



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (THIRD SESSION)**

**THE SENATE**

**ORDER PAPER**

**MORNING SITTING**

**WEDNESDAY, MAY 22, 2024 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 AND BANDITRY AS A NATIONAL DISASTER AND ESTABLISHMENT OF A SPECIAL FUND FOR VICTIMS**  
(Sen. William Cheptumo, MP)

**THAT AWARE THAT**, cattle rustling/banditry 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 health 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;

**...../Motions**

**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/banditry to:
  - (i) Investigate the causes of the rampant cattle rustling and banditry in the said region and the Country at large;
  - (ii) Establishes the extent of suffering, loss and damage the cattle rustling/banditry 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/banditry and settle all internally displaced persons occasioned by the menace.

***(Resumption of debate interrupted on Wednesday, 6<sup>th</sup> March, 2024 – Morning Sitting – Balance of time 56 minutes)***

9. **MOTION - REPORT OF THE SELECT COMMITTEE ON COUNTY PUBLIC ACCOUNTS ON ITS CONSIDERATION OF THE REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF WEST POKOT COUNTY ASSEMBLY FOR THE FINANCIAL YEAR 2018/2019 AND REPORTS OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF ISIOLO, KIAMBU, KITUI, MARSABIT, NAROK, NYAMIRA, TRANS NZOIA, WEST POKOT AND MURANG'A COUNTY ASSEMBLIES FOR THE FINANCIAL YEAR 2019/2020**  
(The Chairperson, County Public Accounts Committee)

**THAT**, the Senate adopts the Report of the Select Committee on County Public Accounts on its consideration of the Report of the Auditor General on the financial statements of West Pokot County Assembly for the financial year 2018/2019 and Reports of the Auditor General on the financial statements of Isiolo, Kiambu, Kitui, Marsabit, Narok, Nyamira, Trans Nzoia, West Pokot and Murangá County Assemblies for the financial year 2019/2020 laid on the table of the Senate on Thursday, 7<sup>th</sup> March, 2024.

***(Resumption of debate interrupted on Tuesday, 30<sup>th</sup> April, 2024)***

10. **MOTION - REPORT OF THE 66<sup>TH</sup> COMMONWEALTH PARLIAMENTARY CONFERENCE HELD IN ACCRA, GHANA FROM 30<sup>TH</sup> SEPTEMBER – 6<sup>TH</sup> OCTOBER, 2023**  
(Sen. (Prof.) Margaret Kamar, MP)

**THAT**, the Senate notes the Report of the 66<sup>th</sup> Commonwealth Parliamentary Conference held in Accra, Ghana from 30<sup>th</sup> September – 6<sup>th</sup> October, 2023 laid on the Table of the Senate on 15<sup>th</sup> February, 2024.

...../Motions

11. **MOTION - REPORT OF THE 63<sup>RD</sup> SESSION OF THE OACPS PARLIAMENTARY ASSEMBLY AND 43<sup>RD</sup> SESSION OF THE ACP-EU JOINT PARLIAMENTARY ASSEMBLY MEETINGS IN BRUSSELS, BELGIUM**

(Sen. Kathuri Murungi, MP)

**THAT**, the Senate notes the Report of the 63<sup>rd</sup> Session of the OACPS Parliamentary Assembly and 43<sup>rd</sup> Session of the ACP-EU Joint Parliamentary Assembly Meetings in Brussels, Belgium laid on the table of Senate on Wednesday, 6<sup>th</sup> December, 2023.

12. **MOTION - REPORT OF THE PARLIAMENT OF KENYA DELEGATION TO THE 13<sup>TH</sup> PLENARY ASSEMBLY OF THE FORUM OF PARLIAMENTS OF THE MEMBER STATES OF THE INTERNATIONAL CONFERENCE ON THE GREAT LAKES REGION (FP-ICGLR), HELD IN JUBA, SOUTH SUDAN**

(Sen. Ali Ibrahim Roba, MP)

**THAT**, the Senate notes Report of the Parliament of Kenya Delegation to the 13<sup>th</sup> Plenary Assembly of the Forum of Parliaments of the Member States of the International Conference on the Great Lakes Region (FP-ICGLR), held in Juba, South Sudan, laid on the table of Senate on Thursday, 7<sup>th</sup> December, 2023.

13. **MOTION - REPORT OF THE KENYA DELEGATION TO THE EXTRAORDINARY SESSION OF THE SIXTH PARLIAMENT OF THE PAN-AFRICAN PARLIAMENT (PAP) HELD AT THE GALLAGHER CONVENTION CENTRE, MIDRAND, SOUTH AFRICA, FROM 20<sup>TH</sup> TO 27<sup>TH</sup> MARCH, 2024**

(Sen. Danson Mungatana, MP)

**THAT**, the Senate notes the Report of the Kenya Delegation to the Extraordinary Session of the Sixth Parliament of the Pan-African Parliament (PAP) held at the Gallagher Convention Centre, Midrand, South Africa, from 20<sup>th</sup> to 27<sup>th</sup> March, 2024, laid on the Table of the Senate on Wednesday, 24<sup>th</sup> April, 2024.

14. **MOTION - ESTABLISHMENT 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;

**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 with adverse effect to millions of Kenyans;

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

...../*Motions*

**NOW THEREFORE** the Senate urges the Ministry of Roads and Transport, Ministry of Environment, Climate Change and Forestry, 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 across the country;
- ii.) Identify and develop County car-free zones, also known as “pedestrians’ precincts”, in urbanized areas, where its infrastructure and activities are restricted to pedestrians alone;
- iii.) provide affordable, safe and universally designed public transport access to and around these car-free zones, including, but not limited to, development of Bus Rapid Transport (BRT) in the urban areas;
- iv.) design inclusive mobility infrastructure that supports non – motorized transport facilities, such as pedestrian spaces, bicycle lanes and green spaces, within the Central Business District of every County; and
- v.) ensure inter-modal connectivity among the various transport modes.

-----  
**NOTICE**

The Senate resolved on 14<sup>th</sup> February, 2024 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**

-----**XXX**-----

APPENDIXQUESTIONS AND STATEMENTSQUESTIONS

**Question No. 057    The Senator for Kisumu County [Sen. (Prof.) Tom Ojienda, SC, MP] to ask the Cabinet Secretary for Environment, Climate Change and Forestry:**

- a) Could the Cabinet Secretary elaborate on the climate change initiatives put in place both nationally and in each county, considering the diverse topography and unique environmental and climate change needs of each county?
- b) What expertise was engaged and what criteria was applied in developing the national climate change initiatives and tailoring them to the specific needs of each county?
- c) Could the Cabinet Secretary explain the measures put in place to enhance the capacity of each county government to implement the climate change initiatives in their respective counties, including the technical expertise of county governments to address environmental and climate change concerns, as well as the allocation of budgetary resources to each county within the designated timelines for these initiatives?
- d) Could the Cabinet Secretary provide progress reports on the implementation of the climate change initiatives in each county?

**Question No. 021    The Senator for Nairobi City County (Sen. Edwin Sifuna, MP) to ask the Cabinet Secretary for the National Treasury and Economic Planning:**

- a) What has occasioned the failure by the e-Citizen digital platform to process and reflect payments made to some institutions such as the National Health Insurance Fund (NHIF), and could the Cabinet Secretary explain steps taken to remedy the situation?
- b) Where does the convenience fee charged and all other payments that fail to reflect on the platform end up?

- c) Could the Cabinet Secretary report on the safety, efficiency, efficacy and reliability of the e-Citizen digital payment platform, in light of the numerous complaints of delays and technical issues that followed the onboarding of a significant number of Government services on the platform?

**Question No. 060 Nominated Senator (Sen. Catherine Mumma, MP) to ask the Cabinet Secretary for the National Treasury and Economic Planning:**

- a) What was the allocation for development expenditure in the National Government budget for the Financial Year 2022/2023, and could the Cabinet Secretary indicate the percentage of the expenditure that was financed by Government's ordinary revenue, loans and grants from development partners?
- b) How much of the development expenditure was spent on pending bills for projects commenced and/ or completed in preceding financial years, and could the Cabinet Secretary provide a list of these projects along with their corresponding amounts?
- c) Could the Cabinet Secretary provide a list of all development projects undertaken by the National Government in the said financial year, specifying their names, sectors, locations, corresponding expenditure, completion dates and indicate whether each project was initiated in the said financial year or preceding financial years?
- d) Could the Cabinet Secretary provide details on all conditional grants by the National Government to the counties in the said financial year, including the project names and the corresponding amounts, beneficiary counties and any funding partners involved?
- e) Were there any additional development funding or aid from development partners in the said financial year and, if so, could the Cabinet Secretary specify the amount and the projects funded along with their respective locations?

**Question No. 019 Nominated Senator (Sen. Joyce Korir, MP) to ask the Cabinet Secretary for Agriculture and Livestock Development:**

- a) What measures has the Government put in place to ensure that all meat sold in Kenya meets requisite standards for human consumption, and could the Cabinet Secretary clarify whether the Government monitors the entire meat supply chain from slaughterhouses to retail outlets?
- b) Could the Cabinet Secretary state measures put in place to ensure proper disposal of meat certified as unfit for human consumption, and also guarantee that carcasses of already dead animals are not slaughtered and sold to unsuspecting Kenyans?
- c) Could the Cabinet Secretary provide an update on all court cases regarding the sale of uninspected meat?
- d) What strategies and initiatives has the Government adopted to promote value addition in slaughterhouses, particularly concerning by-products such as hooves, hides and skins, to enhance economic returns for livestock farmers in Kenya?

**Question No. 042 The Senator for Tana River County (Sen. Danson Mungatana, MGH, MP) to ask the Cabinet Secretary for Agriculture and Livestock Development:**

- a) Has the Ministry of Agriculture and Livestock Development assessed the losses suffered by both crop and livestock farmers, particularly in Tana River County, due to the recent heavy rainfall experienced across the country and, if so, what are the findings?
- b) Does the Government have plans to compensate the farmers for the losses suffered and, if so, could the Cabinet Secretary indicate the budgetary allocation made for the said purpose and explain any measures put in place to ensure that payments are made in a timely manner and to the right individuals?

**Question No. 047 The Senator for Kirinyaga County (Sen. James Murango, MP) to ask the Cabinet Secretary for Agriculture and Livestock Development:**

- a) What measures is the Government taking to ensure that Kenya's coffee and coffee products comply with the requirement of the European Union Deforestation Regulations (EUDR) that coffee not be sourced from areas affected by deforestation or forest degradation after 30<sup>th</sup> December, 2024?
- b) Which Government institution is leading the efforts to collect the geolocation coordinates of the coffee producing farms as required by the EU Regulations?
- c) Could the Cabinet Secretary also state which Government institution is responsible for managing the geolocation information and state measures in place to ensure its accessibility and protection against access by unauthorized parties?
- d) What is the budgetary allocation for maintaining a comprehensive and accessible database of the geolocation data for land under coffee plantations?



## **NOTICE PAPER**

### **Tentative Business for Wednesday, May 22, 2024**

*(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, May 22, 2024 (Afternoon Sitting).

#### **A. BILLS AT COMMITTEE OF THE WHOLE STAGE**

- i) \*\*\*THE GAMBLING CONTROL BILL (NATIONAL ASSEMBLY BILLS NO. 70 OF 2023)  
(The Senate Majority Leader)
- ii) \*THE TEA (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2023)  
(Sen. Wakili Hillary Sigei, MP)
- iii) \*\*\*THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 2 OF 2023)  
(The Senate Majority Leader)

#### **B. BILLS AT THE SECOND READING STAGE**

- i) \*\*\*THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 59 OF 2022)  
(The Senate Majority Leader)
- ii) \*THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 46 OF 2023)  
(Sen. Johnes Mwaruma, MP)
- iii) \*THE NUTS AND OIL CROPS DEVELOPMENT BILL (SENATE BILLS NO. 47 OF 2023)  
(Sen. Hamida Kibwana, MP)
- iv) \*THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 49 OF 2023)  
(Sen. Lenku Ole Kanar Seki, MP)
- v) \*\*THE LOCAL CONTENT BILL (SENATE BILLS NO. 50 OF 2023)  
(The Chairperson, Standing Committee on Energy)
- vi) \*THE CO-OPERATIVE SOCIETIES (AMENDMENT) BILL (SENATE BILLS NO. 53 OF 2023)  
(Sen. Mariam Sheikh Omar, MP)
- vii) \*THE EARLY CHILDHOOD EDUCATION (AMENDMENT) BILL (SENATE BILLS NO. 54 OF 2023)  
(Sen. Eddy Oketch, MP)

**C. MOTIONS**

- i) REPORT OF THE SELECT COMMITTEE ON COUNTY PUBLIC ACCOUNTS ON ITS CONSIDERATION OF THE REPORTS OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF THARAKA NITHI, HOMA BAY, KAKAMEGA, KIRINYAGA, MAKUENI, MERU, BOMET, MURANG'A, NANDI, NYAMIRA, NYERI, SIAYA, VIHIGA, WAJIR AND SAMBURU COUNTY EXECUTIVES FOR THE FINANCIAL YEAR 2019/2020  
(The Chairperson, County Public Accounts Committee)
  
- ii) REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE STATUS OF IMPLEMENTATION OF PROJECTS FUNDED BY THE CONDITIONAL GRANT FOR THE CONSTRUCTION OF COUNTY HEADQUARTERS  
(The Chairperson, Standing Committee on Finance and Budget)

-----