

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Thursday, 5th May, 2022

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

[The Speaker (Hon. Lusaka) in the Chair]

PRAYER

PETITION

REPORT ON PETITION: INTRODUCTION OF CHESS IN THE SCHOOL CURRICULUM

The Speaker (Hon. Lusaka): Sen. (Dr.) Musuruve, on behalf of the Committee on Education. Are you on?

Sen. (Dr.) Musuruve: May I be heard?

The Speaker (Hon. Lusaka): Yes. Please proceed.

Sen. (Dr.) Musuruve: Mr. Speaker, Sir, I beg to lay the following Report on Petition on the Table of the Senate, today, 5th May, 2022-

Report of the Standing Committee on Education on the Petition to the Senate by Mr. Fred. O. Sagwe and other residents of Mombasa County regarding the introduction of chess in the school curriculum as a tool of education and promotion of good health.

Mr. Speaker, Sir, will you allow a few comments on this?

The Speaker (Hon. Lusaka): Okay, please proceed.

Sen. (Dr.) Musuruve: Mr. Speaker, Sir, as I lay this report, I would like to commend that the Petition came to the Senate. Hon. Senators will remember a Petition by Mr. Sagwe who wants chess to be part of the school curriculum as a core subject and funded by the Ministry of Education. Senators deliberated on the issue and made comments concerning the Petition.

Mr. Speaker, Sir, in your wisdom, you ruled that the Petition be handled by the Committee on Education where I sit. We were first taken through the Petition as a committee then afterwards we engaged and invited the stakeholders so that we listen to them. We heard their noble desires. They said that had done research globally and they agreed that it was good to introduce chess in the curriculum.

Mr. Speaker, Sir, in our committee, we engaged our research team lead by Ringera and they did a noble job. They did their research, which they also reported to us.

We engaged all the relevant stakeholders that matter in education. Key stakeholders such as the Teachers Service Commission (TSC), the Ministry of Education and the Kenya Institute of Curriculum Development (KICD) appeared before us.

As education specialists, we wanted to get their thoughts. From the presentation made by the TSC, it was clear that when it comes to introduction of chess, they do not play a role because they have a salient role in ensuring that teachers who teach our children are registered. So, they play a major role in registering teachers.

It was quite clear that the TSC has not registered any teacher to teach chess. It was also clear that the KICD has allowed sporting activities such as Physical Education (PE) in the school curriculum. According to the KICD, what the petitioners are asking for is already provided for in our curriculum under PE. The TSC also stated clearly that they post teachers who can also teach PE.

The Committee on Education ruled that the petitioners had a noble petition and meant well because of the added advantage of chess. Chess assists in mental health, just like any other game such as basketball, badminton *et cetera*.

Mr. Speaker, Sir, we encouraged the petitioners to continue engaging with education stakeholders and sensitization on issue of sports. The Committee ruled that chess should be an extra-curricular activity offered in the school curriculum just like any other sporting activity like football, netball and any other game.

May report to this House that the Committee on Education brought together all the stakeholders and the petitioners. The petitioners were given the privilege to continue to engage because the Competency Based Curriculum (CBC) is looking at very many innovative ways to ensure children make it. So, sports like chess can come in handy as a CBC extra curricular activity.

The Speaker (Hon. Lusaka): Sen. Farhiya, please, proceed.

Sen. Farhiya: Thank you, Mr. Speaker Sir, for giving me this opportunity. Games are healthy for the functioning of brains and critical thinking of a child. Games should be encouraged.

Nowadays, children are exposed to gadgets throughout their lives, either watching television or on phones watching cartoons and so on. That is not very helpful compared to playing games like Chess.

However, we cannot compel the Ministry of Education, Science and Technology to include Chess in the curriculum. It is because different schools are at different levels. Some schools will get challenges in terms of affordability for such gadgets.

For instance, where I come from in those remote villages next to where the pastoralists live, there are hardly any facilities, let alone a Chess board for a child to play the game.

So, as much as it is a good idea that will develop a child's critical thinking, we need to be cognisant of the fact that we need to develop this country to the same level for us to start engaging at such a level.

However, parents of children in some boarding schools and private institutions can afford it. That is an avenue that people can venture into because it would help the children to develop.

The Speaker (Hon. Lusaka): Thank you. I do not see any more interest. Next Order.

PAPERS LAIDREPORTS ON FINANCIAL STATEMENTS
OF VARIOUS COUNTY FUNDS

Sen. Farhiya: Mr. Speaker, Sir, I beg to lay the following Papers on the Table of the Senate today, 5th May, 2022;

Report of the Auditor-General on the Financial Statement of Nyamira County Executive Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2020.

Report of the Auditor-General on the Financial Statement of Nyamira County Assembly Car and Mortgage Loan Scheme Fund for the year ended 30th June, 2020.

Thank you.

(Sen. Farhiya laid the documents on the Table)

The Speaker (Hon. Lusaka): Thank you.

Next Order, please.

STATEMENTS

COMMEMORATION OF MAY DAY/LABOUR DAY

Sen. (Dr.) Musuruve: Mr. Speaker, Sir, I rise, pursuant to Standing Order No.47(1), to make Statement on an issue of general topical concern on May Day.

1st May was chosen as Labour Day, also referred to as Workers' Day or May Day to commemorate the Haymarket Riot in Chicago in 1886. The Haymarket Riot was a violent confrontation between police and labour protesters and it became a symbol of workers' rights across the world. This day has its origin in early socialist and labour activities.

The purpose of the day is to commemorate the efforts and victories of the worker's class and the labour movement. Workers' Day is a chance to commemorate the workers across the globe and the contributions they make towards the growth of the nation. It is a day when those who fought for workers' rights are remembered.

Mr. Speaker, Sir, pioneer activists in the labour movement set the appropriate pace in bettering the lives of workers. Cesar Estrada Chavez organized a union of farm workers. Nelson Hale helped create social security and medicare. Eugene Victor was the apostle of industrial unionism.

Samuel Gompes was the first and longest serving president of the American Federation of Labour(AFL). He was instrumental in originating the American Labour Movement (ALM) whose slogan is 'Bread and Butter', which means unions should focus on improving working conditions and pay for skilled workers rather than political reforms.

Mr. Speaker, Sir, in Kenya, a number of unions emerged before, during and after Independence with various leadership, before the Central Organization of Trade Unions (COTU) finally emerged. It became the central organization union for workers.

In the 1930s, the colonial Government had a slight change in policy. It allowed formation of unions but in a very restricted and limited way, as far as rights and

operations of workers were concerned. Pioneers like Fred Kubai, Makhan Singh and Bildad Kaggia seized the opportunity to start trade unions.

The first trade union in Kenya was the Indian Trade Union set up by Singh. It soon broadened to embrace all races and trades. The Union later became the Labour Trade Union of Kenya with Singh being Secretary General (SG) and Fred Kubai being president.

I celebrate all pioneer Union leaders since Independence. The late Hon. Thomas Mboya who was the SGI of the Kenya Federation of Labour (KFL) negotiated on behalf of dock workers. He won them 33% pay increase in 1975. This was during the Dock Workers Union strike.

Mr. Lubembe was the first SG of COTU in 1965. Together with Samuel Ayanya and Stephen Kiorie, they formed the Kenya National Union of Teachers (KNUT) in 1957. Juma Boy, SG of COTU who played a major role in getting funds for Mboya Labour College (MLBC) in Kisumu, Mugalla and Francis Atwoli.

Mr. Speaker, Sir, as we celebrate the May Day, I encourage employers to provide their employees with conducive work environment and ensure they have access to it. Employers should also provide the necessary tools and equipment they need to do their work.

They must pay their employees the salary and benefits they agreed to, including annual leave days during which they are entitled to full pay, without working and inclusive of all public holidays. Female employees are entitled to three months fully paid maternity leave on the birth of a child.

I also encourage employers to be inclusive in their recruitments by ensuring that Persons With Disabilities (PWDs) are employed in their organisations, in order to leverage on organizational tax-exempt benefits that results from such moves.

Mr. Speaker, Sir, I urge employers to orient their employees on their rights as provided in the Labour Relations Act which determines the rights of workers, employers and trade unions. In particular, it provides for the freedom of association, the right to join a trade union or employers' organization, the right to engage in collective bargaining and so on.

Happy belated Labor day to everyone.

The Speaker (Hon. Lusaka): Sen. Cherargei, did you want to contribute to this Statement?

Sen. Cherargei: Yes, Mr. Speaker, Sir. I take this opportunity to thank and congratulate Sen. (Dr.) Musuruve, who continues to leave an indelible legacy in this session.

Mr. Speaker Sir, it has been long since I appeared here. I therefore, take this opportunity to thank the great people of Nandi County for having faith in me to continue to serve and represent them in this House as a Member of the Senate.

You are aware that we just concluded the United Democratic alliance (UDA) nominations which I won by a landslide. I thank them for having faith in me. I thank the Party Leader, HE. (Dr.) William Ruto and *Kenya Kwanza* principals. I also thank the UDA party for conducting free, fair and transparent nominations.

I am happy many colleagues who are here have their tickets. I was happy to see my brother, Sen. Kinyua, whom we were with in "One Man, One Vote" receive his ticket yesterday.

Mr. Speaker, Sir, I wish all Members in this House, including yourself, all the best as you pursue your dreams.

(An Hon. Member consulted loudly)

I was just wishing you the best. I have not said anything.

I also wish, Sen. Wambua, of Kitui County all the best as he seeks for re-election and as he continues to vet the running mates for the *Azimio la Umoja* Coalition. I believe in his wisdom. I hope his party leader will appear before him so that we can know what is happening there. I hope it will be live like the way we do parliamentary debates.

The Speaker (Hon. Lusaka): There is a point of order from Sen. Farhiya.

Sen. Farhiya: Mr. Speaker, Sir, I want to inform my colleague that, that requirement has since been dropped. I do not know whether he is in sync with what is going on.

Secondly, his party leader has been proposed by the Kenya African National Union (KANU). So, there is headways for him.

(Laughter)

The Speaker (Hon. Lusaka): Sen. Wambua you may speak.

(Sen. Cherargei consulted loudly)

Let him go first then I will give you a chance.

Sen. Wambua: Mr. Speaker, Sir, I thank you for indulging me. I am standing on a point of order. Is it in order for the Senator for Nandi County to create unnecessary confusion in the country by saying that the Senator for Kitui County, Sen. Wambua, who sits in the committee of eminent persons should look for ways to advise the Rt. Hon. Amollo Odinga on the choice of his deputy? He is also creating the wrong impression that my party leader, H E. (Dr.) Steven Kalonzo Musyoka, Senior Counsel, will appear before me for vetting.

I make this very clear to Sen. Cherargei and those of like mind that my party leader has made it very clear he will not appear before the panel for vetting and that matter should rest.

The Speaker (Hon. Lusaka): Sen. Cherargei, I caution you to stick to your lane according to the Standing Orders. Do not drag none issues to the House. Comment on relevance and what you stood to comment on. Those other statements can be made in political rallies or in town hall meetings in your county. Stick to your lane.

Sen. Cherargei: Thank you, Mr. Speaker, Sir. Hon. Steven Kalonzo Musyoka is a Senior Counsel and a man I respect because he is my senior. In fact, I am supposed to go before him.

It is good to be back. I hope as we go to the final leg of the Senate, God willing, I hope to see a number of us back so that we can continue to defend devolution. I congratulate Sen. Dr. Musuruve.

Article 41 of the Labour Relations Act is very clear on the issue of labour rights. Every person who works in Kenya has a right to a salary, remuneration and emolument. These are rights that belong to every worker in this Republic.

I saw the President say that there is an increment of 12 per cent. However, the price and cost of living and basic commodities has shoot up by 38 per cent. The price of cooking oil is astronomically higher as we are talk. The price of bread is approaching Kshs65.

Milk, which is produced abundantly in Nandi County is now not available in most of the supermarkets and shops across the country because of the high cost of living.

These are problems that laborers are facing in Kenya. It is sad that we have turned the issue of labour movement to a public relations stunt.

In as much as there was an increment of 12 per cent to the lowest minimum wage, the price of basic commodities shot up by 38 per cent and this continues to haunt Kenyans.

Mr. Speaker, Sir, as we talk today, most of the laborers in this country cannot take their children to Form One. I hope the Standing Committee on Education will seize this matter. In some schools before students are given admission to Form One, they must pay commitment fee.

We want to challenge the Cabinet Secretary (CS) in charge of the Ministry of Education to rein in school heads and principals who take commitment fee of more than Kshs10,000. These are the workers that we are talking about who earn Kshs1,000. Some of them are domestic workers and casual laborers that are being hired by agencies, Government and other organizations.

Mr. Speaker, Sir, I beg you that the issue of laborers in this country need to be relooked at. In Article 41 of the Constitution, the drafters envisioned that labourers should have a salary.

If you remember, in the Employment (Amendment) Act, I proposed that workers should not be accessed beyond 8 a.m to 5 p.m through phone calls. Those are the rights that we need to protect. Many people have confused the rights of laborers as only salary, emoluments and allowances. They are not aware that it is more to it than salary. Rights include off days, payment of leave days and overtime. These are some of the proposals that we need to look at as we go to the future.

Mr. Speaker, Sir, the second point is the issue of Salaries and Remuneration Commission (SRC). The SRC under the, Constitution, was formed as an advisory body in terms of salary, remuneration and management of workers allowances. It is sad that SRC has abrogated itself the powers that does not exist in the Constitution. They are regulating salaries and allowances without following the Labor Relations Act or advising the agencies. That is why most of the workers continue to suffer.

As we go into the next Parliament, we must take care of the monster called SRC so that it stops abrogating itself powers that it does not have.

We agree that it needs to advise the Government on how to pay workers and our allowances. However, they should not abrogate themselves those powers. Their work is to offer advisory.

We do not want the abolishment or removal of SRC. However, it should stick to its mandate so that it protects workers.

My final point is on the county workers. There is no county including, Wajir, Nyamira, Laikipia, Bungoma, Vihiga, Kitui and Nandi that does not have problems with issues of workers. If it is not late payment, it is no salary.

Everywhere you go, the only problem county workers face is the late payment of salary, they are put on casual for long while some of them are not paid commensurate to their work. There are so many ghost workers that are paid through payment vouchers. Some of them are not given permanent and pensionable.

Do you remember I brought here an issue on the plight of casual laborers in Nandi County in November 2018? Up to now, they have not been given permanent and pensionable status. The same scenario is also reflected in Bungoma county government.

That is why I hope that the voters in every county especially those in Wajir County go to vote to protect the county workers who are being treated like doormats in most of their counties. They do not have access to better remuneration. I was shocked to learn that the Nandi county government has not paid statutory deductions. They do not remit the National Health Insurance Fund (NHIF) contributions. When county staff go to seek medical attention in Eldoret, Kapsabet, Nandi Hills, or Kaptumo. When those workers submit their NHIF cards, they are told that their employer, the Nandi county government, has not remitted their statutory deductions.

We must agree to address these issues because they do not only affect Nandi County. It cuts across most of the counties. As we celebrate this year's Labor Day or May Day, we must address the rights for workers. Going into the future, we must think about what our legacy or the future of the Senate will be. I am happy a number of my colleagues who are here today, God willing a number of them will be in the next Senate. We must fix the issues affecting county workers across all the 47 county governments.

I congratulate Sen. (Dr.) Musuruve and wish her well. She has left indelible ink on the issue of legacy that has been going on.

I support this Statement. Thank you.

The Speaker (Hon. Lusaka): Thank you, Sen. Cherargei. You have addressed a very weighty matter, which I agree with you on. Even though I am the Speaker, I also come from a county. The county government of Bungoma has not paid their casuals for the last four years. They have just been working without pay. Those are some of the challenges that must be addressed by those who will be holding those positions.

Next Order is Statements.

Let us start with Sen. (Dr.) Musuruve who is going to read a Statement on the activities of the Standing Committee on Education.

ACTIVITIES OF THE COMMITTEE ON EDUCATION

Sen. (Dr.) Musuruve: Mr. Speaker, Sir, I thank you for this opportunity. I have a Statement relating to the activities of the Standing Committee on Education pursuant to standing order 51(1)(b) for the period from January 24th to April 25th, 2022.

I rise pursuant to Standing Order No.51 (1)(b) to make a Statement on the activities of the Standing Committee on Education for the period commencing January to April, 2022.

During the period under review, the Committee held a total of 25 sittings, during which it considered, one bill, 11 Statements, one public petition and tabled two reports.

The Committee conducted stakeholder engagement and received submissions on the Special Needs Education (Senate Bills No. 44) 2021. The Committee considered these submissions, prepared and adopted a report, which was tabled during the period under review.

In the period under review, the Committee considered and concluded 11 Statements sought by senators. The most notable one was a Statement sought by Senator Enoch Wambua, MP on the plight of Early Childhood Development Education (ECDE) teachers in the counties.

During consideration of this Statement, the Committee noted that the issues raised were affecting majority of the counties, countrywide and resolved to hold a retreat with the different stakeholders to conclusively deliberate on the matter.

In this regard, following a one-day retreat with the stakeholders drawn from the Ministry of Education, the Council of Governors (CoG), the National Treasury, the Teachers Service Commission (TSC) and the Salaries and Remuneration Commission (SRC), the Committee prepared and tabled its report with actionable recommendations to different stakeholders both at the National and county governments.

Mr. Speaker, Sir, during the deliberations, the Committee observed that there is an approved ECDE teachers' scheme of service, a detailed job description and remuneration structure. However, only eight county governments are implementing the scheme of service.

Based on the observations made, the Committee recommended amongst others, that the Council of Governors should submit a report to the Senate on the implementation status of the ECDE scheme of service in each county and that the County Public Service Boards (CPSBs) should review the job description and roles for the ECDE teachers and submit a revised report to the SRC for job evaluation.

The Committee is scheduled to invite all these stakeholders to its meetings to apprise members on the implementation status of these recommendations and other related Senate resolutions.

During the period under review, the Committee considered and concluded a public petition concerning the introduction of chess game in the school curriculum as a tool for education and promotion of good health. The Committee has already table the report in today's sitting.

Mr. Speaker, Sir, as you are aware, the Committee adopted different measures and tools of oversight during the Covid-19 pandemic, which we continue to utilize to date, among them conducting virtual inquiries.

The Committee has been conducting inquiries into:

(a). The Status of Implementation of Early Childhood Development Education (ECDE) in the country.

(b). The Technical and Vocational Education and Training (TVET) landscape in the country.

The Committee concluded its inquiry on the Status of Implementation of ECDE in the country after meeting different stakeholders and county governments both physically and virtually. The report of the Committee on this inquiry was considered and is now ready to be tabled within the coming week.

The Committee will continue interacting and engaging closely with the county governments and other education stakeholders in developing and facilitating the

development of legal frameworks, policies and guidelines and providing oversight in the education sector.

In conclusion, I wish to thank your office and the Office of the Clerk of the Senate for the continuous support extended to the Committee in conducting and executing its mandate. Lastly, I wish to thank the Members of the Committee for their diligence and contributions during Committee activities.

The Speaker (Hon. Lusaka): Thank you, Sen. (Dr.) Musuruve.

Next Statement.

ACTIVITIES OF THE COMMITTEE ON ENERGY

Is the Chairperson of the Standing Committee on Energy in the Chamber? I do not see him. I, therefore, defer the Statement.

(Statement deferred)

The Chairperson of the Standing Committee on Finance and Budget is not in the House. However, Sen. Farhiya will read the Statement on activities of the Committee on his behalf.

ACTIVITIES OF THE COMMITTEE ON FINANCE AND BUDGET

Sen. Farhiya: Mr. Speaker, Sir, I rise pursuant to Standing Order No.51(1)(b) of the Senate Standing Orders to make a Statement on the activities of the Standing Committee on Finance and Budget for the period commencing 8th February to 30th April.

Mr. Speaker, Sir, the Committee held a total number of 15 meetings. The Committee has considered the following Bills;

The County Resource Development Bill.

The Division of Revenue Bill (National Assembly Bills No.8 of 2022) and mediated version of the County Governments Additional Allocation Bill (Senate Bill No.35 of 2021) formerly known as the County Governments Grants Bill (Senate Bills No.35 of 2021).

The Committee is currently considering The Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bills No.32 of 2021), The County Allocation of Revenue Bill (Senate Bills No.1 of 2022), and the mediated version of The County Governments Grants Bill.

Sen. Cherargei, I would like you to listen to this because it is one of the things you had commented on.

Mr. Speaker, Sir, the Mediation Committee on the County Governments Grants Bill, 2021, held a total of four meetings and tabled a report including an agreed version of the Bill that was passed by the Senate on Thursday, 31st March, 2022 and by the National Assembly on Thursday, 7th April, 2022.

The Bill has been passed by the National Assembly. I wanted Sen. Cherargei to hear that because he challenged us and wondered whether the Bill would ever be passed by the National Assembly.

Mr. Speaker, Sir, while deliberating on the Bill, the Committee held a consultative meeting with the following key stakeholders-

- (a) The National Treasury and Planning,
- (b) The Commission of Revenue Allocation (CRA),
- (c) The Council of Governors (CoG) represented by the Governor of Laikipia County, and
- (d) The Controller of Budget.

Among notable recommendations made by the Mediation Committee were-

- (a) That the Title of the Bill be changed to the County Government Additional Allocation Bill.
- (b) That the Bill be an annual legislation.

As you may recall, one of the areas of contention is that Members of the National Assembly wanted this Bill to be one-off just like any other. However, Members of the Senate insisted that the Bill be annual, just like the County Allocation of Revenue Bill and the Division of Revenue Bill. This is because grants come on an annual basis and there has to be a budget where the Senate can do a follow up in terms of implementation status.

The oversight by the Senate is critical, which would not have been possible without the amendment by the National Assembly because it would be allocated to different Ministries. That meant we would fish from each Ministry the amount allocated to the county governments even if we wanted to oversight the funds.

That was a major achievement by this House to ensure the Bill is done annually. That is a clarification I wanted Senators to know, so that at least they appreciate the magnitude of the issues that were discussed.

(c) That yearly, the National Treasury shall submit to Parliament, the County Government Additional Allocation Bill, in addition to the Division of Revenue Bill and the County Allocation Revenue Bill.

(d) That the Bill ought to obligate the Cabinet Secretary (CS) for the National Treasury and Planning to provide monthly reports on the disbursement of funds allocated to counties under this legislation.

With the approval of the agreed version of the Bill by both Houses, the legislative instrument enabled County Governments to access the Kshs39 billion additional allocations earmarked for the FY 2021/2022.

Mr. Speaker, Sir, the Committee is considering the following Statements-

(a) A Statement concerning the status of pending bills at both the national and county governments that was requested by Sen. (CPA.) Farhiya Haji, MP. The committee received a response from the National Treasury. However, the response was scanty to address the issues raised.

The committee requested for additional information from the Office of Controller of Budget (CoB). This additional information has since been received and a meeting is scheduled to deliberate on the issues that were raised in the Statement.

(b) Regarding a Statement on the award of tenders by the National Treasury, specially permitted procurement procedure requested by Sen. Samson Cherargei, MP. The committee has requested for information from the National Treasury and Planning. The information is yet to be submitted by the National Treasury. However, the committee is making a follow-up to ensure the information is availed.

(c) Concerning a Statement on the status of the implementation of the provisions of the Kenya Deposit Insurance Act, 2012, requested by Sen. Agnes Muthama, MP, the committee has requested for the information from the National Treasury. The information is yet to be submitted to the committee.

(d) There is also a Statement on the financial status of the Nairobi City County, which was requested by Sen. Johnson Sakaja, MP. The Office of the Governor of Nairobi City County submitted the information to the committee. The committee will schedule a meeting with the Senator to deliberate on the responses received concerning the Statement.

(e) There is another Statement that was requested by Sen. Johnson Sakaja, MP, on the operations of the Intelligence and Strategic Operations (ISO) Department of the Kenya Revenue Authority (KRA). The KRA responded to the issues that were raised in the Statement. The committee will schedule a meeting with the Senator to deliberate on the response received.

(f) We also have a Statement that was requested by Sen. Millicent Omanga, MP, concerning the allegations of unsettled statutory deductions for the staff at Nairobi City County.

The Committee invited the governor to the first meeting on 10th March, 2022, to provide information on the Statement. However, the Governor failed to attend the meeting and also failed to compile with the committee's request to provide information on the issues that were raised in the Statement.

The Committee extended a second invitation to the governor that was slated for 24th March, 2022. The office of the governor informed the Committee that due to unavoidable circumstances, the governor could not attend the meeting. The governor requested the Committee to reschedule the meeting to 14th April, 2022. The Committee, however, resolved to invite the Governor on 28th April, 2022 to shed light on the issues at hand.

(g) Another Statement is regarding the efficacy of the IFMIS to the county governments operations, requested by Sen. Petronilla Lokorio Were. The committee considered a response from the National Treasury and found it unsatisfactory. The committee resolved to extensively interrogate this matter.

The Committee has held meetings with the CoB, the CoG, the Auditor-General, the Governor of the Central Bank of Kenya (CBK), and the Institute of Certified Public Accountants of Kenya (ICPAK) who are the regular users of the system. The committee is scheduled to hold a meeting with the National Treasury and the Ministry of ICT, and table a detailed report in the Senate.

(h) We also have a Statement regarding the unbearable cost of living in the country that was requested by Sen. Enoch Wambua, MP. The committee has requested for information from the National Treasury and we are yet to receive a response.

Mr. Speaker, Sir, the following activities are lined up before the committee for the next quarter-

(a) Consideration of the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bills No.32 of 2021).

(b) Investigation of the efficacy of the IFMIS in the disbursement of funds.

(c) Consideration of the County Allocation of Revenue Bill (Senate Bills No.1 of 2022).

(d) Consideration of the County Governments Cash Disbursement Schedule.

(e) Consideration of non-submission of County Fiscal Strategy Paper (CFSPs) to the Commission on Revenue Allocation (CRA) by some counties like Bungoma, Busia, Kakamega, Kiambu, Turkana, Mombasa, Kilifi, Kajiado, Kisumu, Kericho, Elgeyo-Marakwet, Vihiga, Wajir, West Pokot, Isiolo, Bomet, Garissa, and Homa Bay.

Consideration of the Committee's legacy report.

The Speaker (Hon. Lusaka): Thank you.

Sen. Cherargei, you may have the Floor.

Sen. Cherargei: Thank you, Mr. Speaker, Sir. I thank the Deputy Chief Whip and the *de facto* Whip, Sen. Farhiya, for that elaborate Statement on behalf of the Committee on Finance and Budget.

I congratulate the Committee and its leadership. Passing the County Grants Act into law is a milestone and it will also be the legacy of the Senate. I congratulate and thank the leadership for standing tall. The Kshs39 billion meant to be disbursed to counties had been locked.

Most development partners had become worried because the money had been locked. Many programmes and activities that were being undertaken in counties had stalled.

I am talking about programmes such as the National Agricultural and Rural Inclusive Project (NARIP), the Agriculture Sector Development Support Programme (ASDSP) and other support provided. Support from the International Monetary Fund (IMF), the World Bank and many other agencies were in limbo. Activities such as construction of footpaths and improvement of informal settlements had also stalled.

I am happy that with a stroke of a pen, this County Grants Act has been passed. Our counties will allow this money to change the lives of our people in this Financial Year. This is the ultimate goal. It is the reason we are here in the Senate. Our main aim is to ensure that the money goes to address the needs we are talking about.

Such needs include bursaries, roads construction and agriculture improvement, especially in my County of Nandi, where we have challenges. We need to ensure value addition to milk, maize and many other food items. I thank the Committee for that elaborate Statement. I hope the next generation of governors will utilise this law to the advantage of our people.

I am appealing to our development partners like the World Bank, IMF and Non-Governmental Organizations (NGOs) who have been supporting the devolved functions that we now have a law. We shall not allow governors to get money that has no legal framework. That is what is important. The partners can now be comfortable that any money given to county governments will be transparently accounted for to the benefit of our people.

Secondly, Mr. Speaker, Sir, I sought a Statement about Kiambu County, but the Committee is yet to call me. I hope Sen. Farhiya will note that. The Statement was on the alleged misappropriation of funds in Kiambu County Government, and I hope she will take it up.

Thirdly, I wish to comment on the Disbursement Schedule. You gave a ruling that every Senator must be given the monthly Cash Disbursement Schedule (CDS) by the Controller of Budget (CoB). That ruling was only effected for a few months and we no

longer see it. We need the CDS supplied monthly to every Senator, including to the great Senator of Nyamira County, Sen. Omogeni.

We need to know how much has been disbursed to Nandi, Nyamira, Wajir, Laikipia, Bungoma and all counties every month. Every Senator has a right to know. We need to know the amount disbursed for the last four years. When doing oversight, such information will enable Sen. Omogeni to tell his people in Nyamira County that he has brought Kshs6 billion or Kshs7 billion. He needs to tell them the amount disbursed and the amount that the County Government has utilized.

I pray and request your office to further order the CoB to be issuing us CDS, the way they give us the audit reports. These reports will be helpful in our oversight work and help us to be efficient.

Finally, the Committee on Finance and Budget needs to ensure that we have ample time during the budget making process. There was a lot of push and pull because it is an electioneering period. We had to request for time to hold a *Kamukunji* before agreeing on the Budget. I challenge the Committee to always be proactive, so that Senators are well informed on where the Senate should give input in the budget making process.

We are lucky through your guidance and I, as the Chairperson of the Committee on Justice, Legal Affairs and Human Rights; we went to Milimani High Court before Justice Weldon Korir. Out of 24 legislations, we got the effect given on No.3 of 2013 on division of revenue. The naysers and narcissists, those who oppose devolution, had wanted us not to participate in the division of revenue. I thank Sen. Omogeni and other Members of this House for their gallant fight at the Supreme Court.

The Committee on Finance and Budget has done a commendable job. Those are the few comments I can make. I wish the Committee well. I do not know what we will do about the remaining statements because we are supposed to adjourn in June for the General Elections. I hope there is a way that we can ensure pending that statements are dealt with before the long recess and before we welcome the third generation of Senators.

The Speaker (Hon. Lusaka): Thank you. You raised an important point addressed to the CoB. It is very important for purposes of oversight. Just like I mentioned that time, Senators should get CDS so that they are able to monitor how much money has gone to their counties. This will ensure governors are then held accountable for the cash.

We sometimes get many conflicting statements out there in *barazas*. Sometimes you find governors telling people that they have not received any money and yet, money has been disbursed and *mwananchi* has no way to find out whether or not money has been disbursed. Only the Senate can do that. That is why we are insisting that a CDS be given to Senators every month, so that they can monitor and know where the cash is going.

(Applause)

The Chairpersons of the Standing Committee on Health and the Committee on Information Communication and Technology (ICT) have requested that we defer their Statements.

ACTIVITIES OF THE COMMITTEE ON HEALTH

ACTIVITIES OF THE COMMITTEE ON INFORMATION AND TECHNOLOGY

(Statements deferred)

The next Statement is by the Chairperson of the Standing Committee on Justice, Legal Affairs and Human Rights, Sen. Omogeni.

Sen Omogeni: Mr. Speaker Sir, before I read my Statement, I want to confirm that there is a big problem with the Office of Controller of Budget in giving us that Disbursement Schedule.

I want to be on record that in Nyamira, my office manager was in that office last week on Friday. We asked for the Disbursement Schedule and we did not get it. He was there this morning and we are yet to get it.

We have a big problem in Nyamira County because the Governor, His Excellency Amos Nyaribo has been giving excuses that he is unable to give out money for bursaries to our poor and deserving students, because he has not received money and the authority from the Office of Controller of Budget.

Mr. Speaker, Sir, it is very unfortunate again that in my county of Nyamira, Early Childhood Development Education (ECDE) teachers have gone for several months without salaries and those whose contracts came have not been paid their gratuity. Therefore, there is a big problem.

I agree with Sen. Cherargei that we will do our oversight role effectively if the Office of the Controller of Budget gives this Disbursement Schedule on a timely basis, if possible, every month.

[The Speaker (Hon. Lusaka) left the Chair]

[The Temporary Speaker (Sen. Kinyua) in the Chair]

ACTIVITIES OF THE COMMITTEE ON JUSTICE,
LEGAL AFFAIRS AND HUMAN RIGHTS

Sen Omogeni: Mr. Temporary Speaker, Sir, I rise pursuant to Standing Order 51(1) (b) of the Senate Standing Orders to make a statement relating to activities of the Committee on Justice, Legal Affairs and Human Rights, during the first part of the Sixth Session, that is, the period January to April, 2022.

The Standing Committee on Justice, Legal Affairs and Human Rights, is established under Standing Order No.218 (3) of the Senate Standing Orders and is mandated among others to consider all matters relating to constitutional affairs, the organisation and administration of law and justice, elections, promotion of principles of leadership ethics and integrity, agreement treaties and conventions and implementation of the provisions of the Constitution on human rights.

Mr. Temporary Speaker, Sir, during the period under review, the Committee held a total of 41 sittings, during which, we considered various Bills, Statements and Petitions as set out below.

On Bills, the Committee considered and concluded seven Bills during the period under review and adopted Reports thereon for tabling in the Senate. These Bills are-

- (i) The Political Parties (Amendment) Bill (National Assembly No.56 of 2021);
- (ii) The Election (Amendment) Bill No. 2 (Senate Bills No.43 of 2021);
- (iii) The Alternative Dispute Resolution Bill (Senate Bills No.34 of 2021);
- (iv) The Political Parties Primaries (Senate Bills No.35 of 2020);
- (v) The Constitution of Kenya (Senate Bills No. 46 of 2021);
- (vi) The Elections Campaign Financing Amending Bill (Senate Bills No. 51 of 2021; and finally,
- (vii) The Lifestyle Audit Bill (Senate Bills No. 56 of 2021).

On this latter Bill, amendment from the Committee is pending presentation before the Committee of the Whole.

Mr. Temporary Speaker, Sir, the Committee has further received two election related Bills, which were referred by the National Assembly to the Senate for its considerations pursuant to Article 110 of the Constitution. These are; The Election (Amendment) Bill (National Assembly Bills No.3 of 2022) and The Elections Campaign Financing (Amendment) Bill (National Assembly Bills No. 37 of 2020).

The Committee has invited stakeholders and the public to make submissions on the Bills, following which the Committee shall proceed to substantively consider the Bills and adopt its report thereon for tabling in the Senate.

Mr. Temporary Speaker, Sir, on Statements, during the period under review, the Committee considered one Statement sought by Sen. Cherargei on unqualified advocates practising as advocates in various private companies. The Committee met with the Deputy Solicitor General, the Law society of Kenya (LSK) and the entities mentioned in the request for Statement, following which it adjourned the matter for further consideration.

Mr. Temporary Speaker, Sir, on Petitions, during the period under review, the Committee considered a total of nine Petitions. Of these, the Committee concluded seven Petitions and adopted the Report thereon. These are: the Petitions by Abdalla Suleiman and Elkanah Kitur on mass examination failure at the KSL; the Petition by the Kipsigis Community Clan Association on historical injustices against the Kipsigis Community by the colonial Government; the Petition by Peter Barngetuny and Titus Chemase on the arbitrary cancellation of Kimwarer Dam and scaling down of Aror Dam in Elgeyo-Marakwet County; and, the Petition by Kevin Ndoo on access to justice under the Corona Covid-19 pandemic and the appointment of court reporters.

There is also the Petition by William Amgei arap Langat regarding alleged unlawful disposition of parcel of land number Baringo/Pekera101/178 in Baringo; the Petition by Taratisio Ileri Kagwe on amendment of various provisions of the Constitution and statutes relating to bail and bond during criminal investigations and prosecutions; and, finally, the Petition by Taratisio Ileri Kagwe on amendment to the Constitution and other relevant laws on the election of a Deputy President and a Deputy Governor.

Mr. Temporary Speaker, Sir, that leaves two Petitions pending before the Committee, which we intend to finalise on and table reports later this month. These Petitions are; Petition by Reuben Kibwega Mageuzi on alleged corruption and mismanagement in the Nyamira County Government. The other one is the Petition by

Kimutai arap Chelule and others on the ownership and status of parcel of land No.3977 and 3978 located at the boundary of Kericho and Kisumu counties.

Finally, on the litigation handled by the Committee on behalf of the Senate, the Committee continued to monitor closely suits filed in various courts that have a bearing on the mandate, functions and the operations of Senate and to offer its support to the Directorate of Litigation and Compliance in prosecuting or defending the said suits.

Mr. Temporary Speaker, Sir, of note is Supreme Court Petition No.19 (E0 27 of 2021) to the Senate of the Republic of Kenya and others vs the Speaker of the National Assembly, where the Senate has appealed the Court of Appeal judgement to the Supreme Court on the procedure for consideration of Bills concerning counties.

The legal team representing the Senate has continued to appear before the Supreme Court. We appeared on 1st February, 2022, 9th March, 2022 and today for mention and taking directions from the Supreme Court. The matter is slated for further mention on 23rd May, 2022.

Mr. Temporary Speaker, Sir, the Committee has further considered and approved the Senate submissions for filing as well as application for stay of the Court of Appeal judgment, which proceedings are awaiting further directions by the Supreme Court.

The Committee also continues to monitor the cross appeal file by the National Assembly at the High Court being High Court Petition No. 284 of 2019. In conclusion, as the Chair of the Committee, I wish to thank the Office of the Speaker for the support accorded to the Committee in undertaking its work.

We also want to thank the Clerks, Mr. Charles Munyua assisted by Ms. Purity Omurwa, who have been awesome and incredible in extending technical support to the Committee. I also wish to acknowledge the support the Committee has received from the office of the Clerk. This probably being my last Statement under Standing Order No.51 (b), I also wish to thank the Members who served under me, that is, Sen. Wako, Senior Counsel, Sen. Orenge, Sen. Counsel, Sen. Mutula Kilonzo Jnr., Sen. Dullo, Sen. Ngugi, Sen. Kang'ata, Sen. Sakaja and my Vice Chairperson, Sen. (Rev.) Waqo.

These Members have made a huge difference in the Committee. Not only were they able to contribute to our work, but they ensured that our work was done well. It has been exciting to work with this team of Senators, some of them fairly senior members of society and very senior members of the legal profession.

I wish to thank them for the diligence they exhibited in executing their tasks as Members of my Committee.

I wish to thank the said Members and your office. I wish those who may be seeking re-election success in the forthcoming elections.

Thank you Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Kinyua): Thank you, Mr. Chairman, Sir. We also thank you for a good job.

Sen. Cherargei, the Floor is yours.

Sen. Cherargei: Thank you, Mr. Temporary Speaker, Sir. I want to congratulate my friend and my senior in the profession, Senior Counsel, Sen. Omogeni.

I hope to see him again in the third generation of Senate in the next few months, giving that experience and guidance to the Committee.

I am happy that Sen. Omogeni is doing well together with other members of the Committee. I know that he took over when there were many challenges, but he has steered the ship safely. We can now see the legacy that has been built.

Mr. Temporary Speaker, Sir, I am happy because when the legacy shall be written with the history of this House, my name will also feature prominently considering that he took over from me. He has been my good mentor.

I thank Sen. Omogeni because when I was arrested the other day, he cut short the high octane campaigns in Nyamira, travelled all the way and came over the weekend to visit me in Gigiri Police Station. He brought me words of comfort and encouragement; a cup of tea and something to bite knowing where I was, it is for everyone for himself and God for us all.

When I got arrested in 2019, Sen. Omogeni came to court. He is a man that I have grown fond of and when I grow up, I want to be like him. He has always stood with me. He is always concerned about the welfare of all Hon. Members. Mr. Speaker, I understand you were held up somewhere. However, I thank Sen. Omogeni for finding time to come see me in Gigiri Police Station to wish me well, guide and pray for me. I thank Sen. Omogeni for good leadership of the Committee. I wish him well as he seeks re-election.

Mr. Temporary Speaker, Sir, there are two things here. The first one is on the elections laws. We said that the issue of the election laws is not being taken seriously by Parliament. The Kriegler Report stated that we should not allow the amendment of the election laws within an election year. When the report was written, it was precise that the issue of election laws amendment, the issue of appointment of Commissioners and the reconstitution of Independent Electoral and Boundaries Commission (IEBC) should be done either 12 or 24 months earlier in order to build capacity within the IEBC.

I hope that the Committee will guide us, so that in future, we will not need to be in a position to appoint Commissioners, discuss amendment of laws in an election year or amend and create laws within an election year. That one is dangerous because it erodes the credibility, accountability and transparency of the election process in this Republic.

Mr. Temporary Speaker, Sir, as their exit legacy, I ask the Committee to advise the country that we be careful especially on amendment of election laws and the reconstitution of IEBC because we are only three months before the general elections. I am happy that IEBC is fully reconstituted. I am away they are now recruiting Returning Officers (RO), Presiding Officers and Supervisors. The process has picked in earnest.

I wish some of these amendments to the election laws could be done outside or one year before the general elections. The Commissioners should be appointed 24 months before general elections. Remember in 2017, some Commissioners were appointed months before the general elections. The question here is: how does a Commissioner build capacity to understand the workings of IEBC? How will they familiarize themselves with the systems if they are not familiarized with electoral matters or have not practised within the election period?

Secondly, when the Committee came to Kericho County, I brought a historical injustices petition from Nandi and the Committee found it wise that I join them in Kericho. There was serious team of lawyers led by the Chairman, Sen. Omogeni. I want to inform him that the issue of historical land injustices has gotten the attention of the

Prince of the United Kingdom (UK). This was even reported in the UK newspapers and the matter has now seized by the British Government.

Mr. Temporary Speaker, Sir, I hope the people of Kericho who suffered through displacement; the taking of their land to establish large tea estates within Kericho County will one day get compensation just like the Mau. While in Kericho, Sen. Omogeni learnt that that the Talai Community in Kericho and in Nandi were the same. They got displaced during the colonization period. I hope compensation will come for the people who were affected by land displacement in Kericho and Nandi County but I am happy this issue has caught the attention of the British Government. I hope this matter shall be resolved once and for all.

Mr. Temporary Speaker, Sir, we are not saying that the compensation for land in Kericho is subdividing all the tea estates. Compensation should be done and the tea estates should also continue existing but for the benefit of people in Nandi and Kericho Counties. These two counties suffer from the same problem of land historical injustices.

I appeal to the Committee to state in their exit legacy report on how we can handle issues of land historical injustices once and for all. We do not want that to be a campaign tool. They have also handled well the issue of Statements. I thank this Committee. It is an important Committee.

Mr. Temporary Speaker, Sir, I have a comment though I would not want to mention on an issue that is before the Court of Appeal. I hope as we go to the next Senate or before we conclude, we should thank our legal counsels who continue to put up spirited fights in courts especially now we have moved to the Court of Appeal. I also thank your secretariat and office for always supporting our Senior Counsels and colleagues.

I hope when the Senior Counsel appears, I should also be on record. I am willing to do *pro bono* for the Senate in order to protect the interests of devolution. We have been accused of Senate being a talk-shop and we do not want that. We do not want Senate to be a House that does not have teeth to bite. Sometimes, we summon some Cabinet Secretaries (CS) and they say there is no need to appear because Senate will do nothing to you.

Mr. Speaker, Speaker Sir, I am willing and ready to be on record in the Court of Appeal to defend this House from people who want to destroy devolution in this Republic.

I thank the Committee and wish them well and congratulate them for a job well done. God willing, if Dr. William Samoei Kipchirchir Arap Ruto becomes the 5th President, I assure them that going into the future, all the recommendations that the Committee on Justice and Legal Affairs (JLAC) shall be implemented. Being a Principal of the Kenya Kwanza Coalition, I will ensure that their proposals have passed.

I thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Kinyua): Thank you. Sen. (Dr.) Musuruve.

Sen. (Dr.) Musuruve: Mr. Speaker Temporary Sir, thank you for giving me an opportunity to comment on the report from JLAC. This Committee has done a commendable job under the Chairmanship of Sen. Omogeni who he has been keen on legal issues that come on the floor of this House. He has also followed them to the very end. Legal issues are key in everyone's life.

At times people are treated unfairly at their places of work. Justice denied is justice delayed. Therefore, the Committee will be handy in ensuring that justice is done without delay.

I have just realized that there are some issues that have come to the Floor of this House that fall between the Committee on Labour and Social Welfare and the Committee on Justice, Legal Affairs and Human Rights. When a Statement is made on the Floor of this House and it lies between these two committees, we should have joint sittings, so that we ensure that justice is not perverted.

I want to give an example of a case. We had a matter that was raised by Matendechere, who was supposed to be compensated for unlawful dismissal. The Petition went to the Committee on Labour and Social Welfare, but it was not given the treatment it deserved. Matendechere kept on writing letters and sending Short Message Services (SMSs) that his case was not handled properly.

If a case like that one of Matendechere had been handled by two committees, that is the Committee on Labour and Social Welfare and the Committee on Justice, Legal Affairs and Human Rights, which is chaired by Sen. Omogeni, I am certain that the two committees would have ensured that justice is done.

I want to commend the committee chaired by Sen. Omogeni for the Statements and Bills that they executed. There are also many other issues that came on the Floor of this House and they worked on them. A good example is the petition on police harassment and the committee worked on it with speed.

I hope that the next Parliament will ensure that it picks from where Sen. Omogeni would have left because he has set the pace. I hope that the pace he has set will be maintained by the other Senators who will come and that they will follow suit.

Thank you, Mr. Temporary Speaker, Sir, for the opportunity. I support.

The Temporary Speaker (Sen. Kinyua): Sen. Farhiya, please, proceed.

Sen. Farhiya: Mr. Temporary Speaker, Sir, the Chairperson of the Committee on Justice, Legal Affairs and Human Rights is not even here. Therefore, I do not know whom I will address my concerns to.

There are two Bills that I sponsored, which were sent to the Committee, but I have not heard about them in the Report. One of them was about a constitutional amendment to meet the one-third gender rule but it has not featured anywhere. The other one was an amendment to the Ethics and Anti-Corruption Commission Act, which sought to take care of deferred prosecution agreements.

None of them has been mentioned in the Report. I just wanted that to be captured in the HANSARD, so that the committee can look into that.

Temporary Speaker (Sen. Kinyua): The last Statement is by the Senate Majority Leader.

BUSINESS FOR THE WEEK COMMENCING
TUESDAY, 10TH MAY, 2022

Sen. Farhiya: Mr. Temporary Speaker, Sir, I am not even a Member of Senate Business Committee (SBC), but I will read the Statement on behalf of the Senate Majority Leader.

Mr. Temporary Speaker, Sir, pursuant to Standing Order No.52(1), I hereby present to the Senate, the business of the House for the week commencing Tuesday, 10th May, 2022.

On Tuesday, 10th May, 2022, the SBC will meet to consider Bills at the Second Reading and Committee of the Whole stages, Motions, Petitions and Statements that will form part of the business for the week. The projected business for 10th May, 2022, will be business that will not have been concluded in today's Order Paper and any other business scheduled by the committee.

On Wednesday, 11th May, 2022, and Thursday, 12th May, 2022, the Senate will continue with business that will not be concluded on Tuesday, 10th May, 2022, and Wednesday, 11th May, 2022, respectively, and any other business scheduled by the SBC.

There are 21 Bills at the Second Reading stage, eight of which have been listed in today's Order Paper for division at Orders Nos. 8 to 15. Another five of these Bills have been dropped from the business of Senate, pursuant to Standing Order No.59 (3), due to unavailability of Movers when the Orders were called out and were therefore not available for debate.

I continue to urge the respective Movers who are interested in pursuing the Bills to make a request to the Hon. Speaker, for reinstatement of the same in the programme of the Senate business.

On the other hand, there are 11 Bills that are at the Committee of the Whole, seven of which have also been listed in today's Order Paper for division at Orders Nos.18 to 24.

Looking at where we are in the term of the Twelfth Parliament, we need to be alive to the processes that also need to take place in the National Assembly before these Bills become law and the likelihood of Members being drawn to activities outside the Chamber. In this respect, I urge that we redouble our efforts and ensure that the divisions at the Second Reading and Committee of the Whole stages are undertaken expeditiously.

The other business before the Senate includes 49 Petitions and Statements pursuant to Standing Order Nos.47 and 48 respectively. Similarly, I urge standing committees to redouble their efforts to come up with new strategies and undertake full advantage of the month of May to conclude pending business.

Mr. Temporary Speaker, Sir, I thank you and hereby lay the Statement on the Table of the Senate.

(Sen. Farhiya laid the document on the Table)

The Temporary Speaker (Sen. Kinyua): Thank you, Sen. Farhiya.

Hon. Senators, Order Nos.8, 9, 10, 11, 12, 13, 14 and 15 are in the Second Reading and require division. Looking around, we do not have numbers. Therefore, they stand deferred.

Order Nos.16 and 17 are reports of the committees and will still require division. We, however, do not have enough delegations. Therefore, they also stand deferred.

Order Nos.18, 19, 20, 21, 22, 23, 24 and 26 are Committee of the Whole. Therefore, we need division, but we do not have numbers. For Order No.25, I have a request by the Member. Therefore, it is also deferred.

Order Nos. 26, 27, 28, 29, and 30 are Committee of the Whole and are also deferred.

BILLS

Second Reading

THE LANDLORD AND TENANT BILL
(NATIONAL ASSEMBLY BILL NO. 3 OF 2021)

(Division)

(Bill deferred)

Second Reading

THE PERSONS WITH DISABILITIES (AMENDMENT)
BILL (SENATE BILLS NO.29 OF 2020)

(Division)

(Bill deferred)

Second Reading

THE ELECTIONS CAMPAIGN FINANCING (AMENDMENT)
BILL (SENATE BILLS NO.51 OF 2021)

(Division)

(Bill deferred)

Second Reading

THE EMPLOYMENT (AMENDMENT) BILL
(SENATE BILLS NO. 54 OF 2021)

(Division)

(Bill deferred)

Second Reading

THE COTTON INDUSTRY DEVELOPMENT BILL
(SENATE BILLS NO. 55 OF 2021)

(Division)

(Bill deferred)

Second Reading

THE SUGAR BILL (NATIONAL ASSEMBLY BILLS NO. 68 OF 2019)

*(Division)**(Bill deferred)**Second Reading*THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT)
BILL (NATIONAL ASSEMBLY BILLS NO. 32 OF 2021)*(Division)**(Bill deferred)**Second Reading*THE SACCO SOCIETIES (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO. 55 OF 2021)*(Division)**(Bill deferred)***MOTIONS**ADOPTION OF AUDIT REPORTS FOR COUNTY EXECUTIVES
FOR FYS 2018/2019, 2016/2017, AND
2017/2018 (VOLUMES I, II AND III)

THAT, the Senate adopts the Report of the Sessional Committee on County Public Accounts and Investments on consideration of the Reports by the Auditor General on the Financial Statements of the following County Executives for the Financial Year 2018/2019- Embu; Homa-Bay; Kericho; Kilifi; Kirinyaga; Kisii; Kwale; Machakos; Mombasa; Nandi; Baringo; Bomet; Garissa; Kajiado; and West Pokot as contained in Volume 1 of the Report and the following County Executives- Isiolo; Kakamega; Kisumu; Laikipia; Manderu; Marsabit; Nakuru; Narok; Nyandarua; Samburu; Taita Taveta; Trans-Nzoia; Uasin- Gishu; Vihiga; and Wajir, as contained in Volume 2 of the Report, Laid on the Table of the Senate on Thursday 2nd December, 2021.

(Division)

(Motion deferred)

ADOPTION OF SPECIAL AUDIT REPORT ON UTILISATION OF
COVID-19 FUNDS

THAT, the Senate adopts the Report of the Standing Committee on Health on the special audit report on utilization of COVID-19 funds by twenty-eight (28) county governments, laid on the Table of the Senate on Wednesday, 9th February, 2022.

(Division)

(Motion deferred)

COMMITTEE OF THE WHOLE

THE INTERGOVERNMENTAL RELATIONS (AMENDMENT)
BILL (SENATE BILLS NO. 37 OF 2021)

(Division)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE LAW OF SUCCESSION (AMENDMENT) BILL
(SENATE BILLS NO. 15 OF 2021)

(Division)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE PRESERVATION OF HUMAN DIGNITY AND PROTECTION OF ECONOMIC
AND SOCIAL RIGHTS BILL (SENATE BILLS NO. 21 OF 2021)

(Division)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE LIFESTYLE AUDIT BILL
(SENATE BILLS NO. 36 OF 2021)

(Division)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE SPECIAL NEEDS EDUCATION BILL
(SENATE BILLS NO. 44 OF 2021)

(Division)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE MENTAL HEALTH (AMENDMENT)
BILL (SENATE BILLS NO.28 OF 2020)

(Division)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE IRRIGATION (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO.12 OF 2021)

(Division)

(Committee of the Whole deferred)

BILL

Second Reading

THE SUSTAINABLE WASTE MANAGEMENT BILL
(NATIONAL ASSEMBLY BILLS NO.22 OF 2021)

(Bill deferred)

COMMITTEE OF THE WHOLE

THE ELECTIONS (AMENDMENT) (NO.3)
BILL (SENATE BILLS NO.48 OF 2021)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE KENYA MEDICAL SUPPLIES AUTHORITY (AMENDMENT)
BILL (SENATE BILLS NO.53 OF 2021)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE STREET VENDORS (PROTECTION OF LIVELIHOOD)
BILL (SENATE BILLS NO.7 OF 2021)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE COUNTY RESOURCE DEVELOPMENT BILL
(SENATE BILLS NO.45 OF 2021)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE COMMUNITY GROUPS REGISTRATION BILL
(NATIONAL ASSEMBLY BILLS NO.20 OF 2021)

(Committee of the Whole deferred)

ADJOURNMENT

The Temporary Speaker (Sen. Kinyua): Hon. Senators, there being no other business on the Order Paper, the Senate stands adjourned until Tuesday, 10th May, 2022, at 2.30 p.m.

The Senate rose at 3.59 p.m.