLS NO. 46 OF 2022)

*Clause 3*

**The Temporary Chairperson** (Sen. Wakili Sigei): I call upon the Chairperson of the Standing Committee on Labour and Social Welfare to move. kindly move. Sen. Murgor.

**Sen. Murgor:** Mr. Temporary Chairperson, Sir, I beg to move-  
THAT, Clause 3 of the Bill is amended by deleting paragraph (a)

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Wakili Sigei): Division will be at the end.

*Clause 2*

**Sen. Murgor:** Mr. Temporary Chairperson, Sir, I beg to move-  
THAT, Clause 2 of the Bill is amended by deleting the definition of the term "authorized officer" and substituting therefor the following new definition— "authorized officer" means an officer appointed within the public service or service Commission to perform a human resource management function within the public service or service Commission.

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*(Question of the amendment proposed)*

**The Temporary Chairperson** (Wakili Sigei): Division will be at the end.

*The Title and Clause 1*

*(Question that The Title and Clause 1 be  
part of the Bill proposed)*

**The Temporary Chairperson** (Wakili Sigei): Division will be at the end. Hon. Senators we are now done with the five Bills, and we shall proceed to go for Division.

I request the Serjeant-At-Arms to ring the Division Bell for five minutes. Hon. Senators I ask you not to move so that we can close on this important assignment.

*(The Division Bell was rung)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Serjeant-At-Arms kindly ring the Bell for five minutes.

*(The Division Bell was rung)*

**The Temporary Chairperson** (Sen. Wakili Sigei): Hon. Senators, we are now moving to Division. We will start with the Coffee Bill (Senate Bills No. 10 of 2023). We will vote electronically. Serjeant-at-Arms, draw the bar and lock the doors.

*(The Bar was drawn and the Doors closed)*

Hon. Members, you may proceed to log out of your delegates units. We will vote electronically, and I will proceed to put the question. Serjeant-at-Arms proceed to take unattended cards in the delegates' units. Members, proceed to log in.

THE COFFEE BILL (SENATE BILLS  
NO. 10 OF 2023)

**DIVISION**

**ELECTRONIC VOTING**

*(Question, that the New Clause 25A, 44A, 44B, 51A, and 51B  
be now read a second time, put and the Senate proceeded  
to vote by County Delegations)*

**AYES:** Sen. Abass Sheikh Mohamed, Wajir County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki,

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Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Thang'wa, Kiambu County; Sen. Wakili Sigei, Bomet County; and, Sen. Wafula, Bungoma County.

**NOES:** Nil.

**The Temporary Chairperson** (Sen. Wakili Sigei): Now, Hon. Senators, these are the results of the first Division.

**AYES:** 24

**NOES:** Nil

**ABSTENTION:** Nil

The "Ayes" have it.

*(Question carried by 24 votes to nil)*

**The Temporary Chairperson** (Sen. Wakili Sigei): We will move on to the next Division. I ask Hon. Senators to log out.

Hon. Senators, proceed to vote.

## DIVISION

### ELECTRONIC VOTING

*(Question, that Clauses 3, 4, 6, 7, 8, 9, 11, 19, 25, 26, 29, 31, 32, 34, 37, 42, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 63, 64, 67, 68, 69, 70, 71, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 86, 87, 88, 89, 90, 92, 94, 96, the First Schedule, the Second Schedule, Clause 2 and the Long Title be amended as proposed, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass Sheikh Mohamed, Wajir County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Thang'wa, Kiambu County; Sen. Wakili Sigei, Bomet County; and, Sen. Wafula, Bungoma County.

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**NOES:** Nil.

**The Temporary Chairperson** (Sen. Wakili Sigei): Hon. Senators, these are the results of the Second Division:

**AYES:** 24

**NOES:** Nil

**ABSTENTION:** Nil

The “Ayes” have it.

*(Question carried by 24 votes to nil)*

**The Temporary Chairperson** (Sen. Wakili Sigei): We proceed to the Third Division.

## DIVISION

### ELECTRONIC VOTING

*(Clause 3 (as amended), Clause 4 (as amended), Clause 5, Clause 6 (as amended), Clause 7 (as amended), Clause 8 (as amended), Clause 9 (as amended), Clause 10, Clause 11 (as amended), Clause 12, Clause 13, Clause 14, Clause 15, Clause 16, Clause 17, Clause 18, Clause 19 (as amended), Clause 20, Clause 21, Clause 22, Clause 23, Clause 24, Clause 25 (as amended), Clause 26 (as amended), Clause 27, Clause 28, Clause 29 (as amended), Clause 30, Clause 31 (as amended), Clause 32 (as amended), Clause 33, Clause 34 (as amended), Clause 35, Clause 36, Clause 37 (as amended), Clause 38, Clause 39, Clause 40, Clause 41 (as amended), Clause 42, Clause 43, Clause 44 (as amended), Clause 45 (as amended), Clause 46 (as amended), Clause 47 (as amended), Clause 48 (as amended), Clause 49 (as amended), Clause 50 (as amended), Clause 51 (as amended), Clause 52 (as amended), Clause 53 (as amended), Clause 54, Clause 55 (as amended), Clause 56, Clause 57, Clause 58 (as amended), Clause 59 (as amended), Clause 60, Clause 61, Clause 62, Clause 63 (as amended), Clause 64 (as amended), Clause 65, Clause 66, Clause 67 (as amended), Clause 68 (as amended), Clause 69 (as amended), Clause 70 (as amended), Clause 71 (as amended), Clause 72 (as amended), Clause 73 (as amended), Clause 74 (as amended), Clause 75 (as amended), Clause 76, Clause 77 (as amended), Clause 78 (as amended), Clause 79 (as amended), Clause 80 (as amended), Clause 81 (as amended), Clause 82 (as amended), Clause 83, Clause 84, Clause 85, Clause 86 (as amended), Clause 87 (as amended), Clause 88 (as amended), Clause 89 (as amended), Clause 90 (as amended), Clause 91, Clause 92 (as amended), Clause 93, Clause 94 (as amended), Clause 95, Clause 96 (as amended), Clause 97, Clause 98, Clause 99, Clause 100, Clause 101, Clause 102, New Clause 25A, New Clause 44A, New Clause 44B, New Clause 51B, the First Schedule (as amended), the Second Schedule (as amended), Clause 2 (as amended), Long Title (as amended) and Clause 1 be part of the Bill put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kinyua, Laikipia

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County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Tabitha Keroche, Nakuru County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; and, Sen. Wakili Sigei, Bomet County.

**NOES:** Nil.

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Members, these are the results of the division-

**AYES:** 25

**NOES:** Nil

**ABSTENTION:** Nil

The "Ayes" have it.

*(Question carried by 25 votes to Nil)*

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Members, we proceed to the next Division on the Prevention of Livestock and Produce Theft Bill (Senate Bills No.12 of 2023).

*(Question, that the New Clause 9A be now read a Second Time, put)*

Hon. Senators, you may proceed to vote.

*(Electronic voting in progress)*

Sen. Sifuna and Sen. Oketch Gicheru, approach the Chair.

*(Sen. Sifuna and Sen. Oketch Gicheru approached the Chair)*

Hon. Senators, we are in the second Division. Once we vote on this one, we will announce all the results cumulatively. The second Division is on clauses with amendments.

*(Question, that the New Clauses 11,15,33,35 and 2 be amended as proposed)*

Hon. Members, proceed to vote.

Sen. (Dr.) Murango and Sen. Wafula, proceed to vote.

*(Electronic voting in progress)*

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**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Members, let us now prepare for the next vote on all Clauses.

THE PREVENTION OF LIVESTOCK AND PRODUCE THEFT BILL  
(SENATE BILLS NO.12 OF 2023)

**DIVISION**

ELECTRONIC VOTING

*(Question, that New Clause 9A be now read a Second Time,  
put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Githuku, Lamu County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. Tabitha Keroche, Nakuru County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; and, Sen. Wakili Sigei, Bomet County.

**NOES:** Nil.

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Senators, the results of the Division are as follows-

**AYES:** 26

**NOES:** 0

**ABSTENTIONS:** 0

The "Ayes" have it.

*(Question carried by 26 votes to 0)*

**DIVISION**

ELECTRONIC VOTING

*(Question, that Clauses 11,15,33,35 and 2 be amended  
as proposed, put and the Senate proceeded to  
vote by County Delegations)*

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**AYES:** Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. Tabitha Keroche, Nakuru County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; and, Sen. Wakili Sigei, Bomet County.

**NOES:** Nil.

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Senators, the results of the Division are as follows-

**AYES:** 26

**NOES:** 0

**ABSTENTIONS:** 0

The "Ayes" have it.

*(Question carried by 26 votes to 0)*

## DIVISION

### ELECTRONIC VOTING

*(Question, that Clauses 3, 4, 5, 6, 7, 8, 9, 10 (as amended), 12, 13, 14, 15 (as amended), 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 (as amended), 34 and 35 (as amended), 36, 37, 38, New Clause 9A, Clause 2 (as amended), the Title and Clause 1 be part of the Bill, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. Tabitha Keroche, Nakuru County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; and, Sen. Wakili Sigei, Bomet County.

**NOES:** Nil.

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**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Senators, the results of the Division are as follows-

**AYES:** 27

**NOES:** 0

**ABSTENTIONS:** 0

The “Ayes” have it.

*(Question carried by 27 votes to 0)*

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Members, let us now go to the Food and Feed Safety Control Co-ordination Bill (National Assembly Bills No.21 of 2023).

We will first vote on Clauses 22, 25 and the First Schedule then all Clauses. You may proceed to cast your vote.

THE FOOD AND FEED SAFETY CONTROL CO-ORDINATION BILL  
(NATIONAL ASSEMBLY BILLS NO. 21 OF 2023)

**DIVISION**

**ELECTRONIC VOTING**

*(Question, that Clauses 22, 25 and the First Schedule be amended as proposed put, and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kisang’, Elgeyo Marakwet County; Sen. Kinyua, Laikipia County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi County; Sen. Tabitha Keroche, Nakuru County; Sen. Thang’wa, Kiambu County; Sen. Wafula, Bungoma County; and, Sen. Wakili Sigei, Bomet County.

**NOES:** Nil

**ABSENTIONS:** Nil

**The Temporary Chairperson** (Sen. Wakili Sigei): Hon. Senators, on the Food and Feed Safety Control Co-ordination Bill (National Assembly Bills No. 21 of 2023), these are the results of the first Division.

**AYES:** 27

**NOES:** Nil

**ABSTENTIONS:** Nil

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The “Ayes” have it.

*(Question carried by 27 votes to Nil)*

### DIVISION

#### ELECTRONIC VOTING

*(Question, that Clause 3, Clause 4, Clause 5, Clause 6, Clause 7, Clause 8, Clause 9, Clause 10, Clause 11, Clause 12, Clause 13, Clause 14, Clause 15, Clause 16, Clause 17, Clause 18, Clause 19, Clause 20, Clause 21, Clause 22 (as amended), Clause 23, Clause 24, Clause 25 (as amended), Clause 26, Clause 27, Clause 28, Clause 29, Clause 30, Clause 31, Clause 32, Clause 33, Clause 34, the First Schedule (as amended), the Second Schedule, Clause 2, the Title and Clause 1 be part of the Bill put, and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kisang’, Elgeyo Marakwet County; Sen. Kinyua, Laikipia County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi County; Sen. Tabitha Keroche, Nakuru County; Sen. Thang’wa, Kiambu County; Sen. Wafula, Bungoma County; and, Sen. Wakili Sigei, Bomet County.

**NOES:** Nil

**ABSENTIONS:** Nil

**The Temporary Chairperson** (Sen. Wakili Sigei): Hon. Senators, on the Food and Feed Safety Control Co-ordination Bill (National Assembly Bills No. 21 of 2023), these are the results of the Second Division:

**AYES:** 26

**NOES:** Nil

**ABSTENTIONS:** Nil

The “Ayes” have it.

*(Question carried by 26 votes to Nil)*



THE PARLIAMENTARY POWERS AND PRIVILEGES  
(AMENDMENT) BILL (SENATE BILLS NO. 37 OF 2023)

Hon. Senators, we are now proceeding to the Parliamentary Powers and Privileges (Amendment) Bill (Senate Bills No.37 of 2023). We have three Divisions, and I will proceed to read the first one.

*(Question, that New Clause 5A be now read a Second Time put, and the Senate proceeded to vote by County Delegations)*

Hon. Members, proceed to cast your vote.

*(Electronic voting in progress)*

We are proceeding to the next Division. That is clauses with amendments.

*(Question, that Clause 3 and 4 be amended as proposed put, and the Senate proceeded to vote by County Delegations)*

Proceed to vote.

Hon. Members, kindly vote.

*(Electronic voting in progress)*

Hon. Members, we are now going to the last Division on all clauses, and I will put the Question.

*(Question, that Clause 3 as amended, Clause 4 as amended, Clause 5, Clause 6, New Clause 5A, Clause 2, The Title and Clause 1 be part of the Bill put, and the Senate proceeded to vote by County Delegations)*

You may proceed to cast your vote.

*(Electronic voting in progress)*

Hon. Members, kindly cast your votes. If you have not, please vote.

Hon. Senators, we now have the results of the first, second and third division on the Parliamentary Powers and Privileges (Amendment) Bill (Senate Bills No.37 of 2023).

THE PARLIAMENTARY POWERS AND PRIVILEGES  
(AMENDMENT) BILL (SENATE BILLS NO. 37 OF 2023)

**DIVISION**

ELECTRONIC VOTING

*(Question, that New Clause 5A be now read a Second Time put,  
and the Senate proceeded to vote on County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kinyua, Laikipia County; Sen. Kisang', Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. (Dr) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. Tabitha Keroche, Nakuru County; Sen. Wafula, Bungoma County; and, Sen. Wakili Sigei, Bomet County.

**The Temporary Chairperson** (Sen. Wakili Sigei): Hon. Senators, the results of the Division are:

**AYES:** 26

**NOES:** 0

**ABSENTIONS:** Nil

The "Ayes" have it.

*(Question carried by 26 votes to Nil)*

**DIVISION**

ELECTRONIC VOTING

*(Question, that Clause 3 and Clause 4 be amended as proposed put,  
and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kinyua, Laikipia County; Sen. Kisang', Elgeyo Marakwet; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County;

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Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi County; Sen. Tabitha Keroche, Nakuru County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; and, Sen. Wakili Sigei, Bomet County.

**The Temporary Chairperson** (Sen. Wakili Sigei): Hon. Senators, the results of the Division are:

**AYES:** 27

**NOES:** Nil

**ABSENTIONS:** Nil

The "Ayes" have it.

*(Question carried by 27 votes to Nil)*

## DIVISION

### ELECTRONIC VOTING

*(Question, that Clause 3 (as amended), Clause 4 (as amended), Clause 5, Clause 6, New Clause 5A, Clause 2, the Title and Clause 1, be part of the Bill put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kinyua, Laikipia County; Sen. Kisang', Elgeyo Marakwet; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi County; Sen. Tabitha Keroche, Nakuru County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; and Sen. Wakili Sigei, Bomet County.

**The Temporary Chairperson** (Sen. Wakili Sigei): Hon. Senators, the results of the Division are:

**AYES:** 27

**NOES:** Nil

**ABSTENTIONS:** Nil

The "Ayes" have it.

*(Question carried by 27 votes to Nil)*

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**The Temporary Chairperson** (Sen. Wakili Sigei): We are now going to the last Division on the Public Service (Values and Principles) (Amendment) Bill (National Assembly Bills No.46 of 2022)

The first Division is on clauses with amendments.

*(Question put)*

Hon. Members, you may proceed to cast your vote.

*(Electronic voting in progress)*

We are going to the second division on all clauses.

*(Question put)*

*(Electronic voting in progress)*

Hon. Senators, we now have the results of the division on the Public Service Values and Principles (amendment) Bill (National Assembly Bills No.46 of 2022).

THE PUBLIC SERVICE (VALUES AND PRINCIPLES)  
(AMENDMENT) BILL (NATIONAL ASSEMBLY  
BILLS NO. 46 OF 2022)

**DIVISION**

**ELECTRONIC VOTING**

*(Question, that Clause 3 and Clause 2 be amended as proposed, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kinyua, Laikipia County; Sen. Kisang', Elgeyo Marakwet; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi County; Sen. Tabitha Keroche, Nakuru County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; and, Sen. Wakili Sigei, Bomet County.

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**The Temporary Chairperson** (Sen. Wakili Sigei): Hon. Senators, the results of the Division are:

**AYES:** 27

**NOES:** Nil

**ABSTENTIONS:** Nil

The “Ayes” have it.

*(Question carried by 27 votes to Nil)*

## DIVISION

### ELECTRONIC VOTING

*(Question, that Clause 3 (as amended), Clause 2 (as amended), the Title and Clause 1 be part of the Bill, put and the Senate proceeded to vote on County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kinyua, Laikipia County; Sen. Kisang’, Elgeyo Marakwet; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi County; Sen. Tabitha Keroche, Nakuru County; Sen. Thang’wa, Kiambu County; Sen. Wafula, Bungoma County; and, Sen. Wakili Sigei, Bomet County.

**The Temporary Chairperson** (Sen. Wakili Sigei): Hon. Senators, the results of the Division are:

**AYES:** 27

**NOES:** Nil

**ABSTENTIONS:** Nil

The “Ayes” have it.

*(Question carried by 27 votes to Nil)*

Hon. Senators, we are now done with divisions. We are going to reporting.

I call upon the Mover in the Coffee Bill (Senate Bills No.10 of 2023) to move.

**Sen. (Dr.) Murango:** Mr. Chairperson, I beg to move that the Committee do report to the Senate in consideration of the Coffee Bill (Senate Bills No.10 of 2023) and its approval thereof with amendments.

*(Question proposed)*

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*(Question put and agreed to)*

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Senators, we are now proceeding to the second Bill, the Prevention of Livestock and Produce Theft Bill (Senate Bills No.12 of 2023).

I call upon the Mover, Sen. Cheruiyot to move.

THE PREVENTION OF LIVESTOCK AND PRODUCE BILL  
(SENATE BILLS NO. 12 OF 2023)

**Sen. Cherarkey:** Mr. Temporary Chairperson, Sir, I beg to move that the Committee do report to Senate its consideration of The Prevention of Livestock and Produce Bill (Senate Bills No.12 of 2023) and its approval thereof with amendments.

*(Question proposed)*

*(Question put and agreed to)*

THE FOOD AND FEED SAFETY CONTROL CO-ORDINATION  
BILL (NATIONAL ASSEMBLY BILLS NO. 21 OF 2023)

**The Temporary Chairperson** (Sen. Wakili Sigei): We will now report progress on The Food and Feed Safety Control Co-Ordination Bill (National Assembly Bills No.21 of 2023).

Senate Majority Leader, proceed to move.

**The Senate Majority Leader** (Sen. Cheruiyot): Mr. Temporary Chairperson, Sir, I beg to move that the Committee do report to Senate its consideration of The Food and Feed Safety Control Co-ordination Bill (National Assembly Bills No.21 of 2023) and its approval thereof with amendments.

*(Question proposed)*

*(Question put and agreed to)*

THE PARLIAMENTARY POWERS AND PRIVILEGES  
(AMENDMENT) BILL (SENATE BILLS NO. 37 OF 2023)

**The Temporary Chairperson** (Sen. Wakili Sigei): We will now report progress on The Parliamentary Powers and Privileges (Amendment) Bill (Senate Bills No.37 of 2023).

I call upon the Mover, Sen. Osotsi, to move.

**Sen. Osotsi:** Mr. Temporary Chairperson, Sir, I beg to move that the Committee of the Whole do report to Senate its consideration of The Parliamentary Powers and

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Privileges (Amendment) Bill (Senate Bills No.37 of 2023) and its approval thereof with amendments.

*(Question proposed)*

*Question put and agreed to)*

THE PUBLIC SERVICE (VALUES AND PRINCIPLES) (AMENDMENT)  
BILL (NATIONAL ASSEMBLY BILLS NO. 46 OF 2022)

**The Temporary Chairperson** (Sen. Wakili Sigei): We will now report progress on The Public Service (Values and Principles) (Amendment) Bill (National Assembly Bills No.46 of 2022).

I call upon the Mover, Sen. Cherarkey, to move.

**Sen. Cherarkey:** Mr. Temporary Chairperson, Sir, I beg to move that the Committee of the Whole do report to the Senate its consideration of The Public Service (Values and Principles) (Amendment) Bill (National Assembly Bills No.46 of 2022) and its approval thereof with amendments.

*(Question proposed)*

*(The House Resumed)*

*[The Temporary Speaker (Sen. Veronica Maina) in the Chair]*

**The Temporary Speaker** (Sen. Veronica Maina): Serjeant-at-Arms, you may draw the Bar and open the Doors.

*(The Bars were drawn and Doors opened)*

Hon. Senators, please settle down so that the Chairperson can report progress on the Coffee Bill (Senate Bills No.10 of 2023).

Sen. Wakili Sigei, you may proceed.

### CONSIDERATION OF REPORTS

#### THE COFFEE BILL (SENATE BILLS NO. 10 OF 2023)

**Sen. Wakili Sigei:** Mr. Temporary Speaker, I now wish to report that the Committee of the Whole has considered the Coffee Bill (Senate Bills No.10 of 2023), and its approval thereof with amendments.

**The Temporary Speaker** (Sen. Veronica Maina): Thank you.

I now call upon the Mover to move.

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**Sen. (Dr.) Murango:** Madam Temporary Speaker, I beg to move that the House do agree with the Committee of the Whole on the said Report and I call on the Senate Majority Leader, Sen. Cheruiyot to Second.

**The Senate Majority Leader** (Sen. Cheruiyot): Madam Temporary Speaker, I second.

*(Question proposed)*

*(Question put and agreed to)*

**The Temporary Speaker** (Sen. Veronica Maina): I now invite the Mover to move it for Third Reading. Sen. (Dr.) Murango, you may proceed.

**Sen. (Dr.) Murango:** Madam Temporary Speaker, I beg to move that the Coffee Bill (Senate Bills No.10 of 2023), be now read a Third Time.

I call upon the Senate Majority Leader, Sen. Cheruiyot, to second.

**The Senate Majority Leader** (Sen. Cheruiyot): Madam Temporary Speaker, I second.

*(Question proposed)*

*(Question put and agreed to)*

THE PREVENTION OF LIVESTOCK AND PRODUCE BILL  
(SENATE BILLS NO. 12 OF 2023)

**Sen. Wakili Sigei:** Madam Temporary Speaker, I wish to report that Committee of the Whole has considered the Prevention of Livestock and Produce Bill (Senate Bills NO. 12 of 2023), and its approval thereof with amendments.

**The Temporary Speaker** (Sen. Veronica Maina): Apologies for that Senators. We shall re-do something. I invite Sen. Cherarkey to move because he has not.

**Sen. Cherarkey:** Madam Temporary Speaker, I beg to move that the House do agree with the Committee on the said report.

**The Temporary Speaker** (Sen. Veronica Maina): Who is seconding?

**Sen. Cherarkey:** I request Sen. Ali Roba to second.

**Sen. Ali Roba:** Madam Temporary Speaker, I second.

*(Question proposed)*

*(Question put and agreed to)*

**The Temporary Speaker** (Sen. Veronica Maina): I invite the Mover to proceed and move.



**Sen. Cherarkey:** Madam Temporary Speaker, I beg to move that the Prevention of Livestock and Produce Theft Bill (Senate Bills No.12 of 2023) be now read a Third Time.

I invite Sen. Olekina to second.

**Sen. Olekina:** Madam Temporary Speaker, I second.

*(Question proposed)*

**The Temporary Speaker** (Sen. Veronica Maina): The division will be at the end.

THE FOOD AND FEED SAFETY CONTROL CO-ORDINATION BILL  
(NATIONAL ASSEMBLY BILLS NO. 21 OF 2023)

**The Temporary Speaker** (Sen. Veronica Maina): I invite the Chairperson of the Food and Feed Safety Control Co-Ordination Bill (National Assembly Bills No. 21 of 2023) to report.

**Sen. Wakili Sigei:** Madam Temporary Speaker, I beg to report that the Committee of the Whole has considered the Food and Feeds Safety Control Co-Ordination Bill (National Assembly Bills No.21 of 2023), and its approval thereof with amendments.

**The Temporary Speaker** (Sen. Veronica Maina): I invite the Mover to proceed.

**The Senate Majority Leader** (Sen. Cheruiyot): Madam Temporary Speaker, I beg to move that the House do agree with the Committee on the said report.

I request Senator for Nyandarua County to second.

**Sen. Methu:** Madam Temporary Speaker, I second.

*(Question proposed)*

*(Question put and agreed to)*

**The Temporary Speaker** (Sen. Veronica Maina): The division will be at the end. I invite the Mover to proceed and request for Third Reading.

**The Senate Majority Leader** (Sen. Cheruiyot): Madam Temporary Speaker, I beg to move that the Food and Feed Safety Control Co-ordination Bill (National Assembly Bills No. 21 of 2023), be now read a Third Time.

I request the Senator for Nakuru County to second.

**Sen. Tabitha Keroche:** Madam Temporary Speaker, I second.

**The Temporary Speaker** (Sen. Veronica Maina): Thank you, Sen. Tabitha Keroche.

*(Question proposed)*

Division will be at the end.

Hon. Senators, we will now move to the next Bill. The Chairperson, Sen. Wakili Sigei is to report on the Parliamentary Powers and Privileges (Amendment) Bill (Senate Bills No.37 of 2023).

THE PARLIAMENTARY POWERS AND PRIVILEGES  
(AMENDMENT) BILL (SENATE BILLS NO. 37 OF 2023)

**Sen. Wakili Sigei:** Madam Temporary Speaker, I beg to report that the Committee of the Whole has considered the Parliamentary Powers and Privileges (Amendment) Bill (Senate Bills No.37 of 2023) and its approval thereof with amendments.

**The Temporary Speaker** (Sen. Veronica Maina): I call upon the Mover.

**Sen. Osotsi:** Madam Temporary Speaker, I beg to move that the Senate do agree with the Committee of the Whole in the said report.

I request Sen. Sifuna to second.

**Sen. Sifuna:** Madam Temporary Speaker, I second.

*(Question proposed)*

*(Question put and agreed to)*

**The Temporary Speaker** (Sen. Veronica Maina): I call upon the Mover to proceed and move it for Third Reading.

**Sen. Osotsi:** Madam Temporary Speaker, I beg to move that the Parliamentary Powers and Privileges (Amendment) Bill (Senate Bills No.37 of 2023) be now read a Third Time.

I request Sen. Olekina to second.

**Sen. Olekina:** Madam Temporary Speaker, I second.

*(Question proposed)*

**The Temporary Speaker** (Sen. Veronica Maina): The division will be at the end. I invite the Chairperson to report on the Public Service (Values and Principles) (Amendment) Bill (National Assembly Bills No.46 of 2022).

THE PUBLIC SERVICE (VALUES AND PRINCIPLES) (AMENDMENT)  
BILL (NATIONAL ASSEMBLY BILLS NO.46 OF 2022)

**Sen. Wakili Sigei:** Madam Temporary Speaker, I beg to report that the Committee of the Whole has considered the Public Service (Values and Principles) (Amendment) Bill (National Assembly Bills No.46 of 2022) and its approval thereof with amendments.

**The Temporary Speaker** (Sen. Veronica Maina): Thank you, Sen. Wakili Sigei. I invite the Mover to proceed.

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**Sen. Cherarkey:** Madam Temporary Speaker, I beg to move that the House do agree with the Committee in the said report.

**The Temporary Speaker** (Sen. Veronica Maina): Who is seconding?

**Sen. Cherarkey:** Madam Temporary Speaker, I apologize. I invite Sen. Thang'wa, the miracle Senator, to second.

**The Temporary Speaker** (Sen. Veronica Maina): Turn on the microphone for Sen. Thang'wa to second.

**Sen. Thang'wa:** Madam Temporary Speaker, I second.

*(Question proposed)*

*(Question put and agreed to)*

**The Temporary Speaker** (Sen. Veronica Maina): I invite the Mover.

**Sen. Cherarkey:** Madam Temporary Speaker, I beg to move that the Public Service (Values and Principles) (Amendment) Bill (National Assembly Bills No.46 of 2022), be now read a Third Time.

I request Sen. Faki to second.

**The Temporary Speaker** (Sen. Veronica Maina): Please give him the microphone.

**Sen. Faki:** Madam Temporary Speaker, I second.

*(Question proposed)*

**The Temporary Speaker** (Sen. Veronica Maina): Division will be at the end. Serjeant-at-Arms, can you ring the Division Bell for five minutes.

*(The Division Bell was rung)*

Serjeant-at-Arms, you can stop the bell, draw the bars and close the doors. We will vote electronically.

Hon. Senators, you may settle down so that we can proceed to Division.

### THIRD READINGS

**The Temporary Speaker** (Sen. Veronica Maina): Hon. Senators, please, settle down so that I put the Question.

We have a very short time to vote so proceed to vote. Serjeant-at-Arms, check any unattended cards.

Secretariat, check so that we can move into the next division. Confirm whether all the Senators in the Chamber have voted.

I will put the question on the Coffee Bill.

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*(Question put)*

The results will be announced at the end, so we will go to the next Bill. I will not put the Question.

*(Question put)*

Please, proceed to vote. Secretariat, please confirm that all the Senators in the Chamber have voted.

Hon. Senators, we are moving to the next Division on the Food and Feed Safety Control Co-Ordination Bill (National Assembly Bills No. 21 of 2023).

*(Question put)*

You may proceed to vote.

*(Electronic voting in progress)*

Hon. Senators, we are moving to the next Division on The Parliamentary Powers and Privileges (Amendment) Bill (Senate Bills No.37 of 2023)

*(Question put)*

You may proceed to vote.

*(Electronic voting in progress)*

**The Temporary Speaker** (Sen. Veronica Maina): Secretariat, please cross-check whether all the Senators in the Chamber have voted.

Sen. Gataya Mo Fire, where are you? Please approach the Clerk's desk.

*(Sen. Gataya Mo Fire approached the Clerks-at-the-Table)*

We are proceeding with the third Division for the day, the Public Service (Values and Principles) (Amendment) Bill (National Assembly Bills No. 46 of 2022) and I will put the Question.

*(Question put)*

You may proceed to vote.

*(Electronic voting in progress)*

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Clerk, please cross-check.  
Sen. Mo Fire, approach the Clerk's desk.

*(Sen. Gataya Mo Fire approached the Clerks-at-the-Table)*

Serjeant-at-Arms, you can open the Doors and draw the Bars.

*(The Bars were drawn and Doors opened)*

Hon. Senators, settle down please so that we receive the results.

Sen. Tabitha, you are out of order. Resume your seat.

Sen. Mandago, you should not be distracting the hon. Senator for Nakuru County,  
Sen. Tabitha.

### THIRD READING

THE COFFEE BILL (SENATE BILLS NO.10 OF 2023)

### DIVISION

### ELECTRONIC VOTING

*(Question, that the Coffee Bill (Senate Bills No.10 of 2023) be now read a Third time, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kinyua, Laikipia County; Sen. Kisang', Elgeyo Marakwe County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi County; Sen. Tabitha Keroche, Nakuru County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; and, Sen. Wakili Sigei, Bomet County.

The results for the Coffee Bill (Senate Bills No.10 of 2023) are as follows-

**AYES:** 25

**NOES:** Nil

**ABSENTION:** Nil

The "Ayes" have it.

*(Question carried by 25 to Nil)*

*(The Bill was accordingly read a Third Time and passed)*

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**THIRD READING****THE PREVENTION OF LIVESTOCK AND PRODUCE BILL  
(SENATE BILLS NO.12 OF 2023)****DIVISION****ELECTRONIC VOTING**

*(Question, that the Prevention of Livestock and Produce Theft Bill (Senate Bills No.12 of 2023) be now read a Third time, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kinyua, Laikipia County; Sen. Kisang', Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi County; Sen. Tabitha Keroche, Nakuru County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; and, Sen. Wakili Sigei, Bomet County.

**The Temporary Speaker** (Sen. Veronica Maina): Hon. Senators, these are the results on Division on Prevention of Livestock and Produce Theft Bill (Senate Bills No.12 of 2023)-

**AYES :**25

**NOES:** Nil

**ABSTENTION:** Nil

The "Ayes" have it.

*(Question carried by 25 to Nil)*

*(The Bill was accordingly read a Third Time and passed)*

**THIRD READING****THE FOOD AND FEED SAFETY CONTROL CO-ORDINATION BILL  
(NATIONAL ASSEMBLY BILLS No. 21 OF 2023)****DIVISION****ELECTRONIC VOTING**

*(Question, that the Food and Feed Safety Control Co-ordination Bill (National Assembly Bills No.21 of 2023) be now read a Third time, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kisang', Elgeyo Marakwet County; Sen. Kinyua, Laikipia County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Olekina, Narok County; Sen. Oketch Gicheru, Migori County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi County; Sen. Tabitha Keroche, Nakuru County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; and Sen. Wakili Sigei, Bomet County.

**The Temporary Speaker** (Sen. Veronica Maina): Hon. Senators, these are the results on the Division on the Food and Feed Safety Control Co-ordination Bill (National Assembly Bills No.21 of 2023)-

**AYES:** 25

**NOES:** Nil

**ABSTENTION:** Nil

*(Question carried by 25 to Nil)*

*(The Bill was accordingly read a Third Time and passed)*

**THIRD READING****THE PARLIAMENTARY POWERS AND PRIVILEGES BILL  
(SENATE BILLS NO. 37 OF 2023)****DIVISION****ELECTRONIC VOTING**

*(Question, that the Parliamentary Powers and Privileges Bill (Senate Bills No.37 of 2023) be now read a Third time, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kinyua, Laikipia County; Sen. Kisang', Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi County; Sen. Tabitha Keroche, Nakuru County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; and, Sen. Wakili Sigei, Bomet County.

**The Temporary Speaker** (Sen. Veronica Maina): Hon. Senators, these are the voting results on the Division on the Parliamentary Powers and Privileges Bill (Senate Bills No.37 of 2023).

**AYES:**25

**NOES:** Nil

**ABSTENTION:** Nil

*(Question carried by 25 to Nil)*

*(The Bill was accordingly read a Third Time and passed)*



**THIRD READING**

THE PUBLIC SERVICE (VALUES AND PRINCIPLES)  
AMENDMENT BILL (SENATE BILLS NO. 46 OF 2022)

**DIVISION****ELECTRONIC VOTING**

*(Question, that the Public Service (Values and Principles) (Amendment) Bill (National Assembly Bills No.46 of 2022) be now read a Third time, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kisang', Elgeyo Marakwet County; Sen. Kinyua, Laikipia County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi County; Sen. Tabitha Keroche, Nakuru County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; and, Sen. Wakili Sigei, Bomet County.

**The Temporary Speaker** (Sen. Veronica Maina): Hon. Senators, these are the results on the Division for the Public Service (Values and Principles) (Amendment) Bill (National Assembly Bills No.46 of 2022).

**AYES:**25

**NOES:** Nil

**ABSTENTION:** Nil

*(Question carried by 25 to Nil)*

*(The Bill was accordingly read a Third Time and passed)*

**The Temporary Speaker** (Sen. Veronica Maina): Hon. Senators, that is the end of the Division. I will now reorganize the Order Paper and request the Clerk to move to order Nos. 8 and 9.

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**BILL**

THE WILDLIFE CONSERVATION AND MANAGEMENT  
(AMENDMENT) BILL (SENATE BILLS NO.49 OF 2023)

*First reading*

*(Order for First Reading read – Read the First Time and  
ordered to be referred to the relevant Senate Committee)*

Hon. Senators, let us go to the next Order.

**MOTION**

EXTENSION OF TIME FOR CONSIDERATION OF SACCO SOCIETIES  
(NON-DEPOSIT TAKING LEVY) ORDER, 2023  
LEGAL NOTICE NO.178 OF 2023

**The Temporary Speaker** (Sen. Veronica Maina): I call upon Sen. Gataya Mo Fire, the Chairperson of the Committee on Delegated Legislation, to move the Motion.

**Sen. Gataya Mo Fire:** Madam Temporary Speaker, I beg to move-

THAT, AWARE THAT the Sacco Societies (Non-Deposit Taking Levy) Order, 2023 Legal Notice No.178 of 2023 were tabled in the Senate on 15<sup>th</sup> November, 2023 and referred to the Select Committee on Delegated Legislation for consideration;

RECOGNIZING THAT this Order relates to imposition of a levy on non-deposit taking Sacco societies;

COGNIZANT THAT Section 5 of the Statutory Instruments Act (Cap 2A, Laws of Kenya) requires that before a regulation making authority makes a statutory instrument that has a direct or substantial indirect effect on business, the regulation making authority must make appropriate consultations with persons likely to be affected by the proposed instrument;

REALIZING THAT the 28 sitting days' timeline for consideration of the Regulations lapses on Thursday, 21<sup>st</sup> March, 2024, and yet the Committee has not been able to complete its work within the duration;

NOW THEREFORE, the Senate resolves to extend the timeline for the consideration of the Sacco Societies (Non-Deposit Taking Levy Order), 2023 (Legal Notice No. 178 of 2023) by a further twenty-one days pursuant to section 15(3) of the Statutory Instruments Act to enable the Committee consider the regulations and engage with all stakeholders and make its determination on or before Thursday, 11<sup>th</sup> April, 2024.

Mr. Speaker, Sir, the Senate Committee on Delegated Legislation is established under Standing Order No.195 of the Senate Standing Orders and is charged with the responsibility to scrutinize statutory instruments laid before the House, pursuant to Standing Order No.195(3)(a) and (d).

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The committee is mandated to consider, in respect of any statutory instrument, whether it infringes on fundamental rights and freedom of the public and contains imposition of taxation. The Sacco Societies as specified in Non-Deposit Taking Levy Order 2023, Mr. Speaker, Sir, was gazetted on 2<sup>nd</sup> November---

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Mo Fire, I know it is late in the day and your energies may be going down, but there is no Speaker, Sir, right now. It is me on the Chair.

**Sen. Gataya Mo Fire:** Sorry, Madam Temporary Speaker. It is not that extraneous.

**The Temporary Speaker** (Sen. Veronica Maina): Proceed.

**Sen. Gataya Mo Fire:** The Sacco Societies specified Non-Deposit Taking Business Levy Order 2023 was gazetted on 2<sup>nd</sup> November by Legal Notice No.178 of 2023 and tabled in the Senate on 8<sup>th</sup> November, 2023. The Levy Order was enacted pursuant to Section 15(1) of the Sacco Societies Act No.14 of 2008.

The section provides that authority may be by order published in a gazette to impose a levy to be known as Sacco Societies Levy on the deposit held in deposit-taking Sacco Societies or on such other base as the authority may determine in the case of Sacco Societies carrying out non-deposit taking business specified under Section 3(2).

The committee made the Sacco Societies Regulatory Authority on 7<sup>th</sup> March, 2024. During the meeting, a question arose on the adequacy of public participation conducted by the Authority prior to the enactment of the Order. Specifically, the committee noted that the Council of Governors (CoG) did not give any submission during public participation undertaken by the Authority.

Pursuant to Section 15 (2) of the Statutory Instruments Act, the committee is required to make a report within 28 sitting days after the date of the referral of the instrument by the House. With regard to the Order, this is due to lapse on Thursday, 21<sup>st</sup> March, 2024.

I, therefore, move that the Senate resolves to extend the timeline for consideration of the Sacco Societies Non-Deposit Taking Levy Order 2023, Legal Notice No.178 of 2023 by a further 21 days, pursuant to Section 15(3) of the Statutory Instruments Act, 2013, to enable the committee consider objections raised by the CoG and make its resolutions.

Madam Temporary Speaker, I beg to move and request the Senate Majority Leader to second.

**The Senate Majority Leader** (Sen. Cheruiyot): Madam Temporary Speaker, this is a fair request by the committee. They need more time. Therefore, I wish to request the House to agree with the request by the committee.

I beg to second.

**The Temporary Speaker** (Sen. Veronica Maina): Hon. Senators, I will now propose the question.

*(Question proposed)*

**The Temporary Speaker** (Sen. Veronica Maina): There is one request from Sen. Cherarkey.

Sen. Cherarkey, have you dropped that request?

*(Sen. Cherarkey spoke off record)*

It was a mistake.

Hon. Senators, I see no request to debate on this Motion. So, I now put the Question.

*(Question put and agreed to)*

**The Temporary Speaker** (Sen. Veronica Maina): Next Order. Proceed, Sen. Wafula Wakoli.

## BILL

### *Second Reading*

#### THE SUGAR BILL (NATIONAL ASSEMBLY BILLS NO. 34 OF 2022)

**Sen. Wafula:** Thank you, Madam Temporary Speaker. I beg to move that the Sugar Bill (National Assembly Bills No. 34 of 2022) be now read a Second Time.

This has been a contentious Bill for many years. Many political activists, political leaders, and business people have taken Kenyans round in circles just to meet their political appetite and business agenda.

Madam Temporary Speaker, the Standing Committee on Agriculture, Livestock and Fisheries led by my Chairman the Senate Majority Leader and I, the co-sponsor of the Bill, decided to turn a new leaf in the history of this country and the sugar industry, that we put to rest the political gymnastics around the sugar industry.

The sugar industry is not a political platform to resurrect political dimwits or a political mortuary where morticians will want to find relevance to resurrect their political lives. That is why yours truly the Senator of Bungoma County came up with this Bill to ensure that we bring sanity to this industry.

The Bill talks of zones or catchment areas where the industry players, factories or millers have an area of operation. Their sugarcane can be harvested from a particular area without traversing from Narok to Busia County just to get sugarcane.

As you know, the price of sugar is constant. This Bill has an element of a pricing committee where the tonnage of sugar is going to be determined based on the current cost of production.

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The Bill also has an element of arbitration. The Chief Justice (CJ) has the opportunity to select a team to arbitrate cases of misunderstanding, mitigate conflict among stakeholders and bring sanity to the industry.

Madam Temporary Speaker, the Bill introduces the Sugar Board, which at some point, disappeared from existence. The board will ensure that the regulations are instilled and maintained. It will also ensure the regulations pertaining to the industry are adhered to without any intimidation from any quarter.

Kenyans have been waiting for a sugar board that will dictate and give signals to the country on the amount or levels of sugar in the country. If the levels go down, the board will advise the country that the sugar is not enough and, therefore, open the gates of importation.

The quality of sugar imported will be advised by the board. Therefore, the Sugar Bill comes in handy to ensure that farmers have an opportunity to benefit from out-grower institution, cooperatives, farm inputs and extension services.

The county governments have a role to play in this Bill. They shall ensure that the seedlings and extension services are provided, the roads and infrastructure catered to and equally whatever The Sugar Board advises is implemented.

This Bill has an aspect of inspectors who will ensure that the millers run factories within the required expectations according to the law. They will also ensure that the farmers and workers are treated well, the hygiene situations in the millers are up to standard. Whoever goes against the expectations will be closed down.

This is a new term, level and beginning for this country. We traversed Kakamega, Busia, Nyanza and Bungoma. The people of Nyanza and Nandi assembled in Chemelil. This Senate does not enjoy the comfort of resources being seen outside there.

We did not have a chopper to fly us everywhere. We persevered in the rickety vehicles that we have been provided with by the Senate. We went across the country and Kenyans who attended our public participation fora, for the first time agreed that Senate puts the farmer as number one on the list.

I thank you.

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Wafula, when we resume you will have a balance of 54 minutes to proceed with the Motion that you are moving right now.

## ADJOURNMENT

Hon. Senators, it is now 6.30 p.m. time to adjourn the House. The Senate, therefore, stands adjourned until Tuesday 26<sup>th</sup> March, 2024 at 2.30 p.m.

The Senate rose at 6.30 p.m.