

PARLIAMENT OF KENYA**THE NATIONAL ASSEMBLY****THE HANSARD****Wednesday, 9th 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, the numbers are quite low as is obvious, maybe for reasons that are also explainable. Unfortunately, we cannot start business as a House unless we meet the threshold of the right quorum. So, I order that the Bell be rung for 10 minutes.

(The Quorum Bell was rung)

Hon. Deputy Speaker: Order, Members! We can now start business. Please, take your seats.

PETITIONS

Hon. Deputy Speaker: Hon. Sossion, are you ready?

**REFUSAL BY TSC TO ACKNOWLEDGE HIGHER EDUCATION
QUALIFICATIONS ATTAINED BY IN-SERVICE TEACHERS**

Hon. Wilson Sossion (Nominated, ODM): Hon. Deputy Speaker, I rise to present a Petition regarding refusal by the TSC to acknowledge undergraduate, graduate, and postgraduate qualifications attained by in-service teachers from recognised institutions and universities.

I, the UNDERSIGNED, on behalf of concerned teachers, draw the attention of the House to the following:

THAT, the Government of Kenya is committed to ensuring the policy of objectives for teacher education are aligned to meet aspirations of the Constitution, Kenya's Vision 2030 and UNESCO's Education 2030 Agenda espoused in Sustainable Development Goal No.4;

THAT, Section 35 (2) (a) of the Teachers Service Commission Act, 2012 emphasises the need for the Commission to require every registered teacher to undertake career progression and professional development programmes;

THAT, in recognition that continuous professional development of teachers is important in updating and development of the competences of the teaching staff through acquisition of new

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skills, the Ministry of Education has integrated education and training in national development plans and strategies;

THAT, in the interest of self-improvement, many teachers have progressively advanced their qualifications by pursuing and successfully earning higher qualifications ranging from diplomas to bachelors, masters and even doctoral degrees;

THAT, the ILO/UNESCO Recommendation Concerning the Status of Teachers (1966) states that teaching is a form of public service which requires of teachers' expert knowledge and specialised skills acquired and maintained through rigorous and continuing studies;

THAT, the acquisition of higher certificates and qualifications undoubtedly equips teachers with specialised skills which enhance their professional competencies, mastery of content and quality of delivery;

THAT, in pursuit for higher qualifications, teachers had legitimate expectations that TSC would reciprocate through commensurate compensation of their efforts in bettering the teaching profession with effect from the date of their graduation:

THAT, unexpectedly, in 2014 the TSC declined and terminated and stopped to acknowledge and reward in-service teachers for the bachelors, masters or doctorate degrees and even diploma certificates that they acquired from recognised universities as part of their personal career development;

THAT, the decision by the TSC disillusioned teachers and negated its goal of building a highly-knowledgeable teaching force through self-initiated career progression and professional development;

THAT, the TSC's action contradicts ILO/UNESCO Convention (1966) recommendation that authorities and teachers should recognise the importance of in-service education designed to secure a systematic improvement of the quality and content of education and teaching techniques;

THAT, if TSC's current policy position of declining to recognise and compensate in-service teachers for higher qualifications earned, the country stands the risk of losing its continental and global competitiveness and standing in the field of education;

Hon. Deputy Speaker, I wish to report that now Kenya is ranked No.7 in global competitiveness in the continent down from No.1 out of these types of reforms.

THAT, efforts by the Petitioners to move the TSC to address the matter have been unsuccessful;

THAT, the issues in respect of which the Petition is raised are not pending before any court of law, constitutional or any legal body;

Therefore, your humble Petitioners pray that this House, through the Departmental Committee on Education and Research, intervenes in the matters raised in this Petition as follows:

- (i) inquires into the circumstances under which the TSC has, since 2014, unilaterally declined to recognise Diplomas, Undergraduate, Graduate and Postgraduate degrees earned by in-service teachers from recognised universities;
- (ii) recommends that the TSC immediately puts in place necessary policy guidelines to promote or upgrade teachers who successfully acquire higher qualifications from recognised institutions in line with international best practices and the recommendations of the ILO/UNESCO Conference of (1966) on the Status of Teachers; and,
- (iii) makes any other recommendations deemed fit in addressing the plight of the Petitioners with a view to safeguarding Kenya's competitiveness and hitherto coveted place in the field of education.

And your Petitioners will ever pray.

Thank you.

Hon. Deputy Speaker: Before I place it before the relevant Committee, I will give chance to a few Members to ventilate on it and make that other process work. So, let us have the Leader of the Minority Party, Hon. Mbadi.

Hon. John Mbadi (Suba South, ODM): Thank you, Hon. Deputy Speaker. I want to support this Petition by Hon. Sossion and I congratulate him for representing teachers very well.

Teaching is a noble profession, as we have always said. Any society that does not invest in education is a society that does not progress at all. The way we handle and treat our teachers is very important. I advise and urge that when the Committee looks at this matter, there are issues that need to be looked into, which may require even budgetary allocation by this House. So, if there is need for budgetary allocation, the Committee should recommend even with figures how much this House should provide so that we recognise and respect our teachers.

Before I conclude, when one applies for admission into a university or any other college for a diploma, degree or post-graduate degree programme, there are minimum qualifications one is required to possess. Once one has met that and has gone through the process and qualified, we should not have any other body trashing that qualification.

So, to get a degree involves investment by these very teachers. I am sure if we do not have somebody in our family who is a teacher, at least, we have a friend, a relative or someone close to us or even a neighbour representing teachers. Look at the kind of salary they earn. If someone can sacrifice part of that salary to improve his or her education, it does not make sense that once they complete, that same certificate that they toiled very hard for four years plus to get is not recognised. That certificate does not add any value to their life, and this is a teacher who is about to retire. When they retire with those certificates, what value will they add to them when people mention in their funerals that, at least, they went up to university? That is the only mention that will come out of that paper. It is sad, it is immoral and it is something this Committee must look into and bring recommendations that this House can implement even if it means allocating more resources. We can do it because our teachers are not treated well.

Thank you. I support.

Hon. Deputy Speaker: I have so many teachers running in the line. Let us proceed. Hon. Tong'i.

Hon. Richard Tong'i (Nyaribari Chache, JP): Thank you, Hon. Deputy Speaker for giving me the opportunity to also support the Petition.

We are all a function and product of teachers. Teachers have done. They have made a lot of contribution to Kenyans up to where we are today. Without teachers, we would not be having the kind of quality of politicians we have in Parliament today. We would not be having the doctors that we have in the country. We would not be having the professionals that we have in the country. We need to appreciate that people fail exams at any given point depending on the circumstances they were in at that point in time. People have gone back to school improve their capacity of delivery of service. If a teacher has gone back to school because he or she realised the opportunity this would open up for them, or the value it would add to the community and Kenyans, they should not be punished. Rather, they should be rewarded. The practice of "punishing" teachers, by not promoting them on account of what they have sacrificed so much to achieve, should stop. As my colleague has said, education is an investment like any other.

Hon. Deputy Speaker: Okay, Hon. Tong'i. Please, wind up. I do not intend to open it so much. I want a few other Members to say something.

Hon. Richard Tong’i (Nyaribari Chache, JP): Thank you, Hon. Deputy Speaker. I am guided. I support the Motion because, as a former teacher, I believe that is the way to go. We should reward and encourage teachers for better performance and improvement of the country.

Hon. Deputy Speaker: Hon. Sankok, you are, again, top on the requests list!

Hon. David ole Sankok (Nominated, JP): Thank you so much, Hon. Deputy Speaker, for giving me this opportunity. Let me congratulate Hon. Sossion for representing teachers very well in this House. Hon. Sossion, congratulation because you have teachers in your heart. Teaching is a very noble course. It is the only course that is mentioned in the Bible. Even Jesus Christ was a teacher. That is why he was teaching in parables and in synagogues.

Teachers are in charge of development of our children’s mental faculties. We have our children at home only for three months. They stay in school for nine months, meaning teachers are the parents of our children. They mould our children. So, we must reward them and make sure that this is a noble course as it is. There would be no engineers, doctors and any other professionals without teachers. When they invest in education, we must motivate them by ensuring that there is return on investment. That is the only way all the other teachers can go to university and read.

I support.

Hon. Deputy Speaker: Okay. The Petition is referred to the Departmental Committee on Education and Research. We expect them to move with speed to sort out the issue and address the Petition as required by the Standing Orders. Hon. Sossion, I think you still have an issue. I think you do not. Let us allow the relevant Committee to deal with it.

Hon. Members, I want us to rearrange the Order Paper of this morning. Since I know how difficult it is for us to proceed at some points, we will bring Order No.8 forward so that we can dispense with it and then come back to the order that we were proceeding with.

BILL

Second Reading

THE PENSIONS (AMENDMENT) BILL

(Hon. Didmus Barasa)

(Debate concluded on 8.2.2022)

Hon. Deputy Speaker: Having just had the numbers checked, I want to put the question.

(Question put and agreed to)

(The Bill was accordingly read a Second Time and committed to a Committee of the whole House tomorrow)

PAPER LAID

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

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Report of the Auditor General and financial statements in respect of the following institutions for the Financial Year ended 30th June 2021 and the certificates therein:

- (i) The Kenya Climate Smart Agriculture Project, State Department for Crop Development and Agricultural Research.
- (ii) The Northern Corridor Improvement Project, Kenya National Highways Authority.
- (iii) The Global Fund Malaria Control Programme Grant.
- (iv) The East African Public Health Laboratory Networking Project.
- (v) A Case Study for an Integrated Delivery of Selected Non-Communicable Diseases in Kenya, Moi Teaching and Referral Hospital.
- (vi) The Capacity Development Project for Enhancement of Rice Production in Irrigation Schemes in Kenya, State Department for Crop Development and Agricultural Research.
- (vii) The National Agricultural and Rural Inclusive Growth Project, Ministry of Agriculture, Livestock, Fisheries and Cooperatives.
- (viii) Supporting Agricultural Input and Output Marketing Policy and Regulatory Reforms to Improve the Enabling Business Environment for Agriculture in Kenya, State Department for Crop Development and Agricultural Research.
- (ix) The Mombasa-Mariakani Highway Project, Kenya National Highway Authority.
- (x) The Mombasa Port Area Road Development Project, Kenya National Highways Authority.
- (xi) The Sirare Corridor Accessibility and Road Safety Improvement Project, Kenya National Highways Authority.
- (xii) The Dualling of the Magongo Road Phase II Project, Kenya National Highways Authority.
- (xiii) The Dualling of the Nairobi-Dagoretti Corner Road Phase II, Kenya Urban Roads Authority.
- (xiv) The Kenya Urban Support Programme, State Department for Housing and Urban Development.
- (xv) The Nairobi-Western Bypass Project, Kenya National Highways Authority.
- (xvi) The Nairobi Metropolitan Services Improvement Project, State Department for Housing and Urban Development.
- (xvii) The Eastern Africa Regional Transport Trade and Development Facilitation Project.
- (xviii) The Dualling of the Magongo Road Phase II Project, Kenya National Highways Authority.
- (xix) The Coordination of Population Policy Implementation Project.
- (xx) Strengthening Fertiliser Quality and Regulatory Standards in Kenya, State Department for Crop Development and Agricultural Research.
- (xxi) The Upper Tana Catchment Natural Resources Management Project, Ministry of Water, Sanitation and Irrigation.
- (xxii) The UNICEF Kenya Generation Unlimited Project, the Executive Office of the President.
- (xxiii) The Safe Road Usalama Barabarani Programme, National Transport and Safety Authority.
- (xxiv) The Horn of Africa Gateway Development Project.

- (xxv) The Land Based Emissions and Estimations Slick Project, Ministry of Environment and Forestry.
- (xxvi) The Kenya Aviation Modernisation Project, Kenya Airports Authority.
- (xxvii) The East African Skills for Transformation and Regional Integration Project, Kenya Coast National Polytechnic.
- (xxviii) Financing Locally-Led Climate Action Programme Preparation Advance.
- (xxix) The National Information Platform for Food Security and Nutrition Project.
- (xxx) The East African Regional Transport, Trade and Development Facilitation Project.
- Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Very well. That was a very long one.
Let us go to the next Order.

NOTICES OF MOTIONS

FURTHER CHANGES IN COMMITTEE MEMBERSHIP

Hon. Emmanuel Wangwe (Navakholo, JP): Hon. Deputy Speaker, I have three Motions I intend to give notices on, on behalf of the Chairperson of the Committee on Selection.

I beg to give notice of the following Motion:

THAT, further to the resolutions of the House of Tuesday, 5th December 2017; Wednesday, 15th July 2020; Tuesday, 11th February 2021; Thursday, 4th May 2021; and Wednesday, 13th October 2021 appointing Members to various Committees and pursuant to provisions of Standing Order No.173, this House further approves the appointment of the following Members to the respective Committees specified hereunder:

(i) Hon. Katoole Metito Judah, Member for Kajiado South Constituency, to move from the Departmental Committee on Defence and Foreign Relations to the Departmental Committee on Agriculture and Livestock.

(ii) Hon. David Gikaria, Member for Nakuru Town East Constituency, to move from the Departmental Committee on Energy to the Departmental Committee on Environment and Natural Resources.

(iii) Hon. Japhet Kareke Mbiuki, Member for Maara Constituency, to move from the Departmental Committee on Environment and Natural Resources to the Departmental Committee on Trade, Industry and Cooperatives.

(iv) Hon. William Kipkemoi Kisang, Member for Marakwet West Constituency, to move from the Departmental Committee on Communication, Information and Innovation to the Departmental Committee on Lands.

(v) Hon. Ali Wario, Member for Bura Constituency, to move from the Select Committee on Regional Integration to the Departmental Committee on Energy.

(vi) Hon. Catherine Waruguru, Member for Laikipia County to move from the Departmental Committee on Agriculture and Livestock.

(vii) Hon. Adan Keynan Wehliye, Member for Eldas Constituency, to move from the Select Committee on National Cohesion and Equal Opportunity to the Departmental Committee on Defence and Foreign Relations.

(viii) Hon. Jeremiah Ng'ayu Kioni, Member for Ndaragwa Constituency, to move from the Constitutional Implementation Oversight Committee to the Departmental Committee on Energy.

(ix) Hon. Khatib Abdallah Mwashetani, Member for Lunga Lunga Constituency, to move from the Departmental Committee on Lands to the Departmental Committee on Trade, Industry and Cooperatives.

(x) Hon. Alois Musa Lentoimaga, Member for Samburu North Constituency, to move from the Departmental Committee on Trade, Industry and Cooperatives to the Constitutional Implementation Oversight Committee.

(xi) Hon. Ayub Savula, Member for Lugari Constituency, to move from the Departmental Committee on Trade, Industry and Cooperatives to the Select Committee on Regional Integration.

(xii) Hon. Abdikahim Osman Mohamed, Member for Fafi Constituency, to move from the Departmental Committee on Energy to the Departmental Committee on Agriculture & Livestock.

(xiii) Hon. Gathoni Wamuchomba, to move from the Departmental Committee on Agriculture and Livestock to the Departmental Committee on Communication, Information and Innovation.

(xiv) Hon. Johana Ngeno, Member for Emurua Dikir Constituency, to be nominated to the Select Committee on National Cohesion and Equal Opportunity. Thank you, Hon. Deputy Speaker.

Hon. Moses Cheboi (Kuresoi North, JP): Very well. Do you have another notice?

APPOINTMENT OF MEMBERS TO THE COMMITTEE
ON MEMBERS' SERVICES AND FACILITIES

Hon. Emmanuel Wangwe (Navakholo, JP): Hon. Deputy Speaker, on behalf of the Chairperson the Chairperson of the Committee on Selection, I beg to give notice of the following Motion:

THAT, pursuant to the provisions of Standing Orders 175 and 212B (3), this House approves the appointment of the following Members to the Committee on Members' Services and Facilities:

- (i) The Hon. Ezekiel Machogu Ombaki, MP;
- (ii) The Hon. (Dr.) Swarup Manjan Mishra, MP;
- (iii) The Hon. Samwel Moroto Chumel, MP;
- (iv) The Hon. Rehema Hassan, MP;
- (v) The Hon. Rigathi Gachagua, MP;
- (vi) The Hon. Charity Kathambi Chepkwony, MP;
- (vii) The Hon. Elisha Odhiambo, MP;
- (viii) The Hon. Benard Otieno Okoth, MP;
- (ix) The Hon. (Eng.) Nzambia Thuddeus Kithua, MP;
- (x) The Hon. Christopher Wangaya Aseka, MP;
- (xi) The Hon. John Walter Owino, MP;
- (xii) The Hon. Elsie Muhanda, MP;
- (xiii) The Hon. Generali Nixon Kiprotich Korir, MP;
- (xiv) The Hon. Beatrice Nkatha Nyaga, MP;

(xv) The Hon. Kimani Ichung'wah, MP;

APPOINTMENT OF MEMBERS TO THE COMMITTEE ON
PARLIAMENTARY POWERS AND PRIVILEGES

Hon. Emmanuel Wangwe (Navakholo, JP): Hon. Deputy Speaker, the final notice of Motion, on behalf of the Chairperson of the Committee on Selection, is on appointment of Members to the Committee on Parliamentary Powers and Privileges.

Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, pursuant to the provisions of Section 15 (1) (a) (ii) of the Parliamentary Powers and Privileges Act, 2017 and Standing Order 175, this House approves the appointment of the following Members to the Committee of Parliamentary Powers and Privileges, in addition to the one specified under section 15 (1) (a) (i) of the said Act:

- (i) The Hon. Josphat Kabinga Wachira, MP;
- (ii) The Hon. Anthony Githiaka Kiai, MP;
- (iii) The Hon. Vincent Kipkurui Tuwei, MP;
- (iv) The Hon. Francis Chachu Ganya, MP;
- (v) The Hon. Didmus Wekesa Barasa Mutua, MP;
- (vi) The Hon. Gladwell Cheruiyot, MP;
- (vii) The Hon. Andrew Mwadime, MP;
- (viii) The Hon. Omar Mwinyi Shimbwa, MP;
- (ix) The Hon. James Onyango Oyoo, MP;
- (x) The Hon. Danson Mwashako Mwakuwona, MP;
- (xi) The Hon. Oscar Kipchumba Sudi, MP;
- (xii) The Hon. Johana Ngeno, MP;
- (xiii) The Hon. Wario Qalicha Gufu, MP;

Thank you.

Hon. Moses Cheboi (Kuresoi North, JP): Very well. Next order.

QUESTIONS AND STATEMENTS

Hon. Deputy Speaker: On this particular Order, we have five ordinary Questions. Several Members, including Hon. Badi Tawlib and Hon. Robert Mbui, have made requests for deferment. Therefore, I will defer their Questions to another opportune time.

Question No.015/2022

COMPENSATION OF MR. SALIM SAID
OF ID No.2254872 FOR HIS LAND

(Question deferred)

*Question No.026/2022*UPGRADING OF KENOL-MITABONI-KATHIANI-KAANI
ROAD TO BITUMEN STANDARDS*(Question deferred)*

Hon. Deputy Speaker: We will go to the next Question by the Member for Homa Bay Town, Hon. Peter Kaluma.

Question No.023/2022

MERGING OF KNEC EXAMINATION CENTRES

Hon. Peter Kaluma (Homa Bay Town, ODM): Thank you, Hon. Deputy Speaker. I rise to ask the Cabinet Secretary for Education the following Question:

- (i) Could the Cabinet Secretary explain the reasons behind the decision by the Kenya National Examinations Council to merge examination centres for purposes of hosting of primary and secondary schools national examinations?
- (ii) Did the Council take into account factors such as the long distances the candidates will have to travel, their safety and welfare of those with physical disabilities prior to making the said decision, particularly for candidates in day secondary schools and primary schools?
- (iii) What measures has the Ministry instituted to ensure that candidates, particularly pupils and those with disabilities are not unduly disadvantaged by the merger?

Thank you.

Hon. Moses Cheboi (Kuresoi North, JP): Very well. That Question will be replied to before the Departmental Committee on Education and Research.

Next is the Member for Mvita, Hon. Abdullswamad Nassir.

Swali No.023/2022

HALI YA WAFANYIKAZI WA KENYA FERRY SERVICES

Hon. Abdullswamad Nassir (Mvita, ODM): Ahsante sana, Mhe. Naibu Spika. Naomba kumuuliza Waziri mhusika wa masuala ya fedha Swali lifuatalo:

- (i) Baada ya shirika la Kenya Ferry Services (KFS) kusimamishwa na kufungwa na kazi zake kupelekwa kwa Halmashauri ya Bandari, Kenya Ports Authority (KPA) mwezi wa Juni, 2021, ningeomba Waziri atuelezea hatma ya wafanyikazi wa Kenya Ferry, hususan ikiwemo habari za uajiri wao, hali zao na nyongeza ya mishahara kulingana na ilivyo upande wa Kenya Ports Authority ---

Hon. Moses Cheboi (Kuresoi North, JP): Hon. Nassir, I am struggling to follow you. So are the rest of the Members. You made the request for the Question in English and you are asking it in Kiswahili. I have been pursuing you and you have been doing well until the last bit where you changed something. I will allow you to continue but that should be the last time. Members, if you make a request for a Question in Kiswahili, you must ask it in Kiswahili. If you do it in English, it should be asked in the same language. Hon. Nassir, if you look at your Question, on the issue of

payment of arrears, when you translated it to Kiswahili, for those of us who did well in Kiswahili, you enhanced the Question with the change of language. The reason as to why I am a bit lenient, Hon. Nassir – and this is being extremely lenient – is because we are encouraging Members to ask Questions using Kiswahili. Kenyans will be happy getting Questions in a language that they understand well. That is why I am a bit lenient. Please, let it not be a routine. Let it be clear that we are not going to allow that in future. Ask Questions in Kiswahili as much as possible. If you look at the Order Paper, we will be having the Member for Kwale asking her Question in Kiswahili. She made her request in Kiswahili.

So, whereas I am a bit lenient, Hon. Nassir, we will eventually ask the Clerk's Office to basically translate the Question you have asked into Kiswahili. What you had asked in English is going to be the same one in Kiswahili.

Hon. Abdullswamad Nassir (Mvita, ODM): Asante sana, Mhe. Naibu Spika, kwa mwelekeo wako. Itabidi tuanze kutembea na kamusi kwa suti zetu. Kama ulivyosema, swali linahusiana na nyongeza zao, pili ni kulipwa zile ada wanazodai na tatu ni kuhusiana na manufaa yoyote mengine yatakayowekwa. Nadhani nimeweza kuliuliza Swali kwa lugha fasaha.

Mwisho, nilikuwa nimekudokezea nilipokuwa hapo kuhusiana na ombi langu la kuahirisha swali la pili kwa sababu kuna mambo fulani nimejulishwa – kwamba kuna malipo fulani yatakayofanywa wiki ijayo kwa wafanyakazi wa KPA.

Asante sana, Mhe. Naibu Spika.

Hon. Deputy Speaker: That is okay, Hon. Nassir. As I said, today I am quite lenient on your request. What you asked was that you change the text of the second part of your question, which we would not allow. The only thing you can do is to withdraw that bit, which you have done. So, basically we are in agreement. In the future, as I have said, when you make a request in Kiswahili – I encourage Members to do so – please, ask your Question in Kiswahili. If you make a request in English, please ask the same in English. If you have a problem with any part of the Question, please notify the Clerk's Office in good time so that it does not appear in the Order Paper. Be that as it may, the Question will be replied to before the Departmental Committee on Labour and Social Welfare.

What is it again, Hon. Nassir?

Hon. Abdullswamad Nassir (Mvita, ODM): Hon. Deputy Speaker, I just heard you say that the Question is referred to the Departmental Committee on Labour and Social Welfare.

Hon. Deputy Speaker: Yes. Looking at the Question, it is basically a labour issue, is it not?

Hon. Abdullswamad Nassir (Mvita, ODM): Noted, Hon. Deputy Speaker.

Hon. Deputy Speaker: In your view, what Committee were you thinking would be most appropriate? This is a matter of payment of arrears and benefits.

Hon. Abdullswamad Nassir (Mvita, ODM): Hon. Deputy Speaker, because this is an in-house matter at KPA and Kenya Ferry Services (KFS), it is more about how KPA is going to absorb employees of KFS.

Hon. Deputy Speaker: Let me ask you again. Which Committee are you interested in having the matter before? Is it the Departmental Committee on Transport, Public Works and Housing?

Hon. Abdullswamad Nassir (Mvita, ODM): I think the first part would better be placed before the Departmental Committee on Finance and National Planning because KPA is currently under the National Treasury. It is an in-house matter. So, they need to deliberate and confirm the status. The second part was the one that was more labour related.

Hon. Deputy Speaker: Allow me to briefly consult on the same. The reason as to why I am saying that is that you asked two questions. On the second part, you were going to say that KPA actually met with the Departmental Committee on Labour and Social Welfare in October 2021. So the Question would be better placed before that Committee. I want to consult and see whether the Question will be referred to the Departmental Committee on Finance and National Planning or the Departmental Committee on Transport, Public Works and Housing. I will then inform you after the next Question has been asked.

Hon. Abdullswamad Nassir (Mvita, ODM): Noted. Actually, the reason as to why I was suggesting the Departmental Committee on Finance and National Planning is because KPA services are currently under the National Treasury. It is no longer under the Ministry of Transport.

Hon. Deputy Speaker: Just one minute. Probably, you will be more comfortable if I make that determination quickly.

(The Deputy Speaker consulted with the Lead Clerk-at-the-Table)

Hon. Nassir, your request is granted. The Question will be replied to before the Departmental Committee on Finance and National Planning. I think that makes you happy.

Sasa tumsikize Mjumbe wa Kwale Kaunti, Mhe. Zuleikha Hassan.

Swali No.27/2022

KUSAJILIWA UPYA KWA WAZEE, MAYATIMA NA WALEMAVU
WAFADIKE NA FEDHA ZA MSADA ZA SERIKALI

Hon. Zuleikha Hassan (Kwale, ODM): Asante sana, Mhe. Naibu Spika, kwa kunipatia hii nafasi. Naomba kumuuliza Waziri wa Kazi na Masuala ya Kijamii Swali lifuatalo:

Wizara itaanza lini kuandikisha upya wazee, mayatima na watu wenye uwezo maalum ili wapokee fedha za msada za Serikali?

Asante.

Hon. Deputy Speaker: Hilo Swali litajibiwa kwenya Kamati ya Idara ya Kazi na Masuala ya Kijamii.

Hon. Members, that marks the end of Question Time. Therefore, we go to the second bit, which is Statements.

STATEMENTS

Hon. Deputy Speaker: Let us give the first opportunity to Hon. Adan Haji Yussuf, Member for Mandera West, to make his Statement Request.

ABDUCTION AND SUBSEQUENT KILLING OF MR. ABDIRAHIM
ABDOW ABDULLAHI AND MR. YAHYA MOHAMUD HASSAN

Hon. Yussuf Adan (Mandera West, EFP): Hon. Deputy Speaker, pursuant to Standing Order 44 (2) (c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Administration and National Security regarding the abduction and subsequent killing of Yahya Mohamud Hassan (ID No.26093404), aged 34 years, from Ngolbo Ward of

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Moyale Sub-County in Marsabit County; and Abdirahim Abdow Abdullahi, a police officer (Force No.100594), who was based at the DCI Office in Embu County.

On Thursday, 22nd January 2022, Yahya Mohamud Hassan and Abdirahim Abdow Abdullahi were abducted by unknown persons, allegedly suspected to be security officers, at the junction of Isiolo and Meru at around 10.37 a.m., based on their last telephone contacts, while in Abdirahim's car, Toyota Royal Crown KBX 773V, which was later found dumped at Kambi Garba area of Isiolo. The body of Abdirahim Abdow Abdullahi was found on 22nd January 2022 at Coral area near Iten Town and later taken to Iten Hospital Mortuary and buried in Wajir. This matter was reported to the police via OB No.13/22/1/2022 while the family reported the same as a missing person via OB No.50/22/1/2022.

It is on this background that I seek a statement from the Chairperson of the Departmental Committee on Administration and National Security on the following:

(i) What is the status of investigations into the abduction and killing of the two persons, and has any suspect been arrested in connection with the death of Abdirahim and the disappearance of Yahya Mohamud Hassan?

(ii) What measures is the relevant Ministry pursuing to ensure that the affected families are duly compensated for the loss of their loved ones?

(iii) What steps have the responsible Government agencies taken to deal with the increased cases of killings and abductions and the overall insecurity in the country today?

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Members, we will move to the next Order. Remember, that was a request for a Statement, not a Petition.

(The Deputy Speaker consulted with the Clerks-at-the-Table)

Hon. Members, that will not be opened for obvious reasons. You will resolve that issue at the Committee, and when there will be a response, you will have opportunity to ventilate on it one way or the other. It happens more with Petitions, but not Statements.

(Hon. Ali Rasso stood in his place)

It is not easy to recognise you when seated elsewhere. What is your issue?

Hon. Ali Rasso (Saku, JP): Thank you, Hon. Deputy Speaker. The issue raised by Hon. Adan Haji is a matter of national concern. It concerns the people of Kenya. Those of us who have served in the security sector know that Kenya has an elaborate security system. We have professional officers manning those docketts and we have no doubt that they will carry out the duties as far as securing Kenya is concerned.

Any life lost is a sad thing for the families and the country. We are governed by the rule of law. Therefore, any individual suspected to be involved in crime must be brought before a court of law so that they can be prosecuted if found culpable.

Hon. Deputy Speaker: Hon. Rasso, you got an opportunity to speak by, I would not say, false presence. However, this is the National Assembly and we do not proceed on false presence here.

There was a point of order you raised and I wanted to get what it was. You are lucky because while trying to pick the specific point of order, you have been able to buttress the position

of your colleague who spoke before you. I think you have succeeded, but that should not have been the way. I would have wanted to...

Hon. Ali Rasso (Saku, JP): Thank you, Hon. Deputy Speaker. Extra-judicial killings and disappearance of Kenyans is unacceptable. It is also against the Constitution.

(Hon. Major (Rtd.) Bashir S. Abdullaih stood in his place)

Hon. Deputy Speaker: You are a seasoned Member. You have got it, but it is unprocedural. Is the Member seated next to you, the Member for Mandera North? That is Hon. Bashir. Is that so? My eyes are not very good in terms of picking Members who are that far. What is it? Is there something out of order? Let me hear what you have to say.

Major (Rtd.) Bashir S. Abdullaih (Mandera North, JP): Hon. Deputy Speaker, there is nothing out of order. This matter affects Kenyans, and mostly Kenyans from northern Kenya. It is something very dear to us. We may not be saying anything much, but the Statement he sought is quite in order. It is the responsibility of the Government to bring to book culprits involved in extra-judicial killings.

As has been said, we have in place an elaborate security system full of professionals. Who are these people abducting and killing Kenyans? We ask the Government to ensure that the image of the security forces is not tainted by ensuring that the culprits are brought to book.

Hon. Deputy Speaker: Okay, Hon. Major Bashir. The vigour that you have shown this morning is going to be referred to the Departmental Committee on Administration and National Security. We hope you will be there to prosecute those other matters. If you do not succeed, you will have another opportunity when the matter is brought back to the House in terms of the response to the Statement.

You have raised critical issues, but there are procedures which we needed to follow. However, you have managed to say a word or two to buttress your colleague's request. So, that matter is referred to the relevant Committee. Please, take an opportunity and go pursue your issues there.

Before we go to the next Order, it is confirmed that we will be stepping down the Alcoholics Drinks Control (Amendment) Bill (National Assembly Bill No.70 of 2019) by Hon. Silvanus Osoro, under his request.

(The Bill by Hon. Silvanus Osoro stepped down)

I also have an indication that the third Bill under the Committee of the whole House by Hon. Keter is likely to be stepped down. However, that will be after confirmation. We will then proceed with the Industrial Training Amendment Bill (National Assembly No.4 of 2019) by Hon. Jude Njomo.

Next Order.

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

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

IN THE COMMITTEE

(The Chairman (Hon. (Christopher Omulele) took the Chair)

THE INDUSTRIAL TRAINING AMENDMENT BILL

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Members, Order! We are now in the Committee of the whole House to consider three Bills. We shall start with the Industrial Training (Amendment) Bill (National Assembly Bill No.4 of 2019). Is the Chair of the Departmental Committee on Labor and Social Welfare in the House? He seems not. Hon. Sossion, you are, therefore, in charge.

Clause 2

The Temporary Deputy Chairman (Hon. Christopher Omulele): There is a proposal to delete. Chairperson, Hon. Sossion.

Hon. Wilson Sossion (Nominated, ODM): I beg to move:

THAT, the Bill be amended by deleting Clause 2.

Hon. Temporary Deputy Chairman, we proposed that Clause 2 be deleted. This is for a good reason that there is no proper justification for the task of assessment and collection of industrial training levy and fees to be transferred from the National Industrial Training Authority (NITA) to KRA. Whereas, the Bill seeks to ensure efficiencies and wide coverage in collection of the industrial training levy, it was the Committee's view that addressing these inefficiencies has already been done administratively through a non-rigid arrangement. Of course, this activity is already on-going. Accordingly, concerns relating to the inefficiencies in levy collections were addressed through administrative arrangements with KRA. Industrial training levies are now collected by KRA through the unified payroll system. The administrative arrangement with KRA has brought about efficiencies in levy collection and has increased the levy collection by 30 percent. This administrative arrangement offers NITA flexibility. It also retains autonomy in assessment of levies and control over the process as opposed to transferring the entire mandate of NITA to KRA.

Hon. Temporary Deputy Chairman, a legal notice on the above was issued in 2020 hence the amendment has been overtaken by events. That is why we propose that Clause 2 be amended as proposed.

(Question of the amendment proposed)

The Temporary Deputy Chairman (Hon. Christopher Omulele): I will give the first opportunity to the owner of the proposed amendment, Hon. Njomo Kang'ethe, Member for Kiambu.

Hon. Jude Njomo (Kiambu, JP): Hon. Temporary Deputy Chairman, the major role of this House is to legislate. The Executive is usurping the roles of this House. I brought this Bill, for the first time in Parliament, in 2015. However, it did not see the light of day because of the delays that were there. I brought it again in 2018. It is today and now that the Bill is in the Committee of the whole House. In the process, the Executive saw what we wanted to attain from this Bill. They used a short-cut to attain the same purposes. The Cabinet Secretary (CS) for Labour and Social

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Protection introduced a gazette notice in 2020 mandating to do exactly what we want this Bill to attain. What will happen next time when we get a CS who is not interested in levy collection? The purpose of giving KRA this mandate is to make sure that all employers remit the money. The National Industrial Training Authority does not have the capacity to do that. They do not have the data. They have nothing. They are just groping in the dark. If that mandate is given to KRA, we know they have all the data they require to do it. They will just leverage on it. They are given timelines in this Bill within which they will submit the money that they will collect to NITA. This is the only way we can get enough money to train our youth in technical jobs, so that they can conquer the challenges that we have in our country like unemployment and lack of technical knowledge or know-how. The main function of NITA is to train. They do not know how to collect levies.

Two, let us not allow the Executive to take our role and legislate on our behalf. That is our mandate which we should not let go. I urge Members to support me in this amendment. I can promise that our country will have highly skilled people when this happens because we will have enough money to train our youth.

Thank you, Hon. Temporary Deputy Chairman. I reject the proposal to delete Clause 2.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Very well spoken, Hon. Jude. Hon. Maanzo.

Hon. Daniel Maanzo (Makueni, WDM-K): Thank you, Hon. Temporary Deputy Chairman. I agree with Hon. Jude Njomo that our role is to legislate. However, there is a thin line between administrative actions and legislation. Indeed, that is why we have delegated legislation to verify some of the things that we act upon.

I agree that KRA is the most effective institution when it comes to collecting money. It is already doing it. That action has already been taken administratively. The KRA can also withdraw its service. They collect funds for the Nairobi City County. They can be overwhelmed by the collections. I do not think we can really fix it in a law. We must guard against our mandate being taken away. What is the work of the administrators? I support the position that the Government took. This is unfortunate for my good friend, Hon. Jude Njomo. You can overburden KRA through the law, but it has a mandate stated in statute.

I thank you, Hon. Temporary Deputy Chairman.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Martin Owino, Member for Ndhiwa.

Hon. Martin Owino (Ndhiwa, ODM): Thank you, Hon. Temporary Deputy Chairman. Many times, administrative procedures do not really live up to what we expect. I rise to object the amendment because NITA has no capacity to collect these revenues. Even through that arrangement, we are still collecting revenue of one out of five employers who should remit the money to be used for training for self-sufficiency, improved production of our companies and updating employees.

We are talking about capacity here. The KRA collects revenue for many counties. They cannot be overwhelmed because they are trained to do that. If they get overwhelmed, they will tell us that they need more personnel. They have not said so. We cannot leave the situation as it is now because it is not working. We have to supplement continued education. I support what Hon. Jude Njomo has proposed here. I reject the deletion. If this is said and done, we will have money for the Higher Education Loans Board (HELB) which is now in crisis. The Technical and Vocational Education and Training (TVET) institutions also require funding.

I reject the proposed amendment.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Shamalla.

Hon. (Ms.) Jennifer Shamalla (Nominated, JP): Thank you, Hon. Temporary Deputy Chairman. I rise to support this amendment by Hon. Jude Njomo. I believe that KRA cannot be overwhelmed when it comes to collecting levies or taxes. It is the best institution to deal with this issue. It is extremely important that we appreciate and understand the power of technical training. We should respect it.

We cannot all be in formal education. We cannot all be teachers, doctors and lawyers. We had polytechnics several years ago. We rolled out an excellent technical workforce which must rise up again. There must be an incentive for them. They must realise that there is honour and dignity in this particular area. I agree that the body that has the most capacity and impact is KRA.

With those few remarks, I support the proposed amendment.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Finally, Hon. Wangwe.

Hon. Emmanuel Wangwe (Navakholo, JP): Thank you, Hon. Temporary Deputy Chairman. I wish to support the proposed amendment by Hon. Jude Njomo that we retain KRA. I want to speak as a Member of the Budget and Appropriations Committee.

When you look at the Appropriation-in-Aid (A-in-A) that is collected by State agencies vis-a-vis the tax which is collected by KRA, it is a ratio of 95:5. Therefore, it is important that we let this money be collected by KRA and appropriated with instructions from the agency to support our youth.

I wish to support the proposed amendment by Hon. Jude Njomo.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Brighton, Member for Konoin.

Hon. Leonard Yegon (Konoin, JP): Hon. Temporary Deputy Chairman, NITA has no capacity to keep the database for all employers. Therefore, it cannot effectively assess the training levy as it is required to be paid by the Bill. Since NITA does not have the capacity, we want to remove its mandate of collecting the levy and vest it on KRA. This is simply because it has the records of all the employers and employees. It also has the experience. There is no employer who will play games with KRA. It will, therefore, take a very short time for KRA to get 100 per cent compliance.

Thank you.

(Applause)

*(Question, that the words to be left out be left out,
put and negatived)*

(Clause 2 agreed to)

Clause 3

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Chairperson, are you proposing to delete this one?

Hon. Wilson Sossion (Nominated, ODM): Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 3.

Even as we consider the proposal by Hon. Jude Njomo, we should be very cognisant of the efficiency of the National Industrial Training Authority when we create huge barriers by clawing

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away some of its responsibilities. It is not creation of efficiencies, but responsibilities of NITA, which is critical. This mandate is under the direct jurisdiction of the cabinet secretary. The National Industrial Training Authority (NITA) will be more efficient if it carries out this function.

Those were our key considerations as a Committee. I plead with the House to be a bit considerate. As a Committee, we felt that there is no proper justification to transfer the mandate to assess and collect levies to the Kenya Revenue Authority. The National Industrial Training Authority is the ideal institution best-placed to know the skill and needs of the industry and how much is required to fund the trainings. Therefore, that responsibility should still remain with NITA.

The Ease of Doing Business Reforms, 2020/2021 propose the creation of a conducive environment for doing business through various interventions in the legal framework. The proposals were implemented through the Business Laws (Amendment) (No.2) Act of 2021 under Section 5(b) that provides for actual collection of industrial training levies. The proposal to set the due date of payment of training levies to be the 5th of every month will result in enforcement and compliance challenges due to numerous due dates for remittance of various taxes and levies such as Pay As You Earn (PAYE), the National Hospital Insurance Fund (NHIF) and the National Social Security Fund (NSSF) contributions. In any event, the amendments in the current Bill have been overtaken by events noting the change from monthly to annual collection.

There is no proper justification to increase the fees payable. The training levy of Kshs50 per employee per month was assessed as sufficient by stakeholders and NITA and should be retained as such. The fee is set by the cabinet secretary in the Regulations.

For efficiency, fees are provided for in subsidiary legislation which is easier to revise without subjecting the same through a complex process of amendment in Parliament. We should be very cautious. If we elevate this from regulation to law, we are creating unnecessary barriers. In effect, we will be making NITA ineffective. There is no proper justification to empower KRA to assess penalties because the role it plays is that of revenue collection as an agent of NITA. Further, the penalty for default is already provided for in an Act as 5 per cent per month on the amount in default on any employee.

Clause 3 as proposed by Hon. Jude Njomo will not be good and, therefore, should be deleted. We will make NITA ineffective if we accept this amendment. That is the considered advice of the Committee.

(Question of the amendment proposed)

The Temporary Deputy Chairman (Hon. Christopher Omulele): I would like Hon. Jude Njomo to start because he has a further amendment to this.

Hon. Jude Njomo (Kiambu, JP): Hon. Temporary Deputy Chairman, I am rather confused because we were done with Clause 3, but I have heard Hon. Sossion addressing it. We had already voted on it. I stand to be corrected.

The Temporary Deputy Chairman (Hon. Christopher Omulele): No, we did Clause 2. We are now in Clause 3.

Hon. Jude Njomo (Kiambu, JP): Hon. Temporary Deputy Chairman, there have been claims that KRA may be overwhelmed in performing this duty. During the preparation of this Bill, when this matter was first raised, I wrote a letter to the Commissioner-General of KRA who wrote back to me saying he is in a position to collect and remit the same in a timely fashion.

There is also another notion being brought that KRA will assess and even put penalties. In this case, what we are doing is making KRA an agent of NITA. They are specialised in collecting

levies and taxes. So, they will act as agents of NITA and will only be paid a commission for the work done. Otherwise, they will only collect what has been validated by the Act and penalise according to it. So, this is not going to present any problem. I even have a letter from the National Transport and Safety Authority (NTSA) who are also using KRA as their agent. They have confirmed that levies are collected and remitted in good time.

The idea that KRA cannot perform this is very far-fetched. They will do it and remit the revenue collected in a timely fashion. The fear that we are going to strip naked the responsibilities of NITA is also far-fetched. The core business of NITA is to come up with trainings and curricula which will curve out our technical people and youth to be specialists in the work they do. We need people who are specialists such as welders and electricians; people who are good in terms of what they do because of technical training. So, if they let those who are specialised in collecting levies to do so and remit them, they will be in a better position to do what they are supposed to do best, which is training our youth. We need more youth to be trained.

There is also a proposal that some of this money will go into making our TVET institutions better equipped so as to perform better. We know the Government has provided a TVET institution in every constituency. So, what will happen if we do not take care of our TVETs? After the levies have been collected, some of the money will go into improving our TVETs right in our villages where they have been built so as to provide training to our youth. In every corner of our country, we shall have carpenters, welders and electricians who are well-trained to perform their duties.

Hon. Temporary Deputy Chairman, I oppose the deletion.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Jude Njomo, basically, the argument on this one is similar to the previous one. It is virtually the same argument. Since it is the same, I think it is fair we make a decision on it.

*(Question, that the words to be left out be left out,
put and negatived)*

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Jude Njomo, I have remembered you mentioned you have a further amendment to this in sub-clause (v). I will now give you an opportunity to move before I put the global Question. Just come back to where you were at microphone number one.

Hon. Jude Njomo (Kiambu, JP): Thank you, Hon. Temporary Deputy Chairman. I beg to move:

THAT, Clause 3 of the Bill be amended in the proposed new Section 5B by deleting sub-clause (5).

Hon. Temporary Deputy Chairman, the justification for this is that we do not want to increase the levy because once we improve the performance and get 100 per cent remittance of this levy, we will not need to increase the amount levied to our employer, especially at this time when our economy is not doing well as it is still trying to recover from the effects of COVID-19. It would be the wrong time to increase any levy and that is why I am proposing to delete that particular amendment so that the status quo remains. Every employer will continue paying what they have been paying. Right now, there will be more efficiency and a wider base for those who are going to be paid for their levies including our Small and Medium Enterprises (SMEs) and small scale industries. They will inject this levy into this programme and more money will be available to train our young engineers and technicians.

Hon. Temporary Deputy Chairman, I beg to propose that amendment.

(Question of the amendment proposed)

*(Question, that the words to be left out be left out,
put and agreed to)*

(Clause 3 as amended agreed to)

Clause 4

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Sossion.

Hon. Wilson Sossion (Nominated, ODM): Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 4.

Hon. Temporary Deputy Chairman, the Departmental Committee on Labour and Social Welfare recommends that Clause 4 be deleted for the reason that there is no proper justification for the Industrial Levy to fund other programmes that are not work place-related such as TVET and HELB. The Industrial Training Act is an Act of Parliament relating to the regulations of training of persons engaged in industry which is supported by the Industrial Training Levy which is an employer's money. The Industrial Training Levy Fund works better if utilised for workplace trainings to increase productivity of staff. Therefore, it is a deduction that focuses on training capacity of staff. The distribution of levy collected to other institutions will then undermine the essence of having an Industrial Training Levy Fund.

Hon. Temporary Deputy Chairman, there is no proper justification to increase the fee payable. The Training Levy of Kshs600 per employee per month was assessed as sufficient by stakeholders and NITA. Contributing towards the training is undertaken on persons before the entry to the world of work which is contrary to the intentions of the Act and contemplates training after employment. It also removes the focus of the Industrial Levy Fund from workplace training. Additionally, the institutions proposed to benefit are already funded through the Exchequer and other revenue streams. Funding the same institutions through levies collected from employees leaves NITA with little resources to benefit the employees.

On this one, I want to plead with the House to agree with the Committee because this is a deduction from workers meant to build their capacity. It cannot then be directed elsewhere. In its wisdom, the Departmental Committee on Labour and Social Welfare found that this was going to destroy the capacity of NITA. So, we propose the deletion of that clause.

(Question of the amendment proposed)

The Temporary Deputy Chairman (Hon. Christopher Omulele): I will give the first opportunity to Hon. Njomo, Member for Kiambu.

Hon. Jude Njomo (Kiambu, JP): Thank you, Hon. Temporary Deputy Chairman. There are several issues here. One is about how the money will be spent once it is collected. I want to clear the air because I do not think what Hon. Sossion has told us is factual. When NITA collects the money, it does not only use it to train members who are employed by the employer. Before it became the National Industrial Training Authority, it used to be called the Directorate of Industrial

Training (DIT). Many people, including myself, were trained by our prospective employers even before joining employment. That is how we obtained training.

Many employers have benefited from the services of people who have been trained in these technical training institutions. Those are the people currently working in industries. So, employers should be ready to also give back to the society by contributing part of the collections. It is just 20 per cent which will be used by TVET institutions, which we have built. It will not be given out. It will be loaned to students through HELB, so that they can obtain good technical education that will enable them to become good employees. It will help the same employers in their industries.

I object to the deletion of this Clause because this is what we need as a country. This is what we need to improve our workforce and build our knowledge base in the technical fields. This will stop us from importing everything including technical people. We have had occasions where there was specialised work to be done in the country and we had to import technical staff. I object to that.

I propose that 20 per cent of the training levies collected be used for funding, establishment, operating...

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Jude, you have made your point.

Hon. Jude Njomo (Kiambu, JP): I just wanted to emphasise on this fact.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Sorry, you have spoken to the 20 per cent. Let us make progress. Let us have Hon. Maanzo.

Hon. Daniel Maanzo (Makueni, WDM-K): Hon. Temporary Deputy Chairman, owing to the letter presented by Hon. Njomo from KRA confirming that they have capacity, I first want to withdraw my earlier statement that KRA will be overloaded.

Secondly, as a Member of the Departmental Committee on Trade, Industry and Co-operatives, it is true that we have a problem of training in this country, especially when people are employed or before they get employment. Industrial training is lacking. Although that component has been devolved, you will still find that it is insufficient. It can still be done at the county and national levels. It is one of the biggest problems in the country.

The HELB has had many problems in collecting sufficient funds. The Exchequer has not managed them well. If we go by what Hon. Njomo has proposed, we will still take care of that problem without interfering with the original jurisdictions conferred by respective statutes of Parliament which govern those bodies.

I support the amendment

The Temporary Deputy Chairman (Hon. Christopher Omulele): Let us have Hon. Kamene, Member for Machakos.

Hon. (Ms). Joyce Kamene (Machakos CWR, WDM-K): Thank you, Hon. Temporary Deputy Chairman. I support what Hon. Njomo has said. It would be important to make sure that trainings reach out even to TVETS because technical training is essential and we can see it lacking in our institutions.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Let us have Hon. Menza, Member for Kisauni.

Hon. Mbogo Ali (Kisauni, WDM-K): Thank you, Hon. Temporary Deputy Chairman. I wish to support what Hon. Njomo has just said. This country cannot move forward without having sound technical skills. Indeed, that has been lacking. If you can remember, in the past, we used to have technical colleges which today have been upgraded to universities. One of them is the

Technical University of Kenya, located opposite the Kenya Revenue Authority. It was a very strong technical college, but has since been upgraded.

The Government came up with a very good initiative of TVETs. They even came up with an idea whereby the students are provided with loans to enable them acquire the necessary skills. What Hon. Njomo is proposing is a sound idea which we need to support so that these students are fully supported. Otherwise, we will always have a gap in terms of human resources in technical skills.

If you can remember when we were doing the Tullow oil pipeline in Turkana, we required specialised skills in welding. You know welding an oil pipeline is not like welding normal metal grills, but you need specialised skills. Actually, we had to import welders from outside this country to do that job! It is a big shame for this country that almost 60 years after Independence, we are unable to provide a person who can weld an oil pipeline.

I wish to support what Hon. Njomo has just proposed. I think this particular clause has to be retained. Thank you.

*(Question, that the words to be left out be left out,
put and negatived)*

(Clause 4 agreed to)

Clause 5

The Temporary Deputy Chairman (Hon. Christopher Omulele): There is a proposal by the Departmental Committee on Labour and Social Welfare to delete. Hon. Sossion.

Hon. Wilson Sossion (Nominated, ODM): Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 5.

Of course, considering the trend all the previous clauses have taken, we gave caution that if we are deducting levies from employees, practically speaking, such revenue is not enough to train everyone in this country unless we appropriate in the budget. So, we have to be cautious and make a law that is easy to implement and works.

As for Clause 5, we propose that the Bill be amended by deleting it. Of course, if all other previous amendments were rejected, this amendment is unnecessary as it is a consequential amendment to the KRA Act. As a Committee, we still propose it be deleted. Thank you.

(Question of the amendment proposed)

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Jude.

Hon. Jude Njomo (Kiambu, JP): Hon. Temporary Deputy Chairman, this particular clause is amending the KRA Act by giving it authority to collect levies on behalf of NITA. So, after having passed all the others, this is a natural consequence of the amendments we have done giving authority to KRA. So, it does not make sense to oppose this particular amendment after we had accepted the others.

Thank you, Hon. Temporary Deputy Chairman.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Sossion sometimes it is good to realise when it has fled and let it be.

*(Question, that the words to be left out be left out,
put and negatived)*

Hon. Members, you need to keep your eyes on the ball because this is a global Question.

*(Question, that the words to be left
out be left out, put and negatived)*

(Clause 5 agreed to)

Title

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Sossion has a proposed amendment to that.

Hon. Wilson Sossion (Nominated, ODM): Hon. Temporary Deputy Chairman, I have to present the entire position of the Committee for purposes of consideration by the House.

Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended by deleting the long title.

The justification is that the Committee was of the view that the amendment Bill is unnecessary as the proposals have been implemented through administrative changes and further, others have been overtaken by legislative changes. That is the position of the Committee.

(Question of the amendment proposed)

*(Question, that the words to be left
out be left out, put and negatived)*

(Title agreed to)

Clause 1

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Sossion, do you have a proposal to delete this clause?

Hon. Wilson Sossion (Nominated, ODM): Do I really have a proposal? Indeed, Hon. Temporary Deputy Chairman.

I beg to move:

THAT, the Bill be amended by deleting Clause 1.

The Committee was of the view that the amendment is unnecessary as the proposals have been implemented through administrative changes and others have been overtaken by legislative changes. So, we propose to delete Clause 1.

(Question of the amendment proposed)

*(Question, that the words to be left
out be left out, put and negatived)*

(Clause 1 agreed to)

The Temporary Deputy Chairman (Hon. Christopher Omulele): The Mover to report.

Hon. Jude Njomo (Kiambu, JP): Thank you, Hon. Temporary Deputy Chairman, I beg to move that the Committee do report to the House its considerations of the Industrial Training (Amendment) Bill (National Assembly Bill No.4 of 2019) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Members, before we move to the next step on the Industrial Training (Amendment) Bill, I direct that we move to the next business, which is the Employment (Amendment)(No.2) Bill (National Assembly Bill No.79 of 2019) by Hon. Gideon Keter. Is he the one I see walking in?

THE EMPLOYMENT (AMENDMENT) BILL

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Members, we are now considering the Employment (Amendment) (No.2) Bill (National Assembly Bill No.79 of 2019) by Hon. Gideon Keter.

Clause 2

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Sossion, you are still moving the amendments on this one.

Hon. Wilson Sossion (Nominated, ODM): Hon. Temporary Deputy Chairman, I will do so on behalf of the Chair of the Committee and the Committee as well.

Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 2 of the Bill be amended by—

(a) deleting the proposed new subsection 5 and substituting therefor the following new subsection (5)—

(5) In respect of recruitment, an employer shall not require an employee to submit any clearance or compliance certificate unless such employer intends to enter into a contract of service with the employee: Provided that an applicant for a State office shall provide compliance or clearance certificates at such times in the recruitment or approval process as they may be required.

(b) inserting the following new subsection immediately after the proposed new subsection (7) –

(7A) A relevant public entity shall—

(a) not charge a fee for the issuance of a clearance or compliance certificate under this section or any other written law;

(b) issue an applicant with the clearance or compliance certificate or reject the application within seven days of receipt of the application.

We had clear grounds for justification that whereas the clause has been redrafted to offer clarity, and whereas it is necessary for an employer to require an applicant to submit the compliance or clearing certificates as a condition for confirmation of employment, the requirement

should not be used to lock out applicants at the very first instance of recruitment or application. We felt that it was an unnecessary barrier on young Kenyans.

An employer ought to show some serious interest in recruiting an applicant before requiring him or her to incur any costs associated with the procurement of clearance or compliance certificates, and not lock out an applicant who does not provide these documents at the initial or interview stage. This move will greatly benefit the youth as the majority job seekers have limited resources and yet they incur hefty costs associated with the sourcing of these clearance certificates without the promise of securing the job. Majority of these applicants are very poor and cannot raise any levies. Requiring them to do so is unfair.

The Committee observed that there was a difference between compliance and clearing certificates. Some institutions issued either type of certificate depending on the nature of the applicant. The clause is, therefore, redrafted to include both compliance and clearance certificates.

Thirdly, the provision in Clause 5 is necessary to ensure compliance with Chapter 6 of the Constitution of Kenya. Unlike regular recruitment processes, the process of appointment of a State officer is rigorous and elaborate. It comprises various approval stages by different authorities and bodies and as such, it should be possible for the ethics and integrity requirements to be ascertained from the first stage of approval as well as at any other stage of the approval process. We considered redrafting that clause and propose that it be adopted by the House.

(Question of the amendment proposed)

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Gideon Keter, you will have the first go at it. Of course, it is your proposal. If you are not ready, we can have Hon. Lesuuda Naisula, Member for Samburu, who seems to be ready, as you put your thoughts together.

Hon. (Ms.) Naisula Lesuuda (Samburu West, KANU): Thank you, Hon. Temporary Deputy Chairman. I just want to thank the Committee for this clause because it is long overdue. We know that most young people in this country are just fresh from campuses or colleges and have gone through school with a lot of difficulties. Then we are asking them for these clearance certificates and even adding a cost to it. So, I think this is something which is very important and I support. Later on, is to follow-up and ensure its implementation is done according to how we pass it here in Parliament. Thank you.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Oluoch Tom, Member for Mathare do you have something to say to this?

Hon Anthony Oluoch (Mathare, ODM): Thank you, Hon. Temporary Deputy Chairman. I am waiting for the next one which is the Community Health Workers Bill.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Very well. Hon. Daniel Maanzo

Hon Daniel Maanzo (Makueni, WDM-K): Hon. Temporary Deputy Chairman, without the benefit of hearing what Hon. Keter was to say, I am left with no choice, but to agree with the amendment. There should be no factors affecting job seekers. It should be made as easy as possible for them to access jobs. Unfortunately, this has not been the case in this country. There are so many cartels, conmen and a lot of corruption. Even for somebody who wants to get into the police service or army, the recruitment process has been problematic. Therefore, owing to the fact that for many Kenyans who go to school, the only way to help their families is through employment at the first instance because they are unable to start their own businesses. I really want to support the position of the Committee.

Thank you, Hon. Temporary Deputy Chairman

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Martin Owino, do you wish to say something to this? Very well. Hon. Members, allow me to put the Question. Hon. Keter, are you now in a position to say something to the proposed amendment?

Hon. Gideon Keter (Nominated, JP): Yes. Thank you, Hon. Temporary Deputy Chairman. I am in support of the Committee's amendment since it is enriching the Bill. It is true, we are not graduating criminals, but Kenyans who are qualified and should first be considered for employment before being asked for any other hindrances, apart from the normal certificates they get in school. We have created unnecessary hurdles for job seekers preventing them from getting gainful employment and being taken as cash cows. So, I support the Committee's amendment.

*(Question, that the words to be left out
be left out, put and agreed to)*

*(Question, that the words to be inserted in place
thereof be inserted, put and agreed to)*

*(Question, that the words to be inserted
be inserted, put and agreed to)*

Hon. Wilson Sossion (Nominated, ODM): On a point of order, Hon. Temporary Deputy Chairman.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Sossion what is out of order?

Hon. Wilson Sossion (Nominated, ODM): On a point of order, Hon. Temporary Deputy Speaker. I am sure Hon. Keter will agree with us that Clause 2 was in two parts (a) and (b). We have gone through 2(a), but I am not sure whether the amendments to both 2(a) and (b) have been adopted. I stand guided.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Keter.

Hon. Gideon Keter (Nominated, JP): I am in support of both sections.

The Temporary Deputy Chairman (Hon. Christopher Omulele): Very well. Hon. Sossion, thank you for clarity. We will now put the global Question in regard to Clause 2.

(Clause 2 as amended agreed to)

(Title agreed to)

Clause 1

The Temporary Deputy Chairman (Hon. Christopher Omulele): There is a proposal to this by Hon. Sossion.

You are in a dilemma, but I understand it is a misdirection on my notes, but you have no proposal to this. So, it is just a typo on my notes. You do not have a proposal to this.

(Clause 1 agreed to)

The Temporary Deputy Chairman (Hon. Christopher Omulele): Hon. Gideon Keter.

Hon. Gideon Keter, (Nominated, JP): Hon. Chairperson, I beg to move that the Committee do report to the House its consideration of the Employment (Amendment) (No.2) Bill (National Assembly Bill No. 79 of 2019) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

REPORTS

THE INDUSTRIAL TRAINING (AMENDMENT) BILL

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon Members, we shall now have reporting on the Industrial Training (Amendment) Bill (National Assembly Bill No. 4 2019).

Hon. Emmanuel Wangwe (Navakholo, JP): Hon. Temporary Deputy Speaker, I beg to report that the Committee of the whole House has considered the Industrial Training (Amendment) Bill (National Assembly Bill No.4 of 2019) and approved the same with amendments.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Let us have the Mover.

Hon. Jude Njomo (Kiambu, JP): Hon. Temporary Deputy Speaker, I beg to move that the House do agree with the Committee in the said Report. I request Hon. Shamalla to second the Motion for agreement with the Report of the Committee of the whole House.

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

Hon. Shamalla Jennifer (Nominated, JP): Hon. Speaker, I second.

(Question proposed)

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon Members, I direct that the next step will be undertaken when the matter will be set down on the Order Paper again.

(Putting of the Question deferred)

I direct that we move to the reporting of the next Bill which is the Employment (Amendment) (No.2) Bill (National Assembly Bill No.79 of 2019). Let us have Hon. Wangwe.

THE EMPLOYMENT (AMENDMENT) (NO. 2) BILL

Hon. Emmanuel Wangwe (Navakholo, JP): Hon. Temporary Deputy Speaker, I beg to report that the Committee of the whole House has considered the Employment (Amendment) (No.2) Bill (National Assembly Bill No.79 of 2019) and approved the same with amendments.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Let us have the Mover, Hon. Keter.

Hon. Gideon Keter (Nominated, JP): Hon. Temporary Deputy Speaker, I beg to move that the House do agree with the Committee in the said Report. I also request Hon. Lesuuda to second the Motion for agreement with the Report of the Committee of the whole House.

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

Hon. (Ms.) Naisula Lesuuda (Samburu West, KANU): Thank you, Hon. Temporary Deputy Speaker. I beg to second.

I thank Hon. Keter for these very progressive amendments to the Bill and also the House for supporting them as they will help our young people a great deal. These certificates do not just cost money. Even the cost of travelling to get them has been a hindrance for the youth.

I second the Motion.

(Question proposed)

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Members, I direct that the next steps in regard to this Bill be undertaken when the Bill will be set down for consideration again on the Order Paper.

(Putting of the Question deferred)

I congratulate you, Hon. Gideon Keter. This is the very purpose for which we are in this House. It is great to see these kinds of proposals emanating from you. Hon. Jude Njomo, that is a great work. You are helping the children of this country to improve themselves. This is the purpose of this House. I am grateful to be here when you are making proposals.

I direct that we move to the next business, which is the Community Health Workers Bill.

BILL

Second Reading

THE COMMUNITY HEALTH WORKERS BILL

(Hon. Martin Owino on 2.2.2022 - Morning Sitting)

(Resumption of Debate interrupted on 2.2.2022 - Morning Sitting)

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Members, this Bill is by Hon. Martin Peter Owino, Member for Ndhiwa. The following Members had spoken to it: Hon. (Dr.) Martin himself, Hon. (Dr.) Nyikal, Hon. Sheriff Nassir, Hon. Ndindi Nyoro, Hon. Bady Twalib, Hon. Yussuf Haji and Hon. Mwashetani.

So, we will start off with Hon. Oluoch Tom, Member for Mathare.

Hon Anthony Oluoch (Mathare, ODM): Thank you, Hon. Temporary Deputy Speaker. I rise to support and lend my unequivocal support to this Bill. I want to thank Hon. Martin Owino for bringing a very timely Bill. I want to say from the outset that in light of the Universal Health Coverage (UHC), it could not have come at a better time.

I want to begin by underscoring that community health workers for a long time have been unrecognised and largely work as volunteers. If I use an example of my own constituency, we have around 580 community health workers working as volunteers and in the entire Nairobi County, there are about 7,320. If you do the arithmetic, you will see the gap that needs to be filled in terms of human resource and health professionals, at the lower level of basic health care in our dispensaries. So, this is a crucial Bill.

The only thing I need to add is that on top of it being said to be a money Bill, it is important because it comes out very clearly and removes community health workers from people who just volunteer their time. It realises they are people like us, they are mothers, uncles, aunties and have children they need to take to school. Therefore, some form of remuneration is important, so that they are able to make a living.

That brings me to Clause 5 which happily establishes a council. I believe and hope that over and above all the roles and objectives I see there, the council will do resource mobilisation from both the national Government and county governments. Also, look for multilateral donors and civil society so as to fill the gap that the Government is unable to fill, so that these people can work collectively and efficiently.

Looking at Clause 5, it is important to note that with the establishment of this council, they will assess the qualifications of community health workers. So, it is not just anybody who can appear and say they are community health workers. They will also ensure maintenance of standards of practice as we have with other professions such as the medical profession, dentists, the Pharmacy and Poisons Board and others.

There will be standards of how they need to carry out their work and especially clinical standards which they will offer at the lower level. Also, they will establish a professional code of conduct, look at disciplinary measures as well as keep records and a database of the number of community health workers. I have just indicated that in Nairobi alone, my count tells me they are between 8,000 and 10,000, but how many are they in the country? This database is important so that as we plan for the UHC, we are able to see the people who offer a complimentary role at the local level, and be sure how many they are.

Hon. Temporary Deputy Speaker, I also want to indicate that the importance of community health workers can be looked at in three parallels. Community health workers are what paralegals are to the legal profession or lay pastors are to the religious sector or *nyumba kumi* people are to the Government at the lower administration level. So, their importance can neither be over emphasised nor gainsaid.

I also want to underscore the role of community health workers of carrying out functions that are person centred. This is important because when you go to hospital, sometimes because of the pressing needs of time or the number of people the doctors and health professionals have to deal with, they do not have that one-on-one empathetic approach towards dealing with persons. Community health workers go to the villages and households to offer psychosocial support. So, this is the crucial difference they are able to bring. They can address the determinants of health at the local level.

Community health workers can address the determinants of health at the local level as they promote access to healthcare by the vulnerable people such as persons with disabilities, the elderly, widows and persons living with HIV. This access is a crucial component of the UHC and that can also not be over emphasised. When we talk about access, you will realise that Article 43 of the Constitution guarantees each person the right to access the highest attainable standard of

healthcare. It also goes on to underscore the question of access to emergency care and access to social security.

Emergency care can be defined in different ways. However, if I look at it in the context of informal settlements, such as Mathare and Mukuru, you will find that the common person in my constituency does not have access to ambulance services that can quickly rush them to hospital during emergencies. Community health workers live with these people as neighbours. They offer emergency health care to the extent that they are able to realise when there is an emergency of a person who is a neighbour, look for a vehicle, a motorcycle or a bicycle and rush them either to the dispensary or to the hospital.

The other issue which this Bill happily looks at is the question of the community health workers training. It talks about how to train them to perform their roles both clinical and psychosocial. Therefore, the enactment of this Bill will bring a crucial component that is missing and fill a gap that will be very important to deal with in terms of the UHC. Community health workers also guide the community on health improvement and disease prevention in terms of educating people at the local level, make visitations to homes, initiate dialogue with household members, determine the health situation and deliver key health messages and undertake necessary action.

Hon. Temporary Deputy Speaker, we should ask ourselves who a community health worker is. This is a member of a community who has been chosen by the community, meaning that we already have acceptability and it is a person who is known. In terms of offering community health at the local level, the persons that you are offering this psychosocial or clinical support outside the hospital need someone they can fully trust. These are people who are identified by the community as they live with them. These are people who have been chosen by the community or organisations to provide health and medical care within the community and are capable of providing preventive, promotional and rehabilitation care to that community.

Hon. Temporary Deputy Speaker, as I continue to underscore the community health workers, some of the benefits is to gain support from other organisations serving the community through developing trust in terms of interpersonal relations and deliver services that are appropriate, based on a language that the people at the local level encounter. Based on this and given that our universal healthcare is about to take off, it is important that this complimentary role and the gap that will be filled by the community health workers would be fast-tracked, implemented and a budgetary framework put in place so that we can mobilise resources from the national Government, county governments and international organisations. These people need to come out of the position where they volunteer to work, are unrecognised and nobody really looks at the importance of the things they do.

Hon. Temporary Deputy Speaker, I wish to support and hope that Members in this House will rise to the occasion and support the Bill by the Member for Ndhiwa, Hon. Martin Owino.

Thank you very much, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Wangwe.

Hon. Emmanuel Wangwe (Navakholo, JP): Thank you, Hon. Temporary Deputy Speaker. On the onset, allow me to say that I support the Community Health Workers Bill, 2020. It should be on record that my constituency has quite a number of health workers who are really struggling to keep up with the conditions they work in.

Hon. Temporary Deputy Speaker, allow me to appreciate and thank Hon. Owino for these wonderful thoughts he came up with such that he is able to think on behalf of the very strong population of health workers. Hon. Owino has had a journey to come up with this Bill and it is our

prayer that representing people and legislating on their behalf should earn you good results in August this year. Hon. Owino, it is our prayer. Engage the people of Ndhiwa to make sure they again see you in this House in the next term. This Bill is good because it will address salient issues that touch on community health workers. It is not good enough to say that you pay them salaries, but it is good enough to look at all round social well-being of an employee. This Bill is going to look at the recognition of the health workers. It is going to address the issue of training community health workers, licensing and how they are going to work. In overall, it is going to address the regulation of their practice and provide for the establishment of the Community Health Workers Council.

When you have a council, you have an umbrella organisation where issues can be discussed. All conversations can be done at a council level and this Bill is going to address that. This Bill is going to broker between the county governments and the national Government. How do we put policies at the national level and they are implemented at the county level? This Bill is going to address that and the issues of hand-outs. For example, some counties are paying health workers Kshs2,000 per month as stipend. Let us not pay them a stipend of Kshs2,000. I want to appreciate my county government that has stepped in the right direction. However meagre it is, it is a step in the right direction, but let us now give rise to a better way of addressing the issues of community health workers than before.

The COVID-19 Pandemic has just come in. Initially, health workers were just being called midwives. They would only be assigned in villages to assist our ladies and mothers to have children, but today, community health workers have risen beyond when COVID-19 came. They are the only people who could address the issue of COVID-19 to the villagers. I come from the village of Bunyala in Itshe, where not everyone understands English and Kiswahili. It is only the village community health worker who could address my community in our language to understand. Therefore, they are people who have lived beyond just being there to support our mothers or wives to have children, but instead, they are people who are aiding in terms of helping the community should there be a pandemic.

Therefore, since this group of workers has up-scaled its responsibility, it needs a council to look at them and address their social well being. How are they being managed and administered? How do you regulate and coordinate them? How do you eliminate if there is one of them who is rotten and how do you promote that who is very helpful in the society? Therefore, this Bill has come in handy. It has come in on the benchmark of COVID-19. We have seen an example. It is a Bill which we should all support so that those who will come up with the council and the composition as listed in this Bill, can really be supported. Remember Article 43 of the Constitution guarantees every Kenyan the right to good health. Good health is not the good medicine we take. It is the steps towards taking that good medicine that addresses good health. Although it is a social Article, it is also enforceable.

I must thank our President for really moving fast and implementing the UHC. His pledge to Kenyans has come to reality. We now have UHC in practice. We can see the opening up of cancer centres which are very ultramodern. With those cancer centres and UHC in force, we need people like health workers to talk to our people in the villages so that they can know that they do not have to take Piriton in the village. Instead, if they feel this condition, they can go to the next hospital. Therefore, the proposal by Hon. Owino is going to be helpful. Hon. Owino has thought it well in support of the Government's view in enabling the UHC to trickle down to the common man.

With those very many remarks, I wish to support the Bill and ask my colleagues to join me and vote for it when it comes to the final step. I support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Maanzo.

Hon. Daniel Maanzo (Makueni, WDM-K): Thank you, Hon. Temporary Deputy Speaker for giving me an opportunity to contribute to this very important Bill. There are very many community workers in the realm of health across the country who have not been taken care of and in most cases, have been volunteers. Other than midwifery, which my grandmother did for free for many years in Makueni, there are many health workers especially in Makueni, who are volunteers. They work in the community. They assist people to make sure more people are born. A lot of times, it is an emergency situation since the ambulances or the known health workers are not easy to reach. These people are skilled out of having been trained from generation to generation and they know what to do in case of an emergency delivery to save the life of the mother and the child.

There are also community health workers especially in the Maa Community who have never told any other community the secret in the event of a snakebite which are so many in the country. Unfortunately, there is no longer compensation although I brought a Bill to this House to make sure that people who have snakebites and die or are injured out of it are compensated. When snakebites happen in many parts of the country, before anybody is given first aid or before they get to any hospital, the community health workers have been very useful. In the Maa Community, they have a plant or some treatment they administer and even from a very dangerous snakebite, that person will never get admitted and they will not lose their life. Unfortunately, we have so many lives lost elsewhere for lack of that technology or lack of a community-based person who knows what to do in case of a snakebite, what to use and how to save the life of that particular person.

These are very useful people, who in a way, must be regulated, coordinated and probably trained. They should share that technology, most of which is earned from traditions and from old times and passed on from generation to generation. It is not conventionally taught in health institutions, universities or anywhere. That community knows that knowledge and they know what to do in the event of a sickness and how to prevent it. Ordinarily, it is usually on first aid basis before that person reaches a hospital. A lot of times it saves a lot of lives. So, there have to be a framework of dealing with these people and a lot of times they have gone unappreciated.

A lot of times, that knowledge has gone untransferred because they know what herbs to use to deal with allergies or situations which can be held at first aid level. We should have a way of letting them known in their communities and having some registries as has been proposed here. Also, getting them trained and to train others to pass this knowledge and a lot of times, getting them sponsored. We will be missing something especially when it comes to traditional medicine in this country. I believe this is a very important Bill at this particular time. Without repeating what the other two Members who have presented before me have said, it would be very important to have a recognised system funded by the Exchequer.

I have been well informed by the Mover that there is a similar Bill to this in the Senate. When we move ours as the National Assembly and the Senate moves theirs, we will modulate and get a good law to deal with community healthcare workers. That was the only challenge I was foreseeing legally, but I have realised that we have taken care of that aspect of the law and the Constitution.

Article 43 of the Constitution clearly states that health is a right to every Kenyan. We as the legislators and the Government have been tasked to ensure that this is achieved, so that we can serve our people and save lives. Community healthcare workers save lives. Life is very important.

It is good when it is saved. That is why there is training on first aid in schools, both primary and secondary, so that we know what to do in the event of an accident in the village, be it a fall from a tree or bicycle accident. This ensures that those who get such accidents survive and get to a place where they can be taken care of and facilitated. Community healthcare workers have been defined. The moment it is regulated, it becomes much better and Kenyans will receive their health care. I must congratulate the President for what he has done in relation to the healthcare in this Country. Community workers are dealing with health at a lower level. He has done it at a different level and it means that when we pass this law, we will take care of the basic health from the smallest level of this country to the highest.

Earlier on, we had experiences in this House where our insurance was very difficult. However, I must really thank the administration of Parliament. It is extremely efficient and doctors are handling Members and their families very well.

In conclusion, I really want to urge Members to support this Bill. It will ensure that the common man is taken care of and a healthcare worker, who has been volunteering all these years, is recognised and earns something out of what they do. Therefore, they will serve the community better and will be motivated through this law.

I thank you, Hon. Temporary Deputy Speaker. I support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Mohamed Sheikh, you are the next on my list.

Hon. Mohamed Mohamud (Wajir South, JP): Thank you very much, Hon. Temporary Deputy Speaker for your kindness and generosity for allowing me to rush to my microphone. I rise to support this very invaluable Bill. I call it invaluable because we cannot put it to scale the value it is going to add to the health care workers. I speak from a point of knowledge. I have been in the health profession for the last 33 years. This Bill is therefore, timely, important and will add value to our society. We also have to know that the community healthcare workers are the backbone of our society. They are the ones who drive the health of our society in the far flung rural village. It is important and we must acknowledge that these health care workers do not have a union, a council and representatives to voice their words into practicality.

This Bill gives them the opportunity to air their voices, so that they can describe the terrain they go through in their service. Our communities in the village have the ears of the community healthcare workers. Also, the community health workers have the ears of the community. They are informed of the actual medical conditions that are there. If a mother is in labour at the wee hours of the night, doctors may not be there to help them. The community healthcare workers are the ones who will help because they live within the village, within the periphery and precincts of where things happen. Because of that, the community healthcare workers provide the essentials of medicine. I will use the term essentials of medicine simply because the practise of medicine is done by those on the higher level. When I use the term medicine, some people are a bit territorial. They want to claim medicine is for particular cadres. However, I want to say that those who dispense the services provided in the rural villages are those that actually practise the actual medicine. Therefore, recognition of the community healthcare workers is a plus. It will give them the opportunity to prosper in their careers, to prosper with their salary and remuneration packages, and in giving them that psychological support that they need as valid members of the health profession. They can only be valid in the community once they are recognised at the national level in terms of advocacy, boards that can serve them with all the requirements that they need.

Let me tell you why these people are very important. From my very own family, my grandfather, the late *Mzee* Omar, was a community traditional health worker. He was a very bright

orthopaedic surgeon. He used to do all the works that were required in the rural village. My mother was one of the best traditional physiotherapists during the time she lived in the village. She used to provide services to people who were ill in bed and give them that support that they needed when doctors and the current community health workers were not there. So, traditional community healthcare workers also need to be recognised. That is the point I would want to add to Dr. Owing's proposal on this Bill. Traditional healthcare or community workers are also valuable people. Not necessarily those who came through formal education to become community health care workers.

When it comes to advocacy, we always lag behind when some voices are not at the table where things are discussed and decided. That is why community healthcare worker's situations are lagging behind. I am a particular beneficiary of the community health care workers. The entire immunisation that was given to us in our childhood was provided by community healthcare workers. Most of them were volunteers and were unpaid. Some of them were not formally educated, but they had the grasp of it. In one chapter in my book: *'Transforming Public Health in Developing Countries'*, community healthcare workers stand out. They stand out simply because of the works they have done in Pakistan, Bangladesh, Nigeria and Ghana. These are the places I have focused on in the book. Before the current crisis in the Ethiopia, child mortality had improved so much that we thought they were in the first world. This was because of community healthcare workers. That bring me back to what I said earlier that community healthcare workers are the backbone of the society.

Without dwelling longer on this advocacy of providing a board and support for the community healthcare workers, I want to say that Dr. Owino must be congratulated for pushing our Committee, the Departmental Committee on Health, which I am a Member, to ensure this Bill is discussed, taken through the public participation it deserves, gone through the process that is required in the Ccommittee until we came to the professional decision of supporting it. We, as professionals in the healthcare service have said that this Bill is timely. The community healthcare workers take care of our Level 1 to Level 3 hospitals and public health within the community. They are the guardians of our society's' health. Given that they are the guardians, it is imperative upon us to support anything that is going to support them, both professionally and in the journey towards progress in their career.

Thank you very much, Hon. Temporary Deputy Speaker. I support this Bill and ask the rest of my colleagues to support it given that it has come through the minds and brighter brains of the professionals in the Departmental Committee on Health.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Kamene Joyce, Member for Machakos.

Hon. (Ms.) Joyce Kamene (Machakos CWR, WDM-K): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to contribute to this very important Bill. I congratulate Hon. Owino for coming up with this wonderful Bill.

In Machakos, we have community health volunteers and there is no doubt we see the work they do in the community. With the much effort, they have done a lot. During the COVID-19 Pandemic, they came in handy. We have our teenage pregnant young girls and we saw the way the community health volunteers worked and walked with our young girls. They also brought awareness of the COVID-19 and the regulations, more so in the funerals and in places where we had events. They carried sanitisers and masks and did their best to ensure that COVID-19 did not spread. Yet, after the work we have seen them do, we are very much aware that they are a frustrated lot, more so in Machakos County, where the little they had been promised to be paid has never been paid up to date. They have arrears of two years. Why is that so? Because there are no

regulations and nobody recognises them. That is why I have said that this Bill has come in handy and at the right time. Congratulations, Hon. Owino.

If this Bill passes, there will be clear guidelines. The community health workers will get training and licenses, and performing their work will be made easier than before.

I support this Bill as fast as yesterday. Thank you, Hon. Temporary Deputy Speaker.

(Applause)

The Temporary Deputy Speaker (Hon. Christopher Omulele): The Hon. Joshua Kutuny, Member for Cherangany.

Hon. Joshua Kutuny (Cherangany, JP): Thank you, Hon. Temporary Deputy Speaker. First of all, I take this opportunity to thank Hon. *Woudchief*. He is a Member of our Committee. I confirm to this House that *Woudchief* is one of the most robust and reliable Member in the Committee. He is also experienced quite a lot. He has been in the field of caregivers and social work for many years, not only in this country, but also in the US and other countries. He comes in with a lot of experience. We appreciate his contribution all the time. As a Committee, enactment of this Bill is long overdue.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Kutuny, for the education of this Temporary Deputy Speaker, I do not see any Member known as *Wuodchief*. The son of a chief.

Hon. Joshua Kutuny (Cherangany, JP): Yes.

The Temporary Deputy Speaker (Hon. Christopher Omulele): The son of a chief. Okay, proceed.

Hon. Joshua Kutuny (Cherangany, JP): He is another dynasty. But anyway, do I say.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Proceed.

Hon. Joshua Kutuny (Cherangany, JP): Thank you very much. This Bill will go a long way in ensuring that we have people in society who will be working closely with the public to enhance quality affordable healthcare. We use a lot of money as the Government to treat diseases. But it has come to our attention as we sat in the Committee and have proven that prevention is much better than cure. If the Government puts in a lot of money in prevention, through awareness, we will eradicate diseases. If left untreated, the Government will pay a lot of money.

Today, we talk about hospitals which are over-stretched. If we go to the Moi Teaching and Referral Hospital (MTRH), it is overstretched because it covers the entire western Kenya and part of Uganda and Rwanda. Why? We do not have early warning systems to deter diseases. But having community health workers is going to go a long way. Community health workers will carry out capacity building and awareness to help the Government to reduce the cost of healthcare. So, instead of paying too much through the UHC to hospitals, it is better to pay the community health workers salaries and cut the cost of treating diseased in hospitals. See what is happening at the Kenyatta National Hospital. It is the same thing at the Kenyatta University Teaching and Referral Hospital. The Kenyatta University Teaching and Referral Hospital started just two years ago, but it is already overstretched. When we budget, we do not have enough resources to give to all these hospitals. So, we should not be talking about expansion, but we should be talking about preventive health care. That is what is important for the country. What we need to do is create an enabling environment and infrastructure where the national Government and county governments work closely so that we can ensure that community health workers are provided with favourable working conditions. They should be provided with the materials that they require. Why can we not pay

community health workers like the Early Childhood Development (ECD) teachers? They go hand in hand.

Once it is enacted, it come back to the Committee where we will make sure that we factor in the budget. I appeal to the Ministry that when they itemise the budget in future, we want to see salaries or remuneration for the community health workers. Right now, the Government has set aside almost Kshs870 million to pay the front line workers during the COVID-19 Pandemic. They started with three months, six months and now we are in one year. It seems the Government will absorb them so that they can be part of the work force to continue fighting against COVID-19 and other diseases. We challenge the Government to consider the community health workers to work in the counties. It is not going to be difficult for the national Government and the county governments to harmonise a framework where community health workers are integrated to the national workforce. That is very important.

I support the Bill. Instead of expanding many hospitals, we need to focus on preventive healthcare. That is very important.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Very well spoken, Hon. Kutuny. Hon. Mule Mutinda, Member for Matungulu.

Hon. Stephen Mule (Matungulu, WDM-K): Thank you very much, Hon. Temporary Deputy Speaker. First and foremost, I thank Hon. Martin Owino for bringing up this Bill. This is a very important Bill for this country and for the health workers in Kenya especially the community health workers.

We have to realise that there is a serious gap within the healthcare system caused by the missing link of community health workers. Community health workers play a very big role within the community. This Bill comes at a very hard time when health services have been devolved to the counties. It is very unfortunate to state it on record that not only Machakos County but also several other counties within Kenya have neglected these community health workers. It is high time we as Members and representatives of the people, and a House that is mandated to come up with legislation, made sure that this gap does not exist anymore. Let us pass this Bill in supersonic speed. Why am I saying we need to pass it in supersonic speed? In my county of Machakos, we meet these community health workers in every function we go. But, at the end of the day, as an MP or a leader, you end up looking at how to make sure they get transport back home and have at least something on the table. This is a reality.

So, I want to say that we as a House, through the leadership of this House and, Hon. Wangwe is here, should find a quicker method to fast-track this Bill so that it can be enacted into law before we start even finalising the itemised budget for healthcare in this country for this financial year. That is so that we can take care of these community health workers within the Budget which will be read in this House and provide money for them to be paid like any other health worker. It is important. If we fast-track this Bill, I am very sure we will be able to realise universal health coverage in Kenya without looking for any other models to implement universal health coverage.

I urge these governors who have the heart of Kenyans within them to make sure, within their county governments, they put aside some money to take care of community health workers. I know when they come back they will tell us we have not passed legislation and Regulations. I want to tell them now that the holiday is over. We are going to push this Bill to make sure that they have the Regulations and the legislation required so that we take care of Kenyans at the cadre whereby those Kenyans whom, probably, God has given good health for many years can also enjoy the services of these community health workers.

Last but not least is that community health workers require some essential commodities to facilitate them to do their job. These commodities must be factored in this year's Budget. If we have the staff and the community health workers but we do not have the essential commodities like a bag, gloves, Panadols and the basics so that they can attend to any case, it is in vain. That must be provided by the Government and the county governments. It should be taken care of within the Budgets we make.

So, this a holistic Bill which brings health in this country through a different format, way and approach. I urge my colleagues to move with speed so that we get to the Third Reading of this Bill. As I have urged the leadership of the House to fast-track it, we do not have a lot of the luxury of time. We should fast-track it, go to the Third Reading, finish with it and send it to the President for assent. I know that by the time we get there, the Bill from the Senate will be ready. It is a matter of harmonising the two Bills, bringing them back here, passing them and then they go for assent. We have attended several meetings with Mr. Owino. We had a meeting on Zoom which was organised through the Ministry of Health and Kanco. He spoke about it at an international level whereby our colleagues from Canada were shocked that Kenya is making a milestone to take care of the missing gap, not only in Kenya but also in the entire world. So, I want to thank you Owino because you will go into the Guinness Book of Records for realising a gap within the health sector and curing it through legislation. Congratulations.

Last but not least, with all due respect, county governments must be put on notice to clear their bills with the organisation called KEMSA. If you look at KEMSA, it is not able to provide the essential commodities required right now because counties pick goods and commodities from KEMSA and they are not paying. We must be a country whereby we are accountable. The governors who have picked goods from that organisation and they have not paid are doing a disservice to this country. We saw it on television the other day. The acting Chief Executive Officer put it very clearly that they have a bill of almost Kshs7 billion with the counties. I suggest this: as we are dealing with the Budget for this year, we should allow the Ministry of Finance and the National Treasury to deduct all the pending bills from the money for counties before they send it so that we make sure that we restock our reserves for medical services and medical commodities in this country. That will make sure that we do not get into the quagmire of having a warehouse which does not have commodities. Please, governors, can you pay your bills? I find it very funny that if you look at the pending bills of most of these county governments, I do not know what they are thinking of. They have serious pending bills. They have not paid bills from contractors. Now they have not paid KEMSA. We do not know who else they have not paid. They have not paid community health workers in their counties. Surely, there is something amiss. I want to go on record that we are going to find a solution to make sure that healthcare in this country is given a priority.

Thank you very much. I support this Bill.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Mule, you at some point said "some of these governors who have Kenyan hearts in them". Does it mean that there are some that do not have Kenyan hearts?

Hon. Lesuuda Naisula, Member for Samburu West. It is your opportunity now.

Hon. (Ms.) Naisula Lesuuda (Samburu West, KANU): Thank you very much, Hon. Temporary Deputy Speaker.

First I want to take this opportunity to congratulate and thank my colleague, Hon. Owino, for this very significant and important Bill. It is going to look at welfare and how our community health workers work in our country.

Just as it has been said by others, we cannot overemphasise the important role and work that community health workers play in our country. Just from the word “community”, these are the people who had direct access to the community. They go out of their way to reach people even in the remotest areas. I know for example how vast my county of Samburu is. But any other time you will always find a community health worker in the remotest village. They also have a personal touch with community members. Also, community health workers are people who actually do follow up. They follow up on our patients. Very important is what was said by my colleague, Hon. Kutuny. They even deal with issues to do with prevention, malnutrition, nutrition and how our children are fed. This also helps reduce issues to do with child mortality.

So, we cannot overemphasise on issues to do with the role and the work that community health workers play in this country. Even when you look at people who have illnesses that need close follow up, for example tuberculosis and HIV, they follow up with them and have conversations with them. They even guide them. They ensure that they take their medication and even advise them on the diets they should have. So, we cannot overemphasise the importance of the community health workers. The importance and import of this Bill is to ensure that their welfare is taken care of and they are in a council. The dentists, doctors and pharmacists have a board but the community health workers have been forgotten. Therefore, Hon. Owino, this is important. We should make sure that we consider and ensure that the community health workers are taken care of in our communities.

I want to pick up on what has been said about our county governments. When you asked if there are some governors who do not have a heart, it depends on how they treat people. On what has been said about the pending bills, it always goes to areas like building roads because that is where there are kickbacks and it depends on which contractor they pay. When it comes to serious issues like this one, where money will not exchange hands, we will have difficulty in the implementation of this law. That is where you will find governors with hearts, they think of Kenyans and what to do. They will take this seriously and ensure that immediately this Bill is passed and assented to, its implementation is done for the benefit of not only the community health workers but also the people that the community health worker will be serving in the communities. So...

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Lesuuda, I have also heard in other quarters that there are those that are even heartless; they do not have hearts.

Hon. (Ms.) Naisula Lesuuda (Samburu West, KANU): I wonder what they use to pump blood. It is a serious issue. It is something that we need to look at as a country. The matter of pending bills has a human face to it both at the county and national level. There are so many Kenyans who are going into depression. We have people committing suicide and others being actioned because of committing their resources to deliver services to both the national and county governments. They are left to pay debts of huge loans that impoverishes them. It is important that as we discuss this matter of national importance, we also consider, as Parliament, how the pending bills will be taken care of in the budget.

I support the Bill.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Mwalyo Mbithi, Member for Masinga.

Hon. Joshua Mwalyo (Masinga, WDM-K): Thank you, Hon. Temporary Deputy Speaker, for this opportunity to be able to air my views on this Bill. I want to thank our colleague hon. Owino for this Bill. It is an important Bill. The Community Health Workers Bill (National Assembly Bill No. 30 of 2020) seeks to establish a council for the community health workers. This

country has few health workers, especially doctors. The health workers come in handy because they know every home and many people. If they are called upon to help, they are available for no fee. They are not complicated. They will not say they do not have fuel or money, they will help the community that they are trained to help. Therefore, the council that is proposed in the Bill will be important. It will be doing periodic trainings of community health workers, registering and licensing them like any other practitioners. They will also feel that they are professionals and not people engaged for nothing.

This is an important Bill that we need to pass so that our people can be helped. We have few doctors in this country. The ratio is one doctor to 2000 patients. For the health workers, the ratio is one community health worker to 100 patients. Therefore, they will help people and assist doctors and nurses so that people do not die for lack of attention in the hospitals. You will find that before a person is attended to by a doctor, the health worker will provide first aid. That is important. In the rural areas, for example, you may find that one has been bitten by a snake or another animal. It is a health worker who will come in handy to provide first aid before they are taken to hospitals. That will prevent them from further injuries because a first aid has been done on them. Therefore, the council is required so that we have a body that can govern them. They will air their views to the council when there is no payment. They work for nothing. Last week, community health workers called me in my constituency. I met all them and they wanted to take the Governor of Machakos County to court. I told them before they take him to court, they should have a meeting with the Ministry of Health (MOH) to find a solution. They did not have the money to engage a lawyer. So, this council will assist them with such problems like non-payments so that they do not feel that they are working for nothing. I support the Bill and pray that the Government will see sense of community health workers helping health practitioners in offering health services to our people in the community.

With those few remarks, I support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Mwale, the last real statistic of the ratio of doctors to patients that I heard is of one doctor to 15,000 people and not to 2,000. We are in trouble.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Mulyungi Mutemi, Member for Mwingi Central.

Hon. Gideon Mulyungi (Mwingi Central, WDM – K): Thank you, Hon. Temporary Deputy Speaker. Thank you for this opportunity. I rise to support this Bill that has been brought by Hon. Martin Owino. The Constitution of Kenya, 2010 provides for healthcare as a right for all Kenyans. Kenyans should not be denied that right for lack of doctors. Therefore, this Bill has come at the right time to support that provision of the Constitution of Kenya, 2010 on health care. Healthcare is very costly. Every day in my constituency there must a request for support for hospital dues and other kinds of tests. Because of the costliness of healthcare, we have lost many lives. Many people do not get access to good healthcare and, therefore, they die. Similarly, there are others who die because of lack of first aid. First aid in most of the cases is not provided by medical doctors. It is provided by the person who is closest to you at that particular time of the incident. This Bill seeks to sort out such problems. Community health workers are all over the villages. They are the first contacts to the sick or those who get accident.

Many a time there are so many health fundraisings in my constituency. The fundraisings have even become more than those for school fees. Therefore, this thinking is good to sort out some of these problems. I want to thank His Excellency the President for thinking louder on healthcare. He has come up with Universal Health Coverage (UHC), which he talks passionately

about. If UHC is achieved and we also pass this Bill, then a lot of issues in healthcare will be sorted out. As you know, all professionals world over are regulated, starting with doctors, dentists, nurses, pharmacists, lawyers, engineers and architects. They are all regulated. So, why on earth were community health workers discriminated against? The Constitution does not allow discrimination. Why were they left out when all these other professionals were being regulated? I must thank Hon. Martin Owino for coming to the rescue of community health workers so that they can be treated equally with other professionals.

Regulating professionals is good so that a profession is not infiltrated by quacks. In accordance with this Bill, community health workers will be registered. We will even know how many they are in Kenya. They will be regulated so that their conduct is in accordance with the law. They will also undergo continuous professional training so that they are in touch with current trends in healthcare. Moreover, they will be disciplined in case they misbehave. Traditionally, all these professionals have been around. There have been midwives and traditional medicine men and women. Where I come from, there is a gentleman who treats snake bites. I have just received a message of a child bitten by a snake this morning and has passed on. This gentleman used to be my mathematics teacher. He has converted himself into a community health worker. He treats snake bites better than hospitals. So, this Bill is very useful to people like him. They will be recognised.

Finally, I thank Hon. Owino for this Bill and ask this House to support him and support the Bill. I support the Bill. Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Edith Nyenze, Member for Kitui West.

Hon. (Ms.) Edith Nyenze (Kitui West, WDM-K): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to contribute to this important Bill by Hon. Owino. There are community health volunteers who are lay individuals of varied backgrounds who serve various communities. They have received only short trainings on health issues and they have volunteered to engage with the community. They are doing a noble job. To get into community health work, you need interpersonal skills such as listening. These health workers can also conduct counselling. I congratulate them for doing a good job. They do this yet they do not have the necessary tools. They interact closely with the communities they serve. All the time, they bring awareness to their communities. In doing so, they bridge the gap between the communities and health facilities. They expose patients to the right medications. But these health workers do not have the necessary skills, equipment and finances. They are supposed to move from one place to another. They are not even given airtime to reach their clients. This is very discouraging to them. They are really ready to work, but they do not have the necessary skills. I congratulate Hon. Owino for this Bill.

Many community health workers come to me asking for transport and airtime. I know one of them who interacts with HIV and AIDS patients. She is also HIV positive. She has a lot of work. The other time she was telling me they do not have medication and she is the one who is supposed to talk to the patients and encourage them so that they do not give up in life. I remember she told me I should give her some money to buy something for the patients so that they feel needed and loved in society. No one cares for them. Whoever is doing this has no financial support from anywhere. It is therefore, important to have health work regulated and be under a body, even if it is an authority so that the Government regulates what they do. In doing so, they would be trained, licensed and have a payment structure. They would also have some working schedule so that they are recognised and would be reporting to someone so that they are not just left on their own.

They could also have some refresher courses organised for them so that in case of any pandemic, they would be aware of what is happening and pass the skills to their patients and community. So, this is a very important Bill.

In some counties like Kitui, healthcare has been a big issue. There is no medication. People are desperate and they expect to be treated. When we come up with medical cards, they do not work. We are given medical cards but there is no medication. You pay for the medical card but there is still no treatment. The health sector in the counties is wanting. I urge the Government to relook at it and know whether it should be a devolved function or it remains at the national level. There is need to have these volunteers and health workers get some money for transport and airtime. They should also have necessary items like identification cards and uniforms to show that they are health workers.

I support the Bill.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Nixon Korir, Member for Langata.

Hon. Nixon Korir (Lang'ata, JP): Thank you, Hon. Temporary Deputy Speaker.

First, I want to thank Hon. Owino for bringing this Bill. These are the kind of Bills we should be giving priority in this House.

The welfare of community health workers has been ignored for a very long time yet they play a big role in our society in terms of bridging the gap between the community and health facilities. They also play a role in prevention and cure. In Nairobi, we especially interact with many community health workers who are working in the informal sector. They deal with those who are chronically ill in the community. They ensure those who have HIV get their anti-retroviral drugs. They play an integral role in our health sector, and I think this Bill has come at the right time although, it is a bit late.

Just like my colleagues have said, there is no sector in this country where people work without being recognised by the Government, and remunerated for work done. Health workers have really suffered at the hands of county governments, and we must say it as it is.

They also lack training. Diseases evolve and mutate thus different training is needed to handle different diseases. The case in point is COVID-19. These health workers have been volunteering in the community despite lack of equipment, facilities and facilitation. They have been volunteering. They deserve a proper thumbs up by ensuring that they are recognised, registered, trained and have a representation in terms of a council that can represent them when they have issues. They should have proper recognition in law.

When you go to our ghettos, they are the first reference. Most people do not even know where the health facilities are. The first person they call is a community health worker. They go there without asking for any money. It is only proper that we support this Bill, so that we can, once and for all, deal with this issue and recognise our community health workers who are many. They need proper training, licensing and clearly indicating their roles in whatever they do, so that they cannot be misused and abused. They were referred to as volunteers for a very long time. I am happy because they are referred to as community health workers now but not community health volunteers. So many people volunteer in different sectors but this is a very big sector. Many Kenyans have sold property or all they had to cure their family members. Many Kenyans die of curable diseases because the sector is not properly aligned and supported. The first support that we need to give is the community health workers.

I support this Bill. It is unfortunate that I have to mention this point. In Nairobi City County, the current Director who is in charge of Health was the Chairman of the Kenya Medical

Practitioners, Pharmacists and Dentists Union (KMPDU). He was an activist who fought for the doctors. However, given an opportunity, we have seen and appreciate that many facilities have been built around our city but they do not have medicine. These community health workers are not appreciated. You do not need a Bill to be brought to this House to do it.

Early Childhood Development (ECD) teachers are remunerated or paid by the county governments. They do not suffer the way the community health workers suffer. This is unfortunate. We must support this Bill, so that the community health workers can be supported.

I support the Bill, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Wangaya Seka, Member for Khwisero.

Hon. Christopher Wangaya (Khwisero, ANC): Thank you, Hon. Temporary Deputy Speaker. I also rise to support this Bill by Hon. Owino that seeks to create a council that will look into the interest of the community health workers. They link the community with health facilities. They also provide advice, in terms of nutrition and general hygiene. This reduces cost of admission in hospitals and healthcare in general.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Dawood.

Hon. Rahim Dawood (North Imenti, JP): Thank you, Hon. Temporary Deputy Speaker. At the outset, I want to congratulate Hon. Owino. I believe that this Community Health Workers Bill should go through. We need to empower the community health workers. The ones who are already in the job should not be trained. The training that they have should suffice. It should be put in place, so that the Council does not say that they have to be trained again.

Community health workers are the backbone of this country. If they are not qualified according to the training manual, they should still be registered and be given some time, so that they can go for training. Otherwise, we need to see how the counties will employ them.

With those remarks, I support the Bill.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Odhiambo Akoth, Member for Suba North.

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Deputy Speaker. I wish to support this Bill. They do excellent work, especially for reproductive healthcare for women who are about to give birth. They are the first line of response. I have just seen that Bill Gates has written about how we can stop the next pandemic or pandemics. Part of the issues he raises in his forthcoming book is that there are innovations and ways that we can do it. What you can see from COVID-19 is that you do not even need to go far. He mentions that we can invest in healthcare, but we need to do that in that level. We therefore, need to appreciate, remunerate well and take care of their needs.

I, thank Hon. Martin Owino for this excellent Bill.

I support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Gogo Achieng.

Hon. (Dr.) Lilian Gogo (Rangwe, ODM): Thank you, Hon. Temporary Deputy Speaker.

I rise to support this single most piece of important legislation for the simple reason that it has been fronted by a first time Member of Parliament from Homa Bay County, Hon. Owino. Thank you, very much.

I have gone through the Bill, and it is a very good piece of legislation. Allow me to talk about two items because we are short of time. One is about recognition. All people want is for them to be recognised after all they have been working for the longest time without it. When they

are recognised, we should motivate them to even work better. As Kenyans, we are used to people working for us for free. It is high time we recognised them. They should be given more training and be licensed, and when their work is anchored in law, they are going to be paid and be trained more. Thank you Hon. Owino for bringing this item to the Floor of the House.

Rangwe Constituency which I represent supports this Bill, and because of time... If I get more time, will speak to it more.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Gogo, do not rush yourself. There is still time. I just want to inform you that this Bill still has about an hour and 18 minutes to go. You are on the Floor and when the Bill is set down for consideration again, you will have priority. You will have a balance of about nine minutes to speak to this.

Hon. (Dr.) Lilian Gogo (Rangwe, ODM): Thank you very much, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Just hold your thoughts. I know you have a lot to say. You will say it then, but you will allow us to adjourn because of time before this session ends.

Hon. (Dr.) Lilian Gogo (Rangwe, ODM): Thank you.

ADJOURNMENT

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Members, the time being 1.02 p.m. the House stands adjourned until today, Wednesday, 9th February 2022 at 2.30 p.m.

The House rose at 1.02 p.m.