



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

ORDER PAPER

AFTERNOON SITTING

WEDNESDAY, AUGUST 09, 2023 AT 2.30 PM

PRAYER

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers (as listed in the Appendix)
6. Notices of Motion
7. Questions and Statements (as listed in the Appendix)
8. ***THE PROMPT PAYMENT BILL (SENATE BILLS NO. 8 OF 2022)**
(Sen. Mariam Sheikh Omar, MP)

(Second Reading)

(Resumption of debate interrupted on Tuesday, 23rd May, 2023)
(Division)

9. *****THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 16 OF 2023)**
(The Senate Majority Leader)

(Second Reading)

(Resumption of debate interrupted on Tuesday, 8th August, 2023)
(Division)

10. ****THE EQUALIZATION FUND (ADMINISTRATION) BILL (SENATE BILLS NO. 14 OF 2023)**
(The Chairperson, Standing Committee on Finance and Budget)

(Second Reading)

(Resumption of debate interrupted on Thursday, 3rd August, 2023)

...../Bills

11. **COMMITTEE OF THE WHOLE**
***THE LEARNERS WITH DISABILITIES BILL (SENATE BILLS NO. 4 OF 2023)**
(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)
12. **COMMITTEE OF THE WHOLE**
***THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL (SENATE BILLS NO. 12 OF 2022)**
(Sen. Maureen Tabitha Mutinda, MP)
13. **COMMITTEE OF THE WHOLE**
***THE START-UP BILL (SENATE BILLS NO. 14 OF 2022)**
(Sen. Crystal Asige, MP)
14. **COMMITTEE OF THE WHOLE**
***THE MUNG BEANS BILL (SENATE BILLS NO. 13 OF 2022)**
(Sen. Enoch Wambua, MP)
15. **COMMITTEE OF THE WHOLE**
***THE PERSONS WITH DISABILITIES BILL (SENATE BILLS NO. 7 OF 2023)**
(Sen. Crystal Asige, MP)
16. **COMMITTEE OF THE WHOLE**
***THE COUNTY LICENSING (UNIFORM PROCEDURE) BILL (SENATE BILLS NO. 9 OF 2022)**
(Sen. Mariam Sheikh Omar, MP)
17. ****THE COFFEE BILL (SENATE BILLS NO. 10 OF 2023)**
(The Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

(Second Reading)
18. ***THE PREVENTION OF LIVESTOCK AND PRODUCE THEFT BILL (SENATE BILLS NO.12 OF 2023)**
(Sen. Samson Cherarkey, MP)

(Second Reading)
19. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE DEATH OF THE LATE EDWARD OTIENO ONYANGO DUE TO ALLEGED MEDICAL NEGLIGENCE**
(The Chairperson, Standing Committee on Health)

THAT, the Senate adopts the Report of the Standing Committee on Health on inquiry into the death of Late Edward Otieno Onyango, due to alleged medical negligence, laid on the table of the Senate on Wednesday, 31st May, 2023.

...../Motion

20. **MOTION- ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE DEATH OF THE LATE MAUREEN ANYANGO AT MAMA LUCY KIBAKI HOSPITAL DUE TO ALLEGED MEDICAL NEGLIGENCE**

(The Chairperson, Standing Committee on Health)

THAT, the Senate adopts the Report of the Standing Committee on Health on inquiry into the death of the late Maureen Anyango at Mama Lucy Kibaki Hospital due to alleged medical negligence, laid on the table of the Senate on Wednesday, 31st May, 2023.

21. **MOTION- ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE CIRCUMSTANCES THAT LED TO THE DEATH OF THE LATE MASTER TRAVIS MAINA AT KENYATTA NATIONAL HOSPITAL**

(The Chairperson, Standing Committee on Health)

THAT, the Senate adopts the Report of the Standing Committee on Health on inquiry into the circumstances that led to the death of the late Master Travis Maina at Kenyatta National Hospital, laid on the table of the Senate on Wednesday, 31st May, 2023.

22. **MOTION - REPORT OF THE 146TH ASSEMBLY OF THE INTER - PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN MANAMA, KINGDOM OF BAHRAIN FROM 11TH TO 15TH MARCH, 2023**

(Sen. Kathuri Murungi, MP)

THAT, the Senate notes the Report of the 146th Assembly of the Inter-Parliamentary Union (IPU) and Related Meetings, held in Manama, Kingdom of Bahrain, from 11th to 15th March, 2023, laid on the Table of the Senate on Tuesday 2nd May, 2023.

NOTICE

The Senate resolved on 15th February, 2023 as follows:-

THAT, pursuant to Standing Order 111 (1), the Senate resolves that debate on a Motion not sponsored by the Majority or Minority Party or a Committee shall be limited in the following manner:-

A maximum of three hours with not more than twenty minutes for the Mover, twenty minutes for the Majority Party Official Responder, twenty minutes for the Minority Party Official Responder and fifteen minutes for each other Senator speaking and that fifteen minutes before the time expires, the Mover shall be called upon to reply.

KEY

******- Denotes a Majority /Minority Party Bill**

*****- Denotes a National Assembly Bill**

****- Denotes a Committee Bill**

***- Denotes any other Bill**

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NOTICE OF AMENDMENTS

A. *THE LEARNERS WITH DISABILITIES BILL (SENATE BILLS NO. 4 OF 2023)

(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)

NOTICE is hereby given that the Chairperson, Standing Committee on Education, intends to move the following amendments to the Learners with Disabilities Bill (Senate Bills No. 4 of 2023), at the Committee Stage –

CLAUSE 3

THAT clause 3 of the Bill be amended in paragraph (a) by inserting the words “at all levels of education” immediately after the words “right to education”.

CLAUSE 4

THAT clause 4 be amended in paragraph (c) by deleting the words “cultural and” appearing immediately after the words “sensitive to the”.

CLAUSE 5

THAT clause 5 of the Bill be amended –

- (a) by deleting paragraph (b);
- (b) in paragraph (c) by inserting the words “augmentative and alternative communication” immediately after the words “Kenyan sign language”;
- (c) in paragraph (e) by deleting the words “institution of learning” appearing immediately after the words “to any” and substituting therefor the words “educational institution”;
- (d) in paragraph (f) by inserting the word “appropriate” immediately after the words “equal access to”; and
- (e) inserting the following new paragraph immediately after paragraph (f) –
 - (fa) protection from any form of discrimination.

CLAUSE 6

THAT clause 6 of the Bill be amended –

- (a) in subclause (1) by deleting paragraph (a) and substituting therefor the following new paragraph –

(a) present their child for admission to a school as the case may be, for the purposes of completion of the child’s education; and

(b) in subclause (3) by –

(i) deleting the word “and” appearing immediately after the words “such parent” and substituting therefor the word “or”; and

(ii) deleting the words “a school or institution of basic education” appearing immediately after the words “absence of the learner” and substituting therefor the words “an educational institution”.

CLAUSE 7

THAT clause 7 of the Bill be amended in subclause (2) by –

(a) deleting the word “necessary” appearing immediately after the words “put in place the” in paragraph (c) and substituting therefor the words “appropriate and adequate”;

(b) deleting the word “learning” appearing immediately after the words “with disabilities in” in paragraph (c) and substituting therefor the words “educational”;

(c) deleting the words “at such intervals as may be necessary a” appearing immediately after the word “conduct” in paragraph (d) and substituting therefor the words “an annual”; and

(d) deleting paragraph (h) and substituting therefor the following new paragraph –

(h) ensure that educational institutions, parents and guardians have the necessary tools to support learners with disabilities.

CLAUSE 8

THAT clause 8 of the Bill be amended –

(a) in subclause (1) by deleting the word “learning” appearing immediately after the words “with respect to the” and substituting therefor the word “educational”;

(b) in subclause (2) by –

(i) deleting the words “learners with” appearing immediately after the words “the needs of” in paragraph (e);

- (ii) deleting the word “learning” appearing immediately after the words “existing public” and substituting therefor the word “educational” in paragraph (g); and
- (iii) deleting the word “learning” appearing immediately after the words “them in the” and substituting therefor the word “educational” in paragraph (i).

CLAUSE 9

THAT clause 9 of the Bill be amended in subclause (1) by inserting the words “and private” immediately after the words “public” in paragraph (a).

CLAUSE 12

THAT clause 12 of the Bill be amended in subclause (1) by deleting the words “early childhood education or technical and vocational training centre” appearing immediately after the word “An” in the introductory clause and substituting therefor the words “educational or training institution”.

CLAUSE 13

THAT the Bill be amended by deleting clause 13.

CLAUSE 14

THAT the Bill be amended by deleting clause 14.

CLAUSE 15

THAT clause 15 of the Bill be amended in subclause (2) by –

- (a) deleting the words “board of management” appearing immediately after the words “shall assist the” in the introductory clause and substituting therefor the words “governing body”; and
- (b) deleting the words “parent-child-teacher” appearing immediately after the words “positive approach in” in paragraph (b) and substituting therefor the words “parent-learner-teacher”.

CLAUSE 23

THAT the Bill be amended by deleting clause 23.

CLAUSE 24

THAT clause 24 of the Bill be amended in –

- (a) subclause (2) by deleting the words “shadow teachers” appearing immediately after the word “providing” in paragraph (c) and substituting therefor the words “learner support assistants”; and
- (b) subclause (3) by deleting the words “disabled children” appearing immediately after the words “supportive services to” in paragraph (c) and substituting therefor the words “children with disabilities”.

CLAUSE 25

THAT clause 25 of the Bill be amended in –

- (a) paragraph (b) by deleting the words “learning institutions in the country are friendly” appearing immediately after the words “amenities in” and substituting therefor the words “educational institutions in the country are accessible and appropriate”; and
- (b) paragraph (c) by deleting the word “learning” appearing immediately after the words “amenities in” and substituting therefor the word “educational”.

CLAUSE 26

THAT clause 26 of the Bill be amended in subclause (1) by deleting the words “special equipment” appearing immediately after the words “and distribution of” and substituting therefor the words “assistive devices”.

CLAUSE 28

THAT the Bill be amended by deleting clause 28 and substituting therefor the following new clause –

Training of auxiliary staff. **28.** Every special needs education institution shall ensure that its auxiliary staff and any person providing special needs services within its premises are qualified in their special areas.

CLAUSE 29

THAT clause 29 of the Bill be amended in paragraph (a) by deleting the word “fast” appearing immediately after the words “the redress of” and substituting therefor the word “vast”.

CLAUSE 30

THAT clause 30 of the Bill be amended in subclause (4) by deleting the words “The board of management of a special education” appearing at the beginning of the clause and substituting therefor the words “The governing body of a special needs educational institution”.

CLAUSE 35

THAT clause 35 of the Bill be amended in subclause (1) by deleting the word “education” appearing immediately after the words “of the special” in paragraph (c) and substituting therefor the words “needs educational”.

CLAUSE 39

THAT clause 39 of the Bill be amended in subclause (1) by deleting the word “education” appearing immediately after the words “public special” and substituting therefor the words “needs educational”.

CLAUSE 41

THAT clause 41 of the Bill be amended by –

- (a) deleting the word “centre” appearing immediately after the words “research or training” in subclause (1) and substituting therefor the word “institution”; and
- (b) deleting the word “education” appearing immediately after the words “to be a public special” and substituting therefor the words “needs educational”.

CLAUSE 42

THAT clause 42 of the Bill be amended –

- (a) in subclause (2) by –
 - (i) deleting the word “education” appearing immediately after the words “curriculum at special” in paragraph (b)(i) and substituting therefor the words “needs educational”; and
 - (ii) deleting the word “education” appearing immediately after the words “provided at special” in paragraph (b)(ii) and substituting therefor the words “needs educational”.
- (b) by inserting the following new subclause immediately after subclause (2) –

(3) Any person authorized by the County Education Board shall be entitled to have access, at any reasonable time, to a home under this section in order to monitor the special educational provision made under subsection (1).

CLAUSE 45

THAT clause 45 of the Bill be amended in subclause (1) by deleting the word “education” appearing immediately after the words “conducts a special” in paragraph (a) and substituting therefor the words “needs educational”.

CLAUSE 2

THAT clause 2 of the Bill be amended –

(a) by deleting the definition of the term “special needs education” and substituting therefor the following new definition —

“special needs education” includes education and training for gifted or talented learners as well as learners with disability and includes education which provides appropriate curriculum differentiation in terms of content, pedagogy, instructional materials, alternative media of communication or duration to address the special needs of learners and to eliminate social, mental, intellectual, physical or environmental barriers to learners;

(b) by deleting the definition of the term “special needs school”;

(c) by deleting the definition of the words “special service providers” and substituting therefor the following new definition —

“special service providers” means any person providing specialized, supplementary and related services to learners with special education needs and includes braille readers and technicians, sign language instructors and interpreters, orientation and mobility specialists, physiotherapists, occupational therapists, speech and language pathologists and therapists, counsellors, behaviour specialists, sensory integration therapists, psychologists, nutritionists, social workers and learner support assistants.

(d) by inserting the following new definitions in the proper alphabetical sequence

No. 3 of “special needs educational institution” means
2021. an institution that is specially organized to make
No. 14 of special educational provision for learners with
2013. disabilities and is for the time being registered or
No. 29 of accredited as an educational institution under the
2013. Early Childhood Education Act, the Basic Education
No. 42 of Act, the Technical and Vocational Education and
2012. Training Act, the Universities Act or any other Act of
Parliament; and

“reasonable accommodation” means
necessary and appropriate modification and
adjustments not imposing a disproportionate or
undue burden, where needed in a particular case,
to ensure learners with disabilities the enjoyment or
exercise on an equal basis with others of all human
rights and fundamental freedoms;

**B. *THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL
(SENATE BILLS NO. 12 OF 2022)**

(Sen. Maureen Tabitha Mutinda, MP)

NOTICE is given that the Chairperson, Standing Committee on Agriculture, Livestock and Fisheries intends to move the following amendments to the Agricultural and Livestock Extension Services Bill, (Senate Bills No. 12 of 2022) at the Committee Stage—

CLAUSE 4

THAT clause 4 of the Bill be amended by deleting sub-clause (2) and substituting therefor the following new subclause—

- (1) In developing the National Extension Services Policy, the Cabinet Secretary shall have regard to—
 - (a) the need for an effective management and implementation structure at the national and county levels of government in order to ensure the effective development of the extension services industry;
 - (b) adequate capacity development and support for stakeholders in the extension services industry;
 - (c) the participation of stakeholders and communities at the national and county levels of government;
 - (d) the development of appropriate strategies and mechanisms at the national and county levels of government necessary to support the development of the extension services industry;

...../Notice of Amendments

- (e) the need to have in place a framework to monitor and evaluate the implementation of the policy in the development and regulation of the extension services industry;
- (f) the resources required at the national and county levels of government for the effective implementation of the policy; and
- (g) the capacity building programmes and strategies needed to be carried out to ensure that extension services providers are able to respond to the needs identified for the implementation of the policy.

CLAUSE 5

THAT clause 5 of the Bill be amended by deleting sub-clause (1) and substituting therefor the following new clause —

- (1) Each county executive committee member shall formulate and publish, in the *Gazette*, a county specific extension services strategy and shall, in formulating the strategy take into account the national agricultural and livestock policy formulated by the Cabinet Secretary under section 4.

CLAUSE 8

THAT clause 8 of the Bill be deleted and substituted therefor with the following new clause—

Functions of 8. (1) The functions of the Service shall be to—
the service.

- (a) enhance the competitiveness of the agriculture and livestock industry in Kenya in an increasingly competitive world environment;
 - (b) increase the long-term productivity of agriculture and livestock industry in Kenya while maintaining and enhancing the natural resource base on which the Counties and the National Government agricultural economy depend on;
 - (c) develop new uses and new products for agricultural commodities and come up with alternative production methods to develop new crops; and
 - (d) improve risk management in the agriculture and livestock industry in Kenya.
- (2) In performance of its functions under subsection (1), the Service shall—
- (a) support agricultural research on extension services to promote economic opportunity in rural communities and to meet the increasing demand for information and technology transfer throughout the agriculture industry in Kenya;

- (b) collaborate with the county governments in —
 - (i) improving the coordination and planning of agricultural research, extension, and teaching programs;
 - (ii) identifying needs and establishing priorities for these programs;
 - (iii) ensuring that national agricultural research, extension, and teaching objectives are fully achieved; and
 - (iv) ensuring that the results of agricultural research are effectively communicated and demonstrated to farmers, processors, handlers, consumers, and all other users who can benefit from them.
- (c) maintain and disseminate information on standards for supply of nutritious and safe food by the county governments;
- (d) facilitate transfer of technology;
- (e) encourage the use of information communication technology by developing and packaging information in simple, easily accessible digital systems;
- (f) collaborate with international entities in order to leverage on resources, priority food and agricultural interests including addressing emerging plant and animal diseases, improving crop varieties and animal breeds and developing safe, efficient, and nutritious food systems;
- (g) mobilise resources at the national level for investment in development and implementation of extension service programs in the counties;
- (h) develop and coordinate intergovernmental relation mechanisms in the delivery of services related to extension services;
- (i) provide technical assistance and capacity building to the county governments on matters relating to extension services;
- (j) approve institutions for the training of extension services; and
- (k) establish, approve and accredit programs for continuing professional development programs.

CLAUSE 10

THAT clause 10 of the Bill be amended in subclause (2) by inserting the expression “(a)” immediately after the words “under section 11(1)”.

CLAUSE 11

THAT clause 11 of the Bill be amended in subclause (1) by inserting the expression “(a)” immediately after the words “under section 11(1)”.

CLAUSE 14

THAT clause 14 of the Bill be amended in sub-clause (1) (i) by deleting the word “sector” appearing immediately after the words “players in the” and substituting therefor the word “industry”.

CLAUSE 26

THAT clause 26 of the Bill be amended in –

(a) subclause (1) –

- (i) paragraph(a) by deleting the word “sector” appearing immediately after the words “the extension services” and substituting therefor the word “industry” in paragraph (a);
- (ii) by deleting the word “sector” appearing immediately after the words “the extension services” and substituting therefor the word “industry” in paragraph (e);

(b) sub-clause (2) by deleting the word “permits” appearing immediately after the words “applications for the” and substituting therefor the word “registration” in paragraph (b).

CLAUSE 30

THAT Clause 30 of the Bill be amended in—

- (a) subclause (1) by deleting the word “yearly” appearing immediately after the words “year, and the” and substituting therefor the word “annual”;
and
- (b) subclause (2) by deleting the words “to him” appearing immediately after the words “and statements submitted”.

C. *THE START-UP BILL (SENATE BILLS NO. 14 OF 2022)
(Sen. Crystal Asige, MP)

NOTICE is given that the Chairperson, Standing Committee on Trade, Tourism and Industrialization intends to move the following amendments to the Startup Bill (Senate Bills No. 14 of 2022), at the Committee Stage—

CLAUSE 3

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

- (g) to ensure that all persons, irrespective of their gender, status or ethnicity, are afforded an equal opportunity to establish and benefit from their innovations.

CLAUSE 4

THAT clause 4 of the Bill be amended —

- (a) in subclause (1) by inserting the words “between entities registered under this Act to achieve increased innovation, economic growth and better access to new technologies” immediately after the words “of technology innovation” appearing in paragraph (b);
- (b) in subclause (2) by—
 - (i) deleting the words “incubators into the” appearing immediately after the words “and admission of” in paragraph (c) and substituting therefor the words “startups into”; and
 - (ii) deleting the words “entities from” appearing immediately after the words “enable access to” in paragraph (h) and substituting therefor the words “incubation programmes by”.

CLAUSE 5

THAT Clause 5 of the Bill be amended in subclause (2) by deleting the word “entities,” appearing immediately after the words “the evaluation of” in paragraph (c) and substituting therefor the words “startups, incubation”.

CLAUSE 8

THAT clause 8 of the Bill be amended —

- (a) in subclause (1) by —
 - (i) deleting paragraph (b) and substituting therefor the following new paragraph —

- (b) is newly registered or has been in existence for a period of not more than five years from the date of its incorporation or registration;
- (ii) deleting the words “is wholly” appearing before the words “owned by one” in paragraph (g) and substituting therefor the words “has at least of ninety percent of its shares”;
- (iii) deleting paragraph (i); and

(b) by inserting the following new subclause immediately after subclause (2)—

(3) The registrar or county executive committee member, as the case may be, may waive the requirement for registration under subsection (1)(a) where —

- (a) that person has an innovative product or service;
- (b) that person exhibits that they do not have the financial capability to register an entity in compliance with subsection (1)(a); and
- (c) the registrar is satisfied that the innovation is suitable for registration as a startup and will benefit from admission into an incubation programme.

CLAUSE 9

That Clause 9 be amended by inserting the following new subclause after subclause (2)—

(2A) A person eligible for admission into an incubation programme pursuant to section 8(3) shall not be required to provide the information under subsection (2)(a)(iv), (v), (vi) and (vii) and (2)(c).

CLAUSE 12

THAT clause 12 of the Bill be amended in subclause (1) by deleting the words “admission into an incubation programme” appearing immediately after the words “The certificate of” in the introductory clause and substituting therefor with the words “registration”.

CLAUSE 13

THAT clause 13 of the Bill be amended in subclause (1) by deleting the words “an unlawful purpose or used for a purpose incompatible with public interest” appearing immediately after the words “be pursued for” in paragraph (d) and substituting thereof with the words “a purpose contrary to any written law”.

CLAUSE 22

THAT clause 22 of the Bill be amended in paragraph (b) by—

- (a) deleting the word “accounting” appearing immediately after word “maintain” and substituting therefor the words “financial records”; and
- (b) inserting the words “annual financial records and” immediately after the words “and submit its”.

CLAUSE 23

THAT clause 23 of the Bill be amended—

- (a) in paragraph (c) by inserting the words “physical and virtual” immediately before the words “facilities, suitable to” in subparagraph (i); and
- (b) by inserting the following new paragraphs immediately after paragraph (f)—
 - (g) meets the prescribed occupational safety conditions under the Occupational Safety and Health Act; and
 - (h) has no history of violation of human rights.

CLAUSE 24

THAT clause 24 of the Bill be amended in subclause (2) by inserting the words “owned by the incubator and the startups admitted to its incubation programme” immediately after the words “intellectual property rights” in paragraph (j)

CLAUSE 26

THAT clause 26 of the Bill be amended by—

- (a) deleting paragraph (a) and substituting therefor the following new paragraph—
 - (a) support startups that are developing or delivering innovative products or services that solve a specific problem or fulfil a market need;
- (b) deleting paragraph (f) and substituting therefor the following new paragraph—
 - (f) equip startups with skills in raising capital and marketing their products;
- (c) deleting paragraph (i) and substituting therefor the following new paragraph—
 - (i) support and facilitate the transfer of technology from research institutions and to the relevant startups;
- (d) inserting the following new paragraph immediately after paragraph (i) —
 - (ia) provide remote support services to startups.

CLAUSE 27

THAT clause 27 of the Bill be amended—

- (a) by renumbering the existing provision as subclause (1);
- (b) in the renumbered subclause (1) by inserting the following new paragraph immediately after paragraph (e)—
 - (f) implement fiscal and non-fiscal incentives that target women, persons with disability and marginalized groups;
- (c) by inserting the following new subclause immediately after the renumbered subclause (1)—
 - (2) The Cabinet Secretary responsible for finance shall, in consultation with the Cabinet Secretary, prescribe a mechanism for the provision and administration of fiscal and non-fiscal incentives under subsection (1) within one year from the commencement of this Act.

CLAUSE 28

THAT clause 28 of the Bill be amended in subclause (2) by inserting the following new paragraph immediately after paragraph (c)—

- (d) the prioritisation of women, marginalized groups and rural populations in the provision of financial support.

CLAUSE 30

THAT clause 30 of the Bill be amended in subclause (1) by inserting the words “relating to the startup’s product or service” immediately after the words “intellectual property rights”.

CLAUSE 32

THAT clause 32 of the Bill be amended by inserting the following new subclause immediately after subclause (2)—

- (3) The Cabinet Secretary shall publish the regulations under subsection (1) within one year from the date of commencement of the Act.

CLAUSE 33

THAT clause 33 of the Bill be amended in sub-clause 2 by inserting the following new paragraph immediately after paragraph (k)—

- (l) for registration of entities and admission into incubation programmes.

CLAUSE 2

THAT clause 2 of the Bill be amended—

- (a) in the definition of the word “startup” by deleting the words “and a disruptive economic model” appearing immediately after the words “strong growth potential” and substituting therefor the words “intended to develop and deliver innovative products or services that solve a specific problem or fulfil a market need”;
- (b) by deleting the definition of the word “startup incubator” appearing immediately after the definition of the word “cabinet secretary”; and
- (c) by inserting the following new definition immediately after the definition of the word “non-governmental organization” –

“registrar” means a person appointed as a registrar under section 6(2) of this Act.

D. *THE MUNG BEANS BILL (SENATE BILLS NO. 13 OF 2022)

(Sen. Enoch Wambua, MP)

NOTICE is given that the, Chairperson, Standing Committee on Agriculture, Livestock and Fisheries intends to move the following amendments to the Mung Beans Bill, (Senate Bills No. 13 of 2022) at the Committee Stage—

CLAUSE 7

THAT clause 7 of the Bill be amended in sub-clause (1) by inserting the words “in consultation with the Council of County Governors,” immediately after the words “Cabinet Secretary”.

CLAUSE 10

THAT clause 10 of the Bill be deleted and substituted therefor with the following new clause—

County 10. (1) Each county executive committee member responsible for
licensing matters relating to trade shall, for the effective performance of
committee section 9, establish a county licensing committee.

(2) A county licensing committee shall consist of —

(a) a chairperson;

(b) one person representing growers of mung beans in
the respective county;

(c) one public officer in the department responsible for
agriculture with relevant experience in matters
relating to agriculture; and

(d) two public officers in the department responsible for
trade with relevant experience in matters relating to
trade and finance.

(3) The chairperson and the member under subsection
(2)(b) shall be competitively recruited by the county public
service board and appointed by the county executive
committee member.

(4) The county executive committee member shall appoint the
persons in subsection (2) (a) and (b) by notice in the
gazette.

...../Notice of Amendments

CLAUSE 11

THAT clause 11 of the Bill be amended in paragraph (a) by inserting the words “in agriculture, trade or finance” immediately after the words “holds a degree”.

CLAUSE 13

THAT clause 13 of the Bill be amended in sub-clause (1) by inserting the words “responsible for matters relating to trade” immediately after the words “ committee member”.

CLAUSE 15

THAT clause 15 of the Bill be amended in sub-clause (3)(d) by inserting the words “responsible for matters relating to trade” immediately after the words “ committee member”.

CLAUSE 16

THAT clause 16 of the Bill be amended-

- (a) by re-numbering the introductory clause as sub-clause (1);
- (b) by inserting the words “responsible for matters relating to trade” immediately after the words “ committee member” in the new re-numbered sub-clause (1).
- (c) in subclause (2) by inserting the words “responsible for matters relating to trade” immediately after the words “ committee member”.
- (d) in subclause (3) by inserting the words “responsible for matters relating to trade” immediately after the words “ committee member”.
- (e) in subclause (4) by inserting the words “responsible for matters relating to trade” immediately after the words “ committee member”.

CLAUSE 19

THAT clause 19 of the Bill be amended-

- (a) in sub-clause (2) by inserting the words “responsible for matters relating to trade” immediately after the words “ committee member”.
- (b) by deleting sub-clause (3) and substituting therefor the following new subclause-
 - (3) A county executive committee member shall furnish the Authority with information on all growers registered in the county, on the fifth day of every month.
- (c) by inserting the following new sub-clause immediately after sub-clause (3) –

- (5) A county executive committee member responsible for matters relating to trade shall furnish the Authority with information on licences issued, cancelled or renewed in the county, on the fifth day of every month.

NEW CLAUSE 22A

THAT the Bill be amended by inserting the following new clause immediately after clause 22-

Safeguard
measures

22A. (1) Subject to the regional and international trade agreements to which Kenya is a party, all mung beans imports into the country shall be subject to the prevailing import duties, taxes and other tariffs and such imports shall be controlled by the Authority.

(2) The Cabinet Secretary shall implement such safeguard measures as may be necessary to protect the industry from unfair trade practices.

APPENDIX

1. PAPERS

- i.) Annual Report of the National Gender and Equality Commission (NGEC) for 2021/2022.
- ii.) Report of the Auditor General on financial statements of the Vihiga County Education Fund for the year ended 30th June, 2022.

(The Senate Majority Leader)

2. QUESTIONS AND STATEMENTS

STATEMENTS

a) Statements pursuant to Standing Order 52(1)

Nominated Senator (Sen. Esther Okenyuri, MP) to make a statement regarding the recovery of the tourism sector in the country.

b) Statements pursuant to Standing Order 53(1)

- i.) The Senator for Embu County (Sen. Alexander Mundigi, MP) to seek a statement from the Standing Committee on Education regarding the wellbeing of teachers post-retirement.
- ii.) The Senator for Elgeyo Marakwet County (Sen. William Kisang', MP) to seek a statement from the Standing Committee on Finance and Budget regarding payments made to Garbage Collectors and Sewerage Service providers by all counties for the financial year 2021/2022, 2022/2023 and 2023/2024.
- iii.) The Senator for Nairobi City County (Sen. Edwin Sifuna, MP) to seek a statement from the Standing Committee on Land, Environment and Natural Resources concerning attempts to grab land occupied by Kimathi Primary School in Kamukunji Constituency.
- iv.) The Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) to seek a statement from the Standing Committee on Land, Environment and Natural Resources regarding the transfer of land ownership under Voi Point Limited to the local community in Mkamenyi village.
- v.) The Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) to seek a statement from the Standing Committee on Labour and Social Welfare concerning the rationale for instituting mandatory National Social Security Fund (NSSF) deductions on members of various superannuation schemes.

...../Appendix

- vi.) The Senator for Nandi County (Sen. Samson Cherarkey, MP) to seek a statement from the Standing Committee on Finance and Budget regarding the concerns of high interest charged on loans offered by Momentum Credit Limited.

- vii.) Nominated Senator (Sen. Raphael Chimera, MP) to seek a statement from the Standing Committee on Labour and Social Welfare regarding payment of Imams in Kenya.

NOTICE PAPER

Tentative Business for

Thursday, August 10, 2023

(Published pursuant to Standing Order 43 (1))

It is notified that the Senate Business Committee has approved the following **tentative** business to appear in the Order Paper for Thursday, August 10, 2023.

A. BILLS AT THE SECOND READING STAGE

- i.) *THE AGRICULTURE AND FOOD AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO. 13 OF 2023)
(Sen. James Murango, MP)
- ii.) *THE CONSTITUTION OF KENYA (AMENDMENT) BILL 9SENATE BILLS NO. 15 OF 2023)
(Sen. Beth Syengo, MP)
- iii.) ****THE COUNTY GOVERNMENTS (REVENUE RAISING PROCESS) BILL (SENATE BILLS NO. 22 OF 2023)
(The Senate Majority)

B. MOTIONS

- i.) REGULATION OF ELECTRONIC CIGARETTES IN KENYA
(Sen. Catherine Mumma, MP)
 - ii.) REPORT OF THE SENATE DELEGATION TO THE 67TH SESSION OF THE COMMISSION ON THE STATUS OF WOMEN (CSW 67) HELD IN NEW YORK, FROM 6TH TO 17TH MARCH 2023.
(Sen. Fatuma Dullo, MP)
 - iii.) ADJOURNMENT OF THE SENATE
(The Senate Majority Leader)
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