



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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Tuesday, 21st February 2023

The House met at 2.30 p.m.

[The Deputy Speaker (Hon. Gladys Boss) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

RT. HON. JOSEPH NTAKIRUTIMANA ELECTED SPEAKER OF
THE EAST AFRICAN LEGISLATIVE ASSEMBLY

Hon. Deputy Speaker: Hon. Members, the East African Legislative Assembly (EALA) is one of the organs of the East African Community and is established under Article 9 of the treaty for the establishment of the East African Community.

Hon. Members, you will recall that the Parliament of Kenya held the election of the Kenya's representatives to the EALA on 17th November 2022 pursuant to Rule No.15(1) of the EALA (Election of Members of the Assembly) Rules, 2017. The Members were subsequently sworn in on 19th December, 2022 during the inauguration of the 5th EALA whose term will terminate in December 2027. I have since received information that on 20th December, 2022, Members of the 5th EALA elected the Rt. Hon. Joseph Ntakirutimana from the Republic of Burundi as the 6th Speaker of the Assembly.

Noting the critical role that the Assembly plays in the furtherance of the East African Community objectives, we look forward to working with the new leadership at EALA to ensure fulfilment of mutual goals within the region.

Hon. Members, allow me, on behalf of the National Assembly, and, indeed, on my own behalf, to convey our congratulations to the Rt. Hon. Joseph Ntakirutimana on his election as the Speaker of the Assembly and wish him a successful term in office.

I thank you.

MESSAGES

DECLARATION OF VACANCIES AT THE INDEPENDENT
ELECTORAL AND BOUNDARIES COMMISSION

Hon. Deputy Speaker: Hon. Members, pursuant to the provisions of Standing Order No.42(1), I wish to report to the House that I have received a Message from His Excellency the President regarding the declaration of vacancies in the offices of chairperson and members of the Independent Electoral and Boundaries Commission (IEBC).

In the Message, His Excellency the President conveys that, following his assent to the Independent Electoral and Boundaries Commission (Amendment) Bill 2022, on 23rd January, 2023, he has now formally declared the vacancies in the aforementioned offices vide *Kenya Gazette* No.1901 of 14th February, 2023. This will kick-start the process for the recruitment of the chairperson and members of the IEBC.

For clarity, Section 2 of the Independent Electoral and Boundaries Commission (Amendment) Act, No.1 of 2023 states as follows:

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“(1) The First Schedule to the Independent Electoral and Boundaries Commission Act, 2011 is amended in paragraph 1 by deleting sub-paragraph (2) and substituting therefore the following new sub-paragraph—

(2) The selection panel shall consist of —

- (a) one man and one woman, nominated by the Parliamentary Service Commission;
- (b) one person nominated by the Public Service Commission;
- (c) one person nominated by the Political Parties Liaison Committee;
- (d) one person nominated by the Law Society of Kenya; and
- (e) two persons nominated by the Interreligious Council of Kenya.”

Hon. Members, the President is, therefore, notifying the House and the relevant bodies which are required to submit members to constitute the selection panel as stipulated in the law. In this regard, Hon. Members, the Parliamentary Service Commission has already commenced the process of identifying its two nominees to ensure the panel is properly established as per the law.

I thank you, Hon. Members.

PETITION

MANAGEMENT OF STANDARD GAUGE RAILWAY SERVICES

Hon. Deputy Speaker: Hon. Members, Article 119 of the Constitution gives a right to any person to petition Parliament to consider any matter within its authority. Further, Standing Order 225(2)(b) requires the Speaker to report to the House any petition other than those presented by a Member. In that regard, I wish to report to the House that my office has received a Petition from one, Mr. Amos Nyasani, regarding the matter of the management of the Standard Gauge Railway (SGR) services. The Petitioner states that in 2019, the Kenya Revenue Authority (KRA) and the Kenya Ports Authority (KPA) jointly issued a directive for the clearance of transit cargo from the Port of Mombasa to Naivasha Inland Container Depot (NICD). However, later in 2022, a new directive was issued to revert the services back to the Port of Mombasa.

The Petitioner is concerned about the lack of transparency, particularly pertaining to the revenues collected by the Kenya Railways Corporation for both passenger and freight services since its inception. He states that efforts to get answers on the matter through the Ministry of National Treasury and Economic Planning; Ministry of Roads, Transport and Public Works; Ministry of Lands, Housing and Urban Development and the Kenya Railways Corporation have not been forthcoming.

The Petitioner, therefore, prays that the National Assembly interrogates the Kenya Railways Corporation and other relevant State Departments on the general operations and the revenues collected by the Kenya Railways Corporation.

Having established that the matters raised in the Petition are well within the authority of this House and are not pending before any court of law, or constitutional or legal body, I hereby commit the Petition to the Public Petitions Committee for the consideration pursuant to the Standing Order 208A. The Committee is required to consider the Petition and report its findings to the House and Petitioner in accordance with Standing Order 227(2).

I thank you, Hon. Members.

Hon. Omboko Milemba (Emuhaya, ANC): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: What is your point of order *Mwalimu* Milemba Omboko, Member for Emuhaya?

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Deputy Speaker, for according me this chance. I seek your indulgence so that we can weigh in on this Petition for some time. Thank you.

Hon. Deputy Speaker: The Petition will be taken to the Committee. It will later come to the House which will have an opportunity to weigh in on it. Thank you.
Leader of the Majority Party.

PAPERS LAID

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Deputy Speaker. I beg to lay the following Papers on the Table:

Annual Report of the Parliamentary Service Commission for the Financial Year 2021/2022.

Report of the Auditor-General and financial statements on Eldama Ravine Technical and Vocational College for 18 months for the period ended 30th June 2022.

Reports of the Auditor-General and financial statements in respect of the following institutions for the year ended 30th June 2021 and the certificates therein:

- (a) Kabianga Tea Farm Company Limited;
- (b) University of Kabianga;
- (c) Kisii University;
- (d) Taita Taveta University;
- (e) Rongo University;
- (f) Kamukunji Technical and Vocational College;
- (g) Lodwar Technical and Vocational College;
- (h) Tom Mboya University College;
- (i) Kenya Utalii College;
- (j) Bukura Agricultural College;
- (k) Coast Water Works Development Agency;
- (l) National Mining Corporation;
- (m) Energy and Petroleum Regulatory Authority;
- (n) Ewaso Nyiro South Development Authority;
- (o) Kenya Pipeline Company Limited;
- (p) Koshin Technical Training Institute;
- (q) Musakasa Technical Training Institute;
- (r) Bumbe Technical Training Institute;
- (s) Mawego Technical Training Institute;
- (t) Sotik Technical Training Institute;
- (u) Sikri Technical and Vocational College for the Blind and Deaf;
- (v) Technical University of Mombasa;
- (w) Kenya Ferry Services;
- (x) Meru National Polytechnic and;
- (y) Nyandarua National Polytechnic.

Reports of the Auditor-General and financial statements of National Government Constituencies Development Fund (NG-CDF) in respect of the following constituencies for the year ended 30th June 2021 and certificates therein:

- (a) Kasipul;
- (b) Baringo Central;
- (c) Kabete;
- (d) Kikuyu; and,
- (e) Gatundu North.

I thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Chairperson, Public Debt and Privatisation Committee.

Hon. Abdi Shurie (Balambala, JP): Hon. Deputy Speaker, I beg to lay the following Paper on the Table:

Report of the Public Debt and Privatisation Committee on its consideration of the consolidated funds services expenditures for the Supplementary Estimates No. 1 of 2022/2023.

I thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Chairperson, Committee on Delegated Legislation.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Hon. Deputy Speaker, I beg to lay the following Paper on the Table:

Report of the Committee on Delegated Legislation on its consideration of the Crops (Coffee) (General) (Amendment) Regulations, 2022.

I thank you.

NOTICES OF MOTION

ADOPTION OF REPORT ON CONSOLIDATED FUND SERVICES EXPENDITURES FOR SUPPLEMENTARY ESTIMATES FOR FY 2022/2023

Hon. Deputy Speaker: I now call upon the Chairperson of the Public Debt and Privatisation Committee to give the notice of Motion.

Hon. Abdi Shurie (Balambala, JP): Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Public Debt and Privatisation Committee on its consideration of the consolidated funds services expenditures for the Supplementary Estimates No.1 of 2022/2023 laid on the Table of the House today.

I thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: I now call upon the Chairperson of the Committee on Delegated Legislation to give his notice on Motion.

ANNULMENT OF THE CROPS (COFFEE) (GENERAL) (AMENDMENT) REGULATIONS, 2022

Hon. Samwel Chepkonga (Ainabkoi, UDA): Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Crops (Coffee) (General) (Amendment) Regulations 2022 laid on the Table of the House today and pursuant of provisions of Section 18 of the Statutory Instruments Act, 2013 and Standing Order 210 (4)(b) annuls in its entirety the Crops (Coffee) (General) (Amendment) Regulations, 2022 published as the Legal Notice No.102 of 2022.

I thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: I now call upon Hon. Peter Kaluma, Member for Homa Bay Town.

NOTICE OF ADJOURNMENT ON A MATTER OF NATIONAL IMPORTANCE

CHALLENGES IN IMPLEMENTATION OF
COMPETENCY-BASED CURRICULUM

Hon. Peter Kaluma (Homa Bay Town, ODM): Thank you, Hon. Deputy Speaker. Pursuant to Standing Order 33(1), I seek leave for the adjournment of the House for purposes of discussing an urgent matter of national importance being the ongoing challenges being faced in the implementation of the Competency-Based Curriculum (CBC) within the education system.

(Applause)

As part of the implementation of the CBC, the Ministry of Education recently issued guidelines domiciling junior secondary schools within primary schools. The transition has brought anxiety among parents and learners, especially regarding the lack of capacity for optimal operationalisation of the system given the current state of infrastructural development in most public schools. Additionally, it is observed that due to lack of adequate training and deployment of teaching staff, one teacher is being assigned to teach up to 14 subjects in junior secondary schools. As a matter of fact, learning has not been going on in majority of public schools in the country. This is alarming and will inevitably be detrimental to the education sector in the long run as pupils in these schools are likely to be denied quality education.

Hon. Deputy Speaker, it is against this background that I seek leave for the adjournment of this House to discuss this matter of great national importance.

Hon. Deputy Speaker, I so move and confirm there is sufficient support in the House for this adjournment.

(Several Hon. Members stood in their place)

Hon. Deputy Speaker: I can see this is unanimous. You may be seated.

(Applause)

Hon. Members, it seems this Motion has full House support. I direct that the House be adjourned at 4.00 p.m. for discussions to be held by Members on this important matter.

QUESTIONS AND STATEMENTS

Hon. Deputy Speaker: I now call upon Hon. Githua Wamacukuru to give his Statement.

REQUESTS FOR STATEMENTS

COMPENSATION FOR LAND ACQUIRED FOR CONSTRUCTION OF WESTERN BYPASS IN NAIROBI

Hon. Githua Wamacukuru (Kabete, UDA): Thank you, Hon. Deputy Speaker. Pursuant to the provisions of Standing Order 44(2)(c), I wish to request for a Statement from the Chairperson of the Departmental Committee on Lands regarding the compensation to land owners following compulsory acquisition of their land by the national Government for the construction of the Nairobi Western Bypass Highway.

Hon. Deputy Speaker, in June 2016, the Government of Kenya commissioned construction of the Nairobi Western Bypass Highway with the aim of reducing traffic congestion within the city. Construction of the Western Bypass was launched in March 2019 with funding from the China Exim Bank. The bypass, which stretches 16.5 kilometres, is a dual-carriageway that connects from Gitaru, at the end of the Southern Bypass in Kikuyu Town, then traverses in a north-easterly direction through Wangige, Kihara, Ndenderu, Rumingi and terminates in Ruaka where it connects to the Northern Bypass.

Hon. Deputy Speaker, Article 40(3) of the Constitution, as read together with sections 111 and 115 of the Land Act, 2012 oblige the Government, whenever it exercises its power to compulsorily acquire land, to compensate the affected landowners in a prompt, full and just manner. Further, Section 125(1) of the Land Act requires the Government, through the National Land Commission (NLC), to as soon as is practicable, before taking possession, pay full and just compensation to all persons interested in the land.

Hon. Deputy Speaker, despite these express provisions of the Constitution and the law, hundreds of landowners whose parcels of land were compulsorily acquired to pave way for construction of the Nairobi Western Bypass, are yet to be compensated by the NLC. This is notwithstanding the fact that as at 30th June 2020, the NLC had Ksh10,453,760,980 under Account No.01010032980000 held at the National Bank and as at 30th June 2021, the funds stood at Ksh13,727,766,032. The funds are idle and accrue interest, yet there are landowners who surrendered possession of their land early to the Government in trust that they would be compensated in a full and timely manner.

Hon. Deputy Speaker, it is against this backdrop that I seek a Statement from the Chairperson of the Departmental Committee on Lands on the following:

1. Could the Chairperson explain why the landowners who were affected by the compulsory acquisition of land for construction of the Nairobi Western Bypass have not been paid yet the monies are available within the NLC?
2. Who are the beneficiaries of the interest earned in the compensation account held by NLC?

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: I now call upon Hon. Beatrice Chepngeno Kemei, the Member for Kericho County.

SEXUAL HARASSMENT OF FEMALE WORKERS IN TEA ESTATES IN KERICHO

Hon. Beatrice Kemei (Kericho County, UDA): Thank you Hon. Deputy Speaker, I stand to request for a Statement regarding sexual harassment of female workers in various tea estates in Kericho County.

Hon. Deputy Speaker, pursuant to Standing Order 442(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Labour regarding sexual harassment of female workers in various tea estates in Kericho County.

Hon. Deputy Speaker, it is of great concern that female workers in various tea estates in Kericho County have deplorable working and living conditions and have been victims of sexual harassment and abuse at the hands of male bosses. These vulnerable female workers at the estates, with no other source of income, have no choice but to have sex with male supervisors in order to survive. Sex is reportedly demanded by supervisors in return for allocating lighter duties, for help with securing better housing and guaranteeing their meagre wages will not be deducted. It appears as if all the supervisors are male and hence no consideration of gender parity. Female workers who refuse sexual advances from male supervisors pay a high price and are given too much work or allocated work in lonely or

dangerous plucking zones. These tea estates do not adhere to the policy on sexual harassment. As a result of these despicable and inhumane treatment, these workers have contracted various sexually transmitted infections including HIV/AIDS eventually, losing their lives

Hon. Deputy Speaker, it is high time that the rights and dignity of female workers is upheld and respected by male bosses in tea estates and it is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Labour on the following:

1. Could the Chairperson provide concrete information on the allegations of sexual harassment of female workers in the various tea estates in Kericho County?
2. Could the Chairperson explain what measures the Government is putting in place to protect the rights of female workers in these tea estates?
3. Could the Chairperson explain measures the Government is putting in place to ensure these tea estates adhere to labour laws and implement policy on sexual harassment?
4. Could the Chairperson consider carrying out investigations into these heinous acts, ensure culpable perpetrators are brought to book and justice is served to the victims?

I thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: This is a very urgent and important matter. I know that there were other Members who had attempted to make Statements to that effect. I now call upon Hon. Beatrice Elachi, Member for Dagoretti North to weigh in on this matter.

PERSONAL STATEMENT

SEXUAL ABUSE OF WOMEN IN TEA PLANTATIONS IN KENYA

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you very much, Hon. Deputy Speaker. I rise on Standing Order 84 to make a Personal Statement, but also for the women of Kericho. I want to thank the County Woman Representative for Kericho. Let me read my Statement after looking at what happened on British Broadcasting Corporation (BBC) yesterday night.

Dear Hon. Members, today is a very difficult day for me as a woman, a leader and a citizen of Kenya. Today, I have been reminded that slavery still exists in this nation. Today, I stand dejected because this slavery has been going on under our noses as leaders. I cannot explain how a man has violated women in tea plantations for 30 years and nothing has been done.

Fellow Members, the tea you drank this morning is laced with blood - blood of women who have been raped on the same soil that they work tirelessly, to fend for their children. This is on land that up to today, cannot be explained how the multinationals acquired in the guise of investment, watch with flowery policies as generations of women get raped one after another, year after a year and everyone around them turns a blind eye. Some of us are incapable of turning a blind to such atrocities.

The British Broadcasting Corporation (BBC) last night aired a documentary that took them 18 months to investigate and capture the voices of our mothers, sisters and daughters in the hands of Mr. Jeremiah Kosgei, Mr. Joseph Chebochok, Mr. Samuel Yebei and Mr. John Asava.

The crime of rape in tea plantations is one that never stops. It is one that no one wants to make an effort to stop. I want to believe that this House will do everything within its power, to stop it today.

This crime is one that is prosecutable under the Sexual Offences Act, yet goes on unabated because no one wants to hold multinationals accountable. How else would we explain our silence 11 years after the Kenya National Human Rights Report on the same?

The media has now chosen to highlight it and I take it to the door steps of the Unilever and Finlay's and doubtfully, Members have been exposed, and we cannot, therefore, remain silent. If we do not do anything, what will we tell the women of Kenya? Do we care? Do we value them? Are we so interested in profits that we turn a blind eye to such atrocities that can only be equated to modern days to slavery?

Hon. Deputy Speaker, who will give justice to the women who work in Unilever and Finlay's Tea Plantations? I am asking this House to ensure the multinationals do not continue to sexually abuse our women on our forefathers' soil. It is an abomination and a curse on our land when the cries of our women are deafened by money in the name of investments.

Lastly, the first step today is for Mr. Joseph Chebochok, Mr. Jeremiah Koskei, Mr. Samuel Yebei and Mr. John Asava to sleep in jail tonight. We can then call upon the cabinet secretary to take the necessary action. Thereafter, then we can take the next step that no woman is safe when they are still roaming around. Multinationals have to be held accountable. There should be no more flowery sexual harassment policies on paper and nothing tangible to show for it.

It is very sad for the women from Kericho who are now HIV positive, their families and their children. Thank you.

Hon. Deputy Speaker: Thank you, Hon. Elachi. I now call upon one more Member, Hon. Jepkosgei Muge, Nandi County.

Hon. Cynthia Muge (Nandi County, UDA): Thank you, Hon. Deputy Speaker for this opportunity to give my comment on the said Statement.

This morning, we woke up to very sad news about what has been happening in Kericho and the multinationals. I also come from a tea growing area where we have multinationals. Allow me to quote a Kiswahili saying that says "*Ukiona cha mwenzako chanyolewa, chako kitie maji.*"

This is not an isolated case, and it is not only happening in Kericho only. It is happening everywhere and in every work place in this country. This is a matter that has not been given adequate attention. It is a matter that has affected so many women and people in this country. It is a matter that is affecting people who are trying to fend for their families.

If you look at the details that happened in Kericho as per what was exposed, they are extremely serious and horrific so to speak. They do not have a place in this country nor anywhere. As per the expose, it is an endemic issue that deserved adequate and urgent attention from all stakeholders for justice to be served, and for the perpetrators to be held accountable, and for them to be used as an example.

I can only say one thing about the perpetrators, that they are perverts who do not deserve any leadership position. They do not deserve any hearing in this country or anywhere else. They should just pay for the heinous crimes and acts they have committed.

We want to tell the workers of the multinationals in Kericho and this country at large where these things are happening that the women and the Members of Parliament will stand with them and ensure that justice is served adequately, and are all brought to book and used as perfect examples of anyone who would want to sexually exploit the women or men in this country.

We want to also tell the multinationals that we want to see things happening and not just on paper with regard to sexual abuse and harassment in their places of work. This is to ensure that we do not have good policies on paper but the actionability or implementation of them is zero.

We will be holding them accountable so that we have conducive working environments for our people who are trying to fend for their families.

As the Committee that has been committed, we urge them to give us a very comprehensive report to enable us to use it, first, to serve justice and secondly, as a stern warning to anyone who would ever try to do such a thing.

Thank you.

Hon. Deputy Speaker: Thank you, Hon. Muge, Member for Nandi County.

(Loud consultations)

One moment. This particular Statement will be referred to the Departmental Committee on Labour. The other Statement by Hon. Githua Wamacukuru will be referred to the Departmental Committee on Transport and Infrastructure. I think they will have two weeks to respond to it.

Thank you. Next Order.

Hon. David Gikaria (Nakuru Town East, UDA): On a point of order, hon. Deputy Speaker.

Hon. Deputy Speaker: What is your point of order, Hon. Gikaria?

Hon. David Gikaria (Nakuru Town East, UDA): Thank you, Hon. Deputy Speaker. I rise on a point of order to seek your direction.

Hon. Deputy Speaker: Standing Order Number?

Hon. David Gikaria (Nakuru Town East, UDA): We have this building that was built and meant for offices of Members of Parliament which houses around 15 committee rooms.

Hon. Deputy Speaker, we were unable to have our meeting today as the Departmental Committee on Environment and Natural Resources because when we enquired yesterday, we were told that there are no rooms for us to meet. We would like you to give direction as to when we expect the offices to be completed and availed to Members of Parliament and committees for that matter.

We are going through a rough time. Last time, I do not know how many committees were meeting at Windsor Resort and Golf Club yet we have offices here that we can easily use. Hon. Deputy Speaker, give us direction as to when we expect to start using those facilities. I believe the Parliamentary Service Commission has spent quite a substantial amount of money to enable us start using those facilities. Thank you.

The Deputy Speaker: I think the Clerk could have picked that from *the Hansard*. We then will give an appropriate response to be communicated by the Speaker at the next Session.

MOTION

GENERAL DEBATE ON PROPOSALS TO AMEND THE CONSTITUTION AND STANDING ORDERS

THAT, noting the contents of a Memorandum submitted to Parliament by His Excellency the President asking Parliament to consider initiating amendment to the Constitution; Acknowledging that, actualisation of the proposals which relate to, inter alia, the composition of Parliament as provided for in Articles 97 and 98 of the Constitution in order to attain the two-thirds gender principle, the creation of the office of leader of official opposition in Parliament, and the inclusion of various funds in the Constitution, would necessitate amendment to the Constitution, while the restructuring of parliamentary oversight to allow for cabinet secretaries to appear before the Houses of Parliament to respond to

Questions by Members would require the amendment of Standing Orders; Further acknowledging that the Speaker, vide a Notification issued on 9th December 2022 referred the matters raised in the Memorandum to the Departmental Committee on Justice and Legal Affairs with regard to proposals relating to the implementation of the two-thirds gender principle and the establishment of the office of the leader of official opposition; The Joint Parliamentary Ad Hoc Committee with regard to proposals to amend the Constitution to entrench the National Government Constituencies Development Fund, Senate Oversight and National Government Affirmative Action Funds; and the Procedure & House Rules Committee with regard to proposals to amend the Standing Orders to strengthen parliamentary oversight of the Executive, so as to facilitate public participation pursuant to Article 118 of the Constitution; NOW THEREFORE, pursuant to the provisions of Articles 1(2) and 95(2) of the Constitution, this House notes, considers and makes general comments on the proposals contained in the Memorandum by His Excellency the President.

*(Moved by Hon. Kimani Ichung'wah
on 15.2.2023 – Morning Sitting)*

(Resumption of debate interrupted on 16.2.2023)

Hon. Deputy Speaker: Any Member who may want to contribute? I know the last time we were here Hon. Kirwa still had seven minutes and so we will allow him to start.

Hon. Abraham Kirwa (Mosop, UDA): Thank you, Hon. Deputy Speaker for this opportunity that you have given me to support the Motion on affirmative action by the President. Naturally in this country, women get a raw deal on most of the issues, especially politically. I support why we as Parliament need to ensure that we abide by the two-thirds gender rule which I believe is overdue. Most countries and parliaments have complied, but the Kenyan Parliament has not. We have run into a situation where this Parliament might not comply with it and so I support it.

I also want to support the issue of the NG-CDF where in my constituency, most of the students and all the development that has taken place are as a result of it. As of today, if the NG-CDF was to be removed, we will not be in position to meet all the needs and support children from poor families. So, I support this Motion to entrench the NG-CDF in the Constitution to enhance development.

Hon. Deputy Speaker, I oppose the issue of cabinet secretaries coming to the Floor of Parliament to answer Questions for two reasons. If we give the cabinet secretaries permission to come and answer Questions, what will be the role of committees? Committees' responsibility allows the cabinet secretaries to answer the Questions. If they are allowed to come to the Floor of the House, then the committees that have been given the responsibilities will not have the power and hence we will be weakening them. So, I do not support this particular Motion.

Constitutionally, committees have an oversight responsibility. If we do not give them the power to oversight, then the cabinet secretaries will get away with issues. I would suggest that the status quo remains. Do not to allow them on the Floor of the House. Thank you.

The Deputy Speaker: I now call upon Hon. John Waweru, Member for Dagoretti South.

Hon. John Kiarie (Dagoretti South, UDA): Thank you very much, Hon. Deputy Speaker. I rise to support this proposal by the Kenya Parliament to amend the Constitution to accommodate among other things the things that have been listed by the earlier speakers. But

for me, the biggest concern is the issue of us decentralising money from the centre. Just as we are pursuing the decentralisation of money from the centre which is the National Treasury to the constituencies, I think there is a case that can also be made for the decentralisation of money from the county governments at the centre to the wards. We as Members of Parliament understand the benefits that have been accruing from decentralising money to the constituencies. I do think this opportunity we have is one we can use to give the same benefits to members of the county assemblies (MCAs) who are elected leaders just like us sitting in legislatures in the 47 counties. So, I would like to propose that with the opportunity that we have right now, we can start working on a way of finding how we can decentralise money from the centres of counties to get to the lowest unit of devolution which is a ward.

That is why when we were doing the pre-conference, I came up with a proposal which we called the County Decentralised Fund and if your memory serves you right, on the day that we were debating this Motion at the pre-conference, there were not less than five MCAs led by the MCA from Ngara, Hon. Mwaura, who had come to witness the Kenyan Parliament debating this hoping that we as Parliament can champion their needs just as we are championing our own. In the interest of time, I am using this informally to make a notice that when we get to the Third Reading of this Motion, I shall be coming up with an amendment that we will be seeking to decentralise money from the centre of the counties to the lowest unit of devolution, which is a ward. A fund that can be known as the County Decentralisation Fund to be administered at ward level can be created.

Thank you very much, Hon. Deputy Speaker for the opportunity and I support it.

Hon. Deputy Speaker: Hon. Members, I am just following the list here on the request, but if I call out your name and yet you have already contributed to this particular Motion, you could kindly pass so that other people can have an opportunity. On the list is Hon. Bernard Kitur, Member for Nandi Hills. Had you contributed? Next is Hon. Joseph Makilap, Member for Baringo North. He is not here? Okay, let us Hon. Rahim Dawood, Member for North Imenti.

Hon. Rahim Dawood (North Imenti, Independent): Yes., Hon. Deputy Speaker.

Hon. Deputy Speaker: Had you spoken to this Motion?

Hon. Rahim Dawood (North Imenti, Independent): No, I have not, Hon. Deputy Speaker.

(Hon. Opiyo Wandayi stood in his place)

Hon. Deputy Speaker: Leader of the Minority Party, I can see you have an intervention. Do you have a point of order? You had spoken to this Motion.

Hon. Rahim Dawood (North Imenti, Independent): Hon. Deputy Speaker, he is taking my time. The Leader of the Minority Party is taking my time.

Hon. Deputy Speaker: Leader of the Minority Party, please, take your seat. We have someone on the Floor. I thought you had a point of order.

Proceed Hon. Rahim.

Hon. Rahim Dawood (North Imenti, Independent): Thank you, Hon. Deputy Speaker. I hope my time will be increased because the Leader of the Minority Party normally takes everybody's time.

The Motion before us to amend the Constitution is a very timely one because we tried to do it in the last Parliament and the previous two Parliaments. We tried to do the two-thirds-gender principle when Hon. Aden Duale brought a Bill a couple of times. I also think the Deputy Speaker, as well, had proposed something. We need to sort out the two-thirds gender rule. If it is to be passed, it has to be done in this Parliament, otherwise, as we were told by the former Chief Justice, David Maraga, the National Assembly should be dissolved. We need to

get our act together so that nobody can again go to the Supreme Court and ask for this House be dissolved.

We have been told that cabinet secretaries appearing in Parliament will not assist in any way and the committees will be moribund. That is not true at all because if the cabinet secretaries come, they will not answer all the Questions. The work of the committees will still go on the way it is. I remember in the previous Parliament we changed the Standing Orders and accepted that cabinet secretaries would come and answer Questions. At that time, I remember the Attorney-General, because I was in the Procedure and House Rules Committee, refused and said that by doing that, we would be demeaning the cabinet secretaries and that work would not go on.

I agree with the President's recommendation that we need the cabinet secretaries in Parliament so that we can question them. When they bring answers, we will interrogate them to know if they are telling the truth. Many of the Questions which are asked today regarding security or the education sector, if cabinet secretaries were here, it would be very easy to get answers. It does not mean that every Member of Parliament would ask a Question, but many Members who have similar Questions could get answers.

We need to entrench the NG-CDF, the NGAAF and the Senate Oversight Fund in the Constitution. We all know and whoever has served in Parliament knows the importance of the NG-CDF and the NGAAF. We cannot be expected to cede our authority on the NG-CDF to the counties. We do not even know how prudently counties use the money they are allocated. We will do whatever it takes to entrench the NG-CDF and the NGAAF in the Constitution.

(Hon. Rozaah Buyu walked in the gangways)

Hon. Deputy Speaker: Excuse me, one moment, Hon. Rahim Dawood. Hon. Rozaah Buyu, you are next and I see you are roaming around. You are the next to speak. So, take your seat. Go on Hon. Dawood.

Hon. Rahim Dawood (North Imenti, Independent): Thank you, Hon. Deputy Speaker. Lastly, we need to do what needs to be done. We do not need side-shows to the effect that we are going to create a parliamentary system whereas we had adopted the presidential system. What does not work, does not work and what works needs to be put in the Constitution. Some of our colleagues because of political interests and because it has been brought by someone they do not like, oppose it. Let us look at the law in its entirety and the way it is going to assist us and the future. We should not be thinking only about ourselves. We should be thinking how it is going to assist in the running of Parliament in a proper structured way, so that we can be working easily.

We will see how to go about the two-thirds gender rule. We also need to sort out the boundaries review. The boundaries which were done in 2010 or early are due for review. We do not want gerrymandering. We need the constituencies which are there and new counties. We cannot have 12 constituencies in one county yet the neighbouring county has only three constituencies. We need extra counties and constituencies to be created. Those that need to be scrapped if the boundaries review is done, let them be scrapped because that is the law.

I urge my colleagues not to be picketing on everything because that is not the way we are going to make laws. We need to make laws in Parliament and this is the place to do it and not outside the House.

Thank you, Hon. Deputy Speaker and I appreciate.

Hon. Deputy Speaker: Hon. Members as we proceed, I just wish to recognise the presence of Sugoi Girls Secondary School, from Turbo Constituency, Uasin Gishu County, the city of champions, in the Speakers Gallery.

I also want to recognise the Kenya Women Parliamentary Association (KEWOPA) that have made today an African Dress Day. As you can see, our women are fabulously dressed.

(Applause)

To continue with the debate, I now call upon Hon. Rozaah Buyu, Member for Kisumu West Constituency.

Hon. Rozaah Buyu (Kisumu West, ODM): Hon. Deputy Speaker, I want to thank you for this opportunity. Hon. Deputy Speaker, I am more than grateful that you are sitting on that sit on a day KEWOPA has decided to make an African Attire Day. I want to acknowledge the support that you give to KEWOPA.

Hon. Deputy Speaker, we know that there are many designers, small scale designers called tailors in our small rural homes who struggle to make ends meet through making clothes for Members of Parliament and other people, sometimes even school children, but they go unrecognised. What we are doing today as KEWOPA is standing up for these women and telling them that we acknowledge and appreciate their efforts and telling them that in the highest law-making institution of the land, we are proud to wear the designs that they make.

When you look at the women this afternoon, they look smart. The clothes they are wearing today have come from nobody else, but the local designers. What I am wearing today is by a designer known as Jackie Obiero of Berltony Fashions. This is a lady who has been a designer for over 20 years and has probably never been applauded for her efforts, but today I am in Parliament wearing her attire and feeling smart. Hon. Deputy Speaker, you do not need to tell me that you think am smart, but I can see it in your eyes that you really think I am smart.

(Applause)

I want to go to the Motion of the day and right at the outset, I oppose the amendment of the Constitution and Standing Orders. We know that...

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

[The Temporary Speaker (Hon. Martha Wangari) took the Chair]

The work of the committees is to interrogate the cabinet secretaries on behalf of the other Members of Parliament and, indeed, on behalf of Kenyans. If we allow cabinet secretaries into Parliament and on the Floor of the House, we will weaken committees. I remember the effort of the Building Bridges Initiative (BBI) to make Cabinet Secretaries answerable to Members of Parliament was thwarted by no other than the current Government. Why are we, therefore, in a hurry to make this about-turn to make Cabinet Secretaries come to Parliament to answer Questions? What is it that has just happened?

We have to make up our minds whether to go into a presidential or a parliamentary system. If it is the presidential system, we must respect the rules of that system. For that reason, I stand to oppose the amendment to the Constitution and the Standing orders.

Thank you, Hon. Temporary Speaker, for giving me this opportunity.

The Temporary Speaker (Hon. Martha Wangari): Let us have Hon. Opiyo Wandayi from Ugunja Constituency.

Hon. Opiyo Wandayi (Ugunja, ODM): You know, there is a tendency which is crippling into this House; which is very dangerous. The Constitution and Standing Orders are

very clear. Precedence in this House starts with the Speaker, the Leader of the Majority Party and the Leader of the Minority Party, in that order. That has to be followed. Otherwise, we will cause chaos in this House. That notwithstanding...

The Temporary Speaker (Hon. Martha Wangari): Hon. Opiyo Wandayi, you cannot cast aspersions on the Speaker. You have been given precedence. You are not the next. So, please, take your time and address the Motion.

Hon. Opiyo Wandayi (Ugunja, ODM): I am saying this for the record. Let me contribute to this Motion by saying all I have said before concerning this matter stands. For the avoidance of doubt, I do not think it was necessary for a communique or a communication of the sort we are dealing with in this Motion to come to this House in the manner it did. The House had commenced to work on the NG-CDF and the other Funds on its own motion. There was no further need for any prompting. My position on the NG-CDF and the other Funds, including NGAAF, has been very clear. That, indeed, we need to entrench those Funds in the Constitution. That is the position of my coalition because of the clear benefits accrued from the Funds to our people everywhere in the country.

Coming to the creation of the position of the Leader of Official Opposition, I still maintain and hold the view that the approach we are taking is not proper. My position has been that if, indeed, we think the time is right for reviewing the Constitution – which I strongly believe it is – then we must take a holistic view of the Constitution of Kenya 2010. That is because it is now more than 12 years since its promulgation in 2010. It is indeed right for a review, but we cannot do it through cherry-picking or patch work. That will not be proper. I have also asked many times - and I have gotten no answers - as to what we want to achieve by creating this position of the Leader of Official Opposition whilst retaining intact the structure that we have currently, which is purely presidential. What, for instance, will be the role of the Leader of Official Opposition *vis a vis* the Leader of the Minority Party? Nobody is giving me any answers. I said and I still want to repeat that we must choose what we want to do; that is agreeing to abolish this presidential system and go the parliamentary route; or retain this presidential system with all its attributes without attempting to create a mongrel in the name of amendments to the Constitution. We cannot, as Kenyans, continue to appear as if we do not know what we want and yet, we really know what we want.

The third matter is amending the Standing Orders of the National Assembly to allow CSs to come before the full House and answer questions from Hon. Members of Parliament. I have said this time and again that, you cannot do that by merely amending the Standing Orders. That would go to the core of Article 255 of the Constitution. Any time you bring an extra person not contemplated under the Constitution to be in this House under whatever guise, you are interfering with the functions of Parliament. You are compelled, under Article 255 of the Constitution to undertake an amendment through a referendum. There are no two ways about it. It is not rocket science. Any plain reading of the Constitution will tell you that you have no two ways about it. So, what is this rush then to try to bring CSs to the House through the backdoor? What is it that is not working now that you want to cure? We have been in this House under this Constitution for the last 10 years. What is it that is not working with our committee system that you want to cure through these backdoor changes? What is it? Nobody has told me. This is not politics. We know very well where to play politics. I tell Members who are here to listen to me very keenly. If we go this route, you will come to regret. We cannot open up this House to strangers, in parliamentary parlance. When the CS for the National Treasury comes to read the Budget speech, he does so under very clear terms and arrangements. However, it is not right to allow every other CS to be thronging this House every other day purporting to answer questions from Members.

The Temporary Speaker (Hon. Martha Wangari): What is your point of order, Hon. Owen Baya?

Hon. Opiyo Wandayi (Ugunja, ODM): I wish you would allow me to continue...

Hon. Owen Baya (Kilifi North, UDA): Just allow me one minute, under Article 125.

(Hon. Opiyo Wandayi stood in his place)

The Temporary Speaker (Hon. Martha Wangari): Hon. Opiyo Wandayi, you have been here long enough. Please take your seat.

Hon. Opiyo Wandayi (Ugunja, ODM): You know, I am getting amazed.

Hon. Owen Baya (Kilifi North, UDA): Article 125 of the Constitution says that either House of Parliament and/or any of its Committees has powers to summon any person to appear before it to give evidence or provide information. Parliament has powers to summon any member to do that, either in Committee or as Parliament.

Thank you.

The Temporary Speaker (Hon. Martha Wangari): Continue, Hon. Opiyo.

Hon. Opiyo Wandayi (Ugunja, ODM): Let me continue and obviously ignore him. If that were the case, then why are we amending the Standing Orders? If it was clear that you can summon them – and we are summoning them even currently under the Standing Orders – this is not summoning! This is something else.

Hon. Temporary Speaker, on a matter such as this, you need to be very sober-minded. If you go through this route thinking this is a directive from whatever party, you will come to regret. Under the current constitutional arrangement, there is no room for a CS to come to the House. If you want to create that room, amend the Constitution. For you to amend it, you must go back to Article 255, because it goes to the core; it touches on the functions of Parliament. We have no leeway to pass it through this House, even if you have the two-thirds majority. You must go back to the people. That is the plain truth.

My position as a Member of Parliament for Ugunja Constituency, my party, the Orange Democratic Movement and the Azimio la Umoja One Kenya Coalition Party and most Kenyans, I believe, is that this route is dangerous, and we must shun it. I call upon those like-minded Members to join me in rejecting these proposals for the good of posterity. If you want CSs to be in this House, let us amend the Constitution and let them be appointed from amongst you, Members of Parliament (MPs). I will be happy even if I am in the back-bench to be engaging with CSs in the House as my colleagues. But to meander, go round and gerrymander is a no, and we are not part of that. We refuse that invitation. We refuse it totally! Therefore, I want to caution the relevant House Committee dealing with those amendments that those proposed amendments to Standing Orders are dead on arrival. If they come here, we should mobilise ourselves and reject them in total because they are unconstitutional *ab initio*. No amount of patchwork can cure that mischief.

This House should be left alone to run its affairs. We do not want any interference from whatever quarters. Let this House run its affairs and maintain its independence. We may differ politically out there – which we should anyway – but when we come here, let us safeguard the credibility, integrity and independence of this House and protect our Constitution.

We have said time and again that, indeed, there are faults because a constitution cannot be perfect. Even the American Constitution was amended; and, in fact, it was made much earlier than ours. I am sure Hon. Baya can recall the first amendment of the American Constitution because we happened to have had some sojourn in that land. I do not recall what we were doing there.

(A Member spoke off the record)

I do not know; he will have to tell me.

Hon. Temporary Speaker, this is such a time that calls for a bi-partisan approach. Let me conclude. Kindly, add me some two minutes to say something.

The Temporary Speaker (Hon. Martha Wangari): Hon. Opiyo, you have one minute. Please summarise.

Hon. Opiyo Wandayi (Ugunja, ODM): Just two minutes. As we do this, we must also reflect on where we are coming from, as a country. In the recent past, we have had to contend with very unfortunate episodes. There is the recent remark by Hon. Gachagua; you know some of these remarks and outbursts have got the effect of eroding the principle of the spirit of constitutionalism in this country. I was just looking at Article 27 of the Constitution, and Hon. TJ, you can help me. Article 27(4), which I wish to read for avoidance of doubt, says that the State shall not discriminate directly or indirectly against any person on any ground, including among others, conscience, belief, age, colour, origin and so on and so forth. If you come out in the open and proclaim that the State is now going to adopt an official policy to discriminate against persons or regions in this country on the basis of how they voted, then what are you calling for? What are you inviting? You are asking Kenyans to start nursing other thoughts, that if I do not subscribe to your political thought and I am not a shareholder in your so-called company, then I must look for ways of finding for myself, including refusing to obey rules, laws and to pay tax. You will be calling for the rule of the jungle. You will be calling for the state of anarchy in the country. That must be condemned strongly by every other Member in this House regardless of our political persuasions. If you find yourself in a position of responsibility, regardless of how you found yourself there, you must ensure that you conduct yourself in a manner that gives honour to that office. You must shun those punitive tendencies regardless of...

The Temporary Speaker (Hon. Martha Wangari): Thank you, Hon. Opiyo Wandayi. Hon. Members, I can see there is a lot of interest, especially on the Competency Based Curriculum (CBC) Motion. We only have 14 minutes on this Motion. I would ask that we keep it short so that many Members can contribute.

I will give this chance to Hon. Daniel Karitho, Member for Igembe Central.

Hon. Daniel Karitho (Igembe Central, JP): Thank you, Madam Temporary Speaker. I stand to support this Motion on the National Government Constituency Development Fund (NG-CDF).

(Several Hon. Members consulted loudly)

There are a lot of noises.

The Temporary Speaker (Hon. Martha Wangari): Continue, Hon. Karitho.

Hon. Daniel Karitho (Igembe Central, JP): Thank you, Hon. Temporary Speaker. I stand to support this Motion because it is very important especially on the two-thirds gender rule. It is a Motion that we cannot avoid because it is in the Constitution, which we must uphold and protect. We have no way but to support this Motion so that gender can be protected.

On the issue of having the CSs coming in this House to answer questions other than in the committees, I also support it because what the committees will tell us is not what we will be told by them. Therefore, I support.

On the issue of NG-CDF and National Government Affirmative Action Fund (NGAAF), I support that they be protected in the Constitution. This being a House of legislation, I believe that Hon. Members have the capacity to handle the constitutional matters and make sure that all these issues are safely handled in the right manner and protected as per the Constitution.

I support all those amendments. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Hon. Moses Kirima, Member for Central Imenti, proceed.

Hon. Moses Kirima (Central Imenti, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute to this important Motion on the amendment of our Constitution at this moment. This is the right time to come up with amendments since our Constitution was promulgated in 2010, even though it has not been implemented to the letter. There are provisions that have not been legislated upon as per the Articles of the Constitution. Such Articles require to be amended. It is the right time to amend them.

There are constituencies that are said to have been protected by the Constitution up to 2024. We have only one year. By 2024, some constituencies may be scrapped because they do not meet the population threshold as per the Constitution. It is high time we amended the Constitution despite where the proposal emanates from. What is important is amending the Constitution. When we get to the stage of amending the Constitution, I will bring an amendment with respect to the threatened constituencies. Scrapping off constituencies will be a source of chaos.

The idea of amending the Constitution to entrench NG-CDF and NGAAF should be accommodated by every Member of this Parliament. Without those funds, we are left at the mercy of those who call the shots, possibly the Executive. The Executive may decide that we have NG-CDF today, and tomorrow another Executive may say we should not have it. We are at the mercy of activists in this Republic of Kenya. Activists sleep one night and the following day, they go to court to say that NG-CDF is not constitutional. That is why I support a constitutional amendment to entrench NGAAF and NG-CDF.

On CSs coming to this House, we will address the issue at the right time. As one of the people who campaigned for this Constitution in 2010, those are strangers in this House. Despite the side I belong to in the house, they are strangers. As an advocate, I will not be intimidated by anybody to support what is wrong. It is wrong and it is wrong. We are supposed to support what is right. That is all. I support the Motion as it is.

The Temporary Speaker (Hon. Martha Wangari): Hon. Abdul Haro.

Hon. Abdul Haro (Mandera South, UDM): Hon. Temporary Speaker, sorry I had contributed to this Motion last week.

The Temporary Speaker (Hon. Martha Wangari): Thank you. Hon. Members, please note you cannot contribute twice to the same Motion. This chance will go to Hon. Beatrice Elachi. I see she is not in the House. Hon. Paul Biego. Not in the House. Hon. Robert Mbui, you have contributed. Hon. Julius Rutto.

Hon. Julius Rutto (Kesses, UDA): Thank you so much, Hon. Temporary Speaker, for the opportunity you have accorded me to contribute to the Motion before us. This Motion is a continuation of what we had already discussed in the previous session. All of us agree that NG-CDF, NGAAF and other decentralised funds were designed to bring equalisation across Kenya. If you listen to feedback, people really appreciate those funds. The funds transform livelihoods. We all know that the Constitution is the supreme law of the country. It is from the Constitution that we derive all power. Let us all embrace the proposal for the good and benefit of the people of Kenya. As stipulated in Article 1 of the Constitution, all power belongs to the people of Kenya.

I know the memorandum includes other proposals, including the proposal that Parliament can allow CSs to come to the House to be cross-examined and questioned by the representatives of the people. That is debatable. If it is for the good of the people of Kenya, then so be it. But there are several schools of thought. I have heard legal minds telling us that when CSs come to the House, we will have a mixed presidential and parliamentary system. It is good for us to discuss and look for the objective and spirit of the amendments so that we are able to progressively improve governance and citizen participation. Kenyans, who have

confidence in elected people, should be able to transparently participate in and follow up on decisions being made for their benefit.

I support the Motion. We need to protect NG-CDF and NGAAF. I believe the funds do not interfere with devolution. In any case, I remember those who promoted the Constitution said there were a few issues that ought to have been looked into. All of us agreed to pass the Constitution and then progressively amend it. After 10 years, I feel we now know the shortcomings of the Constitution. The amendments we are proposing are informed by the experience we have gone through in the implementation of the said Constitution. I implore this House to embrace this discussion and take it as an opportunity to improve in areas where challenges are being experienced. That will ensure the smooth operationalisation of the Constitution for the ultimate benefit of the people.

Thank you so much, Hon. Temporary Speaker. I support this discussion.

The Temporary Speaker (Hon. Martha Wangari): Order, Members. I can see there is still a lot of interest and this Motion is not limited. So, debate on it will go on. But right now, for the convenience of the House, we will move to the Motion on Adjournment of the House by Hon. Kaluma, as approved by the Speaker. The Mover will have 10 minutes to move the Motion. Any other Member will have five minutes. I want you to get that very well. I would like to invite the Member for Homa Bay Town to move the Motion.

MOTION OF ADJOURNMENT ON A MATTER OF URGENT NATIONAL IMPORTANCE

CHALLENGES IN IMPLEMENTATION OF THE COMPETENCY-BASED CURRICULUM

Hon. Peter Kaluma (Homa Bay Town, ODM): Hon. Temporary Speaker, I beg to move the following Motion:

THAT, pursuant to Standing Order 33(1), I seek leave for the adjournment of the House for purposes of discussing the ongoing challenges being faced in the implementation of the Competency-Based Curriculum (CBC) within the education system.

As part of the implementation of the CBC, the Ministry of Education recently issued guidelines domiciling junior secondary schools in primary schools. The transition has brought anxiety amongst parents and learners, especially regarding the lack of capacity for optimal operationalisation of the system given the current state of infrastructural development in most public schools. Additionally, it is observed that due to lack of adequate training and deployment of teaching-staff, one teacher is being assigned to teach up to 14 subjects.

As a matter of fact, learning has not been going on in most of the public schools in the country. This is alarming and it will inevitably be detrimental to the education sector in the long run as pupils in these schools are likely to be denied quality education. It is against this background that I seek leave for the adjournment of the House to discuss this matter of great national concern.

There is great anxiety amongst parents, students, pupils, and people across the country over the implementation of the competency-based programme and, more particularly, the aspect dealing with junior secondary schools. Because I had initially moved the Motion when I sought leave, let me indicate that it has been reported – and it is also common knowledge – that many of our pupils in Standard Seven across the country are being registered by their parents to sit for the Kenya Certificate of Primary Education Examination (KCPE) as if they were in Standard VIII, simply because parents and pupils are anxious about what is happening.

There is lack of capacity for optimal operationalisation of the system given the state of infrastructure and personnel in public schools. The Competency-Based Curriculum is being operationalised across the country.

In Homa Bay Town Constituency, you will find a single teacher who was recently recruited being posted in a primary school where a junior secondary school is domiciled. We all went to secondary schools. Secondary school teachers were trained in specific areas. If you were a teacher of Christian Religious Education (CRE), you taught CRE and History or English and Literature. We have a situation where a single teacher trained in English and Literature is posted to a school as the sole teacher in that secondary school and is required to teach 12 mandatory subjects and other two optional ones. You can imagine a teacher trained to teach History and who has never interacted with Mathematics is supposed to teach Mathematics, Physics, Home Science, Chemistry, Biology and Computer Studies as an option, and all the other courses.

Because of that, parents do not have clarity on where the CBC programme is headed. For that reason, we have a situation where Standard VII pupils are well dressed in very beautiful neckties. They are also wearing trousers. In the same school, Standard VIII students are wearing very old shorts. We have a secondary school whose headteacher is a primary school teacher. We have a situation in the country where we are pretending to implement a programme. I am happy that Hon. Omboko Milemba is listening keenly. There is no meaningful learning that is happening in the country.

There were previous attempts by this House to discuss the matter of CBC. However, each time the Motion came before the House, some Kenyans would go to court. We were, therefore, strangled by the issue of *sub judice*. I would like to request for a proper review if we are going to implement this programme. I do not have a problem with CBC if it is deemed fit for the country. But let there be proper facilities. We do not have facilities in primary schools where junior secondary schools are domiciled. We thought that all primary schools would be implementing this programme. In my constituency, not all primary schools are offering the curriculum. Some primary schools have been allocated junior secondary schools and yet, they do not have sister secondary schools. We have students who are just floating, not knowing whether they are secondary school students or not. It is chaotic!

If we were bold, as Parliament, I would recommend that we have a serious re-look as the Government. For the first time, we have something affecting the education sector – a matter over which Parliament, as the House of representatives, has not properly deliberated on in terms of the policy and the framework governing it. If it were upon me, it would have been stopped for a review to be done.

We did our studies under the old 8-4-4 system of education, although it was later diluted. By the time I was done with Standard VIII in the old 8-4-4 system of education, I had done Arts, and Crafts. We engaged in carving and making necklaces as beautiful as the one the Hon. Temporary Speaker is wearing. We did tie and dye, embroidery, patterns and we cooked millet *ugali* and *chapati*. We did agriculture and animal husbandry. We knew what fertiliser to apply on which crops, how to apply it and at what time. We knew how to make compost manure. We knew how to do mulching, propping and staking. I would look at any animal and determine the disease it was suffering from with a near 90 per cent probability. We knew how to castrate bulls. We could dehorn cows. We also knew that a cow needed a bull just by looking at it. We were so enriched such that you could finish your Standard VIII, do your KCPE and start practising agriculture. Over time, that was diluted.

I wish we had listened to Kenyans before implementing the CBC programme. I do not know why it was rushed. It is unfortunate that we are where we are, but I am grateful for the opportunity to raise this matter as a representative of the people, so that these challenges can be put together. I believe the Ministry of Education is watching. Today, I would like us to talk

about these challenges. If they cannot be picked by the Ministry for the good of all Kenyans, I would not mind it if this House of representatives resolved that we stop the CBC and continue with a form of education that gives meaning to the children of the poor. Do you know what is currently happening? Those who have money are taking their children to private international schools. Hon. Millie can confirm that for those who could manoeuvre, their children are being registered to sit for their Standard VIII examinations before they go through Standard VIII. Those who are suffering are the children of the poor who can only afford public schools. I request Members to deliberate and discuss this issue dispassionately. If there are issues which can better the programme, we should implement them.

One of the things that we must insist on is that if we are going to have junior secondary schools, we must have sufficient numbers of teachers with the necessary expertise to proceed.

So that Members can have enough time to deliberate, I beg to move, and I urge Members to support the Motion so that we can inform the implementation of the Competency-Based Curriculum, and, more particularly, the junior secondary schools.

I beg to move.

The Temporary Speaker (Hon. Martha Wangari): Thank you, Hon. Kaluma. This chance will go to Hon. Melly.

Hon. Julius Melly (Tinderet, UDA): Thank you, Hon. Temporary Speaker. I would like to contribute to this Motion by Hon. Peter Kaluma on the issue of CBC.

First, I agree with him that CBC, as a new curriculum, has a number of teething problems and challenges. It has issues concerning infrastructure and teaching staff. It has a number of issues that are common with every new education system and a new curriculum. However, this is a good curriculum for this country. I laud the officers who went all the way to design the new education system. I know that Kenyans at large and even other people across the world do not always like new systems. I do remember - and Hon. Kaluma knows that very well - that when the 8-4-4 system was started in 1985, Kenyans were up in arms. They were always demanding the Government to revert back to the 7-4-2-3 system. That was as a result of a novelty that was introduced.

However, focusing on CBC, I remember that it was in this House in the 12th Parliament, that we passed the Sessional Paper that introduced CBC. It was in this House that Members went through the various curriculum cycle designs that the Ministry of Education officers took the country through. Unlike in the 8-4-4, system where it was introduced at Class Seven, this one has been introduced from PP1 and PP2 through to Grade 6. The designs were done and all the teaching and learning areas have been put in place. The issue of the teaching staff is what is contentious.

Hon. Temporary Speaker, I just want to say that, as the Kenya Kwanza Administration, there is a pledge in our Plan that this Government employs 116,000 teachers in five years. This year, we have employed 36,000 teachers and 30,000 of those are for junior secondary schools. Apart from that, the Departmental Committee on Education and Research has implored upon the Teachers Service Commission (TSC) to get qualified teachers in primary schools who can teach secondary schools so that they can be posted to junior secondary schools. I also know that there are issues of infrastructure that are common in almost all schools in the country. In view of this, yesterday, our committee met with the Budget and Appropriations Committee, and requested them to factor in infrastructure money in the Budget so that every junior secondary school will have a laboratory.

Hon. Temporary Speaker, this is the system of education that is going to make Kenyans equal. It will ensure that we have one school system where a child will start from PP1 through to Grade 9 and to Grade 12 in the same school. A few weeks ago, a number of Members here were running up and down trying to place students in elite schools like Alliance High School, Kapsabet Boys, Butere Girls, Kisumu High School and the rest. However, with CBC, all the

schools in the Republic will be of the same standard. There will be no elitist schools like Alliance Boys, Mang'u High School or any other. We will have schools that cut across the Republic. This issue of moving a child from one school to another will be a thing of the past. I want to implore on Members that this House gives the requisite resources to employ enough teachers, build enough laboratories and classrooms so that this kind of education will run throughout the country. I heard Hon. Kaluma saying that Members will take their children to private schools but, as we speak today, the curriculum that is being implemented is CBC. I do not think there are any private schools, unless maybe the international schools that are doing other curriculums. All the private registered schools in the Republic are teaching CBC.

The issue of the teachers trying to move pupils from Class VII to Class VIII so that they avoid the CBC system is common practice. This also happened in the other system where we had the same crop of teachers trying to avoid the 8-4-4 by just going to the older system of education...

The Temporary Speaker (Hon. Martha Wangari): Hon. Melly, since you are the Chairman of the Departmental Committee on Education and Research, I will give you two minutes to finish up.

Hon. Julius Melly (Tinderet, UDA): Thank you, Hon. Temporary Speaker, for that gesture. I also want to point out that, as a committee, we told the TSC to move with speed and identify those teachers who are qualified. As we speak today, there are thousands of graduates teaching in primary schools who are qualified to teach in junior secondary schools. By last week, the TSC said that they had identified 10,000 teachers. We told them that every junior secondary school should have a minimum of four teachers.

Further, the reforms that Hon. Kaluma raised are quite in order. Every education system is reviewed after three or four years and, as we speak today, there is a taskforce reviewing the CBC system.

Hon. Temporary Speaker, there is an outcry by parents that the subjects and teaching areas are too wide. From 12 subjects, it can be reviewed backwards to eight or six. I remember the pioneers of 8-4-4 had 12 teaching areas; but as we speak today, the current crop of 8-4-4 students is doing five subjects. Every education system can be reviewed, looked into, challenges minimised and the areas that are seen as difficult can be talked about and rectified.

Therefore, I want to support and say that this system should continue. Let us review the areas that are there and make sure that CBC is a success in our country for present and future generations.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Thank you, Hon. Melly. We have very many teachers in this House who are asking to be given opportunities to speak, and I can see there is a lot of interest. So, the shorter we keep it, the more Members will speak.

This chance will now go to the Member for Marsabit County, Hon. Waqo.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker, for allowing me to add my voice to this. This is the right time to talk about CBC, because of what the country is going through. The 8-4-4 system has served this country for many years, and it is now time for us to replace it with CBC. However, I want to say that there is a big outcry in the county. There is a lot of confusion and parents are concerned. As a country, we need to give ourselves time to review the issues so that we can get out of the confusion that is affecting the parents and the children.

Hon. Temporary Speaker, we also need to look into the fact that CBC is quite expensive and tedious to the parents and children. This is affecting the entire nation, and that is the reason we need to review the entire system and prepare the teachers. This is because the teachers seem not to have been prepared well. There is confusion on the curriculum and even on preparing the parents. The infrastructure is not in place; thus, we need enough time to prepare. In as much

as I support the new curriculum, I would want us to give it more time so that we can prepare ourselves, the teachers and the children so that they can easily transition to the CBC system.

I support but further suggest that we give ourselves a bit of time.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Member for Suna East.

Hon. Junet Mohamed (Suna East, ODM): Thank you, Hon. Temporary Speaker. I want to also contribute to the debate. I do not want to disagree with the Chairman of the Departmental Committee on Education and Research, because he is a seasoned Chairman. Even at the time he was ousted, I used to call him ‘Chairman’, because he understands the education sector very well.

However, we must admit that there is a crisis in our country on the education sector. This is because it is something that is happening and can be seen. Whether it is by default or design, the transition from Grade 6 to junior secondary school was never done properly. How can we have one teacher per school? There are also no classes. The Ministry of Education has reported that almost 200,000 students have not transitioned to junior secondary school. Where are those students? They must be *tanga-tangaring* in the cities and villages. Therefore, if this matter is not arrested as fast as possible, the crisis could get bigger than this.

There are sectors in this country that you can experiment with, but there are others – like the education and the health sectors – that you cannot because they affect the ordinary citizens. We must bring to the attention of this House that this crisis is monumental, and if this House does not come up with a resolution on how to deal with this matter, this country will get into a crisis that we may not be able to handle in the future. As Hon. Kaluma has said, a majority of Members here have their children in private schools. Some are not giving birth anymore because they are old, and their children are done with university. They are elders here. However, the ordinary Kenyan is suffering. The ordinary Kenyan does not understand what the Competency-Based Curriculum (CBC) means.

I was in a school in my constituency the other day, and I was told that they were being taken in a bus to an animal farm so that the students can familiarise themselves with animals like goats, cows and chicken. Those villagers know those animals because it is their way of life.

Hon. Temporary Speaker, if you look at the proportion of teachers to students in every CBC class, you will be shocked. So, I want to urge both sides of the House that we must act as fast as possible. As the Chairman has said, a solution might not be to go back to the 8-4-4 system that we all went through, even though it was the real CBC.

Hon. Temporary Speaker, do you remember that we used to make aeroplanes with papers? I am sure you are young. You are not old and so, you remember those things. I am repeating this for the last time in my conclusion. If action is not taken, the Government... Let me not say that. Action must be taken, and Kenyans must be saved from this issue of CBC once and for all.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Thank you for keeping it short. If we do that, many of us will get a chance to speak. Hon. Robert Mbui, Member for Kathiani.

Hon. Robert Mbui (Kathiani, WDM-K): Thank you, Hon. Temporary Speaker for giving me the opportunity to contribute to this very serious Motion. Obviously, any country that wants to grow and progress must invest heavily in education. Some of the countries that were like Kenya at Independence – the Malaysia of this world – invested properly in education. As the Whip of the Minority Party has said, this is a sector which we cannot play around with. The fact is that there is a major crisis in the implementation of the CBC system. The worst thing about it is that this is not a system that started last year. It was started seven years ago. Seven years ago, those honchos in *Elimu* House knew that there would be junior and senior

secondary schools, and they needed to prepare for it. However, what I am seeing is a spirit of confusion which we must find a way to deal with.

First and foremost, I want to qualify the spirit of confusion. Junior secondary school (JSS) classes were built in secondary schools, and then their implementation is now being done in primary schools where there are no classes. Class VII students are in secondary school while Class VIII students are still in primary school. Further confusion is when you find Class VII students wearing trousers and their bigger brothers are still in shorts and in a more junior school.

I have also observed that the Ministry of Education came up with a plan that said not every primary school will be allowed to have junior secondary school. So, they said that in some of the schools, the children will be moved to other schools. What has happened is that Grade Seven students have left a school which had a class that was already built and with teachers, to go to another school that has no new classroom, with an increased population and with no extra teachers. What is more confusing than that? I think that we really have a problem. My colleague, Hon. Kaluma, has said that the idea of a teacher teaching fourteen subjects is totally unusual and impossible. It is, therefore, important that we deal with this thing properly. The textbooks are not even enough. Some of the subjects like art and music do not even have textbooks up to now. This is because nobody wants to invest in something that is going to be optional, and they are not too sure how many people will buy them. So, we have a problem even with the basic materials required for this system.

Hon. Temporary Speaker, what has happened and what is most annoying for us is that during this period of drought and hardships, headteachers in some of those schools have taken advantage. They have introduced admission fees and fees for new uniforms, which is not necessary. Children can finish schooling with the clothes they were wearing before. They now must carry new lockers, while they could have used the ones they were using before. Headteachers have also introduced school feeding programmes because they are now in Grade Seven, which is considered as secondary school, and they now have to start paying fees. It is really unfortunate, and it is something that we need to completely condemn with the strongest terms possible.

The rain started beating us when we allowed the Ministry of Education to completely disregard Article 94(5) of the Constitution, which says:

“No person or body, other than Parliament, has the power to make provision having the force of law in Kenya except under authority conferred by this Constitution or by legislation.”

If we had put our foot down when this thing was being started, we would have been able to discuss further and sort it out.

My proposal is that all primary schools must be allowed to continue having junior secondary schools. The idea of moving children from one school to another is preposterous. It is important that they continue where they are. I heard the Chairperson of the Departmental Committee on Education saying that where a child starts in Grade One, they should go all the way up to Grade Nine and Grade Twelve. Why are they chasing them now? Many children will drop out, and many of them will be discouraged. So, it is important that we do that.

Finally, we must invest in classes and labs in all our primary schools for this system to work. Otherwise, we need to deal with the confusion and maybe put it up for prayers, because we are a ‘praying nation’.

(Laughter)

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): The Whip of the Majority Party.

Hon. Silvanus Osoro (South Mugirango, UDA): Thank you, Hon. Temporary Speaker. This is the very first time I am tempted to agree with Hon. Robert Mbui, and I do not know on which side he woke up this morning. That is because we seem to be agreeing on everything the entire day - from the morning interview on Citizen Television, to now the issue of CBC. With this trend, he will also agree with me that William Ruto is the President because we are agreeing over virtually everything.

(Laughter)

This thing about CBC is something that this House needs to make a serious recommendation on, and stand firm over it. It is becoming something that is very expensive. Majority of Members of this House happen to represent constituencies from remote areas and different places. The way our country is set up is in such a way that most of the constituencies are from the rural areas. However, the formation and structure of CBC focuses on and targets the rich and the people who live within the urban set up. I think that for some reason, somebody wanted to rush this CBC thing for the reason that befitted them then. It is, therefore, important for the Government to realise that this was not part of the plan. By the way, this was not part of the Kenyan plan, and it was not part of the Manifesto of Kenya Kwanza. This was a set-up and a hub for someone to make money in the previous administration. Therefore, there is need for us to review that. It is very important for the Departmental Committee on Education to realise that because parents, especially those in the villages, are struggling. You all represent constituents, and every day students are sent home for something.

Nowadays, some rogue teachers – and I say this with a lot of respect – do not sit in the staffroom. They decide that the afternoon lesson is to learn how to cook chicken. They decide that all the students should go home and come with chicken so that they can practice. They then ask: “What is the teacher doing? The teacher is cooking chicken!”. The children reply: “What is the teacher doing? The teacher is eating chicken”.

(Laughter)

Hon. Omboko Milemba (Emuhaya, ANC): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Order, Member! Order, Hon. Osoro! There is a point of order from Hon. Omboko Milemba.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Temporary Speaker. Respected leader, I do not think that CBC itself is being defeated simply because of teachers. This is a very weighty matter that requires thinking through, and not just blaming the teachers. There are no teachers who are even teaching how to eat chicken.

Thank you.

(Laughter)

The Temporary Speaker (Hon. Martha Wangari): Hon. Osoro, continue without casting aspersions on teachers. I want to warn you that the population of teachers here is quite something.

Hon. Silvanus Osoro (South Mugirango, UDA): It is important to say that my late father was a teacher, and I have tremendous respect for the teachers.

Hon. Rozaah Buyu (Kisumu West, ODM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hon. Rozaah, what is your point of order?

Hon. Rozaah Buyu (Kisumu West, ODM): Thank you, Hon. Temporary Speaker. Is the former Speaker in order in suggesting that in this country, there is no curriculum in our education system and that, any teacher can wake up any day and decide what to teach and that if a teacher wakes up and she wants to teach how to cook chicken, she can go ahead with it? Is he in order in suggesting that we do not have a curriculum in our system that the teachers follow?

(Loud consultations)

Hon. Members: On a point of order.

The Temporary Speaker (Hon. Martha Wangari): Order, Members.

Hon. Silvanus Osoro (South Mugirango, UDA): Sorry, Hon. Temporary Speaker. I am not the former speaker. So, that question does not refer to me. I should ignore it. She was not referring to me. The former speaker is seated somewhere in this Plenary.

When I use the context of chicken, I do not really mean that teachers do that. Some rogue teachers have decided to misuse their positions. We have actually seen such scenarios.

(Hon. Joseph Makilap consulted loudly)

Before we finish this Order, I want to make my point. I do not know why Hon. Makilap is really making a lot of noise.

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, I pray that we do not abuse the points of orders. Be relevant. I see Members are using them to debate.

(Loud consultations)

Hon. Silvanus Osoro (South Mugirango, UDA): I want to withdraw my statement. Teachers are never rogue, but they just like chicken.

(Laughter)

The CBC is misused. It is very important for me to say this. I went to visit somebody in Diani last week. I found Grade Six students beside a place I am trying to put up in the coastal region. They were supposed to graduate to Grade Seven. They were seated by the road. They could not be admitted in school because they did not have school uniforms and some things that were required. When I asked for that form, what was written on it as requirements for a student transiting to Grade Seven shocked me. They are things that parents cannot afford. They are given serious and expensive requirements, but they were preparing to save money for Form One. We really rushed the implementation of CBC. There is need for the Government to review it. I do not know what the Presidential Working Party on Education Reform did. Where did they move to? Those people are seated somewhere eating *mandazi* and then they make funny recommendations.

I implore this House to find a way to reverse this system back to the system that we all know, and then we start moving gradually. Equip our schools. As we are speaking here today, MPs do not have adequate funds for National Government Constituencies Development Fund (NG-CDF). We have about Kshs33 million today. We were told that we need to construct laboratories for Junior Secondary Schools. The CS for Education does not have money. The

Equalisation Fund is not sufficient across the country. Then we are being told here that CBC is important, and we should support it. We are the representatives of the people. We are not stupid for going through the 8-4-4 or the 7-4-2-3 curriculum. We are very sharp people here. Let us revert to the previous system – the 8-4-4 curriculum – so that our students and the rural constituencies can progress. The Chairman of the Departmental Committee on Education has heard me. This is very clear.

Thank you very much.

The Temporary Speaker (Hon. Martha Wangari): Member for Githunguri, Hon. Gathoni Wamuchomba.

Hon. Gathoni Wamuchomba (Githunguri, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to give my contribution to this Motion as a trained teacher.

It is very sad that we are debating the future of the people God has entrusted unto us to shape their future and give them life and hope. These are the wonderful children who are going through the CBC system. It is unfortunate that in this country, we do not give weight to the State Department for Economic Planning, whose core business is to plan the economy of this country. In fact, the most lucrative Ministries in this country are the Ministry of Health, Ministry of Agriculture and Livestock Development; the Ministry of Water, Sanitation and Irrigation; and the Ministry of Lands, Housing and Urban Development. This is not because we find them worth giving weight, but because they control a lot of money.

We ignore the Ministry of National Treasury and Economic Planning, which is very critical. It is supposed to give us well contributed and well-thought-out economic planning. It should have advised us on the CBC before implementation. Like one of my colleagues has said, as a teacher, I still do not understand why we had to go the million kilometres rush to implement CBC. I do not know the people who sat in a certain boardroom and decided that they would implement it, even against the advisory that was given by the then CS, Hon. Amina Mohamed. She spoke very strongly against CBC implementation without thorough thinking and planning. I do not know the kind of motivation that was behind the Government of the day. It took a risk to mess a generation in this country by implementing hurriedly a system that had not been framed properly.

(Applause)

As a mother, it pains me to walk into schools in my constituency and find four learners in a school which is supposed to be a junior secondary school centre. How do we employ teachers for four learners? How do we put up a laboratory and buy equipment for them? Where are economic planners that are supposed to advise the Government of the day? What are they doing and why do we pay them salaries in those offices that they sit? It is sad that we are politicising the life of a generation of this country. We must come fresh and real to what we are doing. It is time we asked ourselves whether we are doing justice to the seats that we were given by Kenyans. They elected us so that we could advocate for the rights of their children. Most of these parents do not have a voice. We have a voice. Most of these teachers we are talking and joking about here in Parliament have no voice. We have it.

(Applause)

We must stop politicising CBC and become the parents God made us to be. We must become the leaders that have been elected honourably to stand in the gap and save a generation. How many children are at home right now because they cannot afford uniforms and desks for junior secondary school? Shockingly, these are the same learners who were in primary school,

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where they had a desk. Because they have graduated to junior secondary school, they are being forced to buy fresh and new desks. What is their purpose? God has entrusted us to do it. The whole country is looking upon us. We are supposed to advise people. We must stand in the gap and provide a sober direction for junior secondary school. If we cannot implement it, we would rather stop it and go back to the drawing board and look for a solution. That is because God will ask us why we did not do what we were supposed to do. I do not understand the rush and thinking behind junior secondary school if we cannot implement it.

(Loud consultations)

Hon. Temporary Speaker, please, I want to be heard.

If we ever go to heaven – about which we read in the earth – we shall be asked a question one day and time. I do not know what you will answer as a Member of Parliament.

Thank you.

(Applause)

The Temporary Speaker (Hon. Martha Wangari): Hon. Irene Mayaka.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute to this very important Motion. When you take a closer look at some countries which do CBC and have implemented it like France, Canada and Finland they have fantastic infrastructure. The idea behind CBC is fantastic because the level of interaction we see in our children is great.

Again, this cannot be implemented in our country because we do not have proper infrastructure. The success and failure of CBC starts and ends with proper infrastructure. One of the things I see many parents grappling with is being forced to download and print different things. You can imagine a parent down there in Nyamotentemi in Nyamira being told to download things for their child yet they do not have access to electricity or proper internet connectivity. Let us agree that this country has a long way to go. Our children are suffering and there are many hidden costs behind this CBC issue.

Members have spoken about parents being asked to pay for desks and new uniforms which they cannot afford. These problems come back to the NG-CDF factor because the same elected leaders are the ones parents look up to for bursaries and we cannot help them because the courts are fighting NG-CDF.

I support the fact that we allowed this important Motion to take priority because as a country we need to make decisions. Looking at some of the students who started CBC when they were very young, they did not taste 8-4-4 and I really feel sorry for them because as a country if we decide to go back to 8-4-4 what will happen to them and where will they begin. Will they have to do a crush course so they get to know what 8-4-4 is all about since they never experienced it? These are the students we need to look at. Maybe going back to 8-4-4 is not the solution.

The actual solution should be finding a way of doing CBC that works for everyone. It should not be only for those who are in the urban set-up but also those in the rural set-up because the ones affected most are students and pupils back in the rural set-up. Again, CBC exams normally examine students based on their talents and level of competence. Sometimes, we are unable to structure and put this on paper and say this is how they will be tested because how do you know a student has a talent in writing and another does not but has talent in speaking? Do you give the one with a talent in writing a lower grade in speaking or the other way round just because they do not have the same level of competence?

Hon. Temporary Speaker, as I conclude I want to speak about the teachers teaching CBC because they have been given almost 14 subjects. The same teachers are parents to pupils doing CBC. Do they have time to commit to their children when they go back home in the evening? As a country, we also need to be fair. As I wind up, I want to say sometimes benchmarking is good but as a country before we run to benchmark and adopt systems from other countries, first of all, we need to be realistic and compare the kind of infrastructure we have.

For a fact, I know from the countries I gave examples of, Kenya really wanted to adopt the Finland system but look at where Finland is versus where we are right now. We have said that implementing this is not easy because we have heard the Kenya Kwanza Government saying there is no money. So, in the first place where will we get money to start implementing some things?

Hon. Temporary Speaker, as leaders in this country, I think this is an issue that needs to be dealt with at a higher level. It probably needs to be considered as a national emergency so proper planning can be done because our children are suffering.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Asante sana. Mbunge wa Lungalunga, Hon. Mangale Chiforomodo.

Hon. Chiforomodo Mangale (Lungalunga, UDM): Thank you very much, Hon. Temporary Speaker. The CBC is now being judged from where it came from. First, let me say that the problems began in the initiation stage of CBC because as a country we woke up one day and said we are implementing it. In any case when starting a new curriculum or system there is a process. Unfortunately, in the first place, this process was never followed. We just rushed and said from Grade 3 downwards should be in CBC.

In the real sense, we ought to have prepared our colleges so we get professionals who will attend to the pupils in the CBC classes right from Early Childhood Development Education (ECDE) to those in the universities. The professionals were never prepared. When we talk about infrastructure, it ought to have been put earlier before implementation. Today, we are lamenting about infrastructure like desks, laboratories and others. They are not there because the process was never followed. In fact, we ought to have invested in infrastructure before implementation. More so, we would have started from ECDE growing gradually to where we are but it was rushed.

I wish to say in this House that we have to go back because there is no way we can expose our children to CBC pretending all is well yet it is not. I want to concur with the Majority Whip that we have to do away with CBC as it stands. It is not too late to stop it where it has reached because as we talk of costs, it cannot be implemented because it is very expensive and infrastructure is not there. We are saying teachers have been posted. Yes, they are teaching two subjects, for example, chemistry and physics. This is good but they are not trained to teach CBC. They have been trained at the university to teach 8-4-4.

Therefore, the problem is bigger than what we are seeing. As a country, we are not ready for CBC. Comparing ourselves with other countries that have implemented, it is not a crime. We are not comparing ourselves against how rich they are or how poor we are. It is about how prepared we are as far as CBC is concerned. We have a long way to go. If we push on implementing CBC, we are killing a generation and this will not take us anywhere.

Hon. Temporary Speaker, for sure we have to stop CBC and revert back to 8-4-4. Then start planning from the initial stage and go step by step from Pre-Primary one (PP1) going *pole pole* until we reach where we are supposed to. Forcing CBC will be a nightmare because there are not enough teachers, We are being promised that after five years we will have enough teachers. This will not work because already the students are in schools learning. Are we

treating our kids as guinea pigs? Of course, we are not ready to use our kids as guinea pigs. We have to revert back to 8-4-4 and restart again if surely this country is ready to embrace CBC.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Member for Emuhaya.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Temporary Speaker. I wish to make a few points which I think can benefit us and all Kenyans about CBC. This Motion was brought by Hon. Kaluma and I want to thank him. I wish to say there are four points which Members are focusing on.

There are those Members who are talking about the ability to stop CBC and going back to 8-4-4. I would wish to plainly explain to the country as a teacher and educationist that CBC has been around for nine years. So, when making our final deliberations on it, we should understand it began nine years ago. We should understand that students went through PP1 and PP2 and now, they are in Junior Secondary School. If you completely wrap it today, it means these students will be completely wasted because they never did the 8-4-4 system, and going back to the 8-4-4 will be extremely difficult for them to undertake.

As we make our final resolutions, we should put that into consideration: That this is a population of students who we must take care of. It is very important that we deal with the matter at hand and agree that there is a crisis in this particular area, but deal with it diligently so that we do not waste a whole population of students who are in school.

There is also the issue of teachers and Members grappling with why one class should have one teacher, and whether it can work or not? I wish to explain that the working of the three primary school sector curricula is different from the one of secondary schools. In the primary schools' curriculum, teachers are taught to teach many subjects and, therefore, you can provide one teacher for one class and they are able to model around and succeed. However, once we have the CBC, which is bringing Junior Secondary School education, then the calculation of the number of teachers, Hon. Kaluma, must now go to the curriculum based establishment.

In a curriculum-based establishment, you look at the curriculum *vis a vis* the combination of the subjects of teachers who are in school. You are then able to calculate a certain ratio of the number of teachers who will be in school. If we go that direction, everything would be wrong.

Hon. Kaluma, on the number of teachers in a school, it can never be one because they should be a number based on the curriculum establishment of every school, and also based on the number of subjects that are being offered. I hear they are 14 but they have been reduced to 12 and so on. The solution, therefore, lies within the ongoing CBC way, and that means employment of more teachers in our schools.

The CBC is certainly having a number of challenges ranging from those that concern infrastructure to the ones that have been raised by Members today. As Kenyans, we must take responsibility. There is a risk which my Government, which I now serve, the Kenya Kwanza, is easily saying that this system was brought by the previous Government. If we go that direction, then we shall kill the students who are in school. We must inherit this problem. In fact, the way it is, it was implemented in a hurry. This is one of the projects that made some Kenyans go home completely. Hon. Sossion who was completely against this system had to pay the price for not supporting it. It was still thrust to us. We must, therefore, carry it and see how we can re-model it in order to move forward without killing the students who are in school.

There is also the issue of teachers. It is very easy to blame the teachers for having tried to cook chicken, trying to bring a desk or send students home for something. Let me tell this

House that teachers have been left alone. Nobody is talking about CBC. The Minister is not giving proper instructions to the teachers. Teachers in this country have been left with students to decide on how to proceed. Do not be surprised to hear at one time that some students will be called upon to teach other students because of what we have. My proposal on how to deal with CBC is funding. Let this House give funds to teachers so that we can employ 70,000 teachers who will take care of this situation. If you employ 70,000 teachers and build laboratories, there will be no noise and we shall move forward.

Thank you, Hon. Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hon. Tonkei and Hon. Nyikal are not in the House. Member for Kipkelion East, Hon. Cherorot.

Hon. Joseph Cherorot (Kipkelion East, UDA): Thank you very much, Hon. Temporary Speaker.

I wonder if the country has the capacity to run the CBC. I think the whole idea was rushed. We were supposed to have time and find out the nitty-gritties, and the advantages and disadvantages. The position that we are in now is that even the task force was formed after implementing it. The problem that we have and the challenge that the parents have is the price they are paying because it is very expensive to run the CBC.

On Sunday, I went around my constituency. We still have a big problem. We have many students who have not been admitted to junior secondary school because there are no facilities and proper structures. It is a very expensive exercise and parents are already feeling the burden. We have a big problem in this country.

When it comes to downloading the lessons and teaching materials, it is not easy because most of our areas have not been covered with internet and electricity. We have the lower part of my constituency like Nderiot and Masamborik where there is no electricity. We need to keenly look at these challenges and make sure that if the Government wants to continue with CBC then it must ensure there is enough funding to our schools. It is clear that they do not have the structures. As Members of Parliament, we have to clearly come up and make sure that in future, such decisions are not made without considering the structures and the financial aspect of it. The idea was good but the challenge is: do we have the capacity as a country? We need to go back to the 8-4-4 system. The challenges our students are going to face is because most of them have been taken through... We have to come up with a solution that will help parents, schools and the future of those students.

Thank you.

The Temporary Speaker (Hon. Martha Wangari): Thank you, Hon. Members. Many of you are coming here to ask whether this Motion will be there tomorrow. I want to make it clear it will not because it is an Adjournment Motion. It will only be debated today.

Member for Kisauni, Hon. Rashid Bedzimba.

Hon. Rashid Bedzimba (KisauniODM): Asante sana Naibu Spika wa Muda.

Nilikuwa nimeomba nafasi ya kuzungumzia yale marekebisho ya Katiba na Kanuni za Bunge lakini sikupata fursa. Niko na imani Mungu akinijalia, kesho nitapata nafasi. Kuna umuhimu haswa tukiona *National Government Constituency Development Fund (NG-CDF)* inaweza ikaingia kwenye shida. Ni vyema tuzungumzie ukweli.

The Temporary Speaker (Hon. Martha Wangari): Mheshimiwa, ninakupa uhakikisho kuwa huo Mswada utaendelea kesho na hauna mwisho wa masaa. Kwa hivyo, mtapata nafasi sawa ya kujadili.

Hon. Rashid Bedzimba (Kisauni, ODM): Ninakushukuru kwa taratibu.

Kuhusu swala la CBC, kwa kweli taifa halijakuwa tayari kwa haya mageuzi ya elimu. Shule zilizochaguliwa kuwa na junior secondary school ni chache ukilinganisha na wanafunzi walio wengi zaidi. Walimu waliochaguliwa ni wachache ukilinganisha na shule na wanafunzi. Fedha, pia, za kuwezesha mchakato huu kuendelea kikamilifu. Shule zote hazina mahabara na CBC haiwezikukamilika bila mahabara. Wazazi wanaumia kifedha kupeleka watoto wao junior secondary schools. Wanaambiwa wabadili sare za shule na pia waende na madawati. Kila siku kuna mambo mapya mpaka inakuwa vigumu kutekeleza swala hili. Kwa hivyo, ninasimama na wengi wa Wajumbe Bungeni ambao wamezungumzia kuwa swala hilo bado; Serikali haijakuwa tayari. Tusizungumze tu bali tutekeleze kwa sababu ya wingi wa waliokataa lisimame. Hatumpingi aliyeanzisha swala hili.

Hata mimi namwomba Mhe. Magoha alale pema peponi lakini kwa sasa Serikali haijakuwa tayari na jambo hili. Kila siku mnasikia Serikali ikisema hakuna fedha na kama hakuna fedha wale watoto watasomea wapi? Kila shule inatakiwa iongezwe madarasa na madawati na ukiangalia hazina ya *National Government Constituencies Development Fund (NG-CDF)* mpaka leo haijatoa hata ndururu ya maendeleo. Ningependa kuungana na wenzangu kupinga hili jambo kuendelea ili turudi katika mfumo wa zamani alafu mbeleni tukiwa tayari tutaweza kuingia. Ningependa kutoa nafasi kwa wenzangu ili waweze pia kupata nafasi ya kuchangia swala hili.

Asante sana Mhe. Spika wa Muda.

The Temporary Speaker (Hon. Martha Wangari): Member for Mosop, Hon. Kirwa.

Hon. Abraham Kirwa (Mosop, UDA): Thank you, Hon. Temporary Speaker, for this opportunity to contribute to this Motion on CBC. I support the CBC system regardless of the challenges that we are facing as a nation. This is a new curriculum that for sure is going to change the way we teach our students and how we look at the education system. I support that we continue to implement it. Right now, most of the schools may not be sufficiently equipped but nothing good comes easy. It will take each one of us, as a nation, to really go out of our way to make sure that we try to solve issues like infrastructure.

The biggest problem that we have with this system is teachers. As I was going through some of the schools this week and last week, most of the Junior Secondary Schools (JSS) classes have only one teacher with over 40 to 50 students. We want to challenge Teachers Service Commission (TSC) to do whatever it takes to make sure that they are providing enough teachers. Out of over 30,000 teachers who were recruited, we should have enough but throwing the baby with the water is not the best solution. We have already invested enough as a nation and we have already spent resources on CBC system. I am of the opinion that there has to be a better way to support this system so that it becomes successful. Many countries have done this and they have been successful in implementing this system.

I, therefore, support the Chairman and the Ministry of Education in trying to implement and make sure this system produces some of the best students. It is easier for us to go back to the 8-4-4 system which I personally went through but I have also lived in the country for many years and seen the results of the CBC system. It is better than the 8-4-4 system. I support the CBC and its implementation by the Government as much as we have a lot of obstacles. I believe there is a better way that we can approach and support it so that we can produce the best students. The CBC system is the way to go.

When the CBC team was going around, they came to this House. Members were asked to give their views and opinions about this system and they supported it. I know implementation and the opinions we gave might differ but we gave those opinions in this House and agreed to proceed with CBC. For us to go back and say that we do not think it is working then I do not support it. I, therefore, support the CBC system and we should continue to implement it.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Member for Busia.

Hon. Catherine Omanyo (Busia County, ODM): Thank you, Hon. Temporary Speaker. I oppose this Motion because as a country we are trying to make sure that we are equal but this kind of curriculum has made it very difficult as it is widening the gap between the poor and the rich. At the moment, only the rich have managed to cope up with the changes leaving behind the children who come from families that are still wallowing in the miasma of poverty. I also condemn it because the stakeholders were not involved at the beginning. I think some people have forgotten where they have come from and are in their comfort zones coming up with things that discriminate or divide Kenya further.

If somebody truly remembers, some of us had to sit under a tree, a rock or a log and up to date there are schools in rural areas that still use desks that are very uncomfortable for any student to sit on trying to concentrate in class. Some people think we are already 100 years since our Independence so they copy or try to catch up with developed nations forgetting that Kenya still does not have the infrastructure. Some of the homework the pupils are sent home with requires the participation of a parent yet some parents in the rural areas are too illiterate for the new curriculum. How can one send a child home to be helped by a parent who cannot even read, pronounce or understand some words in English? Most parents who cannot afford the private tutors leave their children to go back to school without completing their assignments.

The curriculum also lacks a lot of resources. As I said earlier, I want to emphasize that most teachers are frustrated because the curriculum is more pragmatic than theoretical. Teachers who cannot afford basic needs at home are taking advantage of this curriculum and exploiting some parents who can afford. For instance, if the students were to do a practical that requires fish, why should every child carry fish to class? Most of the fish is preserved by the teacher who only use one or two yet they are practicals. We need to be logistically, politically, economically and socially right when coming up with some of these things that we are trying to bring to people's lifestyles. Some of us are still walking and the stretch is too long to reach where everybody is. Can we wait for one another by coming up with things that work for all Kenyans, whether rich or poor especially education? When the children are forced to put on uniform it is hard to distinguish the rich from the poor. Education should ensure that the poor and the rich get the same opportunities so that we can get a doctor from either family. We need to level the ground for these children.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Member for Nandi Hills.

Hon. Bernard Kitur (Nandi Hills, UDA): Thank you, Hon. Temporary Speaker. I appreciate the Mover of this Motion for bringing it to the Floor of the House for us to be able to discuss this matter. Indeed, I had a lot of concern because at the outset, CBC had problems in itself from 2017 as someone had insinuated. The Cabinet Secretary at the time probably lost her job because of questioning part of the implementation of that programme and later on it was pushed down the throats of all Kenyans. There is no doubt that the programme is very expensive. The reality is what is required or demanded from children when they are going to school compared to the 8-4-4 system which was more structured and organised has thrown many parents into poverty rather than the Government being able to provide affordable primary education. Looking at this, the confusion was made worse by what Hon. Peter Kaluma has captured.

When the junior secondary school students did their Kenya Primary Education Assessment examination and the results were out, about 1.2 million students passed but up to now about 200,000 thousand have not been able to report. Of the 1.2 million, there was confusion whether they were going to go to secondary school or remain in their previous schools. The confusion was all over. The whole thing was not well structured. It is like every

day we are doing an experiment on the children of this country. That should not be the case. If we are changing an education system, it has to be well organised. There must be a proper consultation with all the actors in the sector. But what happened at that time is that many people including Hon. Sossion suffered big time. When they realised that there would be need for classrooms in schools, the Government at some point gave Ksh9 billion for the building of the 10,000 classrooms. That is something that was not well structured and planned. At the same time, they did not plan for laboratories, workshops and dormitories. What pains me the most now is that some of the junior secondary schools that the children are going to were consolidated. Our desire in the past was to have primary schools close to where children come from. Right now, some students are forced to walk up to 10 kilometres to their schools and that is taking us back to where we came from.

Hon. Temporary Speaker, another critical issue is human resource. As we speak, most of the teachers are not well trained on this particular programme. Initially, the British Council ran the programme. Thereafter, there were Trainers of Teachers (ToTs) that had been trained to train the teachers. These ToTs as they were doing their training would say they do not understand most of the things that they were being taught. There was speed in doing the training. Those passing knowledge of the junior secondary to the pupils are not well trained. This is very critical. How can we get fully baked students when their teachers are not well baked? It is even worse to see two teachers handling a class of over 100 students. Worse off still, there is no curriculum design or curriculum that is well structured. It is even worse that in most schools across the country you will find that only books for one subject out of the 13 subjects taught have been delivered. Part of the things that they were talking about concerning 8-4-4 is that the system was burdening students with a lot of subjects only to come and realise that CBC has 23 electable subjects and 13 are to be chosen.

Essentially, there is a lot of confusion in the running of this programme. We are not sure of what will happen when we are done with the junior secondary. They say we will proceed to the senior secondary. It is not clear to any Member here, any leader or to anybody what happens thereafter. Even the university lecturers have not been trained on this....

The Temporary Speaker (Hon. Martha Wangari): Your time is up. Hon. Caroli Omondi, I know you have had a problem with your card for a while.

Hon. Caroli Omondi (Suba South, ODM): Thank you very much Hon. Temporary Speaker. It has been a very difficult afternoon struggling with my card a whole two-and-a-half hours. Thank you for giving me the opportunity to make some brief statements about this particular Motion.

My understanding of CBC is that it is a system that is borrowed on what is globally known as the International Baccalaureate (IB). I think somebody was trying to do a cut and paste job but did not understand the social and economic background under which IB system operates. The IB is a very sophisticated education system which is good but costly. Generally, if you dig into the history, it has flourished in well developed countries. In this country, Kenya, it is offered mostly by very expensive International Private Schools. Somebody somewhere in Kenya looked at the holistic nature of IB system and thought that they could borrow and transplant it. But this is a mistake that happens when people bring in things that they do not understand their origin or background.

I want to talk briefly about the social costs of CBC and why I do not think this system will work very well in this country. In the IB system, the student teacher ratio is normally limited to 15 globally. There is no chance in hell given our economic situation and our population growth patterns that we will ever achieve that ratio anytime in the near future.

The engagement of the parents, if you look at it in the IB system which is now being transplanted into the CBC system, does not reflect what our social parameters or social orientations are. For example, to expect a poor lady in Kibra to be attending to homework

between 4.00 p.m. and 8.00 p.m. when she should be by the streets selling her *mboga* or making a living is completely out of touch. To expect a student in Suba South, where I come from, to be downloading teaching equipment like my children do every day because they have internet in their bedrooms is completely out of touch and not practical.

The problem with CBC is that it is going to create very huge social disparities between the rich and the poor. It will be foolhardy of this House not to call out the Government. I am surprised that this Administration is going forward to implement it. I thought they would retreat and relook at it. Education is the equalizer; it is what brings out people from whatever social class you were born into through your hard work and innovation and offers you social mobility into other social categories of life. The way I understand CBC and the way I understand IB to work, which is where it is coming from, I do not see this thing working for this country. I would strongly recommend that it should be paused and the chaotic implementation taken away because this will definitely affect the international perception of our education system. It should be paused, relooked into a fresh for people to clearly understand what this animal called CBC is all about otherwise, I see a lot of problems in the future.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Member for Chepalungu, Hon. Victor Koech.

Hon. Victor Koech (Chepalungu, CCM): Thank you, very much Hon. Temporary Speaker, for the opportunity to contribute on this particular Motion. At the outset, I thank Hon. Kaluma for this particular Motion that will help us deliberate on what is currently happening in the education sector in our country.

The CBC is good but its timing of implementation is wrong because currently as a country we are suffering from a bad economic situation that is greatly affecting the construction of schools that the Government had promised. As we talk, there is a taskforce which was tasked to come up with recommendations that would make implementation of CBC better and simpler. The taskforce recommended that CBC, which is now at class seven, should be domiciled in each and every primary school. Lately, primary schools were to seek approvals for domiciling JSS. In my constituency, I have 187 primary schools and those that were approved to offer CBC classes were 113. This only meant that children who are barely 12 years have to travel over 5 kilometres. In a day they travel almost 10 kilometres simply to look for education. Bearing in mind that my constituency has many challenges not limited to lack of food, imagine a 12-year-old learner travelling almost 5 kilometres without taking tea in the morning and expect the same learner to sit through the lessons of the day.

We are looking at a situation where a learner is supposed to learn up to 12 lessons as opposed to the initial six examinable subjects. Now they are supposed to learn almost 12 subjects. This is a challenge because of lack of sufficient teachers. The teachers are few. The same teachers, not trained on the CBC, are facing many challenges that are not just limited to lack of offices. Imagine a high school teacher or a secondary school teacher trained in two subjects. A primary school teacher is now heading him or her. There are going to be many conflicts. For these reasons, we as a country, have to make a decision. First is to halt the CBC and wait until we are ready to implement the same. Speakers have spoken about the same. I have looked into this CBC and realised it is a copy or cut and paste document or programme from Malaysia and Romania. It is meant for a developed country, not a country like Kenya where infrastructure is still underdeveloped. For this reason, we as a country, and as a House have to re-look into this programme. I know it is possible, save for the fact that we normally pass Motions in this House but implementation is slow. The same ought to be done because we cannot be a House that recommends what the government is not ready to implement.

I make my submissions, and support the Motion. Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Member for Baringo North.

Hon. Joseph Makilap (Baringo North, UDA): Thank you, Hon. Temporary Speaker.

Firstly, I want to declare I am a teacher of double Mathematics. I think this system of education was pushed to us by Bretton Woods institutions in very developed nations where income per capita is high. There is excess in their countries. The system of education we previously had, the 8-4-4 system, was highly rated. It was said that Kenya was offering the best education in the world. All of a sudden, the Bretton Woods institutions and our former colonisers realised we were catching up with them. What do they do to mess up Africa and mess up the country called Kenya? They introduced a system to cause confusion and kill our trajectory to success in education by bringing the CBC. I say that because if you want to finish a nation, mess up with their education system and everyone else will be confused forever.

Look at the countries that have succeeded: France, Canada, name them. Our neighbour South Africa in Africa here tried the CBC for 12 years and it collapsed. Nine years down the line, I want to declare that CBC in Kenya is facing a crisis more than the economic crisis we are facing. It is due to collapse. How is it going to collapse? Schools have opened. Students in JSS are in school. They are not being taught. Why? The one teacher we recruited is even yet to report. The other primary school teachers in that school are not willing to attend to learners because of the requirement to teach in high school. One, you must have a mean grade of a C+ at Form 4 and you must have a mean grade of a C+ in two teaching subjects. Most primary school teachers do not meet that qualification. Therefore, they have no business teaching JSS in their schools. That leaves one teacher to operate like a robot who cannot cover the entire curriculum of 14 subjects. What does that mean? It is a collapse. It is a collapse.

Despite Members of Parliament saying let us wait, how long will the JSS students in primary school wait until they are taught if we employed about 30,000 teachers and they are not enough to teach in all our JSS classes? In my constituency, a school called Yatiia does not have a JSS teacher to date. That is similar to another called Kosile, and many others that did not get teachers because the numbers were not enough. What is that one called? It is a collapse. This country must stop CBC now so that we bring back what is right for our children. If you look at the number of teachers required, if 30,000 gave us one teacher, you must recruit 150,000 teachers now to cover CBC. Is it possible? Yes, it is possible, but we do not have resources. If we do not have resources to employ the teachers, CBC collapses. Therefore, this system is destined to die in our schools in the next few days.

I also want to say that the preparedness of teachers supposed to offer the JSS curriculum is not there. What does that mean, Hon. Temporary Speaker? We have poorly kept class eights with torn pairs of trousers or shorts and we have a JSS demanding school fees. Where do we get that? It tells you the way forward we should take now instead of creating a confused country.

The Temporary Speaker (Hon. Martha Wangari): Your time is up. The Deputy Leader of the Majority Party.

Hon. Owen Baya (Kilifi North, UDA): Thank you very much, Hon. Temporary Speaker.

I support the Motion. It is very important for us, as a country, and as a nation to look at what has happened. Probably, in retrospect, study the CBC and understand it. One, I acknowledge that CBC has faced headwinds in its implementation. The headwinds it is suffering from did not start because JSS started. It started from the first day grade one pupils started. The CBC is not about JSS. It is about a whole system—whole curricula that started from PP1, PP2, Grade 1 until now that we are entering grade seven, which is another phase of the CBC curriculum. Even at the beginning of PP1 and PP2, Grade 1 and Grade 2, there were problems and issues. However, the Ministry of Education under the leadership of the Late Prof. Magoha took CBC forward until it has reached Grade 6 and now Grade 7. We need to congratulate the people at the Ministry of Education for the good work done. To say that the

CBC is a failure in this country is misinformation. It is wrong and it should not continue. The CBC has succeeded. Now we are facing a challenge before us. How do we transit from primary school to junior secondary school? That is the hitch. That hitch is something that will be there for a year. In the next year, 2024, we will have gone to JSS 2. I think this country is able to overcome this.

When 8-4-4 started, it started on the same footing. When I was studying curriculum development and implementation of curricula in this country at the Kenyatta University during my days, we used to say 8-4-4 has failed. Today, people are sitting in this Parliament and saying 8-4-4 succeeded. It did not start on a rosy ground. It started first on a very shaky ground. However, eventually, we as a country moved forward, put in the best pillars, put in the best foundation and 8-4-4 succeeded. It is the same to CBC. It will succeed but it will require us as leaders to say we have a duty of care to the young people, put our brains and resources to it, and ensure that CBC succeeds. To stand here to say that CBC is a failure... We cannot sit here and predict, for example, that our President fail or that our country will fail. No responsible leader can pray for his country to fail. As a country, we need to move forward by looking at the challenges that we face. What we are having now at Junior Secondary Schools are challenges. The first challenge is on human resource, that is, teachers. How are we going to galvanise, as a House, and support the Teachers Service Commission to ensure that we have teachers? This is a budget-making House. We need to state how much money is needed for teachers and fight to ensure that there is enough money for hiring them. How much resources do we need to push JSS forward in terms of desks, human resource and equipment? I need to do this so that when I sit back, I can say that CBC looked like it will fail but because I stood up as a teacher, it succeeded. That is how this country was built through a spirit of resilience even when the odds were against us. That is how you build a strong nation. So, this is a challenge that we need to face.

I cannot stand here and say that the JSS has failed. The people of Kilifi North will say that our Member of Parliament has said that the JSS has failed yet tomorrow a child will wake up to go to join the JSS. What would I have told that child? What would I have told a teacher? The child and the teacher require our motivation and us to rally behind this Government to ensure that CBC succeeds. Kenya will gain international repute. When your children will go out there to seek employment in other countries, they will be respected because we will have built a resilient education system. So, there are challenges and as a country we need to face these challenges together and not as one coalition or the other. It is about this country Kenya. It must move forward and make sure that CBC succeeds. As a professional teacher, I also want to give my input so that JSS succeeds with my experience as a teacher.

Thank you.

The Temporary Speaker (Hon. Martha Wangari): Thank you. The Member for Kipipiri.

Hon. Wanjiku Muhia (Kipipiri, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to make my contributions regarding this great Motion. I thank Hon Kaluma for this timely Motion. We are all aware that a new programme must face challenges. We are here facing these challenges because CBC is a new system. However, we must not face this challenge emotionally. We must identify the challenges, separate the issues, do what we can do and stand tall because leaders are identified for offering solutions during difficult times. This is such a time. We must separate issues. We are people of the same country – none of us is a stranger here – who were there when this new curriculum was installed. Though we know that many of us... I can confirm without fear of contradiction that I made a very long write up indicating my hesitation on this curriculum being installed then. I felt it needed more time and so were many Kenyans. However, the majority had their way and the minority had their say. Myself, Hon. Sossion, Hon. Amina and many others were the minority and the new system

was installed. So, here we are. As leaders, what do we do? We must separate issues without emotions. The issues are doable.

We are speaking of desks. For heaven's sake, how can we abandon a curriculum because of desks? I want to call the Departmental Committee on Education and Research to order. I ask the Committee to burn the midnight oil, identify these simple issues and give recommendations to the Ministry of Education. This House needs to speak in one voice that these students can sit on the desks they sat on before they joined the Junior Secondary Schools. We are debating here that we abandon a system because of uniform. I cannot be convinced by such flimsy statements. It is an understatement to say that we abandon a curriculum because children cannot afford uniforms. I agree that we are suffering. We have an economic hardship not only in Kenya but globally. We are facing a climate change that is causing hunger not only in Kenya but globally. All these challenges are faced by everyone in the world. We have to show leadership as a House.

On the issue of uniform, the Departmental Committee on Education and Research can make a statement that children can continue using the uniforms they wore before. What we need here and what this House should be debating is allocation of funds. A cost-benefit analysis can be done aimed at seeing how much money we need. We only need human resource. The infrastructure can still be used as is for the time being. If the Departmental Committee on Education and Research recommends, for example, that we need 200,000 teachers and the amount needed, the Government can see how it can better do that.

I support the Motion. It is good. We need to brainstorm on the same. However, I want to oppose that we abandon the CBC. We should move on with the system because it has been tried and we all know the benefits of equipping students with this kind of education system.

The time is too short but I urge the House to debate positively without emotions by offering solutions instead of lamenting.

Thank you.

The Temporary Speaker (Hon. Martha Wangari): The Member for Lugari, Hon. Nabii.

Hon. Nabii Nabwera (Lugari, ODM): Thank you, Hon. Temporary Speaker. I want to add my voice to this debate and associate myself with the sentiments of the gracious lady who has just spoken before me, Hon. Milemba and the Chairman of the Departmental Committee on Education and Research. Professor Malinowski, a known anthropologist who studied systems had this to say: "The fear for change is the ultimate excuse of lazy people who want to maintain the comfort zone."

(Applause)

Ian Darwin in his book *Living with Change* had this to say: "As much as we fear change, it is the only pathway to a new order." My good people, Members of the National Assembly, we cannot bastardise CBC simply because we are facing challenges in its implementation. I was in the 7-6-3 system. When they started implementing the 8-4-4 system, I can tell you it was chaos. However, it was through the zeal and will of men and women who made policy, and the people who sat in this House before us who decided to allocate resources to the 8-4-4 system that it came out the way it did. What we need to do is to ensure that we allocate the TSC more money to employ more teachers.

(Applause)

This House is soon debating the Supplementary Budget to allocate more money to the Ministry of Education for infrastructure so that we can develop the infrastructure needed in

schools. I want to share with you my experience. I have a child in Grade 5 and another one at Lenana School. The perceptions and attitudes of the two are very different. You can see creativity, innovation and zeal in the CBC child. Why do you want to kill a system that will change our way of life in a competitive age? What is the real issue? We are running away from the problem. If you listen to people, including Members of the House, they do not want to travel with their children on the learning journey. People do not want to help their children to do assignments. We cannot shift parenthood to teachers. Let us take the role of parenthood. I support the CBC system.

Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Member for Marakwet West, Hon. Toroitich.

Hon. Timothy Kipchumba (Marakwet West, Independent): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute to this very important Motion. The CBC system is a tragedy of monumental proportions. This is a case where a cart came before the horse. The system should have been executed after putting in place proper infrastructure.

Three weeks ago, the Ministry of Education purportedly undertook an exercise to approve schools that can host JSS. It is unfortunate that most public and private primary schools were left out. That greatly disadvantaged the young students. Young students should not be disadvantaged because of a poorly-planned government programme. The programme came into place without proper infrastructure. Currently, one teacher teaches more than 14 subjects to more than 50 students in a single classroom. I propose that this programme be suspended in the meantime. Let the government invest in infrastructure, get sufficient resources and have enough teachers who can tutor the students. Thereafter, we can have the programme rolled out.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. Member for Makueni, Hon. Kiamba.

Hon. Suzanne Kiamba (Makueni, WDM): Thank you, Hon. Temporary Speaker, for giving me the opportunity. I really feel privileged. I support this Motion with a few points. One, every time we talk about an educational system, it is very important to understand that every educational curriculum has the desired objectives. For us to move to the CBC system, there are desired objectives that we wanted to achieve. Currently, we can no longer afford to provide the much-needed jobs to graduates. We needed a system where our children would be self-driven and innovative so that they can face the world independently. When we say that the system is expensive, are we saying that we continue producing graduates who cannot stand on their feet even at the lowest level? Is that cheaper? It is more expensive. As legislators, it is very important to look at the objectives of the CBC system.

Secondly, the outcomes we expected from this education system may not be achieved now because we are still at the implementation level. In the long run, they will be achieved. From what my colleague has said, you can see the change in the system. I have a grandchild in Grade 1. When I compare the child with another one who is in Standard 8, there is a lot of difference. Here is a child who clears plates on the table and when assigned to clean them, he cleans them, whereas there are graduates who have a very bad attitude when it comes to washing their own clothes.

What we are experiencing are more of teething problems than actual problems. As one of us has said, if we run away from a system that is going to help this country, simply because it has teething problems, we will do a lot of injustice to this country. The only inadequacy we have with this curriculum is the issue of resources and unpreparedness. There is a small bit remaining to be fully prepared. To resist change and move backwards is undesirable. We cannot have the excellent being the enemy of the good. We need to congratulate teachers and

education officials for making an impact on our children. It is important for the Departmental Committee on Education and Research to spend more and get a life-changing education system that will empower our children to take this country forward.

The difference between the old and new teachers is their methodology. Otherwise, they are all trained. We already have colleges all over the country. If the Committee and the Ministry involved would act, the already existing colleges can reorient teachers on methodology. That is the only point that limits human resources. It is not a big challenge. The biggest problem is the attitude of teachers, parents and leaders.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Your time is up. Member for Chesumei, Hon. Biego.

Hon. Paul Biego (Chesumei, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to give my views on this Motion. The CBC system would have been the way to go, but as it is, I have some reservations.

One, most of the people who train students at home are parents. Majority of the parents are used to the 8-4-4 System of Education since they also went through the same curriculum. They may not even be in a position to help their children with homework because they do not understand this system. There was no need to hurriedly rollout the new curriculum. Since we do not even have adequate resources, the 8-4-4 System of Education should have stayed a little bit longer. The structure of the curriculum has been designed such that most of the activities happen almost at the same time. It will be very difficult for children who miss school to catch up. The structure is a bit difficult for students. Many of the teachers should have been trained first so that when the system was rolled out, it would be up and running in a manner that teachers also understand.

As legislators, we see people asking many questions pertaining to CBC on several occasions. Sometimes we are not even able to explain to them how it is supposed to be run because it was rushed and the structures were not properly put in place. That is why junior secondary schools are domiciled in primary schools. There is so much confusion.

As Members of Parliament, we know that the infrastructure is not good. As Members of Parliament who oversee the education docket, we are expected to help in terms of building some of the infrastructure like laboratories and libraries. I also fear that since money is not enough, we will look like we have not undertaken any development projects in our areas because part of the money that would have otherwise been used for other development purposes will now be diverted to construction of school infrastructure as a result of CBC.

[The Temporary Speaker (Hon. Martha Wangari) left the Chair]

[The Temporary Speaker (Hon. Omboko Milemba) took the Chair]

There are also inadequate learning and teaching materials like textbooks for students. I do not understand why it should be implemented in such a hurry. We need to give it time. The idea is good but the timing is wrong.

The Temporary Speaker (Hon. Omboko Milemba): Next is the Member for Emgwen. Is he in the House? Proceed.

Hon. Josses Lelmengit (Emgwen, UDA) Thank you, Hon. Temporary Speaker, for giving me a chance to contribute to this Motion.

For any structure to stand the test of time, it must have a good foundation. I believe the CBC is in place and this is the right time. The only question that we seek to answer is whether we are part of the problem or we are part of the solution. The other questions are whether we

are cowards or we fear the unknown. I have heard most Members of Parliament speak here. I know that the train has already left the station. We are already in the process of implementing the CBC. I urge Members not to fear the unknown. As a CBC parent, I know that the knowledge amongst the younger generation has increased. The children of today are more intelligent than those in the past. The Bible justifies that in future, knowledge will increase. Children born today are sharper than those born in the earlier days. We cannot keep suppressing our children from exploring more in terms of what we have in the CBC. For example, our children right now understand more in terms of new technology. We cannot stick to the same 8-4-4 System of Education at the expense of denying our children a chance to explore more.

The other issue is that we have teachers in primary schools who are knowledgeable and very intelligent. It is not a different system. It is just similar. All that is required is training and adjustment of the curriculum. I wish the Government could employ new technology to train teachers. We have teachers who are already university graduates. We also have teachers with master's degrees in primary schools. We can just absorb those teachers in the system, give them some training for them to effectively carry on with the CBC. Finally, we can employ new technology like online learning for teachers to cut down on costs and also save on time.

I support the rollout of the CBC in the Kenyan education system. The Government should allocate more resources so that the system can be effective.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Next is Hon. Richard Yegon of Bomet East.

Hon. Richard Yegon (Bomet East, UDA): Thank you very much, Hon. Temporary Speaker, for this opportunity. I am going to read from a script that is different from the one used by my colleague who has just finished his submissions.

Hon. Temporary Speaker, the last time we talked about CBC was when the committee of experts came and presented what they found out down there in the villages. In my constituency, the CBC has many challenges. In fact, even getting teachers to teach in junior secondary schools is a challenge. The Government is experiencing challenges in employing sufficient teachers to teach our children. Parents are also being pressed too much in the sense that they are being asked for money for JSS and secondary schools. Some parents are taking their children to private schools. Over the weekend, many parents came to me asking for support on JSS. I thought the Government was going to finance everything about the JSS programme.

As we can see, the Government is struggling to even raise money for development projects. Why do we need a lot of money for the infrastructure of the new curriculum? As parliamentarians, we leave our places of work very late. Everybody who is working does so, not just parliamentarians. When we leave our places of work, we are very tired. Once you reach home, you are again ambushed by homework, which nobody can concentrate on when tired. For this reason, people from my constituency are experiencing challenges and they say they are not supporting the CBC.

I submit that the CBC be relooked at so that we have some good ground to move on.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Abdul Haro of Mandera South.

Hon. Abdul Haro (Mandera South, UDM): Thank you, Hon. Temporary Speaker. I support the CBC system. It is hinged on imparting skills and competencies to learners. It is personalised as opposed to the 8-4-4 System of Education. The fact that the system is now nine years old and a lot of investment has gone into it has already been explained by quite a number of Members in this House. I do not need to repeat what has already been said but I want to say that we are now in a transition where pupils who were in Grade Six last year are moving to junior secondary schools. Of course, we are facing a lot of challenges as a result of that

transition, which is a teething problem. Those challenges can be dealt with in two ways. First, administratively. For instance, the question of school uniform. The fact that junior secondary school is domiciled within the primary school where children were learning is enough to make us agree that there is no need for new uniforms for them. They can continue with the uniform that they had in Grade Six. Many other issues can be dealt with administratively. For instance, we can agree that those schools that have been earmarked as feeder schools can still continue being CBC centres. Those are issues that we can deal with as a country. Such issues cannot make us run away from a system that is already nine years old.

Other issues which constitute the elephant in the room can be dealt with resource-wise. This is because we need a lot of resources and that is why we have a lot of challenges. First, we need 30,000 classrooms for the CBC but the Government has only constructed 10,000 classrooms. We can agree to appropriate more resources so that we can have more classrooms to accommodate CBC to sort out that challenge. Secondly, we have recruited 36,000 teachers to teach CBC pupils when we require 103,000 teachers. We can appropriate more resources for more teachers to be recruited so that we can deal with that challenge. We require 30,000 laboratories and it is clear that one requires resources. These are not matters that should make us run away from a system that is already nine years old. A lot of resources have already gone into the CBC. I know the system might appear like it has been rushed but it is because of the transition where we are moving from Grade Six to Grade Seven.

Hon. Temporary Speaker, I will end at this point and state that I fully support the CBC system. As the 13th Parliament, we have a historic opportunity to allocate more resources to the CBC system, so that this personalised system of learning as opposed to the 8-4-4 System of Education is not killed at this stage.

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Rozaah Buyu, Member for Kisumu West.

Hon. Rozaah Buyu (Kisumu West, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity. I would also like to thank Hon. Peter Kaluma for making it possible for us to discuss this very important issue in the House this afternoon. For the record, I am a trained teacher. My TSC Number is 240156. I am speaking with the authority of a trained teacher. One of my colleagues has already said that the train has indeed left the station. However, it does not mean that we cannot look at things that might still be wrong with that train before it finally gets an accident. This could have been a noble idea but I think it was rushed. The challenges that are coming out now should have been given more time to ensure that the CBC is implemented more effectively.

Hon. Temporary Speaker, I am going to zero in on junior secondary school. I am going to talk about parents. With these difficult economic times, parents have had another burden increased on their backs. For instance, if a parent has a Grade Six child transiting to junior secondary and at the same time he has a child who sat for Kenya Certificate of Primary Education (KCPE) last year and has to go to Form One, the burden of that parent becomes heavier. This is because such parent has to buy new school uniform for the junior secondary school child, who would otherwise use the same uniform if he were to go to Standard Seven. We also know that if a child is not transiting to junior secondary school, he is required to pay money or buy and carry a locker to school. A locker costs a parent at least Ksh4,500. We all know that most parents depend on the National Government Constituencies Development Fund (NG-CDF) bursary to pay for the education of their children. It is unfair to load a burden of Ksh4,500 on a parent for purchase of a locker and another Ksh15,000 for purchase of uniform items for junior secondary school yet the same parent has to cater for uniform and other requirements for children who are going to Form One. I think that is being unkind. The

Government should have actually set aside more money to ensure that parents are not overburdened by the new education system.

Hon. Temporary Speaker, I also want to talk about the system that was used in picking out schools that were made junior secondary schools. In my locality, it is being said that any school that had less than 45 students could not enjoy the junior secondary school facility. You find that in a sub-location, there are many schools which have less than 45 students in Grade Six. It becomes possible that a whole locality of a sub-location might miss any school offering junior secondary school education. So, children will now have to walk far and wide in search of a junior secondary school. These students will eventually drop out because they cannot walk such long distances to get into junior secondary schools. What happens to 100 per cent transition? We are now going to get less children joining junior secondary schools than there were in Grade Six because they have to cover long distances.

I am also thinking about the parents. These are parents who are nurturing their children. A parent has a Grade Six child and another one who is joining Form One. The Grade Six child will now have a new uniform and the Standard Eight child, who is probably their first born, is wearing shorts and still looking like he is not the senior that he is to the Grade Six child, who is going to junior secondary school. We know what sibling rivalry can cause in a family. Parents are now being overburdened emotionally and financially.

I also want to suggest that even if a school had less than 45 candidates in a class, if you look at that locality....

The Temporary Speaker (Hon. Omboko Milemba): Your time is up. Good contribution. Let us have Hon. Alfah Miruka, Member for Bomachoge Chache.

Please, proceed.

Hon. Alfah Miruka (Bomachoge Chache, UDA): Thank you, Hon. Temporary Speaker. I want to go on record as one of Members who are supporting the CBC 100 per cent. In fact, we should be discussing how to increase the education budget to cater for the needs of the CBC. I am surprised that other Members are speaking against the CBC. There is no way you can start something without challenges. In this life, challenges make things happen in the right way. As Members, we should put the 13th Parliament in the books of history as the Parliament that made the CBC system of education very successful. My observation is that the system is so nice but it should be 30 per cent practical and 70 per cent theory. We should review the curriculum to make it practical oriented to ensure that pupils going through the CBC know what they are doing. You cannot compare the CBC with the 8-4-4 System of Education. I went through the 8-4-4 System of Education. In the 8-4-4 System of Education, you had to struggle by yourself. In fact, it is 100 per cent theory. We should support the CBC. I want to urge the Cabinet Secretary for Education and the Departmental Committee on Education and Research to develop a strategy on how we can make structures in every school to ensure that the CBC is a success.

Hon. Temporary Speaker, recently the Government employed several teachers. Despite that, we still have classrooms which are overpopulated. Let us take one more financial year and focus on this issue. A country without an education system is dead. We should make sure that the 13th Parliament focuses on making sure that the CBC is a success. That will help our pupils and change the entire system in this country.

In the previous Government, the NG-CDF was used to build classrooms and laboratories in secondary schools. Currently, the junior secondary schools are domiciled in primary schools. May I advise fellow Members to allocate some funds to every primary school within our constituencies every financial year for construction of laboratories and classrooms. If we do so for five years, we will boost such structure in every school and promote the CBC system. When you look around and see a Grade Three or Grade Four pupil trying to create a very good toy bus, you appreciate that that mind is creative. If we nurture these small minds,

this country will not be a developing country anymore. It will eventually become a developed country in terms of invention. We will be having new ideas that will make this country competitive education-wise. I support the Member who brought this Motion. I want to be on record that we should not discuss this Motion for the sake of it but try to analyse every Member's opinion so that we may have a way forward to sure that the system is improved.

The only challenge we have is that we are living in tough economic times where the country is struggling due to lack of funds hence our Budget is being scaled down. How I wish the Government does not scale down the Budget for the Ministry of Education but instead slice the budgets of other Ministries. It should increase the allocation for the Ministry of Education to make sure that the CBC is a success.

With those remarks, I support and urge all of us to support the CBC.

The Temporary Speaker (Hon. Omboko Milemba): As Members were contributing to the Motion, I was attracted to Article 53 of the Constitution, which talks about the rights of children. I am more so attracted to paragraph (b), it says that every child has a right to free and compulsory basic education. So, as we make our contribution, we should note that the Constitution also guides us a great deal.

Let us hear from Hon. Nicholas Ngikolong of Turkana East. In the absence of Hon. Nicholas, let us hear from Hon. Robert Basil from Yatta. He is also not in. Let us proceed to hear from Hon. Cynthia Muge of Nandi County.

Hon. Cynthia Muge (Nandi County, UDA): Thank you, Hon. Temporary Speaker for giving me an opportunity to contribute to this Motion that has been brought to the House by Hon. Kaluma.

First of all, I appreciate the concerns that Hon. Kaluma has raised and thank him for taking it upon himself to bring this Motion to the House. Allow me to, first, appreciate that the CBC has its own challenges as have been mentioned over and over again by Members. The challenges range from shortage of teachers to issues to do with infrastructure and congestion of classrooms as well as delays in disbursement of capitation to schools due to general financial constraints.

To say that the CBC started nine years ago is a statement of fact. I do not think we now have a right to say that the CBC has been implemented in a hurry. The CBC has been running for nine years and its pioneers, as we all know, are in junior secondary schools as we speak. I am speaking as a full-time parent of children who started right from Pre-Primary One (PP1). I have not had other kids who went through the 8-4-4 System of Education. I only have kids who have gone through the CBC.

Hon. Temporary Speaker, the CBC is a very good system. It is a system that can take us from one level of development, as a country, to the another if the teething problems, as Hon. Members have stated, are looked into.

As it is right now, the CBC is a test on the leadership of this country. Any leadership is put to test when a special issue that is very basic and very emotive is put to question. This is such a time. As a House of leaders, we should be on the forefront in providing solutions and not bashing the same system.

Every education system has problems when it is first rolled out. I had not come of age when the A-Level education system was in place. Of course, I did not get an opportunity to hear the kind of concerns that people had during the transition period from the A-Level to the 8-4-4 System of Education but I am glad that I am here during the current transition.

Hon. Temporary Speaker, someone said that we are better off having a practical kind of education system – an education system that imparts skills on pupils and students for them to be able to use them to cater for themselves in terms of getting jobs and providing for their families. The CBC is a very good system if we mitigate the challenges that are facing it by ensuring that, as a House of Parliament, we oversee its implementation. We should provide

financial assistance through budgetary allocations for whatever needs the system requires. We should pay adequate attention to this particular issue by allocating all the money that is required for hiring of teachers and construction of infrastructure as well as address other problems that parents are facing.

I also want to appreciate the CBC teachers, especially the ones in junior secondary schools. It has not been easy but I want to appreciate those who are giving their all to the students who are under their care while in school. It is not an easy thing but they have been trying.

Being a parent under the CBC system is very expensive. It is even expensive to me who at least has some income. Every time a school term begins, it is natural to make a lot of noise for no reason when you do not have money. Every time a school term begins, I make a lot of noise because of the list of items to be bought. I feel for parents because I am a parent as well. It is really expensive.

Hon. Temporary Speaker, as you have correctly put it, the Constitution provides that every child in this country is entitled to free and compulsory basic education. So, as a House of Parliament, we should be providing solutions. The solution, as Hon. Members have stated, is that we should allocate adequate funds and ensure that we have good systems in place for monitoring and evaluation of the implementation of the CBC education system.

With those remarks, I support.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Martha Wangari.

Hon. Martha Wangari (Gilgil, UDA): Thank you, Hon. Temporary Speaker. I also rise to join in congratulating Hon. Peter Kaluma for bringing this very important Motion to the House.

Hon. Temporary Speaker, you realise that this Motion has received overwhelming support from both sides of the House. This is because it does not matter which political divide you are from when it comes issues of education. When you touch education, you touch the core of society and even of this House.

As the previous speaker, Hon. Cynthia Muge has said, we are also parents. I am a CBC parent too. So, we also interact with these issues as they come. I also want to make it clear from the start that when we improve or even positively criticise a system, it does not mean that we are fighting the Government or we do not want the best for the Government. I say so because junior secondary school initially was to be domiciled in high schools. We are the same people who actually rose in our places to oppose it because I would say in Gilgil, I have 76 primary schools and 36 secondary schools and the question was, how do you cover the 15,000 square kilometres for children to go to secondary schools? So, we have good reasons. Such decision is not informed by emotions. It is informed by what we encounter every day. That is to show that the improvement has not started now.

Initially, Grade Seven pupils were to go to secondary schools. We made a policy change at the Ministry to ensure that they are domiciled in primary schools. Why? It is because of reduced distances. When we push to improve this very good system, it is not blindfolded. I want to say clearly that what has driven this to come to this point is the small money that we received for the NG-CDF. When we were allocating bursaries, I interacted with parents asking for money to support them to take their children to junior secondary schools. We still do not have 100 per cent transition to ordinary secondary schools. What we are dealing with are 10-year-olds, 11-year-olds and 12-year-olds who are going to drop out from school. What has that done? It has brought back issues of early marriages in many communities, and Female Genital Mutilation (FGM) so that they can be married off. We are talking of a generation we have messed up in our policy and guinea pig kind of interventions. It is a sad story. When we speak, it is not that we oppose the Government. It is not that we do not support the Ministry. It is only

that we have a responsibility. The people donated the sovereign power we enjoy in this House, under Article 1. We can only talk for those people.

Hon. Temporary Speaker, I know many issues have been canvassed, and I will not talk back to them. I want to make sure that the issues are flagged out. The one thing I hope we will do is that it will not just be talking in vanity and an exercise in futility. The Departmental Committee on Education of this House should take this *Hansard* to the Ministry of Education and relay to them what Members have said here, because it is not personal.

For one, we must ensure that every public primary school is gazetted as a junior secondary school. Let us start there because we have private schools going on right now. Look at the discrepancies between where our children school and where other kids are schooling. Public primary schools have a disadvantage. If you tell a kid in a school called Oldubei, which is in my constituency, that it was not gazetted because it did not have 45 children, what are you telling the children in that schools? You are telling them that they will have to walk 10 kilometres to Nderit Primary School or Oldubei Primary School. That is an 11-year-old. What are we saying? We are talking of scavengers, *mafisi* and criminals on the roads who may molest 12-year-old girls who need to walk to school. We have built infrastructure. Let them speak to the schools and let every school be gazetted. That way, we will minimise congestion in the other schools.

Secondly, it is this issue of naming them “junior secondary schools.” The Ministry must re-look at it. Let them be upper primary schools—whatever you call them. That is so that administration of these schools is under one roof. If you say the signatory to the account of a junior secondary school is a head teacher who is a primary school teacher and a member of the board, the confusion we are talking about is not a small thing. The issue of administration must be dealt with as we deal with the issue of teachers. It may look like we are fighting this system but we are just improving it. There are several things to do to make it a better system, even without reversing.

Finally, as I finish, because I can see my light is on, is the issue of uniform. The best schools in the United States of America do not make their kids wear uniform.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Martha, we are adding you one minute.

Proceed.

Hon. Martha Wangari (Gilgil, UDA): I am winding up. The issue of uniform is very critical. Right now, a junior secondary school kid needs Ksh4,500 for a locker, Ksh4,500 for uniform and Ksh4,500 for food. Without Ksh15,000, you are not able to take your child to school. Can we have them transit with the same uniform? We are helping the Ministry because they have been giving very good press releases but implementation is not working. Can we make sure that they implement it because this House is sovereign and it represents the people?

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Thank you very much. I hope the Cabinet Secretary of the Ministry of Education is listening to this very rich debate. Let us hear from the veteran MP for Seme, James Nyikal.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity.

What we are discussing is not the concept. On that we are agreed. The CBC is a good concept. What we are discussing is planning and implementation. In my mind, that is where the issue is. What we have here is a good concept that was not planned properly and is now being implemented badly. That is where we are. We are in a situation where the “how” is failing the “why”. The “why” is good but the “how” is bad. That is where our problem is. I cannot believe that in the Ministry, the professionals that are there did not give an input. I suspect that the professionals were probably ignored. Professionals study how the world was created by

God – that is, if you are a Christian, or by nature, that is, if you are an atheist. They are literally the messengers of God and they should not be ignored even if they are powerless.

The Ministry as a whole had five major policy changes which are clashing within a very short period of time. We had 100 per cent transition, localisation which then became delocalisation of teachers, and we changed the teacher training policy from certificate to diploma. This resulted in many teacher training colleges becoming almost empty. These are issues of planning and not concept. We have the problem of funding of the universities. All these five policies were so major that they needed meticulous planning. I said that the CBC is a very good concept but there are areas where planning failed us.

Hon. Temporary Speaker, on human resource, one teacher cannot teach 12 areas. It is not possible and we needed to look at that. On infrastructure, we needed classrooms, workshops or laboratories, whatever we call them. We even started by building classrooms in secondary schools, then we turned around. That is a problem of planning and not concept. We did not prepare parents. Very few parents thought that when their children are moving from standard six to seven, they are going to spend Ksh15,000 but they were shocked. That is a problem that we must look at. Even the pupils themselves were not prepared. Some of them are now going to walk long distances because of the way we planned the schools. It is a question of poor preparation. I know we can achieve this and we need to.

On the way forward, many of my colleagues have said that in infrastructure, let us go back and plan. I can predict that in 10 years' time, all schools will start from Grade One up to university because you have no way since all schools have to have junior secondary schools. You are not going to have children walking 11 kilometres at this stage. We are all going to have them. The exam will be university entrance, which will be like what happened in 1962, when the Common Entrance Examination was removed and all people moved from Standard One to Standard Eight. The concept of primary schools and intermediate schools disappeared, and we had primary schools. I think that is where we are headed. Let us plan the infrastructure, let us face it and finance it.

On teachers, let us re-tool. There are children in primary schools and teachers are teaching them. Some teachers are competent, re-tool them. There are teachers with diplomas and degrees in primary schools, re-designate them. Let them go and teach.

In short, let us re-look at this thing. We either plan it or stop it. Otherwise, we are going to destroy a whole generation of students. It is something that we must go forward with, but we must plan it properly and save our children. We do not want one generation of children who say that we lost out.

The Temporary Speaker (Hon. Omboko Milemba): Very well, your time is up. That was a good contribution.

Hon. Prof. Phyllis Bartoo, proceed.

Hon. Phyllis Bartoo (Moiben, UDA): Thank you, Hon. Temporary Speaker, for giving me the opportunity to add my voice to the ongoing debate on the CBC. When the CBC system began, it did so because of a reason. It was supposed to replace the 8-4-4 System of Education because we realised that graduates who were churned out from the system were not employable. Employers were not keen to engage them because they felt that they did not have competencies. They were not able to perform what they had been taught from primary school to university. For example, before I came to Parliament I was teaching at an agricultural university. We used to get students enrolled for a Bachelor's Degree in Agricultural Economics or in Agriculture. We would take them to the field and they would turn up in high heels and very long nails. They want to be farmers but they are not ready to wear the right attire. The reason is their basic training. These students are drilled. They are not prepared to become agriculturists. They are drilled to go to university, learn theory, go to the field and go and knock on employers' doors looking for jobs. This CBC is supposed to be a cure for the issues that

were in the 8-4-4 System of Education. The CBC is out to create entrepreneurs – people who can be employers as opposed to people seeking jobs. That will go a long way in curing unemployment in Kenya.

The CBC is the way to go. However, it is facing challenges. Some schools were approved to be junior secondary schools while others were left out. The approval was based on distance, that is, the number of kilometres a student would cover to reach a school. If you refuse to approve all primary schools to offer the junior secondary school curriculum, it is going to disadvantage others because they are going to cover long distances. For example, my constituency has 133 primary schools, but less than 100 schools were picked to offer the junior secondary school curriculum. What happens to other schools? The system faces so many challenges, but that does not mean we are going to do away with it and go back to the 8-4-4 System of Education. What will we be telling ourselves? What will we be telling our students who have been in this system nine years down the line? We cannot run away from the problem. The challenges we are facing are challenges we can work on. Let us support the Ministry of Education by allocating it a budget to sustain this curriculum. The future is with CBC.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Your time is up. You must manage your time well.

Next is Hon. Joshua Mwalyo of Masinga Constituency.

Hon. Joshua Mwalyo (Masinga, Independent): Thank you very much, Hon. Temporary Speaker, for granting me this time to speak on the CBC Motion that Hon. Kaluma has brought to this House.

The Government has taken the right step to establish CBC in our learning institutions. I am an example of the CBC. I went to a technical school from Form One and I started doing my practical studies from that day. By the time I was finishing Form Four, I was able to fix electrical issues, construct a building, repair a fridge and charge some money for it. Those are the kinds of students that we want to produce.

Those who went through the 8-4-4 System of Education are unable to get employment anywhere. That is why the Government had to rethink the education system. The future of this country is in self-employment. It is not in white collar jobs. White collar jobs are already full because people do not want to retire. Even when they retire, they do not want to go home and are given an extension. Previously, the retirement age for Government employees was 55 years but it was extended to 60 years. That means graduates of the 8-4-4 System of Education will not have a chance for employment. When you are trained from Grade Seven all the way to Form Four, you are ready to go. Even if you drop out at Form Four, you can start your own welding workshop.

The small challenges that parents and leaders are facing are teething problems. Let us look for a solution, like we are now, so that we make it practical. We can then mentor students who are future engineers and farmers. The Professor said that lady students at the university go for agriculture practical sessions with painted nails so that they do not touch soil. Those are not the kind of people we want to train. We want to train people who can dig holes and plant banana trees.

I, therefore, support the CBC 100 per cent. We will overcome these small teething problems and make our people employable and self-sustaining. We will not have many people tarmacking and looking for jobs as they are right now.

Parents are feeling the pinch of spending Ksh19,000 to buy uniforms and pay for desks even though they have been paying for the 8-4-4 System of Education in boarding schools that are more expensive than the CBC. I support that we continue to improve the CBC to produce as many responsible people as possible.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Francis Sigei, Member for Sotik.

Hon. Francis Sigei (Sotik, UDA): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity. I want to start by thanking and applauding Hon. Kaluma for this Motion. He has raised a conversation in this country and I think as at now, the discussion has normalised. This is because it was very emotional in the beginning but people are now reasoning.

Hon. Temporary Speaker, the biggest question that we must ask ourselves is whether the CBC system is good. My answer is “Yes.” Is the implementation of this system right? My answer is “No.” Therefore, if the question that the CBC system should go on is answered, then we need to address the issue of implementation. I want to ask for an audit of the system so that we can look at it again and note where we can correct.

In my view, what we need to address is more on the challenges of implementation of the system. There was also another question that one of my colleagues raised here about the teacher training colleges. I am a worried man because all the teacher colleges in this country are almost empty and yet we are implementing the CBC. We should ask ourselves how we can go back and train more teachers. We should carry out more audit and craft a crash programme on training teachers so that we can implement this education system.

Hon. Temporary Speaker, I also wish to ask the Government to allocate more funds. I am going to ask the Government to channel the funds through the NG-CDF. We must allocate more money to the NG-CDF so that we can implement some of these programmes, particularly on infrastructure.

I support the Motion and state that the CBC should continue but we must amend several areas. This House has a duty to make sure that the system works. I want to ask the Chairman of the Departmental Committee on Education and Research to address the working Committee, look at the whole report and we amend it where possible.

I support CBC and thank Hon. Kaluma for bringing the Motion to the House.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Hon. Leah Sankaire of Kajiado County.

Hon. Leah Sankaire (Kajiado County, UDA): Thank you, Hon. Temporary Speaker. I also rise to make my contribution to this important Motion before the House by Hon. Kaluma. I think a proper survey was not done before the introduction and implementation of the CBC and that is why we have inadequate learning and teaching materials, making it the burden of parents to provide for the same. If proper planning and survey was done, the issues that we are discussing here today would have been done at the initial phase of planning. This was necessary so that when we come to the implementation part of the system, we would have put these things in order. Therefore, in my view, proper survey was not done and even if it was done, it was not in all parts of the country. It is important to note that when we sometimes rise to oppose debate in the House, it is not that we are against the Government. We just want to give honest opinions about where we come from because one of our roles is to represent the people.

Where I come from, the CBC is a curriculum of the rich. This is because every single day, parents are burdened to buy materials that children will use in school the following day. It is actually hard since we are already going through very hard economic times. It is already hard for parents to put food on the table and they are again burdened with the cost of the CBC where they have to come up with materials to support learning each and every day.

I have heard people say that some parents are lazy and that is why they oppose the CBC because they do not want to do homework with their children. I think that is a wrong notion. Where I come from, a good number of parents are either illiterate or semi-illiterate. We have children who are sent home to be helped by their parents to do their homework yet the parents cannot read or write. This poses a big challenge for the learners, causing confusion to parents who are supposed to help their children but cannot read or write. It is, therefore, not a matter of parents being too lazy to help their children. It is a matter of parents having the burden to

help their children when they are paying the teachers to help them in school. Most of the parents do not have the knowledge required to help their children.

The reason as to why we are saying the CBC may be for a few people is because it is only a few people who have been to school that can actually look at homework and help their children. We have children whose parents have not been to school. So, every time children go back to their parents to help them with the CBC studies, their parents are not able to help them. We, therefore, continue leaving other communities behind. We keep saying that we do not want to leave anyone behind when it comes to development issues, but the habit of hurriedly making decisions and implementing new programmes that have not been surveyed well is leaving a lot of communities behind. I am here to speak on behalf of my community. The CBC may be working in other places but it is a big burden to parents.

In the recent transition from Grade Six to junior secondary school, we already have a problem in my community on the number of schools that we have and the distances that children have to walk from home to school. When the Ministry identified the schools that will hold junior secondary schools in the recent past, a lot of schools were left behind, making it harder for students to access the identified schools. I join my colleagues in saying that all primary schools should have junior secondary school wings so that children can access them without having to walk long distances. We are talking about the burden of uniforms, having to buy desks and also having to buy materials to support the junior secondary schools. This is a big burden for parents who cannot afford these things.

I see my time is up. That is my contribution. I think CBC should be looked at because maybe it is working in some areas but it is not working for some communities for the reasons I have given.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Ruweida Obo, Member for Lamu East.

Hon. Ruweida Mohamed (Lamu East, JP): Asante, Spika wa Muda kwa kunipatia nafasi nichangie jambo hili la masomo ya *CBC*. Jambo lolote jipya hupata upinzani. Kwa hakika, *CBC* iko na mapungufu mengi – mapungufu ya upande wa walimu, upande wa wazazi, na kwa majengo kwenye *junior secondary school*. Tena mapungufu yamezidi kwenye maeneo Bunge mengine. Maeneo Bunge kama Lamu ni visiwa. Hata kama kina wanafunzi wachache, kisiwa ni lazima kiwe na shule na walimu. Ukisema unawatoa wanafunzi kwa kisiwa kizima uwapeleke kwingine, ni shida kwa sababu usafiri ni taabu. Walioanzisha *CBC* hawakuzifikiria sehemu nyingine. Hatusemi *CBC* ni mbaya, lakini kuna sehemu haiwezekani. *CBC* ina uzuri wake. Niko upande wote. Nina mtoto ambaye ako mjini na anasoma *CBC*. Naona ni mzuri. Lakini kwa ninaowakilisha kule Lamu Mashariki, *CBC* inawasumbua. Kama alivyosema mwenzangu, inaonekana *CBC* ni ya matajiri. Uzuri wa *CBC* ni kwamba mtoto anakua mtoto mzuri aliyefundishwa vyema. Mtoto anakuuliza maswali mpaka wewe kama mzazi wakati mwingine unashindwa kumjibu. Mtoto wangu mdogo ambaye ako darasa la tatu aliniambia anataka kuanzisha biashara. Nikamuuliza anataka kuanzisha biashara gani. Akaniambia anataka kuuza vitabu ambapo kwa wengine ilikuwa haiwezekani. Kwa hivyo, *CBC* si mbaya.

Mheshimiwa Spika wa Muda, hofu yangu kubwa ni kwamba tukifikiria kurudi nyuma kwa sababu kuna shida zaidi, kwenda mbele kutakuwa shida. Sasa, sisi, kama viongozi, tutafute suluhisho mwafaka. Tushirikiane na Wizara ya Elimu, wazazi na walimu ili tuhakikishe mapungufu ya *CBC* yamerekebishwa. Na ikibidi, kama hatutaki tena *CBC*, watu wamesema watupe mtoto na maji yake. Tuchunge sana kwa sababu wakati huo pia tunaweza kuleta shida zaidi. Tukibadilisha mtaala huu, tutawapeleka wapi wale watoto wa darasa la kwanza hadi darasa la tatu au nne?

Haya mahangaiko tuliyonayo sasa pia yatarudi vile vile. Ikiwa itawezekana, tushirikiane tuweke Bajeti tuongezee walimu wapatikane zaidi. Kama alivyosema Mbunge

mwenzangu, Mhe. Nyikal, saa zingine utaona hapa hata hizi sheria zinawekwa hazifanyi kwingine. Hizo sheria ziliwekwa ni nyingi. Sheria ingine inasema eti ni lazima walimu wawe na gredi ya C+ ambayo ni masikitiko katika Eneo Bunge langu. Hata tunaweza kuisema kama ni janga la kitaifa, kwa sababu sisi tulipata alama ya B- moja katika Eneo Bunge nzima. Tuna alama za C *plain* mbili. Nilipata shule hazina mikakati ya watoto kusoma. Sasa sheria zikitungwa hivyo na CBC iwekwe na haijaangalia mtu wa Lamu Mashariki, atafanya vipi? Atapata walimu kutoka wapi? Huwa ni changamoto.

Kwa hivyo, nawasihi wenzangu hapa kuna kazi. Nilazima tufikirie kama viongozi ili tupate suluhisho.

Ahsante, Mhe. Spika wa Muda.

The Temporary Speaker (Hon. Omboko Milemba): Basi CBC sasa imeenda kwa Kiswahili. Wacha tumjaribu Mhe. Jackson Lekumontare. Tayari amesimama. Sijui kama atatumia lugha ya Kiswahili. Ahsante sana, Mbunge wa Samburu Mashariki.

Hon. Jackson Lekumontare (Samburu East, KANU): Thank you, Hon. Temporary Speaker for giving me this chance to contribute. According to the contributions, we have a direction now. We already started CBC. We are in it. According to what very many Members have said, it is not possible to reverse it. There is no teacher who will say it is possible to reverse it. We already started it. Our students are in it. We only have to solve the few problems which are there. Members know that we decided to start the CBC because there were so many problems with 8-4-4 curriculum. People complained about it. We are in this new system now.

We only have to fund the Ministry of Education. That is the only way we have to go. Even the teachers who are in the primary section now are capable of teaching Grade Seven learners. It is only the Ministry which brings a lot of confusion that we need teachers for CBC. There is nothing those teachers cannot teach in Grade Seven. If the Teachers Service Commission (TSC) and the Ministry of Education solve the problem of teachers, they are capable of teaching. There is nothing more difficult in Grade Seven than in Class Eight. There are teachers and if there are infrastructure challenges, the Government should solve them so that with time we can enjoy the fruits of the CBC. Looking at the innovation of the children in Grade Six, it is true that they are doing a lot of good things. Some time ago, a scholar said, "In any normal society, there are challenges but they can be solved". These challenges can be solved. As a country, we should move forward and solve them so that our children can enjoy the new system, which is more practical oriented than theory.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): We still have some time. Next is Hon. Charo Kazungu of Ganze. Is he in the House? Proceed.

Hon. Kenneth Tungule (Ganze, PAA): Thank you so much, Hon. Temporary Speaker, for giving me an opportunity. I also wish to congratulate Hon. Peter Kaluma for bringing this Motion, which is very timely. In Kenya, the CBC is a very good system of education but somehow its implementation was hurried. As a result, there is a lot of confusion on the ground. Even as we speak, most students who have been admitted to junior secondary schools are yet to begin learning.

In my constituency, every primary school that was upgraded to junior secondary school has received one teacher to teach 14 subjects, which is practically impossible. Again, some students who have been admitted to junior secondary school are being requested to pay Kshs1,000 admission fees and parents are supposed to send them to school with desks. These issues had not been envisaged by the system and as a result, many parents are finding it very difficult to send their children to junior secondary schools.

The Government needs to do something about this because it will have a negative effect on our student's future. The CBC was supposed to replace the 8-4-4 System of Education because it was judged as being very theoretical. I think the Government did not adequately

prepare for this new system. I can see a generation that will suffer in the long-term. This is because of failure by Government to adequately prepare for this change over.

In Ganze, we have 106 primary schools but only 98 were upgraded to host junior secondary schools. That means eight schools did not qualify. This is a problem because as you know, Ganze is a very vast constituency and schools are far apart from each other. We are wondering what the students from the eight schools are going to do because the students are still very young and cannot walk all the way to other schools. Since the Government did not upgrade them, it means some students will fail to join junior secondary schools.

Those are some of the challenges we are facing in Ganze right now. I want to thank Hon. Peter Kaluma for bringing this Motion because this debate is long overdue. I really support it and wish that the Government could come up with ways and means of improving this system for the benefit of our children.

Thank you, Hon. Temporary Speaker.

ADJOURNMENT

The Temporary Speaker (Hon. Omboko Milemba): Hon. Members, the time being 7.00 p.m., the House stands adjourned until tomorrow, Wednesday, 22nd February 2023, at 9.30 a.m.

The House rose at 7.00 p.m.

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