

**PARLIAMENT OF KENYA****THE NATIONAL ASSEMBLY****THE HANSARD****Wednesday, 2<sup>nd</sup> February 2022**

The House met at 9.30 a.m.

*[The Deputy Speaker (Hon. Moses Cheboi) in the Chair]*

PRAYERS

QUORUM

**Hon. Deputy Speaker:** Hon. Members, we are quite short of our required number. Therefore, I order that the Quorum Bell be rung for 10 minutes.

*(The Quorum Bell was rung)*

Hon. Members, we have not raised the right numbers. Using the same Standing Order, I will allow the Bell to ring for an additional five minutes. As you know, that will be the last number of minutes we can give as per the Standing Orders.

*(The Quorum Bell was rung)**(An Hon. Member stood in the gang-way)*

**Hon. Deputy Speaker:** If the gracious lady comes in, we will be good to go. Let us proceed because we now have quorum.

**PAPERS LAID**

**Hon. Deputy Speaker:** We have a series of Papers to be laid by the Majority Whip under this particular Order.

**Hon. Emmanuel Wangwe** (Navakholo, JP): Hon. Deputy Speaker, I beg to lay the following Paper on the Table of the House:

Report of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30<sup>th</sup> June 2021 and the certificates therein –

- (a) National Urban Transport Improvement Project – Kenya National Highways Authority;
- (b) Kenol-Sagana-Marua Highway Improvement Project – Kenya National Highways Authority;

- (c) Improvement of Rural Roads and Market Infrastructure in Western Kenya Project – Kenya Rural Roads Authority;
- (d) Upgrading of the Gilgil-Machinery Road Project – Kenya Rural Roads Authority;
- (e) Eastern Africa Regional Transportation, Trade and Development Facilitation Project – State Department for Infrastructure;
- (f) Horn of Africa Gateway Development Project – State Department for Infrastructure;
- (g) Nairobi Missing Links Road and Non-Motorized Transport Facilities – Kenya Urban Roads Authority;
- (h) Nairobi Outering Road Improvement Project – Kenya Urban Roads Authority;
- (i) Support to the Attainment of Vision 2030 through devolved land reforms in community land of Kenya Project – National Lands Commission;
- (j) Water and Sanitation Services Improvement Project – Lake Victoria Water Works Development Agency;
- (k) Africa Centre of Excellence (ACE II) in Phytochemicals, Textiles and Renewable Energy Project – Moi University;
- (l) Regional Roads Component (Merille-Marsabit Road) KE/00/09) Project – Kenya National Highways Authority;
- (m) Mombasa-Nairobi-Addis Ababa Road Corridor Development Project – Kenya National Highways Authority;
- (n) Kenya Water Security and Climate Resilience Project – Ministry of Water, Sanitation and Irrigation;
- (o) Kenya-South Sudan Link Road Project – Kenya National Highways Authority;
- (p) Regional Mombasa Port Access Road Project – Kenya National Highways Authority;
- (q) Northern Collector Phase 1 (Additional rehabilitation and development of the Network Project) – Athi Water Works Development Agency;
- (r) Water and Sanitation Development Project - Ministry of Water, Sanitation and Irrigation;
- (s) Nairobi Water Distribution Network Project – Athi Water Works Development Agency;
- (t) Kimira Oluch Smallholder Farm Improvement Project – State Department for Regional and Northern Corridor Development;
- (u) Covid-19 Emergency Response Project – Ministry of Health;
- (v) Support to Water and Sanitation Services in Peri-Urban Area Project – Athi Water Works Development Agency; and,
- (w) Kenya Urban Support Program – Kisii Municipality.

Reports of the Auditor-General and Financial Statements in respect of the following institutions for the year ended 30<sup>th</sup> June 2020 and the certificates therein –

- (a) Kenya Law Reform Commission;
- (b) Kenya School of Law;
- (c) AGRO-Chemical and Food Company Limited;
- (d) Council of Legal Education;
- (e) Water Sector Trust Fund;
- (f) Turkana University College;

- (g) Water Services Regulatory Board;
- (h) Kenya Maritime Authority;
- (i) Karatina University;
- (j) Anti-Doping Agency of Kenya;
- (k) Kenya Maritime Authority Staff Mortgage and Car Loan Scheme;
- (l) Nyeri National Polytechnic;
- (m) National Crime Research Centre; and,
- (n) Council of Legal Education.

Reports of the Auditor-General and Financial Statements in respect of the following institutions for the year ended 30<sup>th</sup> June 2019 and the certificates therein –

- (a) Kenya Civil Aviation Authority;
- (b) Turkana University College;
- (c) Mathioya Technical and Vocational College;
- (d) Makueni County Sand Conservation and Utilisation Authority;
- (e) Naivasha Technical and Vocational College; and,
- (f) EMSOS Technical and Vocational College.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Next Order.

### NOTICE OF MOTION

#### APPROVAL OF THE CALENDAR OF THE NATIONAL ASSEMBLY

**Hon. Amos Kimunya** (Kipipiri, JP): Hon. Deputy Speaker, I beg to give notice of the following Motion: -

THAT, pursuant to the provisions of Standing Order No.28, this House approves the Calendar of the National Assembly (Regular Sessions) for the Sixth Session, 2022.

Thank you.

**Hon. Deputy Speaker:** Very well. Next Order.

### QUESTIONS AND STATEMENTS

**Hon. Deputy Speaker:** Under this particular Order, we have---

*(The Lead Clerk-At-the-Table consulted Hon. Deputy Speaker)*

Next Order.

*(Order No.7 deferred)*

### PROCEDURAL MOTIONS

#### LIMITATION OF DEBATE ON BILLS SPONSORED BY PARTIES OR COMMITTEES

**Hon. Deputy Speaker:** Hon. Members, please look at this particular Order and almost the next eight others. It is good for you to familiarise yourselves so that we do not take a lot of time on these orders because it basically setting out our mode of engagement for the remainder of this Session. It is something that happens all the time at the beginning of a new Session. So, just familiarise yourselves because I am sure that the Leader of the Majority Party will be moving pretty fast.

**Hon. Cornelly Serem** (Aldai, JP): On a point of order, Hon. Deputy Speaker. The Whip and the Leader of the Majority Party are discussing about the agenda that touches on this session.

Hon. Deputy Speaker, as we speak our children are at home for lack of bursaries. The National Government Constituencies Development Fund (NG-CDF) Board has not received funds for our constituencies. I do not want to have a situation like what happened in the last Session when I rose and said that there would be no transaction on the Budget in this House unless the funds were disbursed to the constituencies. I want clearance from the Leader of the Majority Party that we are going to be given NG-CDF before we discuss the Supplementary Budget. Otherwise, we will shut down the business on the Supplementary Budget. I have a concern. We were discussing about limitation of our debate while our children are at home. Why are we even discussing about the future of this House when the children who are supposed to be occupying this House in future are in the villages?

Hon. Deputy Speaker, I get what you are saying but it is not fair...

**Hon. Deputy Speaker:** Hon. Serem, I have not said anything but you are already saying that you get what I am saying. The issue is that you are a Member of the Select Committee on NG-CDF. I would have thought you would be reporting and telling us when we are going to have this money disbursed to the CDF. You are referring the matter to the Leader of the Majority Party but he is also a Member of the National Assembly as far as the NG-CDF is concerned. You have raised a very critical issue. You can see that the mood in the House is very supportive of your position. However, I would have wished it were raised in a better manner so that we can have results quickly.

Hon. Serem, what we are doing today is normal business, and is done all the time. Never mind the fact that there are issues. I wanted to give the Floor to the Leader of the Majority Party to see how he can push it himself now that you have said that you want him to speak to it. I think that is a better way because you have raised it. Hon. Leader of the Majority Party, you can have some input into this matter so that we do not take too much time on it. I could open it to two Members and then I give chance to the Leader of the Majority Party.

Let us hear Hon. Ferdinand.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): Hon. Deputy Speaker, I am in that Committee. On a serious note, we are discussing here while back at home contractors we have engaged have downed their tools. Students do not have bursaries. I think it is only fair that the Leader of the Majority Party consults now and tells us exactly what is happening. We cannot be sitting here comfortably when there is a problem back at home.

I, for example, have four contractors who have downed their tools for lack of payment. What do I do? They then see me contributing on other national items that are not relevant to the people who sent me to this House. Therefore, I concur with Hon. Serem. Something should be done today so that we can move forward and tell our people what is happening.

**Hon. Deputy Speaker:** Let us hear Hon. Dawood.

**Hon. Rahim Dawood** (North Imenti, JP): Thank you, Hon. Deputy Speaker. Having voted for the Political Parties Bill alongside the Government, I felt ashamed today because we cannot

get our NG-CDF allocation A total of Kshs4.9 billion from the last financial year has not yet been disbursed.

**Hon. Deputy Speaker:** Order, Hon. Dawood! I will give you your time. I see the Chairman of the NG-CDF standing at the aisle. I think he should take his seat. Some of these things involve him more than they involve the Leader of the Majority Party.

Proceed, Hon. Dawood. That is all I wanted him to do so that he can listen to some of your concerns.

**Hon. Rahim Dawood** (North Imenti, JP): Hon. Deputy Speaker, we know we are only patrons for the NG-CDF. However, when we go to the constituency, we are not known as patrons. We are known as the NG-CDF managers. When we do not get the NG-CDF money, the schools and other infrastructure fall apart and it is the MP who gets the flogging. If the NG-CDF Committee of this House does not get its act together, a half of us may not be back in this House after next year's general elections. This is the most critical time. I believe the Chairman and his Committee needs to wake up. They should call for a *kamukunji* if there is an issue they cannot get through. We will not pass the Supplementary Budget if we do not get assurance that the NG-CDF will be disbursed.

**Hon. Deputy Speaker:** Okay, only that you said a half of you will not come back when history tells us it is slightly more than what you have just said. Never mind whether the NG-CDF issue is there or not. Let us hear the Chairman of NG-CDF. I know Members want to canvass this matter. Let us hear Hon. (Dr.) Makali Mulu then I will pick one other Member from that side.

**Hon. (Dr.) Makali Mulu** (Kitui Central, WDM-K): Thank you, Hon. Deputy Speaker for your consideration. This is a serious matter. I know that the Leader for the Majority Party and the Whip are also in our shoes. So, even as we discuss these Procedural Motions, which are important for our work, I would wish that the Leader of the Majority Party – working closely with the Chair of the Committee, who also happens to be the Leader of the Democratic Action Party (DAP-K) – would work fast and move to the National Treasury and negotiate for the release of more funds so that the contractors can proceed with work and our students can go back to school before we give the ultimatums. I think if they just released the money we will have no problem. We just want the money in our accounts so that our managers and the committees can work.

With those few remarks, I thank you. I hope the money will be there tomorrow.

**Hon. Deputy Speaker:** Let us hear Hon. Kiai.

**Hon. Anthony Kiai** (Mukurweini, JP): Thank you, Hon. Deputy Speaker. The NG-CDF is the lifeline of any Member of Parliament. The situation we find ourselves in is that we cannot pay the contractors who are doing diverse projects in our constituencies. This is a critical time when the NG-CDF must be seen to be functioning on the ground. It is the only tool that MPs use to ensure that they relate with the people out there. So, it is in order that the Hon. Leader of the Majority Party, and the NG-CDF Chairman, ensures that this money is released before anything else is discussed in this House – not to mention that the students are at home waiting for this bursary.

I thank you.

**Hon. Deputy Speaker:** Okay, I will now go to the NG-CDF Chairman. I am sure you now know what is happening. You are one person who has all the answers at your fingertips.

**Hon. Wafula Wamunyinyi** (Kanduyi, FORD-K): Thank you, Hon. Deputy Speaker.

First, I apologise for coming in late. It is because I was involved in other important national duties as confirmed by one of us.

The NG-CDF funds is such an important matter that does not just touch on the hearts of MPs but also people in our constituencies. Hon. Deputy Speaker, you will recall that in our last report we indicated that we had received up to 50 per cent of this financial year's funding. That is Kshs20 billion out of Kshs41 billion. We also reported that there were some arrears amounting to Kshs4.9 billion, on which this House resolved after we reported that the funds had not been received. This House resolved that the funds should be captured in the Supplementary Budget that is coming.

The Committee on Implementation (COI) raised the matter with the Cabinet Secretary (CS) of the National Treasury for implementation of that particular resolution of the House. We also raised the matter with the Budget and Appropriations Committee (BAC) for them to capture the funds in the Supplementary Budget that will soon be before the House.

Given that the Supplementary Budget is coming up for debate soon, if these arrears are captured therein, the matter should be settled. There is the question of the funds for the current financial year. We are in the third quarter now. I had a meeting with the Committee yesterday. It was reported to us that only Kshs2 billion had been received for the third quarter.

**Hon. (Dr.) Robert Pukose** (Endebess, JP): On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** What is out of order, Hon. Pukose? Give me a minute, Chair.

**Hon. (Dr.) Robert Pukose** (Endebess, JP): Thank you, Hon. Deputy Speaker. With all due respect to Hon. Wamunyinyi, who is the leader of the Democratic Action Party-Kenya (DAP-K), he said that if...

*(Hon. (Ms.) Rachael Nyamai clapped)*

I do not know why Hon. Rachael Nyamai is clapping. He said that if the arrears of the National Government-Constituencies Development Fund (NG-CDF) would be captured in the Supplementary Budget... When he used the word "if", it meant that he was not sure whether it was there. Can he confirm to this House and the nation at large that the NG-CDF is in the Supplementary Budget? As a party leader, you need to have the information at your fingertips. Can he confirm to this House and the nation at large whether the NG-CDF arrears are in the current Supplementary Budget? That is what the House passed in the Report he tabled in this House. That is what we expect today.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** I do not think you need to throw it so much to the Chair of the Constituencies Development Committee. This is a document that was tabled in this House. Hon. Pukose and others can also look at it and confirm the correct position.

Proceed.

**An Hon. Member:** On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Let the Chair proceed. You have had your say, Member for North Imenti.

*(Hon. Rahim Dawood spoke off record)*

**Hon. Deputy Speaker:** No, you are out of order! Proceed, Committee Chairman.

**Hon. Wafula Wamunyinyi** (Kanduyi, FORD-K): Thank you, Hon. Deputy Speaker. I confirmed that this House passed a resolution that the arrears which had not been released by the National Treasury should be captured in the Supplementary Budget. I am aware that the Committee

on Implementation raised this issue with the Cabinet Secretary of the National Treasury. The Budget and Appropriations Committee, which is responsible, is also seized of this matter. The House resolved that the arrears should be captured in the Supplementary Budget. This is part of what will be brought before the House. Once the House passes it, then the constituencies will be given the arrears that are due.

I was explaining the position on question of this year's funding. I said that we had received up to 50 per cent of the total allocation, which amounts to Kshs20 billion.

**An Hon. Member:** On a point of order, Hon. Deputy Speaker.

**Hon. Wafula Wamunyinyi** (Kanduyi, FORD-K): Hon. Deputy Speaker, we have received Kshs2 billion for the third quarter. We had a meeting yesterday. We resolved to ask the Cabinet Secretary of the National Treasury to appear before us next week on Tuesday to explain when he will complete the disbursement of funds for this financial year. After that meeting, we will report to this House the progress that we will have made. We have Kshs2 billion so far. If it is released to the constituencies, each constituency will receive as little as Kshs5 million or Kshs6 million. So, we asked them to wait.

I am also a Member who represents a constituency. I need the funds for bursaries, completion of projects and for all other good reasons. As a Committee, we will pursue this matter. Members can confirm that we received these funds in the past. We secured the arrears that accumulated from previous years.

*(An Hon. Member spoke off record)*

As I conclude, I know that Hon. Pukose and the Member who is irritated me are really feeling the weight of the DAP-K. The United Democratic Alliance (UDA) is really feeling it.

*(Laughter)*

We will make sure that these funds are released. I thank you very much, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Order, Members! It is good for me to know whether the excitement is about the DAP-K or NG-CDF. What is your point of order, Hon. Iringo? I am winding up this discussion.

Proceed, Hon. Iringo.

**Hon. Kubai Iringo** (Igembe Central, JP): Thank you, Hon. Deputy Speaker. The Member for Kanduyi, who is the Chair of the Constituencies Development Committee, has digressed by bringing party matters to this House. More so, he talked of disbursement of 50 per cent of funds which, according to me...

*(An Hon. Member spoke off record)*

Shut up! We have received less than 30 per cent of NG-CDF. Hon. Deputy Speaker, let me conclude, please. Is this money disbursed in a skewed way? There are some Members who have received 50 per cent and others who have received 30 per cent. Let the matter be tabled here and then we see it.

**Hon. Deputy Speaker:** Order! Take your seat, Hon. Iringo. I do not think anybody can blame the Member for Kanduyi for bringing up the DAP-K issue to the House.

**An Hon. Member:** “DAP” is a fertiliser!

**Hon. Deputy Speaker:** Many of the Members who spoke before him provoked him. I was not so sure what Hon. Pukose was talking about when he said “DAP.” I did not know whether it was a party or a fertiliser. When Hon. Pukose raised it, he provoked him. Let us now go back to...

**Hon. (Dr.) Robert Pukose** (Endebess, JP): Can I clarify?

**Hon. Deputy Speaker:** No, I will not allow you to do so. Take your seat. Members must also be fair to each other. You cannot speak all the time while other Members are seated listening. Most importantly, let us respect one another and have decorum in this House. Hon. Iringo, I gave you an opportunity to contribute. If anybody interferes with the free flow of your speech, it is easier for you to deal with that particular issue through me. You cannot shut-up any Member because you have no powers to do so. Unfortunately, it is only one person in the House who has that power. I have it because I am the Speaker now. You cannot take powers you do not have. I would have asked you to withdraw but I am sure that it did not go on record. If it did, you need to withdraw it. Shutting-up any Member is not good.

The matter was resolved. Let us have timelines. Committee Chair, when you meet next week on Tuesday, you report the progress to the House that afternoon. That will resolve the matter. Tuesday is one week from now. That is seven days. You do not need to wait for the meeting. You can resolve some of the things prior to the meeting and then you come with a Report on Tuesday. I am sure that Members will be happy with it. Chair, I know that you have done well so far. We are sure that you will still do well. We do not need to trouble the Leader of the Majority Party with this issue. He has a handful of issues this morning.

Let us proceed to the next Order.

**Hon. Deputy Speaker:** Leader of the Majority Party.

**Hon. Amos Kimunya** (Kipipiri, JP): Hon. Deputy Speaker, I beg to move the following procedural Motion:

THAT, notwithstanding the provisions of Standing Order No.97 (4), this House orders that each speech in a debate on Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party be limited as follows:

A maximum of forty five (45) minutes for the Mover in moving and fifteen minutes (15) in replying; a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee); and a maximum of ten (10) minutes for any other Member speaking except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each (if the Bill is not sponsored by either of them); and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

Hon. Deputy Speaker, as you did indicate, these are all Procedural Motions that set the manner in which we are going to conduct our debates in the next sessions and the respective times accorded to different people in contributing to those Motions. I expect that we will be able to pass all these Motions without undue delay.

I beg to move and ask Hon. Rachael Nyamai to second.

**Hon. (Ms.) Rachael Nyamai** (Kitui South, JP): Hon. Deputy Speaker, I second.

*(Question proposed)*

*(Question put and agreed to)*

LIMITATION OF DEBATE ON INDIVIDUAL MEMBERS' BILLS

**Hon. Amos Kimunya** (Kipipiri, JP): Hon. Deputy Speaker, I beg to move: -

THAT, notwithstanding the provisions of Standing Order 97 (4), this House orders that each speech in a debate on Bills not sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party be limited as follows:

A maximum of three hours and thirty minutes with not more than 30 minutes for the Mover in moving and 10 minutes in replying; a maximum of 30 minutes for the Chairperson of the relevant Committee and a maximum of 10 minutes for any other Member speaking except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of 15 minutes each; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

Hon. Deputy Speaker, I just want to highlight the fact that this relates to the individual Members' Bills for which there is quite a number for which we have a limitation of three hours and 30 minutes. I just want to encourage Members that, since we have few Wednesdays before the commencement of debate, a Member will be at liberty to move a Motion to limit this further in terms of the amount of time each Member can take to speak, so that we process many of the Private Members' Bills.

We have suffered the misfortune of many of them lapsing because we do not have enough time. When we approve the calendar this afternoon, it will become clearer that we have very few Wednesdays. I think for this mini session, we only have four more Wednesdays translating into a maximum of four Bills yet we have about 20 Bills in the pipeline. Members with Bills will need to be assisted by other Members to limit debate on Private Members' Bills so that they can process them further.

I beg to move and ask Hon. (Dr.) Nyikal to second.

**Hon. (Dr.) James Nyikal** (Seme, ODM): Hon. Deputy Speaker, I second.

*(Question proposed)*

*(Question put and agreed to)*

LIMITATION OF DEBATE ON MOTIONS

**Hon. Amos Kimunya** (Kipipiri, JP): Hon. Deputy Speaker, I beg to move: -

THAT, notwithstanding the provisions of Standing Order 97 (4), this House orders that each speech in a debate on any Motion, including a Special Motion, be limited in the following manner:

A maximum of three hours with not more than 20 minutes for the Mover and 10 minutes for each other Member speaking except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of 15 minutes each and that 10 minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the

Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

Hon. Deputy Speaker, the rational is the same and this is in consistent with what we have been doing.

I beg to move and ask Hon. (Dr.) Eseli to second

**Hon. (Dr.) Eseli Simiyu** (Tongaren, FORD-K): I second.

*(Question proposed)*

*(Question put and agreed to)*

#### LIMITATION OF DEBATE ON COMMITTEE REPORTS

**Hon. Amos Kimunya** (Kipipiri, JP): Hon. Deputy Speaker, I beg to move:-

THAT, notwithstanding the provisions of Standing Order 97 (4), this House orders that each speech in a debate on Committee Reports (except for Reports of Audit Committees), including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House for which limitation of time has not been specified, shall be limited as follows:

A maximum of two and a half hours, with not more than 20 minutes for the Mover in moving and five minutes for any other Member speaking, including the Chairperson of the relevant Committee (if the Committee Report is not moved by the Chairperson of the relevant Committee) except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of 10 minutes each, and that 10 minutes before the expiry of the time, the Mover shall be called upon to reply; and further that priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

Again, this is purely standard, except that I want to highlight that there is a slight change concerning what we did during the last Session. Now, the Leader of the Majority Party and the Leader of the Minority Party have an extra five minutes. It became quite clear that there are issues that may need to be highlighted from the leadership perspectives in terms of responses on matters coming from the Committee reports. That is the only change from last time.

I beg to move and request Hon. (Dr.) Makali Mulu to second.

**Hon. Makali Mulu** (Kitui Central, WDM-K): Thank you, Hon. Deputy Speaker. I second.

*(Question proposed)*

*(Question put and agreed to)*

#### LIMITATION OF DEBATE ON REPORTS OF AUDIT COMMITTEES

**Hon. Amos Kimunya** (Kipipiri, JP): Hon. Deputy Speaker, I beg to move:

THAT, notwithstanding the provisions of Standing Order 97(4), this House orders that, each speech in debate on Reports of Audit Committees ( Public Investments Committee (PIC), Public Accounts Committee (PAC) and the Special Funds Audit Committee (SFAC) ) be limited as follows: A maximum of 60 minutes

for the Mover in moving and 30 minutes in replying, and a maximum of 10 minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of 15 minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

I just want to highlight that for Audit Committees Reports, because of the oversight role of the House, there is no limitation in terms of the time that those reports will be debated. You do not want to limit Members right to oversight and to contributing to better governance and accountability. Houses exist for purposes of ensuring that their funds are taken care of. This is the only distinction between the reports of the Audit Committees *vis-à-vis* the other committees who have a limitation in terms of the number of hours a report will be debated.

Hon. Deputy Speaker, I beg to move and request Hon. Tiren to second.

**Hon. Silas Tiren** (Moiben, JP): Thank you very much, Leader of the Majority. I second.

*(Question proposed)*

*(Hon. (Ms.) Sophia Noor raised her hand)*

**Hon. Deputy Speaker:** Who is this Member raising her hand?

**Hon. (Ms.) Sophia Noor** (Ijara, PDR): Thank you very much, Hon. Deputy Speaker. First, I want to take this opportunity to really thank the Leader of Majority for putting it clear concerning Audit reports. This, being an oversight House, is one of its key roles and mandates. It is very important that there will be no limitation on the debate on Audit reports. That is very important. Once again, I would like to congratulate the Leader of the Majority Party for putting the records of this House straight and for respecting the role and mandate of this House.

Thank you.

*(Question put and agreed to)*

#### LIMITATION OF DEBATE ON SESSIONAL PAPERS

**Hon. Amos Kimunya** (Kipipiri, JP): Hon. Deputy Speaker, I beg to move:

THAT, notwithstanding the provisions of Standing Order 97(4), this House orders that each speech in a debate on any sessional paper shall be limited as follows: A maximum of two-and-a-half hours with not more than 20 minutes for the Mover in moving and five minutes for any other Member speaking, including the Leader of the Majority Party and the Leader of the Minority Party and the Chairperson of the relevant Committee (if the sessional paper is not moved by the chairperson of the relevant Committee), and that 10 minutes before the expiry of the time, the Mover shall be called upon to reply. Further, that priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

This is consistent with what we previously had. Note that there is no change. We would like to encourage the committees that are handling sessional papers to bring them in. Sessional papers are the basis on which Government policies evolve and see laws are enacted. We have not been seeing quite a bit of that. I hope that we will process all those in the pipeline in the remaining part.

I beg to move and request the Hon. Atandi to second.

**Hon. Samuel Atandi** (Alego-Usonga, ODM): Hon. Deputy Speaker, I second.

*(Question proposed)*

*(Question put and agreed to)*

#### LIMITATION OF DEBATE ON THE ADDRESS BY THE PRESIDENT

**Hon. Amos Kimunya** (Kipipiri, JP): Hon. Deputy Speaker, I beg to move the following Motion:

THAT, notwithstanding the provisions of Standing Order 97(4) and in furtherance to the provisions of Standing Order 24(6), this House orders that, debate on the Motion on the Address by the President be limited to no more than thirty (30) minutes for the Mover in moving, twenty (20) minutes for the Leader of the Minority Party, and ten (10) minutes each to the Chairperson of the Departmental Committee on Justice and Legal Affairs to speak on the Report submitted under Article 132(1)(c)(i) of the Constitution relating to the realisation of the national values; the Chairperson of the Departmental Committee on Defence and Foreign Relations to speak on the Report submitted under Article 132(1)(c)(iii) of the Constitution relating to the progress made in fulfilling the international obligations of the Republic; and the Chairperson of the Departmental Committee on Administration and National Security to speak on the Report submitted under Article 240(7) of the Constitution relating to the state of the security of the country; and five (5) minutes for any other Member speaking, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply.

Hon. Deputy Speaker, this relates to the annual State of the Nation Address or any other address the President may wish to make in the House. I hope that we shall have the pleasure before this Session ends.

I ask the Deputy Whip of the Minority Party, Hon. Maoka Maore to second.

**Hon. Maoka Maore** (Igembe North, JP): Hon. Deputy Speaker, I beg to second.

*(Question proposed)*

*(Question put and agreed to)*

#### LIMITATION OF DEBATE ON REPORTS OF CONSTITUTIONAL COMMISSIONS AND INDEPENDENT OFFICES

**Hon. Amos Kimunya** (Kipipiri, JP): Hon. Deputy Speaker, I beg to move the following Motion:

THAT, notwithstanding the provisions of Standing Order 97(4), this House orders that, each speech in debate on Reports of Constitutional Commissions

and Independent Offices be limited as follows: A maximum of four hours with not more than thirty (30) minutes for the Mover in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority be accorded to the Chairperson of the relevant Committee, the Leader of the Majority Party and the Leader of the Minority Party, in that order.

Again, Members will notice the difference in the timings. This one is four hours as opposed to the other Committee because the Constitution gives certain constitutional responsibilities to constitutional commissions and independent offices and, obviously, when they report to the House, we need to give slightly more time for their reports to be considered in the House as part of accountability on their work to the Kenyan populace.

I request the Hon. Sophia Abdi to second.

**Hon. (Ms.) Sophia Noor** (Ijara, PDR): Hon. Deputy Speaker, I beg to second.

I just want to add one sentence that constitutional commissions and independent offices are very key to this country. As a House, we always give them resources. So when they report to this House, it is important we give them adequate time so that we engage their reports.

I thank the Leader of the Majority Party.

*(Question proposed)*

**Hon. Deputy Speaker:** Hon. Pukose is back.

*(Question put and agreed to)*

LIMITATION OF DEBATE ON THE ANNUAL  
ESTIMATES AND COMMITTEE OF SUPPLY

**Hon. Amos Kimunya** (Kipipiri, JP): Hon. Deputy Speaker, I beg to move:

THAT, pursuant to the provisions of Standing Order 97(4), this House orders that, each speech in a debate on the Report of the Budget and Appropriations Committee on Budget Estimates contemplated under Standing Orders 239 and 240 be limited as follows:

(i) General Supply Debate: A maximum of three (3) sitting days with thirty (30) minutes for the Mover in moving and fifteen minutes (15) in replying; a maximum of ten (10) minutes for each of the Chairpersons of the Departmental Committees and a maximum of five (5) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party who shall be limited to a maximum of ten minutes (10) each; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the respective Chairpersons of the Departmental Committees in the order that they appear in the Second Schedule to the Standing Orders; and,

(ii) Committee of Supply: A maximum of six (6) sitting days for the consideration of the proposed allocations to the respective Votes and Programmes in the order specified in the Schedule submitted by the Budget and Appropriations Committee.

I want Members to take note of this specifically because we are already in the budget cycle. I believe the departmental committees are meeting and this explains why most Members are very busy out there in their departmental committees debating the Budget. Hopefully, by next week, we will have the report of the Budget Policy Statement (BPS). Once this is unlocked, we will get actual estimates coming in and this Motion will apply.

I just want Members to take note so they can start prioritising after knowing the amount of time they have and the manner in which they will be contributing. This is because Parliament exists to allocate funds and ensure accountability. I know it is the fifth year and a number of Members are yet to familiarise themselves with what happens in the Committee of Supply, the Committee of Ways and Means and other things. A majority of the Members and especially those who are here today already know what happens. So, I do not want to belabour that point.

I beg to move and request Hon. Martin Owino to second. I do not want to call him by his pseudo name.

**Hon. Martin Owino** (Ndhiwa, ODM): Thank you, Leader of the Majority Party. Hon. Deputy Speaker, I second.

*(Question proposed)*

**Hon. Members:** Put the Question.

*(Question put and agreed)*

LIMITATION OF DEBATE ON THE SENATE AMENDMENTS TO  
BILLS ORIGINATING IN THE NATIONAL ASSEMBLY

**Hon Amos Kimunya** (Kipipiri, JP): Hon. Deputy Speaker, I beg to move the following Procedural Motion:

THAT, pursuant to the provisions of Standing Order No. 97(1), this House orders that, each speech in the general debate contemplated under Standing Order No. 146 (Consideration of Senate amendments to Bills originating in the National Assembly) be limited as follows: A maximum of one hour and thirty minutes, with not more than fifteen minutes (15) for the Mover in moving, fifteen minutes (15) for the Chairperson of the relevant Departmental Committee, and five (5) minutes for any other Member speaking, including the Leader of the Majority Party and the Leader of the Minority Party (if the Bill is not party-sponsored), and that five (5) minutes before the expiry of the time, the Mover shall be called upon to reply; and further that priority in speaking shall be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

Members will notice that the debate on this is actually limited to one-and-a-half hours on the understanding that a Bill will have been processed through the National Assembly, passed and

taken to the Senate. Therefore, if there are any changes made, then that is the only matter that we will be debating on rather than the entire Bill and hence the limitation of that time.

I beg to move and request Hon. Ochanda to second. He is a good host. He hosted me in Siaya.

**Hon. Gideon Ochanda** (Bondo, ODM): Thank you, Leader of the Majority Party. Hon. Deputy Speaker, I beg to second. It is important that these Bills that are generated from the National Assembly to the Senate and back to us are given the amount of time that is being proposed by the Leader of the Majority Party.

I second, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Whatever you did to the Leader of the Majority Party in Siaya!

*(Question proposed)*

**Hon. Members:** Put the Question!

*(Question put and agreed to)*

**Hon. Deputy Speaker:** Next Order!

#### LIMITATION OF DEBATE FOR A MOTION ON SINE DIE ADJOURNMENT

**Hon. Deputy Speaker:** The Members must be very keen on listening to this one. Leader of the Majority Party!

**Hon Amos Kimunya** (Kipipiri, JP): Hon. Deputy Speaker. I beg to move the following Procedural Motion:

THAT, pursuant to the provisions of Standing Order No. 97(4), this House orders that, the debate on any Motion for the Sine Die Adjournment of the House in accordance with the Calendar of the House, shall be limited as follows: A maximum of four (4) hours for the entire motion, with not more than five (5) minutes for each Member speaking, except the Mover, the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority shall be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Deputy Speaker in that order and further that, at the expiry of the time allocated for the Motion, the House shall adjourn without Question put pursuant to the provisions of Standing Order No. 28(3) (Calendar of the House).

Hon. Deputy Speaker, Members will note that we are in the final phase and this being the last Session, at some point, after we approve the Calendar this afternoon, we will see when this Motion will kick in, which is basically for Members to say their farewells, summarise the activities that they have been doing for the last five years and make their last speeches to their electorate before the final decision day in August.

It is a very important Motion. I ask Members to start preparing those speeches so that on that day, you will have five minutes to summarise what you have done, say farewell to your colleagues, and make the pitch to your electorate in terms of why they should think that you have done a good job and need to come back.

The House Business Committee deliberated and allocated four hours to that Motion and for each Member to speak for five minutes. After that, we will walk out, shake hands and hope to meet again in the next Session.

I know the Speaker mentioned that the attrition rate is rather high. I hope that, perhaps, with this Motion, we could limit that attrition rate from the historical 70 per cent to something more palatable like the 50 per cent that was mentioned earlier. Hopefully, it will progress to better in future.

I beg to move and request Hon. Sara Korere to second.

**Hon. Deputy Speaker:** Let us have Hon. Paulata.

**Hon. (Ms.) Sara Korere** (Laikipia North, JP): Thank you, Hon. Deputy Speaker. I beg to second. This is a very well-thought-out idea. Members need to set the pace even as they go out to look for votes.

I beg to second.

*(Question proposed)*

*(Question put and agreed to)*

**Hon. Deputy Speaker:** Next Order!

#### CONSIDERATION OF CERTAIN BUSINESS RECEIVED DURING THE RECESS PERIODS

**Hon. Amos Kimunya**, (Kipipiri JP): Hon. Deputy Speaker, I beg to move the following procedural Motion:

THAT, notwithstanding the provisions of Standing Orders Nos. 41 and 42 relating to conveying of Messages from the Senate and from the President of the National Executive, Standing Orders Nos.120, 122 and 126 relating to Publication, Procedure upon Publication and First Reading of Bills and Standing Order No.210 (2) relating to Tabling of Statutory Instruments, this House orders that during the Short and Long Recesses of the Sixth Session:

- (i) upon any receipt of any Message from the Senate or upon receipt of any name of a person nominated for appointment to a state or public office from the President or any other office in the National Executive, the Speaker shall forthwith refer such Message to relevant Committee for consideration, without having to recall the House and report such fact to the House on resumption;

*[The Deputy Speaker (Hon. Moses Cheboi) left the Chair]*

*[The Temporary Deputy Speaker (Hon. Christopher Omulele) took the Chair]*

- (ii) upon receipt of any Message relating to the Senate's Amendments to a Bill originating in the National Assembly, the Speaker shall forthwith refer the Schedule of the Senate Amendments to the relevant Committee for consideration pursuant to the provisions of Standing Order 145 (Senate amendments to Bills originating in the National Assembly), and report such fact to the House on resumption;

- (iii) should a Bill be published during the said period, or a published Bill become due for First Reading, the Speaker shall, upon lapse of at least three days following the publication of the Bill and following a determination that such Bill is of priority, forthwith refer such Bill to the relevant Committee for consideration pursuant to the provisions of Standing Order 127 (Committal of Bills to Committees and public participation) and cause the Bill to be read a First Time upon its next Sitting and the Second Reading may be taken forthwith or on such other day as the House Business Committee may determine;
- (iv) should any statutory instrument be transmitted for tabling before the House during the period, the Speaker shall, following a determination that the statutory instrument is of priority, forthwith refer the statutory instrument to the relevant Committee for consideration and cause the statutory instrument to be tabled in the House upon its next Sitting in accordance with the provisions of section 11 of the Statutory Instruments Act (No. 3 of 2013); and,
- (v) should any Paper be transmitted for tabling before the House, the Speaker shall, following a determination that the Paper is of priority, forthwith refer the Paper to the relevant Committee for consideration and cause the Paper to be tabled in the House upon its next Sitting.

Hon. Members, you are aware we are expecting a couple of recesses; a short one and a long one. Depending on how we work on the Calendar of the House during those recesses any business that comes, this Motion, once approved, will guide the manner it is processed. So, there is continuity even when the House is on recess. The House Business Committee (HBC) deliberates on this and we usually bring this Motion just before we go on recess.

However, we thought we might as well do it upfront so that by the time we go on the next recess; we do not have to reconsider this Motion not unless there is any specific change to it which Members would need approved. So, this will now cover all recesses that will take place during this Sixth Session rather than being brought at the end when we are going on recess. Again, it is consistent with what we have been doing in the past.

Hon. Temporary Deputy Speaker, I beg to move and request Hon Gichimu to second.

**Hon. Gichimu Githinji** (Gichugu, JP): Hon. Temporary Deputy Speaker, I beg to second.

*(Question proposed)*

**Hon. Members:** Put the Question!

*(Question put and agreed to)*

Thank you, Hon. (Dr.) Pukose. We shall move to the next business.

## **BILLS**

### *Second Reading*

#### THE PENSIONS (AMENDMENT) BILL

*(Hon. Didmus Barasa on 10.11.2021 - Morning Sitting)*

*(Resumption of Debate interrupted on 24.11.2021 – Morning Sitting)*

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon Members, this business had been transacted on 10<sup>th</sup> and 24<sup>th</sup> of November 2021 and there remains a balance of 50 minutes for its consideration.

Because Members have been away for some time, I will just quickly read out the names of the Members who had already contributed so that they do not seek to do so again. There were 13 Members who had contributed; namely, Hon. Didmus Barasa, Hon. David Sankok, Hon. Martin Owino, Hon. Kipyegon Ng'eno, Hon. Emmanuel Wangwe, Hon. Godfrey Osotsi, Hon. Gideon Keter, Hon. Wanjiku Njuguna, Hon. Obo Ruweida, Hon. Ibrahim Sahal, Hon. Cornelly Serem, Hon. Edith Nyenze and Hon. Janet Nangabo.

We now have a balance of 50 minutes. The first Member on my list who has shown interest is Hon. Pukose Robert, Member for Endebess. Just hold on, Hon. Pukose. I have just been informed that Hon. Gichimu was on the Floor when the matter was adjourned and he had a balance of nine minutes. Is that correct? Hon. Pukose, you will allow the Member to take his nine minutes and then you will follow. Proceed.

**Hon. Gichimu Githinji** (Gichugu, JP): Hon. Temporary Deputy Speaker, before I proceed, I would like to seek your guidance. At that time, I had a balance of nine minutes. Owing to what has been resolved by the House, the time has now been limited to five minutes. I will be comfortable going by the House's resolution to limit the time to five minutes because it supersedes whatever happened at that time.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Proceed. You can take five minutes if you choose to.

**Hon. Gichimu Githinji** (Gichugu, JP): I will do what I can because it is only one amendment.

Hon. Temporary Deputy Speaker, I rise to support the Pensions (Amendment) Bill that has been brought to this House by Hon. Didmus Barasa, Member for Kimilili. The Bill addresses the problems and concerns of almost all the constituents represented in the House.

On many occasions, we have been approached by constituents who would like us to follow up on their pensions which are usually stuck along the way between their employer and the payer. Giving a timeframe for the payment of pensions will bring a lot of prudence to employers, especially those who work in Government because the Bill addresses those who work as public officers.

At the time someone is employed, their retirement date is also known because public officers work for a specific time. It is upon the employer - who is the Government in this case - to start preparing pensions for retirees in good time to avoid an indefinite period of non-payment as the law currently provides. People can even go for years without receiving payment. Teachers have come to my place asking that I follow up on their pensions. I have been visited by chiefs, sub-chiefs and many other employees. I support the Bill so that the 90 days provided for payment of pensions to retirees is followed by the Government.

Another thing that we need to do - probably after discussions with the owner of the Bill - is to put recourse or a reprieve should that period for payment of pensions to retirees not be adhered to. So, there has to be a penalty and the retiree ought to earn an interest or some form of compensation for failure to comply with the law as is being proposed. We have also seen retirees falling prey to brokers who purport to follow up their pension and they end up losing a lot of

money. This Bill is trying to fix this so that it becomes automatic that once you retire, you are entitled to your pension at a particular time or after the proposed 90 days.

Hon. Temporary Deputy Speaker, only one crucial amendment is being sought so as to address our constituents' problems. I do not want to belabour much so any other person with an interest can be given an opportunity to contribute.

Thank you, Hon. Temporary Deputy Speaker. I beg to support.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): My microphone seems to have a problem today but we will find a way. Hon. Pukose you may now have the Floor.

**Hon. (Dr.) Robert Pukose** (Endebess, JP): Thank you, Hon. Temporary Deputy Speaker. I stand to support the Pensions (Amendment) Bill (National Assembly Bill No.26 of 2020) by Hon. Didmus Mutua Barasa, Member for Kimilili.

This is a good amendment because it is reducing the number of days used to process pension to 90 days. I think we might have to bring another amendment because once somebody has served the Government up to the age of 60 years, or even more and retires, many people go home and start languishing in poverty because their salaries are stopped. I think a way should be found so that they continue receiving their salaries and once the pension starts reflecting, then the salary is stopped.

Normally, it is very easy and fast for the various Government departments to immediately stop the salaries of these civil servants who have served the nation diligently. But to have them put in the system so they start getting pension takes many months or years. As you leave the Chamber after debate to go to your office, you find many of them out there. You meet civil servants, chiefs, assistant chiefs, teachers, and others who tell you they have come to follow up on their pension. Some of them do not even have fare to enable them to follow up. A way should be found so that it becomes automatic that when the salary is stopped, then immediately that person is put on pension. If you have not put them on pension, then they should continue earning a salary as they wait for the process to take effect. They should be converted from receiving a salary to pension.

We have been very unfair because when you visit other countries which we try to follow like the United Kingdom (UK) and other places, you find the retirees actually enjoy their lives after serving their countries. In the United States of America (USA) there are veterans' hospitals, for those who served in the military. When they are unwell, they go to those hospitals and are treated. Even here, a way needs to be found so that those who served in the military, after they go home and fall sick, veterans' hospital or even the Defence Forces Memorial Hospital (DFMH) takes care of their health needs.

These are Kenyans who have given their lives to serve this country and some of them end up with serious injuries like fractures and gunshot wounds. I have a neighbour back home called John Moiben who suffered a hip dislocation. You will find this guy who served in the military for a long-time suffering at home because he cannot access the Defence Forces Memorial Hospital for treatment. We need to look for ways of taking care of our veterans and retirees. We should have this pension in such a way that those who have served the country diligently are well taken care of in their retirement. More often than not, a person looks at retirement as a condemned place where you are destined to die. You may find that many of them who did not invest well lead very miserable lives once they retire. Some will even try to add more months by seeking an extension by arguing that their age was not properly stated or they have been retired earlier. This kind of cycle is actually what promotes corruption because people want to steal so that when they go on retirement, they have enough money to take care of them yet they had many years of serving the Government. You can serve honourably by doing the job that you are supposed to do and when

you retire, you go home happy and lead a more comfortable life now that you are not waking up early and are not stressed to go to work. This Bill by Hon. Mutua Barasa needs to be improved such that we can have a more seamless retirement benefits and pensions structure for all our workers.

With those few remarks, I support.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Well spoken, Hon. Pukose. We must treat our retirees well because they have invested their time in service to the nation and they must enjoy the fruits of their investments.

Hon. Atandi, Member for Alego-Usonga.

**Hon. Samuel Atandi** (Alego-Usonga, ODM): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Bill by Hon. Didmus Barasa. This is a simple and straightforward legislation which is very important. Most of us in this House, and at least I am aware of more than five Members of Parliament, have been sent by their constituents to push for their pensions across Government departments. In my view, that is really immoral and illegal and this House must make a decision using this Bill to tame the Government from abusing former employees. This is because it is not right to serve the Government and once you retire, you start another job of following up your pension. This is not right and I want to thank Hon. Didmus Barasa because out of his busy schedule of *tangatangaring*, he has been able to find time to think about an important law that can help Kenyans.

Hon. Temporary Deputy Speaker, I was consulting with him and we noted that the people who suffer more...

**Hon. Emmanuel Wangwe** (Navokholo, JP): On a point of order, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Atandi, just hold on. The Majority Whip seems to have a point of order. Hon. Wangwe, what is out of order?

**Hon. Emmanuel Wangwe** (Navokholo, JP): Thank you, Hon. Temporary Deputy Speaker. Is the very educated Member for Alego-Usonga in order to use a terminology that does not exist in the approved languages? This House has only two languages that we understand; English and Kiswahili. He has just said, "*busy tangatangaring*". I want to understand which language that is: is it English or Kiswahili?

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Wangwe, *tangatanga* is a Swahili word that has entered the common lexicon of Kenyans and I think the Member for Alego-Usonga is well understood.

Member for Alego-Usonga, I am happy that you are sitting right next to Hon. Mutua Barasa without any problems. This is the way it should be. Please proceed.

**Hon. Samuel Atandi** (Alego-Usonga, ODM): Thank you, Hon. Temporary Deputy Speaker. May I just clarify that *tangatangaring* in English means roaming about and around. I think that is what my brother Hon. Didmus has been doing. However, I want to thank him for thinking through this Bill. I wanted to add that there is a section of Kenyans who suffer more on this matter of pension. You face the biggest dilemma when you lose your loved ones and you want to access their pension. I have been privileged to follow up on the pensions of some of my relatives who have passed on. You cannot access them in this Government. Therefore, Hon. Barasa and I have agreed to introduce an amendment to include beneficiaries of pensioners so that they are also able to access the pensions in less than three months as has been proposed in the Bill.

Thank you very much, Hon. Temporary Deputy Speaker. I cannot overemphasise the importance of this Bill. We cannot have a Government mistreating its former employees. The Bill will cure this anomaly.

Thank you, Hon. Temporary Deputy Speaker. I support the Bill.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Let us have Hon Nyikal.

**Hon (Dr.) James Nyikal** (Seme, ODM): Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity to contribute to this Bill. Let me start by congratulating the Mover of the Bill because at one point or another, it touches on everybody who is employed in the country.

The Bill seeks to limit the time taken to pay people from the time they retire. This is extremely important because the current practice is to delay and delay and delay. It takes a long time before people get their retirement benefits after they go home. Further still, there is a lot of uncertainty as to whether they will be paid. You will find these people moving around from one Government office to another, from one politician's office to another, and from their Member of County Assembly (MCA) to their Member of Parliament (MP) just to be helped to get their right. This is totally unacceptable. Limiting the time is extremely important because long periods cause enormous suffering to people who were accustomed to a regular income and had organised their lives around it. Some had even gone ahead to prepare for how they will invest and use their retirement benefits yet they fail to get them.

The biggest impact on retirees is health-wise. By the time people retire at the age of 60 and above, they have a lot of health problems. Suffering for a long time aggravates the situation. Many of them get sick and die. When they die, the situation gets worse because their next of kin cannot claim their pensions. Many do not even know the process of claiming them. Those pensions remain as unclaimed assets. The country should put in place a process of tracing the owners of unclaimed assets. Some remain unclaimed because of faults in the system we have in place. It does not give them their assets when they need them.

It is even worse because with that delay, the value of the income they get is reduced. They lose the opportunity to invest. If it takes years before one gets that money, what you would have invested in earlier becomes so expensive and beyond you. It has a multiplier effect.

We should not think of it as only affecting the retirees. When many people in a community retire and get their incomes regularly, it has a multiplier effect on the economy of that community. When they are paid, they spend that money which supports the small businesses in the area. We are not only punishing the retirees, but also the communities in which they live. Some of those people are the most active in supporting schools, dispensaries and community developments. They cannot do that if they live in abject poverty and spend all their time chasing money that they should have received. The loss is much bigger than the direct loss to the retirees. It is a loss to the community and society at large.

Therefore, this Bill has come on time and is providing a time limit. I think what we need to do when amending it is to bring very serious sanctions for failing to adhere to the set time including imposing fines on the people involved and putting interests on payments made after the time has elapsed. So, when the pensioners get their money, they are compensated for the loss incurred because of delays.

Thank you, Hon. Temporary Deputy Speaker. With that, I support this Bill.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Very well-spoken Hon. Dr. Nyikal. Hon. Daniel Wanyama, Member for Webuye West.

**Hon. Daniel Wanyama** (Webuye West, JP): Thank you, Hon. Temporary Deputy Speaker. I also want to support the Bill brought by Hon. Barasa. At the outset, I think the

Government or the people processing this pension have taken Kenyans for granted for quite a long time. This Bill has come when we must put laws in place and crack the whip on those people who delay the pension of people who have worked for Kenyans after they go back home.

In fact, this is salvation for the pensioners and should be treated like when one opens a fixed account in the bank such that anytime you want to access it, it should be readily available and there should be no delays when someone wants to use their money. In fact, it has caused a lot of pain to the pensioners when they go back home and have issues to settle. Honestly, the pension people always take them for granted. Even when somebody goes to claim for the same, they must bribe these officers so as to get their money after having worked for a long time.

I want to agree with other Members that we must put sanctions in this Bill. So, if a pensioner fails to get his/her pension during the set time, the person who delayed the payment of the same is surcharged. So, it becomes a very punitive law and officers will not joke with people's lives. This has taken a long time and I want to agree with Members that whenever we go home, teachers and civil servants come to us because their pensions have been delayed.

This should also be extended to the beneficiaries after the pensioners have passed on. It is even worse when the pensioner passes on and yet the pension, he/she was supposed to get has not been released. It is always a nightmare. Many Kenyans have lost their funds because they do not know where to go. The worst situation is that pension processing is centralised in Nairobi only. Maybe we should move further and say pension processing should be decentralised to various counties so it is made easier and reduces the agony of pensioners making trips to Nairobi yet they do not have fare.

I therefore want to appreciate Hon. Barasa for having come up with this amendment. I want us to take it very seriously so that we save Kenyans suffering in the hands of funny staff at the pension offices.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Daniel Wanyama you have spoken to my heart. That reminds me of when my father passed on: my mother pursued his paltry pension for more than five years. It was a very painful process.

Next is Hon. Martin Owino, Member for Ndhiwa. No! You have something else. So, we shall have Hon. Mabongah Mwambu, the Member for Bumula.

**Hon. Mwambu Mabongah** (Bumula, Independent): Thank you, Hon. Temporary Deputy Speaker. From the outset, I support the Pensions (Amendment) Bill. It is coming at a time when many Kenyan retirees are living undesirable lives. Today as I stand here, I have several names of retirees on my phone who I need to check the status of their pension here in Nairobi. Sometimes, my Personal Assistant (PA) is involved in this exercise from morning until evening without getting any response. I want to congratulate my friend, Hon. Barasa, for coming up with the Pensions (Amendment) Bill. With this Bill, we shall specify the timelines on how to serve senior citizens of this country.

Yesterday, we were with Member for Kiminini – I do not know if he is here – and one of the pensioners came to follow up his and his wife's pension. The kind of lives these people are living is pathetic. One of the reasons people save for retirement is so that they can live a good life, if not to maintain the same life they have been living. However, some go on retirement and they cannot access their medical covers and run their simple lives yet they served the nation with all their energy and dedication. I can assure you that many retirees die without seeing the benefit of their pension.

This is the right time for us to put the right measures in place. If we talk of punishment, we have to be specific. If we research, we will know why there has been delay in payment of retiree's pension. At times, the problem is not with the National Treasury. Money could be there but the staff have their own ways of working. I agree with the Member who said that after the lapse of three months, a retiree's saved money should earn interest every month. If we have that we will save lives. Many of these people when they retire, they go back to their communities. If they have money, it will circulate within their communities and assist a number of people. Some people go on retirement when they still have school going children. Today, if you happen to come from the region that I come from, you will be surprised. Teachers of 1990s have a problem. They have a caucus that every time you are home they come to request for assistance. When you come back to Nairobi, you rarely get a good response to give them. Therefore, if we have this law, when somebody's pension is not paid after the lapse of three months, it will start earning interest and it will be the responsibility of the involved Ministry or Department to ensure that they clear benefits of retirees on time.

Something else has been mentioned by my colleague. That in this era of devolution, people are enjoying services at close range, including *pesa za wazee*; they are not travelling all the way to Nairobi. We must find a way of serving our senior citizens at the closest point possible. If these units can be established at the offices of District Commissioners or at the county level, retirees will not struggle to come to Nairobi where some struggle to find places to sleep. They look for politicians and friends to assist them. If you go outside people's gates, you find them lining up for assistance. In this Bill, we must find a way of accommodating our senior citizens within the devolved units so that they can be served better. I want to congratulate my colleague Didmus for coming up with such a great Pensions (Amendment) Bill. It will enable proper care of our people. Today we are here and tomorrow we will be the people requesting for the same service.

Thank you, I support.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Well-spoken Member for Bumula, Hon. Mabongah.

Hon. Okuome Adipo, Member for Karachuonyo.

**Hon. Adipo Okuome** (Karachuonyo, ODM): Thank you, Hon. Temporary Deputy Speaker. The question of pensions is interesting. A pensioner knows when he will retire all the time. His employer keeps reminding him of the retirement date to prepare him psychologically and financially for the time he will be without a job. I congratulate the employer on that. However, as the employer wants the retiree to prepare, what is he doing on his part? That is an important question. The employer should also prepare for the departure of his employee by making sure that all the documents the employee needs for the payment of his pension are ready before his departure. But employers do not do that. They keep quiet yet they know the consequences if an employee retires from employment without any money. That is carelessness on the part of the employer and employees will suffer because of that. It is a serious thing.

I congratulate Hon. Barasa for bringing this Bill for the House to discuss. I want to put a lot of emphasis on the carelessness of an employer who ignores what will happen to a retiree who gave him his best service. If an employer does not bother to care what will happen to his worker after employment, he should pay a penalty for that.

On the employee, I agree with what my colleague suggested that if the employee departs before his payment is ready, he should remain on the payroll until his pension hits his bank account. If his full salary is not commensurate with the situation, then I propose that he be given half of his salary until he gets his pension. Thereafter, action should be taken on the person who will have

been responsible for that unnecessary expenditure. I call it unnecessary because nothing will have been accidental about the delay. The delay would have occurred when everybody was aware and the concerned person smiling without bothering. I am told – I may not be sure – that some retirees are asked for “chai” if I may use that word, in order for them to be paid what is rightfully theirs. That delay creates many problems to the senior citizens of this nation. I, therefore, support this Bill.

Thank you.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Ogolla Ochanda, Member for Bondo.

**Hon. Gideon Ochanda** (Bondo, ODM): Thank you, Hon. Temporary Deputy Speaker. From what I have been hearing from most Members, it is like pension is a favour. Pensions are not favours. Immediately one is employed under pensionable terms, that person starts paying himself; he contributes to this fund from day one to the end of his employment when he retires. So, it is actually your money. It is not a favour. It is absurd for any employer, including the Government, to treat pension as a favour. You contribute a bit and your employer contributes a bit. Each year, every employer knows how many of their staff are retiring. When they know so and so is retiring this year, definitely preparation for that person’s pension needs to start. So, this idea that you want to wait until somebody is retired and goes home before you start processing their pension is not right. This is something that needs to be done much earlier because retirement is not an accident. Retirement is clear and every employer knows when each one of their employees is going to retire. So, pension is not a favour. It is one’s contribution. If it is the part of the employer that has been having a problem, then the contribution done by the pensioner needs to be paid immediately upon retirement. If you put it together with the contribution of the employer and the process takes too long, then there is a problem. The whole idea of 90 days is fine, but I think it is not good enough. We are treating pension as though it is a favour.

The other thing alluded to is that there is double tragedy in terms of handling pension by beneficiaries when a pensioner dies. That is another big hurdle. We need to be very clear. Issues of pension upon death need to be arranged in a manner that we put the other assets aside and these are supposed to be quick recoveries – things that beneficiaries need to recover very quickly other than waiting for too long. You can imagine if an alive pensioner cannot easily get his money, what of when he is dead? We need to be serious. People are suffering. There are people who worked for Kenya Airways who have not been paid. There are people who were teachers but have not been paid for a long time. If you fail to get your pension in 10 years and you retired at 60, chances of you dying are very high. The Government needs to look at this matter more seriously than what we are seeing.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Ndindi Nyoro, Member for Kiharu, sorry, you had contributed. The opportunity will go to Hon. Yussuf Haji, Member for Mandera West.

**Hon. Yussuf Adan** (Mandera West, EFP): Thank you, Hon. Temporary Deputy Speaker, for this opportunity. I also sincerely thank my colleague Hon. Barasa for coming up with this amendment, which is timely. Pension delay has become very chronic. I know of pensioners who have stayed for seven years waiting for their pension. Because of the stress of waiting for their money, many of them die or get chronic illnesses. By the time they get their pension, if ever they do before death, it does not even help them. Many of them die without getting their pension.

The centralisation of pension – that every pensioner must come to Nairobi to look for his or her pension – is a serious problem that needs to be addressed. Why can the Government not decentralise the pension processing points? Even if payment is ultimately done in Nairobi, at least pension processing points need to be decentralised to as down as the sub-county levels. A pensioner should be able to process all her papers at the sub-county pension office so that by the time it is sent to Nairobi it is only a matter of payment. This is what is supposed to be done. The National Social Security Fund (NSSF) does this at least to the regional level. Why can the retirement pension scheme not do the same? Some people even fear to work until retirement age because they know they will suffer upon retirement for lack of pension. Some leave their jobs and look for alternative livelihoods before they attain retirement age.

My recommendation is that pension must be paid within three months. Within those three months, pensioners must be paid their full salaries until they receive their pension in their accounts. How else do you expect a pensioner to survive? The only way to be fair to them is to pay them full salaries until their pensions are paid. What happens now is that salary is stopped while no pension is forthcoming. Therefore, the person suffers throughout.

Corruption is another problem. Someone may have been a teacher for 30 years. Having retired, he comes to look for his pension in Nairobi and he suffers expenses like hotel bills and transport charges.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Yussuf, we have been caught by time. I urge you to wind up in a minute.

**Hon. Yussuf Adan** (Mandera West, EFP): Okay. My strong recommendation is that let us pay pensioners full salaries until their pensions are in their accounts.

Thank you very much.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Very well. Hon. Members, the time allocated for this Bill has run out. I call upon the Mover to reply. Hon. Mutua Barasa, you have two ways to go about it. You can donate some time to Members if you choose to. But if you choose to speak, then you will not be able to donate the remaining time. So you need to make a decision before you start.

**Hon. Didmus Barasa** (Kiminiini, JP): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to reply. Before I proceed, I would like to donate two minutes to Hon. Kioni, one minute to Hon. David Ochieng' and one minute to Hon. Bady Twalib. They will speak then I will wrap up.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): That is orderly. Hon. Kioni, proceed.

**Hon. Jeremiah Kioni** (Ndaragwa, JP): Thank you, Hon. Temporary Deputy Speaker. I thank the Mover for bringing this important Bill. This is a very important issue that affects us across the country. It is important that it is brought to the attention of the Government. I hope that this Bill will not take a lot of time on the Floor of the Senate. When we have an opportunity to make amendments, we will so that across the country those who retire do not suffer or be reduced to beggars.

The reason is some of the officers at the National Treasury start asking for bribes. It is known. They want to be paid some little money to help process these pensions. I think it is important that we compel them to process it within a known time – 90 days but also carry the punishment further. It should not just be paying money on top of what ought to have been paid to the pensioner but also to punish the officers who waste our time and that of those who have served this country.

Thank you.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. David Ochieng, Member for Ugenya.

**Hon. David Ochieng'** (Ugenya, MDG): Thank you so much, Hon. Temporary Deputy Speaker. And thank you too Hon. Mutua for bringing this very important Bill.

I am trying to convince Hon. Mutua to change it so that we say “pension should be processed 90 days before retirement” and not “after” so that by the time the person retires, he knows that his pension has already been processed. This is so that a person does not spend money that he does not have after retiring to come to Nairobi. Nowadays, people get a notice of retirement a year before. That is what everyone in Government does. Everyone is now told they have 11 months to retire. As soon as you have given out the letter, the process of getting your pension should kick in so that you process this before you leave work and not after.

Thank you.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Ochieng, very well spoken. I think that is something I am sure Hon. Barasa will take on us.

We now move to the more important which business which the Third Reading but Hon. Bady, you also have a chance.

**Hon. Bady Twalib** (Jomvu, ODM): Asante sana Mhe. Naibu Spika wa Muda. Kwanza, nataka kumpongeza Mhe. Barasa kwa kuja na Mswada huu. Pia, tumeona kuwa watu wengi wanafanya kazi na baadaye, wanaishi katika ufukara. Vilevile, wengine wanakufa kabla ya kupata marupurupu yao.

Mhe. Barasa amefanya vizuri katika Mswada huu kwa kuwa yatakikana mtu akifika kustaafu, kabla hata hiyo miezi mitatu haijafika ndio aanze ile mipangilio ya kufuatilia hii pesa, ni muhimu Serikali ishughulikie mambo haya ili mtu anapostaafu, anapewa pesa na malimbikizi yake yale anayostahili kupewa mara moja.

Pia, tuanona kuwa kumefanyika ugatuzi kwa mambo mengi. Kwa hivyo, kwenye marupurupu, ingekuwa bora zaidi pia badala ya wao kuja kuhangaika hapa Nairobi maana pengine, hawajui ofisi yenyewe na wanapata shida ilhali hawana mahali pa kukaa, ni muhimu yule anayestaafu ikiwa yuko mkoa fulani, aweze kupata peza zake pale.

Ninampongeza Mhe. Barasa.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Mutua, it is now your opportunity to wind up.

**Hon. Didmus Barasa** (Kimilili, JP): Thank you, Hon. Temporary Deputy Speaker. I appreciate all Members of Parliament who have supported these amendments. This Bill will herald a new beginning in this country that retirees will never beg for their pension because it belongs to them.

This Bill will also save Kenyans who are retiring from using colossal sums of money they pay to middle men and brokers in the name of corruption in what they usually say “pushing the file”. I have noted the concerns of many Members of Parliament, notably that we consider during the Committee of the whole House to do amendments to ensure that the preparation of these pensions be done before somebody retires and also, consider introducing penalties to compel the pension schemes to process pensions as stipulated in this law.

I am telling Kenyans that this House holds their interests so dear, and that we will do everything possible to ensure that this House approves this Bill and it is signed into law. We will also continue to monitor its implementation and propose further amendments in future to ensure no Kenyan will suffer because of not getting their pension. After they retire, they must get their

money to continue servicing the loans they have. They must also get their pensions to continue paying for their insurances like medical. People retire at the age of 60 while some at 70. It is not rocket science that one has to know that this particular officer is retiring at this particular time. This Bill will cure so many problems.

There are people who have died before accessing their pensions. We have some who have been auctioned before they access their pensions. The reason we have introduced a pension scheme in the country is to ensure that upon retirement, they will use these pension monies to set up their businesses. Some would become consultants but all those wishes disappear...

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Barasa, just hold on.

**Hon. Didmus Barasa** (Kimilili, JP): With these few remarks, I beg to reply.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Bady Twalib, you do not have a mask. Hon. Mbogo, Member for...

*(Hon. Twalib spoke off-record)*

It is not supposed to be in your pocket; just wear it. We still require to have masks in the House. Members, let us be cautious. We are at that age where if something happens to you, you never know. Let us just stay on the cautious side. Let us wear these masks as much as possible.

Hon. Barasa, thank you for this Bill. It is a job well done. This is something that is really exciting, and the purpose of this House is to make the lives of citizens and especially, the vulnerable like the retirees, a little comfortable. If we make it difficult the way we currently have, I do not think we are doing good service to the country. It is therefore, a good proposal from you.

Thank you. I will not move to the next stage. I will direct that that be undertaken at the next time this matter will be listed next so that the Question could be put.

I direct that we move to the next Business on the Order Paper.

*(Putting of the Question deferred)*  
*Second Reading*

#### THE COMMUNITY HEALTH WORKERS BILL

**Hon. Martin Owino** (Ndhiwa, ODM): Thank you, Hon. Temporary Deputy Speaker.

Before I move this Bill, I have to express my joy that after almost two years, this Bill has seen some light at the Second Reading. I also want to thank the Majority Whip who has been passionate to ensure that in the House Business Committee meeting, this Bill remains steady. Thank you so much, Hon. Wangwe.

I also want to thank 89,000 community health workers across the country who have been asking me to at least move quickly with this Bill. That said, I also want to thank our Departmental Committee on Health led by Hon. Sabina Chege who went through this Bill and made some amendments which we are alluding to and also, Dr. Nyikal who made several community health policies which were supposed to be implemented by this unrecognised cadre as well as the entire workforce – colleagues in professional medical care.

Hon. Temporary Deputy Speaker, I beg to move that the Community Health Workers Bill (National Assembly) Bill (No.30 of 2020) be now read a Second Time.

The principle object of this Bill is to provide a framework for regulation of community health workers. The Health Act, 2017 in the First Schedule also recognises community health

service at Level 1. Our healthcare structure system is from Levels 1 to VI. What this Bill is addressing is community health workers at Level 1 connecting to Level II.

This is in each and every unit led by community health workers and the oversight is done by the community extension workers who are located at the health center level. This Bill, therefore, provides a legislative framework for recognition, tooling, and licensing of community health workers so as to regulate their practice and provide for establishment of the Community Health Workers Council to coordinate their services. The formation of the Community Health Workers Council will help bring order at level one services by facilitating community health workers' identification, provision of nationwide uniforms and varying compensation through stipends and acceptable resource conduit for donors. I want to emphasize this because right now, so many donors are willing to sponsor, but they are not willing to put money through county governments. The council will give a conducive environment for donors to donate towards the compensation of the community health workers.

Hon. Temporary Deputy Speaker, locally and globally, community health workers are called many names. Locally, they are called *nkaitoiyok* in Maasai, *nyambera* in Luo, health coach, community health advisors, community health volunteers, family advocates, health educators, outreach workers, peer counselors, patient navigators, health interpreters, public health aid and so on. This Bill wants to streamline all those names into community health workers. You cannot achieve universal health care (UHC) by volunteers because these are people who also have children, needs and school fees to pay and they have to be compensated regularly in one way or the other. That is why we prefer, as a matter of name Community Health Workers and not Volunteers. Many health care providers especially at the county level fear that compensating community health workers fully is more expensive. When this Bill is enacted and community health workers are empowered and motivated, the cost of health care will go down.

I want to allay fears that investing in community health workers will reduce the cost of health care in this country. Article 43 of the Constitution provides that every person has the right to the highest attainable standard of health. This includes the right to health care services among other rights. That can only be achieved by the support of motivated and coordinated community health workers. Today, Kenya is working towards achieving universal health coverage by 2030 in line with the Sustainable Development Goals. A key factor in achieving these goals is the provision of community health services which will be delivered by the cadre we are talking about.

Consequently, community health is a flagship project under the Kenya's Vision 2030 and it is recognised at level one of health care, pursuant to the First Schedule to the Health Act 2017. The concept of the community health workers is implemented through community health units, which could also be called sub-locations where they operate. Every community health unit serves about 5,000 people. So, each unit is assigned one senior community health worker, a community health assistant and ten community health workers. In short, we have a full structure in delivering health care services even up to the household. If you take a sub-location and assign ten, that figure is still higher because it will force the community health worker to care for between 50-200 people, but we are trying to enact this Bill into an Act that will be structured and more will be recruited, trained and assigned in the locations.

Health workers who provide preventive, promotive, curative and rehabilitative system make the whole care, but the most important is the one in the lower pyramid of healthcare, and those are services that are given at the household level, and the person who plays that part is the community health worker.

Hon. Temporary Deputy Speaker, a second national health strategy, namely, the plan for 2005–2010, set out a new approach to health service delivery that emphasise on activities of promoting individual as well as community health to prevent diseases. The Kenya Primary Healthcare Strategy Framework 2019–2024 further promotes the use of community-based primary healthcare. Additionally, the third edition of the community health strategy, namely, 2020–2025, provides a framework for building the capacity of households to know and progressively realise equitable good quality healthcare and services. This ensures that all of us, throughout the country, have self-care; health-seeking behaviour. That means going to a hospital or to a healthcare facility to be checked-up even when there is nothing wrong. This attitude is developed at a household level where community health workers play a greater role to motivate people. You will not self-medicate because you will have to go to the hospital. Those in prenatal care have to visit four times before they deliver. All the important decisions are made in the household and, therefore, motivated community health workers will be a very useful tool.

Access to comprehensive quality health care services is important for promoting and maintaining health, preventing and managing diseases, reducing unnecessary disabilities and premature deaths, and achieving health equity for all Kenyans. I am emphasising that the need to uphold this Bill and pass it, so that the ratio between those who provide health care and patients is wide in all health cadres. For example, the WHO recommends that we have one doctor to a thousand people. Here, we still have one doctor to over 16,000 people. This is not possible. The ratio of nurses here is 1:970 and the WHO recommendation 250 to bridge the gap. We are not alone, but this is global in the health care system. We have 7.2 million and what is expected in 2030 is 18 million. So, we are not alone in this. It depends on how each country designs and executes their health delivery system. There is lack of personnel even in our rural setting. Most of you represent rural folks. We have two nurses in a facility and if one goes on training, only one is left. If something happens to the remaining nurse, the clinic is closed.

The person who is available in the community 24/7 is a community health worker. I can testify that when I was in Homa Bay, most of the Pneumonia and complicated Malaria cases were treated at home because the community health workers were trained and equipped by UNICEF. In a scenario where we are unable to reach the personnel as much we can, community health workers fill the gap. If that happens and they are motivated, we will reduce disease progression, increase self-care, early detection of diseases and reduce our tertiary care. Consequently, we will have minimal admissions because most of the condition and ailments would have been dealt with primarily at the local level. Most of our people now get tertiary healthcare at Level 3 or 4 hospitals when they are almost done. We talk of diabetes when organs are failing. We talk of blood pressure and some people end up with stroke. Without the community health workers' intervention, diseases, which are at the primary level, costs the healthcare industry a lot of money.

I am happy to report that we have about 9,132 community health units today. However, we still have a shortage of 420, which should be set up. We have 89,670 community health workers. However, we still have 5,400 to go so that we can have a complete army to address the community health units. The body that will help us to do all this is the council, which we are promoting and initiating here.

With the fully trained, equipped and motivated community health workers, the following will be achieved. This will help our country in a great deal. They will make home visits and initiate dialogue with household members. They will motivate the community to value health so that they can have self-care or healthcare-seeking behaviour. They will increase early detection of diseases and conditions, diagnosis, treatment and follow up. Giving somebody a pill or drug does not mean

that he will take the entire course and the outcome of the health will be okay. He needs a supportive system which is the community health worker. They will also provide patients' support and disease treatment adherence. They will reduce self-medication. Because of the cost of healthcare, many people turn to self-medication, which I discourage them not to do. The best person who will tell them, mostly because they will be with them in the household, is a community health worker.

We still use old data. However, when community health workers are given phones, they can collect updated data and help us to manage the system. Maternal, neonatal and child mortality rates are still high in Kenya. However, it is known, through a lot of research, that community health workers help in significant reduction of mortality rates. Community health workers will access the underserved communities. We are talking of social insurance. The best person to know who needs an insurance so that he can visit a hospital is a community health worker. That will reduce travel and cost of care.

In conclusion, this Bill passed through public participation. We had several submissions. Some came from the Ministry of Health, Public Health Officers and Technicians Council, the National Gender and Equality Commission, Community Health Services and Development Officers Association, Society of Community Healthcare Givers, the People's Health Movement and Mr. James Wakungwi Sakwa. After reviewing all the submissions, the Committee came up with some amendments, which I want to read very quickly. We changed Clause 5 of the Bill to ensure that both the national Government and county governments are involved. That will also affect Clause 6, which is the formation of the Council which will represent them.

The amendment of Clause 18 of the Bill will ensure that a person shall qualify for appointment as a Registrar if he or she has any degree which is recognised in Kenya. We also had an amendment in the Second Schedule. The Bill will ensure that a person who performs the functions of a community health worker shall be required to only have a minimum certificate of qualification to be eligible for registration in the Act. That means that even when Dr. Nyikal retires, he will have to go through certification of community health workers in order to be a community health worker in Some Constituency. We made it as simple as possible so that they remain in the community.

Part VI of the Bill is on transition provision. That means that when this Bill is enacted, then all community health worker shall undertake any of the courses which are prescribed by the Second Schedule, which will be overseen by the Community Health Council. I want to tell Members that this is a good Bill that will help us to implement the universal health coverage. There is a similar Bill which is coming up in the Senate. When we deal with ours, we will merge it quickly so that we can get it out. We, who are in health frontier, will be very happy to see that those diseases which lead in mortalities in this country can be managed through preventive care or screening, and people advised to seek healthcare on time. Those who brave diseases when they progress in them can have a change of attitude. They may seek care when the disease is still at a lower stage.

This cadre will also make Level 2 and Level 3, representing a health centre and a dispensary respectively, very busy. Our Committee has asked the Ministry of Health to make sure that these hospitals are well equipped with both personnel and diagnostic equipment, so that when community health workers move people to the facilities, they get adequate care. When that is done well, we will cut out all the referrals which are done because of advanced stage of disease to tertiary care, which is very expensive. The outcome in those facilities is either somebody is discharged with higher drugs or he dies. We lose breadwinners.

I beseech that you move quickly in your deliberation, so that we can pass this Bill to organise the community health workers, so that a Level 1 hospital can be fully serviced. As you know, *Baba* care is coming. This will be a great tool to use in that.

With those remarks, I move the Bill and ask my friend, Dr. Nyikal, to second.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Dr. Nyikal.

**Hon. (Dr.) James Nyikal** (Seme, ODM): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to second the Bill. Let me start by thanking the Mover and the Departmental Committee on Health that has worked on it. As I second, I must take time to recognise Prof. Miriam Were and Prof. Kaseje, who I started with in 2003 and 2004 when I was the Director of Medical Services to bring out the community strategy, which is the basis of community health workers. We must give them that appreciation.

*(Applause)*

I second this Bill, whose objective is to provide a framework for regulations of community health workers, their training, their selection and the Council that guides them. I support because when we started, it was community health workers. However, terms like ‘volunteer’ have been brought in and are bringing confusion.

Article 43 of our Constitution provides for a right to health care, and our country seeks to achieve this through the agenda of the Universal Health Coverage (UHC). The most important element in achieving the provision of Article 43 through UHC is prevention of disease, promotion of health and early recognition of diseases and treatment at that point.

The second one is health care financing, which means getting enough money to finance health care. The third is adequate health human resource; health workers. If we implement the community strategy working with community health workers, this will significantly reduce the cost of health care. If you detect a cancer when it is still a lump and it is excised out, you will probably use less than Kshs100,000. If you treat it at the fourth stage, you will use millions and require the use of expensive equipment. So, one of the best ways to reduce the cost of healthcare is early recognition, prevention and promotion of health.

The Bill seeks to entrench community health workers as part and parcel of our health work force. By doing so, it will reduce the requirement of the number of health workers we need. So, if we can use this system, reduce the cost of care, reduce the need for a health workforce, that will go a long way. How will the community health workers do this? As we have said, their role is prevention, promotion of health and early detection. Their role is working at the community level. People do not get sick in hospitals, but at home. That is where illness starts. They will address the social determinants of health. The things that we eat, the places we live in and the areas we work in so that we can address the causes behind the causes. Bacteria will cause cholera, but if you can have clean water, you will not get the bacteria. So, the cause behind the cause is clean water, and that is what they will address; the causes behind the causes, by advising families. All these things lie in the community. When people get into hospitals because they are sick, it is rather late. So, we must address this at the community level.

The history and the impact of community health workers in other countries have been demonstrated to be cost effective. They reduce the cost of care and the need for human resource. In Ethiopia, for example, it has been demonstrated quite effectively that putting them as part and parcel of the workforce and supporting them financially reduces the cost. I started this thing with

the current Director of the World Health Organisation (WHO). We worked together with the community strategy and they went ahead and implemented it. Now, Ethiopia is benefiting from it.

In Kenya, we worked on this as the basis of the community strategies at level one of the health care that we have now, which is the community. That is where all the work should be done. Therefore, we must properly define the community health worker knowing very well that they are at level one in the community where illnesses start. That is why they have to be dealt with. So, we must have a clear criterion, namely, the selection. I think we have looked at it in the Committee, but the selection must be from the community in which they live. All other requirements should be there, but the healthcare workers must be members of that community. Secondly, their definition must ensure that they are members of that community and live in that community selected by the community. We will not have a situation where once we define them as part of the health workforce, we put them into cadres that can be moved from one place or be transferred. When we do that, we lose their values as community health workers. Their value lies in the knowledge of the community in which they live in, the structure of it, the physical environment and everything they know about that community. As we bring a Council for other health workers who are movable, we must tie this by definition to the community in which they live and by selection, by that community.

Having done that, we must support them. I do not support the idea that community health workers are called community health volunteers. We must work out a stipend. We must work it out in our budget in terms of how they are going to be supported because in the end, they will reduce cost. Having done that, we must define their training, their skills, and the kits that they need as they move in the community to help with early detection and treatment. It has been tried out even during the COVID-19 Pandemic. In Siaya, they were given pulse oximeters and they could move around and detect the oxygen need of people. They would say, 'although this person looks well, he/she will need to visit the hospital because their oxygen levels are low. It worked. It was tried and it worked. So, we must give them the kits they need in prevention and simple treatment.

The community health workers must also be supported by supervision from Level 2 hospitals, where we have nurses who work with public health officers. They cover everything, namely, the nursing elements, the public health elements and curative elements. They must, therefore, work with Level 2 facilities so that it is part and parcel of our health system from Level 1 all the way to Level 6. It must be the first base for the national referral system. If we do that, I can assure you we will not regret the money we put there. We will achieve UHC and we shall reduce the cost of it.

With those remarks, I second the Bill.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Nyikal, it is always enjoyable to listen to you when you speak on these matters. Hon. Members, allow me to propose the Question.

*(Question proposed)*

I will give the first opportunity, for special reasons, to Hon. Nassir Sherif, Member for Mvita.

**Hon. Abdullswamad Nassir** (Mvita, ODM): Asante sana, Naibu Spika wa Muda. Nachukua fursa hii kutoa shukrani kwako na kwa Bunge zima kwa kuweza kukubali kuomboleza na mimi binafsi na kwa niaba ya Wanamvita.

Leo, tarehe 2.2.2022, nikiwa katika mkutano wa kamati, nilipatiwa habari ya kusikitisha na kuhuzunisha sana, ya kuwa katika eneo la *Old Town*, kuna moto mkubwa ulioweza kutokea na watu sita wamepoteza maisha yao. Kwa hivyo, tunavyozungumza, kuna mama na mtoto wake wanapata matibabu katika hospitali iliyoko karibu. Hamna badili ya maisha, na hata tukaweza kuzungumza vipi, hakuna njia ya kuregesha maisha ya walio aga. Hakuna lile ambalo tunaweza kulisema likawa ni dawa ya lile donda la moyo ambalo liko kwa wale waliopoteza watu wao. Sio watu wao pekee yao, bali ni watu wetu sote. Ni kuomba tu Mwenyezi Mungu panapo majaliwa yake awaweke pema palipo na wema. Mwenyezi Mungu awajalie waliopoteza watu wao na awape badala njema, *Inshallah*.

Bw. Naibu Spika wa Muda, hivi leo tunapozugumza habari ya sheria hii ya *community health workers*, kuna umuhimu ya kuwa wahudumu hawa walioko katika kila sehemu Kenya hii wapatiwe vifaa. Visiwe vifaaa vya kupigana na maradhi pekee yake, lakini pia waweze kupatiwa mafunzo ya huduma ya kwanza inayohitajika ili maafa kama haya yakitokea, kuwe na watu wanaoweza kupigana nayo kwa haraka. Hatusemi kuwa kuna badili ya kuweza kurejesha yaliyotokea, lakini panapo majaaliwa, *Inshallah*, naomba Bunge hili liweze kupitisha Mswada huu. Kama mwenzangu Daktari alivyozungumza, lazima waweze kupewa vifaa ambavyo vitaweza kuwasaidia.

Panapo majaaliwa, watakao keti katika Bunge hili baada yetu wataendeleza kuhakikisha kuwa hawa *community health workers* wataweza kupata fedha za kutosha. Na sisi ambao tutakuwa katika sehemu zengine za kutumikia watu kule mashinani tuweze kuwahudumia kwa kuhakikisha kuwa tumepeana vifaa hivi kwa *community health workers* mashinani. Nasisitiza tena, jambo hili limetokea siku ambayo tunasoma sheria hii...

Naibu wa Spika wa muda, kawaida yangu huwa ni mwingi wa kuzungumza ikiwa kuna jambo lolote linalohusiana na jamii, lakini naomba samahani kwa Wanamvita na Wakenya kwa jumla kwa kuwa ntapeana nafasi yangu kwa mwingine. Sio rahisi maneno kutoka baada ya kitendo kama hiki kutokea. Hivo basi, nasisitiza kuwa Mwenyezi Mungu atupatie subira na awaweke pema palipo na wema.

*Inna lilahi, wa inna ilayhi rajiun.*

Asanteni sana.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Nassir, I want to proffer my heartfelt condolences for those who have lost their lives in this tragedy. May God help the families at this time and grant them the necessary peace to go through this.

I will give the next opportunity to Hon. Nyoro Ndindi, the Member for Kiharu.

**Hon. Ndindi Nyoro** (Kiharu, JP): Thank you very much, Hon. Temporary Deputy Speaker for this opportunity. I rise to support the Bill. Across all our constituencies, I am sure we know the role that community health workers play in our societies, especially in the communities where we live. Most of them offer free services to the people of Kenya.

Hon. Temporary Deputy Speaker, if you look at the oldest nations of the world in terms of the median age of the populations, there is a correlation between community health and the longevity of the people. If you look at countries like Japan and Cuba, you will find that octogenarians are people of middle age, and there is a clear correlation between that and the role community workers play.

Economically, human beings are a resource of production. The longer they live, the better. The healthier they live, even the better. If we have robust health services at the community level, we have people living healthy lives who are blessed with many years, and if they are blessed with good health, they become agents of production even in their old age. This decreases the manner in

which people depend on others (dependability levels). Looking at a country like Kenya, we have many people, especially our parents and grandparents, who now rely on the people who are able to work. Some of these people are immobilised because of ill-health, which can be arrested by having community health services at the villages and at lower levels. In countries like the ones I have mentioned, you will find people in different professions. For example, you will find a 90-year-old practicing as a lawyer or in various other professions. These people depend on themselves even in old age. This then decreases the dependability levels, thereby freeing the disposable income of those who are depended on for reinvestment. Therefore, there is a huge correlation between economies that do well and the health of the population and their citizens.

Of course, we can argue about this issue in the House. However, if we are able to deal with health issues at the lower level as they happen, we decrease and cut down on the cost of health. Having said that, the kind of colossal money that is misappropriated within the health sector is more than enough to take care of our community health workers in terms of recognition and a stipend. If they do what they do better, our health facilities will actually be freed. This means that we will end up spending less in our health facilities because we will have addressed health issues at the lower level.

In our country, look at the kind of money that was misappropriated through the Kenya Medical Equipment and Supplies Authority (KEMSA). Beyond the health sector, we are almost coming to discuss the bailout of the Kenya Airways (KQ) in this House. Some of the people who are made to carry the KQ bailout to the tune of billions are people who have never been inside an aeroplane. Therefore, if some of this money, in colossal sums, goes down there and a good proportion is allocated to the health of the Kenyan people, we can look after our health workers and also give them the apparatus they need to conduct their service in a dignified and effective manner.

I support this Bill. Also, I request that any other time we are recalled in this House, I would rather we are recalled to discuss these kinds of Bills that touch on the common *mwanauchi*, and the previous Bill that we discussed about the pensioners and about efficient handling of the pensions of the workers of this country.

With those many remarks, I support.

*(Applause)*

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Very well spoken, Hon. Ndindi. I will now give this opportunity to the Hon. Bady Twalib, Member for Jomvu.

**Hon. Bady Twalib** (Jomvu, ODM): Asante sana, Mhe. Naibu Spika wa Muda, kwa kunipatia fursa hii.

Kwa niaba yangu, kwa niaba ya familia yangu na kwa niaba ya wananchi wangu wa Jomvu, natuma rambirambi zetu kwa wale waliopata mkasa wa moto kule Mvita. Pia mimi binafsi, natuma pole kwa ndugu yangu, Abdullswamad Sheriff Nassir, Mbunge wa Mvita.

Tunaunga mkono Mswada huu kikamilifu kwa sababu wahudumu wa afya wa jamii wako katika sehemu zetu na wanafanya kazi kubwa sana. Ni wakati hivi sasa Serikali ya Kenya kutengea wahudumu wa afya wa jamii bajeti yao na wawekwe motisha kwa kazi nzuri wanayoifanya. Watu hawa hawalipwi. Naweza kutoa mfano kutoka eneo langu la Jomvu, ambapo kuna hospitali Miritini, na wengi wanaofanya kazi huko ni wahudumu wa afya wa jamii. Wanaofanya kazi wengi katika Jomvu Model Hospital ni wahudumu wa afya wa jamii. Mikindani pia, wanaofanya kazi ni wahudumu wa afya wa jamii.

Kukitokea jambo lolote, mkasa ama jambo kama lile lilitokea pale Mvita, wahudumu hawa ndio watu wa kwanza tunawaona wanakimbia kuokoa maisha ya wananchi. Vile vile kama tunavyoelezwa na jina lenyewe, wako kabisa mashinani kwa jamii. Wanatembea hata wakati tumekumbwa na ugonjwa wa Corona. Wanashikana na machifu, wazee wa mitaa na wengine wengi sana kuangalia matatizo yanayopatikana kwa watu. Wanakimbia katika vijiji lakini hawalipwi, hawapewi motisha, na hawapewi nguvu yoyote. Wanafanya kazi katika hali ngumu sana kwa sababu hawana vifaa, na vile vile wakati wa kuwapatia taluuma ya kuangalia vile wataweza kuondoa shida zilizoko katika sehemu zetu, inakuwa ni shida. Wanafanya kazi katika mazingira hatari sana. Leo ukienda *Coast General Hospital*, wengi wanaowasaidia watu ni wahudumu wa afya wanaopeleka wagonjwa huko.

Kama wenzetu walivoyosema, ni wakati mwafaka hivi sasa kuona kwamba bajeti ya Kenya inatenga pesa za kuwasaidia wahudumu wa afya wa jamii. Nataka kubatiliza katika Mswada huu ili kuzungumuzia wengine kidogo. Sio wahudumu wa afya wa jamii pekee yake. Hata mabalozi, wazee wa mitaa wanafanya kazi kubwa, lakini tukiangalia chifu na mkuu wa tarafa, wanaonekana wamefanya kazi kumbe imefanywa na wazee wa mitaa na balozi ambaye yuko pale. Kwa hivyo, ni muhimu kuona kuwa watu kama hawa wanaofanya kazi nyanjani wanapewa motisha na pesa. Pesa nyingi zinapotea nchini. Zinapotea kwa sababu ya ubadhirifu wa pesa unaoonekana. Ubadhirifu wa pesa ulionekana hata juzi katika kiongozi wetu wa chama cha ODM. Alisema akichukua urais, atafinya sehemu zote ambapo pesa zinapotelea ili kuhakikisha kwamba pesa zinafika nyanjani kuwasaidia watu kama hawa.

Nachukua fursa hii kusema kuwa nimeona hali hii kwa sababu nilikuwa diwani kutoka mwaka wa 2007 mpaka leo nimekuwa kiongozi katika sehemu yangu. Haya matatizo ndio tunaambiwa kila siku katika sehemu zetu. Hivi sasa katika Bunge hili, tunataka tuweke rekodi kuwa jambo hili tulichangia, na Serikali ikalitia maanani kuona pesa zimepatika ili watu hawa waweze kusaidiwa.

Nachukua fursa hii pia kumpongeza Mhe. ndugu yangu aliyeleta Mswada huu wa maana sana kwa sababu utasaidia maelfu ya watu ambao wanafanya kazi katika nchi hii nzima kwa kuhakikisha kwamba watawekwa katika hesabu ya manufaa ya kuhudumu nchini.

Kwa hayo ambayo nimeongea, kwa sababu ya muda, nakomea hapo. Shukrani kwa kunipa nafasi na nawachia hapo ili wenzangu waweze kuchangia jambo hili. Asante sana, Mhe. Naibu Spika wa Muda.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Well spoken. The Hon. Yussuf Haji, Member for Manderu West.

**Hon. Yussuf Adan** (Manderu West, EFP): Thank you very much, Hon. Temporary Deputy Speaker for this opportunity.

Community health work is a form of employment in Kenya. Many of our school leavers who are not able to progress join community health workers and provide very good services, as it has been said by my colleagues. It is employment for them and the little they get is consumed within the community, and it helps the local economy.

Community health workers are accessible, available and affordable. Whenever you go to rural health centres, the first person you get providing service is a community health worker. They are always available. In some of the remote areas, like where I come from, when doctors or nurses are posted there, they rarely work there. They appear and disappear. Therefore, the bulk of the health service is provided by community health workers. A lot of professionals commercialise health services. Immediately they are posted there, they open small clinics next to the health services and spend most of the time at their clinics, where they charge money. Sometimes, at the

health centres, they refer you to the clinic where they make money even when there is medicine at the health centre. Community health workers are very important.

I suggest a small change to the name because there are other community health workers in the field, namely, community animal health workers. We have community animal health workers who provide similar services to animals in the veterinary department and the livestock department. They do very good work, but when you call them community health workers, are they for the health of the human beings or the health of animals? Therefore, I suggest they be called community human health workers.

Thank you so much.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Mwashetani.

**Hon. Khatib Mwashetani** (Lungalunga, JP): Asante sana, Mhe. Naibu Spika wa Muda, kwa kunipa fursa hii ili nchangie maneno yangu mawili matatu katika Mswada huu. Vile vile, ningependa kutoa shukrani ama kumpa kongole Mhe. aliyeleta Mswada huu, kwa sababu umefika kwa wakati wake. Kabla sijaanza kuzungumza, ningependa kutoa salamu za rambirambi kwa kisa kilichotokea Mvita. Tunaomba Mwenyezi Mungu awaweke mahala pema wale waliotangulia .

Watu wanaohudumu katika nchi hii kwa njia ngumu na ya matatizo ni wahudumu wa afya wa jamii. Mswada huu ukipata nafasi ya kufika kwenye Bunge hili ni kwa sababu sisi ni wawakilishi, na kule chini nyanjani sisi ndio tunaona vile hawa wafanyikazi ambao wamejitolea wanavyofanya kazi. Mazingira yao ni magumu na hawana vifaa vya kufanya kazi. Kama juzi wakati wa Corona, hawa ni kati ya wale wafanyikazi waliojitokeza kuwa tayari kuhudumia wananchi kwa njia yoyote. Kwanza, walikuwa wametia maisha yao kwenye hatari. Pili, walikuwa wamejitolea kwa sababu kila tunapo ondoka katika mitaa yetu ama katika sehemu tunazoishi kwa sababu pengine mmoja ama wawili wameweza kujisaidia, kwa kweli walijitolea.

Sisi, kama Bunge la Kitaifa, tuko na nguvu ya kupanga bajeti na ya kutatua maswala yanayotoka nyanjani. Lakini, kwa maswala kama haya ambayo wale wanaotokwa na jasho jingi katika nchi hii ni wale walio nyanjani, kwa mfano, *community health workers*, wazee wa mitaa na mabalozi wa vijiji...Mfano mzuri ni kama kobe. Unajua kobe akicheza, ndani yuko kama mkakasi. Akiwa anapiga ngoma, atapiga ngoma kule ndani lakini huwezi kujua kama anacheza mpaka uone jasho linamtoka. Hao wafanyikazi, *community health workers*, wanafanya kazi kubwa sana kwa sababu sehemu tunazotoka ni sehemu ambazo, kwa mfano, hazina barabara na *dispensaries* zilizoko ziko mbali mbali. Urahisi wa kuweza kufanya mambo haya na kuhakikisha afya ya mwananchi ni sawa ni kuwapa nguvu ili waweze kuhudumu zaidi. Katika kila tunacho fanya au chochote afanyacho mwanadamu huwa anategemea apate fidia au malipo. Kwa nini sisi, kama Bunge la Kitaifa, hatuwezi kukamilisha swala hili na tuhakikishe kuwa *community health workers*, wazee wa mitaa pamoja na mabalozi wamepate fidia kwa kazi wanayofanya? Katika usalama, wao ndio huleta maswala yoyote kuhusu usalama. Ikiwa kuna jambo linalotakikana katika vijiji, wao ndio hutoka na kuyazungumza. Kwa hivyo, nasimama kwa dhati kuunga Mswada huu mkono, na kuisitiza kuwa isiwe kama yale mazungumzo tunayopiga kila siku. Sisi, kama Bunge la Kitaifa, tunatakiwa tuwe na nguvu ya kuhakikisha tunayasukuma maswala haya yafanyike ili wizara husika isikise Mswada utakaopitishwa na Bunge hili.

Ni muhimu kwa *community health workers* wapatiwe vifaa wanavyohitaji. Ingawa maswala ya afya yamegatuliwa kikamilifu, swala kama hili la kuhakikisha kuwa wale walio nyanjani kama *community health workers*, wameangaliwa na Serikali kuu, yafaa iwe kitengo kivyake. Tukisema tuachie *counties* kwa sababu limegatuliwa, tutapata matatizo makubwa. Sasa hivi, pesa za *counties* zinakuja kidogo kidogo na kunakuwa na *gap*. Katika hiyo *gap*, utapata wafanyikazi wanakaa miezi mitatu au minne bila malipo. Kwa hivyo, tuliondoe swala hili kwa

*counties* na tulifanye kuwa swala litakalosimamiwa na Serikali kuu ili tukiweka bajeti, Serikali kuu iweke mikakati sawa kuhakikisha kuwa pesa hizo zinatiririka mpaka nyanjani.

Nikimalizia, huenda hili likawa nje ya mada, kule kwangu, kwa sababu wakati wa siasa umefika, kuna sehemu inayoitwa Miongoni sehemu ya Kidomaya. Hii ni sehemu ambayo iko na shamba ambalo limekuwa na utata. Ni shamba la Parbat. Hili shamba *lease* yake iliisha. Hakuna *lease* ambayo yaweza kupitishwa, kuregeshwa au kuongezwa bila ya kupitia *county government*. Lakini, yasemekana kuwa kuna familia zaidi ya elfu moja na mia mbili amabazo ziko hatarini. Ningependa Bunge hili la Kitaifa liliangalie swala hili kiundani. Niko katika Kamati ya Mashamba, na hili ni swala ambalo tuko nalo mezani. Kupitia kwako, naomba Waziri wa Mashamba atulettee ripoti ya swala hili ili tujue kama hii *lease* ya Parbat ilikuwa *extended* au *renewed*, na ilifanyika kwa mikakati gani nam katika Serikali gani. Serikali ya *county* mpaka sasa hivi imekataa. Gavana Mvurya, ambaye ni Gavana wa Kwale, amesema hajatia kidole kwa *lease* hiyo kupeanwa. Sasa hivi tunavyozungumza, wananchi wengi wamewekwa katika senyeng'e, yaani katika *fence*, na wakati wowote wanaweza kufurushwa. Ikiwa Serikali haitaweza kuchukua mkondo wake na kutumia nguvu zake, sisi kama viongozi na wananchi tunaokaa sehemu hiyo tutatumia njia ambayo sidhani itakuwa njia sawa.

Kwa hayo machache, nashukuru.

Naunga mkono Mswada huu.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Very well. Hon Members, this Bill has a balance of two hours thirty-eight minutes. So, the next time it is set down, it will be for two hours thirty-eight minutes.

#### ADJOURNMENT

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Members, the time being 1.05 p.m., this House stands adjourned until this afternoon at 2.30 p.m.

The House rose at 1.05 p.m.