



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

ORDER PAPER

MORNING SITTING

WEDNESDAY, APRIL 19, 2023 AT 9.30 AM

PRAYER

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions (as listed in the Appendix)
5. Papers (as listed in the Appendix)
6. Notices of Motion (as listed in the Appendix)
7. Questions and Statements (as listed in the Appendix)
8. ***THE PREVENTION OF LIVESTOCK AND PRODUCE THEFT BILL
(SENATE BILLS NO. 12 OF 2023)**
(Sen. Samson Cherarkey, MP)

(First Reading)

9. *****THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILLS NO.
9 OF 2023)**
(The Senate Majority Leader)

(Second Reading)

(Resumption of debate interrupted on Tuesday, 18th April, 2023)

10. ****THE EQUALIZATION FUND APPROPRIATION BILL (SENATE BILLS NO. 3 OF 2023)**

(The Chairperson, Standing Committee on Finance and Budget)

(Second Reading)

11. **COMMITTEE OF THE WHOLE**

***THE PARLIAMENTARY POWERS AND PRIVILEGES (AMENDMENT) BILL (SENATE BILLS NO. 5 OF 2022)**

(Sen. Danson Mungatana, MP)

12. **COMMITTEE OF THE WHOLE**

***THE COUNTY VOCATIONAL EDUCATION AND TRAINING BILL (SENATE BILLS NO. 3 OF 2022)**

(Sen. Moses Kajwang', MP)

13. **MOTION – PROVISION OF FREE SANITARY TOWELS TO END PERIOD POVERTY**

(Sen. Gloria Orwoba, MP)

THAT, AWARE THAT period poverty refers to the common challenge plaguing women globally wherein they are unable to attend schools or work as a cause of a lack of funds for sanitary products that is both a health risk and a signal of gender inequity;

FURTHER AWARE THAT in rural Kenya, 2 out of 3 pad users receive pads from sexual partners and 65 percent of women and girls can't afford sanitary pads, forcing them to use alternative materials like grass, cotton wool and cloth which lack adequate absorbent qualities resulting in frequent leakage and hygiene issues;

CONCERNED THAT period poverty also referred to as the “shadow pandemic” contributes to global and regional gender inequity, as women are forced to solicit help from men in order to satisfy a basic health need with 10% of 15-year-old girls having sex to pay for sanitary products;

FURTHER CONCERNED THAT, data from the Ministry of Education indicates that a girl that is absent from school for four days a month loses 13 learning days, equivalent to two weeks of learning in every school term, translating to 39 learning days or six weeks of learning time in a term and up to 18 of 108 weeks in primary and 24 weeks of 144 weeks of learning in secondary school;

NOTING THAT, while the Government, through the State Department for Gender Affairs was charged with the responsibility of procuring and

...../Motion

distributing sanitary towels for 3.7 million girls in public primary schools, special primary and secondary schools in the country at a cost of Kshs. 470 million during the 2017/2018 Financial year, which amount needs to be increased in order to fully address and mitigate the problem;

NOW THEREFORE, the Senate resolves that the Ministry of Public Service, Gender and Affirmative Action in partnership with the Ministry of Education and the Council of Governors to:-

1. facilitate provision of feminine hygiene products in all public schools;
2. ensure that all schools that don't have bathrooms that facilitate privacy, cleanliness or proper disposal of hygiene products are properly equipped;
3. create awareness and take advocacy measures on reproductive health issues related to period poverty;
4. include in the curriculum a dedicated lesson per week to teach girls on menstrual hygiene; and
5. ensure that sanitary products will be obtainable timely, consistently, and in a way that respects the dignity of concerned persons.

***(Resumption of debate interrupted on Tuesday 28th February, 2023
– Balance of time – 2hrs 41mins)***

14. **MOTION – THE DOPING MENACE THREATENING KENYA'S IMPECCABLE GLOBAL REPUTATION IN ATHLETICS**
(Sen. Samson Cherarkey, MP)

THAT, AWARE THAT in 2018 Kenya was placed under Category A by the world Anti-Doping Agency and since then forty Kenyan athletes have been banned by either the Athletics Integrity Unit (AIU) or the Anti – Doping Agency of Kenya (ADAK) and has led to a situation whereby the Kenyan athletes have to undergo intense testing before participating in major events and has immensely affected the reputation of the Kenyan athletes and the standing of Kenya in the international Sports arena where it currently ranks at number five;

CONCERNED THAT, despite the high number of alleged doping cases Kenya has only one World Anti- Doping Agency (WADA) approved blood testing laboratory forcing it to send urine tests to Qatar and South Africa for analysis and that the Anti- Doping Agency of Kenya (ADAK) is taking too long to address the doping menace which is likely to affect the state of preparedness for the athletes in the upcoming 2024 Olympic games in Paris;

...../Motion

NOW THEREFORE the Senate resolves that the Ministry of Youth, Sports and Arts:-

- a. Come up with modalities that can help achieve increased testing, intelligence gathering on athletes and doping awareness programmes;
- b. In collaboration with Athletics Kenya (AK) and National Olympic Committee of Kenya (NOCK) to vet all training camps, coaches, trainers and other athlete handlers;
- c. Initiate investigations at Anti – Doping Agency Kenya (ADAK) to identify and sanction all responsible officers liable for the menace of doping;
- d. In collaboration with the Directorate of Criminal Investigations and the Ethics and Anti – Corruption Commission finalize pending investigations and recommend prosecution of individuals involved in giving this banned substance to athletes; and
- e. In collaboration with the Ministry of Health to identify and revoke licenses for medics, pharmacies and hospitals responsible for the prescription of the commonly abused drugs by the athletes.

***(Resumption of debate interrupted on Tuesday 14th March, 2023 –
Balance of time – 2hrs 42mins)***

15. **MOTION - COMPENSATION TO THE KENYAN VICTIMS OF THE 1998
BOMBING OF THE UNITED STATES EMBASSY IN NAIROBI**

(Sen. Agnes Kavindu Muthama, MP)

THAT, AWARE THAT, disaster is defined as an overwhelming event and circumstance that tests the adaptation of responses of a community or individuals beyond their capability and leads momentarily to massive disruption of function for a community or individual that often exceeds their capacity to cope using existing resources;

FURTHER AWARE THAT, such was the case with the 1998 US Embassy Bomb disaster in Nairobi in which many of the Kenyan casualties resulted from the collapse of adjacent buildings located within a two to three block radius, and with reverberations being felt in most parts of Nairobi that resulted in 213 Kenyans and 12 Americans killed and over 5000 citizens of both countries being seriously injured;

NOTING THAT, US Allies, including Kenya, have endured the great burden of death, and long-term and in many instances permanent, physical and psychological injury;

...../**Motion**

FURTHER NOTING THAT, the United States Government has since compensated some of the victims and families of US citizens, leaving the families of Kenyan citizens and certain other victims uncompensated;

NOW, THEREFORE, the Senate resolves that the Ministry of Foreign Affairs:

- (i) Advances friendship and co-operation between the United States and Kenya by supporting the eligibility of Kenyan and American victims and their personal representatives, surviving spouses and next of kin in the Victim Compensation Fund pursuant to the Justice for United States Victims of State Sponsored Terrorism Act; and
- (ii) Partners with the Ministry of Health to explore subsidized medical treatment for the surviving victims of the bomb blast.

*(Resumption of debate interrupted on Thursday, 16th March, 2023 –
Balance of time – 2hrs 53mins)*

16. **MOTION – INSTITUTION OF MEASURES TO CURB INCESSANT HIGH ELECTRICITY COSTS IN KENYA**

(Sen. Mohamed Chute, MP)

THAT, AWARE THAT energy is an essential factor of production and its total consumption is a major determinant of performance of the economy with its cost and reliability spurring or stifling economic growth;

FURTHER AWARE THAT there has been a significant growth in the demand for electricity in Kenya driven by economic growth and increased efforts towards rural electrification while the supply has been constrained due to, among other factors, the overreliance on hydro-electric power generating plants that have been negatively impacted by perennial drought experienced in the country;

NOTING THAT the imbalance in the demand and supply of power coupled with payments by the Kenya Power and Lighting Company (KPLC) for produced power not consumed and fluctuation in the foreign exchange rates contribute to the high cost of electricity;

APPRECIATING THAT Kenya has made strides in diversifying its power sources with geothermal plants, offering tremendous potential for zero-carbon source of power, already producing nearly one (1) Gigawatt (GW) of power;

...../Motion

CONCERNED THAT private power generating companies popularly referred to as Independent Power Producers (IPPs) only supply 28% of power to KPLC but account for 47% of power purchase costs calling for the need to enhance energy management in Kenya;

NOW THEREFORE the Senate resolves that the:

a) Standing Committee on Energy to undertake an inquiry into: -

- i. Contracts signed by IPPs, detailing the cost, capacity and duration of the contractual agreements and their implications on affordability of electricity in the country;
- ii. Discrepancy in the cost of electricity sold to Kenya Power by KenGen, imports from Ethiopia and IPPs; and
- iii. The diversion of the electricity generated by Lake Turkana Wind Power to the national grid, bypassing the inadequately supplied northern frontier counties of Marsabit and Samburu.

b) Ministry of Energy to come up with a policy framework aimed at:-

- i. Lowering the cost of electricity as a way of addressing the high cost of living; and
- ii. Enhancing clean energy by switching to renewable sources of energy such as geothermal power, wind energy, among others as a way of reducing the carbon footprint.

17. MOTION - ENHANCING HIGHWAY SAFETY AND CONVENIENCE

(Sen. Wahome Wamatinga, MP and Sen. Mohamed Faki, MP)

THAT, AWARE THAT 67% of road crash fatalities and injuries in the country comprise of the economically productive age groups of 15 - 64 years, and that the importance of good post-crash care reduces deaths and disability and the suffering for road crash survivors creates the urgent need for effective emergency medical care system elements and processes on our highways;

FURTHER AWARE THAT lives and properties are lost or irreparably damaged daily on major highways in the country due to accidents and explosion of fuel tankers, and the lack of accessible roadside amenities such

...../Motion

as medical clinics, rescue centers, fire engines and ambulances hamper efforts to mitigate the carnage caused by the accidents, rescue lives and put out fires;

COGNIZANT THAT setting up safe stopping points for road users at regular intervals with the necessary road-side amenities such as fuel stations, parking spaces, restaurants, telephone booths, minor repair shops, medical facilities, and toilets enhances total travel experience and the lack of these points make it impractical for drivers to stop as often as they would wish to resulting into driving-related fatigue, a significant contributor to accidents on the highways;

FURTHER COGNIZANT THAT provision of amenities such as ambulances, firetrucks and satellite medical clinics to provide emergency services to road accident victims would save lives lost daily on major roads;

ACKNOWLEDGING THAT governments across the world have taken on the task of setting up such amenities through incorporation of the basic provisions in their road transport infrastructure through different models of Public Private Partnership (PPP), lease, or ownership;

NOW THEREFORE the Senate resolves that: -

- i) The Kenya National Highway Authority, in collaboration with the Council of Governors to come up with a policy framework on the incorporation of road reserves for road-side amenities in all highway designs;
- ii) The Ministries of Health, Roads, Transport and Public Works in conjunction with the Council of Governors to undertake a survey to ascertain the specific amenities required but not available on the existing highways such as satellite medical clinics, firetrucks and ambulances, and identify the most convenient locations to develop them; and
- iii) The Ministry of Roads and Transport in conjunction with the Council of Governors to develop Public Private Partnership guideline on leasing of the road reserves to developers, financing the construction of the amenities, and the packaging of incentives to attract investors.

18. **MOTION - DROUGHT MITIGATION PROGRAMME IN PUBLIC SCHOOLS**
(Sen. Enoch Wambua, MP)

AWARE THAT, Kenya is experiencing the most intense, severe and alarming drought in forty (40) years, as a result of the failure of four consecutive rainy seasons, affecting more than twenty (20) counties in arid and semi-arid lands (ASAL);

...../Motion

FURTHER AWARE THAT, more than 4.2 million people representing 24% of the ASAL population are facing high levels of acute food insecurity, with about 2.7 million in crisis phase and 785,000 people in emergency state;

NOTING THAT, the national and county governments, both local and international development partners and philanthropists have made attempts to respond to the dire situation occasioned by the severe drought;

CONCERNED THAT, thousands of children did not attend school during the third term of the academic year 2022 and beginning of 2023 as a result of the ongoing drought;

NOW THEREFORE, the Senate urges: -

1. the Ministry of East African Community (EAC), the ASALs and Regional Development to develop immediate and long-term interventions to alleviate the ravaging effects of drought and hunger periodically affecting the country and more severely the ASAL areas;
2. the Ministry of Education, in conjunction with the Council of Governors, to establish modalities to ensure no learners are sent away from schools due to lack of school fees to ensure that children from vulnerable families have access to education; and
3. the Ministry of Education, in conjunction with the Council of Governors to implement effective school feeding programmes to ensure that children from vulnerable families in drought-hit regions have access to at least one hot meal per day and that no child misses class due to lack of food.

19. **MOTION - ARBITRARY ARRESTS OF KENYAN FISHERMEN BY UGANDAN AUTHORITIES**

(Sen. (Dr.) Oburu Oginga, MP)

THAT AWARE THAT the communities around the lake rely on fishing as their main economic activity, their source of food and employment;

CONCERNED THAT the fishermen have reported harassment from the Ugandan security personnel including arbitrary arrests and imposition of unreasonable fines;

FURTHER CONCERNED THAT in November, 2021 the Kenya International Boundaries office formed a Joint Committee with the Ugandan authorities that did not effectively delineate the boundaries that would have helped avoid conflict between the two Countries;

...../Motion

NOW THEREFORE the Senate resolves that-

- a) the Ministry of Foreign and Diaspora Affairs in collaboration with the Ministry of East African Community (EAC), the ASALs and Regional Development engages the counterpart ministries in the Republic of Uganda to;
 - i) Fast-track the delineation of the Kenya-Uganda boundary;
 - ii) Develop measures to curb the arrests of Kenyan fishermen by Ugandan authorities;
 - iii) Institute a protocol for sustainable development of the Lake Victoria Basin on the sharing of resources between partner states; and
- b) The Ministry of Interior and National Administration to deploy the Kenya Coast Guard in the territorial waters of Lake Victoria to enforce maritime security and safety.

...../Notice

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 further 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 PARLIAMENTARY POWERS AND PRIVILEGES (AMENDMENT) BILL
(SENATE BILLS NO. 5 OF 2022)

(Sen. Danson Mungatana, MP)

NOTICE is given that the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights, intends to move the following amendments to the Parliamentary Powers and Privileges (Amendment) Bill (Senate Bills No. 5 of 2022) at the Committee Stage —

CLAUSE 2

THAT clause 2 of the Bill be amended by inserting the words “The Parliamentary Powers and Privileges (Amendment) Act, hereinafter referred to as” at the beginning of the introductory clause.

INSERTION OF NEW CLAUSE 3A

THAT the Bill be amended by inserting the following new clause immediately after clause 3 –

- 3A.** Section 16 of the principal Act is amended in paragraph (d) by deleting the expression “38” appearing immediately after the words “under section” and substituting therefor the expression “37”.

CLAUSE 4

THAT clause 4 of the Bill be amended –

- (a) in the introductory clause by deleting the words “Parliamentary Powers and Privileges Act hereinafter referred to as the” appearing immediately after the word “The”;
- (b) by deleting the proposed new section 23A and substituting therefor the following new section –

23A. In this Part, “responsible officer” means –

- (a) a Cabinet Secretary;
- (b) a county governor;
- (c) the chairperson of a commission established under the Constitution;
- (d) the Auditor-General;

...../Notice of Amendments

- (e) the Controller of Budget;
 - (f) the chairperson and the accounting officer of a corporate body; and
 - (g) a public officer to whom a resolution or report of a House or a Committee of Parliament is submitted in accordance with this Act.
- (c) in the proposed new section 23C –
- (i) by renumbering the existing provision as subsection (1); and
 - (ii) inserting the following new subsection immediately after the new subsection (1)–
 - (2) A person liable for an offence under subsection (1) shall be personally liable for the fine and public funds shall not be used to pay such a fine.

B. *THE COUNTY VOCATIONAL EDUCATION AND TRAINING BILL (SENATE BILLS NO. 3 OF 2022)

(Sen. Moses Kajwang, MP)

NOTICE is hereby given that the Chairperson, Standing Committee on Education, intends to move the following amendments to the County Vocational Education and Training Bill (Senate Bills No. 3 of 2022), at the Committee Stage –

CLAUSE 4

THAT clause 4 of the Bill be amended –

- (a) by deleting paragraph (l);
- (b) by deleting paragraph (m) and substituting therefor the following new paragraph–
 - (m) development and implementation of a national qualifications framework to provide for progression, recognition and equation of qualifications, credit transfers and exemptions with respect to vocational education and training in counties; and
- (c) in paragraph (n) by deleting the words “and education” appearing immediately after the words “private vocational”.

CLAUSE 5

THAT clause 5 of the Bill be amended in paragraph (e) by deleting the words “education and” appearing immediately after the words “development of vocational”.

CLAUSE 6

THAT clause 6 of the Bill be amended –

- (a) in the marginal note by deleting the words “education and” appearing immediately after the words “of a vocational”;
- (b) in the introductory clause by deleting the words “education and” appearing immediately after the words “establish a vocational”;
- (c) in paragraph (b) by deleting the words “education and” appearing immediately after the words “at the vocational”; and
- (d) in paragraph (d) by deleting the words “education and” appearing immediately after the words “in the vocational”.

CLAUSE 7

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

- (a) deleting the words “education and” appearing immediately after the words “adequate vocational” in paragraph (b);
- (b) deleting the words “education and” appearing immediately after the words “county vocational” in paragraph (c);
- (c) deleting paragraph (d) and substituting therefor the following new paragraph –
 - (d) conduct training and capacity building programmes targeting centre managers, trainers and staff of vocational training centres that provide vocational education and training to trainees with disabilities;
- (d) deleting the words “education and” appearing immediately after the words “public vocational” in paragraph (e).

HEADING TO PART II

The principal Act is amended in the heading to Part II by deleting the words “EDUCATION AND” appearing immediately after the words “OF VOCATIONAL”.

CLAUSE 8

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

Categories of vocational training centres.	8. Vocational training centres shall be categorised as —
	(a) public vocational training centres; or
	(b) private vocational training centres.

CLAUSE 9

THAT clause 9 of the Bill be amended –

- (a) in the marginal note by deleting the words “education and” appearing immediately after the words “county vocational”; and
- (b) by deleting the words “education and” appearing immediately after the words “such vocational”.

CLAUSE 10

THAT clause 10 of the Bill be amended –

- (a) in subclause (1) by deleting the words “education and” appearing immediately after the words “public vocational”;
- (b) in subclause (2) by deleting the words “education and” appearing immediately after the words “administered in the vocational”;
- (c) by deleting subclause (3) and substituting therefor the following new subclause –

(3) A sponsor shall not compromise the implementation of any law applicable to the respective vocational training centre or the professional standards and ethics of instructions in a vocational training centre.

- (d) by deleting subclause (4) and substituting therefor the following new subclause –

(4) Notwithstanding the fact that the sponsor of a vocational training centre is a faith based institution, the curriculum in the training centre shall be secular.

CLAUSE 11

THAT clause 11 of the Bill be amended in subclause (1) by –

- (a) deleting the words “education and” appearing immediately after the words “licensed vocational” in paragraph (b);
- (b) deleting the words “education and” appearing immediately after the words “vocational” in paragraph (c);
- (c) deleting the words “education and” appearing immediately after the word “vocational” in paragraph (d);
- (d) inserting the word “vocational” immediately after the words “learners in all” in paragraph (e);
- (e) inserting the following new paragraph immediately after paragraph (e) –
 - (ea) instructors and trainers in vocational training centres;
- (f) deleting the words “education and” appearing immediately after the word “vocational” in paragraph (f).

CLAUSE 12

THAT clause 12 of the Bill be amended –

- (a) in the marginal note by deleting the words “education and” appearing immediately after the words “registration of vocational”;
- (b) in the introductory clause by deleting the words “education and” appearing immediately after the words “a private vocational”;
- (c) by deleting the words “education and” appearing immediately after the words “the vocational” in paragraph (a); and
- (d) by deleting the words “education and” appearing immediately after the words “operate a vocational” in paragraph (b).

CLAUSE 13

THAT clause 13 of the Bill be amended –

- (a) in the marginal note by deleting the words “education and” appearing immediately after the words “licensing of vocational”; and
- (b) by deleting the words “education and” appearing immediately after the words “licensing of”.

CLAUSE 14

THAT clause 14 of the Bill be amended –

- (a) in the marginal note by deleting the words “education and” appearing immediately after the words “relation to a vocational”;
- (b) in the introductory clause by deleting the words “education and” appearing immediately after the words “establishing a vocational”;
- (c) by deleting the words “education and” appearing immediately after the word “vocational” in paragraph (c);
- (d) by deleting the words “education and” appearing immediately after the words “staff of the vocational” in paragraph (d); and
- (e) by deleting the words “education and” appearing immediately after the word “vocational” in paragraph (e).

CLAUSE 15

THAT clause 15 of the Bill be amended in subclause (2) by deleting the words “education and” appearing immediately after the words “licenced vocational”;

CLAUSE 16

THAT clause 16 of the Bill be amended in subclause (1) by –

- (a) deleting the words “education and” appearing immediately after the words “deregister a vocational”;
- (b) deleting the words “education and” appearing immediately after the words “the vocational” in paragraph (a);
- (c) deleting the words “education and” appearing immediately after the words “in the vocational” in paragraph (b); and

(d) deleting paragraph (c) and substituting therefor the following new paragraph

–
(c) the training centre has ceased to be a vocational training centre or closed down.

CLAUSE 17

THAT clause 17 of the Bill be amended in subclause (1) by deleting the words “education and” appearing immediately after the words “deregistering a vocational”.

CLAUSE 18

THAT clause 18 of the Bill be amended –

(a) in the marginal note by deleting the words “education and” appearing immediately after the words “closure of a vocational”; and

(b) in subclause (1) by deleting the words “education and” appearing immediately after the words “down a vocational”.

(c) in subclause (2) by –

(i) deleting the words “education and” appearing immediately after the words “close down a vocational” in the introductory clause;

(ii) deleting the words “education and” appearing immediately after the words “down the vocational” in paragraph (a);

(iii) deleting the words “education and” appearing immediately after the words “in the vocational” in paragraph (b)(ii);

(iv) deleting the words “education and” appearing immediately after the words “against the vocational” in paragraph (b)(iii); and

(d) in subclause (3) by deleting the words “education and” appearing immediately after the words “close down a vocational” in the introductory clause.

HEADING TO PART II

The principal Act is amended in the heading to Part III by deleting the words “EDUCATION AND” appearing immediately after the words “MANAGEMENT OF VOCATIONAL”.

CLAUSE 21

THAT the Bill be amended by deleting clause 21 and substituting therefor the following new clause –

Board of Manage ment. **21.** (1) There is established in each vocational training centre, a Board to be known as the Board of Management.

(2) The Board shall comprise —

- (a) a chairperson;
- (b) a representative of the county government in the respective county within which the institution is located;
- (c) a representative of cabinet secretary in the county;
- (d) one representative of the teaching staff elected by trainers in the training centre;
- (e) one representative of the non-teaching staff elected by the non-teaching staff in the training centre;
- (f) one person nominated by parents to represent parents of the trainees in the centre;
- (g) two persons appointed on the basis of their knowledge and experience in —
 - (i) leadership and management;
 - (ii) financial management;
 - (iii) technology;
 - (iv) industry;
 - (v) engineering; or
 - (vi) information communication technology.
- (h) the centre manager or the head of the vocational training centre who shall be an *ex officio* member and the secretary to the Board.

(3) The county executive committee member shall appoint the persons nominated to the Board by a notice in the *gazette*.

...../Notice of Amendments

(4) The members of the Board shall have a minimum qualification of post secondary education.

(5) In appointing the members under subsection (2), the county executive committee member shall take into account the need to ensure gender and ethnic representation.

CLAUSE 22

THAT clause 22 of the Bill be amended –

- (a) in paragraph (a) by deleting the words “education and” appearing immediately after the words “in the vocational”;
- (b) in paragraph (b) by deleting the words “education and” appearing immediately after the words “of the vocational”;
- (c) in paragraph (c) by deleting the words “education and” appearing immediately after the words “programmes in the vocational”;
- (d) in paragraph (e) by deleting the words “education and” appearing immediately after the words “for the vocational”;
- (e) in paragraph (f) by deleting the words “education and” appearing immediately after the words “from the vocational”;
- (f) in paragraph (g) by deleting the words “education and” appearing immediately after the words “expenditure for the vocational”;
- (g) in paragraph (h) by deleting the words “education and” appearing immediately after the words “behalf of the vocational”;
- (e) by deleting paragraph (i) and substituting therefor the following new paragraph –
 - (i) receive, on behalf of the vocational training centre, fees, grants, donations, bequests or other moneys and to make disbursements on behalf of the vocational training centre; and
- (h) in paragraph (j) by deleting the words “education and” appearing immediately after the words “of the vocational”.

CLAUSE 27

THAT the Bill be amended by deleting clause 27 and substituting therefor the following new clause –

27. The Board shall submit an annual report on the management of a vocational training centre to the county executive committee member and the Authority.

CLAUSE 28

THAT clause 28 of the Bill be amended –

- (a) in the introductory clause by deleting the words “education and” appearing immediately after the words “Every vocational”;
- (b) in paragraph (a) by deleting the words “education and” appearing immediately after the words “attended the vocational”;
- (c) in paragraph (b) by deleting the words “education and” appearing immediately after the words “at the vocational”;
- (d) in paragraph (c) by deleting the words “education and” appearing immediately after the words “at the vocational”; and
- (e) in paragraph (d) by deleting the words “education and” appearing immediately after the words “of a vocational”.

CLAUSE 29

THAT clause 29 of the Bill be amended –

- (a) in subclause (1) by –
 - (i) deleting the introductory clause and substituting therefor the following introductory clause –

(1) A vocational training centre shall not employ a centre manager or a trainer unless that person–
 - (ii) deleting the word “principal” appearing immediately after the words “case of a” in paragraph (b) and substituting therefor the words “centre manager”; and
 - (iii) inserting the words “Technical and” immediately after the words “trainer under the” in paragraph (a).

...../Notice of Amendments

(b) by deleting subclause (2) and substituting therefor the following new subclauses –

(2) Each county government shall be responsible for the recruitment and remuneration of centre managers and trainers of public vocational training centres within the county.

(3) Each county assembly shall appropriate such funds as may be necessary to ensure the recruitment of adequate trainers to serve in vocational training centres in the county.

CLAUSE 30

THAT clause 30 of the Bill be amended in subclause (2) by deleting the words “education and” appearing immediately after the words “licensed vocational”.

CLAUSE 31

THAT clause 31 of the Bill be amended –

(a) in subclause (1) by deleting the words “education and” appearing immediately after the words “A vocational”;

(b) in subclause (2) by deleting the words “education and” appearing immediately after the words “A vocational”;

(c) in subclause (3) by –

(i) deleting the words “education and” appearing immediately after the words “training, a vocational” in the introductory clause;

(ii) deleting the word “training” appearing immediately after the words “follow the” in paragraph (d) and substituting therefor the word “qualification”; and

(d) in subclause (4) by deleting the words “education and” appearing immediately after the words “A vocational”.

CLAUSE 34

THAT clause 34 of the Bill be amended –

(a) in the marginal note by deleting the words “education and” appearing immediately after the words “Existing vocational”; and

(b) in subclause (1) by deleting the words “education and” appearing immediately after the words “registered as a vocational”.

CLAUSE 38

THAT clause 38 of the Bill be amended –

- (a) in subclause (1) by inserting the words “in consultation with the respective county executive committee members” appearing immediately after the words “The Cabinet Secretary”; and
- (b) in subclause (2) by –
 - (i) deleting the words “education and” appearing immediately after the words “applying to all vocational” in the introductory clause;
 - (ii) deleting the word “education” appearing immediately after the words “a registered vocational” in paragraph (a) and substituting therefor the word “training”;
 - (iii) deleting the words “education and” appearing immediately after the words “of a vocational” in paragraph (b);
 - (iv) deleting the words “education and” appearing immediately after the words “of registered vocational” in paragraph (d); and
 - (v) deleting the words “education and” appearing immediately after the words “by a vocational” in paragraph (e).

CLAUSE 2

THAT clause 2 of the Bill be amended –

- (a) by deleting the definition of the words “integrated vocational education and training centre” and substituting therefor the following new definition —

“integrated vocational training centre” means a vocational training centre designed to accommodate and provide courses and training suitable for the needs of a trainee with disability or special needs;
- (b) by deleting the definition of the word “principal”;
- (c) by deleting the definition of the words “private vocational education and training centre” and substituting therefor the following new definition —

“private vocational training centre” means a vocational training centre established, owned or operated by a private person;

(d) by deleting the definition of the words “public vocational education and training centre” and substituting therefor the following new definition —

“public vocational training centre” means a vocational training centre established, owned or operated by a county government and includes a sponsored vocational training centre;

(e) by deleting the definition of the words “trainee with disability”;

(f) in the definition of the word “Board” by deleting the words “education and” appearing immediately after the words “public vocational”;

(g) in the definition of the word “curriculum” by deleting the words “education and” appearing immediately after the words “in a vocational”;

(h) in the definition of the word “sponsor” by deleting the words “education and” appearing immediately after the words “of a vocational”;

(i) in the definition of the word “trainee” by deleting the words “education and” appearing immediately after the words “in a vocational”;

(j) in the definition of the words “vocational education and training” by deleting the words “education and” appearing immediately after the words “in a vocational”;

(k) inserting the following new definitions in their proper alphabetical sequence—

“centre manager” means the administrator of a vocational training centre who is responsible for the implementation of policy guidelines and professional practice in the training centre;

“learner with disability” means a learner whose mental characteristics, sensory abilities, physical characteristics, emotional and social adjustment or communication abilities are impaired and includes a learner who suffers from long term disability which has a substantial or long-term effect on an individual’s ability to carry out ordinary day-to-day activities including learning growth and development;

No. 29 of “trainer” means a person who is licensed and
2013. registered as a trainer under the Technical and
 Vocational Education and Training Act;

 “vocational training center” means an
institution providing training leading to the award
of a certificate up to the level of artisan.

CLAUSE 1

THAT the Bill be amended by deleting clause 1 and substituting therefor the following new clause –

Short **1.** This Act may be cited as the Vocational
title. Training Act, 2022.

APPENDIX

1. PETITION

Petition to the Senate by Mr. Nickey Mouko Mwanicha, a resident of Nairobi City County concerning construction of a pedestrian bridge at Chiromo area in Nairobi City County.

(The Speaker of the Senate)

2. PAPERS

- i.) Report of the Auditor General on the financial statement of the Narok County Alcoholic Drinks Regulation and Control Fund for the year ended 30th June, 2020.
- ii.) Report of the Auditor General on the financial statement of the Narok County Alcoholic Drinks Regulation and Control Fund for the year ended 30th June, 2021.
- iii.) Report of the Auditor General on the Receiver of Revenue – Revenue Statements for the County Government of Narok for the year ended 30th June, 2022.
- iv.) Report of the Auditor General on the financial statement of the County Revenue Fund for the County Government of Narok for the year ended 30th June, 2022.
- v.) Report of the Auditor General on the financial statement of the Narok County Bursary Management Fund for the year ended 30th June, 2022.
- vi.) Report of the Auditor General on the financial statement of the Narok County Alcoholic Drinks Regulation and Control Fund for the year ended 30th June, 2022.
- vii.) Report of the Auditor General on the financial statement of the Bomet County Education Revolving Fund for the year ended 30th June, 2022.
- viii.) Report of the Auditor General on the financial statement of the Bomet County Bursary Fund for the year ended 30th June, 2022.
- ix.) Report of the Auditor General on the financial statement of the Receiver of Revenue – Revenue Statements for the County Government of Bomet for the year ended 30th June, 2022.

...../Appendix

- x.) Report of the Auditor General on the financial statement of the Kiambere Mwingi Water and Sanitation Company Limited for the year ended 30th June, 2022.
- xi.) Report of the Auditor General on the financial statement of the Kajiado County Executive Staff Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2022.
- xii.) Report of the Auditor General on the financial statement of the Kitui County Empowerment Fund for the year ended 30th June, 2022.
- xiii.) Report of the Auditor General on the financial statement of the Baringo County Executive Car Loan Scheme Fund for the year ended 30th June, 2022.
- xiv.) Report of the Auditor General on the financial statement of the Baringo County Bursary and Scholarship Fund for the year ended 30th June, 2022.
- xv.) Report of the Auditor General on the financial statement of the Baringo County Youth and Women Fund for the year ended 30th June, 2022.
- xvi.) Report of the Auditor General on the financial statement of the Baringo County Community Conservation Fund for the year ended 30th June, 2022.
- xvii.) Report of the Auditor General on the financial statement of the County Revenue Fund for the County Government of Baringo for the year ended 30th June, 2022.
- xviii.) Report of the Auditor General on the financial statement of the Baringo County Older Persons and Persons with Disability Fund for the year ended 30th June, 2022.
- xix.) Report of the Auditor General on the financial statement of the Receiver of Revenue for the County Government of Baringo for the year ended 30th June, 2022.
- xx.) Report of the Auditor General on the financial statement of the Baringo County Assembly Catering and Health Services Scheme Fund for the year ended 30th June, 2022.
- xxi.) Report of the Auditor General on the financial statement of Wote Water and Sewerage Company Ltd for the year ended 30th June, 2022.
- xxii.) Report of the Auditor General on the financial statement of the County Government of Nakuru Mortgage (Staff) Scheme Fund for the year ended 30th June, 2022.

- xxiii.) Report of the Auditor General on the financial statement of the Nakuru County Bursary Fund for the year ended 30th June, 2022.
- xxiv.) Report of the Auditor General on the financial statement of the Receiver of Revenue for the County Government of Nakuru for the year ended 30th June, 2022.
- xxv.) Report of the Auditor General on the financial statement of the Nakuru County Emergency Fund for the year ended 30th June, 2022.
- xxvi.) Report of the Auditor General on the financial statement of the Nakuru County Persons with Disabilities Fund for the year ended 30th June, 2022.
- xxvii.) Report of the Auditor General on the financial statement of the County Revenue Fund for the County Government of Nakuru for the year ended 30th June, 2022.
- xxviii.) Report of the Auditor General on the financial statement of the Machakos County Assembly Housing and Car Loan Scheme Fund for the year ended 30th June, 2022.
- xxix.) Report of the Auditor General on the financial statement of the Machakos County Bursary Fund for the year ended 30th June, 2022.
- xxx.) Report of the Auditor General on the financial statement of the Kisii County Alcoholic Drinks Control Fund for the year ended 30th June, 2022.

(The Senate Majority Leader)

3. NOTICE OF MOTION - DEVELOPMENT OF A POLICY AND LAW FOR SOCIAL RISK MANAGEMENT IN INFRASTRUCTURE DEVELOPMENT PROJECTS IN KENYA

(Sen. Catherine Mumma, MP)

AWARE THAT the Constitution has entrenched a strong Bill of Rights in Chapter 4, which recognizes human rights including socio-economic rights and the principle of equality and non-discrimination;

FURTHER AWARE THAT Kenya lacks a policy for guiding the management of these Social Risks in the design and implementation of infrastructure projects;

CONCERNED THAT inadequate attention to social risks in the planning and implementation of development projects at both national and county levels

...../Appendix

makes them unacceptable and end up costing the taxpayer colossal sums of money in suits filed before the courts and tribunals by local communities and affected interest groups seeking protection from such social risks;

NOW, THEREFORE, the Senate resolves that:

1. The National and County Governments develop a Social Risk Management Policy that outlines the standards, guidelines and procedures for guiding infrastructure and other development projects both at the national and county governments; and
2. The national executive establishes an independent multi-sectoral agency under the authority of the Cabinet secretary in charge of Social Security and Protection to design a mechanism that can factor in the inclusion of Social Impact Assessments standards and monitor their implementation in infrastructure and other development projects in Kenya.

4. QUESTIONS AND STATEMENTS

STATEMENTS PURSUANT TO STANDING ORDER 56(1)(B)

- i.) The Chairperson, Standing Committee on National Cohesion, Equal Opportunity and Regional Integration to issue a Statement relating to the activities of the Committee.
- ii.) The Chairperson, Standing Committee on National Security, Defence and Foreign Relations to issue a Statement relating to the activities of the Committee.
- iii.) The Chairperson, Standing Committee on Trade, Industrialization and Tourism to issue a Statement relating to the activities of the Committee.
- iv.) The Chairperson, Standing Committee on Roads, Transportation and Housing to issue a Statement relating to the activities of the Committee.

NOTICE PAPER

Tentative Business for

Wednesday, April 19, 2023 (Afternoon Sitting)

(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, April 19, 2023 – (Afternoon Sitting).

A. BILLS AT THE SECOND READING STAGE

- i.) ***THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILLS NO. 9 OF 2023) (Division)
(The Senate Majority Leader)
- ii.) *THE PROMPT PAYMENT BILL (SENATE BILLS NO. 8 OF 2022)
(Sen. Mariam Sheikh Omar, MP)
- iii.) *THE MUNG BEANS BILL (SENATE BILLS NO. 13 OF 2022)
(Sen. Enoch Wambua, MP)
- iv.) *THE EMPLOYMENT (AMENDMENT) BILL (SENATE BILLS NO. 11 OF 2022)
(Sen. Samson Cherarkey, MP)
- v.) *THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL (SENATE BILLS NO. 12 OF 2022)
(Sen. Maureen Tabitha Mutinda, MP)
- vi.) *THE TEA (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2023)
(Sen. Wakili Hillary Sigei, MP)
- vii.) *THE KONZA TECHNOPOLIS BILL (SENATE BILLS NO. 2 OF 2023)
(Sen. Gloria Orwoba, MP)
- viii.) *THE START-UP BILL (SENATE BILLS NO. 14 OF 2022)
(Sen. Crystal Asige, MP)

...../Notice Paper

(No. 027) WEDNESDAY, APRIL 19, 2023 (MORNING SITTING) (346)

- ix.) **THE EQUALIZATION FUND APPROPRIATION BILL (SENATE BILLS NO. 3 OF 2023)
(The Chairperson, Standing Committee on Finance and Budget)
- x.) *THE LEARNERS WITH DISABILITIES BILL (SENATE BILLS NO. 4 OF 2023)
(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)
- xi.) *THE COTTON INDUSTRY DEVELOPMENT BILL (SENATE BILLS NO. 5 OF 2023)
(Sen. Beth Syengo, MP)

B. BILLS AT COMMITTEE OF THE WHOLE STAGE

***THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILLS NO. 9 OF 2023) (Division)
(The Senate Majority Leader)

C. MOTIONS

- i.) HIGH COST OF LIVING
(Sen. Karen Nyamu, MP)
- ii.) REPOSSESSION OF MOVABLE ASSETS BY LENDING INSTITUTIONS DUE TO NON-PERFORMING LOANS
(Sen. Wahome Wamatinga, MP)
- iii.) ACCELERATING THE IMPLEMENTATION OF SUSTAINABLE DEVELOPMENT GOALS (SDGs)
(Sen. Catherine Mumma, MP)
