



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

VOL. II NO. 65

THE HANSARD

Wednesday, 2nd August 2023

The House met at 2.30 p.m.

[The Speaker (Hon. Moses Wetang'ula) in the Chair]

PRAYERS

QUORUM

Hon. Speaker: Serjeant-at-Arms, ring the Quorum Bell.

(The Quorum Bell was rung)

Order, Hon. Members. We have quorum. Well done, today you have been exemplary.

COMMUNICATIONS FROM THE CHAIR

Hon. Speaker: Hon. Members, I have two short Communications to make. The first one concerns prioritization of Bills before Committees.

PRIORITISATION OF BILLS BEFORE COMMITTEES

Hon. Members, as you will recall, on Tuesday, 25th July 2023, I notified the House on the status of business, especially legislative proposals and Bills published and awaiting consideration by Committees and the House. In my Communication, I indicated that, at least, 40 Bills by individual Members had been published for consideration by the House. In addition, there are 268 legislative proposals that have been sponsored by Members of this House, of which 65 are undergoing pre-publication scrutiny by various Committees.

(Several Hon. Members stood at the Bar)

Hon. Members, take the nearest seats.

(Hon. (Dr) James Nyikal walked to the seat opposite the Dispatch Box)

Hon. Nyikal does not know what nearest means.

(Laughter)

Hon. Members, the House Business Committee took cognizant of the fact that under Standing Order 40, which provides for the sequence of proceedings in one week, individual Members' Bills are only allocated a maximum of three hours, which is very little time compared to the volume of Bills that are from individual Members. Consequently, the House Business Committee resolved to allocate time on Wednesday afternoons for consideration of individual Members' Bills. The Committee also resolved to, from time to time, request the

House to either approve to hold morning Sittings on Thursdays or extend its sittings to create more time for consideration of the said business.

As you may have noticed, from the Order Paper for the afternoon sitting of Wednesday, 26th July 2023, and on today's Order Paper, several individual Members' Bills have been slotted for Second Reading. This practice will continue for the rest of this Session as the House Business Committee endeavours to facilitate Members to effectively discharge their constitutional mandate.

It is important for Committees to appreciate that it is the desire of every Member to have a Bill published in their name, expeditiously considered and passed by the House. However, unless all Committees prioritize consideration of Bills, the efforts of the House Business Committee to create time for consideration of individual Members' Bills in the House will be in vain. To this end, I urge all Committees to prioritize consideration of Bills and legislative proposals undergoing pre-publication scrutiny.

For greater certainty, I remind Committees that Standing Order 114(7) requires a Committee to which a legislative proposal is committed to submit a report within 30 days. Should it be brought to my attention that any Committee has inordinately delayed undertaking pre-publication scrutiny of legislative proposals before them, I will cause the House Business Committee, which I chair, to follow the precedent set in 2019 to have such proposals published as Bills without any further recourse to the relevant Committees.

To this end, Hon. Members, I direct all Committees to consider and conclude all legislative proposals before them and to submit their reports as soon as possible. Given the timelines for consideration lapsed long ago on many Bills, going forward, may I remind Committee Chairpersons that Committees are under obligation to adhere to the 30-day timeline without fail.

Further, all Committees that have Bills pending public participation are directed to expedite the process of consideration and table reports on the respective Bills within the timelines spelt out in Standing Order 127(4) in order to facilitate prioritization of the Bills for Second Reading.

Hon. Members, as the House creates time for individual Members' Bills, the onus is also on the Members to be available in the House and prosecute their respective businesses once scheduled. I hasten to state that whenever a sponsor of a Bill or other business listed in the Order Paper is absent from the House without permission from the Speaker, such business shall stand deferred and will not be prioritized again. I say this, Hon. Members, because last week 10 Motions listed on the Order Paper were called out and none of the 10 sponsors of those Motions was in the House. This wastes our House's time. I urge all the Members, starting with the Leadership of the Majority and Minority Parties, to encourage Members who have business before the House to ensure that by the time the House starts, you are in the House. Equally important, if your matter is listed at 10 down the line, you do not have to hang out there thinking that you will come later. Other businesses ahead of you may collapse and you may be reached within the shortest time possible.

(Several Members walked into the Chamber)

CONSIDERATION OF THE ANTI-MONEY LAUNDERING AND
COMBATING OF TERRORISM FINANCING LAWS (AMENDMENT) BILL

Hon. Speaker: Members at the back, please, take the nearest seats.

Hon. Members, as you are aware, the Anti-Money Laundering and Combating of Terrorism Financing Laws (Amendment) Bill (National Assembly Bill No.35 of 2023) was read the First Time on 26th July 2023. The Bill was thereafter committed to the relevant

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Committees for public participation in accordance with the requirements of Article 118 of the Constitution and Standing Order 127. Subsequently, the Clerk of the National Assembly placed an advertisement in the print media inviting the public and stakeholders to submit memoranda on the Bill in accordance with the requirements of public participation.

Hon. Members, the Anti-Money Laundering and Combating of Terrorism Financing Laws (Amendment) Bill (National Assembly Bill No.35 of 2023) seeks to amend various Acts of Parliament relating to anti-money laundering and combating of terrorism financing and financing of proliferation of weapons. In particular, the Bill seeks to amend 17 Acts of Parliament. In this regard, I wish to notify the House that the proposed amendments to the following Acts of Parliament as contained in the Bill have since been referred to the Departmental Committee on Justice and Legal Affairs for consideration:

1. The Extradition (Contiguous and Foreign Countries) Act (Cap. 76). ‘Contiguous’ means countries that share a common boundary with Kenya like Somalia, Ethiopia, Uganda, South Sudan, and so on.
2. The Extradition (Commonwealth Countries) Act (Cap. 77);
3. The State Corporations Act (Cap. 446);
4. The Anti-Corruption and Economic Crimes Act (No.3 of 2003);
5. The Proceeds of Crime and Anti-Money Laundering Act, 2009 (No.9 of 2009);
6. The National Police Service Act, 2011 (No.11A of 2011);
7. The Ethics and Anti-Corruption Commission Act, 2011 (No. 22 of 2011);
8. The Mutual Legal Assistance Act, 2011 (No.36 of 2011);
9. The Prevention of Terrorism Act, 2012 (No.30 of 2012); and,
10. The Companies Act, 2015 (No.17 of 2015).

Further, the proposed amendments to the following Acts of Parliament as contained in the Bill have also since been referred to the Departmental Committee on Finance and National Planning for consideration:

1. The Capital Markets Act (Cap. 485A);
2. The Insurance Act (Cap. 487);
3. The Banking Act (Cap. 488);
4. The Central Bank of Kenya Act (Cap. 491);
5. The Microfinance Act, 2006 (No.19 of 2006);
6. The National Payment System Act, 2011 (No.39 of 2011); and,
7. The Limited Liability Partnership Act (No.42 of 2011).

Hon. Members, from the foregoing, the Departmental Committee on Justice and Legal Affairs shall be the lead Committee for purposes of conducting public participation. In this regard, the Departmental Committee on Finance and National Planning is required to conduct public participation and submit its Report to the Departmental Committee on Justice and Legal Affairs for consolidation.

Hon. Members, as you are aware, the Anti-Money Laundering and Combating of Terrorism Financing Laws (Amendment) Bill, 2023 contains proposed amendments seeking to provide for disclosure of information to help in combating money laundering, terrorism financing and financing of proliferation of weapons activities. In considering the Bill, the Committees should bear in mind the requirements of Article 24 of the Constitution on the limitation of rights and the various court decisions that have outlined the manner of application of the Bill of Rights.

Hon. Members, this is very important because as you are aware, previously, the Law Society of Kenya went to court and struck out some provisions that sought to amend the Advocates Act. The Constitution requires that if you want to limit any provision in the Bill of Rights, then you must clearly state the rights being limited and why. So, the Committees and the Members of the Committees must take these very important provisions in mind.

Hon. Members, may I implore the two Committees to prioritize consideration of the Bill and report to the House, soonest. Given that the Bill is also informed by various international obligations which require the country to have in place a robust legal framework to combat money laundering, financing of terrorism and proliferation of weapons, the House must move expeditiously to conclude the matter.

The House is accordingly guided.

Hon. Owen Baya (Kilifi North, UDA): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Deputy Leader of the Majority Party.

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Speaker. I want to commend you especially on the first issue of Private Members' Bills. More often, Members prepare Bills and send them to Committees and they journey for four years as the Bill is tossed from one Committee to another. Eventually, the House adjourns *sine die* and those Bills are lost. If you would recall, when we started this Session, there was a long list of Bills that were being referred which had died with the 12th Parliament's *sine die* adjournment. I want to commend you on the number of days you have ordered that such a Bill can be revived. Many Members' efforts are wasted by delays by the Committees. Sometimes Bills are referred to the Budget and Appropriations Committee even when they do not necessarily have to go there. A lot of time and effort is wasted. One is even invited to go to Mombasa but you will stay there without any progress. Our country's resources are being wasted by tossing Bills around. I want to commend you on that Communication. I hope the Chairpersons of Committees will expeditiously ensure that Bills are fast-tracked.

Secondly, on the issue of the Anti-Money Laundering and Combating of Terrorism Financing Laws (Amendment) Bill, it is an important thing for the Government, and I want to ask the Chairpersons of the Committees that are involved to do their work and make sure that we have these laws in place within the shortest time possible.

I thank you, Hon. Speaker.

Hon. Speaker: Indeed, Hon. Members, particularly Chairpersons of Committees, the French say: "*Noblesse oblige*" - Nobility carries responsibility. Committees are not going to be parking bays for Members' businesses or any business of the House. For any Member whose matter is forwarded to a Committee for consideration, after 30 days, you are at liberty to communicate to the Office of the Speaker that the Committee has been unable to facilitate the transaction of your matter. We will by-pass the Committee and proceed with the processing of your matter.

(Applause)

(An Hon. Member spoke off the record)

Next Order.

You have a reporting procedure within your internal mechanisms on how Committees are dispensing the business we send to them so that we do not become a House of lamentations but a House of action.

Leaders of the Majority Party, do you not have Papers today?

Hon. Owen Baya (Kilifi North, UDA): Hon. Speaker, today, we do not have Papers.

Hon. Speaker: What about the Chairperson of the Public Petitions Committee.

PAPERS

Hon. Nimrod Mbai (Kitui East, UDA): Thank you, Hon. Speaker. I beg to lay the following Papers on the Table of the House:

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Report of the Public Petitions Committee on its consideration of the following Petitions:

1. Public Petition No.1 of 2022 by Hon. Julius Kipletting Rutto, MP., regarding safeguarding the economic and social welfare of communities living next to forests.
2. Public Petition No.8 of 2022 by Pastor Ochieng' Odindo regarding Ethics and Anti-Corruption Commission's investigation of the West Kano Irrigation Scheme.

Hon. Speaker: Thank you, Hon. Mbai. Hon. Atandi, is that the matter over which you wanted to make an intervention?

POINTS OF ORDER

UNSATISFACTORY COMMITTEE REPORT ON PETITION

Hon. Samuel Atandi (Alego Usonga, ODM): Thank you for giving me the opportunity.

I brought a Petition before this House a while back and the Public Petitions Committee has submitted their Report. I am going through the Report and I have established that the recommendations of the the Committee do not agree with the prayers that were made by the petitioners. For example, one of the prayers laid before the House was that Parliament finds the CEO of Cytonn Investments Management PLC responsible for management and secures a timely refund of investors' deposit money. In the Report, the Committee rightfully observes that the gentleman called 'Dande' was responsible for the mess and should be investigated. However, they have failed to make clear and necessary recommendations. I find that the Report does not help the petitioners and us. It looks like cover up.

Under Standing Order 1, I want you to find that this Report needs to be redrafted or re-done so that it meets the expectations of the petitioners. Under Standing Order 1, I believe you have the power to do this so that we can, as a House, help Kenyans find justice in this House. When Kenyans present petitions before this House, they do so with hope and faith that this House is the ultimate House that will give them justice. If this House cannot give Kenyans justice, then it should just be disbanded.

Hon. Speaker, I seek your guidance.

Hon. Speaker: Thank you, Hon. Atandi. Yes, Hon. Yusuf of Kamukunji. Ordinarily, we do not debate Reports on Petitions when they come here.

DELAYED FORMATION OF THE NATIONAL KISWAHILI COUNCIL

Hon. Yusuf Hassan (Kamukunji, JP): Thank you, Hon. Speaker. I also have an issue with a Petition.

Hon. Speaker: Yes.

Hon. Yusuf Hassan (Kamukunji, JP): I brought a Petition twice, on behalf of Kiswahili enthusiasts on the formation of the National Kiswahili Council.

Hon. Speaker: I recall it.

Hon. Yusuf Hassan (Kamukunji, JP): It has died in the process twice because the relevant Committee did not take it forward. The idea of forming a National Kiswahili Council was fully supported by this House. It is a very popular decision. It has also been approved by the Cabinet. I am out of words because I do not know what else I can do if we have brought it here twice. It was time barred in both occasions because the Public Petitions Committee dealing with it did not take it forward in a timely manner.

Hon. Speaker, what would you advise to save that Petition?

Hon. Speaker: Hon. Nimrod Mbai, what is the fate of the Petition on the National Kiswahili Council?

Hon. Nimrod Mbai (Kitui East, UDA): To be honest, I have not received the Petition by Hon. Yusuf, who is the Member for Kamukunji. I commit that it will not die the moment we receive it. It will see the light of the day this time round. You will get a Report from the Committee.

To respond to the concerns of the Member who brought the Petition about Cytonn Investments Management PLC, we did our best. Today, we are giving Notice of Motion for the same Petition so that the whole House debates it. At that point, it will be open for every Member to tell whether our recommendations are up to standard or are below expectations. I urge Hon. Atandi to hold his horses and allow me to give Notice of Motion on the Petition. He will have an opportunity to discuss the matter.

Hon. Speaker: The next Order is by the Member for Gatanga, Edward Muriu.

NOTICE OF MOTION

REVIEW OF SCOPE OF EDUCATION BURSARY SCHEME UNDER NG-CDF

Hon. Wakili Edward Muriu (Gatanga, UDA): Hon. Speaker, I beg to give notice of the following Motion:

THAT, aware that Article 43(1)(f) of the Constitution as read together with Article 53(1)(b) entitles every child to free quality and compulsory basic education; cognizant of the fact that access to funding for education immensely contributes to the realisation of universal access to basic education in the country; appreciating that Section 48 of the National Government Constituencies Development Fund (NG-CDF) Act of 2015 establishes education bursary schemes for every constituency towards access to basic education; noting that Section 48A of the NG-CDF Act further allows for affirmative action mechanisms of allocating additional funds to cater for education bursary schemes and other teaching and learning related activities; concerned that the NG-CDF Act caps allocation to bursary schemes under the Fund at not more than 35 per cent of the total constituency allocation in a financial year thereby limiting the number of cases that may be supported to access basic education; further concerned that the NG-CDF Board has only been approving bursary support for secondary and tertiary education and not primary schools and the recently created junior secondary schools; cognizant of the fact that the failing to extend bursaries to primary and junior secondary schools on the assumption that the two levels of education are free is a misnomer since the government's capitation per pupil is inadequate to cater for the mandatory materials required for the Competency Based Curriculum (CBC) thereby affecting pupils whose parents are unable to meet the attendant costs; deeply concerned that continued exclusion of allocation of bursary to primary and junior secondary schools violates the provisions of Article 27 of the Constitution and slows down attainment of universal basic education in Kenya; now, therefore, this House resolves that:

1. The education bursary schemes under Section 48 of the National Government Constituencies Development Fund Act of 2015 be extended to support learners in primary and junior secondary schools to cater for Competency Based Curriculum requirements.
2. Pursuant to Section 48A of the National Government Constituencies Development Fund Act of 2015, the NG-CDF board in each

constituency approves additional allocation to the education bursary scheme in order to support teaching and learning related activities associated with the CBC education, including school feeding programmes.

3. The Government revises the capitation per student in primary schools from the current Ksh1,420 per year to at least Ksh7,760, being the minimum optimal capitation factoring the new CBC education system and the prevailing high cost of living.

Thank you, Hon. Speaker.

Hon. Speaker: Yes, Hon. Wandayi.

Hon. Opiyo Wandayi (Ugunja, ODM): Hon. Speaker, I am sorry for interrupting the order of House business but I am curious. I am sure you can use Standing Order 1 to indulge me. A while back, Hon. Samuel Atandi raised very serious issues here. This is a House of records. In his submission, he made comments to the effect that the Report that has been tabled in the House this afternoon is a cover up.

Hon. Speaker: I heard him.

Hon. Opiyo Wandayi (Ugunja, ODM): Yes. He was saying so on the basis that the issues raised in the Petition in question were not addressed conclusively by the Committee. I had a discussion with the Chairperson of the Public Petitions Committee this morning. We agreed that he needs to be given time to run the Committee.

If we leave the matter that was raised by Hon. Atandi unaddressed and hope that it will be addressed at the time for debate on the Committee's Report, we might do a lot of injustice not only to this House in terms of reputation but also to the petitioners. It is an issue that requires your pronouncements, more so on what we need to do. When a Petition comes to this House, it is committed to the Public Petitions Committee, which considers it and brings a report to this House for debate. Is there room for this House, at the preliminary stage, to make any amendments to such report without the full knowledge and benefit of interacting with the petitioners and indeed the Petition itself?

I want you to make a ruling on those two aspects - on the the grave matter which was raised by Hon. Atandi, which is on record, in the *Hansard*, that a Report of a Committee of this House is a cover up. We want to know the nature of this cover up. It has to be made very clear. I would like you to indulge Hon. Atandi to explain further how the Committee is getting involved in cover ups. How can a Committee of Parliament undertake cover ups on a serious matter like a Petition brought before it by a member of the public? It is an issue that we need to dispense with before we proceed to the next Order.

Hon. Speaker: Hon. Mbai.

Hon. Nimrod Mbai (Kitui East, UDA): Thank you, Hon. Speaker. When the Committee receives any Petition, there is the petitioner and other stakeholders involved like the witnesses and accused. Even in courts of law, you can take a case before a judge but the judge may give a ruling which does not satisfy you. That does not give reason or an opportunity to call it a cover up.

We listened to several shareholders and witnesses on the matters raised in the Petition that the Hon. Member is referring to. In the wisdom of the Committee, we gave recommendations. If the Member had a predetermined way in which he wanted the Committee to recommend, it is unfair. The Committee has elected Members with brains, who listened to all the stakeholders involved and came up with the decision. I find the word "cover up" so heavy for that. It seems the Member had a predetermined way in which he wanted the Committee to write the Report but it recommended otherwise.

I request Hon. Atandi to hold his horses because we will lay the same Report for debate in the House. The House will then make a decision on whether there was cover up on the issues

involved or the Committee did a good job. It is very unfair to say that there is cover up because the Committee has not made recommendations in the Member's predetermined manner.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Atandi and Leader of the Minority Party, under Standing Orders 208(A)(C) and 227 (2A), the Committee elected a Chairperson to not only bring a report to the House but to also move the House to debate its findings. That gives you an opportunity to bring material that you think the Committee has overlooked or left out to validate your assertions. We can allow the Chairperson to give Notice of Motion in furtherance of the prosecution of your Petition, so that the House Business Committee (HBC) can allocate it time to be debated. If you feel dissatisfied, you will be advised to do what is necessary within the Standing Orders and the law. Besides the Petition process, you are also at liberty to avail the material available to you of fraudulent acts committed by the people you allege to have done them to the administration of justice systems in the country— the Directorate of Criminal Investigations (DCI) and the Ethics and Anti-Corruption Commission (EACC)— who can take up the matter, notwithstanding the fact that there is a Petition here.

Hon. Mbai, go ahead and give your Notice of Motion.

Hon. Nimrod Mbai (Kitui East, UDA): Thank you, Hon. Speaker. I have the Notice of Motion but before I proceed, I request for your indulgence.

Thank you for your wisdom and the fatherly manner in which you reprimanded my Committee yesterday. We took it positively. We will improve on the issues that were raised. I am satisfied that you are fit to hold that seat. If it was held by a rogue person, we would have been thrown under the bus.

(Laughter)

Secondly, I also want to appreciate my elder brothers, Hon. Opiyo Wandayi and Hon. Ichung'wah, for being lenient to my Committee and me. With my young political career, it would have been very dangerous moving ahead.

(Laughter)

Thank you very much, Hon. Speaker. I do not want to give excuses before the House. I would like to respond through output and action, processing petitions and giving reports on time. In relation to absence, this is my seat from today. Any time you enter the Chamber and you do not find me seated here, just know that I am outside the country or I am admitted in hospital.

(Laughter)

Hon. Speaker: Hon. Charles Nguna adds a third reason for you not being there – That, you would probably be boxing somebody.

(Laughter)

I believe it is with a light touch. Go ahead and give your Notice of Motion.

NOTICE OF MOTION

ADOPTION OF REPORT ON PROBABLE LOSS OF INVESTMENTS IN CYTONN
HIGH YIELD SOLUTIONS PLATFORM

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Hon. Nimrod Mbai (Kitui East, WDM): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Public Petitions Committee on its consideration of Public Petition No.7 of 2022 regarding Probable Loss of Investments in Cytonn High Yield Solutions Platform, laid on the Table of the House on Thursday, 24th May 2023.

I thank you, Hon. Speaker.

Hon. Speaker: Well done. Next Order.

QUESTIONS AND STATEMENTS

Hon. Speaker: Hon. Members, we will start with Statements. Hon. Gitonga Mukunji, it is important to acknowledge that the first person to request to make a statement on what you are about to make was Hon. Martha Wangari. She is not here. You may proceed to make your statement, which is identical to what she wanted.

STATEMENTS

COLLECTION OF BIOMETRIC DATA FROM KENYANS BY WORLDCOIN

Hon. Gitonga Mukunji (Manyatta, UDA): Thank you, Hon. Speaker. I stand to make a general statement on the biometric data collection by Worldcoin. I am told the microphone is not working.

Hon. Speaker: Move to the next one.

Hon. Gitonga Mukunji (Manyatta, UDA): Hon. Speaker, pursuant to Standing Order 43(1), I wish to make a statement on the ongoing biometric data collection by Worldcoin. Worldcoin, a block chain company, recently launched their eyes-for-tokens campaign in Kenya, offering free cryptocurrency tokens to participants upon registration and scanning of their irises in various locations in Nairobi, including at Kenyatta International Convention Centre (KICC).

Whereas the Office of the Data Protection Commissioner issued a cautionary statement to Kenyans regarding the ongoing biometric data collection by this company, the registration process has picked, causing concern on the purpose of the data collection. There are fears that the data may be used for purposes other than the declared intent by the block chain company.

In addition, the United States of America (USA) banned the Worldcoin from collecting data from its citizens despite the founder of the company, Sam Altman, being a USA citizen. The Office of the Data Protection Commissioner is mandated by law to register all data controllers and processors collecting personal data for the provision of financial services. With the world embracing artificial intelligence, the biometric data collected poses a risk on the protection and privacy of participants, if not monitored.

In addition, there have been recent cases of cyber-attacks in the country thereby posing greater risk in the management of the data. This data collection exercise, in my own opinion, is a threat to national security.

It is against this background that I seek a Statement from the Cabinet Secretary for Interior and Coordination of Nation Government and Cabinet Secretary for Information, Communication and the Digital Economy, through the Leader of the Majority Party, on the following:

1. Given that the Ministry of Interior and Coordination of National Government and the Data Commissioner have cast doubt on the safety of data collection by

Worldcoin, could the Ministry provide the steps that the Government is taking to ensure control of data access, collection and storage, especially by foreign entities?

2. Who authorised the biometric collection of data by Worldcoin and were the correct procedures followed?
3. What are the safety guarantees that the Government is making to ensure that the data will be exclusively used for the intended purpose and citizens will not suffer or get any loss?
4. Has the Government established the ultimate objective of this exercise? For what purpose will the data collected be used?
5. Was there public participation to inform the public on the risks involved in the exercise?
6. What is the source of the money being paid to participants, and who stands to benefit from the exercise?

I know Members who passed through the KICC, especially yesterday, saw the long line of young people who had gone to collect the Ksh7,000 that was being paid when you give your biodata. I am raising this matter as the newly elected Chairman of the Kenya Young Parliamentarians Association because many young people are suffering from the issue of conmanship and this country requires to step up its game on those issues.

The issue of selling of data, including data on *Facebook* and *Twitter*, is serious. One's personal data can be used to do what is called "identity theft" and cause people to lose their finances and everything.

Hon. Speaker, I recognize Hon. Martha Wangari and Hon. Njeri Maina as parties to this Statement request. I wish to request you to give us some minutes.

Thank you.

Hon. Speaker: Hon. Opiyo Wandayi, do you have something on the same issue?

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

Hon. Speaker: Go ahead.

Hon. Opiyo Wandayi (Ugunja, ODM): Hon. Speaker, usually, I do not like interrupting. I am rising on the issue raised by the Chairperson of the Young Parliamentarians Association. I am told that he is yet to be elected. All the same, I recognize him as such.

I get it from his Statement request that he is seeking responses from two Cabinet Secretaries - the one in charge of ICT and the one in charge of Interior. This House must take notice - in court they say "Judicial Notice"- of what has transpired in the last one days or so. It is a matter that cannot be wished away. It is extremely serious. What has happened has the capacity or potential to endanger not only the security of this country but the future of young Kenyans.

I think a day ago, the Cabinet Secretary in charge of ICT was reported as having said that there was no law that Worldcoin had violated by doing what they were doing in Kenya.

Secondly, the Cabinet Secretary for Interior and National Administration today has been reported as saying that the actions by Worldcoin are questionable and, therefore, investigations are being undertaken. If we come here again and ask for responses from the two Cabinet Secretaries, who appear to be speaking at cross-purposes, having different positions, on this single issue of great concern to Kenyans, then what are we doing? In my view, this is an issue that does not require any further Statement from either of those two Cabinet Secretaries. As a House, we just need to undertake a very thorough and expeditious investigation and summon everybody else who could be responsible or involved in these nefarious activities. I need your direction. I do not think we should take the line we are being pushed to take, of seeking for some Statements or answers from the two Cabinet Secretaries who have already fundamentally differed on this matter. Hon. (Prof.) Kindiki Kithure and Hon.

Eliud Owalo have already differed on the matter of Worldcoin. Who do we believe? Who will the public believe? Who?

Hon. Members: Neither!

Hon. Opiyo Wandayi (Ugunja, ODM): Neither. If we shall believe neither of the two, then it behoves the appointing authority of those two gentlemen to give us a response on this issue. This is a very serious matter. It cannot just be treated in the light manner it is being treated.

Hon. Wakili Edward Muriu (Gatanga, UDA): On a point of order, Hon. Speaker.

Hon. Opiyo Wandayi (Ugunja, ODM): I am on a point of order, Hon. Wakili. Just be patient.

It is important that at every single moment, the country is made aware of the position of the Government. The Government can only be one, whether we recognize it or not. There is no single day that a government's position on an issue can be contradicted by members of the Cabinet. A government cannot have two contradictory positions on a single issue, and more so on an issue that is as serious as this one.

Before the Statement request goes to whoever it is supposed to go to, we need to be told the position of the Government even before we attempt to do what we are going to do now.

I applaud the Member who has requested for the Statement, who is the Chairman of Young Parliamentarians Association. Sometimes I wish I was younger but age has caught up with me.

Thank you.

Hon. Speaker: Did you squander your youth?

(Laughter)

Hon. Muriu.

Hon. Wakili Edward Muriu (Gatanga, UDA): Hon. Speaker, I wanted to raise a point of order but let me also know the direction of this House on whether the matter is now mature for debate so that we either bring the two Cabinet Secretaries to Parliament or we get a clarification.

My concern is the fact that there is a company that has come to this country to harvest data from young people with a promise for monetary support. I think we are exposing ourselves so much in terms of data harvesting. We do not know what the company is going to do with the data. This is another story about Bitcoin, where you put in money and it is doubled but you do not even know what value you are adding. This is a pyramid scheme where you are promised heaven but there is no value proposition on how people will get the money. The end game needs to be clear. We cannot allow companies to come to this country and do all manner of things.

I, therefore, seek your guidance on whether this matter is ready for debate.

Thank you.

Hon. Speaker: Hon. Makilap, you have one minute.

Hon. Joseph Makilap (Baringo North, UDA): Thank you, Hon. Speaker. I have read this matter on social media and it makes me believe that this country has become a country of surprises - a country of cartels like Margaryan and Sargsyan - where people come in the form of a company, take data from our young people and pay Ksh7,000.

We can leave the Cabinet Secretary for Information, Communications and the Digital Economy. Hon. (Prof.) Kindiki was right to suspend the activities of that company. I want to beseech you that the same Cabinet Secretary for Internal Security and National Administration should now close all the borders to ensure that the Sargsyans and the people from Worldcoin who came to take data from our people are secured so that they do not run away from the country because this is a very serious matter.

The data may even be used to wipe out information from the portal, like what happened to eCitizen. This is so serious a security matter that the Head of State should be involved so that the borders of Kenya can be secured to ensure that the thugs who have come to collect data from Kenyans are arrested and made to explain why they are collecting it.

I want to use this opportunity to call upon the young people of Kenya, including the young parliamentarians, to ensure that they are not taken cheaply and given money that is not known where it came from and for what reasons. I am told that when your data is taken, including your eye, one day you will become blind. The youth of Kenya should be cautious about what you take. This is a serious matter that requires our attention.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Milemba

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Speaker. Let me thank the young parliamentarian for this Statement Request. Let me be quick to say that what happened yesterday with Worldcoin, which is closely associated with cryptocurrency, which has been banned and is also having challenges around the world in terms of its credibility, was bad for this country. What happened portrayed us in very poor light; that some private persons or company can walk into Kenya and collect people's biodata and walk away with it without supervision or any government authority looking into it yet we have the Data Protection Commissioner, who should have taken care of this matter.

On whether we need the two Cabinet Secretaries to come and answer in Parliament, it is our responsibility to have them come here, whether they are differing in opinion or not. The Government is one. If they have different opinions on the same matter, it is still very well placed that they come here and we hear their opinions on the same.

We have a right, as a House, to even make our own inquiry using our committees. That should not in any way reduce our effectiveness in dealing with the matter. It is a matter that requires urgent attention and it has to be dealt with. This exposes us, as a country, that can be exploited without any defence.

Thank you.

Hon. Speaker: Hon. Elachi Beatrice.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Speaker. Yesterday, I went on the *Hansard* questioning how a private company was approved to collect biodata from Kenyans. I sought to know whether public participation was done before authorization of the activity. Does it mean that in financial matters we do not do public participation? You realize that everything we do ends up in court, if we do not do public participation.

Who are the officers who approved the exercise? The exercise was not just conducted at KICC. Those guys are in all the hubs. At the Hub in Karen and at every shopping mall, there was a team collecting biodata. Our young people were there and their biodata was being taken. As much as we are talking about Shakahola, we will get another "Shakahola" in this matter; a shakahola of young people who have no idea why they are being given money, and who have no idea that after they have received the US\$65, they cannot withdraw and do anything with it yet they have already received it.

If somebody has come to collect biodata in Kenya so that he can go around the world saying he has numbers and people have joined in the way we were doing Bitcoin and the rest, it is very wrong. Before anything, we want the Government to tell us who these people are. We should be told their names, where they come from and their home country. Why is it that they are not doing it in their home country but they can come to a Third World country called Kenya and do it?

Thank you, Hon. Speaker.

Hon. Speaker: The last one to comment on this matter is Hon. Njeri. Give Hon. Njeri the microphone.

Hon. Njeri Maina (Kirinyaga County, UDA): Thank you, Hon. Speaker. First of all, I want to congratulate my good brother, Hon. Gitonga Mukunji as the newly elected interim Chairperson of Kenya Young Parliamentarians Association (KYPA). Young leadership must offer integrity as an irreducible minimum.

Artificial intelligence is a complex issue and a matter that we have not even conversed with as far as the terms of our data protection laws are concerned. I do not understand how a private company entered into our sovereign soil and started harvesting the biodata of our young people, exploiting the economic situation and promising them heaven. Most of the young people of this country are saying it is just a scan on their iris. They are wondering why they cannot be scanned and for them to get some Ksh7,000. Why did the two concerned Cabinet Secretaries allow this to happen? How much biodata has the private company harvested as we speak? We need to know, and they must not leave this county before we get more information on what they are doing. We do not know what they will do with that information. The company is on record saying that they cannot provide sufficient information as to how they are going to develop the human identities that they claim they will develop. They are saying they want to build a single world currency. However, an Hon. Member has gone to the extent of saying that, maybe, our young people will just vanish into thin air. We must ensure that we protect them because we are the people who have been elected to represent their interests.

Thank you.

Hon. Speaker: Leader of the Majority Party, this matter must capture your attention. How on earth would a foreigner walk into a country and start mining biodata from our citizens without licence or without recourse to any law or authority? As the Leader of the Majority Party in the House, you have a cardinal duty to ensure that the Cabinet Secretary responsible brings cogent explanation to this House, either through you or directly, as you may wish. Certainly, the Members who have raised the issue are right that this is a grave matter. I do not know if you want to say anything now. I saw long queues on social media at KICC. One would have thought they were going to the polling station to vote or something like that.

Leader of the Majority party, proceed.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. To begin with, let me commit that I will endeavour to get a Statement from the two cabinet secretaries concerned because as has been indicated, I also read on social media what seemed like conflicting statements from the two cabinet secretaries and, therefore, we need a very coherent and unified Statement from both of them – the CS in charge of Interior and National Administration, and the CS for Information, Communications and Digital Economy.

It is true and sad that this matter came to light because it happened in the middle of our City at KICC. More shocking is the fact that a foreigner would come and collect biodata in the middle of the Central Business District (CBD), at a government premise like KICC. As to whether these people are there legitimately or not, we do not know. We are going to hear the answers from the Government. It concerns many people that this was being done in a government premises. The cautionary statement given by the Data Commissioner was a little bit too late because they should have known before the said people set up the camp at KICC. Those people must have paid somebody to use the KICC grounds. The person who allowed them to use KCC should, and ought to, have verified whether they had been allowed by the Data Commissioner, and whether they had all the requisite licences and approvals. As Hon. Mukunji rightly says, in this day and age of artificial intelligence, it is possible that Kenyans can be barred from walking through some places. Probably, next time you walk into a bank, you might be told that your iris has been used for things that you do not know, and you might be denied access. Probably, next time you want to travel, you may find your passport or rather your image and biodata has been used for criminal activities that you have no knowledge of.

In this day and age of terrorism, Kenyans need to be cautious. Allow me to use this opportunity to caution our young people and Kenyans at large that not everything that glitters is gold. As difficult as circumstances around the economy may be, please, do not rush for anything you hear that will give you an extra shilling. Some may be very enticing but could be very dangerous for you. I am not saying this one is dangerous because I do not know. I am waiting to hear from the Government. I want to believe that the Ministry of Interior and National Administration has taken all cautionary measures, including involving the National Intelligence Service, to establish who these people are. From the Statement request by Hon. Mukunji, the owner of this company, Worldcoin, Sam Altman has been banned from collecting biodata in his home country of USA. So, what is it that the Americans know about Sam Altman that the Kenyan State does not know that we can allow him to come and harvest all manner of data from our people? This matter only came to light because it was at KICC grounds. You can imagine how much more biodata they may have collected around the country. When the matter came up, and it was in the news last night, I saw in one of the WhatsApp groups in my constituency, in a remote village called Usigeti in Ndeiya, they were there to collect biodata. You can imagine if you entice people in our villages with little money, how many people will volunteer to just give whatever amount of biodata they can give in exchange for a few shillings or a few thousand shillings? The Government has a responsibility to protect its people, and its people includes their personal data. Our laws are very clear on that. I, therefore, commit that I will push the Cabinet Secretary and hopefully by tomorrow, latest Tuesday, to give a Statement. If he cannot come, I can get the Statement and read it out to the House.

Thank you.

Hon. Speaker: Leader of the Majority Party, given the gravity of the matter, I direct that you bring a preliminary Statement to the House tomorrow at 2.30 p.m.

(Applause)

Hon. Kimani Ichung'wah (Kikuyu, UDA): I am most obliged, Hon. Speaker.

Hon. Speaker: What cautionary steps are you taking to protect the biodata that this foreigner has already mined from Kenyans? The data ought to be in safe custody of the Data Commissioner, and not the foreigner.

Next is Eckomas Mutuse.

PROGRESS REPORT ON CONSIDERATION OF THE CONFLICT OF INTEREST BILL

Hon. Mwengi Mutuse (Kibwezi West, MCCC): Hon. Speaker, I rise on behalf of the Departmental Committee on Justice and Legal Affairs to give a progress report on the Committee's consideration of the Conflict of Interest Bill (National Assembly Bill (No.12 of 2023) and request for extension of time.

Standing Order 127(4) requires the Chairperson of a Committee to which a Bill has been committed to report to the House within 30 days on its consideration. The Conflict of Interest Bill was read the First Time on 6th June 2023 and committed to the Departmental Committee on Justice and Legal Affairs. The Bill seeks to repeal the Public Officer's Ethics Act of 2003 and amend certain provisions of the Anti-Corruption and Economic Crimes Act of 2002, the Ethics and Anti-Corruption Commission Act of 2011, the Leadership and Integrity Act of 2012, and the Public Procurement and Disposal Act of 2015. The Bill also introduces a new paradigm and approach to public service integrity and ethical issues which will affect all public and State officers, including the manner in which the Members of this House will conduct their affairs once the Bill is enacted into law. It is for that reason that the Committee

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is of the view that more time is required to look into the fundamental issues that are contained in the Bill.

Hon. Speaker, I wish to report that, pursuant to Standing Order 127(5), the Committee has already conducted public participation in accordance with Article 118(1)(b) of the Constitution as read together with Standing Orders 127(3) and 127(3A). However, a number of justice sector institutions and members of the public have not yet presented their views. Additionally, serious issues of concern were raised during the public participation. Stakeholder engagements on the Bill require further deliberations. There is also need to review and consider expert opinions as well as conduct comparable studies in other jurisdictions.

In view of the foregoing, and bearing in mind the matters provided for in the Bill, further considerations, consultations and public participation is required to ensure that we come up with a robust legal framework for public service integrity. From the foregoing, and pursuant to Standing Order 127(5), the Committee reports this progress on its consideration of the Bill and requests the indulgence of the House, through the House Business Committee, for additional 90 days to conclude the deliberations and table the Report.

I wish to finally restate our commitment to process the Bill and ensure that Kenya has a formidable regime to deal with issues of conflict of interest in public life.

Thank you.

Hon. Speaker: Hon. Mutuse, you have done the right thing but the 90 days luxury is not available to you. You were supposed to have finished your work in 30 days. I will give you an additional two weeks to finish your work and bring the Report. You cannot exhaust your 30 days and come here to ask for triple the period required under the law.

Yes, Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu UDA): Thank you, Hon. Speaker. I was engaging with Hon. Pukose and that almost slipped through. Indeed, 90 days is a very long time. Maybe, we can allow them 45 days maximum for them to engage all the stakeholders. Ninety days will take us to the next Session, which is next year, considering the House recess times.

Hon. Speaker: The Anti-Money Laundering and Combating of Terrorism Financing Laws (Amendment) Bill that I spoke to earlier is amending about 15 different Acts of Parliament and we have given it 30 days. Conflict of interest is not a complex matter. It is straightforward. I give you three weeks.

Yes, Mutuse.

Hon. Mwengi Mutuse (Kibwezi West, MCCP): Hon. Speaker, thank you very much for your favourable consideration to our request for extension of time. We oblige to go by your direction. We wish you could consider the fact that the Committee is already considering many other Bills, including the ones that you have given us. We had a discussion in the Committee and we have already engaged some of the stakeholders. Some of them had indicated that their availability will be beyond the three weeks that you have given us. So, if you can have an in-between, you can give us additional 30 days so that we can do justice to the Bill.

Hon. Speaker: Okay, you will have 30 days. However, make sure that at the end of the 30 days you do not ask for any more extension. I have allowed you to come back to the House to ask for extension. However, there are many committees whose businesses are not completed by the lapse of 30 days and their Chairpersons do not bother to come back to the House.

Leader of the Majority Party, we will now go to Question Time. I am sorry, we have to put the Questions in respect of Order Nos. 8 and 9. Before we do that, we have in the Public Gallery students of Bartabwa Primary School from Baringo North Constituency, Baringo County; St. John Fisher's-Mbui Njeru Secondary School from Runyenjes Constituency, Embu County; Musukini Primary School from Mwingi Central Constituency, Kitui County and, Nyamondo Secondary School from South Mugirango Constituency, Kisii County.

You are all welcome to observe the proceedings of the National Assembly.

Next Order.

MOTIONS

REPORT ON UNITED NATIONS CONVENTION AGAINST CORRUPTION AND GLOBAL PARLIAMENTARIANS AGAINST CORRUPTION MEETING

THAT, this House notes the Report of the Kenya Delegation to the Parliamentary Dialogue on United Nations Convention Against Corruption (UNCAC) and Global Parliamentarians Against Corruption (GOPAC) Annual General Meeting, held in Doha, Qatar from 8th to 9th March 2023, laid on the Table of the House on Wednesday, 26th April 2023.

(Moved by Hon. Shakeel Shabbir on 1.8.2023)

(Debate concluded on 1.8.2023)

(Question put and agreed to)

ADOPTION OF REPORT ON VISIT TO SEMI- AUTONOMOUS INSTITUTIONS OF EAC

THAT, this House adopts the Report of the Select Committee on Regional Integration on its visit to Semi-Autonomous Institutions of the East African Community in Arusha, Tanzania from 2nd to 8th April 2023, laid on the Table of this House on Tuesday, 6th June 2023.

(Moved by Hon. Wanjiku Muhia on 1.8.2023)

(Debate concluded on 1.8.2023)

(Question put and agreed to)

Hon. Speaker: Is Hon. Chepkonga in the House? Hon. Chepkonga, Order No.10 will be called out and I will give you five minutes to prosecute it so that we go to Questions.

PROCEDURAL MOTION

EXTENSION OF PERIOD FOR CONSIDERATION OF CERTAIN STATUTORY INSTRUMENTS

Hon. Samwel Chepkonga (Ainabkoi, UDA): Thank you, Hon. Speaker. The reason I am sitting here this afternoon is because Hon. Mbai decided to take over my seat. He has acquired it without giving notice. So, I have decided to look for a seat somewhere else. This is not my ordinary place. Because he has not been coming to the House, I have ceded the seat to him.

I beg to move the following Procedural Motion:

THAT, pursuant to the provisions of Section 15(3) of the Statutory Instruments Act, 2013 relating to extension of period of handling of a Statutory

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Instrument by the National Assembly, this House resolves to extend the period for consideration of the following Statutory Instruments by a period of twenty-one (21) sitting days—

- (i) The National Cereals and Produce Board (National Strategic Reserve) Regulations, 2023 (Legal Notice No. 25 of 2023) with effect from 1st August 2023;
- (ii) The Universities Regulations, 2023 (Legal Notice No.56 of 2023) with effect from 17th August 2023; and,
- (iii) Access to Information (General) Regulations, 2023 (Legal Notice No.57 of 2023) with effect from 17th August 2023.

Hon. Speaker, this is purely a Procedural Motion to ensure that the regulations that have been tabled in the Committee do not come into effect before the House considers them. So, we are requesting for extension of time to consider these regulations and bring them to the House as necessary.

I would like to ask Hon. Bashir, who is a Member of the Committee, to second.

Hon. Speaker: Hon. Bashir.

Hon. Major (Rtd.) Abdullahi Sheikh (Mandera North, UDM): Hon. Speaker, I second.

Hon. Speaker: Thank you. Order, Members. Hon. Pukose, take your seat or freeze where you are.

(Question proposed)

Hon. Kimani Ichung'wah (Kikuyu, UDA): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker, for your indulgence. I commend Hon. Chepkonga for seeking this extension. I would just like to caution Members because Hon. Chepkonga is aware that certain aspects of the second item, which is the Universities Regulations, 2023, seek to amend the Universities Act. We requested that he ensures that matters touching on university funding are not amended using regulations. If anybody wants to amend an Act of Parliament, they should table an amendment Bill to the particular Act, but not use regulations to amend the actual statute.

I just want to remind Hon. Chepkonga to table a Motion either for disapproval or for partial approval of those regulations, so that we approve what relates to the Open University and the funding of universities. If Hon. Chepkonga had gone through the regulations with the Departmental Committee on Education, he would have realised that they are not in tandem with the new funding model for university education. We must ensure that the Government is speaking in a coherent manner in whatever we do, so that we do not talk about a new model of funding public universities and then we use regulations to amend the statute.

I know that some people are very excited that by dint of time, those regulations would stand approved. I must commend Hon. Chepkonga for seeking extension of time for consideration. I am certain that there are characters who imagined that those regulations would stand approved by passage of time.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Chepkonga, I hope you get those concerns.

(Question put and agreed to)

Members, we will now go back to Order No.7. We have disposed of Statements and we now come to Questions. The first Cabinet Secretary to appear this afternoon is the Cabinet Secretary for Agriculture and Livestock Development.

Yes, Hon. Osoro.

Hon. Silvanus Osoro (South Mugirango, UDA): Hon. Speaker, I seek your indulgence to appreciate the students who have visited Parliament today, in particular, those from Nyamondo Secondary School in South Mugirango. I felt it wise to formally appreciate them on the Floor of the House because that school is located in the remote areas of my constituency. For them to find their way to Parliament is quite motivating. It reminds me that I first visited this House as a primary school student when you were sitting on the benches while I sat in the Public Gallery. That shows that anything is possible. One of the students from South Mugirango who is visiting us today could take my seat in this Parliament tomorrow. That is what I wanted to say. I appreciate them.

Thank you very much.

Hon. Speaker: Thank you. Cabinet Secretary for Agriculture...

(Hon. James K'oyoo spoke off the record)

Order, Member for Muhoroni. Hon. K'oyoo, this is not part of Muhoroni Constituency, is it? Thank you.

QUESTIONS AND STATEMENTS

ORDINARY QUESTIONS

Cabinet Secretary for Agriculture and Livestock Development, Hon. Linturi, welcome to Parliament. This is a place that you are familiar with. You have been a Member of this House. This afternoon, you will answer Questions from Members directed to you. Be concise and precise in answering the primary Questions. I will allow one or two joyriders to ask supplementary questions to each Question, so that they can hold you to account, on behalf of the Executive, as is required under the Constitution.

First is Question 101/2023 by the Member for Suba South, Hon. Caroli Omondi. Caroli Omondi, go ahead.

Question 101/2023

MEASURES TO ADDRESS RE-EMERGENCE OF ANIMAL DISEASES AND PROLIFERATION OF UNLICENSED AND UNREGULATED ANIMAL DRUGS

Hon. Caroli Omondi (Suba South, ODM): Hon. Speaker, I beg to ask the Cabinet Secretary for Agriculture and Livestock Development the following Question:

Could the Cabinet Secretary-

- (a) Explain the measures in place to address the re-emergence of animal diseases that were put under control in the country such as Anthrax, East Coast Fever, Contagious Bovine Pleuropneumonia and Trypanosomiasis and the policy measures to eradicate them?
- (b) State the policy measures instituted to address the proliferation of unlicensed and unregulated animal medicines in the country?

- (c) Provide details on the plans the Government has put in place towards the establishment of Trypanosomiasis Centres in Suba South and Suba North constituencies to control the tsetse flies menace in the said sub-counties?
- (d) Outline the measures that the Ministry has put in place towards distributing free livestock drugs and vaccines to farmers whose livestock has been greatly affected by the recurrence of the said diseases?
- (e) Clarify whether the farmers around Ruma National Park whose livestock has been affected by tsetse flies are eligible for compensation by Kenya Wildlife Service?

Hon. Speaker: Thank you, Hon. Caroli Omondi. Cabinet Secretary.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Thank you, Hon. Speaker, for this opportunity. We are happy as a Ministry to subject ourselves to the authority of this House, which represents the people of Kenya, to answer Questions on matters that regard our Ministry.

I seek your indulgence, Hon. Speaker. There is supplementary information that I am waiting for from my office regarding this Question so that I can do justice to it. I would like to start with any other Question so that by the time we finish with the others, I may answer this Question as the last one. I would not want to give my good friend, Hon. Caroli Omondi, an answer that I do not feel is sufficient because I have had a very short time to interact with it.

Hon. Speaker: Thank you but even if Hon. Caroli was not your good friend, you have a duty to answer the Question.

(Laughter)

Hon. Caroli, you will have to wait for much later. Next is Question 154/2023 by the Member for Mumias East, Hon. Peter Salasya.

Question 154/2023

PRODUCTION AND SUPPLY OF BT COTTON SEEDS TO FARMERS

Hon. Peter Salasya (Mumias East, DAP-K): Hon. Speaker, I rise to ask the Cabinet Secretary for Agriculture and Livestock Development the following Question:

Could the Cabinet Secretary-

- (a) outline the steps that the Government is taking to support local companies to produce and supply BT Cotton seeds to farmers in order to mitigate the high prices associated with monopoly of supply by a single source?
- (b) enumerate the measures put in place by the Ministry to address the constant price increases of BT Cotton seeds, which is straining farmers by increasing the cost of production?
- (c) state the viable alternatives being explored by the Ministry to address the high cost of BT Cotton production, especially for small-scale farmers who cannot afford the high cost of seeds, fertilizers and insecticides every planting season?

Thank you.

Hon. Speaker: Cabinet Secretary.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Hon. Speaker, the Government is making efforts to attract companies to produce certified cotton seeds in the country. In order to attract suppliers of BT Cotton seeds in the country, we advertised for expression of interest by suppliers on 20th April 2023. By 27th June 2023, potential companies had applied and the evaluation process is ongoing. We have

developed a three-year production target plan for cotton production on 40(?) acres in the Financial Year 2023/2024 and 60,000 in the Financial Year 2023/2025. In collaboration with the Governor of Busia County, on Friday we will be launching the growing of cotton on 11,000 hectares of land. Due to the collaboration and support from other partners, in another two or three months' time, we are going to get seeds that will be enough to support farmers.

On the question of what we are doing to address the issue of rising cost of BT Cotton seeds, the country has already identified a supplier called Mahyco Kenya Ltd., which is importing seeds from a company in India. Since the approval and commercialisation of the BT Cotton seed production in the Financial Year 2019 and 2020, the supplier has been selling the seeds at USD26 at Nairobi Warehouse. Towards the effort to bring down the cost of BT Cotton seeds, the Government has entered into collaboration with stakeholders to purchase and distribute cotton seeds to farmers free of charge. We are collaborating with the Governor of Busia County this Friday to enable us to cushion farmers against the rising cost of BT Cotton seed.

On what the Ministry is doing to ensure there is affordable fertilizer and insecticides, the Government and other stakeholders are implementing 100 per cent subsidy programme on BT Cotton currently being supplied to farmers. The national and county governments are mobilising farmers to form strong cooperatives and building capacity of the cooperatives. Currently, there are 31 operational cotton cooperatives, which are expected to mobilise enough resources for farm inputs and organise marketing through contracting ginneries and textile mills.

Thank you, Hon. Speaker.

Hon. Speaker: Alright. Hon. Salasya.

Hon. Peter Salasya (Mumias East, DAP-K): Hon. Speaker, I thank the Cabinet Secretary for Agriculture and Livestock Development for responding and coming up with the necessary action. Being a Member of the Departmental Committee on Agriculture and Livestock, I am very proud of his undertaking. *Bwana* Cabinet Secretary, you should invite me to that meeting in Busia so that I can tell them that I got the message to you and you have acted on it.

Thank you, Hon. Speaker.

Hon. Speaker: Alright.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Hon. Speaker, I will direct my Principal Secretary to carry him in his chopper on Friday so that he can take part in this very important event.

(Laughter)

Hon. Peter Salasya (Mumias East, DAP-K): Hon. Speaker, I have never been in a chopper. So, please, I beg to be on that trip.

(Laughter)

Hon. Speaker: Thank you, Hon. Salasya. Your excitement is understandable. Is that the Member for Bura?

Hon. Phelix Odiwuor (Langata, ODM): I am the Member for Langata.

Hon. Speaker: Member for Langata, do you grow cotton in Langata?

Hon. Phelix Odiwuor (Langata, ODM): No.

Hon. Speaker: Go ahead.

Hon. Phelix Odiwuor (Langata, ODM): We do not grow cotton in Langata but I was born and brought up in a cotton-growing area. Hon. Kaluma can attest that Homa Bay County

and the larger Kisumu area have the best black cotton soil. While I was growing up, cotton was the only agricultural activity that used to happen in Homa Bay. We used to have the Homa Bay Ginnery. As we speak today, the ginnery is closed and there is no sign of cotton plantation there or a sign of intervention by the Government to bring back cotton growing in Homa Bay. As you go to Busia, *Bwana* Cabinet Secretary, kindly remember to bring back cotton growing to where it belongs. You will see the comeback of Homa Bay Ginnery and the revival of Kisumu Cotton Mills (KICOMI), which was one of the biggest textile companies being supplied by farmers in that region.

Thank you, Hon Speaker.

Hon. Speaker: Thank you, Jalang'o. Who is the member next to you? Yes, Hon. Oku Kaunya.

Hon. Oku Kaunya (Teso North, ODM): Thank you very much, Hon. Speaker. I ask the Cabinet Secretary to give us an assurance that the idea of launching the programme will be followed up with a serious and robust distribution of seeds to farmers. The reason I am saying we need an assurance is because two years ago, I attended the launch of BT Cotton in Busia. The promise was that seeds would be available to farmers the following year. To date, seeds have not been provided to farmers. I also ask the Cabinet Secretary to ensure provision of the traditional cotton seeds that were being given to farmers by the Ministry as we await the full production of BT Cotton seeds.

The last question...

Hon. Speaker: You can only ask one question. You are a joyrider; you cannot ask three questions. That is enough, Hon. Kaunya.

Hon. Oku Kaunya (Teso North, ODM): Thank you, Hon. Speaker, for that opportunity.

Hon. Speaker: Hon. Kirima.

Hon. Moses Kirima (Central Imenti, UDA): Thank you, Hon. Speaker. As the Cabinet Secretary talks about taking cotton to Busia, as Hon. Salasya mentioned, could he tell us if all the former cotton growing areas like Central Imenti will benefit from this BT Cotton? We have a ginnery lying idle because no cotton is on the ground.

Can the Cabinet Secretary guarantee that he will make sure that fertilizer will be distributed to the sub-counties in constituencies? Counties are too large, and fertilizer is mainly taken to the county headquarters, inconveniencing hustler farmers who cannot afford transport to go to the headquarters, which is full of cartels.

Thank you, Hon. Speaker.

Hon. Speaker: The Cabinet Secretary, answer those three questions.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Hon. Speaker, I appreciate the concerns of the Hon. Members. I assure them that under the Kenya Kwanza Plan, the bottom-up economic transformation agenda, cotton is one of the key value chains that this Government is serious about. Under the Agriculture and Food Authority (AFA), we have a whole directorate of cotton to promote the growth of fibre crops.

Under this plan, the Government has mapped 24 counties with good soils for cotton growth, Homa Bay and Meru included. Once we do the launch on Friday, we expect to move on, and I will be reaching out to Members of Parliament within the counties so that we partner. We have set aside money for the purchase of seeds. Members of Parliament will be involved. We want to ensure that next year, we can support farmers to grow cotton. That is enough so that we can close imports of cotton and revive the cotton ginneries that we have in our country. That is how we will be able to put money in the pockets of our people.

Take my commitment. Having been a Member of Parliament, I see and feel how passionate you are. I am ready and will make sure that that is done. When we come to you

asking for finances to meet those demands because this important House appropriates, kindly support us.

Hon. Speaker: Thank you. The next Question. Will you also give out fertilizers alongside the seeds? That is what Hon. Kirima wanted to know.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Hon. Speaker, I have just come from a press conference with the President where he explained the measures his Government has taken to support farmers. Today, we agreed with the governors that we would partner to have proper last-mile delivery of fertilizers. The governors will provide us with warehouses or stores where we will store fertilizer to eradicate the problem the Member for Imenti Central talked about. Farmers will not have to travel for many kilometres to go and pick two or three bags of fertilizer. We have agreed and are working on an arrangement on how that will be done. As we will be distributing the cotton seeds for planting, all the members registered in our system will also get their fertilizer through the e-voucher system in place. So, we are prepared and ready. Since yesterday, the cost of fertilizer has gone down. We are now selling fertilizer at Khs2,500. Because we are getting into the short rains season, the collaboration I am requesting will enable us to work together to ensure that the fertilizer gets to our farmers in those regions so that they start planting early enough and get increased yields.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, *Waziri*. On the next Question, 155/2023, the Member for Mogotio, Hon. Reuben Kiborek, has sent me a letter saying that he has nominated Hon. Korir Adams, Member of Parliament for Keiyo North, to ask the Question on his behalf. Hon. Korir, go ahead.

Question 155/2023

ESTABLISHMENT OF A REVOLVING FUND FOR PROCESSING OF HIDES and SKINS

Hon. Adams Korir (Keiyo North, UDA): Thank you very much, Hon. Speaker. My colleague is not here because he is bereaved.

Hon. Speaker, I rise to ask the Cabinet Secretary for Agriculture and Livestock Development the following Question:

- (a) Could he explain the plans that the Government has put in place to allocate seed money for the establishment of a revolving fund under the State Department for Livestock Development to fund purchase of hides and skins for processing by the Ewaso Nyiro South Development Authority?
- (b) Could he consider offering technical support, assistance and capacity building to the County Government of Baringo in the hides and skins processing industry so as to realise value addition, improve the quality of hides and skins and create jobs among the pastoral communities in the county?

Thank you very much Hon. Speaker.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Thank you, Hon. Speaker. Allow me to respond as follows. The Ministry proposes to establish seed money for a revolving fund under the State Department for Livestock Development to fund the purchase of hides and skins for processing. The Ministry is currently supporting the mopping up of hides and skins by the Ewaso Nyiro South Development Authority (ENSDA) and the State Department of Arid and Semi-Arid Lands within the Regional Development Department and other State agencies. The ENSDA is operating a

tannery towards meeting the mopping up of the hides and skins in Narok County, and it has already been allocated Ksh100 million in the Budget for purposes of meeting this need.

Hon. Speaker, the answer to the next Question is that the Ministry of Agriculture and Livestock Development, through the Kenya Leather Development Council (KLDC), offers technical capacity building to county governments, including the County Government of Baringo, in hides and skins improvement and processing. This initiative is geared towards improving the quality of skins and will, in due course, increase the price of hides and skins and improve the value of leather products for both domestic and export markets. We have also given these counties equipment for slaughter so that the skins are not damaged. That is the support we have been able to give to the County of Baringo. The Government has also informed the governors that if there is anything they feel we need to do better, they are always welcome so that we work together for the greater good of our people.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Korir, do you have a Supplementary Question? Let us start with you.

Hon. Adams Korir (Keiyo North, UDA): Thank you very much, Hon. Speaker. I do not have a direct supplementary question. I request that Hon. Jematiah from Baringo be given a few minutes to...

Hon. Speaker: You cannot solicit a chance for any Member to ask a question. Hon. Korir, you are out of order. Hon. Jematiah is a very competent Member of Parliament. If she wants to ask a question, she will seek space.

Hon. Gladys Boss (Uasin Gishu County, UDA): Thank you, Hon. Speaker, for the opportunity to get clarification from the Cabinet Secretary.

You have mentioned that you will give technical support to promote the processing of hides and skins. We know the biggest challenge in the country on why we have never harnessed this industry is because all abattoirs are old. They are old from Independence time. The country has no modern abattoir except the Kenya Meat Commission at the Export Processing Zone (EPZ). This programme can only work if there is a direct plan to install modern abattoirs so that the skin is not damaged, and the quality improves. The initial processing of the skin should be at the abattoir so that it does not rot before it gets to the processing plant.

I have also seen the budget; it does not have a single budget for modern abattoirs. Can you clarify that?

Hon. Speaker: We will take Hon. Pauline.

Hon. Pauline Lenguris (Samburu County, UDA): Thank you, Hon. Speaker. I have two questions...

Hon. Speaker: Only one.

Hon. Pauline Lenguris (Samburu County, UDA): Only one? Okay. I know that the President and the Kenya Kwanza Government have put in place programmes to reduce the cost of living. One of them is to provide subsidized fertilizer to farmers. We have a section of Samburu County where people grow crops. As far as I am informed, Samburu County is one of the priority counties you are giving subsidized fertilizer. I wanted to know why that is the case.

Thank you.

Hon. Speaker: You want to know why you are a priority?

Hon. Pauline Lenguris (Samburu County, UDA): Why we are not a priority county.

Hon. Speaker: Why are you not? Okay. Thank you, Hon. Pauline.

Go ahead, Cabinet Secretary.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Hon. Speaker, let me reply to the supplementary question from the Deputy Speaker. As of today, the Government is almost at the level of operationalizing Kinanie Leather Park.

We are mopping up the skin and hides through Ewaso Nyiro and the Ministry's Department of Arid and Semi-Arid Lands to get them properly processed, and do the best for the country out of leather.

We are interested in ensuring that other abattoirs are operational. In the long-term, we want to have six other abattoirs operational. Some will be in Baringo. I can confirm that in supporting this programme, Isiolo is complete. The cold rooms are being fabricated in Italy, where I was last week. That is just a demonstration of how this Government is committed to ensuring that the leather value chain is given the recognition and support required. We are working tirelessly because we know the kind of transformative effect that this has on our economy.

Hon. Boss, please indulge us for another few months, and I am sure we will be able to roll out the programme on leather. I want to do it because it is now being done. Remember, we have passed the leather policy; I am not sure it has been brought here, but the Cabinet approved it. We are headed in the right direction.

Hon. Speaker, you will guide me on whether to answer the question raised by the Member on fertilizer because the issue we are dealing with here is about hides and skins.

Hon. Speaker: Generally, as a Cabinet Secretary, you must have facts about your Ministry at your fingertips. If you have facts, you can answer the Member. If you are not ready for it, you can seek indulgence from the House.

The question was very simple. Why is Samburu County not on your priority list for giving out subsidized fertilizer? If it is, you can say it. If it is not, you can explain.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Hon. Speaker, in answering these questions, I will respond more appropriately because there is also a question on fertilizer by the Member of Parliament for Buuri. Let me gather more information, but I know out of the 41 counties we have been distributing fertilizer to under the subsidy programme, Samburu is one of the counties we have been able to take the fertilizer to. I can give the quantities of fertilizer and the number of farmers registered in Samburu. One of the criteria for fertilizer allocation was the number of registered farmers and the acreage they were to apply for fertilizer.

Hon. Speaker: Thank you. We will allow you to write to the Member and give her details of what you are providing to Samburu.

The next Question 224/2023 is by Hon. Oku Kaunya.

Hon. Oku Kaunya (Teso North, ODM): Thank you, Hon. Speaker.

Hon. Speaker: Sorry, Hon. Kaunya. I have skipped one question. I will come back to you shortly.

Let us have Question 223/2023 by the Member for Keiyo South, Hon. Gideon Kimaiyo. Sorry, I am running ahead of everybody.

Question 156/2023 by Hon. Gitonga Mukunji. Go ahead.

Question 156/2023

PROTECTION OF MACADAMIA FARMERS FROM POOR PRICING

Hon. Gitonga Mukunji (Manyatta, UDA): Hon. Speaker, I rise to ask the Cabinet Secretary for Agriculture and Livestock Development the following Question:

Could the Cabinet Secretary explain the steps that have been put in place to protect macadamia farmers from poor pricing and to improve market prices for macadamia nuts in the country?

Thank you.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Thank you, Hon. Speaker.

To address the problem of poor macadamia prices and, of course, recognizing that prices are quite low, we are trying to develop macadamia grading guidelines so that farmers can grade their macadamia in line with requirements in terms of quality to gain maximum out of what they produce. We are developing guidelines so that we can achieve this objective.

We also collaborate with macadamia-growing county governments to develop proper harvesting calendars for maturity periods. Macadamia's maturity takes place in different ecological zones and times. This ensures that quality is not compromised, and the country maintains its market share and attracts better prices internationally.

The Ministry has also carried out value addition training targeting producer groups. This aims to promote product diversification to utilize available nuts and reduce over-reliance on imports. To address this and recognize that our farmers have experienced this problem, which has also been occasioned by harvesting immature nuts, the Horticultural Crops Directorate will give strict instructions to enforce the rules so that immature macadamia nuts are not available in the markets.

Finally, Hon. Speaker, I have discussed with committee members because I often consult with them to address problems immediately. Due to the ban on the export of in-shell macadamia and by applying the Crops Act of 2013, I licensed nine companies to export in-shell macadamia for three months, from 17th July 2023 to 16th October 2023. That is to mop up the excess nuts in the market at a price of not less than Ksh100. That was the condition of giving out licences. This was necessary because we all understand that the COVID-19 effects were real. Some export businesses went down in that period.

The people who bought macadamia and put them in stores could not sell them. Hence, they did not get more capital to buy macadamia. There is excess macadamia in some areas. Because there is no capital and there is that excess, unscrupulous brokers and cartels within that space take advantage. To release capital, we thought of allowing them to export macadamia, get enough money from in-shell macadamia, and get enough capital immediately to start buying macadamia at Ksh100 and above. I am happy to report that I met with two exporters and people trading in macadamia today. The price of macadamia in some areas today ranges between Ksh70 and Ksh80. In another month, we will be able to get to the target of Ksh100.

Thank you.

Hon. Gitonga Mukunji (Manyatta, UDA): Thank you, Hon. Speaker. I thank the Cabinet Secretary for the answer.

This is not an issue we are engaging him for the first time. I would like to know the status of his public announcement that he is to open the export of raw macadamia. Could he also name the five companies he has licensed so that I share the same with my people to know where they can get good prices? I also want the Cabinet Secretary to help this House understand what he is doing to protect smallholder farmers and growers from brokers who, as he has mentioned, are contributing to the low macadamia prices. I would also like to know what he is doing in researching, developing, and selling macadamia nuts. That is so that we can be more competitive in the world market and improve local consumption of macadamia.

Hon. Speaker: Hon. Kemei.

Hon. Beatrice Kemei (Kericho County, UDA): Thank you, Hon. Speaker. Let me be one of the joyriders you are calling out to ask a question. It is not about the crop mentioned but crops related to it because small-scale farmers grow them. I am concerned with sweet potatoes in some parts of Kericho, Soin and Kipkelion West. Sorghum and millet are grown in Arid and Semi-Arid Land areas.

What plans in technical support and ready markets has the Cabinet Secretary for these small-scale farmers? We have seen sweet potatoes in some markets outside the country. The middlemen always buy them from the farmers at a low price, yet farmers put a lot of money and time into the crops. May the Cabinet Secretary let us know his plans for such crops.

Hon. Speaker: Cabinet Secretary.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Hon. Mukunji, I said I had licensed nine companies, not five. I am in consultation so that I get their full names. I do not want to mislead the House. However, I am sure they are nine. If I were to mention them, I would only remember some off head. We will be sharing the information and names with you. I have licensed nine companies.

When this Parliament, in its wisdom, passed the Agriculture and Food Act and collapsed most of our crops into that institution, it established many directorates within AFA. There is coffee, oil and nuts, cotton, and fibre. There is a feeling that many things have not been done right before. Up to now, I have not been able to understand whether it was by design or default. The AFA operated without a board and a Managing Director (MD) for eight years. Policy direction on promoting and regulating all crops within AFA was a big problem. My immediate understanding of the importance of these crops to our economy and the people of Kenya was to form the Board of AFA less than two months ago. In the two months, members have moved up and down, trying their best to come up with regulations. I will seek the indulgence of members. The directorates in charge of oil and nuts, cotton, and fibre are being worked on. It has not been that easy, but we will address these challenges. I promise we will do this since they have timelines, just like we have timelines to address the sugar issue. They have also been working on it. It will not take me more than 30 to 45 days to come up with a way forward on all these.

On the issue of millet and sorghum, we are also trying to promote these crops within the Ministry. I invite you to appreciate the importance of millet and sorghum. In one of the greatest conferences in the world, the India-Africa International Millet Conference, we lobbied to have it hosted in Kenya at the Kenyatta International Convention Centre from 30th to 31st August 2023. Twenty-five First Ladies of the World are going to grace this conference. We are asking growers of different millet types to participate because we want to promote this crop. That demonstrates how serious we are getting to address farmers' issues.

Hon. Mukunji, for the avoidance of any doubt, the companies we have licensed are Fair Nuts, Nice Mart Traders, Exotic, Nutri Nuts, Super Tropical Fruits and Nuts, Eden Swing Traders, OCM Consulting, Lenana Processes and Kamili Packers. We licensed those companies upon application for the export of in-shell macadamia so that they offload to the world market the macadamia. They must raise enough capital to purchase macadamia at Ksh100 and above. This was the agreement. Once they are done, I expect the prices of macadamia to rise.

Hon. Speaker: Thank you, Cabinet Secretary. Hon. Agnes Pareyio on Question 222/2023. Sorry, Hon. Agnes. There is a reflection of light behind the Hon. Member. I cannot see your face.

Hon. Kenneth Tungule (Ganze, PAA): My name is Hon. Kenneth Kazungu Tungule.

Hon. Speaker: Yes, Hon. Tungule.

Hon. Kenneth Tungule (Ganze, PAA): I have a supplementary question for the Cabinet Secretary. I want to know the steps the Cabinet Secretary has to protect cashew nut farmers in Kilifi County. They face the same problems as the macadamia nuts farmers.

I want to know whether the steps he mentioned on protecting macadamia nuts farmers will also apply to cashew nut farmers in Kilifi County, a cashew nut growing area. The farmers are exploited by middlemen and Indian processors who give them very poor prices for their

produce. Are there any measures the Ministry has put in place to protect these farmers so that they can get good prices for their crops?

Thank you, Hon. Speaker.

(Hon. Beatrice Kemei spoke off the record)

Hon. Speaker: Hon. Kemei is protesting because he did not touch on sweet potatoes. You can deal with sweet potatoes and cashew nuts.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Hon. Speaker, let me first deal directly with the question that has just been raised by the Member representing cashew nut farmers.

Under AFA, we have Oil and Nuts Directorate. This is where cashew nuts, macadamia nuts, sunflowers and others are. The regulations and measures we are putting in place or the guidelines coming out are being developed by this directorate. They will take care of all the farmers who grow edible oil crops. There is also a commitment, and I am under the direction that we need to support the growth of edible oil crops this year. We have allocated money that will support farmers from this region. There is a clarification that I am seeking on how much we must do. Rest assured that the Kenya Kwanza Government under President William Ruto is committed to supporting the people of the Coast. We ask you to kindly partner with us and work together as representatives of the people. That is our interest.

As the person who has been given the responsibility by the head of State to champion this cause, I am ready, willing and available at any time. If you want to consult me or me to visit your area and tell me what you want us to do and engage the farmers, I have devolved the Ministry from Kilimo House to our farmers. That is why I am permanently out. So, I am ready to work.

Hon. Speaker, I cannot exactly pick out what this great lady wants to know about sweet potatoes.

Hon. Speaker: Hon. Kemei.

Hon. Beatrice Kemei (Kericho County, UDA): Thank you, Hon. Speaker. Sweet potatoes are grown in Kericho, Soim and Kipkelion West. However, there is no ready market. We have small-scale farmers who the middlemen exploit. What plans does the Ministry have in connection with that? There are some supermarkets outside the country which sell sweet potatoes. I went to Geneva, and I found some. However, our farmers are just there.

Thank you, Hon. Speaker.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Hon. Speaker, it is common information in the public that the production responsibility is in our Ministry. We are happy with what our farmers are doing. The Kenya Kwanza Government's plan is clear. It is on the need to do value addition and agro processing. We are working very closely with the Ministry of Trade, Investments and Industry, and Ministry of Cooperatives and Micro, Small and Medium Enterprises (MSMEs) Development because we are trying to organize farmers in cooperatives and aggregate them. Through the idea of County Aggregation Centres (CACs), we will ensure that we aggregate and add value to our farm produce. If we do that, it will be our responsibility to dictate what price to sell our products.

The whole reason is to avoid middlemen and post-harvest losses so that our farmers get the best prices. If we add value to our produce, I agree we will get more money. I have the National Agricultural Value Chain Development Project (NAVCDP) in your county. We are targeting to do value addition in every ward. We will spend Ksh20 million for those value-addition centres we will set up in every county so that our farmers can add value to their produce.

Within every county we operate, we will support the creation of cooperatives to allow farmers to run their businesses and money to organize themselves and borrow money as revolving funds within the wards. This is ward-based. The Member of Parliament will wait for some time. We may not have an instant answer to the problem. There is a structured way of addressing our long-term problems through the CACs. Please allow us to implement it. Advertisements have been done in the first phase for 14 counties. The other one has either come out or is coming out in another week. This is an issue we will solve in the long-run.

Hon. Speaker, there was a question on how much fertilizer we gave Samburu County. I have the answer. Samburu was one of the 41 counties we gave fertilizer in the first phase. It only redeemed 4,480 bags. It is still in the programme this year. We will continue supporting them. The only request I make is that you kindly ask your farmers to register. If they do that they will get fertilizer. We will only give fertilizer to people within our farmers' data. That could be the problem. Assist me. We are coming to support small irrigation schemes in Samburu County. There is one thing I want us to partner with. Once we start these small irrigation schemes, we want you to organize how to register farmers within those schemes. This will enable me to follow up and support them to produce food and see what best we can do to optimize the allocation of money we will put into your county and grow more food for yourselves. You have serious potential.

Hon Speaker: Thank you, Cabinet Secretary. Do you have an answer to Hon. Caroli Omondi's Question before I go to Hon. Agnes?

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Not yet Hon. Speaker.

Hon. Speaker: Hon. Agnes Pareyio. Question 222/2023.

Question 222/2023

REVIVAL OF ENENG'EETIA NCPB DEPOTS IN NAROK NORTH

Hon. Agnes Mantaine (Narok North, JP): Hon. Speaker, I rise to ask the Cabinet Secretary for Agriculture and Livestock Development the following Question:

Could the Cabinet Secretary -

- (a) Explain why Eneng'eetia National Cereals and Produce Board (NCPB) depots in Olokurto Sub County, Narok North Constituency are idle, forcing farmers to travel kilometres away to dry their produce at Narok Town thereby incurring losses?
- (b) Outline the efforts being put in place to revive the Eneng'eetia NCPB depots in Narok North Constituency?
- (c) Consider outsourcing the depots to private entities to run the facility for the benefit of farmers?

I thank you, Hon. Speaker.

Hon. Speaker: Cabinet Secretary.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Hon. Speaker, the Eneng'eetia NCPB depot is a known depot that was commissioned in 1978 and has stored cereals and beans with a capacity of 55,000 bags of 90kgs. It is located 43.8 km away from Narok Town. The depot is idle because of the old and obsolete equipment. The depot does not have a grain dryer and is not connected to electricity. That is why it is not being used, but we have put in place mechanisms to ensure we revive this depot. We are happy and lucky that the tarmac road to Eneng'eetia is under construction and is tarmacked up to that place and is now easily accessible. The National Cereals and Produce Board has recently

applied for electricity reconnection to the depot, and their application is being fast-tracked by the Kenya Power Company (KPC).

I want to tell the Member that we have earmarked this facility for an upgrade as a government-sponsored mechanization project. We appreciate the good work this country's farmers are doing for those that took the fertilizer and consider that we are prepared to mitigate loss during this harvest. We need to deal with the post-harvest losses; we will provide a mobile dryer to Eneng'eetia so that those farmers do not travel that long distance to have their maize dried.

On whether we want to outsource these depots to private entities, our response is as follows. We have been considering outsourcing depots to private entities, Eneng'eetia included. The assessment is done or will be guided by the National Cereals and Produce Policy that guides leasing out of depots and other facilities to interested parties. We have a profile of the silos we developed and shared with stakeholders in the grain sector to partner with NCPB and use the facility to benefit the farmers on the ground. That is generally what we are doing all over the country.

Let me say that right now, because of the expected bumper harvest, we are also looking at hiring extra silos or depots so that we store enough maize and have dryers all over. We are purchasing 100 dryers to dry our maize during this season. We better utilize this Government facility because whatever was required for it to operate is something that we have done over 90 per cent.

Thank you, Hon. Speaker.

Hon. Speaker: Agnes. Are you satisfied?

Hon. Agnes Mantaine (Narok North, JP): Yes. Thank you, Hon. Speaker. I want to thank the Cabinet Secretary for answering my questions. Again, I want to bring to his attention that my constituency has four sub-counties. That is the Central and Narok North. Olekurto is situated in Narok North where too many farmers are engaged in farming wheat, barley and maize. This season we need a dryer for the maize because we have a lot of maize in that area. I want to thank you for saying that you are soon considering reviving the stores.

It is not only about the stores, there are shops where you can take or supply fertilizers to the farmers in Narok North. The situation of roads in Narok North is such that they are impassable. If you take this fertilizer nearer the people, many will benefit and do farming easily. So, I thank you, and we are looking forward to the revival of the depots so that farmers do not travel long distances when they need fertilizers and want to dry their cereals.

Thank you very much.

Hon. Speaker: Thank you, Agnes. That is a statement of appreciation. Question 223/2023 is by Hon. Gideon Kimaiyo, the Member for Keiyo South.

Question 223/2023

MEASURES TO PREVENT SKYROCKETING PRICES OF FERTILIZERS

Hon. Gideon Kimaiyo (Keiyo South, UDA): Thank you Hon. Speaker, I rise to ask the Cabinet Secretary for Agriculture and Livestock Development the following Question:

Could the Cabinet Secretary -

- (a) Explain why the cost of top-dressing *Calcium Ammonium Nitrate* (CAN) fertilizer prices remain relatively high despite the Government Subsidy Programme on fertilizers?
- (b) State the actual price of a 50kg bag of CAN top-dressing fertilizer charged by the National Cereals and Produce Board (NCPB)?

- (c) Highlight the measures the Government is taking to prevent skyrocketing of the fertilizers' prices occasioned by middlemen, and further state the measures the Government is pursuing to avail the fertilizer to farmers at the appropriate time?

Thank you, Hon. Speaker.

Hon. Speaker: Cabinet Secretary

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Hon. Speaker, I am aware that the market price of CAN fertilizer is relatively high at an average price of Ksh5,400 for a 50 kg bag. However, the price is now lower compared to the price of Ksh5,900 last year. The cost of top-dressing fertilizer CAN is high because the Government is not an importer of fertilizer. Finally, the price of the imported CAN fertilizer is influenced by the free-on-board price for its charges, clearing, loading and exchange rate fluctuations.

Regarding Question two, the actual price of CAN top-dressing fertilizer is charged by the National Cereals and Produce Board - this is what I want to stress... The prices given are the prices out there in the market. Because of its commitment to support production and with the subsidy programme, the Government has been retailing fertilizer at Ksh2500 since yesterday. It has been going for Ksh3,500, but yesterday we started selling fertilizer at Ksh2,500. Yesterday alone, we made a sale of over 34,000 bags of fertilizer.

Those farmers that are feeling the pain or the pinch are the ones that did not heed the Government's call to get registered as farmers. We have opened an exercise for registration of farmers again. I want to ask the farmers of this country to benefit from Government support by registering as farmers.

This way, we will give them the support they require. They will access fertilizer at the least price that the Government is selling.

On the measures that we are taking to prevent the skyrocketing fertilizer prices, up to now, I am not aware of any middlemen in this exercise who could be contributing to high prices. Resulting from the application of the e-voucher system, all the cartels within the fertilizer space have now disappeared. Even as we discuss, in most cases, fertilizer prices are determined by international prices, distribution costs and mark ups. One cannot determine or dictate how much profit a retailer or somebody not within our system is likely to make, depending on his operation costs. To reduce the costs and prevent the rising cost of fertilizer in the country for the benefit of the farmers that will not get registered, the subsidy programme is playing some role in ensuring that farmers are not highly exploited. Once the farmers are registered, and their data is uploaded into our e-voucher system, they will realize how important it is to access fertilizer. They will get serious benefits out of the subsidy programme that the Government is running.

I thank you, Hon. Speaker.

Hon. Speaker: Thank you. Hon. Kimaiyo.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Sorry, Hon. Speaker. There is a question on what we are doing to avail fertilizer to the farmers at the appropriate time.

Hon. Speaker: Yes.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Hon. Speaker, to avail the fertilizer in good time, and because the short rains are coming in next month, we have already launched the distribution programme for fertilizer so that it can get to our farmers in good time. My Principal Secretary, State Department for Crop Development, was in Kisii, Busia and Bungoma last week in the company of some of our distinguished Members of Parliament.

On Saturday, I was personally in Makueni with the Governor of Makueni, flagging off fertilizer so it could get to our farmers quickly. We have had discussions and we were also in

a meeting this morning. For those that had the benefit of watching the news at 1.00 O'clock, the Head of State came out very strongly to explain the discussions and agreements we have entered into with governors. This includes hiring closest stores within their regions where we will store our fertilizer for easier redemption by our farmers. This is one of the mechanisms we have put in place so that fertilizer gets to the farmers within the shortest time possible.

Our National Cereals and Produce Board stores also have adequate stock. We are now interested in partnering with the governors so that whatever stock we have can also assist us in getting it closer to the wards. With time, I intend to map out the agrovets that have the capacity, pass the integrity test, and that will not add a coin to the cost of any bag of fertilizer. This is so that we can make fertilizer accessible to the farmers closely over time. We are working on this exercise because the Swedish Government gave me support. We are trying to map and register farmers more and lay proper infrastructure for use by the farmers.

Hon. Speaker: Good. Hon. Basil.

Hon. Robert Ngui (Yatta, WDM): Thank you, Hon. Speaker and the Cabinet Secretary.

To what extent are you using technology to know which area needs what fertilizer? If you look at Russia and Israel, they are using drones to enable them understand what area or soil needs what type of fertilizer. That is a question to the Cabinet Secretary.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Hon. Speaker, that is a very good question.

Hon. Speaker: Hold on. I will take... Hon. Karemba.

(Hon. Gideon Kimaiyo spoke off the record)

Hon. Kimaiyo, you asked twice, did you not?

Hon. Muchangi Karemba (Runyenjes, UDA): Thank you, Hon. Speaker.

I have noted that if farmers get fertilizer on time in my constituency, it is the best thing to happen. My question to the Cabinet Secretary is that, instead of considering the agrovets and vetting them so as to establish their integrity levels, why can you not use the existing offices of the National Government Administrative Officers (NGAO) including the Deputy County Commissioner (DCC)? I am saying this because I have seen them distribute relief food. They bring us on board, and we get the relief food to the vulnerable and those it is supposed to get to. Why can you not use that infrastructure because it exists and works?

Thank you, Hon. Speaker.

Hon. Speaker: Is that Hon. Kawanjiku?

Hon. Moses Kirima (Central Imenti, UDA): It is Kirima, Hon. Speaker.

Hon. Speaker: Oh, Hon. Kirima.

Hon. Moses Kirima (Central Imenti, UDA): Thank you, Hon. Speaker.

My humble question to the Cabinet Secretary for Agriculture and Livestock Development is: As the national Government, when the Cabinet Secretary tells us that he is going to join hands with the county government to distribute fertilizer or for the county government to provide stores where fertilizer will be kept for farmers to reach it quickly, is there not going to be a conflict of interest where politics will play a role? Some governors may use it as a campaign tool to deny or ensure that those not favourable to them miss these subsidies. What will the national Government pay the county government in the process? Are you giving money to the county governments to hire those stores, or is there any special fund to hire stores to keep the fertilizer? This means that some places will lack this fertilizer. The county governments may be unable to hire. Like in Meru County where we have nine sub-counties, will the county governments manage to hire nine warehouses to store this fertilizer? In the process...

Hon. Speaker: Enough. You have asked your question.

(Hon. Moses Kirima spoke off the record)

Your time is spent. Let us take one more question. Hon. Jematiah.

Hon. Jematiah Sergon (Baringo County, UDA): Thank you, Hon. Speaker. From the outset, I thank the Cabinet Secretary for most of his good work in the Ministry.

My question is more of a compliment. I wanted to understand the idea of millet and sorghum. I come from Baringo, a very favourable area to farm that crop. Two, we are experiencing little rain now, and most likely, we will have *El Niño* coming for the next three months or so. Can you, *Bwana* Cabinet Secretary, organize early enough for us to start planting millet? We can start by using the seed that you have so that we can engage our farmers now.

Two is...

Hon. Speaker: One is enough.

Hon. Jematiah Sergon (Baringo County, UDA): Thank you.

Hon. Speaker: Hon. Kimaiyo, you did not have your supplementary.

Hon. Gideon Kimaiyo (Keiyo South, UDA): Thank you, Hon. Speaker. While I appreciate the response from the Cabinet Secretary, he might not be aware of middlemen in the supply chain of fertilizer distribution. A good example is that of my constituency. My constituency comprises two landscapes: the highlands and Kerio Valley. A farmer uses Ksh1,500 from Kerio Valley to the store where the fertilizer is sold. This is because the Ministry identified one store in the sub-county. This is the same story in all the other sub-counties in my county: Marakwet West, Marakwet East and Keiyo North which have one store respectively. For someone to commute from one place to the store, they need to pay for their transport fee and the transportation fee for the fertilizer. This increases the cost, so farmers prefer to purchase the fertilizer in nearby shops. This fertilizer is more expensive than subsidized fertilizer. The Cabinet Secretary might not be aware of this. He needs to ask those on the ground about this.

(Applause)

Number two...

Hon. Speaker: You only ask one question.

Hon. Gideon Kimaiyo (Keiyo South, UDA): This is related to what I have asked. This is just a follow-up on his response because I am not satisfied. There is an agreement between the Kenya National Trading Corporation (KNTC), the county governments and the NCPB. If you go to NCPB to get the fertilizer within the sub-county, they send you to KNTC, and if you go to KNTC, they send you to the county government. The county government then says that the stores that NCPB look do not meet the standards. I have six wards in my constituency. There is a store constructed by farmers' cooperative societies in each ward. Why can the farmers not get fertilizers from these stores instead of what the Cabinet Secretary suggests on using agrovet for distribution? There are stores already in place that framers have constructed.

Hon. Speaker: The last supplementary question is from Hon. Sigei.

Hon. Francis Sigei (Sotik, UDA): Thank you, Hon. Speaker. Allow me to thank the Cabinet Secretary for the wonderful job he is doing in the Ministry. I also want to thank the Government for the subsidized fertilizer. This season, we expect a bumper harvest, particularly in South and North Rift.

Has the Cabinet Secretary put measures in place to buy maize from the farmers at a good price? We are worried our farmers will get very low prices for their produce after this bumper harvest. We want the Cabinet Secretary to help us with that.

Secondly, the Cabinet Secretary should consider this country's extension services. I know that this is now a function of the county governments, but as a policy maker, what measures have you put in place to ensure that farmers understand what we are doing regarding animal husbandry, soil testing, and fertilizer application?

Lastly...

Hon. Speaker: Order, Hon. Sigei. I allowed you to ask one question only.

Hon. Francis Sigei (Sotik, UDA): Let me ask the last one.

Hon. Speaker: No.

Let us have the Member for Kigumo.

Hon. Peter Kihungi (Kangema, UDA): Hon. Speaker, I am the Member for Kangema.

Hon. Speaker: Sorry, Member for Kangema.

Hon. Peter Kihungi (Kangema, UDA): The major challenge is the distribution of these fertilizers, especially in Central Kenya. I was allocated only two bags, and I have only been given 30 days to collect them. As one Member said, even though the Ministry plans to work with county governments, we also have the National Government Constituencies Development Fund (NG-CDF) structures that they can use. The Cabinet Secretary can release a circular through the NG-CDF Board to allow us to use the infrastructures like our vehicles and the NGAO vehicles in our constituencies. When a farmer pays for the fertilizer, they can bring the receipts to us, and we assist them with the distribution. The only challenge you have is distribution. However, we need a circular to support the payment and use of these vehicles. We only have one month. Some people ask us to give them our vehicles to carry the fertilizer. However, we cannot use these vehicles unless this is supported through a circular from the Government.

Thank you, Hon. Speaker.

Hon. Speaker: *Bwana* Cabinet Secretary, most of those questions are related and are on policy. You can combine them and tell the House what you are doing.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Hon. Speaker, I want to be understood. I did not say that we would use the agrovets now. I have gone to different counties in the country, and the most recurring challenge is that farmers walk long distances to get fertilizer. This House should appreciate that the process of coming up with registration of farmers and the system to distribute fertilizer is not even one year old. We started this in January. Registering...

Hon. Speaker: Cabinet Secretary, you said you were mapping agrovets for distribution. Members are saying that they have alternative facilities available in their constituencies and wards. Would you consider using those available facilities instead of agrovets?

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): The mapping of agrovets is for future use. This is a long-term plan to sort this matter once and for all. However, now, with the urgency involved, to ease the transport problem, we have worked out a plan with the governors. If we were to deal with NG-CDF infrastructure, we would require certain mechanisms because NG-CDF does not allow one to hire stores. With the devolved functions of agriculture, we work very closely with the county governments. The county governments also have funds to hire stores. They can easily hire temporary stores for two or three months as it is not expensive. Then I will need to hire temporary staff and equip them to access our e-voucher system to distribute the fertilizer. I will not allow any fertilizer to be distributed without going through the e-voucher system.

This system is automated and real-time. Only through this system can I tell how many bags of fertilizer have we sold so far. We do not want to run away from this. The Government is committed to automating all its services. We must embrace that. Nevertheless, in time, we will achieve a system where you can go to the nearest agrovet within two-or three-kilometres radius and get the fertilizer. This is the long-term goal. For now, I must address the challenge

of distance; that is why we have brought in the governors and agreed with them on what we need to do. The time remaining for us to distribute the fertilizer is too short. We want fertilizer on the ground for the farmers before the end of next month.

Hon. Speaker, several questions have been raised, but allow me to mention that farmers have done a good job. I will appear before the Committee on Delegated Legislation next week. We have brought in the request for approval of the Strategic Food Reserve Regulations to get enough money to buy maize from farmers. The Government is committed to this. It has set aside money to buy maize from farmers. The Government will buy 100 dryers, some of which are mobile, to ensure that we minimize harvest losses. These dryers will be available to the farmers.

Hon. Speaker, there is a Member who asked what plans we have for millet. Under the Food and Agriculture Organisation (FAO), this is the International Year of Millet. Therefore, we had to do a lot of lobbying because FAO is promoting the growth of different types of millet because of their nutritional value. We had to lobby and discuss with the others because it is an area we want people to embrace and learn about. We are trying to get the conference held in Kenya. It is out of lobbying and recognizing how important millet is to every home, and being a strategic crop being promoted all over, that we have the Millet Conference here on 30th and 31st August 2023, and many Heads of State support this.

A Member asked whether governors would use this as a campaign tool. I do not believe so because we are saying they provide storage. They are not the ones to distribute. We are sending messages with voucher numbers to every registered farmer to visit the stores and pick up their fertilizers. And for your information, as long as you are within our data system, if you come from Kericho and you want to pick your fertilizer from Mombasa because you have another farm there or in Kisumu, you can. It will, therefore, be the farmer's decision to choose where to pick their fertilizers. We have, however, brought in the leaders of the county governments for convenience.

Hon. Eric Karemba asked why we are not using the NGAO infrastructure to give the fertilizers. It is because of the cost implications. I appreciate what the NGAO has done. They supported me in registering farmers, and they have done good work. Remember, they are very well spread out but do not have the finances. Parliament does not appropriate any money for that purpose, and they would not want to operate in an area where we spend public finances without the authority of Parliament. But out of the few resources that can be within our normal budgetary allocation, we can hire some 50 or 100 temporary staff whom we can keep or post to the stores that governors would have opened. Our officers will be redeeming the fertilizers. Remember that fertilizers are not free and for that matter, chiefs or assistant chiefs cannot deliver them all over because it requires us to have a proper support system for them to operate. It must also have a proper network.

On whether we are using technology, yes. That is why we are not getting into contact with very many people. The farmer gets this information and picks the fertilizer when he chooses to do so and he can redeem it from anywhere. Technology is assisting us, and we appreciate it.

Hon. Francis Sigei, I have covered how we want to cover the distance. This is something to do with extension services, and the Members need to listen. We are deliberate in ensuring that extension services, because of the transformation they can bring to this sector, are availed. We are very committed to it.

We already have different applications that can tell you what we did, what we have to do or what we have done now. If you want to know what crop to plant in your constituency, we have an application called Kenya Agricultural Market Information System (KAMIS). If you log into it and key in your county, sub-county and ward, it will be able to tell you what to plant and when. We have another one called the Kenya Agricultural Observatory Platform

(KAOP), which will give you the weather patterns to expect in every ward in the whole country. So, out of the 1,450 wards, we have reached out to all of them, and it will tell you when to expect rain. That information can assist farmers. We are not only limited to the crops, it will also tell you the kind of animals one can keep because the livestock masterplan is almost complete.

We are quite at an advanced stage in technology because even the already onboarded services on the eCitizen platform from the Ministry of Agriculture and Livestock Development are now above 1,000. We have another 3,500, which we expect to onboard before the end of the year because there is that commitment to offer Government services online. We want to make agriculture digital and more appealing, and these are some of the things we do because we also want to enlighten even our youths.

The extension services will be offered online. We have serious discussions with my team on how to ensure that we can have exciting strategies and methods so that we are able to support many people so as to avoid the embarrassment that we have gone through as a country of having to beg for food or our people going without food. This can only be sorted by us sitting down and taking a deliberate decision. We must ensure that the country has food and nutritional security. It all begins with us as leaders. We, as leaders, have a responsibility to feed our people.

Thank you.

Hon. Speaker: Very well, Cabinet Secretary. We have another CS in the queue. Therefore, the questions by the Members for Teso North, Mandera South, Buuri and Suba South, including the one asked by Hon. Francis Sigei about what you are doing as a Ministry to buy from farmers the bumper harvest that is now in the fields of farmers at affordable prices will be moved to next Wednesday. Please prepare to come early next week because we will give you the first shot.

Clerks, do not add more Questions to this CS. He will only come to answer the questions I have listed, including the one from Hon. Francis Sigei. We will release you so that we let in the CS for Labour and Social protection.

Order, Members. Serjeant-At-Arms, kindly usher him in.

(Hon. Julius Rutto consulted loudly)

Hon. Member for Kesses Constituency, you have just walked in. You do not even know what has been going on here, and you are busy requesting to be allowed to ask a question about something you probably do not even know. Hold your horses. You will ask the CS the question next Wednesday in the first hour. Thank you. We release you to go back to tend to your other duties.

Kindly usher in the CS for Labour and Social protection. Where is she?

*(The Cabinet Secretary for Labour and Social Protection
(Ms. Florence Bore) entered the Chamber)*

Welcome to Parliament. This is your opportunity to answer 12 Questions listed for your Ministry. Hon. Members, because of the large number of Questions, I will allow the Questioner and one joyrider to ask questions so that we can run through all of them.

Cabinet Secretary, the last time we expected you to appear before the House, you sent the House a casual note about not being in Nairobi County. Both the Leader of the Majority Party and Leader of Minority Party in the House took a very dim view of that attitude. The next time we expected you to appear, we were told you were out of the country. You may start by apologising to this honourable House and Members who had Questions and had done their

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research to make interventions. As an old colleague in this House, you know the premium that we put on the need to appear before this House to respond to any issues by the people's representatives.

Cabinet Secretary.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Speaker and Members, for the invitation to come and answer Questions related to the Ministry of Labour and Social Protection. I want to offer my apologies. I did not intend to disobey this House. It would have been my first appearance in the House. I gave short notice about not being able to appear, which I apologise for. I will send my apologies early enough next time.

Thank you, Hon. Speaker.

Hon. Speaker: Apology accepted. What is out of order, Hon. Yegon?

Hon. Brighton Yegon (Konoin, UDA): Thank you, Hon. Speaker. I wonder why the Cabinet Secretary is saying that she will send her apologies early enough next time. Does she expect not to come next time?

(Laughter)

Hon. Speaker: We will not allow her to choose when to come and when not to come or when to apologise and when not to. Cabinet Secretary, when the House requires you to be in the House, you drop everything and come. For us to have set Wednesday aside for Cabinet Secretaries to answer Questions, we even synchronized with the Executive so that there are no Cabinet meetings on that day. When you are obligated to be here on Wednesday, you have to be here. We will let the matter rest there.

We have several Questions, starting with the Member who has just asked whether you anticipate not to come and, therefore, send your apologies in good time. Hon. Brighton Yegon, you may ask Question 088/2023.

Question 088/2023

WELFARE OF KENYANS WORKING IN SAUDI ARABIA
AND LICENSING OF RECRUITING AGENCIES

Hon. Brighton Yegon (Konoin, UDA): Hon. Speaker, I rise to ask the Cabinet Secretary for Labour and Social Protection the following Question:

Could the Cabinet Secretary -

- (a) Provide the number of Kenyans working in Saudi Arabia and their status of residency, the type of employment and working stations as well as the number of reported cases of deaths, torture, and inhumane treatment of Kenyans working in the Gulf States, particularly in the Kingdom of Saudi Arabia, for the last three years?
- (b) Explain the measures the Ministry has put in place to secure the welfare of Kenyans working in the Kingdom of Saudi Arabia, including the agreements that the Government has with the Government of the Kingdom of Saudi Arabia to address reported cases of mistreatment?
- (c) Provide details of regulatory steps taken to license recruitment agencies that recruit Kenyans to work abroad, and in particular Saudi Arabia?

[The Speaker (Hon. Moses Wetang'ula) left the Chair]

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

Hon. Deputy Speaker: Okay. You may proceed to answer the Questions.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Deputy Speaker. I also thank the Member for asking the Questions.

I want to respond to the first question on the number of Kenyans working in Saudi Arabia. Kenyans working in the Kingdom of Saudi Arabia are found in the following sectors:

1. Domestic work;
2. Education;
3. Banking;
4. Hotel and Catering;
5. Transport; and,
6. Agriculture.

The majority of migrant workers in Saudi Arabia are engaged as domestic workers. The number of Kenyans working in Saudi Arabia is approximately 200,000, with 151,687 working in the domestic sector. The distribution of domestic migrant workers per agency is provided in Annex 1, which is available.

The total number of reported deaths per country is as follows:

1. In the Kingdom of Saudi Arabia, we had 185 Kenyan migrant workers who lost their lives from 2020 to November 2022. There were 48 deaths in 2020, 60 in 2021, and 77 from January to November 2022.
2. In the United Arab Emirates, we had 45 Kenyan migrant workers who lost their lives from 2020 to December 2022. There were 10 deaths in 2020, 17 in 2021, and 18 in 2022.
3. In the State of Qatar, 53 Kenyan migrant workers lost their lives from 2020 to December 2022, with 26 of them in 2022. The causes of death range from illness to homicide. The next of kin were appropriately notified of the reported death cases through the established channels. It should be noted that for Kenyans to get medical attention in the Kingdom, their residency status should be legal. Those who have vacated their contracts are known as runaways and usually face a challenge in accessing health services.

A total of 175 dispute cases were reported in the last nine months. The conflicts revolved around unpaid wages, change of employer, workload, exit after concluding employment contracts, medical treatment, injury, being held in the recruitment agencies' accommodation without being allocated employment, runaway employees, residency ID, travel documents, and irregular extension of contracts.

One hundred twenty one cases were resolved following intervention involving the parties in conflict and the Saudi authorities where necessary. A total of 97,173 Saudi Riyals (SR) were recovered and paid to the respective parties.

The second part of the Question was that I explain the measures the Ministry has put in place to secure the welfare of Kenyans working in the Kingdom of Saudi Arabia.

The Ministry has put in place the following measures to secure the welfare of Kenyan migrant workers in the Kingdom of Saudi Arabia:

1. The Government of Kenya and the Kingdom of Saudi Arabia signed a Bilateral Labour Agreement (BLA) on recruiting domestic workers in May 2017. The BLA is currently being reviewed to address the emerging labour and employment issues to enhance the protection of migrant workers, improve terms and conditions of service, and enhance the protection of workers. A multi-agency technical committee, with representation from the Ministry of Labour and Social Protection, the Ministry of Foreign and Diaspora Affairs and the

Office of the Attorney-General, has prepared amendments to the Bilateral Labour Agreement and the same has been submitted to the Kingdom of Saudi Arabia for consideration.

2. The other measure taken by the Ministry is that we have established a labour attaché office in Riyadh in the Kingdom of Saudi Arabia. In addition, labour attaché offices have been established in the State of Qatar and United Arab Emirates (UAE), where we have our officers placed. We only have three labour attachés that are hosted in Saudi Arabia, Qatar, and UAE. The labour attaché office is mandated to, among other things, source for employment opportunities, monitor the implementation of BLAs and address the welfare of Kenyan migrant workers, including those who are in distress. However, there is need to establish additional labour attaché offices in the following cities in Saudi Arabia: Jeddah, Dammam and Tabuk. The reason for this is so that we have more attachés to be able to serve Kenyan migrant workers out there. The three that we have are not enough. We need as many as 14 labour attachés to be situated in countries where there are Kenyan migrant workers. The Cabinet approved the establishment of seven more labour attaché offices in February 2021. However, it is important for this House to note that this has been hampered by budgetary allocation.
3. The other measure taken by the Ministry is that, together with other stakeholders, we have developed the National Policy on Labour Migration. The policy provides a framework for promotion of inclusive and sustainable development of the country through safe, orderly and productive labour migration. The policy was presented to the Cabinet in February 2023. Further, the Cabinet directed certain amendments to the policy. The policy will be resubmitted to the Cabinet within the next three weeks. I know that it should be submitted within a week due to changes that have been made.
4. The other measure is that the Ministry, in collaboration with stakeholders, has developed the Labour Migration Management Bill, 2023. The Bill seeks to promote safe, ethical and orderly recruitment and to safeguard the rights and welfare of migrant workers. The Bill has additional clauses to make recruitment agencies more accountable and to periodically report on the welfare of the migrant workers recruited. The Office of the Attorney-General has finalised drafting the Bill which now awaits submission to the Cabinet for approval before submission to Parliament for consideration and enactment. I ask this House to support us on this Bill.
5. The other measure is that the Ministry is developing a robust curriculum for pre-departure training. The training will equip Kenyan migrant workers to Saudi Arabia with the pre-requisite skills, information and knowledge to enable them to navigate the challenges that they may encounter during their stay in the Kingdom. Some of the pre-departure skills that we want to equip the workers with are basic understanding of the language and culture of the countries they are going to so that when they go to work there, they can adapt easily.
6. The other measure is that we have identified a critical institution to be established in Kenya, that is, the Migrant Workers' Welfare Fund. The Cabinet approved the establishment of the Fund in February 2021. This Fund is also provided for under the Executive Order No.1 of 2023. The main objective of the Fund is to provide protection, welfare and assistance to Kenyan migrant worker out there. The National Treasury and the Office of the Attorney-General have approved the establishment of the Fund under an Act of Parliament. The Ministry, with the support of the International Labour Organisation (ILO), has

carried out a benchmarking study covering four countries where such funds have been put in place. The countries are the Philippines, Vietnam, Nepal and Sri Lanka. The study will inform the process of designing and establishing a Migrant Workers' Welfare Fund in Kenya. A multi-agency technical committee to steer the process of establishment of the Fund has also been constituted. As provided in its manifesto, the Government of Kenya intends to establish a specialised social welfare kitty for Kenyan women working abroad to provide a safety net for those in distress. As a Ministry, we have developed a framework to facilitate portability of knowledge, skills, innovation, and technical resources available in the diaspora for national development.

7. Lastly, the Ministry, with the support of ILO, is working towards the establishment of a return and re-integration programme that will enable migrant workers to participate in national development while abroad and upon their return. A migrant resource centre has been put to use at the National Employment Authority (NEA) to offer assistance to returnees. The return and re-integration programme will focus on welfare assistance such as psycho-social counselling, legal assistance to distressed migrant workers, labour market information, employment facilitation services, skills upgrading, saving and investment opportunities, business and enterprise development and provision of information on health assistance and referral.

The other question was on the regulatory steps taken to license recruitment agencies. The Ministry has established an elaborate mechanism for licensing and regulating private employment agencies. This system has enabled the Ministry to root out rogue recruitment agencies. An inter-ministerial vetting committee, with representation from key Government agencies, was established to vet all private employment agencies in the country. The Ministry of Labour and Social Protection chairs the committee, which comprises representatives of the Ministries responsible for immigration, labour, security, foreign affairs and the Office of the Attorney-General. The list of recruitment agencies can be found on the attached Appendix 3.

There is also an oversight and community feedback mechanism which the Ministry has established to facilitate continuous monitoring of private employment agencies. A distress reporting mechanism, established through a web portal under the NEA information management system, and a toll-free line have been given to report migrant workers in distress. The number is 0800222223. We are also doing capacity building to the private recruitment agencies on a voluntary basis. Already, 167 of them have gone through this training. The Ministry is implementing a programme towards capacity building of the private recruitment agencies to enable adoption and adherence to the International Recruitment System Standards (IRSS). The IRSS relates to the entire recruitment process from recruitment, deployment, employment and return and onward migration. Already, 167 recruitment agencies have been taken through the introductory part of the training, 25 have already been enrolled in the capacity building programme towards certification while four have undergone mock audit towards certification.

One of the observations is that data related to Kenyan migrant workers with the Kingdom of Saudi Arabia is very critical to inform policy formulation. However, the same information and data is segregated and maintained by various agencies with no synergy among them hence the estimates reported above.

It would be prudent for all migrant workers to the Kingdom of Saudi Arabia, to be obligated to record their entry with the Embassy, develop a data-base to inform policy and collect the necessary details that can help prompt intervention to the multitude of grievances received and enhance collaboration with the Kingdom's Authority both at the Kenyan national level and within the Kingdom, to mitigate the challenges manifested.

The vastness of the Kingdom of Saudi Arabia and the presence of Kenyan migrant workers throughout the Kingdom calls for enhanced consular services of the labour attache office and possible presence in the key cities of the Kingdom of Saudi Arabia.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Okay. Follow-up Question by the Hon. Member for Kesses.

Hold on, it seems that the owner of the Question wants to ask a follow-up first.

Hon. Brighton Yegon (Konoin, UDA): Thank you very much, Hon. Deputy Speaker. The Cabinet Secretary has given us a very good and an elaborate proposal on what should be done to protect our Kenyan citizens who are working in Saudi Arabia.

We have more than 200,000 Kenyans working in Saudi Arabia. And as you have seen, 185 Kenyans died in the last two years. There are a number of measures that the Cabinet Secretary has put in place, but until then, would we be able to say that Saudi Arabia is a safe destination as at now? This is because you have given us very elaborate measures that if put in place, would be able to ensure safety of our people in Saudi Arabia. As at now, the more than 200,000 Kenyans are there. How safe are they?

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Deputy Speaker and thank you, Hon. Member, for that Question.

As at now, the situation in Saudi Arabia is better. This is because we have engaged Government to Government. At my level, I have engaged with the Minister for Labour and Social Protection of Saudi Arabia. We are putting in place some of these measures that I have mentioned. For example, I have said that we are doing the Labour Migration Management Bill, to be able to manage some of these recruitment agencies that are doing rogue activities. Some of these workers who go to Saudi Arabia do not do so through the right channels. Some of them go through visitor's visas. And when they arrive in the Kingdom of Saudi Arabia and the visitor's visa of three months expires, they now start looking for jobs. As I have said, without proper documents, it is a challenge to live within that region. Going forward, we are going to manage the movement of these workers out of Kenya to Saudi Arabia, even at a higher level. I am even sure that the Heads of States will also meet.

That interaction was, however, important and note that, I was the first Minister of Labour and Social Protection to visit the Kingdom of Saudi Arabia. Kenyans have been there at the mercies of other people. No one had followed them and I think our going, was good. We have fewer cases now. I am not saying that we have stamped out all the cases but rather, we need more labour attaches to be able to manage the many Kenyans who are there.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Member for Kesses. Just one Question.

Hon. Julius Rutto (Kesses, UDA): Thank you very much, Hon. Deputy Speaker for this opportunity.

Allow me first, to applaud the Cabinet Secretary, Ms. Florence Bore for the good steps that she has taken. Before I ask my Question, and probably not to take you back to what you have already said, Kenyans are keen, and are following these proceedings.

In your discussion, I did not hear of some steps that you have already taken through the Government of the Kingdom of Saudi Arabia, to identify Kenyans who are there, and make some communique to the residents of the Kingdom, and the employers per se, to ensure that the Kenyans working there are treated in a humane way because from most of the information we are getting, it appears as if the treatment is not humane.

My last Question that I would like to ask, now that you are here and it is within your docket is, I want to appreciate that you have already informed Kenyans that you are commencing the exercise of releasing the last tranche under social protection, the cash transfers to the elderly people. However, we receive many questions from the people down there who have just grown of age and have celebrated their 70th birthdays...

Hon. Deputy Speaker: Hon. Member, you are going to a different topic that is not related to the Question.

Hon. Julius Rutto (Kesses, UDA): That is a joyrider Question, Hon. Deputy Speaker and since she is...

Hon. Deputy Speaker: I think I will just let *Waziri* answer the first Question that you asked. The second one is not relevant to the original Question.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you Member of Parliament for Kesses.

I went to the Kingdom of Saudi Arabia in February and we were able to engage with the Minister for Labour and Social Development, the Kingdom of Saudi Arabia. That discussion is still ongoing. We have not finished the business; we are doing it step by step. In the course of this month, I am meeting a body of recruitment agencies in Saudi Arabia. That body is referred to as Coordination Council for Recruitment Companies (CCRC). Part of that arrangement is to ensure that we have our workers going there and working under safe conditions. The engagement is continuous.

It is continuous because the Bilateral Labour Agreements (BLA) that was there was signed in 2021 and it was only for domestic workers. The current Bilateral Labour Agreements (BLAs) that we are reviewing and working on are to enable other skilled labour from Kenya to go there. This is because the job market there is very big.

When I went there, I discovered that there are one million Philippines working in the Kingdom of Saudi Arabia. Here, we are only talking about 200,000. We should be able to fight for that market and be able to brand our Kenyan workers who are very good. We have the National Youth Service (NYS), youths that have been graduating and many unemployed Kenyans, up to five million, and most of them are aged between 15 and 30 years. What are we going to do with Kenyans looking for jobs? Let us look at the positive side and minimise the negatives that we are getting and ensure that we protect our workers.

We are also going to benchmark with these other countries that have workers in this region. The Philippines are very many there. I am sure that with the new developments in that country, we can still get space for our Kenyan youth.

There is a new city that is coming up that is called 'Neom'. They need workers, security, people to work in the construction industry, drivers and many others. The job orders are many. The other day, one of the companies from the Kingdom of Saudi Arabia, gave us a job order of 10,000 Kenyan workers, which we should provide by looking at the skills that we have, and ensure that we do not deny our country certain skills that they need.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you. I think we will go to Question 089 of 2023. Hon. Robert Basil.

Member for Kesses, you will notice that the upcoming Question is what you were trying to ask. You were trying to ask a Question through the back door which is not yours.

Hon. Robert Basil, proceed.

Question 089/2023

INCORPORATION OF NEW SENIOR CITIZENS INTO THE OLDER PERSONS CASH TRANSFER (OPCT) SCHEME

Hon. Robert Basil Ngui (Yatta, WDM): Hon. Deputy Speaker, I rise to ask the Cabinet Secretary for Labour and Social Protection to:

- (a) State when the Ministry intends to incorporate new senior citizens into the Older Persons Cash Transfer (OPCT) Scheme who have not been benefiting from the Scheme for a long time and consider compensating them for the lost period.
- (b) State when the Ministry intends to update the register of the program so as to incorporate new citizens who have attained the mandatory age and weed out dead ones.

Hon. Deputy Speaker: You may proceed, Cabinet Secretary.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore):

Thank you, Hon. Deputy Speaker and Member for Yatta Constituency, Hon. Robert Basil, for the Question. It is the intention of the Ministry to register and support all Kenyans above 70 years in the Inua Jamii Cash Transfer Programme. According to the Kenya National Bureau of Statistics (KNBS) Census, 2019, there are 1, 213, 000 citizens aged 70 years and above. Out of that number, 833,129 citizens are registered in the Inua Jamii Cash Transfer Programme, leaving a balance of 379,871 who are eligible for registration.

In the Financial Year 2022/2023, the Ministry allocated Ksh17. 54 billion against the required budget of Ksh29.11 billion, translating to a deficit of Ksh11 billion. To address the funding gap for the programme, the Ministry is fast-tracking the establishment of the Social Assistance Fund (SAF) which will create an avenue for more funding from different sources apart from the Exchequer. The Fund will increase fiscal space to support the expansion of the programme. The Ministry received a presidential directive in this financial year to increase Inua Jamii Cash Transfer beneficiaries by 500,000. This will include eligible older persons and reduce the current coverage gap.

On the hand, according to the programme design, there is no compensation provision for those who have not been registered into the programme. The beneficiaries are only paid once registered and enrolled into the programme.

This is the response to Question (b) on when the Ministry intends to update the register. The Ministry has an elaborate case management process where updates are made on the beneficiary data on a continuous basis, through which deceased beneficiaries are exited from the programme. The Ministry also collaborates with the civil registration services through which Inua Jamii beneficiaries' data is cross referenced with their data in order to identify and suspend deceased cases from the payroll before exiting them from the programme after verification. The Ministry has not replaced the exited beneficiaries due to inadequate financial resources to support the field officers to carry out the exercise. However, during this Financial Year 2023/2024, the Ministry has received a presidential directive to increase the existing number by 500,000, as I had mentioned. Therefore, the Ministry will undertake a national registration exercise for eligible persons or households within the financial year across all the 290 constituencies.

Thank you, Hon. Deputy Speaker. I submit.

Hon. Deputy Speaker: Thank you. Hon Eric Muchangi, Member for Runyenjes. Let him have an opportunity and then you will have a chance to ask your Question.

Hon. Robert Basil Ngui (Yatta, WDM): Thank you, Hon. Deputy Speaker. The list that is being used currently was written in 2016. Seven years down the line, the senior citizens who have attained 70 years of age have not received a penny. It will be important to automate and backdate the system. If you look at the teachers who retired from 2004, you will find that the Government has tried to backdate for those who did not receive increment from that year. It will be very unfair to have people who have missed out from the register for seven years, when constitutionally, they deserve to be in the list, and compensated for the years lost.

Hon. Deputy Speaker, that is my follow up question. I wish that can be taken into consideration because those are our senior citizens. Most of them are at the chronic ailment stage or what is referred as medical body in science. It will be nice if we can factor that.

Hon. Deputy Speaker: I will give a chance to Hon. Muchangi Karemba.

Hon. Muchangi Karemba (Runyenjes, UDA): Thank you, Hon Speaker and *Waziri*. Going by what I see in my constituency, I have reservations on the number that the Cabinet Secretary has indicated, that one of 300,000. In every small gathering in my constituency, there are very many people who are not enlisted in this programme. I wish to ask the CS to explain to this House whether you have accurate numbers of senior citizens who have not been registered. Also, the number of people living with disabilities who should be enlisted in this programme.

Lastly, now that there is a Presidential directive that you upscale the number to 500,000 beneficiaries, is there a budget for the same, or is it just a directive? Thank you.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Deputy Speaker. Can I answer the two?

Hon. Deputy Speaker: Yes, proceed.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Deputy Speaker for the two questions asked by Hon. Robert Ngui and Hon. Muchangi Karemba, my Chair of the Departmental Committee on Labour. Currently, we are paying 1,200,000 million people, and the money that we give them is Ksh17 billion. It is what the Government can afford.

In this financial year, we are increasing the beneficiaries by 500,000. We had made a commitment during the Social Protection Week Conference that we are going to increase the number from 1.2 million to 2.5 million in two years. This year we are going to increase by 500,000.

However, when I bring the Social Assistance Fund Bill to this House, my request is that let us pass it. If we have that Act in place, the Social Assistance Fund Bill, it will mean donors will come on board to support the Exchequer. We will pay everyone who is above 70 years. That is the only thing that we can do as a House; that you can support us to have the Bill in place.

Hon. Robert Ngui, I think you mentioned something about teachers. Those who are paid under this Inua Jamii Programme are the unemployed. We do not pay people who get pension. It is only those who are vulnerable and cannot afford. Maybe he can repeat the question.

Hon. Deputy Speaker: You can clarify.

Hon. Robert Basil Ngui (Yatta, WDM): Allow me to clarify. I made a reference to teachers who were paid by the Teachers Service Commission who also missed out on the increment that occurred in 2002 or thereabouts.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Have they been paid arrears?

Hon. Robert Basil Ngui (Yatta, WDM): Yes.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): In this case you want arrears?

Hon. Robert Basil Ngui (Yatta, WDM): If the Ministry of Education can do that why can the Ministry of Labour and Social Protection equally not compensate senior citizens who have been left out by the system from 2016 up to date? That is the reference I made. Those are seven years. You can imagine people lacking money when they are supposed to be enjoying the benefits which are within their rights and in the Constitution.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Deputy Speaker and Hon. Robert Ngui for clarity. We will not pay the arrears. They are about 5,000 that were left out within a period of six months. You must have heard your constituents complaining. Those are the ones that we have brought on board and we are going to pay them going forward. They were not in the system for various issues. Maybe

because of the thumb testing with the machines, they were locked out of the system. The over 5,000 of them have been brought on board, and will be paid from next month. For the arrears, it may be difficult because we do not have the budget for that.

Thank you.

Hon. Deputy Speaker: I think you should be telling the Hon. Member that they should make sure they appropriate money from this House so that you are able to pay it. Okay. I think we can proceed.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Yes. Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: I think we said we would have one follow-up question. We have already had a follow-up question. Yes, Hon. Member for Thika.

Hon. Alice Ng'ang'a (Thika Town, UDA): Thank you Hon. Deputy Speaker. I said on this one, I have to rise and support my Cabinet Secretary.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you.

Hon. Alice Ng'ang'a (Thika Town, UDA): Hon. Deputy Speaker, it is good that I stand today and ask Members who are here to pass the message to other Members. I know everybody is saying that we need to know how many of those enlisted died. When I come to the Floor of the House to ask you for money or even to audit the system itself, it is usually a problem. Members, the next time you see me rising asking you that I need more money for social protection, it is for us to audit and know exactly where we are.

If at all we are going to have an extra half a million persons being enrolled, I think it is a good number. In every constituency, I know there is a criterion that the Ministry will be using, but at least, we will get 1,500 from constituencies. I think that is a good number waiting for next year.

Hon. Deputy Speaker: Hon. Member, you are using Question Time...

Hon. Alice Ng'ang'a (Thika Town, UDA): Not Question Time...

Hon. Deputy Speaker: To answer the question for the Cabinet Secretary. I do not think it is fair.

Hon. Alice Ng'ang'a (Thika Town, UDA): I was just trying to tell Members that next time they see me coming here, either for estimates or to ask more money for Inua Jamii...

Hon. Deputy Speaker: You will have an opportunity for that. You can bring it as a Motion before the House.

Hon. Alice Ng'ang'a (Thika Town, UDA): Asante.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Deputy Speaker. Hon. Alice is my Chair of the Departmental Committee of Social Protection. Thank you for the support.

Hon. Deputy Speaker: I think you are the only person who has been allowed to be supported by a Member.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you.

Hon. Deputy Speaker: We will move on to Question 090/2023 by Hon. Brighton Yegon, Member for Konoin.

Question 090/2023

SUPPORT FOR CHILDREN WHOSE PARENTS
OR GUARDIANS ARE SERVING LIFE SENTENCES

Hon. Brighton Yegon (Konoin, UDA): Thank you very much, Hon. Deputy Speaker. I rise to ask the Cabinet Secretary for Labour and Social Protection the following question:

Could the Cabinet Secretary:

- (a) Explain the steps being taken, if any, to ensure that the basic needs or support for children whose parents or guardians are serving life sentences are met?
- (b) Explain the plans or policies in place to provide financial support to children of incarcerated parents?

Hon. Deputy Speaker: Cabinet Secretary, proceed.

The Cabinet Secretary Labour and Social Protection (Ms. Florence Bore): Thank you, Hon Speaker.

The Children Act, 2022, Section 144 (e) states that a child whose parent or guardian has been detained, held in custody or imprisoned or is in remand, is a child in need of care and protection.

The Kenya Prisons Service, in collaboration with the Ministry of Labour and Social Protection and other partners, developed a Policy on Care of Children of Incarcerated Mothers (2022), to offer guidance to all stakeholders in quality care for children of incarcerated mothers aged zero to four years.

The policy highlights the importance of early childhood development, with focus on children of incarcerated mothers aged zero to four years born in prison or accompanying their mothers to prison. The policy provisions are in the following areas: living space, health, nutrition, early learning and play, psycho-social support, safety and security, and responsive care giving and reintegration processes.

There are two categories of children of incarcerated parents: zero to four years who are allowed to stay with their mothers in prison, and above four years who are expected to be outside prison.

In view of the above, the following are the steps taken to ensure the basic needs of children are met:

1. The sub-county children's officer opens a protection and care file for children accompanying their mothers and caregivers to prison and those left at home.
2. Sub-county children's officer conducts a social inquiry interviewing the parent at remand or prison and home assessment and compiling a court report.
3. A prisons officer prepares a care plan for the children while in prison premises. The care plan includes basic needs of the child, tracing relatives and exit from prison.
4. Family conferencing is undertaken to execute the care plan, which includes child and parent counselling.
5. Reintegration with other family members or placement in a charitable children's institution or statutory children's institution, which is a last resort and temporary or referral to agency for basic needs.
6. Executing any other court orders issued besides reintegration
7. Follow up to find out how they are doing with relatives in the institution.

Note also that we have ongoing talks with the Chief Justice to have these mothers put out of prison to be able to take care of these children and those discussions are positive.

On the plans and policies in place to provide financial support to children of incarcerated parents:

1. The Ministry has developed a ten-year care reform strategy for children in Kenya to guide national steps towards family promotion and strengthening, robust alternative family care and tracing, reintegration and transitioning from institutional care to family and community-based care for all children in need of care and protection.

2. Rescue and placement to a charitable children's institution or alternative family care. In addition, the sub-county children's officer receives and compiles reports on all children received and accommodated in charitable children's institutions.
3. Provision of the Presidential Secondary School Bursary for those who are eligible as per the Presidential Secondary School Bursary (PSSB) guidelines. I am told in all constituencies, you will find PSSB funds that can be used. Although it is a small kitty, it gives a child about Ksh30,000 per year.
4. The Ministry effects change management of care givers, guardians to ensure continuous support through cash transfer to orphans and vulnerable children for the households already enrolled.
5. The other plan is to ensure uniformity in all prisons and facilities taking care of such children and those in the community.
6. The Ministry is also developing guidelines on the care and protection of children of incarcerated parents.

On the last three, the Ministry has developed a child protection management information system to manage data and information about children that need care and protection, including children of incarcerated parents for real time monitoring and reporting. The Ministry also has done a National Children's Policy, 2010 that provides safeguards for the rights and welfare of children in the country and is currently under review to align it to the Constitution of Kenya 2010 and emerging children's protection issues.

Lastly, the Ministry has a National Social Protection Policy, 2011, which is under review that recognises and builds on existing social protection initiatives such as education bursaries, school feeding programmes, fee waivers in public health facilities, Orphans and Vulnerable Children (OVC) programmes, older persons cash transfer and Youth Enterprise Fund, among others.

Thank you.

Hon. Deputy Speaker: Hon. Yegon.

Hon. Brighton Yegon (Konoin, UDA): Thank you Hon Deputy Speaker. The Questions have been well answered. Could I get the printed answers for the two Questions that I asked for the purpose of follow up?

Hon. Deputy Speaker: Thank you. Any follow up Questions?

Hon. Catherine.

Hon. Catherine Nakhabi Omany (Busia County, ODM): Thank you, Hon. Deputy Speaker. I am very impressed with our Cabinet Secretary today. The overhaul that she has spoken about is promising. About the slavery, I just want to know what happens if people go there as Christians and they are forced to change to a religion that the employer wants. I do not know if you have done something about that. It is discrimination.

Do we have data on what they go to do in factories, houses or airports? Do you have a day as a Ministry that you go online and talk to these workers? It will be good for them to feel that their country is following up on them and if anybody has a problem they can air it out online or you can have a portal for questions.

Hon. Deputy Speaker: Hon. Catherine, what is happening is that you are asking the previous Question and the Cabinet Secretary has already answered it. So, you have been overtaken by events unless you want to ask about the children in prison because that is the Question that we are on at the moment.

(The Cabinet Secretary spoke off record)

Cabinet Secretary, allow a follow up question by Hon. Fatuma.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you, Hon. Deputy Speaker. It is not a follow up Question but a point of information to the Cabinet Secretary and Hon. Catherine. I am a Muslim and I know a little bit of what happens in Muslim countries. They do not force you to...

Hon. Deputy Speaker: I want you to stick to the Question. You are now answering the Question for the Cabinet Secretary.

(Hon. Fatuma Mohammed spoke off record)

No, that was not the Question. We will proceed to the next Question.

The next Member who is supposed to ask Question 091/2023 is the Member for Machakos County, Hon. Joyce Kameme.

Let us stick to the rules of the Standing Orders. The Question that will be answered by the Cabinet Secretary will be the one that had been sent in advance to the Cabinet Secretary and any follow up Questions have to be relevant to the Question that the Minister has answered. It is not time to debate or raise other issues.

Let us proceed. Hon. Kamene, Member for Machakos County. Is she here?

We will move on to the next Question.

This is for the knowledge of the Hon. Members. Standing Order 42B(5) says:

“Where the Member scheduled to raise a Question in the House is absent without the Speaker’s permission, the Question shall be dropped and no further proceedings shall be allowed on the Question during the same session.”

In the Speaker’s Communication today, the substantive Speaker alluded to that.

MEASURES TO GIVE EFFECT TO NATIONAL SOCIAL PROTECTION POLICY
AND THE NATIONAL POLICY ON ORPHANS AND VULNERABLE CHILDREN

(Question 091/2023 dropped)

Hon. Deputy Speaker: Let us move on to Question 092/2023 by the Member for Kirinyaga County, Hon. Jane Maina.

Question 092/2023

EFFECTIVENESS OF THE INUA JAMII PROGRAMME

Hon. Njeri Maina (Kirinyaga County, UDA): Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Is that you, Jane Maina?

Hon. Njeri Maina (Kirinyaga County, UDA): Yes.

Hon. Deputy Speaker: I know you as Gacheri.

(Laughter)

Hon. Njeri Maina (Kirinyaga County, UDA): My name is Jane Maina aka Gacheri. I want to thank the good Cabinet Secretary for finally coming to the Floor of this House.

Could the Cabinet Secretary for Labour and Social Protection:

- (a) Provide detailed information on how regularly the database and other information relating to Inua Jamii data is updated to ensure that only the verified beneficiaries receive the cash?
- (b) Explain how effective the programme has been since its launch?

- (c) Explain the circumstances under which certain deserving beneficiaries, particularly those from Kirinyaga County, do not receive the Inua Jamii cash transfers even when they have submitted the requisite documents?

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore):

Thank you, Hon. Deputy Speaker. I would also like to thank Hon. Jane from Kirinyaga County.

With regard to the first Question, the response is as follows. The Inua Jamii Cash Transfer Programme operations are supported by a Consolidated Cash Transfer Management Information System (CCT-MIS) which holds beneficiary data and automates various functions. Beneficiary updates are initiated at the community level with support of Beneficiary Welfare Committees (BWCs) at the location level on a continuous basis. Using the case management form, the BWCs capture relevant beneficiary information that requires to be updated using prescribed forms and forwarded to the Ministry Programme officers at sub-county levels, who then capture it in the CCT-MIS Update Module for subsequent approval by the headquarter office. Sometimes the reporting by BWCs delays timely updates.

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

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

The beneficiaries' national identification numbers are verified against the Integrated Population and Registration Services (IPRS) to confirm accuracy of information such as name, nationality and age. The system also runs checks against Civil Registration Services (CRS) data to flag out deceased beneficiaries from the payroll. During payment, verification is done using national identification cards, payment cards, and use of biometrics to ensure the right beneficiaries receive cash at the payment points.

The second Question was on the effectiveness of the programme since it was launched. The response is as follows. The Cash Transfer Programme for Orphans and Vulnerable Children (CT-OVC) was the first cash transfer programme to be launched in 2004. This was followed by the Older Persons Cash Transfer Programme (OPCT) in 2007, and then the Cash Transfer Programme for Persons with Severe Disabilities (PWSICT) in 2010. Since inception of the programmes, there has been increased coverage from 2,900 to 1,233,129 poor and vulnerable beneficiaries in all the 47 counties.

Besides regular cash transfers, Inua Jamii also supports complementary programmes such as Nutrition Improvement through Cash and Health Education (NICHE) being piloted in five counties and the Economic Inclusion Programme (EIP) being piloted in five counties, namely, Kitui, Kilifi, Marsabit, West Pokot and Kisumu.

From internal and external assessments on cash transfers, these programmes have had significant effect on the livelihoods of the beneficiaries, their households and communities at large. A recent Mid-line Impact Evaluation of Kenya's Inua Jamii Programme indicated that cash transfers have allowed older persons to be less dependent on family members and more valued within their households and their communities. The Programme has mitigated the stress from financial insecurity and increased beneficiaries' sense of purpose and satisfaction from being able to help others as opposed to only receiving help.

Impact evaluations and surveys conducted on the Programme have shown that the money is used to buy food, repay debts, cover medical costs, and buy livestock thus increasing the household purchasing power. The local economy becomes vibrant during payment days. In addition, there is increase in savings and investments leading to ownership of assets, investments for the future in education, child nutrition and production sector, improved enrolment, retention and transition of children in school, increased food expenditure and

dietary diversity, improved health conditions and reduction in poverty levels among the beneficiary households.

The third question is to explain the circumstances under which certain deserving beneficiaries in Kirinyaga County do not receive the Inua Jamii cash transfers. The last scale-up for the Cash Transfer for Orphans and Vulnerable Children (CTOVC) and for Persons with Severe Disabilities Cash Transfer (PWSD-CT) Programme was done in the Financial Year 2015/2016. In the Financial Year 2017/2018, there was a scale-up of the older person's cash transfer programme to cover senior citizens aged 70 years and above. Since then, no additional resources have been provided to the programme for new registration.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Jane, do you have any supplementary question?

Hon. Njeri Maina (Kirinyaga County, UDA): Thank you Cabinet Secretary, for the detailed response. I just want to know how often the clean-up of the system is done. Death is a daily occurrence. The Government targets to be making monthly payments. Have you considered automating the system and integrating it with the system at the Registrar of Births and Deaths?

Secondly, how do you contain discrimination at the local level? I have spoken to several old persons in Kirinyaga County who claim that when the registration was being undertaken, chiefs selected certain names in the community. The President gave a directive on registration of up to 500,000 new beneficiaries. How will you safeguard the process to ensure that there is no discrimination and that every old person above 70 years in Kirinyaga County will be captured?

The Temporary Speaker (Hon. Omboko Milemba): Proceed.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore):

Thank you, Hon. Temporary Speaker. The clean-up is regular. However, note that the clean-up process of the entire system requires funding. When we do not have the money to do it, we may not do it as regularly as we should. That is why we are looking for more funding to be able to bring on board more beneficiaries and to clean up the system.

Secondly, I have said we have Beneficiary Welfare Committees (BWCs) which are under constituency Members of Parliament. It is good to work with them so that as they bring beneficiaries on board, the committee is agreed on who is more vulnerable to be brought on board. Even if there are over 70 people who are about 100 years old, we can only bring a few on board. It is good to work with the BWCs at the location level on a continuous basis to have the right persons on board.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Jane, do you still have a further supplementary question? Proceed.

Hon. Njeri Maina (Kirinyaga County, UDA): Hon. Temporary Speaker, I just want to note that the Cabinet Secretary has not answered the question on how often the clean-up of the system is. Is it after one or two months? It seems she does not want to touch it even with a 10-foot pole. I understand that they have funding constraints.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Jane, you do not have to answer for the Cabinet Secretary. Proceed and put your question straight.

Hon. Njeri Maina (Kirinyaga County, UDA): I just gave her a leeway. She said that they have funding constraints, but she has failed to tell me whether it is done after one, two or three months or perhaps once a year.

The Temporary Speaker (Hon. Omboko Milemba): That means you are fully satisfied. Any other Member?

Hon. Gideon Kimaiyo (Keiyo South, UDA): Thank you, Hon. Temporary Speaker. Mine is on the same question on discrimination that Hon. Maina has asked about. I speak for my constituency of Keiyo South. Everyday when I go to *mashinani* and interact with the old people, they ask me the criteria used to give a 70-year-old money while an 85-year-old person does not get the money. How do I answer that question from my grandmother?

The Temporary Speaker (Hon. Omboko Milemba): Cabinet Secretary, that is a very common question and it is cross-cutting. Proceed and answer it.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you Hon. Temporary Speaker. I hear Members and I hear the cries from the beneficiaries. Some are put in place in the wrong way while others are left out. I appeal that we work with these committees to ensure that the right beneficiaries are put in place.

It is also important to note that we were able to clean up the system for the persons with severe disabilities. We had some funding for that and we were able to bring on board about 10,000 new beneficiaries of persons with disabilities. For the older persons and the vulnerable children, we did not have the funding. We have brought on board about 10,000 new persons with severe disabilities. We will continue with the clean-up exercise because we have deceased persons and there could be some room to bring on board others. We are also going to bring on board another 500,000 and that way we can also bring in the very needy cases that need to be brought on board. So, there is room for us to do that; this year, 500,000 and next year, 800,000.

If we pass the Social Assistance Fund Bill, we will bring everybody on board. The faster we pass it, the better so that our people can gain from the Inua Jamii Programme. As they are in the Programme, the ones who get better and are no longer vulnerable are weaned-off and that creates room to allow inclusion of more vulnerable people. With the expected bumper harvest, we expect the vulnerable to get some food to eat.

Thank you very much Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): The last question on this matter. Proceed.

Hon. Gonzi Rai (Kinango, PAA): Hon. Temporary Speaker, I want to get clarity about the committee the Cabinet Secretary insinuated exists. What is the composition of that committee? We would like to know that. I have been a Member of Parliament for the last 25 years, but I do not know the composition of that particular committee. How is registration done? We just see names flouted around. But when we go to our homes, we get widows who do not get these funds. Give us the composition so that we know them and interact with them and inject our proposals.

Thank you.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you Hon. Temporary Speaker. Hon. Member, what did you say your name is please?

Hon. Gonzi Rai (Kinango, PAA): I am the Member of Parliament for Kinango in Kwale County, and my name is Gonzi Rai.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): You have been a Member of Parliament for 25 years?

Hon. Gonzi Rai (Kinango, PAA): Yes, for 25 years.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Cabinet Secretary, answer the question.

(Laughter)

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you Member of Parliament for Kinango, Hon. Gonzi. The Beneficiaries Welfare Committees are made up beneficiaries themselves and their representatives. So, they sit down

and agree on who to bring on board and who is to be the care-giver of that beneficiary. Some of those beneficiaries are too old to go for the money. So, there is a care-giver within the family set up who acts on their behalf. The committees are within your constituency. You can work with our officers on the ground to have them if you do not have them on board.

Hon. Gonzi Rai (Kinango, PAA): Hon. Speaker, just a rider to that one.

The Temporary Speaker (Hon. Omboko Milemba): Okay. Your question was supposed to be one, but give him one minute to do the supplementary question.

Hon. Gonzi Rai (Kinango, PAA): Hon. Temporary Speaker, there are persons involved in registration of these persons. Those who identify these people cannot be the beneficiaries. There are different people who do the registration and we can interact with them because beneficiaries are very many. Once we know the people mandated to register, we can tell them those who are more vulnerable and need to be included in this programme. If I do not know those who are mandated to register, then beneficiaries are working on a different programme all together. They are trying to give names of persons who are supposed to collect monies on their behalf.

Thank you.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore):

Thank you, Hon. Temporary Speaker. Within the sub county, we have social protection officers. If need be, we can give you the name and phone number for that social protection officer that you can work with. It looks like there is a disconnect between you and the officer, but we can help you get engaged with him or her to know the beneficiaries in your constituency. We even have figures of how many and who gets from the sub county, ward and location levels. We can give you the names of those beneficiaries. From there, you will know caregivers and our officer. That is the reason I am here – to answer your questions and ensure that you serve Kenyans well. We will work together. I will give you the officer and you will to know the committees at the constituency.

The Temporary Speaker (Hon. Omboko Milemba): Cabinet Secretary, that question is now well answered. Indeed, Hon. Gonzi Rai, possibly after this talk, proceed to that team so that they can give you fine details on the team in charge of social protection.

I want us to move on to the next Question.

(Loud consultations)

You do not have to stand. This is a House of rules. We have never conducted our business like that. Let me give...

(A Member spoke off record)

Still on the same matter? We must really bring that matter to a stop because we have another question that is similar to this one. You will have a chance to get back to this. Let us move to the Member of Parliament for Kiambu, Hon. Machua Waithaka.

Question 160/2023

REGISTRATION OF CANCER SURVIVORS AS
PERSONS WITH DISABILITIES (PWDS)

Hon. John Waithaka (Kiambu, UDA): Hon. Temporary Speaker, I rise to ask the Cabinet Secretary for Labour and Social Protection the following Question:

Considering that some of the effects of cancer are physical loss of body parts like limbs, hands, breasts and other adverse effects like loss of sensory, mental, visual, hearing, learning or physical infirmities that condemn them to permanent disability, could the Cabinet Secretary explain why such cancer survivors, including those in Kiambu Constituency, are denied eligibility for registration as persons living with disabilities?

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Cabinet Secretary.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore):

Thank you, Hon. Temporary Speaker, and Member of Parliament for Kiambu, Hon. Machua Waithaka for the Question.

Registration of persons living with disabilities is provided for under the Persons with Disabilities Act, No.14 of 2003. Section 7(1)(c) of the Act mandates the National Council for Persons Living with Disabilities to register persons with disabilities and organisations, institutions and associations of persons with disabilities.

The Act defines disability as physical, sensory, mental or other impairments including any visual, hearing, learning or physical incapability which impacts adversely on social economic or environmental participation. The United Nations Convention on the Rights of Persons with Disabilities describes persons with disabilities as those who have long-term physical, mental, intellectual or sensory impairments, which in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others. The registration process is noted. I may not go through all of them.

Registration of an individual as a person with disability (PWD) starts with the person appearing before a medical panel in level four or five Government hospitals that conduct disability medical assessments across the country. The individual is given a disability medical assessment report signed by the County Director of Medical Services or the County Director of Health. The signature by the County Director of Medical Services or County Director of Health in the medical report is authority for the NCWPD to register persons with disability. On registration, an individual submits a copy of the signed medical report, a passport-size photo and a copy of the national identity card or birth certificate to the NCWPD across the 47 county offices in the county where registration takes place.

To enhance standardisation in the disability medical process in all the counties, the Ministry of Health developed and put into operation a new disability assessment and categorisation guidelines that guide and standardise the assessment process across the country. The other steps are there. What is important is the assessment of an individual who requires a disability card, but he or she has to go to hospital. We may be having someone who has an issue with cancer and may have been amputated or someone with a disease like diabetes that causes amputation of the hand, finger or leg. For them to be assisted or be put into this system, they have to be assessed in a hospital and given a card. They can use it to get support at the NCWPD.

On part (b) of the Question on cancer survivors, as per the assessment and authorisation guidelines, cancer survivors who lose any part of the bodies through amputation leading to limitations and functionality effects, are assessed and registered. That is exactly what I have mentioned.

Thank you, Hon Temporary Speaker and Hon. Member.

The Temporary Speaker (Hon. Omboko Milemba): Yes, Hon. Waithaka.

Hon. John Waithaka (Kiambu, UDA): Thank you, Cabinet Secretary.

I would like to ask a Supplementary Question. An oncologist is a doctor who treats cancer and provides medical care to persons diagnosed with cancer. As a Cabinet Secretary for Labour and Social Protection, are you aware that we have a shortage of oncologists in our

hospitals? Two, what steps are you undertaking in your ministry to employ enough oncologists in all hospitals across the republic?

Hon. Temporary Speaker, I will continue. Cancer survivors undergo five stages that affect them in life. They are physical, emotional, mental, financial and social. Have you considered giving them special privileges like PWDs? Considering cancer is a third killer disease in our nation after infectious diseases and cardiovascular diseases, many families are suffering from psychological effects brought about by this killer disease. Are there steps in the ministry to empower cancer survivors through capacity building programmes?

The Temporary Speaker (Hon. Omboko Milemba): I think that is enough. Yes, Cabinet Secretary.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Temporary Speaker. Thank you, Member for that Question.

I may not be able to answer that Question because I do not know the number of oncologists we have. That question may be referred to my colleague in the Ministry of Health.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Waitthaka, your second Question has beaten the aspect of relevance in your supplementary question. Honestly, you have completely gone to a very different Question that the Cabinet Secretary may require more time to research on. If you look at it, it may require another Cabinet Secretary to deal with it. Cabinet Secretary, you may say as much as you can on that and that will be it. Any other Question? Is there any other question related to the same? Yes, Hon. Member. Give him the microphone. There is one near you. Use it.

Hon. Joseph Lekuton (Laisamis, UDM): Thank you, Hon. Temporary Speaker. My name is Hon. Lekuton, Member for Laisamis.

The Temporary Speaker (Hon. Omboko Milemba): Order, Member. For neatness, if you want to ask a supplementary question, press the intervention button.

Hon. Joseph Lekuton (Laisamis, UDM): I have a supplementary question, Hon. Temporary Speaker. I would like to ask the Cabinet Secretary a Question that was raised earlier by Hon. Gonzi Rai. I am interested in it because we need to know the structures of how these beneficiaries are identified. How do we know the people in that committee who identify the beneficiaries in the villages out there? That is the Question that I did not hear being answered.

Thank you, Hon. Speaker. I appreciate it.

The Temporary Speaker (Hon. Omboko Milemba): Again, that borders on the issue of relevance to the Question we are dealing with. However, stay around because I noticed Hon. Gonzi Rai has a number of questions that will deal with that matter. Is there any other question? Yes.

Hon. Ruweida Mohamed (Lamu East, JP): Asante sana, Mhe. Spika wa Muda. Swali langu kwa Waziri ni kuhusu huduma zinazotendeka katika ofisi yake kama mambo ya saratani. Lamu ni kisiwa. Mna mpangilio gani kwa sababu huu mpango wa wazee umeleta shida kwetu Lamu? Afisa anakaa Mji wa Lamu. Kutoka Mji wa Kiunga, gharama ya usafiri ya mzee hadi Mji wa Lamu ni Ksh4,100. Pesa anakuja kuchukua ni hiyo Ksh4,000. Inakuwa ni shida sana.

Tafuta njia zingine. Inabidi wachange watafute mtu ndio aende awachukulie pesa. Ni shida kwetu. Mkitoa huduma yeyote, mfikirie watu wa Lamu ambao wanaishi kwa visiwa. Changamoto za usafiri ziko ghali sana.

Asante, Mhe. Spika wa Muda.

The Temporary Speaker (Hon. Omboko Milemba): Cabinet Secretary.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Asante, Mhe. Spika wa Muda. Asante kwa swali ambalo nimeulizwa na Mhe. Rubani. Ni kweli watu huwa wanaenda safari ndefu na wanatumia ile pesa ambayo wanaenda kuchukua. Kwa hivyo, kama Wizara, tunataka kufanya mazungumzo na shirika la Safaricom, ili watu

wasitumie pesa nyingi kwa barabara wakienda kuchukua hiyo pesa. Mazungumzo yanaendelea. Hata wiki hii, tuliongea na Safaricom ndio wazee wapate hiyo pesa nyumbani.

Shida ni kuwa hawa wazee hunyang'anywa pesa saa zingine na *caregivers*. Mzee anaweza ambiwa pesa haijaingia na kumbe iliingia. Kijana anachukua hiyo pesa anatomia. Kwa hivyo, tutafanya mipango mizuri ya kuhakikisha *beneficiary* ameshika hiyo pesa hata akitumiwa na M-Pesa.

Asante, Mhe. Spika wa Muda.

The Temporary Speaker (Hon. Omboko Milemba): There being no other interest on that particular Question, let us move on to Question 189/2023 by the Member for Mombasa County, Hon. Zamzam Mohammed. I am in possession of a letter where Hon. Zamzam, as per our Standing Orders, nominated Hon. Mishi Mboko to ask this Question on her behalf. Proceed, Hon. Mishi Mboko.

Question 189/2023

COMPLIANCE OF INSTITUTIONS WITH MINIMUM ACCESSIBILITY STANDARDS FOR PWDS

Hon. Mishi Mboko (Likoni, ODM): Thank you, Hon. Temporary Speaker. On behalf of the County Women Representative for Mombasa County, I want to ask the Cabinet Secretary for Labour and Social Protection the following Question.

Could the Cabinet Secretary:

- (a) Explain why buildings and social amenities in most institutions are yet to comply with the minimum accessibility standards for Persons with Disabilities (PWDs)?
- (b) Explain why the Government has only employed 1.4% of Persons with Disabilities against the legal requirement of 5%?
- (c) Outline measures, if any, being considered or undertaken by the Government to revive Deserted Value Addition Industries in Mombasa so as to create employment opportunities for the locals and hence more revenue for the county?
- (d) Explain why skilled locals are usually bypassed during employment by private entities when opening new branches in Mombasa and whether the Government is considering providing grants to empower Micro, Small and Medium Enterprises (MSMEs) in Mombasa County?

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Cabinet Secretary.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore):

Thank you, Hon. Temporary Speaker. The response to the first Question is that Article 54 Sub-Article 1 of the Constitution provides that persons with disabilities should have reasonable access to public amenities. The Persons with Disabilities Act No.14 of 2003 provides a legal framework to promote access for persons with disabilities in various areas including the built environment, education, health services, employment, sports and recreational activities among others.

However, most institutions have not implemented the required measures to secure accessibility for persons with disabilities. There are several reasons for this state of affairs:

1. Lack of awareness and commitment among top decision-makers in MDAs of the critical importance of fostering inclusion and diversity, particularly through improving accessibility for persons with disabilities.

2. Lack of regulations to enforce adjustment orders as provided for in Section 24 (2) of the Persons with Disabilities Act 2003 that are issued after an accessibility and usability audit has been conducted.
3. Government Ministries, Departments and Agencies fail to budget for the implementation of adjustments recommended through Accessibility and Usability Audits.
4. Weak legal framework for the enforcement of provisions related to improving accessibility for persons with disabilities.

To accelerate improvement of accessibility for persons with disabilities, the National Council for Persons with Disabilities recommends the following:

1. That the Building Code is amended to comply with KS 21542 Building Construction - Accessibility and Usability of the Built Environment developed by the Kenya Bureau of Standards (KEBS) to ensure all building plans approved by various Physical Planning Departments across the country are compliant at the design stage.
2. Strengthen the capacity of Ministries, Departments and Agencies to mainstream disability through training of the committees responsible for spearheading disability mainstreaming, staff and senior management to enable them to integrate disability inclusion concerns into the delivery of the institution's mandate.
3. Finalise the National Disability Policy to provide all public, private and development organisations with a national blueprint towards a more inclusive Kenyan society. This policy has been in draft for some time now.
4. Enact the Persons with Disability Bill, 2023 into law to provide a more robust legal framework to enforce the provisions of the law related to improving accessibility for persons with disabilities.

Hon. Temporary Speaker, I hope when this comes to the Floor of the House, Members will help us pass this Bill to support the accessibility of persons with disabilities.

Part two of the Questions is; explain why the Government has only employed 1.4 per cent of PWDs against the legal requirement of 5 per cent. The response is that, access to work promotes dignity and provides opportunities for people to earn a livelihood, and participate in national development. Article 54(2) of the Constitution mandates the State to ensure progressive implementation of the principle, that at least 5 per cent of the members of the public in elective and appointive bodies are persons with disabilities. Additionally, Sections 12 and 15 of the Persons with Disabilities Act, 2003, outlaws any form of discrimination in employment on the basis of disability. Despite the provisions of the law in support of employment of persons with disabilities, access to employment for persons with disabilities has been challenging. These challenges result from the following issues:

1. Stigma and discrimination of persons with disabilities in the wider society negatively impact the employment of persons with disabilities.
2. Widespread negative attitudes towards the employment of persons with disabilities. A majority of employers are not ready to engage persons with disabilities because they do not want to pay the cost of adjustments.
3. Accessible work environment for persons with disabilities put off employees with disabilities. For instance, the absence of adaptive technology, disability-friendly services like sign language interpretation services for the deaf and guides for the blind within the workplace, and lifts for persons with mobility challenges can deter employment of persons with disabilities.

4. Inadequate opportunities for access to education and training including mentorship programmes targeting persons with disabilities, to be absorbed in various sectors of the economy.

In order to address this challenge, the National Council for Persons with Disabilities is providing scholarships to learners with disabilities to equip them with education and training relevant to the job market. Also, the National Council for Persons with Disabilities is providing support to the development of learning infrastructure development in special schools to expand the enrolment capacity of institutions offering education and training to persons with disabilities.

Access to Government procurement opportunities is another initiative that the Government uses to empower persons with disabilities, women and youth who have companies and businesses. The Council has also developed an artificial intelligence-driven portal — the National Council for Persons with Disabilities career portal — to bring together and match employers and job seekers with disabilities with appropriate skills. This portal currently, has registered 437 employers and over 5,700 job seekers with disabilities. Moreover, the Government has also provided opportunities for persons with disabilities to pursue self-employment. These opportunities include but not limited to:

1. Access Government procurement opportunities. The Council has started a Local Purchase Order (LPO) financing programme to support businesses owned by persons with disabilities, who win government tenders with financial support to support those tenders.
2. Support persons with disabilities with technical and vocational skills, with tools of trade to start small businesses to earn income.
3. Support groups of persons with disabilities with financial resources, to start income-generating projects to enable members to earn income.

In conclusion, the Government's approach of promoting inclusion through disability mainstreaming across all Ministries, Departments and Agencies goes a long way in creating more opportunities for persons with disabilities to participate in nation-building. To this end, we appeal to Parliament to request the State Department for Performance and Delivery Management, to reinstate the Disability Mainstreaming Performance Indicator to the Performance Contracting Management guidelines from where it has been expunged for the Financial Year 2023/2024.

That is my appeal, Hon. Temporary Speaker.

Part three of the Question is still related to my colleague in the Ministry of Investments, Trade and Industry. Part four is related to my colleague in the Ministry of Cooperatives and Micro Small and Medium Enterprises (MSMEs) Development.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Mishi.

Hon. Mishi Mboko (Likoni, ODM): I thank the Cabinet Secretary for the well-detailed answers to the questions. Cabinet Secretary, you have taken good measures to ensure that PWDs have their rights. Are you going to put a time frame for implementing these policies? We have good laws regarding the rights of PWDs but the issue is enforcement. Enforcement is not being done. Has the National Council for People with Disabilities registered all PWDs in the country? The answer is no. The PWDs are being requested to pay a certain amount—which they do not have—for them to be registered. When we talk about PWDs, we want them to be mainstreamed in terms of employment opportunities, access to education, access to health, and other social amenities. We have a very big gap because we first need to have a database of their official registration so that in case of opportunities, we can pick them easily.

On the issue of budgeting, there has to be a legal framework to ensure that there is a budget that is allocated to PWDs. This will ensure that their rights are not violated as they have

money and access to education. For example, there is only one school for visually impaired persons, that is, the Salvation School for People with Disability, which is in my constituency. How many such schools do we have in the entire country?

The Temporary Speaker (Hon. Omboko Milemba): Order, Hon. Mishi. Your question has turned into a speech. Ask the question.

Hon. Mishi Mboko (Likoni, ODM): This is a supplementary question on what she has just said. If we do not have these facilities, then we are just doing public relations and it will not be actualised. What are the measures or strategies that they are going to put in place to ensure that whatever she has said is going to be implemented? The Cabinet Secretary also talked about a policy. What is the time frame? Are we just going to be talking without actions? Let us have a time frame. I need to hear strategies like conducting an audit to know how many PWDs are not registered. Or the creation of a task force to ensure that these strategies are enforced.

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Mishi, the issue with the time frame came out clearly.

Cabinet Secretary, you may proceed.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore):

Thank you, Hon. Temporary Speaker and Hon. Mishi Mboko. If you heard me well, for us to improve the disability space, my appeal to this House is that the policy on disability has been in draft for long. It has not been passed. Enact the Persons with Disability Bill, 2023. This will help us provide a more robust legal framework to enforce the provisions of the law related to improving accessibility for PWDs.

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Any other supplementary questions? Cabinet Secretary, I agree with you that part three) of the Question is relevant to the Ministry of Cooperatives and Micro, Small and Medium Enterprises (MSMEs) Development. Also part four except for the first part talks about discrimination in the provision of employment and why skilled locals are usually bypassed. This lies under your docket as the Cabinet Secretary for Labour and Social Protection. The rest of the Question is not part of your mandate. Please make a statement on discrimination at the work place, and skilled labourers in Mombasa being by-passed.

Yes, Hon. Member.

Hon Alice Ng'ang'a (Thika Town, UDA): Thank you, Hon. Temporary Speaker. This is the Member for Thika Town, Hon. Alice Ng'ang'a.

Thank you, Cabinet Secretary. There are many people who want to help people living with disability. Most of the equipment or items they use are imported, but once they land in our country at the Port of Mombasa, they experience a lot of difficulties clearing them yet they are intended to help our people living with disability. Can the Ministry look into it and ensure that all the help we get from outside reaches the intended purpose and destination without being delayed at the Port of Mombasa, or without too many questions before it gets to the beneficiaries?

The Temporary Speaker (Hon. Omboko Milemba): Yes, Cabinet Secretary.

The Cabinet Secretary for Labour and Social Protection (Ms Florence Bore): Thank you, Hon. Temporary Speaker and Hon. Alice Ng'ang'a.

Anything imported by persons with disability should be duty free, and as long as they own the card that shows their disability, they should not have a problem. Even their salaries are never taxed and they also do not pay tax as long as they hold that disability card. We are currently trying to issue those disability cards to each individual in the country and we have

put them in the system. We have even improved the card such that even with a phone, you are able to identify a person with disability as the legal holder of that card.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Cabinet Secretary, you have talked about the cards for the welfare and goodness of Kenyans. However, the cards have continued to change from one type to another at the cost to the people living with disability. I hope you are seized of this matter. What are you doing towards that because they keep on changing the card at their cost? Proceed to say something about that as we move to the next Question.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you for that question. The cards that were initially there were bound to be used for fraud cases. The cards that are being used now have watermarks to ensure that it is only the beneficiaries who can use them. This means that the cards do not get into the hands of rogue people who want to identify themselves with people with disability.

The Temporary Speaker (Hon. Omboko Milemba) Thank you. Let us move to the next Question by the Member for Kinango Constituency, Hon. Gonzi Rai.

Question 190/2023

MEASURES TO CUSHION THE ELDERLY PENDING THE
RESUMPTION OF INUA JAMII PROGRAMME

Hon. Gonzi Rai (Kinango, PAA): Thank you Hon. Temporary Speaker. On behalf of the people of Kinango Constituency, I want to ask the Cabinet Secretary Question No.190/2023.

Could the Cabinet Secretary:

- (a) Explain measures that the Government is undertaking to cushion elderly persons in the country pending the resumption of the Inua Jamii Programme?
- (b) Explain when and how the Government is planning to resume fresh registration of elderly persons under the Inua Jamii Programme noting that the registration exercise stalled in 2016?

The Temporary Speaker (Hon. Omboko Milemba): Proceed, Cabinet Secretary.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Temporary Speaker, and the Member for Kinango Constituency, Hon. Gonzi Rai for the Question.

My response is that there were some delays in the payments of the Inua Jamii Programme beneficiaries for a period of seven to eight months, from November 2022 to May 2023. However, in June 2023, the Government released Ksh16.7 billion for disbursement to the beneficiaries for the eight months as arrears. I know the beneficiaries happily got the money. So far, all the arrears for the last financial year have been cleared. As directed by His Excellency the President that beneficiaries of the Inua Jamii Programme be paid on time and on a monthly basis before we pay salaries, I wish to confirm that the Government has already disbursed funds for the month of July 2023. They were paid before most of us were paid. Payments commenced on 31st July 2023. Moving forward, payments will be done by the 20th of every month.

On the second Question on how the Government is planning to resume fresh registration of elderly persons, I had already mentioned that during this financial year, the Government is planning to scale up the Inua Jamii Programme to cover 500,000 more beneficiaries as directed by His Excellency the President. This number will be spread across the 290 constituencies. Registration will be done by Ministry officers at county and sub-county offices, with support

from the local administration, leaders like you, and community structures as outlined in the Programme Operations Manual.

I submit.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Gonzi Rai.

Hon. Gonzi Rai (Kinango, PAA): Hon. Temporary Speaker, while I appreciate what the Cabinet Secretary has stated, could she state what caused delays in this disbursement knowing that the beneficiaries are not on any payroll, but depend on these funds for their survival, and that they live in arid and semi-arid areas?

Secondly, I expected the Cabinet Secretary to tell us when fresh registration of elderly persons under this programme will resume. I wish to be involved in that particular operation. Since 2016, many of those who have attained the requisite age and are eligible beneficiaries of this programme are still...

(Hon. Alice Ng'ang'a spoke off-record)

The Temporary Speaker (Hon. Omboko Milemba): No, Hon. Alice. Hon. Gonzi Rai, do you want to be informed on your Question?

Hon. Gonzi Rai (Kinango, PAA): Not really.

The Temporary Speaker (Hon. Omboko Milemba): Proceed.

(Hon. Gonzi Rai consulted with Hon. Alice Ng'ang'a)

The Temporary Speaker (Hon. Omboko Milemba): Hon. Gonzi Rai, that is not how we conduct parliamentary business. Proceed and execute your matter. Hon. Member, you will be given permission through the Speaker.

Hon. Gonzi Rai (Kinango, PAA): Thank you, Hon. Temporary Speaker. The second question was on when the Government will resume fresh registration under this programme. The Cabinet Secretary has already indicated that she will increase the number of beneficiaries by 500,000. When will the Government resume fresh registration so that we have a definite timeframe? That will help us to plan how to start whipping the people for purposes of registration because they come from arid and semi-arid area. If they are not involved in this programme, they will not survive.

The Temporary Speaker (Hon. Omboko Milemba): Yes, Hon. Alice. Do you have a supplementary question? If so, proceed.

Hon. Alice Ng'ang'a (Thika Town, UDA): Thank you, Hon. Temporary Speaker. I rise to add to what the Member has talked about. I am in charge of that programme in the National Assembly and the beneficiaries receive money every month.

The Temporary Speaker (Hon. Omboko Milemba): What is your point of order? You are yet to become a Cabinet Secretary.

(Laughter)

Just allow the Cabinet Secretary to deal with those issues. That is why we have summoned her to the Floor of the House. Cabinet Secretary, you may proceed.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Temporary Speaker and Hon. Gonzi Rai. This is a Question that I am answering for the second time on this Floor. I was asked a similar Question and I explained it. I said that there were arrears whose reasons you know. You are a leader in this country and you know the challenges that the Government encountered. There were no funds. However, we have kept our word, paid the arrears, and we are making monthly payments, which was never

done before. His Excellency the President gave us a directive that the beneficiaries be paid before the rest of the salaries are paid because the beneficiaries are vulnerable and poor. Indeed, they have been paid. My joy is that this vulnerable group has finally been paid. They are being paid on a monthly basis, something that has never been witnessed before.

Two, I said 500,000 beneficiaries will be brought on board this year. We made a commitment as a Ministry and Government that 2.5 million beneficiaries will be brought on board in two years. We were at 1.2 million and in two years, we will be at 2.5 beneficiaries. So, we need to cover an extra 1.3 million. The 500,000 beneficiaries have been registered this year. As soon as we get money, they will be paid. The other 800,000 will be registered in the next financial year. That brings the number to 1.3 million beneficiaries. When you add the 1.2 million that we have, the total will be 2.5 million beneficiaries. I also made a request to this House to pass the Social Assistance Fund Bill. Once it is passed, we will bring on board donors who will give us more money to supplement the exchequer. That way, we will pay everyone who is over 70 years. Hon. Gonzi, will you help me by passing this Bill that will help your people? Help us to get this money on time and cover more beneficiaries.

(Hon. Gonzi Rai spoke off the record)

The Temporary Speaker (Hon. Omboko Milemba): Order, Hon. Gonzi! Order, Cabinet Secretary! This is a House of rules and order. Hon. Gonzi can only answer you through the Chair. Let us move to the next Question.

(Hon. Gonzi Rai spoke off the record)

I already gave you a chance for a supplementary question, Hon. Gonzi. Remember, you also had a bite on the previous Question. What do you want to say? Say it very quickly.

Hon. Gonzi Rai (Kinango, PAA): Hon. Temporary Speaker, first I appreciate what the Cabinet Secretary is doing in this Ministry. The concern I want to raise is that, in view of the fact that we come from ASAL areas, when there are these kinds of delays, we need some mechanisms to be put in place to see how we can cushion our people. Some of them have lost their lives as a result of the delay. That is why I asked that supplementary question. What the Cabinet Secretary is doing is tremendous. We appreciate.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Gonzi Rai, what is the question?

Hon. Gonzi Rai (Kinango, PAA): Hon. Temporary Speaker, we know the Cabinet Secretary has plans to increase the number of persons, but we want to know when the programme is starting. We do not want to be told at the end of the year when the programme has already been undertaken.

The Temporary Speaker (Hon. Omboko Milemba): The question is put. Thank you. Cabinet Secretary.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Temporary Speaker. Once we get the funds, we will start paying the 500,000 people. However, we should not have a problem of delays anymore because we have made a deliberate effort to ensure that, going forward, they are paid on time on a monthly basis.

The Temporary Speaker (Hon. Omboko Milemba): That gives us a chance to move to Question 326/2023. Member for Keiyo South, Hon. Gideon Kimaiyo, proceed.

Question 326/2023

YOUTH UNEMPLOYMENT IN KEIYO SOUTH CONSTITUENCY

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Hon. Gideon Kimaiyo (Keiyo South, UDA): Thank you, Hon. Temporary Speaker. Before I ask my Question, through you, I had a rejoinder on the Question by Hon. Gonzi Rai.

The Temporary Speaker (Hon. Omboko Milemba): That matter is spent. Proceed with your Question.

Hon. Gideon Kimaiyo (Keiyo South, UDA): Okay. Thank you.

Hon. Temporary Speaker, I beg to ask the Cabinet Secretary for Labour and Social Protection the following question:

Could the Cabinet Secretary—

- (a) State the measures put in place by the Ministry, including specific initiatives and programmes implemented, to tackle the issue of unemployment among the youth in Keiyo South Constituency.
- (b) Elaborate any policies, regulations or support systems in place to ensure fair treatment, conducive working conditions and access to social benefits for workers operating in the informal sector?
- (c) Provide the status of social protection programmes in Keiyo South Constituency, particularly the type of support provided, the number of beneficiaries, and any planned enhancements or expansions for these programmes?

The Temporary Speaker (Hon. Omboko Milemba): Cabinet Secretary.

The Cabinet Secretary for Labour and Social Protection (Ms. Forence Bore):

Thank you, Hon. Temporary Speaker. Thank you, Member for Keiyo South, Hon Gideon Kimaiyo.

My response to the Question on unemployment is that unemployment, underemployment and the poor working conditions have been identified as one of Kenya's most difficult and persistent problems. The employment challenge is also reflected in the growth of a working population that surpasses the rate of job creation. In Kenya, the 15-year to 19-year old youth cohort represents the entry load of the labour market. The relatively high rates of open unemployment amongst the entry group emphasise the magnitude of the country's employment problem. A majority of these unemployed youth do not possess appropriate skills. The implication is that a large proportion of the country's working age population are labour market participants, thereby exerting a lot of pressure on the labour market.

Keiyo South Sub-County in Elgeyo/Marakwet County in the North Rift region is rich in natural resources such as forests, fertile lands, tourist attraction sites and geographical features that include waterfalls, the Kerio Valley and hills. However, unemployment among the youth aged between 18 and 35 years is a major challenge just like in other areas or regions in this country. The national Government, through the Uwezo Fund programme, is supporting youths in Keiyo South to start income-generating activities and be self-employed. According to the data from Keiyo South Sub-County youth office, there are 237 active youth groups engaged in various income-generating activities. The county government has also embarked on the implementation of the Ksh30 Million Wezesha Ujana programme to address unemployment. This initiative, dubbed *tujiajiri*, intends to sponsor the youth to undertake technical courses in local vocational training centres. Upon graduation, beneficiaries will be equipped with relevant tools of trade that they will use to put skills into practice and generate income.

The construction of the Kimwarer Dam also provides a sizeable number of employment to youths in the region. They will give them jobs. I am sure they will give jobs to these youths.

Some of the factors affecting employment in Kenya include slow and un-sustained economic growth, limited growth and development of the micro and small enterprises, low levels of productivity and competitiveness, technological gap, weak linkage between education

and training institutions and industry, inadequate labour market information, weak framework for provision of employment services and coordinated administration of labour migration, gender inequality, and inadequate health and safety measures at workplace. The Kenya Kwanza Government has continuously articulated the need to create sufficient employment opportunities to absorb the country's growing labour force. While the immediate concern is to address high levels of open unemployment, the medium and long-term measures will focus on promoting accelerated and sustained economic growth through implementation of prudent microeconomic and sectoral policies. It will also focus on mainstreaming productivity in all sectors of the county's economy, including the informal and jua kali sectors, improving the linkage between demand and supply size of the labour market while taking cognisance of the national, regional and global labour market dynamics, and formulating and implementing the wage policy that guarantees a robust, flexible, equitable, predictable and sustainable wage system.

Hon. Temporary Speaker, we will improve the systems for collection, analysis, and dissemination of labour market information, in order to enable the un-employed access information on existing job opportunities and increase access to employment in foreign labour markets, through negotiation and signing of bilateral labour agreements.

The second part of the Question is to elaborate the policies and regulations of support systems in place to ensure fair treatment and conducive working conditions. Regulations of wages and conditions of employment as stipulated in the Labour Institutions Act, 2007; the Employment Act, 2007; and the Employment (General) Rules, 2014 provide the following: Minimum wages for various cadres of workers in different sectors, the hours of work, the entitlement to one rest day per week, the entitlement to annual leave after every 12 months of service, provision of sick leave after working for two months and rights of workers under a contract of service.

The other issue is on support systems. The Ministry handles labour disputes reported by workers or their union representatives. It carries out labour inspections for purposes of assessing compliance with terms and conditions of employment by all employers, including employers in the informal sector. The Ministry offers advisory services to employers and workers in both formal and informal sectors on various provisions of labour laws, with an aim of enlightening them on fair labour practices.

The Ministry of Labour and Social Protection also promotes freedom of association at the work place, including the informal sector which is enshrined in Article 41 of the Constitution and Labour Relations Act, 2007. It promotes the freedom of association as per Article 36 of the Constitution and provisions of the Labour Relations Act, 2007 on the right to form, join and participate in lawful activities of their trade unions in the formal sector.

The third part of the Question is to provide the status of social protection programmes in Keiyo South Constituency, particularly the type of support provided, the number of beneficiaries and any planned enhancements or expansion of programmes. The response is that the Ministry implements three cash transfer programmes, popularly known as the Inua Jamii Cash Transfer Programme for the older persons, the orphans and vulnerable children and people with severe disabilities.

The three programmes are being implemented in Keiyo South Constituency. A total of 3,243 beneficiaries are shared in a list. You can see them. The older persons are 2,441, the orphans and vulnerable persons are 685 and persons with severe disabilities are 117. The list is provided for Elgeyo Marakwet County, Keiyo South Constituency and Location. We have numbers from Kitan, Kaptarakwa, Kamsworor, Nyaru, Soy, Marichor, Kibargoi, Kabiemit,

Metkei, Maoi, Epke, Kocholwo, Chepsigot, Kapkwony, Mosop, Chemoibon and Tumeiyo locations. The figures are there for the older persons, orphans and people with severe disabilities. I am sure the Member will see that.

I submit.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Hon. Member.

Hon. Gideon Kimaiyo (Keiyo South, UDA): Thank you, Hon. Speaker and the Cabinet Secretary for the response. I have a supplementary question on that. You mentioned Kimwarer Dam, which is very dear to the people of Keiyo South. It was supposed to be constructed by the previous regime, but it was cancelled under circumstances that we did not understand. You alluded that it would give us jobs. I am sure you consulted the Cabinet Secretary for Water, Sanitation and Irrigation. For the sake of the people of Keiyo South, you can tell us when it will be constructed. You could tell us when this dam is coming up. You alluded that this will give us jobs.

Secondly, in April, there was an advertisement in the newspapers about social enumerators. Elgeyo Marakwet County was one of the counties taken as a sample. They were doing biometric enumeration for elderly people and the disabled among others. I do not know what happened to that advertisement. Maybe the Cabinet Secretary can shed more light on that. I have been telling my people on the ground that we are being considered and soon we will add more people to the Inua Jamii Programme.

The Temporary Speaker (Hon. Omboko Milemba): Cabinet Secretary

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Temporary Speaker and Hon. Gideon Kimaiyo for the Supplementary Question. On Arror and Kimwarer dams, any project that comes anywhere will always generate jobs. We look forward to those new projects. On when it will start, I am sure my colleague in the Ministry of Water and Sanitation will give us a favourable answer.

On the social protection enumerators, we actually did an advert. We were expecting money from a donor, but we have not yet received it. However, we will continue with the process as soon as we get the money. We advertised, received the applications and they are still safe with us. We will only start the programme once we get the funding.

The Temporary Speaker (Hon. Omboko Milemba): Yes, supplementary question from Hon. Ruweida Mohamed.

Hon. Ruweida Mohamed (Lamu East, JP): Asante. Swali langu kwa Waziri ni kama lile tu. Sisi Lamu mipangilio yote inayotokea kwa Serikali tunasahaulika. Ningeomba nipewe utaratibu kama vile umepeana kwa Mbunge mwenzangu. Lamu Mashariki waliopata ni kina nani? Jajiri Lamu Mashariki sioni. Uwezo Fund Lamu Mashariki kutoka nilipokua Mbunge Muwakilishi wa akina mama, nimeenda mbio mpaka sasa hakuna, haiendelei. Youth Enterprise Fund ni shida. Wale wote maafisa ambao wanafaa kukaa sub county ya Lamu Mashariki, wote wanakaa Lamu mjini. Waziri ninakuomba uje, ninasema hili kwa machungu. Kwa sababu mimi nikija hapa watu wananiambia tumeskia mashambulizi ya Al-Shabab. Inaweza kuwa sisi ndio tunasababisha hayo mashambulizi kwa sababu ya vile mnawatenga wale vijana. Mfano wa vijana wa Kiunga, kutoka Kiunga kwenda Somalia, ni mile mia tano. Kama mipango hiyo ya Serikali haiwafikii...

The Temporary Speaker (Hon. Omboko Milemba): Order. Hon. Member, ask the question please.

Hon. Ruweida Mohamed (Lamu East, JP): Bw. Spika wa Muda, mipangilio ya Serikali ni kuwacha Lamu nyuma au ana mipangilio gani ndio haya matatizo ya Al-Shabab yaishe? Kwa sababu kama vijana hawahusishwi katika mipangilio hii ndio inasababisha hayo mambo yanayotokea Lamu. Kisha mwakilisha wadi jana ameshambuliwa na mke wake amefariki.

The Temporary Speaker (Hon. Omboko Milemba): Order. Let us have the Cabinet Secretary.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Temporary Speaker and Hon. Ruweida. Nimesikia kilio cha watu wako. Nimesikia maswali mawili ambayo umeuliza. Moja tu ndilo langu. Hilo la kwanza unataka orodha ya waliofaidika kutoka Eneo Bunge ya Lamu Mshariki. Iko tayari, na ninaomba nipatiwe muda niweze kuileta siku nyingine ama nitume kwa Mheshimiwa Ruweida Mohamed. *The Ministry of Public Service, Gender and Affirmation Action* inaweza kukueleza juu ya *Uwezo Fund*.

However, niko tayari kuja Lamu East tufanye kazi pamoja. Kama kuna kitu unahitaji kwa Wizara yangu ya *Labour and Social Protection*, nitafurahi sana kufanya kazi na wewe kwa sababu nilipewa kazi nifanye kila mahali Kenya hii. Asante

The Temporary Speaker (Hon. Omboko Milemba): Very well. Hon. Member for Lamu East, you will have an engagement with the Cabinet Secretary. She has been magnanimous to even include up to your own constituency.

We move to the next Question, which is Question 327/2023. Hon. Member for Machakos Town, Hon. Caleb Mule.

Question 327/2023

REGISTRATION AND DEREGISTRATION OF BENEFICIARIES OF INUA JAMII PROGRAMME IN MACHAKOS TOWN CONSTITUENCY

Hon. Caleb Mule (Machakos Town, MCCC): Thank you, Hon. Temporary Speaker. I rise to ask the Cabinet Secretary for Labour and Social Protection the following Question:

Could the Cabinet Secretary —

- (a) Provide the parameters which inform the frequency of the Inua Jamii Programme deregistration of deceased beneficiaries, and registration of those who have attained the requisite age and are eligible to be beneficiaries of the programme?
- (b) Explain the measures the Ministry has in place to ensure that newly eligible citizens including those from Machakos Town Constituency are included in the beneficiaries' register?
- (c) State the steps taken by the Ministry to ensure the timely disbursement of funds to beneficiaries of the Inua Jamii Programme considering the hard-economic times facing the country?

The Temporary Speaker (Hon. Omboko Milemba): Cabinet Secretary, I think you have answered similar Questions. Proceed.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Yes, Hon. Temporary Speaker. I thank the Member of Parliament for Machakos Town, Hon. Caleb Mule for the Question.

The factors which are considered for deregistering Inua Jamii Programme beneficiaries are:

1. Death of a beneficiary in case of the older person or person with severe disabilities programme.
2. When the youngest child attains the age of 23 years for orphans and vulnerable children households.
3. If a beneficiary household or person is found to have given wrong information during registration and thus does not meet the eligibility criteria for the programme.

4. Voluntary withdrawal from the programme.
5. Significant positive change of household socio-economic status after verification through recertification.

Below are eligibility criteria for each programme. The set eligibility criteria for Orphans and Vulnerable Children Programme are that a household should:

1. Be an extremely poor Kenyan household with one or more orphans and vulnerable children as a permanent member who is below 17 years.
2. Not be benefiting from similar cash assistance programme with exception of a household having older persons as a beneficiary.
3. Have a caregiver who is chronically ill and unable to perform his/her duties.
4. Have been a resident in a particular location for more than a year.

The set eligibility criteria for Person with Severe Disabilities Programme are that a household should:

1. be an extremely poor household with a person(s) living with severe disabilities.
2. A household not enrolled in similar cash transfer programmes.
3. Should have been a resident in a particular location for more than a year.

The set eligibility criteria for Older Persons are that:

1. One must be a Kenyan citizen aged 70 years and above and a holder of a valid Kenyan national identification card.
2. One should not be receiving a pension.
3. A person should have been a resident in a particular location for more than a year.

Response to part two of the Question about the expansion programme for Inua Jamii is that the programme's expansion over the years has been dependent on additional budgetary allocation for each financial year. The scale up for persons living with disability (PWDs), older persons and the vulnerable, was done in the Financial Year 2015/2016. However, in the Financial Year 2017/2018, through the Presidential directive, the Older Person's Cash Transfer Programme was scaled up to cover senior citizens of over 70 years and above who were spread across the 290 constituencies. During this financial year, through His Excellency, the President's directive, the Ministry plans to register additional 500,000 beneficiaries. These numbers would be spread to all the constituencies, including Machakos Town Constituency.

Response to part three of the Question on the steps taken by the Ministry to ensure timely disbursement of funds, it is already done, and the response is that as directed by His Excellency, the President, Inua Jamii Programme beneficiaries be paid timely, and on a monthly basis. I wish to confirm that the Government has already disbursed funds for the month of July 2023. Payment commenced on 31st July 2023 and moving forward, payments will be done by 20th of every month.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Caleb Mule, you get the first chance.

Hon. Caleb Mule (Machakos Town, MCCP): Thank you, Hon. Temporary Speaker. Hon. Gonzi Rai and I have been asking about the time or when the registration will begin. Now that the budget has been passed, and every department has started the procurement processes, I expect the Cabinet Secretary to say in two months' time, a month's time or in a year's time. We wanted a timeframe so that we do not wait forever. When is the new registration of the 500,000 members going to start?

The Temporary Speaker (Hon. Omboko Milemba): Hon. Cabinet Secretary, make a comment on this. It is a cross-cutting issue.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Temporary Speaker. As soon as we get money from the National Treasury, we will pay, but before we do, we have to wait.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Cabinet Secretary, was it payment or registration?

Hon. Caleb Mule (Machakos Town, MCCC): Hon. Temporary Speaker, we are talking about registration.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Once the books are open, we will start the registration.

Hon. Caleb Mule (Machakos Town, MCCC): Who has closed the books?

The Temporary Speaker (Hon. Omboko Milemba): Order, Hon. Member.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): It is the system.

The Temporary Speaker (Hon. Omboko Milemba): We shall not have a tête-à-tête in the House. Hon. Cabinet Secretary, speak to this matter.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Hon. Temporary Speaker, the systems are closed by the Government's Integrated Financial Management System (IFMIS). Hon. Member, now that you are in the Government, you should know that we have the system closing, especially at the end of the year, and this is July. Once it is opened, we will start registration.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Cabinet Secretary, are you confirming that by July you will have begun?

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Hon. Temporary Speaker, I am not in control of the IFMIS but as soon as they open, we will start the registration.

The Temporary Speaker (Hon. Omboko Milemba): Thank you. I think I was also assisting you because you seem to say that July is when that will happen, but well and good. That is a general cross-cutting issue in the whole country about registration.

Let us get any supplementary question on this matter. Proceed, Member.

Hon. Catherine Omany (Busia County, ODM): Why should they close? People's lives do not stop. There must be a way that it should be continued.

The Temporary Speaker (Hon. Omboko Milemba): Yes, Hon. Cabinet Secretary.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Hon. Temporary Speaker, let the Member know that it is the work of the National Treasury to open and close the IFMIS. They have reasons to do that. I invite you to the Ministry just to find out the details, but those are the works of the systems. They are always like that. You expect closure by June every year, and they re-open in July or August. It does not pass the month of August. I am sure they also do their audits, clean up the systems and all that to start the new financial year.

The Temporary Speaker (Hon. Omboko Milemba): Yes, Deputy Leader of the Majority Party.

Hon. Owen Baya (Kilifi North, UDA): Hon. Temporary Speaker, I do not want to be seen as being part of the Executive. However, it is important for Members to know that immediately the budget and the Finance Bill are passed, IFMIS will need time to load the new budget. So, the new budget will take some time to be loaded. Before the budget is completely loaded for all the ministries and State departments, we cannot do anything on the system. The Integrated Financial Management Information System needs to load the new budget before the new system for the new financial year can be launched. That is for the information of the Member.

The Temporary Speaker (Hon. Omboko Milemba): The Deputy Majority Leader, that is why I gave you that chance. Being a ranking Member, I knew you will speak on that.

Any other supplementary question? Yes, Hon. Alice.

(The Cabinet Secretary spoke off Record)

The Temporary Speaker (Hon. Omboko Milemba): Order, Hon. Minister! This is a House of rules and order. Proceed, Hon. Alice.

Hon. Alice Ng'ang'a (Thika Town, UDA): Thank you, Hon. Temporary Speaker. The Question I want to ask the Cabinet Secretary is: Since 2016, some of the Inua Jamii Programme beneficiaries have passed on and their money was dispatched. What happened to that money?

The Temporary Speaker (Hon. Omboko Milemba): Minister.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Temporary Speaker. When we have a situation of a deceased beneficiary, the banks retain the money because we give them money through banks. The banks refund the money to the Ministry after a period of time. We have been having refunds of up to Kshs2 billion in a year from the Kshs26 billion that we issue. So, the money is safe and that is why we give money to beneficiaries through banks. If the money is not collected, they remain with the bank until the bank refunds back to the Ministry.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Alice, you only had a chance for one supplementary question. I will allow you to ask just one more question.

Hon. Alice Ng'ang'a (Thika Town, UDA): It is not another question, Hon Temporary Speaker. If the money goes back to the bank, does it go back to the Ministry?

The Cabinet Secretary for Labour and Social Protection (Ms Florence Bore): Yes.

Hon. Alice Ng'ang'a (Thika Town, UDA): If it goes back to the Ministry, who does it serve up there?

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Hon. Temporary Speaker, the money goes back to the Treasury.

The Temporary Speaker (Hon. Omboko Milemba): Very well. That gives us an opportunity to go to Question 328/2023 by the Member for Likoni, Hon. Mishi Mboko.

Question 328/2023

STATUS OF BENEFICIARIES UNDER INUA JAMII PROGRAMME IN LIKONI SUB-COUNTY

Hon. Mishi Mboko (Likoni, ODM): Thank you, Hon. Temporary Speaker. On behalf of the people of Likoni, I rise to ask Question 328/2023.

Could the Cabinet Secretary –

(a) Provide a comprehensive list indicating:

(i) The number of elderly persons, orphans and persons living with disabilities enrolled under the Inua Jamii Cash Transfer Programme in Likoni Sub- County?

(ii) The total number of beneficiaries under the Inua Jamii Programme banking with different commercial banks in Likoni Sub- County?

(b) Expound on steps that the Government is taking to ensure that beneficiaries in polygamous households receive benefit commensurate to their need?

(c) State the measures that Ministry is undertaking to ensure timely disbursement of payments to the beneficiaries?

My last question is related to what Hon. Gonzi Rai asked. Maybe the Cabinet Secretary will give additional information.

The Temporary Speaker (Hon. Omboko Milemba): Minister, you notice that there is a lot of repetition. That shows the importance of your Ministry on matters related to the Inua Jamii Programme. Proceed.

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The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Temporary Speaker. On the Question asked by Hon. Mishi Mboko on the comprehensive list, I have given numbers. However, it is not as comprehensive as she would have wished to include the names of the beneficiaries. These beneficiaries are under the protection of the Data Commission. We cannot give their names, but we can give their numbers. The numbers are captured below there. The numbers are in the table indicated. Older persons in Likoni Sub-County who are beneficiaries of the Inua Jamii Programme are 858, orphans and vulnerable children are 755, and persons with severe disabilities are 120. All beneficiaries in this sub-county are 1,733.

The second question is on the distribution of beneficiaries under the Inua Jamii Programme who bank with different commercial banks in Likoni. That information is also indicated in the Table below:

S/NO	COMMERCIAL BANKS	CT-OVC	OP-CT	PWSD-CT	TOTAL
1	Cooperative	164	189	54	407
2	Equity	115	97	17	229
3	Kenya Commercial	327	447	14	788
4	Kenya Post Saving	134	91	32	257
5	Kenya Women Finance Trust	15	33	3	51
6	National Bank	0	1	0	1
	Total	755	858	120	1733

The next Question asked that I expound on the steps the Government is taking to ensure the beneficiaries in polygamous households receive benefits commensurate to their needs. The Government is implementing three cash transfer programmes and each programme targets certain categories of vulnerable groups. The Older Person's Cash Transfer Programme targets individuals over 70 years and above, and stipends are paid as individual benefits. Therefore, irrespective of the number of persons in a household who meet the above eligibility criteria, they are all paid the stipulated amount of Ksh2,000 per month. In this case, the issue of beneficiaries in polygamous households is taken care of if spouses meet the eligibility criteria.

However, for the Orphans and Vulnerable Children Programme and the Persons with Severe Disabilities Programme, the target is a household that meets the set programme criteria. In this case, therefore, the amount received from the programme is for the entire household, irrespective of the number of members in the household.

The next question asked that I state the measures the Ministry is undertaking to ensure timely disbursement of payments to beneficiaries. Towards ensuring timely and predictable payments to programme beneficiaries, in February 2023, the Cabinet approved a memorandum that prioritised the national safety net Inua Jamii Programme budget expenditure and directed the National Treasury to disburse funds to the Ministry alongside the monthly Government payroll. Further, through the directive by His Excellency the President, the payment of Inua Jamii Programme beneficiaries is made on a monthly basis and before the salary of Government employees is made. This has already taken effect with payment of stipends for July 2023.

The Temporary Speaker (Hon. Omboko Milemba): Yes, Hon. Mishi.

Hon. Mishi Mboko (Likoni, ODM): Thank you, Cabinet Secretary, for a well-detailed response to my Question. I just want to ask a few supplementary questions.

1. What measure is your Ministry taking to ensure that those who die while in the programme can be replaced within a short period using a legal procedure to avoid illegal replacement and corruption?
2. You have expounded on the programme eligibility criteria. I request a written response on that so that I can share it with my people for them to understand what it entails.
3. You have talked about 500,000 additional beneficiaries of this programme. There are only 1,733 beneficiaries from Likoni Constituency where poverty levels are high and there is a rise in the number of orphans and persons with disabilities. Taking into account that there is a high number of elderly persons and the cost of living is high, I request that out of the 500,000, there be a special consideration for Likoni Constituency.

Thank you, Cabinet Secretary, for the job that you are doing in the Ministry. Well done.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Any other supplementary questions? Yes, Member for Migori County. Proceed. Each time you want to ask a supplementary question, just put your card in the intervention slot and we will see you.

Proceed, Member for Migori County.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you, Hon. Temporary Speaker, for the opportunity. I come from Nyatike Sub-County in Migori County. It came to my attention that other civil servants in the constituency are paid hardship allowances except the police. I would like to know why that is happening.

Secondly, I understand you are supposed to protect the vulnerable, including orphans and the poor. There are situations where someone, who is working like me, happens to die. Maybe I am a single mother who took a loan from banks or shylocks. The institutions that gave the loans know that the parent that was responsible for the loan is not there, but they auction their property and the children are not able to protect themselves. What measures can you put in place to help poor children who are orphaned and left with big loans to pay? Probably they took a loan to pay for the parent's medical bills. The parent dies and they lose the only property they are left with. It also happens mothers whose husbands die do not know any leads to follow, including the banks where the husband took a loan from. What protection can you give to these vulnerable people?

Thank you, Hon. Cabinet Secretary and Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): I think the first question may not fall under the docket of the Cabinet Secretary, but she may proceed to answer the second one.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Temporary Speaker and the Member of Parliament for Migori. I hear you. We have cases where parents die leaving their children orphaned. There are people who run after the children. As a Ministry, we have a children's officer within every sub-county. It is good to notify such officers so that they can protect those children. The Children's Act provides for protection of children. We will assist through those officers on the ground because they know the rights of children. The matter can also be reported to the nearest police station. Government officers know the rights of children. Children need to be protected.

The Temporary Speaker (Hon. Omboko Milemba): Next is Hon. Joseph Lekuton.

Hon. Joseph Lekuton (Laisamis, UDM): Thank you, Hon. Temporary Speaker, for giving me this opportunity. I had a question on the committee members who participate in identifying beneficiaries of the Inua Jamii programme. I am not necessarily interested in the criteria used, but who are the people identifying beneficiaries to receive money in the constituency?

The Temporary Speaker (Hon. Omboko Milemba): Cabinet Secretary, for the sake of the Member who had requested that particular response from you, please, proceed and answer that question.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Temporary Speaker. Let me clarify this one more time. Beneficiaries of the Inua Jamii programme are identified by our officers together with the local administration. However, because the beneficiaries are usually elderly and may not afford to go for their money or to attend meetings about their welfare because of their situation of being too old or sickly, through our officers, we ask their caregivers to form a committee. The caregivers are supposed to work with the area Member of Parliament. If you are an incoming Member, maybe the previous leader worked with them. You can reconstitute those committees and have the Beneficiary Welfare Committee working.

Hon. Gonzi Rai (Kinango, PAA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): What is out of order, Hon. Gonzi Rai?

Hon. Gonzi Rai (Kinango, PAA): Hon. Temporary Speaker, what we need is clarity. The answer we are always getting is about those who are benefitting already. We are talking about the committee that is mandated to determine who qualifies and who does not. We have been told to go and reconstitute the committees. Can we just get a circular from the Cabinet Secretary that shows the people who are supposed to be members of that particular committee who will be mandated to identify persons from their respective sub-locations and locations? The protection officer is from your Ministry. He does not know my people. He must have some other persons who he can sit with who will assist him to determine qualified persons. Who are these members?

The Temporary Speaker (Hon. Omboko Milemba): I still give you this chance, Cabinet Secretary, because I notice there is a challenge. I have been approached as the Temporary Speaker by the Members of Parliament to ask you to identify those individuals who are doing that job. So be very clear on this matter and rest it. A further request has been made to your Ministry to do a circular indicating the officer who is in charge of recruitment and with a rider to work with Members of Parliament. That should suffice. Proceed, Cabinet Secretary.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Temporary Speaker. This issue has been talked about before. We realise that there could be a disconnect between our officers on the ground and the Members of Parliament. What we did, through the office of the Principal Secretary, was to give a list of all the social protection officers plus their telephone numbers for every sub-county to the office of the Speaker. You can brush-out issues around those committees. If you still get an issue, my office is open. We can discuss and help you because we want your people to be served efficiently and effectively.

The Temporary Speaker (Hon. Omboko Milemba): That should rest the matter because you have said that the list is in the Speaker's Office. I will take it upon myself to ask the Speaker, using his machinery, to circulate the same to all the Members, so that it is clear who they are dealing with.

We move to the last Question of the day and this is by the Member for Kinango again, Hon. Gonzi Rai, proceed.

Question 329/2023

ELIGIBILITY OF CIVIL SERVANTS FOR HARDSHIP
ALLOWANCE IN KINANGO CONSTITUENCY

Hon. Gonzi Rai (Kinango, PAA): Hon. Temporary Speaker, I rise to ask the Cabinet Secretary for Labour and Social Protection the following Question:

Could the Cabinet Secretary explain why civil servants in Kinango Constituency are not eligible for hardship allowance like teachers in the same constituency and what steps the Government is taking to address this concern by the civil servants?

The Temporary Speaker (Hon. Omboko Milemba): Cabinet Secretary.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Temporary Speaker.

Hon. Gonzi Rai, the Question you have asked is not related to my Ministry. It is related to the Ministry of Public Service, Gender and Affirmative Action. You may direct it there.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Cabinet Secretary, once you receive a Question, which is not within your Ministry, please, always notify the clerks so that we can deal with it accordingly. Indeed, the Question may require another ministry to handle it.

Yes, Hon. Gonzi Rai.

Hon. Gonzi Rai (Kinango, PAA): Thank you, Hon. Temporary Speaker. I agree with the Cabinet Secretary, but my concern is that this Question was directed to the Cabinet Secretary eight weeks ago. Why did she wait all this time only to come and say that it belongs to another ministry? This means that the Question will start another journey and we do not know when it will come back to the House. There are people who are suffering because of this situation. That is why I had to raise this Question. Just as you have directed, I thought it was prudent for the Cabinet Secretary to ensure that once she receives questions of this nature, she directs them back to the Clerk so that they are re-directed to another Ministry, instead of keeping quiet only to come and say that they do not belong to her Ministry.

The People of Kinango are suffering and it very sad to hear that. But we are here today. I appreciate what the Cabinet Secretary is doing in her Ministry. I will pay her a courtesy call to thank her, but please, next time, do not treat me and the people of Kinango like this.

The Cabinet Secretary for Labour and Social Protection (Ms Florence Bore): Thank you, Hon. Temporary Speaker. I stand guided. I have heard you. Next time, I will not wait. I know when to reply. It was not intentional to keep it until this time. I stand guided.

The Temporary Speaker (Hon. Omboko Milemba): Thank you. I will ask the Clerks-at-the-Table to defer this Question because Questions really queue. By the time they arrive here, it is a process. I want, with magnanimity, to ask the Clerks to defer this Question. When the relevant Cabinet Secretary will be appearing, please, give Hon. Gonzi Rai a chance to ask his Question.

Yes, Hon. Member. What is it? Member for Busia.

Hon. Catherine Omanyo (Busia County, ODM): Thank you, Hon. Temporary Speaker. I wanted to know if there is a system that deregisters somebody immediately they die. I am seeing a danger of a caretaker continuing to receive money if a death is not reported. You can give chiefs and village elders forms to fill in to report deaths.

Secondly, I come from Busia border and there is a woman from Uganda who was married there and has kids who are above 18 years. She is now old and widowed, but she is denied this opportunity because she is a Ugandan. This means that she was denied to even get an identity card and she just sees others getting this facilitation. This is not fair. I do not know what you are doing to also cater for foreigners married in Kenya because they are denied these benefits.

The Temporary Speaker (Hon. Omboko Milemba): Cabinet Secretary, you have an answer for that?

The Cabinet Secretary for Labour and Social Protection (Ms Florence Bore): Yes. On the first question about deregistration, we depend on the Department of Civil Registration. They are the ones who issue death certificates and birth certificates to new-borns. We depend on their system to verify and deregister a beneficiary.

For the second question on a foreigner married in Kenya and is not able to be registered as a beneficiary of the Inua Jamii Programme, I want to state that the only way we register beneficiaries is by producing an identity card. At your level, you could assist. If you know they are legally married, you can assist them to be registered as Kenyans.

The Temporary Speaker (Hon. Omboko Milemba): Thank you very much, Cabinet Secretary. That brings us to the end of Question Time.

We want to thank you for having adequately prepared. It has been a heavy ride for you and your Ministry, but you have dealt with all the questions. We thank you for availing yourself to the House to answer Members' Questions. Through the Leader of the Majority Party, when time requires, we shall be asking you to come back and answer the other Questions.

Otherwise, thank you. You stand released.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): Thank you, Hon. Temporary Speaker, and Members.

The Temporary Speaker (Hon. Omboko Milemba): The Deputy Leader of the Majority Party, what is it?

Hon. Owen Baya (Kilifi North, UDA): *Waziri*, I want to thank you very sincerely for taking your time to prepare adequately and enunciating Government policy very well. On behalf of the leadership of this House, we want to say *ahsante sana*. You forgot to sit. You stood throughout the three hours. That chair is meant for you to take a pause. I did not even see you take water. We are happy that you have done this. *Asante sana*.

The Cabinet Secretary for Labour and Social Protection (Ms. Florence Bore): I appreciate. Thank you for the chance you have given me.

The Temporary Speaker (Hon. Omboko Milemba): Deputy Leader of the Majority Party, the Cabinet Secretary has a background of teaching like me. Standing is a part of the business. She understands that. Thank you, *Waziri*.

Let us move to the next Order.

BILLS

Second Readings

THE PENSIONS (AMENDMENT) BILL (National Assembly Bill No 44 of 2022)

The Temporary Speaker (Hon. Omboko Milemba): Hon. Didmus Barasa is not in the House. Yes, Deputy Leader of the Majority Party.

Hon. Owen Baya (Kilifi North, UDA): Hon. Temporary Speaker, with the absence of many Members who are supposed to move these Motions, I would request that we stand down the businesses ahead of us. I do not want to raise issues of Quorum. I just want us to stand down the remaining businesses of the day.

The Temporary Speaker (Hon. Omboko Milemba): You propose that we defer this to the next Session.

Hon. Owen Baya (Kilifi North, UDA): Yes.

The Temporary Speaker (Hon. Omboko Milemba): We have to deal with them according to our House rules, business per business. That one is deferred to the next sitting.

(Bill deferred)

Next Order.

THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) BILL
(National Assembly Bill No.59 of 2022)

Deputy Leader of the Majority Party.

Hon. Owen Baya (Kilifi North, UDA): I request that we stand down that too to next time.

The Temporary Speaker (Hon. Omboko Milemba): Well, taken.

(Bill deferred)

The next Order is by the Chairperson of the Departmental Committee on Agriculture and Livestock. Deputy Leader of the Majority Party.

MOTIONS

ADOPTION OF REPORT ON INQUIRY INTO MAIZE FLOUR
SUBSIDY PROGRAMME FOR 2022/2023

THAT, this House adopts the Report of the Departmental Committee on Agriculture and Livestock on its inquiry into Maize Flour Subsidy Programme for the Financial Year 2022/23, laid on the Table of the House on Wednesday, 7th June 2023.

Hon. Owen Baya (Kilifi North, UDA): Hon. Temporary Speaker, I suggest that we defer this Order until next time.

(Motion deferred)

The Temporary Speaker (Hon. Omboko Milemba): Next Order, by the Chairperson of Special Funds Accounts Committee. She is absent. Deputy Leader of the Majority Party.

ADOPTION OF REPORT ON FINANCIAL STATEMENTS
FOR VARIOUS FUNDS

THAT, this House adopts the Report of the Special Funds Accounts Committee on its consideration of the Report of the Auditor-General on the Financial Statements for the Women Enterprise Fund, Coffee Cherry Advance Revolving Fund, Strategic Food Reserve Trust Fund, Equalisation Fund, Mechanical and Transport Fund, National Research Fund, Youth Enterprise Development Fund, Uwezo Fund and Civil Servants Housing Scheme Fund, laid on the Table of the House on Thursday, 15th June 2023.

Hon. Fatuma Mohammed (Migori County, Independent): I am not absent, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Proceed.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you, Hon. Temporary Speaker. Looking at the situation, most Members of the Committee are not in the House. I kindly request you to defer this to the next possible date.

The Temporary Speaker (Hon. Omboko Milemba): The matter is deferred.

(Motion deferred)

The next Order is by the Chairperson of the Public Investments Committee on Governance and Education. Yes, the Deputy Leader of the Majority Party.

ADOPTION OF REPORT ON FINANCIAL STATEMENTS OF STATE
CORPORATIONS (REGULATORY AND GOVERNANCE AGENCIES)
FOR 2018/2019, 2019/2020 AND 2020/2021

THAT, this House adopts the Report of the Public Investments Committee on Governance and Education on its consideration of the Report of the Auditor-General on the Financial Statements of State Corporations (Regulatory and Governance Agencies) for the financial year 2018/2019, 2019/2020 and 2020/2021, laid on the Table of the House on Tuesday, 20th June 2023.

Hon. Owen Baya (Kilifi North, UDA): Hon. Temporary Speaker, I request that we defer this to the next available day.

(Motion deferred)

The Temporary Speaker (Hon. Omboko Milemba): Next Order, Deputy Leader of the Majority Party.

BILLS

Second Readings

THE FOOD AND FEED SAFETY CONTROL COORDINATION BILL
(National Assembly Bill No.21 of 2023)

THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL
(National Assembly Bill No.60 of 2022)

THE CONFLICT OF INTEREST BILL
(National Assembly Bill No.12 of 2023)

Hon. Owen Baya (Kilifi North, UDA): Hon. Temporary Speaker, I propose that we defer these Bills to the next available date. Thank you.

The Temporary Speaker (Hon. Omboko Milemba): The matters are deferred.

(Bills deferred)

The next Order is by a Member of the delegation. The Deputy Leader of the Majority Party.

MOTION

NOTING OF REPORT OF KENYA DELEGATION TO 146TH ASSEMBLY
OF THE IPU AND RELATED MEETINGS IN BAHRAIN

THAT, this House notes the Report of the Kenya Delegation to the 146th Assembly of the Inter-Parliamentary Union (IPU) and related Meetings, held in Manama, Kingdom of Bahrain, from 11th to 15th March 2023, laid on the Table of the House on Wednesday, 14th June 2023.

Hon. Owen Baya (Kilifi North, UDA): I suggest that we defer the Motion to the next available date, Hon. Temporary Speaker.

(Motion deferred)

The Temporary Speaker (Hon. Omboko Milemba): Next Order, Hon. Emmanuel Wangwe or the Deputy Leader of the Majority Party.

BILL

Second Reading

THE SUGAR BILL
(National Assembly Bill No.34 of 2022)

Hon. Owen Baya (Kilifi North, UDA): In the absence of the Member, I suggest, on his behalf, that we defer the Bill to the next available date. I thank you, Hon. Temporary Speaker.

(Bill deferred)

The Temporary Speaker (Hon. Omboko Milemba): Thank you, Hon. Members.

ADJOURNMENT

The Temporary Speaker (Hon. Omboko Milemba): Hon Members, there being no other business and the time being 8.20 p.m., this House stands adjourned until Thursday, 3rd August 2023 at 2.30 p.m.

The House rose at 8.20 p.m.

Published by
Clerk of the National Assembly
Parliament Buildings
Nairobi