

PARLIAMENT OF KENYA

THE NATIONAL ASSEMBLY

THE HANSARD

Wednesday, 30th March 2022

The House met at 9.30 a.m.

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

PRAYERS

QUORUM

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Members, we do not have the requisite numbers. I, therefore, direct that the Quorum Bell be rung for 10 minutes.

(The Quorum Bell was rung)

We still have a problem with the quorum. I direct that the Quorum Bell be rung for a further five minutes.

(The Quorum Bell was rung)

Hon. Members, you must recall that when the Quorum Bell is ringing, you should not leave the Chamber. It is a rule. The only Members who are allowed to leave when the Quorum Bell is ringing are the Whips: Hon. Wangwe, Hon. Eseli and their deputies.

(Hon. Charles Nguna walked along the gangways)

The Member for Mwingi West, you cannot leave because we are about to start. When the Quorum Bell is ringing, you just have to sit and wait patiently.

QUESTIONS AND STATEMENTS

ORDINARY QUESTIONS

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Members, there are Questions. The first one is by the Member for Kisumu West, Hon. Olago Aluoch. Proceed, Hon. Aluoch.

*Question No.085/2022*LAND ACQUISITION BY KENYA AIRPORTS
AUTHORITY IN KISUMU

Hon. Olago Aluoch (Kisumu West, FORD - K): Hon. Temporary Deputy Speaker, I have the honour to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works the following Question:

- (i) Could the Cabinet Secretary explain how the Kenya Airports Authority fully acquired Land Parcel Nos. Kisumu/Kogony/172, 175, 176, 177, 184, 206, 207 and also partially acquired Land Parcel Nos. Kisumu/Kogony/180 and 203 for the relocation of Usoma Primary School situated next to the Kisumu International Airport?
- (ii) Could the Cabinet Secretary provide a list indicating names of the persons from whom the aforementioned parcels of land were acquired, how much was paid for each parcel and confirm that the respective titles have since been processed in favour of the school?
- (iii) What action has the Ministry taken to ensure that the Authority consolidates the different titles into one title in favour of the school, and fenced the said land so as to keep away trespassers and eliminate any possibility of previous owners encroaching on the school land?

The Temporary Deputy Speaker (Hon. Christopher Omulele): That Question will be replied to before the Departmental Committee on Transport, Public Works and Housing. The next Question is by the Member for Kwanza, Hon. Ferdinand Wanyonyi.

*Question No.088/2022*STATUS OF DE-SILTATION WORKS AT KAPSITWET,
ASEKA AND MARINDA DAMS IN KWANZA

Hon. Ferdinand Wanyonyi (Kwanza, FORD-K): Hon. Temporary Deputy Speaker, I rise to ask the Cabinet Secretary for Water, Sanitation and Irrigation the following Question:

- (i) Could the Cabinet Secretary provide the status of the de-siltation works at Kapsitwet, Aseka and Marinda dams in Kwanza Constituency?
- (ii) Could the Cabinet Secretary also provide the names of dams and water pans that the Ministry plans to construct in Kwanza Constituency to facilitate provision of water for household use and irrigation in the constituency?

Thank you very much, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Christopher Omulele): That Question will be replied to before the Departmental Committee on Environment and Natural Resources. The next Question is by the Member for Magarini, Hon. Michael Kingi.

Question No. 089/2022

FINANCING OF SPECIAL EDUCATION SCHOOLS IN MAGARINI

Hon. Michael Kingi (Magarini, ODM): Hon. Temporary Deputy Speaker, I rise to ask the Cabinet Secretary for Education the following Question:

- (i) Could the Cabinet Secretary provide the status report regarding the financing of Special Education Schools in Magarini Constituency?
- (ii) Could the Cabinet Secretary also state the amount of funds disbursed to Marafa Special School, Registration No. 03S2000/0438 to date since it was registered in 2016, and explain how the said monies have been utilised?
- (iii) Could the Cabinet Secretary further state the measures that the Ministry has put in place to allocate and disburse adequate funds to support learning of children with special needs in Magarini Constituency?

The Temporary Deputy Speaker (Hon. Christopher Omulele): The Question will be replied to before the Departmental Committee on Education and Research. That does it for Questions. I direct that we move on to the next business.

BILL

Second Reading

THE INFORMATION COMMUNICATION TECHNOLOGY PRACTITIONERS BILL

(Hon. Godfrey Osotsi on 2.3.2022 – Morning Sitting)

(Resumption of Debate interrupted on 2.3.2022)

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Members, this Bill was moved by Hon. Godfrey Osotsi, seconded by Hon. Patrick Musimba and now has a balance of three hours and 12 minutes. The first member with interest on my list is Hon. Muli Fabian, Member for Kangundo.

Hon. Fabian Muli (Kangundo, Muungano): Thank you, Hon. Speaker for giving me an opportunity to debate this Bill. This is not about this House having information and technology centres because this is what the whole country is crying about. It is a cry within the jurisdiction of this country because people need information but they get propaganda from the internet.

We have many agendas in this House and a lot of due process happens here but our constituents get propaganda from *WhatsApp* and *Facebook* groups. So, when we become institution-based in terms of giving information, we will give our citizens proper materials which they can use as references on legislation passed by the House like Bills, Motions and Questions which are used by our constituents.

We will not only see the benefits of communication in this House but also at large especially in the education sector. In this country we give students a lot of ICT materials in schools but sometimes they get information from a third material. I wish to say that some students end up travelling here to benchmark. They only have time to sit in the public gallery to hear what is happening because there are no channels in this House of informing the community what happens here. That is why I support this Bill.

This is not only about establishment but we need means of how our people will get information unlike what is happening in the public media in Kenya's jurisdiction. We have

television stations which choose the messages to give to the people. If these stations do not support some events which are happening, they do not transmit.

So we want this House to act democratically in terms of giving information. Whether it is opposing the Government or supporting it, all the material must be transmitted. There are many Motions and Bills which are passed here. I remember there were complaints about payment of village elders yet, a Bill was passed by the other House and also this one. The public is not aware that the House has done its duty and it is the work of the Executive to implement.

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

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

Hon. (Dr.) Robert Pukose (Endebess, JP): Thank you, Hon. Temporary Deputy Speaker. At the outset, I want to support this very important Bill, the Information Communication Technology Practitioners Bill (National Assembly Bill No. 38 of 2020) by Hon. Osotsi.

This Bill aims to regulate training, registration, licensing and practice in the ICT Sector. I think this is a move in the right direction. Currently, we do not have a Bill that regulates training of people in the ICT sector. Therefore, we are hoping this Bill will enable us to inject professionalism into this sector especially among the professionals.

As you are aware, we have Computer Misuse and Cybercrimes (Amendment) Bill. So, when this Bill is passed by this House, this means when it comes to cybercrime, we will be able to hold people accountable and have professionals we can seek advice from. This will also go in as far as categorising the levels of training is concerned because we have people who are trained in ICT. When training for ICT, these institutions need to meet the basic standards. This is because when you go to town, you will find that almost every college has training in computer studies. We need to regulate and understand the level at which those students are being trained and whether they are at par with worldwide standards or within our region. Therefore, once this Bill is passed, we hope that it will be able to look at the quality of training within the various colleges, whether certificate, diploma, degree or master's courses. It will be possible to categorise these levels and bring these professionals together so that we can have a body that we can authoritatively question on issues pertaining to the ICT sector.

Hon. Temporary Deputy Speaker, with those few remarks, I support.

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

Hon. Martin Owino (Ndhiwa, ODM): Thank you, Hon. Temporary Deputy Speaker. I also rise to add my voice to this Bill. I want to support this Bill and also congratulate Hon Osotsi. This is a timely Bill because if you look across the globe, ICT is the order of doing business. In terms of Government, when it comes to access to information and services, we have the *E-Citizen* platform where our citizens are getting services.

Information communication technology is also key to good governance because it is effective, efficient and also holds accountability. It makes business efficient globally. It decreases the demand of face to face meetings and you will recall that during COVID-19, even this House had to resort to ICT in order to transact business using the *Zoom* application. It also makes it easy for our people to search for jobs and also employers to do recruitment. It reduces transaction costs worldwide and also makes meetings, payrolls and E-education more possible.

Hon. Temporary Deputy Speaker, we talk of wire-transfer which is happening now and has featured in the Russia-Ukraine War and has shown how arrogant countries can be disciplined in the financial sector using ICT.

The objective and reason for this Bill is to look at the framework for training and regulation. It also looks at the practice and standards which should be used in the ICT. As Hon. (Dr.) Pukose has rightly put, I support that we need to have that kind of continuity for the training offered by these cyber and mushrooming training centres. What are they training? If it is a certificate course, is it uniform across the country? How about their fees? This is because some charge more and others less. It is just a chaotic field.

The Bill effectively addresses licensing of these institutions and the practitioners. It is also looking at the professional standards. One thing that is more attracting to me is the recognition and classification of these institutions and the certificates and diploma courses that they are going to offer. This Bill is timely and I want to congratulate the author as I support it.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Christopher Omulele): Hon. ole Sankok.

Hon. David ole Sankok (Nominated, JP): Thank you, Hon. Temporary Deputy Speaker. I want to congratulate Hon. Osotsi who is a Nominated Member of Parliament like me and a professional in the ICT field. He has decided to streamline this profession just like any other profession so that they are regulated. We do not have professions that are not regulated. Lawyers, health practitioners and other professions are regulated. As a professional in this field, Hon. Osotsi deemed it important to regulate his profession.

Hon. Temporary Deputy Speaker, we have seen information communication technology become one of the most important factors in communication and in changing the views and direction of our country. We need to pass this Bill as a House so that this very important noble profession can also be regulated.

The passage of this Bill will regulate cyber-crimes and protect the information of individuals in our banking system. The passage of this Bill will also ensure that even during the campaigns season, media houses are protected from bullying by politicians. Media houses will also equally professionally air information that is important to Kenyans.

You will also find that we have another important platform in terms of social media which can be used to tear a country apart. We need to also regulate those on social media platforms. Even mainstream media will be regulated in terms of the content they air. Some of the content requires parental control as it is not supposed to be for public consumption.

For example, there is what happened recently at State House where there was a lot of backbiting in mother tongue of the Deputy President claiming that he wanted to impeach the President. Any impeachment of a president is prosecuted through Parliament. Some of us do not understand that mother tongue and we were being backbitten in State House. If this law was there, that information would be treated as *gumzo mtaani*.

This Bill is very important. It has come at the right time so that we can regulate.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Sankok, just hold on. Hon. Wangwe seems to have a point of order.

Hon. Emmanuel Wangwe (Navakholo, JP): Thank you, Hon. Temporary Deputy Speaker. Standing Order No.91 provides that a Member should be held liable for the information that he commits or communicates to us. Can the Member confirm that through his information, they have bugged State House and, therefore, it is in danger? Is he insinuating that people can hear what goes on in State House, which is House No.1, and inform others what the President is discussing? Can he confirm to the nation that the President of Kenya is not safe wherever he is?

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Sankok, I will just advise you that the President is the President. You know what that means. If you desire to discuss what the President discusses with whomever he wishes at State House, and if you feel that it is offensive, bring a Motion here and it will be done. Otherwise, let us just keep within the rules, please. Proceed.

Hon. David ole Sankok (Nominated, JP): Hon. Temporary Deputy Speaker, I was trying to prosecute my point on how the passage of this Bill will protect us from such information that is of national interest. When you claim that your deputy wanted to impeach you, it is... I was almost through.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Sankok you are continuing to offend. It is good to respect the President of Kenya. You might disagree with him here and there but he is still the President.

Hon. David ole Sankok (Nominated, JP): Okay. Well guided. Thank you, very much, Hon. Temporary Deputy Speaker. I know Hon. Wangwe is agitated and may report me. He should be aware that nowadays, I do not pass near State House because it might be claimed that I went there for other things.

I support this Bill because it is very important and congratulate Hon. Osotsi. He should continue this way because he is a nominated Member like me and is prosecuting his duties very well.

Hon. Temporary Deputy Speaker, I support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Very well Hon. Sankok. These political dispensations we belong to are very seasonal. So, do not take away the foundations of society just because you might be in another dispensation tomorrow. Things change quite rapidly but the State and the presidency will remain forever. Hon. Majimbo Kalasinga, Member for Kabuchai.

Hon. Majimbo Kalasinga (Kabuchai, FORD-K): Thank you, very much, Hon. Temporary Deputy Speaker. I stand to support the Information Communication Technology Practitioners Bill. It is high time we got sanity in the ICT sector and ensure there is liability. If one is running a cybercafé, he should be held responsible for issues that come under him. The only way to move towards this direction of responsibility is by going the doctor's way where you are trained and registered.

So, for you to run a cybercafé you must have training in ICT so as to understand what you are doing and not just because of business. When I look at this Bill, it will bring the traceability factor. You can trace where a crime happened and by whom because firms will be registered and held responsible for anything they do. In this country, this field is abused in a way that malpractices and extortions have affected the financial sector. This Bill will implore the ICT practitioner to stand responsible for what they believe. The secrecy aspect which this Bill seeks to bring makes me support it.

Also, this should not be a practice for anyone who believes they can buy a few things and start without knowledge on regulations. Even those operating in this sector must be trained; certificate, diploma and degree holders must be registered. For us to bring discipline into this sector we must first of all know who the owners are and for you to run an organisation, you must be trained.

I want to believe the Member who brought this Bill is a professional in this area and has given us the best National Assembly Bill No.38 of 2020. If we support it until it is passed, this country will be where other countries of the world come to benchmark, read and learn about this

law made to govern this sector. Otherwise, if we do not go this direction, this country is going to the dogs. This will be the most abused sector and everybody is going to be maligned.

We find people giving out information that is not theirs. We have reached a level of photo shopping where you paste your face on a different body and this gives wrong information. We must trace and know the owners of these firms and how we can put up with them. This Bill is the best but long overdue. However, I believe that it has come at the right time. I want to thank Hon. Osotsi for coming up with this good Bill. We shall work fast on it and bring sanity in our country.

Information Communication Technology is very critical in this country for purposes of communication in every sector. In learning, we must be able to know the kind of materials that are being placed on the table for learners. Therefore, for us to bring sanity, we need to know appropriate materials for learners in schools and areas where we need to bring order in this department.

Hon. Temporary Deputy Speaker, I support the Bill.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Very well. Hon. Wangwe, do you desire to speak to this?

Hon. Emmanuel Wangwe (Navakholo, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Bill by the great Nominated Member of Parliament, Hon. Osotsi. This Bill seeks to establish the framework to do with training, registration, licensing, practice and standards of information technology.

Hon. Temporary Deputy Speaker, ICT is the root of everything but when it came to Africa, allow me to say that it was something very new that was assumed to be western. Since its inception into the African Continent, it has not really been embraced the same way it has been in the West. Hon. Osotsi is trying to underline that the practitioners need to be regulated in terms of both the training and the practice of the ICT sector. When you look at the training aspect, there are very many mushrooming colleges on the streets. They allege that when you get 24 packages in computer studies, this is a diploma. It does not make sense that you now just go to the street to train on what they call computer driving. You end up wondering whether you are supposed to drive a computer. This Bill shall now bring sense and establish ICT as a career. We want to embrace it from the lowest training level to the highest one.

Hon. Temporary Deputy Speaker, when it comes to practice, what is happening in the field both in software and hardware, is that you find a very well trained engineer from Jomo Kenyatta University of Agriculture and Technology, which is my university, who has undertaken a course of five years in Computer Engineering and is able to demonstrate what he can do. But in between, he will claim to be a guru in ICT and when you bring him on board, he will charge any amount of money they deem appropriate because you are just a user and not a specialist in the training. When we compound all these and put them together for regulation by one organisation, I think it is going to do well. For instance, in the legal profession, lawyers respect that when they mess up, at least there is an organisation, the Law Society of Kenya, where clients report you. When marketers make mistakes, we have the Marketing Society of Kenya, which will correct and direct you on the way you are supposed to go. Similarly, Hon. Osotsi has indicated that even in ICT practice, these people should be regulated, coordinated and organised so that the users can benefit and avoid being overcharged and given wrong services.

Hon. Temporary Deputy Speaker, at times you find that you want to host your data on a particular cloud just because you do not know what a cloud is. You cannot see the cloud itself but your data is being stored somewhere and somebody just charges you enormous amount of money and can even access data without your knowledge. It is important that we at least have a

professional who also understands the ICT sector and can be monitoring these people and point out those doing the right thing and those messing up the sector.

Hon. Temporary Deputy Speaker, most fraudsters are ICT-based. They will look at you from an ICT angle. Therefore, if this Bill is enacted into law, fraudsters, especially those who are cyber-based, will now be checked. Big organisations will be able to check on behalf of national security. It is sensitive to that kind of crime.

This is a good Bill. It is timely. It is good that it is being brought by an ICT guru who is also eying the Senator seat. I think he is bidding this House goodbye. We wish him well. As you go to the Senate, please remember that it will always remain the lower House and this National Assembly will be the upper House until such a time when the situation will change.

Therefore, I wish the proposer of the Bill good health. We hope to see you in the Senate in the next three months.

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

The Temporary Deputy Speaker (Hon. Christopher Omulele): Three months, Hon. Wangwe? Are elections coming earlier than I know? We wish you well, Hon. Osotsi. Hon. Wangwe, it is true that the ICT services in this country is a very difficult field to traverse, especially for those of us who are not experts like yourself and Hon. Osotsi. So, if we regulate, it will be a good thing.

Let us have Hon. Wanyonyi Kevin, Member for Kwanza.

Hon. Ferdinand Wanyonyi (Kwanza, FORD-K): Thank you, Hon. Temporary Deputy Speaker, for the opportunity. I also take this opportunity to thank Hon. Osotsi, my neighbour and the incoming Senator for Vihiga, for this very important Bill on regulation.

First of all, I do not even know what happens in terms of training. I am an economist and we have a reference. Therefore, it is good for us to know the training reference. What do you do? What is the syllabus of the whole thing so that it can be registered? We have busybodies out there. As mentioned by those who have spoken before me, there is no regulation. They are not registered. They just come up and we do not know what they do. They must also be licensed. Any professionals, including doctors, are registered. We know so-and-so is registered. Dr. Osotsi is a *daktari* and we know he is registered in whatever premises. They are not. They can do anything to those who do not know. They can even cheat you and you will pay for that. We do not have standards such that when you go to see a doctor, you know that he is legally registered so that, when he or she charges you, he or she does so according to the standards. They will not overcharge or undercharge you because they are not just bogus people on the street.

This Bill is long overdue. I thank Hon. Osotsi for coming up with it. Congratulations, my brother. We will have many companies and institutions that may raise their standards. All in all, with this kind of thing, we will be looking for employment. The youth out there are not employed. We have that problem. This is one way of encouraging people to go into that profession. Once it is done and established, maybe at the University of Nairobi or whichever institution, people coming out of there will be employed. There will be minimum and maximum qualifications as well as whatever training and further training that is required.

There are media houses that air information and because we have no regulations, they can say anything. With the new law, if it is not within the regulated ICT system, one can be charged and face the law. You know we have busybodies here and this morning, I was discussing with a few friends who are the so-called ICT practitioners who think they can do or say anything and I do not care or think about their wild guesses. Therefore, this Bill will bring some sanity and people will do what they are supposed to, professionally. People will respect this profession and if your

child chooses this career, they will become a professional just like engineers, doctors and others. Therefore, I support this Bill, we should have passed it like yesterday so that we can have some sanity in our system.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Nyamai, Member for Kitui South.

Hon. (Ms.) Rachael Nyamai (Kitui South, JP): Thank you, very much, Hon. Temporary Deputy Speaker for giving me this opportunity to also contribute. From the outset, I support this Bill. I would like to congratulate Hon. Osotsi for following his passion, this is what he has studied in school and he is trying to ensure this sector is properly regulated.

The purpose of this Bill is to ensure there is proper training, registration, licensing and practising standards. As other Members have said, the world has become digital and everything we do in one way or another is digitised. So, for this reason, it is important for this Bill to be passed by this House. I can see it was published in 2020 and the wait has been very long. I would like to thank the House for ensuring it is prioritised.

This Bill is going to ensure there are proper ethical considerations of what goes into our ICT systems. Today, if you want to know about anything in this world or our country which has embraced ICT at a very good level - I think over 60 per cent of Kenyans can access information using ICT. There will be proper ethical considerations of what we get using our gadgets. So, this is a very important Bill.

This Bill also looks at not only the process of acquisition of information using our ICT systems but also ensures the products people get are taken through a vetting process by recognised institutions. So, for this reason I support this Bill. It will also ensure provisions on misuse of computer and cybercrimes are implemented in a good way. I do not know whether you have been a victim of computer bullying and misuse of the gadgets? I think this has happened to many politicians and more so, women Members of Parliament.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Nyamai I can confirm to you that I have been vilified on many occasions. Proceed.

Hon. (Ms.) Rachael Nyamai (Kitui South, JP): Thank you for confirming that not only women but also men politicians have been affected because of misuse of gadgets. I hope when this Bill becomes an Act of Parliament not only politicians but people out there doing what they do best will also be protected.

I would also like to point out that everything has become digital from good health to what we eat. If someone wants to cut weight, they use a computer. I would like to ask Hon. Osotsi to kindly find a way of ensuring this good Bill he has come up with connects with matters health because we have digital health and digital economy.

(Hon. (Dr.) Robert Pukose spoke off-record)

Hon. Temporary Deputy Speaker, I am being distracted by Hon. Pukose.

We are talking about health, security and almost everything connected to the computer system. I request the Committee that will be handling this to ensure that there is a form of connectedness between ICT itself and all those other professions. This is because the people seem to consult the computer first before they go to the doctor.

With regard to the economy, this Bill will also ensure we collect as much as possible. Most young people are highly talented in ICT, and are able to push up their talents. This is also a way

to ensure that the KRA systems will be able know those who are collecting so much from their talents and, in turn, increase revenue collection.

We will also eliminate quacks. Everyone seems to be going to ICT. This is a way of ensuring that we, first of all, appreciate that there are people who have been highly trained. We have young people who have done data science and others are doing artificial intelligence. Therefore, this will be a way of ensuring that our students who have graduated in ICT have a place to go so that we have a way of differentiating those who have studied and the quacks out there. It will also be a way of getting those who are out there and who may not be highly trained but they have the talent, to be appreciated.

We will also be able to get good quality service and ensure it is not too expensive. Everyone in this House today wants what they have been doing for the last five to ten years to be seen. It is not cheap, and this will bring a form of regulation into payment for the service.

I have focused on authenticity of information, and I do not want to dwell on that again. But that will be useful. We know that when you click your computer to investigate certain diseases, it will be important to ensure that the information you get will be good for our country and, as such, it is important to have some sort of sieving to ensure that our people are not getting information that is not authentic.

I have also seen a lot of information on digital beauty. Beauty is highly connected to health and especially in Nairobi. This is something that needs to be authenticated so that, as people do a lot of business which is connected to ICT, beauty and health, we also get the right information.

I have seen the kind of amendments that have been proposed by the Proposer of the Bill. I thank him because he has focused on areas where we could have some pitfalls. As I sit, I would like to congratulate Hon. Osotsi. He has taken wonderful steps, especially following training and ensuring that it gets regulated through this august House.

Thank you.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Very well Hon. Rachel Nyamai. Hon. Pukose, you had your bite of the cake. You should let Hon. Nyamai contribute without interruption.

(Hon. (Dr.) Robert Pukose spoke off-record)

You wanted to hear more about the beauty? All right! Hon. Milemba Omboko, Member for Emuhaya

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Temporary Deputy Speaker. Let me congratulate Hon. Osotsi for bringing up this Information Communication Technology Practitioners Bill, which in essence is trying to regulate, put in focus and standardise that particular sector.

This sector is a time bomb and a revolution in itself; it is actually a whole world. Away from the earlier revolutions that we had and which have changed the world, whether you want to think of the old Agrarian Revolution that began in Britain or go to the Industrial Revolution, the ICT revolution is the greatest and momentous that is going to change the world; and put in place who is developed and who is not. It is a sector that is not well regulated because the first attempt to regulate this sector may have come in 2006, when Kenya first adopted the ICT Policy, which later on has not been supported with relevant laws to regulate the sector. It is, therefore, an area that requires a lot of regulations in order to have the quality, like many speakers have spoken on this; accountability and efficiency of this sector.

Regulating this sector will be very important, especially, to the education sector. This is because ICT is currently playing a major role in the education sector, especially with the CBC. You often hear parents talk about having phones that are digital, and so on. Therefore, it is important that we regulate this sector so that we know the type of information that is reaching the learners.

Be it as it may, and with the COVID-19 experience which we saw and which we are still grappling with, it is a sure bet that education soon or later, as the late Prof. Eshiwani, the Vice-Chancellor for Kenyatta University had put it, education is now moving from the four walls to the space. Therefore, when this happens, the ICT technology and revolution would be moving this education in space and not the four walls of the class. This is a very good law for the education sector in terms of regulating any information that would be reaching our students in our schools.

Let me be quick to indicate that what needs to be taken care of - without repeating what other Members of Parliament have spoken about - will be found in the amendments. Many such regulations and laws that come to Parliament – and we have been dealing with a number of them for quite some time – have had connotative intention of delimiting or reducing the playing ground of those that are within that sector. I am happy Hon. Osotsi seems to allude to this in one of his amendments. For instance, it is the composition of the council of the institute that will regulate this particular sector. Possibly, if we get time, I will put in more amendments so that this council is widened to include other players who will be serious stakeholders- like the ones in the education sector; and who will be concerned specifically with knowing the kind of information that is being used; and how it can affect our young learners who are in schools. I will support that amendment and still, widen it so that we have a greater range of people in that council and institute.

Moving on to the qualifications of those who will qualify to join this particular sector, some laws have been done in sectorial areas and many examples have been given by Hon. Osotsi, which is good. However, they generally tend to create a duopolistic situation in those particular sectors; sometimes, even a monopolistic understanding so that there are few players and lock out others who qualify. Hon. Osotsi, I would wish that we look at the level of qualifications so that it does not block people who have been trained in this sector to completely be left out, like we have seen in other professions which later on becomes a problem and that, that particular sector is controlled by few players who do not allow in any others to enter.

On that point still, when we as Parliament look at this law generally, we should allow space for innovation and invention. That is because it is a sector that is growing very fast and is still undergoing a lot of revolution. If we lock it too early, then we shall not be allowing young people who are testing their skills and coming up with innovations – like MPesa and the modern innovations that are related to ICT – to prosper. We do not want to kill them because of this law. Therefore, when we come to the amendments, let us do them in such a way that it will encourage innovation and invention, and still control the sector for the holistic good of everyone in Kenya.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Christopher Omulele): The Member for Emuhaya has spoken like the great teacher that he is. Hon. Kirima Nguchine, Member for Central Imenti.

Hon. Moses Kirima (Central Imenti, JP): Hon. Temporary Deputy Speaker, I stand here to support the Bill as it is. This is because in this period of digital transition, the way things used to be done in the whole world has changed. The Bill has come at the right time. This country should embrace it as it is. Our youth need to be supported in all aspects to make sure that they cope with the world as it moves forward to enable them fit in the job market, and reach various corners

of the world. We should not be left behind by the changes that are taking place. I, therefore, support the Bill, which has come at the right time.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Mabongah Mwambu, Member for Bumula.

Hon. Mwambu Mabongah (Bumula, Independent): Thank you, Hon. Temporary Deputy Speaker. At the outset, I wish to support this Bill. I have had time to interact with the sponsor of this Bill, Hon. Osotsi, and I know the hard times he has gone through to come up with some of the proposals in the Bill. We regard him as a professor in the Committee; and I hope he will be one because he is a professional in this field.

This is one area that has been abused. We all agree that the ICT profession is one discipline that cuts across. I remember that we had the same problem with the counselling and psychology profession until this House had to stamp its authority through an Act of Parliament. Today, there is some sense of discipline in that profession.

If you have ever sat in any interview panel, you will realise that every candidate has a certificate or diploma in ICT. There are so many colleges, some of which are not even known anywhere. This is the challenge we have. Today all of us are victims of abuses from this discipline. Therefore, with the proposals by Hon. Osotsi, we will restore some sense of discipline in this profession, right from training. If there is no uniform training curriculum across board, anybody may call himself a professional, and you are likely to be mishandled in the hands of quacks. That is why this field is one of the most abused in the entire world.

This is a profession that is very key. Just the other day, a Member mentioned that most of our children have been taking online lessons. But if you sneak in on the child as a parent and see the kind of things that are going on online, you will be surprised. With this kind of Bill, we are going to have products that are suitable for the customer. If it is a learner or an adult, we will have a body regulating content, and people are going to be responsible.

I want to believe that Hon. Osotsi has captured the so-called fifth generation, as per our last discussions. This is a profession that evolves every day. You should capture information that is flexible enough. Even if you set common standard rules to be applied in the profession, there should always be room for the profession to grow. That is because it is developing.

This Bill is going to provide some seal of approval. People who will practice out there will be known. Where they trained will be known and the kind of information they pass across will also be known for an entire generation. The law will be like a watchdog to the profession, and we will have professional standards to set across so that people do not abuse this profession.

This is a timely Bill. I want to congratulate Hon. Osotsi. I have realised that whenever we sit down to discuss some of these things, there are people who do not want these kinds of changes and yet, they are professionals in the same field. So, they know what they are doing with quacks out there. It is important that to move this country forward in an organised manner. All professionals must have a set of acceptable standards across board.

Therefore, I congratulate Hon. Osotsi for coming up with this Bill. I support it and request that this House stamps its approval to bring sanity in the ICT sector.

Thank you, Hon. Temporary Deputy Speaker.

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

Hon. (Ms.) Ruweida Obo (Lamu CWR, JP): Thank you, Hon. Temporary Deputy Speaker. Nami naunga mkono Mswada huu. Nampongeza Mhe. Osotsi. Nilikuwa nakimbia nipate maelezo zaidi, lakini naunga mkono.

Tukiunda hizi sheria, tufikirie kuna sehemu zingine hapa Kenya ambazo mpaka sasa hazina hata *Wi-Fi*. Tukizungumzia kuhusu kufungua Kenya kwa dunia nzima, tufikirie zile shule ambazo bado zinatumiya tarakilishi, lakini hazina *network* ama hata *Wi-fi*. Nyinyi wataalamu katika sekta ya *ICT* na Kamati wachukue nafasi kuzingatia hayo. Wengine wamepelekwa mbele zaidi na pengo litakuwa kubwa sana.

Ahsante, Mhe. Naibu Spika wa Muda.

The Temporary Deputy Speaker (Hon. Christopher Omulele): That being the last Member interested in speaking to the Bill, I call upon Hon. Osotsi to reply.

Hon. Godfrey Osotsi (Nominated, Independent): Thank you, Hon. Temporary Deputy Speaker. I start by thanking all Members who have contributed to this Bill. I also thank the ICT Committee for their valuable input in terms of engaging stakeholders and coming up with amendments that will enhance the Bill.

This Bill is very historic. When I joined this Parliament, I said that this is one of the things that I wanted to achieve. Having participated in this sector for 20 years, I have seen the challenges in it. My vision was to ensure that we have this law in place. I am happy that we are just a few steps to realizing this dream.

Alluding to what Members have said, nearly all aspects of life are ICT-driven, be it health, education, economy, finance or even elections. We are going to face the elections in the next few months, and you know that we have had challenges around results transmission and basically the application of ICT in election and many other aspects of life, including even life support systems, which are now driven by ICT. There is one question that we should ask ourselves. Who are the people who are driving all these ICT systems? There are professionals who are doing it. It is very risky because all of them are driving this ICT sector without any legal and ethical framework. This Bill has dealt with that problem.

This House also passed a number of digital legislations which, as I speak to you now, remain largely unimplemented. For example, we have the Computer Misuse and Cybercrimes Act. I know that some of its aspects have been challenged in court. However, there are other aspects which are not challenged in court, but they are not implemented because the profession is not regulated. We passed a law recently, the Data Protection Act, which manages the data that we have. It remains largely unimplemented because the practice itself is not regulated. This Bill will, therefore, provide the legal framework under which we will train the people who operate ICT systems, how they will be registered, how they will be accredited, how they will be licensed and how the practice will be regulated in terms of setting the ethical standards. So, basically, what we are trying to say is that the same approaches that we used for the legal and medical profession will be used in the ICT profession.

A number of concerns were raised, which the Committee has addressed. The first concern was that this Bill will lock out so many people in the sector. I want to report that with the assistance of the Committee, we have amendments that will address that issue. For example, we have youth who have no formal education or, maybe, they have gone up to Form IV, but they have come up with an innovation. This Bill recognises that they will be registered as practitioners, even without any degree, diploma or any qualification.

We are working towards having a digital economy. We already have a Digital Economy Blueprint 2019, which recognises digital skills and values as a pillar. This Bill will help us to have a digital economy. If this country goes fully digital, then even our Gross Domestic Product (GDP) will go up. We will consequently be able to generate enough revenue to do other things, like construct roads and provide infrastructure.

This Bill will help us reduce the cost of ICT services in this country, which is too high largely because of lack of control on how ICT services are priced. This will help us reduce the cost of services further and enjoy the benefits of digitisation. Some people have questioned why we want to introduce a law when we can do self-regulation. Self-regulation in this country has failed because everyone wants to do his bit and there is no control. This Bill will bring harmony, structure, remove disorder and make this country a centre of innovation not only in Africa, but also across the world.

There was also the issue of barriers of entry to ICT practitioners. That has been addressed through amendments. Even our youth who have no high qualifications but are innovative will be integrated as practitioners. That, in itself, will ensure that whatever innovation that our youth will come up with will not be stolen. We have many cases of intellectual property theft by multinational companies in this country. Our youth come up with solutions which are taken away and they do not benefit. The country does not benefit also.

There was also the issue of whether to create an environment for voluntary registration as an ICT practitioner. The Committee has an amendment to that effect. We will not make it mandatory. We will open it up so that members can decide whether they want to join or not.

There was also the issue of jurisdiction of foreign ICT firms, and this is a problem in this country. Most of the big contracts in this country are undertaken by professionals from outside Kenya. That means that all the money that should be retained here is taken away to China and to other countries. We will not limit the participation of foreign firms in this country. However, our ICT practitioners need to be recognised that they are operating here so that we, as a country, do not lose out on tax. As a country, we lose out on tax because of offshore ICT services. They make money from Kenyans, but they do not remit any tax. This issue will be addressed. However, we will not limit the participation of those companies in our economy.

Hon. Temporary Deputy Speaker, I am very grateful to the Members. If this Bill becomes law – and I am confident that it will become law – it will revolutionise our digital systems in this country. It will remove the chaos that have been there in the ICT sector. It will ensure that we have uniform training at all levels – certificate, diploma and degree – and we will have immense benefit from the ICT sector.

My heart bleeds when I hear that we lose up to Kshs21 billion every year in our banks as a result of cybercrime, and no one is taken to court. When they are taken to court, the litigants lose the case because there is no legal framework to manage the conduct of ICT professionals. We have a petition that was brought to the Committee by a computer forensic expert. He said that when they go to court, they are unable to defend their evidence effectively because they are not accredited or registered by anyone. Now those companies that have lost a lot of money or they continue to lose a lot of money as a result of cybercrime will have somewhere to get justice by ensuring that the people who are behind computer systems operate under some serious ethical framework.

Therefore, I ask the Members to support this Bill at the Committee of the Whole House. The Committee will propose amendments which will enrich it. When the Bill will be passed by this House, I hope that the President will assent to it. The ICT professionals and the country will then benefit from their sweat and ICT investment.

Hon. Temporary Deputy Speaker, with those few remarks, I beg to reply. Thank you.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Very well, Hon. Osotsi. That is done and polished. However, the final rites to move it to the next stage will be undertaken when the business will be listed down again so that it can move to the next stage.

(Putting of the Question deferred)

I direct that we move on to the next Order.

Hon. Benjamin Washiali (Mumias East, JP): Thank you, Hon. Temporary Deputy Speaker. With your permission, before I move this Bill, allow me – as a ranking Member, a Member who has been around for quite some time – to advise. I have seen a number of Bills from Members that are queuing. If these Bills are to be reached, Members have to be present so that they can provide the necessary quorum for the Bills ahead of them to be discussed so that we can then get to their Bills. You realise that I should have moved this Bill last week but, because of problems arising from the season, we have had to lose a whole week. I would not wish that Members suffer the same fate.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Washiali, you are quite on point. You have been a Chief Whip in this House and you know what you are talking about. I just wish and hope that Members would find time to come and do that which is important to this country – to contribute to the House – as you have urged them to. It is important for us to do this job.

Proceed, Hon. Washiali.

BILL

Second Reading

THE INSURANCE PROFESSIONALS REGISTRATION BILL

Hon. Benjamin Washiali (Mumias East, JP): Thank you, Hon. Temporary Deputy Speaker.

Hon. Temporary Deputy Speaker, I beg to move that the Insurance Professionals Registration Bill (Bill No. 25 of 2020), be now read a Second Time.

The principle object of the Insurance Professionals Registration Bill is to provide a legislative framework for the regulation of professionals in the insurance sector to enhance the standards of service in the sector; promote professionalism and address concerns regarding professional misconduct in the insurance industry, as it is in the other professions. The enactment of the Bill will eliminate circumstances like where insurance companies engage the services of unqualified professionals, otherwise known as quacks, who do not honour claims that arise from losses incurred by insured persons.

A case in point is the delay to pay the victims of the Londiani-Fort Ternan bus accident which was headed to Kakamega, where all the 50 plus passengers perished in the early morning accident on 10th October 2018. I want to inform the House that my sister-in-law perished in that bus accident and her husband, who is my cousin, has been moving to Kericho because the case was taken to Kericho since it was a matter that is being handled at a police station in Kericho. He has gone through a lot of trauma, having lost the wife and, of course, the insurance not coming through for him. Such cases can be avoided if the insurance sector is governed by a well-structured legislation that provides for qualification and discipline of insurance practitioners.

Clause 3 of the Bill makes provision for the establishment of the Insurance Institute of Kenya and the Insurance Professional Examinations Board to provide for examinations, registration and regulation of standards and practice of insurance professionals. The establishment

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of the Insurance Institute of Kenya as the overall professional organ for insurance professionals is the case of other professional bodies such as Institute of Certified Public Accountants of Kenya (ICPAK) for the accountants; the Institute of Certified Public Secretaries (ICPS) for the public secretaries and the Institute of Human Resource Management the (IHRM) for the human resource managers. For the lawyers like you, we have the Council for Legal Education. Therefore, the institute shall regulate professionals, professional conduct and maintain the level of standards of services rendered by the insurance professionals who will be registered under this Bill.

The Bill will also help to promote the recognition of the insurance professionals, not only in Kenya, but also in other jurisdictions. Globally, the insurance professionals are regulated and governed by institutes established pursuant to specific legislation in the specific countries. For example, in the United Kingdom, we have the Chartered Insurance Institute. In India, we have the Insurance Institute of India. Canada has the Insurance Institute of Canada. Australia and New Zealand have the Institute of Insurance and Finance. Back in Africa, in Ghana, we have the Chartered Insurance Institute of Ghana. All these institutes award certificates to qualifiers.

Clause 13 of the Bill further provides for the establishment of a registration committee, which shall be a committee of the insurance sector that will be responsible for developing a mechanism for registration of insurance professionals, provisions relating to the establishment and management of insurance professionals, examination board, the requirement for issuance of practicing certificates, as well as the procedure for handling disciplinary matters for any misconduct by insurance professionals.

I take note that the Insurance Training and Education Trust that is established under the Perpetual Trustees Act Cap 64 undertook to establish the College of Insurance to provide training and professional development of insurance professionals as well as for certification. This has been the norm for the past. However, cognisant of the emerging challenges in administration and keeping pace with international practices, the sector has lagged behind due to lack of proper anchorage in law to ensure standards of service delivery. The enactment of this Bill will provide the regulatory and policy framework in the insurance sector. It will also underpin the low penetration of insurance in the Kenyan market relative to other more developed markets with quality training and discipline in the sector. There will be increased confidence on the part of the public towards the insurance service providers. A knowledgeable team of professionals coupled with the improved standards will be paramount in eliminating the perceived credibility crisis in the industry in the eyes of the public, particularly with regards to settlement of claims.

It is important to note that provisions in the Bill will form the basis of enhanced insurance penetration in the country, and will fortify legislative changes in the industry that include professional discipline, guidelines for insurance investment policy, and institutionalise cross-border best practices.

The Insurance Professionals Registration Bill details provisions that are geared towards improving the insurance sector ecosystem. These changes include the establishment of the examination board that will aid in raising the insurance penetration levels, which have remained low globally. Acknowledging that at 3 per cent, Kenya has the lowest insurance penetration rate in sub-Saharan Africa, with South Africa leading at 17 per cent, this is due to most of Kenya's population perceiving insurance as "nice to have, easy to discard" product rather than one that is essential.

The Bill is an improvement from the current arrangement where the Insurance Institute of Kenya and the College of Insurance are established pursuant to the incorporation of the insurance

training and education trust under the Perpetual Trustees Act Cap.64 of the Laws of Kenya, whose trustees are drawn from the insurance industry, the Government and stakeholders.

Clause 5 of the Bill sets out the functions of the institute as being responsible for the registration of insurance professionals and serve as the umbrella body for insurance professionals, issuing of practicing certificates to insurance practitioners under each category, as well as insurance fellows and corporate membership. The College of Insurance, on the other hand, will provide professional and technical training to employees and other people that are serving in the insurance industry.

Part VII of the Bill provides for the disciplinary process for any professional misconduct. This will be undertaken by the disciplinary committee that will be established under Clause 32. The Bill delegates legislative powers, but does not limit any fundamental rights and freedoms. The delegated power is on the development of guidelines and regulations by the Cabinet Secretary responsible for matters relating to insurance in consultation with stakeholders, for the better carrying out of the provisions of the Act.

The Bill does not concern county governments in terms of Article 110(1)(a) of the Constitution, as it does not affect the functions and powers of county governments as set out in the Fourth Schedule of the Constitution. Monetary policy, including insurance, is a function of the national Government under Paragraph 10 of the Fourth Schedule of the Constitution. However, the Bill is a money Bill within the provisions of Article 114 of the Constitution, as its enactment may occasion additional expenditure of public funds to be provided through the annual estimates, which is necessary.

Let me just remind Members that this Bill seeks to provide for the establishment of a legislative framework for the regulation of professionals in the insurance sector to enhance the standards of service in the sector; promote professionalism, and address concerns regarding professional misconduct in the insurance sector. The Insurance Institute of Kenya established in Part II of the Bill shall seek to discharge its functions listed in Clause 5 of the Bill as follows:

- a. Establish, monitor and promote standards of professional competence and practice amongst insurance professionals.
- b. Register persons who meet the required professional and ethical standards.
- c. Promote research into the areas of insurance practice and related matters, and also benchmark from other parts of the world.
- d. Publish books, periodicals, journals and articles on insurance practice and related matters.
- e. Advise the examinations board on matters relating to examinations standards and policies, and coordinate and oversee continuous training of insurance professionals, among others.

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

[The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya) took the Chair]

Madam Temporary Deputy Speaker, the Bill will provide policy, coordination and oversight framework for professionals in the insurance sector, including those whose qualifications are from foreign institutions. This will further enhance equalisation of such certifications in

foregoing independent insurance professional examinations body. This will help in ensuring that there is inclusivity of professionals who sat examinations in different jurisdictions.

As provided in Part V of the Bill, the Insurance Professionals Examinations Board will be charged with the responsibility of ascertaining the competence of pre-qualified professionals and ensure effective continuous professional development of insurance professionals. This will be done in order to position the practitioners strategically to deal with practical dynamics in the insurance industry. The Examination Board will be responsible for preparing syllabi for insurance professional examinations, make rules with respect to examinations, issue certificates to candidates who have satisfied examination requirements, and promote recognition of its examinations locally and internationally.

The Insurance Professionals Registration Bill 2020 is a progressive legislation which, once enacted, will enable the country to have a paradigm shift in the conduct and management of the insurance sector. It will spur insurance penetration as well as increase efficiency, effectiveness, transparency and accountability in insurance business and investment and, hence, enhance job creation.

Finally, having familiarised myself with the Committee Report on the Bill, I wish to note that the recommendation that the House approves the Bill with amendments as proposed in the Schedule contained in the Report to be negated, as there exist new information from stakeholders as related to the establishment of Foreign Professionals Examination Board in Part V. Based on this new knowledge and discussions with stakeholders engagement, I wish to reiterate that Part V of the Bill relating to the Insurance Professional Examination Board be part of the Bill. Noting that there were follow up meetings between the industry players led by the Insurance Regulatory Authority (IRA), the team acknowledged the desire to establish an examination board for insurance professionals as contained in the Bill. The outcome of the mediation by the Insurance Regulatory Authority shared with the Committee through a letter to the Chairperson, Hon. Gladys Wanga, dated 8th November 2021, agreed as follows:

(a) THAT, the professional pre-qualification training and examination be administered by institutions recognised by the Commission of University Education (CUE) or the Technical and Vocational Education Training Authority (TVETA) and also independently develop syllabi, examining and issuing certificates to successful candidates.

(b) THAT, the proposed examinations board and such examination bodies as may be approved or recognised by the board, shall wholly and solely be responsible for administering examinations relating to qualification for practice as insurance professionals.

(c) THAT, professional prequalification shall be a mandatory requirement for registration as a candidate for insurance professional examination.

Hon. Temporary Deputy Speaker, we, as representatives of the people, say that the insurance sector has not penetrated our country, just like I had summarised in my presentation. We have only had the College of Insurance training professionals in the sector. With the approval of this Bill, we are going to allow even the technical training institutes (TTIs) that are currently around the country to train. Just like we have had accountants trained right from lower to upper levels, we will have a syllabus for insurance professionals also introduced in TTIs. We shall have many other insurance professionals in the countryside.

I move and request Dr. Robert Pukose, Member for Endebess, to second.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Pukose.

Hon. (Dr.) Robert Pukose (Endebess, JP): JP: Thank you, Hon. Temporary Deputy Speaker. I second this very important Bill by the Member for Mumias East, Hon. Washiali.

This is a very important Bill. The insurance sector has for a long time been seen as a nuisance. It has been seen as unregulated and not responsive to the needs of Kenyans. When you talk of penetration or absorption of about 3 per cent and compare with the Republic of South Africa which has about 17 per cent, it tells you that there is something very wrong. For a long time, insurance companies have even in this country been started and you hear that they have collapsed after a short time. They collapse with people's money. With time, people are kind of sceptical about taking insurance. That is why Hon. Washiali said people do not look at insurance as a necessity. They do not look at it as something that you must have. They look at it as something you can take and easily dispose.

By this Bill coming in to regulate the practice, registration and training of insurance practitioners, it is timely and very important. We can borrow a leaf from the various countries. You have heard of the Chartered Insurance Institute of the UK, the Insurance Institute of Canada and the Insurance Institute of India. This is not something new. It is practised worldwide, especially in the Commonwealth.

When my neighbour and friend, Hon. Ferdinand Wanyonyi, said today that he is an Economist, I had not known he is an Economist, but I have learnt that today. I always thought he is a historian or an insurance guy.

We want people to feel proud of insurance. We should have professionals in the insurance sector and encourage our young people to take courses in insurance. Once this Bill is passed, we will have an examinations body and a way for persons to be recognised by the board. The Bill is establishing the Insurance Institute of Kenya. That means it will give recognition to various training institutions like TTIs, so that they can train insurance persons. Therefore, we will have a regulated profession and one that is responsive to the needs of Kenyans. With that kind of education, people will start thinking of taking insurance. More often, when you walk around, you meet somebody telling you: "I am from the insurance company and I want to give you a policy." It may be a life policy, a health policy, an education policy or all those kinds of policies. More often, you find that you do not have time to listen. This will be better once we professionalise it and have a body that regulates these individuals. What we have seen in the past is that somebody finishes school and the next day he is selling insurance policies without necessarily going through a formal training and without having a regulatory body.

To me, this Bill by Hon. Washiali needs all our support. In areas where we have memoranda from practitioners, we should listen to them. I urge the Departmental Committee on Finance and National Planning, led by Hon. Wanga, to be sensitive to matters, especially on the issue that has been raised by Hon. Washiali, so that we can take cognisance of practitioners' sentiments. When you talk of public participation, it means they are the ones who are practising. They understand and would want the board to offer examinations, training and recognitions in such a way that it protects the institute and the practice to give Kenyans confidence. Then we can have absorption or penetration of insurance, whichever insurance it is, at more than 3 per cent. At 3 per cent, we are doing very badly.

With those few remarks, I second.

(Question proposed)

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Let us start with the Member for Kangundo, Hon. Muli.

Hon. Fabian Muli (Kangundo, Muungano): Thank you for giving me this opportunity to add my voice to this Bill. First, I congratulate Hon. Benjamin Washiali for coming up with a Bill to regulate professional insurance practitioners.

This industry has had a setback in terms of regulation. Its operation is very much unethical. We should not look at the practitioners only. We should also look at insurance itself. We must revisit insurance companies. The country is going to have an economical fall down because of the promises people are expecting from insurance companies. The principles they use in giving covers, pursuing claims and underwriting are very unknown and poor. In terms of giving indemnification to their customers, you will have to undergo many legal battles for you to be considered in the promise from the insurance companies. It is high time we regulated the practitioners and the companies. There is a lot of mismanagement by directors. For you to get your cover, you must go through a hard time.

Practitioners in this industry can be anybody. They are called sales insurance agents and sales financial executive advisers. Anybody can become a sales insurance agent. I can call an insurance company as I speak and it will give me a right to become their sales agent without training. I will go to a customer and sell any insurance policy. Those are the kind of people we are calling insurance practitioners. They lack what we call “utmost good faith” in terms of carrying out their duties. You will get any promise when you are procuring a cover, but when you get the policy document, you will see the opposite of what you were told. When you try to contact the concerned insurance company, you will never get their attention. You will be told to go through the application process to withdraw the cover that you paid to get your withdrawal value after three years. If you insure your car without following the proper procedure from the sales agents, you will face the same problem.

We should have a non-vitiation insurance clause to take care of all their promises. The promise you are given when you insure your car is that if you pay 4 per cent, you will be paid full payment in case of a write off and in case of an ordinary accident, your car will be repaired. However, when you get an accident, they will tell you that your car needs to be repaired off market. It is high time the practitioners are registered. We do not want to have an ambiguous word that will be used to con Kenyans. If today your car is involved in an accident, you will be told that they need to go off-market to get spare parts for your car. In this country, off-market means River Road and such like places. What that means is that insurance companies in this country are promoting theft. Car mirrors are stolen on our roads. When your car loses a mirror and you are told they will get it off-market, where will it come from? Such mirrors are the ones that are stolen from people who own cars.

Again, if your car is involved in an accident today, you will be told to contribute 50 per cent. When you go to their policy, such a section does not exist. So, it is time we regulated insurance companies and registered insurance practitioners. The major lies carried in this industry will make our economy to fall down. I speak on behalf of Kenyans. When you get an insurance cover today, you are given a promise that when you get an accident, your car will... One hundred per cent of the motor vehicles on the Kenyan roads are insured. So, when you get an accident, you are 100 per cent sure that you will get your car back with the same value. If your car gets a dent, it will be repaired. In this country, there are many cases about insurance companies telling lies. There are many cars in garages that insurance companies do not want to pay for. In future, this House should revisit insurance companies. They need to be getting insurance licenses yearly. If a

company does not pay claims, it should not get a licence. Insurance practitioners should be registered and they should get licenses yearly. If the claims they cover are not settled, they should not get a renewal.

I support the Bill. Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Mizighi Mnene.

Hon. (Ms.) Haika Mizighi (Taita Taveta CWR, JP): Thank you, Hon. Temporary Deputy Speaker for giving me the opportunity to contribute to this Bill. I want to begin by congratulating Hon. Washiali for this well thought out Bill on insurance matters. From the outset, I support the Bill. The insurance sector has not been regulated for a long time. Many people have lost confidence in insurance matters because of the many challenges they have faced. I have so many cases that I cannot narrate here of people who have called me complaining of how they have been conned by insurance companies. This is because of the lack of professionalism on the part of insurance companies and agents who we meet and sign insurance deals with. However, at the end of the day, they do not honour the many deals they sign. Many people have lost property from signing deals with insurance companies. Therefore, this Bill is timely and it needs to be embraced to improve our insurance sector. It is an important sector in our country.

I support and thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Member for Kisumu East, Hon. Shabbir.

Hon. Shakeel Shabbir (Kisumu East, Independent): Thank you very much, Hon. Temporary Deputy Speaker. I stand to support this important Bill and commend my colleague, *Mhe. Washiali*, for his consistency. I have been in the Departmental Committee on Finance and National Planning and I have seen the number of times he has come before the Committee. We have discussed this on many occasions and in various variations. I will tell you one thing, that we have been under a lot of pressure from the so called big boys and insurance companies. They do not want this Bill. There has been a monopoly in the insurance sector and the big boys, including some banks and insurance companies, have been fighting this Bill. The number of insurance brokers we have in this country is the essence of this Bill. They must be certified before allowing them to sell insurance as brokers. The Insurance Professionals Registration Bill will give them the opportunity of registering themselves and passing the courses locally so that they can have certificates to practice insurance trade that they want. Hitherto, brokers have been misused by insurance companies. There are quacks and undisciplined brokers.

There has been a lot of dishonesty in the insurance sector. However, with this Bill, if you do not have a practicing certificate, you will be charged Kshs50,000 or get a six-months imprisonment. The Bill also covers employees in insurance companies and brokerage. It covers most of those who are involved in taking insurance covers to people. Once we professionalise and have discipline within brokers on how they relate to insurance companies, underwriters and customers, we will take this industry to the next stage. The main thing that we are trying to do here is to make sure that brokers are professional.

I do not like to go into the politics of this industry, but one thing I must tell you is that there are almost 30,000 brokers in Kenya alone. There are many more people who want to practice and do this brokerage. We must cut back and curtail the monopolies of banks and insurance companies that insist that only policies are to be done year in year out. At this point in time, Kenya is one of the very few countries in the world that you can take an insurance cover online, pay for it and yet you do not know the policy document that you are signing. These are the sort of things we must work on. I am pleased that we are taking this step. Hon. Washiali has been criticised and there

have been a lot of objections and hurdles on the way to ensure that the brokers and other players do not get the ability to practice on their own right. It is a good process and if there is anything that we can call it, it is taking business back to the grassroots. This is one of the main Bills that will take business back to the grassroots, and professionalise it.

With those few remarks, I support wholeheartedly.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Member for Tharaka Nithi.

Hon. George Gitonga (Tharaka, DP): Thank you, Hon. Temporary Deputy Speaker.

I rise to support this very important Bill by Hon. Washiali, the Chief Whip emeritus, and still remains our Chief Whip in the Kenya Kwanza establishment in the country.

It is a timely Bill that seeks to bring insurance professionals under one roof. This is the roof that is going to ensure that these professionals, like most in the country, are well regulated and render their services professionally.

There has been hue and cry that the insurance industry in the country is haphazard. They have been comparing it with that of engineers and quantity surveyors who are under their boards. The Board of Registration of Architects and Quantity Surveyors (BORAQS) is properly regulated. The lawyers in the country under the Law Society of Kenya are professionally managed. We have the Institute of Human Resource Management and the Kenya Institute of Supply Management (KISM) and many others. These are all professionals in the country who have left behind the insurers to do their business in a manner that is not regulated.

I have gone over this Bill and I am satisfied that it qualifies to be passed by this House. I urge Members that we all support Hon. Washiali, so that we can pass the Bill and give the insurance industry their own law just like the other professionals.

When you look at Part IV of the Bill, we are registering professionals. This is exactly what happens to all professional institutions. Advocates, and I am one, go through the Council for Legal Education, after which they are called to the Bar, are registered as Advocates of the High Court of Kenya by the High Court. The High Court has a mandate to do this under the law; the Advocates Act and the Council for Legal Education Act. In this particular instance, we are bringing forth an Act of Parliament that would regulate registration of insurance professionals through the committee being set up.

Part V is quite important in that it provides for professional examinations. The insurance professionals are trained in universities, examined and then get their degrees. Unfortunately, this is not sufficient. If it were the advocates, it would be right from university. However, they still have to undergo professional training through the Council of Legal Education. Let us have insurance professionals also having their own professional training so that they can specialise and qualify in those particular areas that are suitable for the insurance industry. The examiners will also deal with continued professional education which is a very important aspect. It is not too late to learn and it is important to put new impetus of learning into every professional from time to time. The institutions I have named here, the BORAQS, the Law Society of Kenya, the Human Resource Institute Management, the Kenya Institute of Suppliers Management (KISM) and the others have a system of continued professional education so that the professionals are trained from time to time.

With the other provision for practice certificates, and this is how professions are controlled, if you want to get that practice certificate, you have to demonstrate to your professional body that you qualify to practice in that area. Other professionals have these bodies. In the insurance industry, we have characters who practice insurance called ambulance chasers. I do not know what element of profession it is, but they are notorious unqualified brokers. They are people who just

go out there, get whatever piece of work that is available and that looks like it is an insurance company and you find them in cahoots with possibly, unscrupulous advocates trying to make cases out of this.

The Law Society of Kenya has put many restrictions on such advocates, but the insurance industry does not have a way of controlling these unqualified persons. It also has no way of controlling brokers. As a result of which we have this mushrooming of all manner of businesses in the market to the disadvantage of those who are qualified and would want to practice honestly. There are provisions regarding qualifications and disqualifications, registration and cancellation of certificates where you misconduct yourself.

Part VII deals with discipline. Everybody believes that the insurance industry just like the matatu industry is totally indiscipline, has no control, no way of regulating itself and is just out there to get exactly what they get. If you go to a cheap insurance company, you will get cheap insurance services. When you go to professional insurance companies, you will get professional services. The same is going to happen with a registered person such that if you are indiscipline, there is the due process to be followed. You are going to be heard and after that, you will be given your judgement and we have an appeal process which is very important. There may be errors in what these boards are doing and an appeal board is going to hear and give you what you deserve in terms of justice.

Finally, we have rules to be promulgated under this Act. These are important rules that would be delegated into legislation and which are going to come to this House, so that we can look at them in totality.

In summary, this is a very important Bill. Let us discuss it soberly in this House and pass it so that insurance professionals can join other professionals in the country in the way they render their services.

I support.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Member for Kathiani, Hon. Mbui.

Hon. Robert Mbui (Kathiani, WDM-K): Thank you, Hon. Temporary Deputy Speaker for this opportunity to contribute to this very important Bill.

First, I would like to thank Hon. Washiali for this very great piece of legislation that he has brought to this House. Basically, that means he is carrying out his responsibility as a legislator in the best possible way. I wish him the best because we are going into an election and I am certain there might be some things he is interested in, even if it is handing over the seat.

This Bill is dealing with insurance professionals registration. I do not know how to explain how important it is to the world. Other than property, we also insure health. A lot of times, people are bankrupted by situations that occur in their lives that were unprecedented and unexpected. That is why insurance is put in place, so that if anything happens, you remain in the same place you were in before. For example, properties burn down. If you insured the property, it is paid back in full, so that you lose nothing. If, God forbid, one is involved in an accident which requires a lot of money for them to be brought back to normal life, and medical care is extremely expensive, insurance caters for that and pays the bills. So, this is a very important thing that all of us need to ensure we have. Obviously, it cannot be left unregulated.

In my studies, I remember coming across principles of insurance and one of them is indemnity. It means that when you pay premiums, whenever something goes wrong, you do not gain, but you also do not lose. The other day I listened to a Ghanaian preacher who was talking about what ails their country. He kind of generalised his statement and talked about Africa. He

said that we have a major problem of integrity. He said that one of the major problems that employers face all over the world is that employees steal from them. He lamented for seven to 10 minutes about integrity. Insurance has also been infiltrated by the same problem. There are people who want to be insured, but they give false information because they want to benefit. There are also practitioners who do not make payments after receiving money. This is an industry that we need to sort out. Customers want to cheat. Practitioners want to steal. There are a lot of problems. The Bill has come at the right time, so that we can put some order in this industry.

Kenyans have suffered for years. Quite a number of insurance companies have gone down with Kenyans' money. People cause accidents and then change the name of their vehicles because they want to take the vehicles back to roads. There are a lot of people who have lost a lot out of fraudulent insurance claims. There are people who get involved in accidents but they cannot be paid. I remember at one time after comprehensively insuring my vehicle for almost eight years, we got a small accident that would have cost a small amount of money, but the insurance company stayed with the vehicle for about three months. So the accident cost me three months of lost business. I was using that vehicle for some business. For the three months the vehicle was not in use, I lost quite a lot because of that. When it was returned, nothing much had been done to it. I looked at the cost of what I had lost within the period and it did not make sense. In fact, I asked myself the purpose of paying comprehensive insurance. The amount I paid for one year would have covered the repairs. So, this is an industry where people have suffered. Hon. Washiali has come up with a way of ensuring that we instil professionalism in the sector, so that these problems can be a thing of the past.

The Government, first and foremost, has made insurance a must have in some sectors. It is a must to have insurance on a vehicle on the road. Our *boda boda* operators are crying because they say it is expensive. It is a must to have at least a third-party insurance. It is a must for employers to ensure that they have workman compensation for their staff. Because the Government has played a role in ensuring that this is something that many people must have, then as a House, we must put regulations in place to ensure that practitioners do not take advantage of the situation.

This sector must be controlled. I am happy with what Hon. Washiali is proposing. He is proposing that we establish the Insurance Institute of Kenya and the Insurance Professionals Examinations Board. Most important are the functions he has proposed for the institutions. One of the functions he has proposed for the Insurance Institute of Kenya is to establish, monitor and promote standards. We cannot operate without standards and monitoring. He is insisting that there must be a way of monitoring the standards being applied in the industry.

The other function is to register practitioners. People cannot just come from the streets and purport to be insurance professionals and brokers without going through some kind of training or without understanding the system. That function is really important.

Finally, he is proposing that the Institute promotes research, which means they will conduct benchmarking studies. They will look at best practices all over the world and see what we can pick and apply in this country. This is an excellent piece of legislation. It will go a long way in ensuring that this country's insurance sector is regulated. People will not be fearful of investing money even in insurance packages that are not a must in law.

When I was in school, the only thing I knew about insurance education was some course called actuarial science. I remember we were told it was a very difficult course. In fact, people would attempt it and drop out and prefer to even go do medicine. With the Institute in place, we

will have all courses aligned to this industry in one place. We will have better practitioners out of the process.

Finally, if other sectors are regulated and other professionals have professional bodies, why not the insurance sector?

With those few remarks, Hon. Temporary Deputy Speaker, I support.

The Temporary Deputy Speaker (Hon. Soipan Tuya): The Member for Bahati.

Hon. Kimani Ngunjiri (Bahati, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support the Bill. It is very important. I want to support Hon. Washiali and he will be remembered for what he has given to Kenyans as we end our term. This is very important. I have been called by my people because they are watching and they have told me that Hon. Washiali must be supported. This Bill is very important.

I want to bring to your attention the fact about 4,000 people die in accidents every year. If you study the figure deeper, more people are suffering out of not being paid by insurance companies. Because the insurance profession does not have a regulatory body like lawyers have, beneficiaries of deceased insurance principals suffer a lot. Widows cannot reach insurance companies. If they want to reach them, they must engage a lawyer. When the lawyers go to court, and I am sorry for saying this, they start calling themselves 'learned friends'. You realise the widow cannot get her right to be paid because of the relationship between the lawyers. I do not want to go deeper, but I am someone who says the truth. I have seen some lawyers become very rich because of calling themselves 'learned friends'. They conspire to keep cases in court for long. The people following up on the insurance claims will follow until they die. I have seen many lawyers who have become very rich and own big houses in Nakuru, Nairobi and elsewhere, who have got their money through the deaths of other people.

Let me remind the House about an accident which occurred along Thika Road involving prison officers. The insurance claim was paid to a lawyer, but when he was taken to court, he was only fined Kshs800,000. The families of the deceased suffered. They could not get anything. So, we are going to support this Bill by Hon. Washiali. It is a very important Bill. People are suffering. Today, if you go to wards in general hospitals where victims of *boda boda* accidents are admitted, you find people suffering. When they try to claim insurance, they do not get their money. It is a problem.

Secondly, if your insured car is involved in an accident or your house is burnt, the first thing insurance companies tell you is that you need to pay a certain amount of money so that they can go through the process of paying you. You ask yourself: Was this insurance important to me? If there is a problem with lawyers, people go to the LSK and lawyers are punished and even their practising certificates are withdrawn. Somebody can be punished and his license taken away. This is what we want. This is what Hon. Washiali is following up. We support him 100 per cent. This is a Bill which has come too late, Hon. Washiali. I promise you that God is with you. You have brought a good Bill which we can give to Kenyans when we are ending this term of the 12th Parliament.

Hon. Temporary Deputy Speaker, the Bill is very important. I support it. It will help Kenyans. May God bless you.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Member for Likuyani.

Hon. (Dr.) Wamalwa Kibunguchy (Likuyani, FORD-K): Thank you, Hon. Temporary Deputy Speaker. I rise in solidarity with my colleagues to support this Bill which has been brought by a man who comes from my county.

I am a medical doctor and we have our association and own way of how discipline is meted out. Like other professionals, we need to have some form of regulation in terms of education, professional education, practice and discipline, if you go haywire. I support this Bill wholeheartedly.

There are certain areas which we need to amend. As we go to the amendments, we will probably put caveats as to how much, how far or the level of discipline some of these insurance companies and professionals have. Just like my colleagues have said, very many people in this country have suffered at the hands of insurance companies. Very many people have died following rebates. As we go to the Committee of the whole House, we need to accept amendments. If the case is severe, then the punishment needs to be equally severe. If the case is about a widow or somebody who has been really affected, she should be compensated adequately.

I would like to commend Hon. Washiali for this aspect of discipline. Insurance companies and professionals act as if there are no laws. They do not have parameters within which to operate. I have gone through some of the aspects of discipline that are supposed to be meted out and there are two areas where we need to make them a little stronger. I agree with the Bill. That is the way to go.

With those remarks, Hon. Temporary Deputy Speaker, I support the Bill.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Member for Gatanga.

Hon. Joseph Nduati (Gatanga, JP): This microphone is short, Hon. Temporary Deputy Speaker. Can I move to the next one?

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Yes, you can. Use the next one. What happened to that one?

Hon. Joseph Nduati (Gatanga, JP): This is for short people like Hon. Kimaru. I am a bit taller.

(Laughter)

Hon. Temporary Deputy Speaker, from the outset, I want to congratulate Hon. Washiali for coming up with this Bill. You have done a great job during this time when we are about to go home. I remember that you and I had a discussion and you told me that you are not interested in coming back to Parliament. With this kind of contribution, we need people like you in this Parliament. I know you gave me the reasons, but having thought about them, they are not valid. I urge and plead with you to come back.

An. Hon. Member: I support that.

Hon. Joseph Nduati (Gatanga, JP): I can see you also support that. Please, come back. We have not seen this kind of contribution. I have looked at the memorandum of objects and reasons of this Bill, which are really great.

One of them is to promote professionalism and address concerns regarding professional misconduct in the insurance industry, which has been happening for a long time. I know that most of us here have interacted with insurance salesmen who are not trained. That is why the uptake of insurance by Kenyans is very low. You cannot trust some of those salesmen. They come to you looking very hungry, badly dressed and they do not know the subject. It is high time we regulated them. This Bill has come quite late. Many professionals in this country are regulated. I know that lawyers, engineers, architects and quantity surveyors are regulated. We really need to support the Bill.

I have looked at some of the proposals in the Bill and we need to polish them especially the membership of the Insurance Institute of Kenya. I congratulate Hon. Washiali for coming up with it. Clause 4 of the Bill is on membership of the Institute. Clause 4(2)(c) of the Bill talks about affiliate members, comprising the members who work in the insurance industry, but are not insurance professionals such as accountants, lawyers and members of other professional bodies. That will not be in order.

Again, there is something which I can see here which is unique. Clause 4(2)(d) of the Bill says that the Insurance Institute of Kenya shall have corporate members, comprising both private and public institutions and organisations and includes companies, partnerships and other corporate bodies. I have never seen it. I have seen it for the first time. I can be wrong. I am a professional, but I have never seen it. I can be wrong. Maybe, I just concentrate on my professional body. We need to look at it. I do not think that a company or corporate organisation can be a member of a professional association. It has many other stakeholders. If you make it a member of that organisation and it has sweepers and other people in it, they can still perform what you are trying to cure. So, that is something which you need to address.

There are many committees in the Bill which are not necessary. When you set up the Insurance Institute of Kenya, I know they will come up with many committees. So, there is no need of putting the Registration of Insurance Professionals Committee in the Bill. You have given them a lot of power which will be in conflict with the main Council. That is something which we need to address.

The other thing is the Insurance Professionals Examinations Board. This is a task which we should leave to the Institute. There is no need of creating another body. You know that where we have such bodies, they are always fighting. There is conflict always. They are not well managed. So, it is better for the Institute to be in charge of everything, namely, registration, exams and discipline. Even the disciplinary committee should be part of the Institute. There is no need of setting up a separate body to regulate discipline. Otherwise, we will have problems. We will not manage the association well.

Last but not least, we should look at the Third Schedule of the Bill which is on the chairman and vice-chairman of the Examinations Board. Clause 2 of the Third Schedule of the Bill says that they will be in office until they resign. It is good that you have given them a timeline to perform their duties. We are also given a timeline here which is five years. You cannot give the chairman and the vice-chairman unlimited time to perform the roles that you envisage here.

Hon. Temporary Deputy Speaker, with those few comments, I really want to congratulate Hon. Washiali and urge his voters to make sure that he comes back to this Parliament. He performed very well as our Chief Whip. At 60 years old, he is still a young man. When you are 85 years old, you are old. I know he exercise and he still looks very young.

(Laughter)

I can propose something here, but I do not want it to be on record. Thank you very much.

(Laughter)

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Nduati, you have raised a number of issues, and I am sure Hon. Washiali is taking notes for the purposes of the Committee of the whole House. Hon. Washiali, you need to be careful with the Motion Hon.

Nduati is toying around with. I can hear the Member for Kwanza rising to second what he is saying. If they present that to the people of Mumias East, you might be in trouble. So, you need to be careful about that.

Hon. Wanyonyi Kevin.

Hon. Ferdinand Wanyonyi (Kwanza, FORD-K): Hon. Temporary Deputy Speaker, you have just given me the opportunity at the right time. I want to take this opportunity to thank my friend and my neighbour, Hon. Benjamin Washiali for coming up with this Bill. When you bring a Bill of such nature it always come from the fact that you have been affected by it somehow. Hon. Washiali must have been affected that is why he came up with this very good Bill. Hon. Washiali, we still need you. I know I am coming back, *Inshallah!* I hope you will be here so that I can work with you. Please rescind that decision.

Hon. Washiali has come up with a very good Bill. The motive behind this Bill is very good and I have taken note of what he has said. This insurance practise is not regulated. We therefore want to have standards in this particular profession like it is the case in any other profession. As I said in the morning, I am an economist. I got affected in my area, and for that reason I have asked questions regarding that. Hon. Washiali, please let us move on. I know you want us to have standards in this sector and you want us to promote some professionalism. As it has been said by other Members here, anybody can walk in and out without regulation or promoting professionalism in that sector. We need to do that as a Parliament so that we can have professional insurers who can do the work that is supposed to be done.

If a doctor has opened a clinic and you have a problem, he will attend to you professionally and assist you. Unfortunately, the insurance sector has not been done professionally. What I want to ask you is to have the insurance institute so that we have people coming up with certificates that are displayable. Certificates that can show that one has gone through a particular institute that is offering a degree, a diploma or certificate so that you can display some professionalism.

This is very good. This Bill meets all the requirements. We have problems of unemployment in this country. This will be able to create jobs for our youths who have qualified with certificates or diplomas or even degrees in this sector. So, job creation will be there in case this Bill will be passed into law.

The other thing that was suggested by Hon. Washiali is that we will have that institution. We have Technical Training Institutes (TTIs). I am setting one in Trans-Nzoia and I will have people coming in from all over. Once you offer this course, it will bring students from all over the country. We will be promoting the economic activities of the area. Therefore, we will have this course offered in one of the TTIs that are coming up in the country so that we can have graduates with qualifications in insurance.

The other thing is what the insurance refers to as misconduct. It is bad. Sometimes back, I had an incident where my driver had an accident. I was taken round and round to a point that I thought my driver was having a deal with the insurance. I decided to get involved. Up to date, about seven years down the line, I have not been compensated. The reason being misconduct. There is nowhere you can take them. The only place you can take them is the court. Some of them have perfected the actions and movements you cannot be able to take them to court because they will take you in circles and buy their way out. We know what happens sometimes. Seven years down the line, I have not been paid because of the misconduct of a person who I do not know whether he is dead or alive. I have given up. You can imagine if your relative was involved in accident and is supposed to be compensated. You will be told to pay excess fee. They will come

up with whatever amount for compensation and God knows whether that particular company is also insured to pay for compensation of your next of kin.

I thank Hon. Washiali for coming up with this because we will have standards of compensation. If one has had an accident or a relative has had an accident, you will pay your excess fee, although I do not know what excess means, but we will know about it once we pass this Bill, then you will be compensated.

My neighbour had an accident, and his next of kin passed on. When this Bill was coming up, I mentioned it to her. She told me that her husband has never been paid despite having paid the excess fee. So, this insurance body must be regulated.

To safeguard against people who cheat, we will have insurance certificate displayed on the door the way we have titles for doctors or engineers. For insurance, it is hard to know. You just get into a deal with an insurance just because a neighbour or a friend told you; that is the insurance is good, the agent is my friend. Therefore, it will be important for the insurance companies to display their certificates.

Last, but not least, we will be having practicing certificates and licenses. That is something that will protect the public against the quacks.

With those very many remarks, I support the Bill and I wish it came like ten years earlier. I hope we can fast-track this so that it can be put into practice.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Member for Mathioya.

Hon. Peter Kimaru (Mathioya, JP): Thank you Hon. Temporary Deputy Speaker for giving me an opportunity to give my comments on this very important Bill. I would like to tell my brother Washiali from the outset that I support it although I request him to create time before we get to the next level to have a meeting with stakeholders from the insurance industry.

The insurance industry is extremely important to understand. Personally, I have been in the industry for more than 20 years; in insurance companies and even in brokerage field. Insurance is very important, if it is done in the right manner, it plays a major role in our GDP. We have seen a lot of things that have been done by the insurance companies in this country which are right in a very big way. What we need to do is to ensure that discipline can also be managed. More importantly, not to kill organisations that are already doing something that can also be strengthened in those organisations.

For one, we have had the Kenya College of Insurance which is accredited to set examinations in the insurance industry. It is actually renowned in Africa. The examination they set are acknowledged in almost 33 countries. They carry out their tests that are actually set by the College of insurance here in Kenya. So, we should not kill that organisation. What we need to do is to ensure we expand it to work with other organisations as recommended by Washiali, even Technical and Vocational Education Training (TVETs) to ensure that they can have teachers in those colleges and ensure that the College of Insurance continues to set examinations and standards of examinations because that is a function they have been given and is renewed worldwide.

The other issue is registration. Just like banks, insurance industry collects money. It pools resources from Kenyans to ensure risks can be managed at the right time. When they have losses, they can be managed. It is the pooling of resources that can lead to it being understood very clearly. We need to understand some risks can be enormous and need to be properly managed. We have insurance companies, agents, brokers, reinsurance companies and all these have institutions that manage what they do and what they need to do at the right time. We passed a law in this House last year to ensure that we can manage when premiums can be paid, when claims can be paid. All we need to do is to ensure that an organisation like this can come in to ensure that they make proper

laws that have already been set by this House, in terms of ensuring that the public do not feel cheated.

If you have a car that has had an accident, you must be compensated on time. If, for instance, you have a house that is burnt, you need to ensure the proper channels have been followed. We have assessors and loss adjusters. There are so many organisations that play a very vital part in the insurance industry.

We, therefore, cannot remove regulation and registration from the National Treasury and the Central Bank because they are pooling resources from the public in terms of capitals insurance companies can have, as they are set by Government through the relevant organisations. Like the Insurance Regulatory Authority has been playing a very important task. What we need to ensure is the management of those players in the field. For me, that is extremely important.

The other function that needs to be strengthened – I support Washiali on this is penetration of the insurance covers. The penetration of insurance covers in this country is very low. It is currently at around 6 per cent. How can we ensure that Kenyans know the products that are available particularly products that will help them in terms of saving for the future? There are products that are very important. If you go to South Africa, for instance, more of their population take life covers than the general covers. In Kenya, it is the reverse. We have people wanting to insure their products than insuring themselves. So, we need to ensure that Kenyans understand the need to save for their own good in the future. That is something that needs to be looked at, Hon. Washiali.

The other issue I support is discipline. Discipline is extremely important in any industry. An organisation like this can come in handy to ensure that they manage discipline and to ensure that all the key players understand their key roles and perform those roles within their mandate that they have been given.

Research and promotion of products is also extremely important. Publishing of books that can be used and materials can be regulated through an organisation like this. But, let us ensure other stakeholders are consulted. For instance, we have Association of Insurance Brokers where I have personally served in the past as a board. We need to ensure that an organisation like that is given teeth to manage insurance brokers.

We have an organisation like the Association of Kenya Insurers (AKI) which manages the affairs of insurance companies. Can we ensure that they have enough powers to regulate underwriters and reinsurance? Can we also ensure that the Institute of Loss Adjusters manages the loss assessors and adjusters to ensure that they perform their tasks and duties as necessary and with speed to ensure that those who are compensated can get it on time?

Thank you Hon. Temporary Deputy Speaker for allowing me to comment. I urge Washiali, now that we support the Bill; but please, bring all these players to a round table. It will be important to also hear and take their views so that we can understand what each organisation does in the value chain of the insurance industry and that way we will have a Bill that will help the entire country and the insurance public.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuyu): Hon. Wandayi.

Hon. Opiyo Wandayi (Ugunja, ODM): Hon. Temporary Deputy Speaker, thank you very much for giving me this opportunity to contribute to this Bill.

Let me start by congratulating the Hon. Ben Washiali for this wonderful initiative. I have heard a lot of my colleagues talk about Ben Washiali and his future plans. Hon. Washiali is my neighbour back home. He represents Mumias East Constituency and previously the greater

Mumias which neighbours Ugunja Constituency. Therefore, we are good neighbors. In fact, when he came to this House for the first time in 2007, he came on an ODM ticket. Thereafter of course, he went to the UDF and finally to some other party. but all the same, I wish him well in his future endeavours. I am sure even if he does not want to come back here, the good work he started can be carried forward by able Members who will be coming back like Hon. (Eng.) Nduati, Hon. Kimari, Hon. Tong’i, whom I saw here. A few of them I know will come, most likely. Therefore, this work will not go in vain.

Hon. Washiali’s decision not to run again may be godsend to me because in the past I have had it very difficult to try to de-campaign him being a very good Member of mine, but now since he is leaving, it is a good chance for me to try and campaign for our candidate who will be running on an ODM ticket. I am sure this time around, that constituency, the East together with the West will vote together in bringing to Parliament ODM MPs. That is our prayer with Washiali now out of the way. Previously, it was very difficult for me to face him face on.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Focus, Hon. Wandayi.

Hon. Opiyo Wandayi (Ugunja, ODM): It is important because this Bill must be put in the right context. It is a Bill which is coming

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): You know relevance.

Hon. Opiyo Wandayi (Ugunja, ODM): Yes.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): What is the relevance of campaign for ODM and the Insurance law?

Hon. Opiyo Wandayi (Ugunja, ODM): You will get to know shortly why ODM and this Bill are interrelated.

I have gone through the Memorandum of Objects and Reasons of this Bill because I have not had time to read the entire Bill and, of course, I have been able to understand from the title of the Bill what it is all about. I believe that a nexus has been created between this Bill and the parent law or the foundational law—the Insurance Act that governs insurance in this country.

I am aware that the Insurance Act establishes the Insurance Regulatory Authority (IRA) whose functions are quite similar to the functions being provided here as being under the Insurance Institute of Kenya and the board. So, I hope that there has been attempt to reconcile all these so that there is no conflict in the functions between these new bodies and IRA which is under the Insurance Act.

All the same, it is important that a growing economy such as ours is supported by a robust insurance sector that is well-regulated. I suppose this is part of the reasons this Bill has been initiated. It has very pragmatic proposals to try and regulate the sector, including setting exams for the professionals in the sector. That is for them to be able to provide these services in an environment which is regulated. You know insurance is as old as we can imagine. In fact, we are told that the first insurance was marine insurance. It is the Greeks and the Romans who first practised insurance. They were at that time dealing basically with insurance of marine vessels. Over time insurance has evolved to what it is currently. As economies grow, and we believe the economy of this country is going to grow exponentially, especially once the next Government takes over under Azimio la Umoja in August, such growth must be supported by a robust insurance sector.

Hon. Washiali must have had good foresight, that we need to have a sector which is regulated, robust, dynamic and can support the growth of our economy under the new administration that we pray will come in smoothly in August. I can see my friend Hon. Sankok is

curious. But that is the point, really. That we need to be prepared for the eventual growth of this economy.

This Bill has come at the right time. The issues it is addressing are pertinent. Insurance is all about taking care of risks. You know risks, as the name suggests, are things that you cannot really be sure of. They are future occurrences which you cannot predict and over which you have no control. So, as a businessperson and practitioner in the economy, you want to be sure that, when you insure from risks, the insurer is somebody who is first of all competent and, secondly, the insurer is properly regulated. That is very important. That is what gives a businessperson confidence to invest more money in his or her businesses. As businesses grow, the risks invariably increase. These risks have to be insured for modern businesses to thrive.

Therefore, thank you very much, Hon. Washiali. I support this Bill fully. I just hope it can be fast-tracked for it to be enacted into law before we adjourn. Thank you and may God bless you.

(Applause)

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Naomi Shaban?

Hon. (Dr.) Naomi Shaban (Taveta, JP): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to also add my voice in congratulating my brother Benjamin Jomo Washiali for a job well-done. This Insurance Professionals Registration Bill is long overdue. We want to see sanity in that sector. We want to see hygiene in that sector. We want to see neatness in that sector.

Hon. Temporary Deputy Speaker, most Kenyans did not at first know the meaning of insurance. Today, with the world being a global village, everything has to do with insurance. Kenyans are actually embracing insurance. They have learned the importance of having insurance. But, unfortunately, Kenyans are suffering terribly. It is just because we have too many quacks working in this area. I would just call some of them ‘pedestrian conmen’ because they sell premiums but, at the same time, people do not see the benefits of those premiums.

Starting from education, health, motor vehicles and many other sectors, insurance is one of the most important pillars of today’s life. When our brother Washiali came up with this idea, a lot of thought went into it. Many people have suffered here in Kenya. Today, we are seeing some light at the end of a tunnel because introducing professionalism where insurance is concerned is the best way forward. We know that people in other countries and in the developed world do not miss out on the benefits of insurance. It is here in our country where most of the insurance companies and even the insurance brokers have taken people for granted. They have gotten all these clients because they are very good in sweet-talking people. But when it comes to people benefitting from the premiums, certainly, things go wrong.

When you look at it, most people have gone through court battles over things which should have been such straightforward. When some poor person out there in Taveta at the grassroots level has had a problem in an accident and they have to go to court, a case will be there for over 10 years, but they are not compensated. At the end of the day, by the time they are compensated, the insurance company will have taken its sweet time to make sure these people get their rightful dues.

A lot has been said. I just want to add my voice in congratulating my brother and my colleagues who have spoken before me. We are on the right track. Certainly, we will see the good fruits of having our people insured. Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Kitayama Maisori.

Hon. Marwa Kitayama (Kuria East, JP): Thank you, Hon. Temporary Deputy Speaker. Let me take this opportunity to congratulate my friend, Benjamin Washiali, for this very timely Bill.

The insurance industry employs very many people. Many young people who are in the universities and other colleges engage in this industry when they get an opportunity, even in their spare time. It has given many people an opportunity even to know what they want to be in future. As a matter of principle, even if it did not do anything else, just the fact of having predictability in a sector that is serving a lot of people and churning a lot of money is a good thing. The industry in itself, as a percentage of the GDP, controls a lot of money. It is important that kind of investment that Kenyans have put in is regulated. In the process of it being regulated, the industry is becoming even better. Regulation is sometimes for the growth of the industry itself; regulation is not necessarily a bad thing. Just regulating it will in itself make the industry much better.

All of us have experiences with the industry, either ourselves or people that are known to us. There are times you can be taken round in circles because of insurance matters and you do not have any one to address them, especially if they are done by banks. Banks may finance you; and the same banks have decided to run insurance business. You may find yourself in a scenario where you are unable to manage this facility that has been given to you and it is run by the same people who gave you money to get the insurance. Before you know it, you may fall short of insurance and premiums. They will run you out of town, if you are not careful. That has happened to so many people.

Aside from that, the industry has evolved into everything else. There is the asset insurance, the health insurance and all sorts of insurance, including professional indemnity. Since the industry is touching on each and every sector of life; that is the more reason why it should be regulated. As other speakers have spoken, the Bill is not proposing regulation so that the industry is killed, it is proposing regulation because it is clear that the industry is a major contributor to the economy of this country. If it is made better, the country will be much better. If this was to happen – my friend, Hon. Washiali – apart from regulating, we will improve and have a database that is verifiable so that not every person can claim to be an insurance provider. Believe me, those that are pretenders to the throne are the ones who get more business because they have a sweet tongue because insurance is about selling hope. If people can sell hope to you –we know of very serious people who have been coned their hard earned money because somebody spoke to them with a nice language.

So, if for nothing else, let the insurance industry be regulated for the good of the insurance industry and the fact that it is employing many young people. It is an industry that you can enter and exit at whatever age. Many people have been retrenched and because they have nothing else, but to talk to you, they are able to earn a living out of it. This is a Bill whose time could have come earlier, but God's time is the best.

Hon. Benjamin Washiali, as you exit this House for better service to this country, we want to wish you well. This effort is not going to go unrewarded. It will be rewarded by those of us who will be here to make sure that it is properly executed into law that will help this country.

Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Risa.

Hon. George Sunkuyia (Kajiado West, JP): Thank you, Hon. Temporary Deputy Speaker. I want to take this opportunity to congratulate my brother Hon. Washiali for this Bill to regulate and establish the insurance sector. This is an important industry in the lives of Kenyans. Many Kenyans are required to have insurance. Many Kenyans have suffered, at times without knowing

the importance of insurance. So, to regulate this industry to a standard is important to the people of Kenya and any other thing that needs to be insured. So, I take this opportunity to congratulate my brother Hon. Washiali who is a strong Member of the Anglican Church of Kenya (ACK) that we serve together. I support this Bill.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Wathigo Manje.

Hon. Joseph Manje (Kajiado North, JP): Thank you, Hon. Temporary Deputy Speaker. I also want to talk on this Bill that has been brought by Hon. Washiali on the Insurance Professionals Registration. This industry is key, especially in a developing country. This sector's key importance is to make sure that it restores you to your original position. The main idea is that you pay for a promise that in case anything happens in your business or other endeavours you will be restored to where you were. That is the safety net.

Having said that, insurance has penetrated all sectors of our economy, for example, if you want to get a mortgage, the insurance industry come in because mortgage has to be insured. If you have a motor vehicle it has to be insured. In our country auto mobile insurance is compulsory and as such, we are required to insure our motor vehicles. Therefore, it is a sector that needs to be regulated because when you have quacks in the industry, they are likely to exploit citizens.

In some countries it is so important that you cannot drive a vehicle, if you are not insured. In Kenya when it comes to personal insurance, we are still lagging behind because its education is still low. The penetration is less than 10 per cent; which means that the industry has to come out strongly to advertise what it does and its importance so that in case there is any loss the insurance can come in. Our institutions educate Kenyans on insurance. We have a college of insurance that does that. In our institutions like the University of Nairobi have a branch in insurance; our education sector is doing well in educating people on insurance.

With regard to the importance of this industry, it is important to also make sure that when it comes to the compulsory car insurance where many Kenyans interact with insurance, it is regulated well. For example, when a vehicle gets an accident it takes a lot of time for one to be compensated and one incurs other expenditures. As it stands, Kenyans should be educated on their rights because that is what they pay for. They pay for that risk, incur the risk and they are not compensated to go back to the original position. That is why it has to be regulated like any other professions in the country, like doctors and accountants. Therefore, the insurance sector has to be regulated. That is the importance of this Bill and I support it.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Sankok

Hon. David ole Sankok (Nominated, JP): Thank you very much, Hon. Temporary Deputy Speaker. I am very happy that you are on the Speaker's seat while I am contributing. People do not know that you are my daughter in terms of culture; and I am very happy.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): So, you are the Temporary Deputy Speaker's father?

Hon. David ole Sankok (Nominated, JP): Imagine.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Is that what you want to say?

Hon. David ole Sankok (Nominated, JP): If you are the third most powerful person while in that seat in this country, you can imagine your father, and how powerful he is.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Go on.

Hon. David ole Sankok (Nominated, JP): Let me support this Bill by Hon. Washiali. He is a progressive leader who has been our Majority Whip. I still believe in him despite that there was little commotion in that very small party of ours called Jubilee that has been reduced into an

ethnic political party that have the Party Leader, the Secretary General and the Vice-Chairman coming from a distant of three kilometers from each other –they come from the same village –they are buddies and can walk from one home to the other.

To us who believe in the Hustler Movement; he is still our Majority Whip; he is a progressive leader; he built KMTC from scratch, from buying land up to now that there are students studying in the college. As I support, we need professionalism in this noble profession. Insurance is about risk and it is about what I may encounter that is not favourable to me. When we have quacks in that field, and you assume you are insured, unfortunately when you get an accident; it is only that time that you will realise you were dealing with a quack because the industry is not regulated.

We have had Kenyans who feel they are insured only to fall sick, and when they go to hospital, they realise that the insurance they took is fake or sometimes, is not comprehensive but third party. All these happens because we are dealing with an industry that is very important, but is not regulated.

I support this Bill so that we can regulate this very important profession. This is so that we deal with a profession that is controlled by professional ethics and law. When Kenyans encounter such mismanagement of this profession, they do not have anywhere to run to. If you go to the court of law, there must be a law that will be able to be evoked by the Judiciary to be able to act.

This Bill is long overdue. I urge the whole House to support the Bill so that as we can go to form the next Government – UDA Government; and probably, seated on my right is a potential running mate candidate. You should know your Deputy President in advance so that you can consult with him around the precincts of Parliament because he is a possibility. A running mate of UDA must come from within this House and you should know people.

I support.

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Tong’i.

Hon. Richard Tong’i (Nyaribari Chache, JP): Hon. Temporary Deputy Speaker, I agree with 100 per cent with my colleagues who have spoken ahead of me.

In my life of service, I have had an opportunity of working in the insurance industry; and pretty know the impact of the insurance industry to the economy.

If you look at developed countries, they have succeeded because their insurance industries are very strong. The average insurance taker usage in Kenya is about 2 per cent which is a minimal number compared to the potential out there. That is why this Bill is going to help a lot.

We are grateful that Hon. Washiali had a foresight to see opportunities of creating employment for the youth so that they can also have a chance to work and serve Kenyans. The biggest challenge we have in this Government and the ones to come, is unemployment. One way of ensuring that there are viable employment opportunities is by ensuring that we have a working insurance sector which is well regulated. Where a customer has paid premium, the premium should be as good as law. Whenever an incident occurs, one should be assured of compensation. Because I can see my colleagues also want to contribute to this Bill, although I had so much to say about the insurance industry because it is one of my first employers when I came from university—AAR was a great company; they gave me an opportunity, followed by a resolution on health. I am grateful that finally we have an opportunity to professionalise the sector so that our young people will have a chance to work and serve Kenyans well.

I support.

The Temporary Deputy Speaker (Hon. Soipan Tuya): Hon. Mose.

Hon. Shadrack Mose (Kitutu Masaba, JP): Thank you, Hon. Temporary Deputy Speaker. This is a timely Bill for the purpose of regularising the insurance industry, which has very many bad people.

With those few remarks, Hon. Temporary Deputy Speaker, I support.

The Temporary Deputy Speaker (Hon. Soipan Tuya): Hon. Ndindi Nyoro.

Hon. Ndindi Nyoro (Kiharu, JP): Thank you very much, Hon. Temporary Deputy Speaker. I rise on Standing Order 95. We have listened to Members contributing and we are now repeating ourselves. Therefore, I request that the mover be called upon to reply.

The Temporary Deputy Speaker (Hon. Soipan Tuya): Let me give Hon. Dawood one minute.

Hon. Rahim Dawood (North Imenti, JP): Hon. Temporary Deputy Speaker, I support Hon. Washiali's Bill because it will instil professionalism. Thank you.

The Temporary Deputy Speaker (Hon. Soipan Tuya): We actually do not have to prosecute Hon. Ndindi's Motion because we have no further requests. Let me call the mover to reply.

Hon. Benjamin Washiali (Mumias East, JP): Thank you, Hon. Temporary Deputy Speaker. I want to take this opportunity to thank all Members who have supported this Bill. It has received 100 per cent support, apart from the few issues raised by Hon. Kihara and Hon. (Eng.) Nduati, which we will deliberate on during the Committee of the Whole House.

Hon. Kihara needs to know that this Bill went through the normal process. It was committed to the Departmental Committee on Finance and National Planning under the Chairmanship of Hon. Gladys Wanga. The Committee conducted public participation to which all stakeholders were invited, including the ones Hon. Kihara was talking about, and they all agreed. Of course, initially there were some concerns raised by stakeholders. After they met the Committee, they consulted again and came up with a position to support the Bill. There has been communication to the Committee and to the Speaker, through the Clerk, that the major stakeholders are not opposed to this Bill.

I want to add that the Institute will not be in conflict with what the College of Insurance does. Insurance professionals are not only taught at the College of Insurance; others undertake Bachelor of Commerce (Insurance Option), which is taught by a number of universities. But we want a body that would oversee the syllabus and examination so that we can rate the professionals.

The College of Insurance will continue training insurance professionals. This Bill will open up training to other colleges like technical institutes around the country. We want to introduce the syllabus in those institutes so that more of our students can undertake insurance courses.

I want to thank all Members who contributed and remind them that we may have amendments during the Committee of the Whole House stage, which will be presented by stakeholders. Therefore, Hon. Temporary Deputy Speaker, I wish to reply.

Therefore, Hon. Temporary Deputy Speaker, I wish to reply.

(Hon. Richard Tong'i walked while Hon. Temporary Deputy Speaker was on her feet)

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): We shall put the Question, when we will be properly constituted. Order, Hon. Tong'i! Order Members.

(Putting of the Question deferred)

ADJOURNMENT

The Temporary Deputy Speaker (Hon. (Ms.) Soipan Tuya): Hon. Members, the time now being 1.00 p.m, this House stands adjourned until Wednesday, 30th March 2022 at 2.30 p.m.

The House rose at 1.00 p.m.