



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

ORDER PAPER

MORNING SITTING

WEDNESDAY, OCTOBER 11, 2023 AT 9.30 AM

PRAYER

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Questions and Statements (as listed in the Appendix)
8. **MOTION - DECLARATION OF CATTLE RUSTLING AS A NATIONAL DISASTER AND ESTABLISHMENT OF A SPECIAL FUND FOR VICTIMS**
(Sen. William Cheptumo, MP)

THAT AWARE THAT, cattle rustling is a major menace and security threat in the South and North Rift regions and some other regions of the country;

CONCERNED THAT, the menace has since left irreparable and negative socio-economic impact which include but are not limited to increased number of widows, widowers, orphaned children, poverty, displacement of people leading to Internally Displaced Persons (IDPS), disruption of educational programs and other economic activities owing to the destruction and/or closure of educational, health and other institutions;

FURTHER CONCERNED THAT; the people living in the affected regions have been denied the enjoyment of their social, economic and political rights as guaranteed to them under the Bill of Rights as enshrined in Chapter Four of the Constitution;

...../**Motion**

NOW THEREFORE, the Senate resolves that the National Government through the Ministry of Interior and National Administration and in collaboration with the Council of Governors:

1. Declares cattle rustling a National Disaster;
2. Establish a National Task force on cattle rustling to:
 - (i) Investigate the causes of the rampant cattle rustling in the said region and the Country at large;
 - (ii) Establishes extent of loss and damage the cattle rustling has occasioned to the communities in all the affected Counties;
3. Create a special fund for mitigating the losses suffered by and in compensating all victims of cattle rustling and settle all internally displaced persons occasioned by the menace.

9. **MOTION - REPOSSESSION OF MOVABLE ASSETS BY LENDING INSTITUTIONS DUE TO NON-PERFORMING LOANS**

(Sen. Wahome Wamatinga, MP)

THAT AWARE THAT the high unemployment rate in Kenya has pushed many Kenyans to seek loans from Saccos, Microfinance Institutions and Banks to start Small and Medium Enterprises (SMEs) to sustain their livelihoods;

NOTING THAT the youth in particular have invested in movable assets, including vehicles and motorcycles, to start business in the transport industry and most of them have signed up to the ride hailing apps including but not limited to Uber, Taxify, Bolt and Little cab;

COGNIZANT THAT the Banking Act 2015 CAP 488 does not provide for renegotiation on the loan repayment agreement whenever the business environment becomes unfavorable as a result of the high cost of living, lowered earnings from the App providers and high interest rates;

NOW THEREFORE the Senate urges the National Treasury and Economic Planning to come up with a policy framework to review the Banking Act in order to renegotiate the repayment terms of the loans and provide cushion for Kenyans with non-performing loans and prevent the loss of their movable assets.

10. **MOTION - DESIGNATION OF A MONTHLY CAR FREE DAY AND COUNTY CAR FREE ZONES**

(Sen. Crystal Asige, MP)

THAT AWARE THAT, Kenyans have a right to a clean and healthy environment pursuant to Article 42 of the Constitution;

...../Motion

NOTING THAT the National Climate Change Action Plan identifies transportation as the fourth largest contributor to greenhouse gas emissions which if uncontrolled, will result to negative impact of climate change that will adversely affect millions of Kenyans;

CONCERNED THAT the number of private vehicles has significantly grown leading to increased road accidents, carbon emission and vehicle congestion costs which are in excess of Kshs. 100 billion in GDP per year;

NOW THEREFORE the Senate urges the Ministry of Roads and Transport, in collaboration with the Council of Governors, and the National Climate Change Council to;

- i.) identify, publicize and execute suitable monthly car-free days and County car-free zones in urban areas;
 - ii.) provide affordable, safe and efficient public transport including but not limited to development of Bus Rapid Transport (BRT) in the urban areas;
 - iii.) encourage the use of electric hybrid buses and provide appropriate incentives for their use; and
 - iv.) design an infrastructure that can support non – motorized transport facilities such as pedestrian and bicycle access within urban centers; and
 - v.) ensure inter-modal connectivity among the various transport modes.
11. **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.

12. **MOTION - 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)

THAT, the Senate notes the Report of the Senate Delegation to the 67th Session of the Commission on the Status of Women (CSW) held in New York, from 6th to 17th March, 2023, laid on the Table of the Senate on Thursday, 29th June, 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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APPENDIX

1. QUESTIONS AND STATEMENTS

QUESTIONS

Question No. 011 **The Senator for Laikipia County (Sen. John Kinyua Nderitu, MP) to ask the Cabinet Secretary for Interior and National Administration: -**

- (a) Could the Cabinet Secretary apprise the Senate on the state of security in Laikipia County, and the wider North Rift region, and state the criteria used in the identification of areas to conduct the ongoing security operation?
- (b) Could the Cabinet Secretary state the measures put in place to ensure the restoration and maintenance of peace in the region, and also provide information on the recruitment, deployment and remuneration of National Police Reservists (NPR) in the region?
- (c) What is the status of recovery of stolen livestock and arraignment of apprehended bandits in court since November 2022 and, could the government consider compensating persons affected by banditry?

Question No. 012 **The Senator for Laikipia County (Sen. John Kinyua Nderitu, MP) to ask the Cabinet Secretary for Interior and National Administration: -**

- (a) What measures are in place to curb the abuse of Ketamine, an addictive drug popularly known as “Kete”, particularly in the Mt. Kenya region?
- (b) What efforts has the Ministry made in the establishment of rehabilitation facilities for recovering addicts of the drug?

Question No. 025 **The Senator for Marsabit County (Sen. Mohamed Said Chute, MP) to ask the Cabinet Secretary for Interior and National Administration: -**

- (a) Could the Cabinet Secretary provide a per-county schedule of vacancies in positions of Chief and Assistant Chief in Kenya, indicating the period the respective positions have been vacant as well as the causes of the vacancies?

- (b) What plans are in place to ensure the recruitment and deployment of Chiefs and Assistant Chiefs to fill the vacant positions?

Question No. 026 The Senator for Marsabit County (Sen. Mohamed Said Chute, MP) to ask the Cabinet Secretary for Interior and National Administration: -

- (a) What has occasioned the delay in the recruitment of National Police Reservists (NPRs) in Marsabit County and the wider Northern Frontier Counties?
- (b) Could the Cabinet Secretary indicate the plans in place to ensure prompt recruitment and deployment of the NPRs and also state the projected timelines for the same?

Question No. 032 The Senator for Kirinyaga County (Sen. James Murango, MP) to ask the Cabinet Secretary for Interior and National Administration: -

- (a) Is the Cabinet Secretary aware of the kidnappings that have been happening along the Makutano – Sagana highway in Kirinyaga County for the last 2 (two) years, where 11 children have been reported missing without a trace?
- (b) Could the Cabinet Secretary provide an update on the status of investigations into the cases, which have been reported at Sagana, Kiamaciri and Wang’uru Police Stations?
- (c) What measures is the Government taking to strengthen security in the area to end the kidnappings and bring to book the perpetrators of the heinous acts?

Question No. 045 The Senator for Turkana County (Sen. James Lomenen, MP) to ask the Cabinet Secretary for Interior and National Administration: -

- (a) Could the Cabinet Secretary provide an update on the current security situation in West Pokot and Turkana Counties, especially in relation to reported incidents of shooting and robbing of private and public service vehicles by armed bandits, specifically around Kainuk area along the Kitale-Lokichogio highway, which has resulted in the deaths and injury of many residents, among them, school-going children, police officers and personnel of Non-Governmental Organizations?

- (b) What measures is the Government taking to enhance security and stability in the border region between West Pokot and Turkana Counties, considering the historical challenges of cattle rustling and inter-community conflicts which have had a negative impact on economic activities in the region?

Question No. 054 The Senator for Marsabit County (Sen. Mohamed Chute, MP) to ask the Cabinet Secretary for Interior and National Administration: -

- (a) How many individuals have lost their lives as a result of terrorist attacks in Kenya since the tragic bombing of the American Embassy in Nairobi by Al-Qaeda terrorists in 1998?
- (b) What measures has the Government put in place to boost counter-terrorism efforts and safeguard the lives and property of Kenya citizens?

Question No. 051 The Senator for Marsabit County (Sen. Mohamed Said Chute, MP) to ask the Cabinet Secretary for Youth Affairs and Sports: -

- (a) Could the Cabinet Secretary furnish the Senate with information regarding the tender process for the construction of Marsabit Stadium, indicating the total number of contractors that submitted bids, who won the award and the total value of the awarded bid?
- (b) Was the construction of Marsabit Stadium a collaborative effort between the National Government and the County Government and, if so, could the Cabinet Secretary provide details on the respective financial contributions made by each Government?
- (c) Could the Cabinet Secretary provide an update on the status of construction of the Stadium and indicate the expected date of completion as well as any significant milestones achieved in the project so far?

Question No. 053 The Senator for Nandi County (Sen. Samson Cherarkey, MP) to ask the Cabinet Secretary for Youth Affairs and Sports: -

- (a) Could the Cabinet Secretary provide information on the facilitation of Team Kenya's participation in the World Athletics Championship in Budapest, particularly by the Sports, Arts and Social Development Fund, disclosing

details of sponsorship agreements, athletes' selection and amounts expended in the purchase of uniforms and air tickets and paid as allowances and rewards to each participant?

- (b) Could the Cabinet Secretary provide the details of the financial management, including the book of accounts for grants and subsidies, as well as the latest report on disbursements and procurement processes within the Sports, Arts and Social Development Fund?
- (c) How is the leadership structure at the Fund established, and could the Cabinet Secretary explain the recruitment procedure of the Chief Executive Officer (CEO)?
- (d) What actions has the Ministry taken to enhance compliance with legal and ethical standards at the Fund, specifically with regard to previously reported allegations of financial irregularities?

NOTICE PAPER

Tentative Business for

Wednesday, October 11, 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 Wednesday, October 11, 2023 (Afternoon Sitting)

A. BILLS AT THE SECOND READING STAGE

- i.) ***THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS BILL (NATIONAL ASSEMBLY BILLS NO. 23 OF 2023) (DIVISION)
(The Senate Majority Leader)
- ii.) *THE TEA (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2023)
(Sen. Wakili Hillary Sigei, MP)
- iii.) **THE HERITAGE AND MUSEUMS BILL (SENATE BILLS NO. 8 OF 2023)
(The Chairperson, Standing Committee on Labour and Social Welfare)
- iv.) **THE COFFEE BILL (SENATE BILLS NO. 10 OF 2023)
(The Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)
- v.) *THE PREVENTION OF LIVESTOCK AND PRODUCE THEFT BILL (SENATE BILLS NO. 12 OF 2023)
(Sen. Samson Cherarkey, MP)

B. BILLS AT THE COMMITTEE OF THE WHOLE

- i.) *THE LEARNERS WITH DISABILITIES BILL (SENATE BILLS NO. 4 OF 2023) (DIVISION)
(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)
- ii.) **THE EQUALIZATION FUND (ADMINISTRATION) BILL (SENATE BILLS NO. 14 OF 2023)
(The Chairperson, Standing Committee on Finance and Budget)
- iii.) *THE COUNTY LICENSING (UNIFORM PROCEDURE) BILL (SENATE BILLS NO. 9 OF 2022)
(Sen. Mariam Sheikh Omar, MP)
- iv.) *THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL (SENATE BILLS NO. 12 OF 2022)
(Sen. Maureen Tabitha Mutinda, MP)

...../Notice Paper

- v.) *THE MUNG BEANS BILL (SENATE BILLS NO. 13 OF 2022)
(Sen. Enoch Wambua, MP)
- vi.) *THE START-UP BILL (SENATE BILLS NO. 14 OF 2022)
(Sen. Crystal Asige, MP)
- vii.) *THE PERSONS WITH DISABILITIES BILL (SENATE BILLS NO. 7 OF 2023)
(Sen. Crystal Asige, MP)
- viii.) *THE KENYAN SIGN LANGUAGE BILL (SENATE BILLS NO. 9 OF 2023)
(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)

C. MOTIONS

- i.) ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON THE APPLICATION FOR CONFERMENT OF CITY STATUS TO THE MUNICIPALITY OF ELDORET
(The Chairperson, Standing Committee on Devolution and Intergovernmental Relations)
 - ii.) 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)
 - iii.) 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)
 - iv.) 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)
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