

# BUNGE

*This Week*

Issue No. 004

## MASHINANI

Joy as 45 students secure a whole year's education sponsorship courtesy of a foundation started by Hon. Tim Wanyonyi ( Westlands). The legislator issued cheques to the first lot of Tim Wanyonyi Foundation beneficiaries.



STORY PAGE 10 ▶

PLENARY | COMMITTEES | BUNGE MASHINANI | CLIQUE & CLICKS | QUESTION TIME

### Only Cabinet Secretaries allowed to answer questions in the House: Directs Speaker Wetang'ula



Members of the National Assembly Hon. Eng. John Kiragu Chege (Limuru), Hon. Lelmengit Josses Kiptoo Kosgey (Emgwen), Hon. Adams Kipsanai (Keiyo North), Hon. John Koyi Waluke (Sirisia) attending a Committee session at Parliament Buildings.

National Assembly Speaker Rt. Hon. (Dr.) Moses Wetang'ula has cleared the way for Cabinet Secretaries to appear in the House this (Wednesday) to respond to Questions and to provide Reports to the House pursuant to the general investigatory mandate of the House and the requirements of Articles 153(2) and 153(4)(b) of the Constitution.

The Speaker made it clear that, only Cabinet Secretaries will be allowed under the amended Standing Orders to answer Questions on the Floor of the House.

"I want to inform the Cabinet Secretaries that there will be no room for delegation of anybody to appear before the House to answer Questions on their behalf. Each Cabinet Secretary is obligated to appear in person and answer Questions or expound on policies in their docket in response to Questions raised by Members," Speaker Wetang'ula directed.

While guiding the House on the new procedure in which Questions shall be dispensed with at Plenary, Speaker Wetang'ula said that as it was the practice, a Member will be required to deliver a signed copy of the proposed Question to the Clerk, who shall process it in line with the provisions of the Standing Orders before the final version is submitted to his office for approval.

CONTINUED PAGE 4



Laikipia County MP Hon. Jane Kagiri, seeks to reduce the country's cost of electricity through a motion tabled in the House.

STORY PAGE 3 ▶



The Hon. George Murugara - led Justice and Legal Affairs Committee vets EACC Chairperson nominee

STORY PAGE 2 ▶

## FULL IN-TRAY FOR MEMBERS AS NATIONAL ASSEMBLY RESUMES REGULAR SITTINGS

The National Assembly resumes its regular sittings tomorrow after Easter recess, with a full in-tray before it.

The House broke for a short recess on Thursday, March 23, 2023 inline with the House calendar.

Upon resumption, top on the House agenda for the second session of the 13th parliament is the establishment of a framework to implement the political settlement between President William Ruto and opposition leader Raila Odinga with priority on the constitution of the bipartisan committee.

Besides, Members will conclude debate on the Reports of the 144th and 145th Assemblies of the Inter-Parliamentary Union, the general debate on proposals to amend the Constitution under Standing Orders, and the Statute Law (Miscellaneous Amendments) Bill 2022 which was not concluded in the last Session.

Further, the House is also expected to begin debate on the ratification of the African Union Treaty for the establishment of the African Medicines Agency (AMA) and ratification of the Defence Cooperation Agreement between Kenya and the United Kingdom of Great Britain and Northern Island on Defence Cooperation.

"The House Business Committee shall reconvene on Tuesday, 11th April 2023 to schedule business for the rest of the week," said Majority Leader Hon. Kimani Ichung'wah ( Kikuyu).

Hon. Ichung'wah commended the leadership of both House and Members for their dedication and cooperation exhibited in the first session, urging them to replicate the same in the second part of the session.

"In the first session of the 13th parliament, we have certainly set a good pace and met the statutory timelines in respect of all matters that were before the House.

CONTINUED PAGE 2 ▶



National Assembly Speaker, Rt. Hon. (Dr.) Moses Wetang'ula escorted by Sergeant-at-Arms makes his first entry to the Chamber following his election as Speaker last year.





## QUOTE OF THE WEEK



“We hope that as women leaders in this House, as we fight to ensure that we attain the two-thirds gender rule in the Constitution, we hope that this will go a long way to ensure that our girls from the villages, in Africa, and in the world can learn from Kenya. They will learn to be at the forefront in terms of ensuring there is gender parity in leadership not just as voters, but also as leaders.

**Martha Wangare, Gilgil MP**



“Women leaders in Kenya are continuing to climb the ladder of leadership, especially as we talk about the Two-Thirds Gender Rule, where essentially it applies to women. We hope that with the time, it will also apply to men as women continue taking up more and more of seats in the two Houses of Parliament.

**George Murugara, Tharaka MP**

### CONTINUED FROM PAGE 1

This includes the Budget Policy Statement and the Debt Management Strategy Paper Approval,” added Ichung’wah who doubles as Kikuyu MP.

As the House resumes its sittings, Ichung’wah observed that the House awaits reports on various items of business finalized ,reports on Bills, treaties, approval hearings, inquiries, and responses to Statements that will be brought to the House.

As the House reopens, the return of question time will make a comeback as, where Cabinet Secretaries will be required to appear in the House to respond to Questions and to provide Reports to the House pursuant to the general investigatory mandate of the House and the requirements of Articles 153(2) and 153(4)(b) of the Constitution.

This follows an adoption of the report of the Procedure and House Rules Committee that amended various sections of the Standing Orders to allow the ministers to physically appear before the House and answer questions from the public and MPs.

The legislators amended Standing Order 25(A) to allow a Cabinet Secretary to expound on government policy, reply to questions and provide reports concerning matters under his or her docket.



**Members of the National Assembly at the main Chambers in Parliament Building, during a past House session**

According to the new Standing Orders, which took effect on March 22, the Cabinet secretaries will appear before the House every Wednesday from 2.30 pm to 5.30 pm to answer questions, expound on government policy and provide reports concerning matters under their control

“A Cabinet Secretary shall provide physical and electronic copies of the reply to a question at least a day before appearing before the House,” reads the new Standing Order 42 (c).

CSs are required to appear before the House every Wednesday afternoon between 2:30 pm - 5:30 pm.



**THE HOUSE BUSINESS COMMITTEE SHALL RECONVENE ON TUESDAY, 11TH APRIL 2023 TO SCHEDULE BUSINESS FOR THE REST OF THE WEEK**

NATIONAL ASSEMBLY MAJORITY LEADER KIMANI ICHUNG'WAH

On Thursday, National Assembly Speaker Moses Wetang’ula clarified that only Cabinet Secretaries will be allowed under the amended Standing Orders to come and answer Questions on the Floor of the House.

“To the Cabinet Secretaries that there will be no room for delegation of anybody to come to this House to answer questions on their behalf. Each Cabinet Secretary is obligated under the Constitution to come to the House in person and answer Questions or expound policy in their docket in response to Questions raised by Members,” Speaker Wetang’ula directed.

Speaker Wetang’ula said the Leader of the Majority Party shall inform the House of the date, time, and order in which Cabinet Secretaries shall appear to reply to Questions and provide Reports to the House. In so doing, the speaker directed that the Leader of the Majority party shall take into consideration the urgency of each Question.

## Justice and Legal Affairs Committee vets ex-CITAM Presiding Bishop's suitability as Nominee for EACC Chairperson position

The Justice and Legal Affairs Committee led by its Chairperson Hon. George Gitonga Murugara (Tharaka) conducted an Approval Hearing for Bishop Dr. David Oginde, the nominee to the position of Chairperson of the Ethics and Anti-Corruption Commission (EACC).

This is in accordance to Standing Order 45 and section 8 of the Public Appointments (Parliamentary Approval) Act, 2012; which provides that the Committee to which such a nomination is referred, shall consider the matter and table a report within twenty-eight (28) days since the date of the Presidential nomination.

During the hearing, Members of the committee sought to know what he brings to the table if appointed, to which Dr. Oginde highlighted

the commission’s two major roles of preventing and combating corruption, as well as promoting integrity.

The nominee noted that the commission has so far not worked much on promoting integrity amongst Kenyans and institutions, and this is an area he intends to work on extensively, to ensure that every Kenyan takes the fight against corruption as a personal and collective responsibility and not a commission’s responsibility.

“The human being is naturally corrupt. We have to work towards transforming the thinking towards corruption and build an understanding that corruption is bad for the country.” Said Dr. Oginde.

The members were also concerned

about the difference he plans to bring to the Commission as compared to his predecessor Archbishop Eliud Wabukala, considering that he is also in the religious ministry, having been the Presiding Bishop at Christ is the Answer Ministries (CITAM), church.

“I have come not because I am a Bishop but because I am concerned by the way things are and would want to make a contribution to change the culture about corruption. If I get this opportunity, I come in as a fellow Kenyan with certain concerns about change” He replied.

The nominee appealed to Parliament to put in place legislations that will ensure that high level corruption

cases are expedited and necessary measures executed within the shortest time possible. He also called on legislators to support the commission with sufficient resources to enable EACC to deliver its mandate effectively.



Chairperson of Justice and Legal Affairs Committee Hon. George Murugara (C) and his vice Hon. Mutuse Mwengi (R) during the vetting of EACC Board chair nominee Dr. David Oginde.



## Motion to reduce cost of electricity introduced in the House



Hon. Jane Kagiri moved a Motion seeking to reduce the cost of electricity in Kenya.

Laikipia County Member of Parliament Hon. Jane Kagiri moved a Motion that seeks to reduce the cost of electricity in the country. In her Motion, Hon. Kagiri urges the Ministry of Energy to negotiate with power producers with a view to reducing the cost of power.

Hon. Kagiri pointed out that Kenya Power has entered into Power Purchase Agreements (PPAs) with both KenGen and Independent Power Producers (IPPs) which makes Kenya Power procure electricity from them at unregulated rates. She added that there is a need to regulate all IPPs in the country and publicize their locations, stakeholders, directors, management and their addresses.

In addition, she said, “the agreements the IPPs have entered into with Kenya Power should be made public to enable proper scrutiny”.

Further, Hon. Kagiri called upon the Departmental Committee on Energy to undertake an inquiry into the operations of Kenya Power in relation to; agreements entered into with IPPs, factors affecting the cost of electricity including over-reliance on IPPs against available renewable and other energy sources and, measures to be taken to reduce the cost of electricity.

While seconding the Motion, Hon. Caroli Omondi (Suba South) said Kenyans cannot be burdened to pay for all these expensive PPAs which were entered into without following due process for procurement. “

It is time to introduce a strategic investor for Kenya Power to stabilize its operation and resolve the many challenges facing its operation.” said Hon. Omondi.

The debate on the Floor of House largely pointed out to the issue of monopoly in the sector which is consequently contributing to high cost of electricity for consumers. The Legislators questioned why other players like KenGen are not

THE AGREEMENTS THE IPPS HAVE ENTERED INTO WITH KENYA POWER SHOULD BE MADE PUBLIC TO ENABLE PROPER SCRUTINY.

HON. JANE KAGIRI

allowed to distribute power to consumers directly instead of selling it to Kenya Power who are solely tasked with the distribution role.

MPs further observed that the high electricity cost in Kenya has in the past seen investors relocate to other countries, including in the East Africa region and also denied the country new investments by foreigners. Cheap and reliable Electricity will ensure that investors set up their industries in our country and this will go a long way in ensuring the issue of unemployment is solved.



Members of the Environment, Forestry and Mining Committee inspecting uprooted Baobab trees awaiting exportation to Georgia at Boya yard in Kilifi County.

## Committee visits Kilifi over controversial Baobab tree export deal

Members of the National Assembly departmental Committee on Environment, Forestry and Mining led by Baringo South MP Hon. Charles Kamuren conducted an inspection visit to Boya yard, Kilifi County where the eight uprooted Baobab trees lying awaiting exportation to Georgia.

Accompanied by members of the Kilifi County Assembly Committee on Environment, the House teams, in their fact finding mission visited Tezo community where the trees were uprooted last year.

After the inspection the team held a meeting with Kenya Forest Service (KFS), Kenya Forest Research Institute (KEFRI) and National Environment Management Authority (NEMA) in a bid to establish the role each of these institutes played in the sector.

The legislators also sought to know why there was no public participation and adequate training provided to the community by KFS before the trees were uprooted.

In their response, KFS head of biodiversity James Mwamodenyi disclosed that by the time the issue was brought to their attention, the baobab trees had already been uprooted and were ready for exportation.

“After the issue was brought to our attention we made an inquiry and was informed that the trees were destined to Shekvetili botanical garden in Georgia and the intention was to be showcased in a section as part of a trees collection from different parts of the world,” Mr. Mwamodenyi said.

According to Dr. Linus Wekesa, a researcher at KEFRI, baobab tree is not classified as an endangered species facing extinction in the coastal part of Kenya.

“From a point of science and conservation status, this particular tree is not classified as one of the endangered species. It is not under a threat of facing extinction,” said Dr. Wekesa.

On its part, NEMA told the members that after being cleared with KFS and KEFRI, their concern was the fact that the uprooted baobab was meant for exportation thus prompting them to subject the whole activity to Environment Impact Assessment (EIA) which said the process had no negative impact and issued a licence authorizing exportation.

The Committee is expected to write a report on its fact finding mission and present it to the house for debate.

## Watchdog Committee on Commercial Affairs and Energy probes Kenya Forest Service (KFS) on audit queries

The National Assembly's Public Investment Committee on Commercial Affairs and Energy chaired by Pokot South MP Hon. David Pkosing, has for the second time met with officials from Kenya Forest Services led by Ag. Chief Conservator of Forests Mr. Alex Lemarkoko on audit queries of the Kenya Forest Service (KFS) accounts for the financial years 2015/2016 and 2016/2017.

The Committee sought to know why officers from KFS had approved and later awarded themselves imposts amounting to Kshs 1.7 million contrary to the finance manual of the service and the Public Finance Management (PFM) Act of 2012.



The Public Investments Committee on Commercial Affairs and Energy meeting with Kenya Forest Service officials.

In his response to the Committee Mr. Lemarkoko said that it was a common procedure for the officers to approve different expenditures including those that they are personally undertaking.

The committee members were however not satisfied with the responses given and demanded for a more detailed report on the Service operations manual in relation to the query.

“I therefore ask you KFS officers to go back and put your house in order before appearing before this committee again in the next two weeks,” said Hon. Pkosing.

I THEREFORE ASK YOU KFS OFFICERS TO GO BACK AND PUT YOUR HOUSE IN ORDER BEFORE APPEARING BEFORE THIS COMMITTEE AGAIN IN THE NEXT TWO WEEKS

HON. PKOSING.

Other Committee Members present were; Vice-Chair Hon. Lilian Gogo (Rangwe), Hon. Capt. Ronald Karauri (Kasarani), Hon. Babu Owino (Embakasi East), Hon. Adan Keynan (Eldas), Hon. Paul Katana (Kaloleni), Hon. Mwangi Kiunjuri (Laikipia East) and Hon. Machua Waitthaka (Kiambu).





## CONTINUATION FROM PAGE 1

“The Clerk shall transmit the approved Questions to the relevant Ministries for response by the respective Cabinet Secretaries,” said Wetang’ula.

Concerning how Cabinet Secretaries shall respond to Questions, Speaker said, the Leader of the Majority Party shall inform the House of the date, time, and order in which Cabinet Secretaries shall appear to reply to Questions and provide Reports to the House.

In so doing, Speaker Wetang’ula directed that the Leader of the Majority Party shall take into consideration the urgency of each Question. “To this end, regularly, the Clerk shall prepare and publish on the Parliamentary Website a tentative list of Cabinet Secretaries scheduled to reply to Questions and provide reports to the House on the advice of the Leader of the Majority Party,” he said.

“A Cabinet Secretary shall provide both physical and electronic copies of the reply to a question, at least one day before the said appearance.” He added.

Once Questions are scheduled to be responded to, the Speaker advised that, a Member shall ask his or her Question on the day it is scheduled on the Order Paper.

The Speaker reiterated that Questions shall be dispensed within the sequence they appear in the Schedule of Questions to be appended to the Order Paper.

“Notably, I shall allow a Cabinet Secretary to reply to a Question on the day it is scheduled for the reply, notwithstanding the absence of the Member who raised it. If it is listed and the Cabinet Secretary is present, I will allow him or her to answer the question, whether the member who asked the question is present or not. Additionally, the Speaker may vary the order in which Questions shall be disposed of or defer a Question scheduled to be responded to,” he held.



Trans Nzoia Woman Representative Hon. Lillian Siyoi Chebet, (L) Njoro MP Hon. Charity Kathambi Chepkwony, Kajiado Woman Representative Hon. Leah Sankaire and her Bungoma Counterpart Hon. Catherine Wambilianga attending a past event in Parliament.

He however noted that a Member may request the Speaker to defer a Question to a later date or withdraw it altogether.

“For greater flexibility, a Member whose Question is listed in the Order Paper may, with prior written notice to the Speaker, depute another Member to ask the question in his or her absence,” he noted.

The Speaker indicated that in keeping with the existing practice, Questions directed to a constitutional commission or an independent office shall be replied to before the relevant committees of the House.

“Where a Member prefers a written reply to his or her Question, I shall direct that a written reply be provided. The Clerk shall forward the Question to the relevant Cabinet Secretary, commission, or independent office and the reply, once received, shall be provided to the Hon. Member,” he held.

He further informed the House that in the amended Standing Orders, that took effect on Thursday, 23rd March 2023, Standing Order

**THE CLERK SHALL TRANSMIT THE APPROVED QUESTIONS TO THE RELEVANT MINISTRIES FOR RESPONSE BY THE RESPECTIVE CABINET SECRETARIES**

RT. HON. (DR.) WETANG’ULA

40(3A) gives priority to Questions and reports by Cabinet Secretaries every Wednesday afternoon for a period not exceeding three hours.

He emphasized on the stipulated time on Questions, saying that in order to allow adequate time for Members to dispense with Questions and compensate for the time set aside for Questions during the sitting, the amended Standing Order 32 has varied hours of sitting on Wednesday afternoon from 7 p.m. to 9 p.m.

“For clarity, notwithstanding the provisions of Standing Order 30(2) (c), the House may adjourn at 7 p.m. on Wednesdays during the afternoon sitting, in the event the House concludes the business scheduled for the sitting in addition to any Questions scheduled for the reply,” he advised.

According to the amendment of Standing Order 25A(b), the Speaker has designated the place adjacent to the public servants’ bench on the right of the Hon. Speaker, as the appropriate place in the Chamber where a Cabinet Secretary shall expound on Government policy, reply to Questions and provide reports concerning matters under his or her control.

“This is the usual place where the Cabinet Secretary for National Treasury presents Budget Highlights annually,” he said.

The Speaker hopes that the new procedure will enhance the Executive’s accountability to the National Assembly and urged Members to take time to familiarize themselves with the new procedure well in advance of the resumption of the House after the short recess.

## Committee on Blue Economy tours State-sponsored fishing project in Kilifi County



Blue Economy Committee Chairperson Hon. David Bowen (Marakwet East) engaging Fishermen at Kichwa Cha Kati fish landing site, Kilifi County

The National Assembly’s Departmental Committee on Blue Economy, Water and Irrigation led by its chairperson Hon. David Kangogo Bowen (Marakwet East) undertook an inspection visit of the Ngomeni and Kichwa cha Kati fish landing sites, where they also engaged the fishermen involved in the projects under the purview of the State Department for Blue Economy.

During a courtesy call to the office of the Kilifi County Governor Hon. Gideon Mun’garo, the Committee, accompanied by Kilifi North Member of Parliament Hon. Owen Baya discussed concerns raised regarding the challenges faced by fishermen and the people of Kilifi County.

During the meeting with Governor Mun’garo, Hon Baya raised concerns over the mismanagement of funds, emphasizing the need to focus on small projects that would benefit the ordinary fishermen, rather than just major blue economy projects.

The Chairperson Hon. Bowen highlighted the issue of fishermen bearing the brunt of all the taxation and stressed the need to amend regulations to cater to their welfare.

In its fact-finding mission, the committee visited Ngomeni and Kichwa cha Kati fish landing sites to engage the fishermen on the ground, and understand the challenges they face.

Members emphasized the need for better infrastructure, modern fishing gear, and adequate storage facilities to improve the fishermen’s income. Furthermore, they highlighted the importance of public participation in decision-making to capture the issues affecting the people on the ground.

Other members present included; Kitayama Marwa (Kuria East), Hon. Rozaah Buyu (Kisumu West), Hon. Amina Mnyazi (Malindi), Hon. Paul Nzengu (Mwingi North) Hon. Mohammed Adow (Wajir South), Hon. Dorothy Ikiara (Nominated) and Hon. Stanley Muthama (Lamu West).





## Legislators vow to unite and pass Two- Thirds Gender Rule

Members of the National Assembly have vowed to develop a bi-partisan approach to realize the implementation of the two-thirds gender rule for elective positions that continues to stall in parliament.

Despite the constitutional requirement to ensure gender balance in the National Assembly and the Senate, the number of women MPs remains low.

Leader of the Majority in the National Assembly Hon. Kimani Ichung'wah (Kikuyu) now says as a House they have embarked on the process of realizing the two-thirds gender rule, in terms of representation in this national Assembly and the Senate, adding that parliament will work with all women.

"I say this as a father of four very beautiful girls. I know when we fight for women's rights, we not only do it for them but also the society at large," said Ichung'wah.

He was speaking on Thursday when the National Assembly leadership hosted the East Africa Women's League.

"Therefore, I commend the Women's League for the work they have done over the years. I also encourage them to work with the male legislators back in their constituencies to ensure that we pass the two-thirds gender rule to see that women not only vote but also represent the greater population of Kenyan-women," he added.

Gilgil MP Martha Wangari said women are no longer just voters but they run for elective positions.

"We have entrenched affirmative action in the Constitution. In fact, in this Parliament, we boast of 102 women who represent their population in different parts of Kenya, both in the Senate and the National Assembly," said Wangari.

"We hope that as women leaders in this House, we can have some time to interact with them. Also, as we fight to ensure that we attain the two-thirds gender rule in the Constitution, we hope that this will go a long way to ensure that our girls from the villages, in Africa, and in the world can learn from Kenya. They will learn to be at the forefront in terms of ensuring there is gender parity in leadership not just as voters, but also as leaders," she added.

Nyando MP Jared Okello lamented that it has been over a century since women started fighting for what he termed their birthright.

"I am very perturbed that the process of democratization within our womenfolk has been too gradual. A hundred years down the line, fighting for what is due to them is way too long but they are not losing hope," said Hon. Okello.



KEWOPA Executive Committee Members pose for a photo session during their inaugural Executive Committee meeting aimed at familiarizing themselves with the workings of the Parliamentary Women caucus as they prepare to begin their Strategic Planning for the 13th Parliament.

"We know that at one given time of their lifetime, they will have equal rights. There are inscriptions all over the place on the just government of men. We wonder what happened to the womenfolk who play a very pivotal role in the economic and democratization processes of our nations," he added.

Quoting the citations of the former United States of America (USA) President Barack Obama, when he visited Kenya, said "if we would give our women equal opportunity as men, this nation would be much better because then it is akin to having one side of your football league participating in a match"

"I hope that together we shall make our women realize all the rights that they have been fighting for," Okello held.

"Changamwe MP Omar Mwinyi said he will work with female legislators in the constituencies to ensure they reclaim their seats.

"For those who also want to become Members of Parliament, you should also be assured that we are going to assist you. There is room for you to compete," said Hon. Mwinyi

"I want to emphasize here that in society today, women play a very important role. They are the ones who attend meetings in schools, they are the ones who take care of the children, and they are the ones who even fend for the children in society. I think it is high time they raised the bar and came to the

### FRUITLESS ATTEMPT

- Implementation of the Two Thirds gender rule has remained elusive despite more than ten attempts by MPs to push it through.
- The last attempt to implement it through BBI collapsed after the courts declared the process illegal

national limelight to serve this nation with distinction," he added.

Thika Town MP Alice Ng'ang'a reckoned that the women of Kenya had come from far because the women of Kenya have been given equal opportunities with their male counterparts.

"That is why we are here today. We would like to remind everyone of us that these are the same women we went to school with in primary school, in secondary and shared university classes with. That is why even in leadership, we are saying we want to be at the table making decisions. We celebrate every woman who has taken a step to make a difference in this country and the entire world," said Hon. Ng'ang'a.



## Speaker Wetang'ula rallies clergy from East African Community to pray for peaceful coexistence in the region

National Assembly Speaker Hon. (Dr.) Moses Wetang'ula has called upon the clergy and members of the East African Community to pray for EAC & Africa for peaceful co-existence between borders.

Speaking on Tuesday when he received delegation of, the Speaker termed the EAC borders as imaginary creations by colonialists the Association of Catholic Members of Parliament from the National Assembly of the Democratic Republic of the Congo (DRC) that prevented the free movement of people, goods and services in the region.

The Speaker emphasized the importance of having peace in the EAC region to bolster trade and the region's economy. He appreciated the fact that DRC was now part of EAC and encouraged them to foster unity and togetherness.

He observed that Kenya was working round the clock to ensure that Peace is restored in the DRC by recently dispatching KDF officers to join other peace keeping forces in the mission towards restoring peace and tranquility in the country

He underscored the importance of peace in the region saying that Kenya is home to many refugees who he said desired to live in their countries of origin but due to conflicts they fled their land in search of shelter.

Speaker Wetang'ula further affirmed his position on the LGBTQ intrigues saying that family is recognized both in the bible and the Constitution of Kenya as the solid corner stone of society.



National Assembly Speaker Hon. (Dr.) Moses Wetang'ula with the leader of the DRC Congo delegation Hon. Prof. Segi-hobe Jean-Paul.

He noted that the National Assembly had considered and deliberated the LGBTQ matter adding that the Constitution of Kenya was a supreme law of the land and must be followed and implemented as a guiding tool to making right judgments.

"Article 45 of the constitution recognizes family as the natural fundamental of society. We have no other way of creating family other than through natural ways of creation. Kenyans are people of faith and worship in different denominations, they are believers in both the Bible and the Quran and other relevant worship materials. We shall not accept the family fabric to be destroyed", Said Speaker Wetang'ula.

"Where there is the fear of God, people do the right things, where God is absent, people do wrong things", added Speaker.

Hon. Joyce Kamene currently serving as the Vice - Chair Catholic Caucus and hosting the visiting delegation expressed her gratitude to the Speaker for his unwavering support to the association which conducts national and regional events under the umbrella the National Prayer Breakfast.

"Thank you Mr. Speaker for your support whenever we call on you. We appreciate you as one of us in the catholic faith and always pray for your leadership and guidance at the helm of the August House.", said Hon. Kamene.

Hon. Kamene further urged Speaker to offer the association more opportunities to engage their counterparts across the globe on exchange programme.

The leader of the delegation Hon. Prof. Segi-hobe Jean-Paul from DRC lauded Speaker Wetang'ula for his great leadership in the August House amidst strong political standings.

He informed the Speaker that the team of Catholic MPs from the DRC were in the country on a learning mission from their Kenyan counterparts geared towards social transformation.

In his address, he pointed out the need for Parliaments across EAC and Africa to develop legislations that protect family and enhance social progress and transformation.

"The issue of LGBTQ is a curse, an absolute foreign idea and not welcome in Africa at all. We are strong believers who should pray against the vice as well as work towards eradicating such misbehaviors", said Hon. Jean-Paul.

He acknowledged that Kenya was playing a key role in restoring peace and tranquility in DRC Congo saying that Rwanda & Congo had nothing to fight about except that the leadership of the two nations should come together and find a lasting solution for the current conflicts.

The delegation indicated that they are touring the EAC states and will be heading to Uganda and Rwanda preaching the gospel against the LGBTQ matter.

## Committee on Implementation meets Treasury CS, pensioners over delayed payments

The National Assembly's Committee on Implementation, in a session chaired by Hon Prof. Guyo Jaldesa (Moyale), met with the Finance and Economic Planning Cabinet Secretary Prof Njuguna Ndung'u, and members of the Kenyan Association of Retired Officers (KARO), to discuss the implementation status of a Parliamentary report on settlement of retired government officers' pension issues.

The committee sought explanations from the Cabinet secretary on the implementation status of a report by the Departmental Committee on Labour and Social Welfare in the 12th Parliament addressing concerns raised in a Petition to the National Assembly by KARO, as well as related recommendations by the SRC to Treasury.

"This is still work in progress, and we have limitations to drawing conclusions while addressing the issues of concern to the retirees, although I can assure that the issues will be fully resolved in due time." said CS Prof Ndung'u.

A comprehensive valuation exercise of all retired officers will be carried out by the government, and

once we have reliable results, we will undertake to implement the committee's and the SRC's recommendations." Stated Prof Ndung'u.

However, the pensioners made their case to the Committee, expressing disappointment with the speed with which their case has been executed, citing their deteriorating health and other financial needs that have remained unaddressed.

By the time SRC made their recommendations, an actuarial study had already been done by Alexander Forbes in 2015, thus the claim by Treasury that this needs to be done again, makes no sense to us." Said Ahmed Hussein Ahmed, the chairperson of KARO.

"In as much as our pensions have been coming in good time now, the amount is still insufficient to meet our needs and we are only asking for equity, justice, and fair treatment bearing in mind the changing economic dynamics of our country,"

Said the Chair, who is also a Retired Director of Children's Services.

"Can Treasury explain how a former Permanent Secretary who retired in 1995 earns less than 20,000 shillings, while a former PS who retired in 2005 earns over Kshs 200,000 shillings? Where is the fairness?" Posed Boniface Makau, a Retired Former PS in the Office of the President.

Among the Committee's recommendations were for treasury to among others, review the pensions Act and align it with the provisions of the constitution as well as fast track the process on the development of the National Retirement Benefits Policy to provide for the provision and management of retirement benefits in the country.

Besides, Implement the recommendations by SRC on pension increase Policy, in an equitable manner so as to ensure it does not perpetuate further disparities.





## Watchdog Committee halts sitting with NHIF over misleading responses

A meeting between the National Assembly's Public Investments Committee on Social Services, Administration and Agriculture and the Acting Chief Executive Officer of the National Health Insurance Fund (NHIF) Samson Kuhora, ended prematurely due to the CEO's inability to sufficiently respond to audit queries raised.

A report by the office of the Auditor General on the National Insurer's expenditure in the financial year 2020/2021 highlighted several issues that the committee, chaired by Hon. Emmanuel Wangwe (Navakholo) sought to address with Mr Kuhora, who was ill-prepared to submit credible explanations for the ten Audit Queries raised by the Auditors.

Among the key issues the accounting officer could not sufficiently address included the ownership of 2 billion shillings worth of a disputed 10-acre piece of land in Karen, and the construction of a multi-storey car park by NHIF, as the CEO's submission on the Audit Queries contradicted the information contained in the audit report before the committee.

"What is your core mandate as NHIF? Could you explain to this Committee the status of this controversial investment, even as you highlight to us your policies on investment," posed the Chairperson, Hon Wangwe.



National Assembly's Public Investments Committee on Social Services, Administration and Agriculture Chairman Hon. Emmanuel Wangwe (Navakholo) Chairing a Committee meeting that grilled NHIF Boss Samson Kuhora.

In his response, the Acting CEO told legislators that the land bought in early 2000s was meant to put up a resource center, but this is yet to be done due to an on-going court case filed by three other contestants for the land ownership.

Our core mandate is payment of claims, the NHIF policy does not allow us to engage in investments but there have been a few exceptions made, due to the availability of strategic property for acquisition." He said, emphasizing that the NHIF no longer undertakes investments.

Committee members who demanded to know the current market value of the land, also questioned why due diligence was not

done before the purchase, citing the discrepancy in the CEO's submissions in comparison to the Auditor General's report.

On the construction of a multi-storey car park worth Ksh. 9,709,305 the NHIF Acting CEO could not explain delays in the project despite elapsed timelines. Auditor General Nancy Gathungu, in her report, flagged a possible inflation of the project cost by about 33% with no justifications given by NHIF.

The committee led by Chairperson Hon. Wangwe, concluded that the NHIF's submission was insufficient, attributing this to the fact that the Ag. CEO had only served for three weeks now, thus giving him more time to appear before the Committee again with well-researched information.

"Listening to your responses, we cannot proceed with this meeting to give you an avenue to continue misleading us. Go and prepare yourselves well, and bring along the entire NHIF senior management team to present your case in our next meeting on 26th April 2023" Concluded Hon. Wangwe.

**AMONG THE KEY ISSUES THE ACCOUNTING OFFICER COULD NOT SUFFICIENTLY ADDRESS INCLUDED THE OWNERSHIP OF 2 BILLION SHILLINGS WORTH OF A DISPUTED 10-ACRE PIECE OF LAND IN KAREN**

## House team meets NIS Boss, considers Agency's budget



Defence, Intelligence and Foreign Relations Committee Vice-Chair Hon. Major Rtd. Bashir Abdullah while presiding over a meeting with NIS

Committee Vice-Chair Hon. Bashir Abdullah, who presided over the meeting rooted for deeper engagements with the Service for proper facilitation by the Committee including adequate budgetary allocation.

"Budgetary allocation to NIS and indeed all MDAs is Constitutionally an integral mandate of this Committee, and a patriotic undertaking for us as Members of this Committee in keeping Kenya and Kenyans safe, in line with article 242 (1) of the Constitution that establishes this very important disciplined civilian service," said Hon. Bashir.

Earlier the Committee received a brief from the Parliamentary Budget Office on NIS Budget Implementation Status for the year under review during which Members noted key areas of concern that formed their questions for clarification during the familiarization meeting with the NIS team.

**NIS BUDGETARY SPENDING IS NOT OPEN TO PUBLIC SCRUTINY AND ITS BUDGET IS USUALLY PRESENTED AS A SINGLE LINE ITEM.**

Other Committee Members Present were Hon. Yusuf Hassan (Kamukunji), Hon. Caleb Amisi (Saboti), Hon. Martha Wangari (Gilgil), Hon. Elijah Memusi (Kajiado-Central), Hon. Moses Kirima (Imeni-Central), Hon. Clement Sloya (Sabatia), Hon Zakary Thuku (Kinangop), Hon. (Dr.) Irene Kasalu (Kitui) and Hon. Mohamed Abdikadir (Lagdera) and Hon. Fredrick Ikana (Shinyalu).

The National Assembly Defence, Intelligence and Foreign Relations Committee has undertaken a familiarization retreat with the National Intelligence Service.

The meeting, attended by the top NIS officials led by Major Gen. Philip Kameru, sought to enhance Committee Members' understanding of NIS mandate, and to review the Service's Budget Implementation Status for the first three quarters FY 2022/23.



## Chairpersons of Committees to decide whether to admit CASs to respond to questions on behalf of Cabinet Secretaries

National Assembly Speaker Hon. (Dr.) Moses Wetang'ula has said that "he will leave it to the chairpersons of committees to decide" whether they will allow Chief administrative Secretaries to appear before their respective committees to respond to questions by Members on behalf of Cabinet Secretaries.

Speaker Wetang'ula argues that the appearance of Cabinet Secretaries in plenary is not a closure of their appearance in committees.

"If there will be Questions that will be inadequately prosecuted on the Floor and the discretion of the Speaker may direct them back to committees for further inquiry and investigations. There may also be Questions that in the opinion of the Speaker and on advice of the Clerk require in-depth investigations and may be sent directly to committees," Wetang'ula said, adding that Question time is the sweetest time for Members of Parliament in the plenary.

According to him, for every Member who will file a Question, he will allocate them their day.

"If it is inadequately answered, I will send you to prosecute it in committee as it has been done in the past," he added.

Wetang'ula was responding to concerns by Deputy Minority leader Robert Mbui who inquired to know whether CASs will continue appearing before House committees as it has been a practice where a majority of the Cabinet Secretaries have sent either the CASs or their Principal Secretaries (PS) to respond to questions on their behalf.



A sitting of the National Assembly Committee on Appointments during the vetting of Cabinet Secretary Nominee for Mining, Blue Economy and Maritime Affairs Mr. Salim Mvurya in October last year.

**WHEN I SERVED AT THE SENATE, WE ONLY DEALT WITH CABINET SECRETARIES. I LEAVE IT TO THE CHAIRPERSONS OF COMMITTEES TO DECIDE WHAT THEY WANT TO DO**

"I would like you to advise us. How do we interact with the CASs when it comes to committees in view of the fact that you have indicated their position is not a constitutional office? Mbui posed.

In his response, Wetang'ula replied that Cabinet Secretaries will appear at plenary to answer to Questions. "In committees, I do not know what the Chairpersons do. However, while serving in the Committees of Finance, and Defence and Foreign Relations in the Senate, we never allowed a Cabinet Secretary to send CAS or PS on their behalf. We only dealt with Cabinet Secretaries. I leave it to the chairpersons of committees to decide what they want to do," he noted.

## Trade Committee inspects Dongo Kundu Special Economic Zone project

The Committee on Trade, Industry and Cooperatives led by the Chairperson Hon. James Gakuya, undertook an inspection visit of the Dongo Kundu Special Economic Zone (SEZ) Project.

The Committee sought to understand the challenges experienced by the Dongo Kundu SEZ project, the progress on squatter settlement, the investors at the zone and their strategic plan.

Trade Investments, and Industry Cabinet Secretary, Hon. Moses Kuria and the Principal Secretary for the State Department of Investment Promotion, Mr. Abubakar Hassan Abubakar joined the Committee in inspecting the project.



The CEO for SEZA, Mr. Kenneth Chelule showcasing the SEZ Dongo Kundu Master Plan to the Trade Committee Members.

The Special Economic Zone Authority (SEZA) Chief Executive Officer (CEO) Mr. Kenneth Chelule took the delegation through the Dongo Kundu SEZ Master Plan and how the 3,000 acres had been apportioned.

**THE KENYA SPECIAL ECONOMIC ZONES AUTHORITY (SEZA) IS THE INSTITUTION RESPONSIBLE FOR ATTRACTING, FACILITATING AND RETAINING DOMESTIC AND FOREIGN DIRECT INVESTMENTS IN SPECIAL ECONOMIC ZONES (SEZs).**

Mr. Chelule said that the SEZ Dongo Kundu had received a grant of Ksh. 6 Billion by the Japanese government and that it will aid in the construction of the basic infrastructure, Administration Block and leveling artworks at the Free Port Area.

The SEZA CEO told the delegation that the Budget of Ksh.1.4 Billion had been set aside to settle the squatters and that the plans are at an advanced stage by the National Land Commission to compensate them.

He said that the Dongo Kundu had been subdivided to accommodate the Free Port Area, Road Network, Water Distribution Centre, Enterprise Area and the Free Trade Zone.

Speaking during the inspection, CS Hon. Moses Kuria affirmed to the Committee that two investors; Taifa Gas Company and East African Tea Traders Association have already done ground breaking of their projects with the blessing of the Dongo Kundu Community.

Hon. Kuria urged SEZA to work closely with the Trade Committee and pledged his full support to SEZA.

In his closing remarks, Hon. Gakuya appreciated the drive and commitment by Hon. Kuria in supporting the Special Economic Zones.



# Speaker Wetang'ula: You have to ensure observance of the rules of etiquette, dress code, and conduct of Members and witnesses who appear before House committees

National Assembly Speaker Hon. (Dr.) Moses Wetang'ula has directed Chairpersons of Committees to ensure that members as well as witnesses appearing before House committees strictly observe Speaker's rules which include etiquette and dress code.

Speaker Wetang'ula argues that Members must also make sure that they observe the Standing Orders while conducting their business in committees.

The Speaker's rules regulate the conduct of Members of the National Assembly and also govern the admission and conduct of members of the public and other visitors to Parliament.

According to Speaker's rules, Members of Parliament, members of the press, and guests should not enter the Chamber, Lounge, Dining Room, or Committee Rooms without being properly dressed.

A proper dress for men means a coat, collar, tie, long-sleeved shirt, long trousers, socks, and shoes or service uniform.

For the ladies, business, formal, or smart casual wear applies. Skirts and dresses should be below knee-length and decent while Sleeveless blouses are prohibited.

According to Hon. Wetang'ula, wherever committees sit, even if they are sitting on the moon, the committees are an extension of the House, and rules of etiquette, dress code, and conduct expected of Members under the Standing Orders extend to committees.

"Chairpersons of Committees, you have to ensure observance of the rules of etiquette, dress code, and conduct of Members and witnesses who appear before your committees," he said.

He added: "Of course, the Chair will only get to know when you bring it to his or her attention that a certain Member is lax and not observing the etiquette and expected conduct in a committee, in which case the Chair will take the necessary steps to correct the situation."

Speaker Wetang'ula was reacting to concerns raised that members as well witnesses attending committees' sessions within precincts of parliaments and outside were violating Speaker's rules and were inappropriately conducting themselves.

Led by the leader of the Majority in the National Assembly Kimani Ichung'wah (Kikuyu) reckoned that Members attend their committees, especially when they have invited witnesses and other people from outside Parliament, who have without jackets.

"Some chairpersons of those committees chair the meetings without their jackets and some roll up their sleeves. We need to restore the dignity of committees, whether they sit within the precincts of Parliament or outside," said Ichung'wah.

He advised Chairs and Vice-Chairs or any other Member who may be designated by a Chair or a Vice-Chair to chair a committee on their behalf. Whether a committee sits in a hotel around town or in one of the Government institutions where parliamentary

committees are accommodated, should carry themselves with dignity just as they do when they appear in the plenary and committees, including the mode of dressing.

"I saw some Members removing their shoes in those well-carpeted rooms. We have many new young Members. I know the weather has not been very kind, but that is why Parliament spends money to ensure that we sit in committee rooms that are well-ventilated and air-conditioned. Therefore, do not get tempted to remove your jacket and to roll your sleeves or, at times, remove shoes – I do not know for what reason," he held.

His sentiments were shared by Nominated MP John Mbadi who asked his colleagues to dress appropriately while attending committee sessions as there are extensions of plenary.

"We must dress appropriately. There is already a Communication to that effect from the Speaker. That is nothing new," Mbadi said.

**“**  
**CHAIRPERSONS OF COMMITTEES, YOU HAVE TO ENSURE OBSERVANCE OF THE RULES OF ETIQUETTE, DRESS CODE, AND CONDUCT OF MEMBERS AND WITNESSES WHO APPEAR BEFORE YOUR COMMITTEES.**  
**– RT. HON. (DR.) WETANG'ULA**

## BUNGE MASHINANI IN BRIEF

### SABATIA



Sabatia MP Hon Clement Sloya (R) during the launch of Sabatia NG -CDF kitty.

Sabatia MP Hon. Clement Sloya oversaw issuance of bursary cheques worth 20.5 million shillings to secondary school students in Sabatia.

A total of 6500 students benefited from the Sabatia Constituency NG-CDF bursary out of the of the 8500 applications received representing 75% of those who were considered.

Hon Sloya applauded the Sabatia NG-CDF committee for trying as much as possible in ensuring that most applicants were considered. He challenged the bursary committee to craft follow up programs in order to track performance of the students who received the bursary.

He instructed the CDF committee to fast track issuance of bursary to University and tertiary college students from the remaining money allocated for bursary.

### TANA RIVER



Tana River representative Amina Dika Abdullahi during issuance of NGAAF bursaries in Bura Constituency. Hon. Dika says that her office is working towards enhancing literacy by funding education through bursaries in order to nurture the students of Tana River into productive members of the society.

### MOGOTIO



Mogotio MP Reuben Kiborek interacts with Pupils of Mogotio Little Friends Academy after visiting the School

### WEST LANDS



Hon Tim Wanyonyi ( Westlands) issuing cheques to this year's first lot of Tim Wanyonyi Foundation beneficiaries. The 45 students secured a whole year's education sponsorship. The beneficiaries are drawn from secondary schools and institutions of higher learning.

### CHEPALUNGU



Chepalungu MP Hon Victor Keoch Kipng'etich displays a dummy cheque worth Sh40 million during the launch of the NG -CDF bursary kit recently. The MP gave out a new bus to Olbutyo Boys High School bought by NG -CDF money.





# Clique & Clicks



National Assembly Speaker, Hon. (Dr.) Moses Wetang'ula poses for a photo with a European Union Delegation at Parliament Buildings.

Members of the National Assembly Departmental Committee on Tourism and Wildlife during an inspection visit to Ronald Ngala Utalii college, Kilifi County



Embakasi North MP James Gakuya (Centre), who chairs the National Assembly Departmental Committee on Trade and Investment during a visit to the East African Portland Cement (EAPC) Ltd to establish the challenges bedeviling the cement-making company.



Members of the Committee on Communication, Information and Innovation Hon. Florence Jematiah, Hon. Bernard Kitur and Hon. Irene Nyakerario, at the 12th Edition of Connected Summit 2023, organised by the ICT Authority.



National Assembly Speaker Rt. Hon. (Dr.) Moses Wetang'ula addresses third Regional Symposium on Greening Judiciaries in Africa. The Summit which brought together Chief Justices from the Continent harmonized efforts to tackle climate change in a bid to accelerate the delivery of climate justice.

Mwea MP, Hon. Mary Maingi, led the locals in practicing afforestation to increase the National tree cover to 30% from the current 12.3% to fight climate change. She urged them to take advantage of the rains to collect and store water for domestic and farm use.





## QUESTION TIME



### Construction of footbridges along Mombasa Road

The Member for Machakos County, **Hon. Joyce Kamene**, demanded to know from the Cabinet Sec-retary for Roads and Transport what measures the Ministry has put in place to provide for pedestrian footbridges along an approximately two kilometres stretch of Mombasa Road, especially the crossing at Hilton Garden Inn and Syokimau Railways Station/Nairobi SGR Terminus and the stretch between KAPA Industries and Mastermind.

### Payment of hardship allowances to Public Servants in Lunga Lunga Sub-County

**Lunga Lunga MP, Hon. Chiforomodo Mangale**, asked the Cabinet Secretary for Public Service, Gen-der and Affirmative Action to expound on the status of approval of payment of hardship allowances to public servants in Lunga Lunga Sub-County given the extreme working conditions in the area.



### Alleged irregular appointment of the Talanta Hela council

The Member for Vihiga County, **Hon. Beatrice Adagala**, asked the Cabinet Secretary for Youth Affairs, Sports & the Arts to shed light on alleged irregular appointment of the Talanta Hela Council and its committees and whether the appointment of the said Council and its committees took into account the constitutional requirement of ethnic and regional balance.



### Delayed payments of dues for IEBC Presiding Officers.

**Kabuchai MP, Hon. Majimbo Kalasinga**, asked the Independent Electoral and Boundaries Commission to explain why payments to Presiding Officers, Deputy Presiding Officers and Clerks that oversaw the Bungoma by-election for the senatorial seat in December 2022 have delayed up to date.

Hon. Kalasinga further questioned the Commission on when they intend to compensate the Presiding Officers, Deputy Presiding Officers and Clerks whose payments are long overdue given the high cost of living.



### Non-Payment of Dues to dealers by Safaricom

**Kaiti MP, Hon. Joshua Kimilu**, asked Cabinet Secretary for Information, Communications and Digital Economy Safaricom PLC has not been paying residues to its dealers according to the contractual terms, as is the case for non-payment of dues for the period from January 2023 to date?

He inquired to know steps the Government taking to ensure that Safaricom PLC provides its employees with a conducive working environment that is compliant with fair labour practices, including checking on sudden change of work stations without adequate notice which is disruptive



Team leader : Joe Okong'o

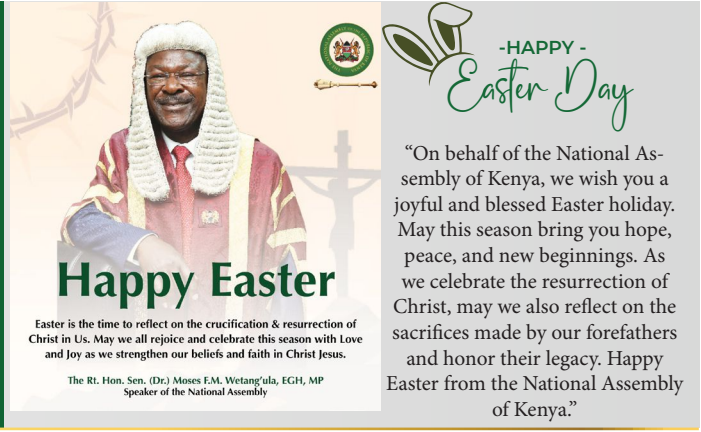
Editor: Peter Atsiaya

**Contributors**

James Macharia | Noelle Chelagat | Winfred Kiziah | Yaqub Ahmed  
Deborah Mupusi | Hillary Mageka | Murimi Mwangi | Daniel Psir-  
moi | Lilian Mburugu | Derrick Kathurima | Mercy Mayende | Calvin  
Karungo | Rinha Saineyel | Edith Chepng'eno | Geoffrey Kwatembera  
| Ambrose Munyoki | Kevin Obilo  
Fridah Ngari | Ivy Maritim

Bunge This Week is Designed by  
Onedezigraphics

© Copyright 2023



## Key Witness appears before House Team as probe on Telkom buyback continues

The inquiry into the Telkom buyback resumed Tuesday this week after a brief hiatus, with several key witnesses into the probe that has been running for several weeks taking the witness stand before the Joint-sitting of the Departmental Committee on Finance and National Planning, and the Committee on Communication, Information and Innovation.

In the sitting, co-chaired by Hon Kimani Kuria (Molo) and Hon John Kiarie (Dagoretti South), the Committee received a witness statement from Mr. Paul Cunningham, the Chief Finance Officer and Director of Jamhuri Holdings Ltd (JHL)/Helios Investment Partners Ltd. Mr. Cunningham was accompanied by his lawyers Mr. Daniel Ngumy and Ms. Anne Kiunuhe.

Mr. Cunningham, whose witness statement is key to the probe, revealed to the Committee that JHL is a special purpose vehicle which his mother company Helios used to acquire a 60 per cent stake at Telkom Kenya about a decade ago. JHL is the firm at the center of the Kshs.6.09 billion payment by the Government. He told the Committee that the money was meant for repayment of an earlier loan that Helios had extended to Telkom Kenya and that indeed the Government had only bought back the 60 per

Mr. Cunningham a citizen of United Kingdom, and whom the Committee had earlier invited but was a no show, rendered his apologies for the no-show. He explained to the Commission that at the time of the Commission's invitation, he did not have a Kenyan Visa to enable him to travel to Nairobi and that his family was bereaved following the demise of his mother-in law.

The legislators had sought audience with the Director, who has largely been mentioned by respondents that have appeared before the joint-committee, as having reportedly signed off all correspondences on behalf of Helios/Jamhuri Ltd in the transaction for the Kenyan Government to buyback Telkom Kenya.

Following Cunningham's submissions, Members expressed concerns that despite the large sum of money involved in the transaction, the Director/CFO claimed not to have had any personal contact with anybody from Telkom Kenya and neither were there any forms of communication between Telkom and himself, save for e-mails.

“As director I was not involved in any of the negotiations of the buyback, neither was I involved in the day-to-day decision makings of the process,” Cunningham told the MPs.

Mr. Cunningham however revealed other details that could further twist the plot of the now controversial transaction. He told the Committee that the top management of Telkom Kenya were beneficiaries of a USD4.5 million payout as facilitation fee for the transaction.



**Co-Chairs of the joint sitting of Departmental Committee on Finance and National Planning and Committee on Communication, Information and Innovation Hon. John Kiarie (left) and Hon. Kimani Kuria (right), during a sitting.**

Asked about the status of his firm's account based in a Mauritius based bank, he confirmed that the account had been frozen after it was flagged out a few weeks ago.

“Yes our account in Mauritius has been frozen but we shall follow that through since there are suspicious transactions through the account” admitted Mr. Cunningham.

Also taking the witness stand was former ICT Cabinet Secretary Mr. Joe Mucheru. The Committee had sought to establish his role in the buyback transaction.

Mr. Mucheru denied playing any role in the acquisition of Jamhuri Holdings Limited (JHL) stake in Telkom Kenya by the government. He told the Committee that since 60 per cent of Telkom Kenya stake was owned by JHL, his Ministry had no role in the transaction.

“I had no role in the acquisition. My understanding is that JHL was acquiring shares from Orange Group who were exiting the Kenyan market and that this was a shareholder transaction in which the National Treasury/Investment Secretary was responsible on behalf of the Kenyan government,” stated Mr. Mucheru.

In his response to questions raised by the Committee, the former CS revealed that he had earlier written to the former Head of Public Service stating the error in the Executive Order placing the company under the State Department of Broadcasting and Telecommunications.

Mr. Mucheru explained to the Members that although he was not privy to other dealings within the telco, he was aware that the government was buying the JHL stake at USD1, while the Kshs.6.09b under probe was meant for repayment of a loan advanced to Telkom Kenya by JHL.

Wednesday saw the former National Treasury Principal Secretary (PS) Dr. Julius Muia appear before the House team to shed light on his role in the transaction. He held that the payout was lawful and in the interest of government to protect its strategic security interests.

Dr. Muia revealed to the lawmakers that the buyback process was initiated by Helios/JHL, but added that the National Treasury took action after he received a letter from Executive Office of the President advising that the National Security Council (NSC) had approved the exit of Helios/ Jamhuri Holdings in Telkom Kenya.

The joint sittings of the Committees will continue as more witnesses have been lined up to take the stand.

**YES OUR ACCOUNT IN MAURITIUS HAS BEEN FROZEN BUT WE SHALL FOLLOW THAT THROUGH SINCE THERE ARE SUSPICIOUS TRANSACTIONS THROUGH THE ACCOUNT**

**MR. CUNNINGHAM**