



REPUBLIC OF KENYA
ELEVENTH PARLIAMENT - (THIRD SESSION)
THE SENATE
ORDER PAPER
THURSDAY, DECEMBER 03, 2015 AT 9.00 A.M

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion (As Listed in the Appendix)
7. Statements
8. **MOTION** - (The Chairperson, Select Committee on Inquiry into the Affairs of Kenya Airways Limited and its Subsidiaries)

THAT, this House adopts the Report of the Select Committee on Inquiry into the Affairs of Kenya Airways Limited and its Subsidiaries tabled in the Senate on 1st December, 2015.

9. **MOTION** - (The Chairperson, Standing Committee on Legal Affairs & Human Rights)

THAT, this House adopts the Report of the Standing Committee on Legal Affairs & Human Rights on the extension of the Mandate of the Commission for the Implementation of the Constitution (CIC).

10. **MOTION** - (Sen. (Dr.) Boni Khalwale)

WHEREAS Article 125 of the Constitution empowers any House of Parliament and any of its committees to summon any person to appear before it for purposes of giving evidence or providing information;

AND FURTHER whereas the Senate has mandated the Sessional Committee on County Public Accounts and Investments to, among other things;

- a) *pursuant to Article 96(3) of the Constitution, to exercise oversight over national revenue allocated to the county governments;*
- b) *pursuant to Article 229(7) and (8), to examine the reports of the Auditor-General on the annual accounts of the county governments;*

...../Motion

c) *examine special reports, if any, of the Auditor-General on county government funds, and*

d) *exercise oversight over county public accounts and investments.*

OBSERVING that the Senate Sessional Committee on County Public Accounts and Investments extended an invitation to the Governor of Kakamega County to appear before the Select Committee on 15th September 2015 and respond to audit queries arising from the Auditor-General in the Report in the Financial Operations of Kakamega County Executive for the Financial year 2013/2014;

FURTHER OBSERVING that the Senate Sessional Committee on County Public Accounts and Investments also extended another invitation to the Governor of Kakamega County to appear before the Select Committee on 2nd October 2015 and respond to audit queries arising from the Auditor-General in the Report in the Financial Operations of Kakamega County Executive for the Financial year 2013/2014;

AWARE that the Governor of Kakamega County has failed to appear before the Select Committee on 15th September 2015 and on 2nd October 2015;

NOTING that the Select Committee issued witness summons dated 10th November 2015 pursuant to Article 125 of the Constitution and Sections 14 and 15 of the National Assembly (Powers and Privileges) Act as read together with Section 7 of the Sixth Schedule to the Constitution for the Governor of Kakamega County to appear before the Select Committee on 13th November 2015;

FURTHER NOTING that the Governor of Kakamega County has failed to honour the witness summons;

OBSERVING that the Select Committee has written to the Director of Public Prosecution seeking that the Director of Public Prosecution takes up this matter and take necessary action;

FURTHER OBSERVING that the Director of Public Prosecution has directed that the Director of Criminal Investigations record a statement on this matter from the Clerk of the Senate and from the person who served the summons on the Governor of Kakamega County;

NOW THEREFORE, the Senate resolves to grant special leave, pursuant to Section 19 of the National Assembly (Powers and Privileges) Act as read together with Section 7 of the Sixth Schedule to the Constitution, to the Clerk of the Senate and the officer who served the summons and any other officer as may be required, to record statements on this matter with the Directorate of Criminal Investigations and to provide such information or evidence as may be required for the purposes of this matter.

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NOTICE

The Senate resolved on 11th February, 2015 as follows:-

THAT, pursuant to Standing Order 100 (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.

APPENDIX

NOTICE OF MOTION (The Senate Majority Leader)

THAT, pursuant to Standing Orders 27 and 28 (3), the Senate do adjourn until Tuesday, 9th February, 2016.