



# The SENATE

For the Welfare of Society and the Just government of the People

Issue No. 0017

## Weekly

## County Assemblies to finally gain financial independence in Bill before the House

**The Bill establishes County Assembly Service Fund in each of the 47 counties which is meant to separate funds for the running of county assemblies from those of county executives**



*Senator Kathuri Murungi, who is also the Deputy Speaker, on the floor of the House during a previous debate.*

The 47 County Assemblies will soon get the long sought-after financial autonomy after the Senate finally put into motion the legislative proposal that will ensure they get their financing directly from the exchequer.

The County Public Finance Laws (Amendment) Bill, 2023 was introduced in the House on Tuesday, November 14, 2023 and Speaker Amason Kingi referred it to the Committee on Finance and Budget.

The committee is expected to undertake public participation then file a report in the House within 30 days.

Sponsored by Deputy Speaker Kathu-

ri Murungi, the Bill lays out a mechanism through which county assemblies will fund their activities independent of the County Executives.

“The reliance on the county executives for finances occasions delays and other conflicts between the two arms of government. The financial autonomy of county assemblies is lacking as they rely on the whims and caprices of their respective county executives and as such cannot be said to be independent,” says Senator Murungi in the memorandum of objects of the Bill.

The County Government Act provides that county assemblies budgets should

not be lower than seven per cent of the county’s total revenue or twice personnel emolument whichever is lower.

Senator Murungi is proposing to amend Section 109 of the Public Finance Management Act to establish a County Assembly Service Fund.

The Fund will be established in each of the 47 counties and is meant to separate funds for the running of county assemblies from those of county executives.

The Fund is established under the Public Finance Management Act in order to provide the required financial independence for the 47 county assem-

blies.

Once enacted, the law will address the void that has left county assemblies at the whims of the Governors as they seek money to meet their administrative expenditures.

The Bill designates the Clerk of the County Assembly as the administrator of the Fund and his mandate will be to ensure that the earnings and accruals are retained in the Fund and spent only for the purposes for which the Fund will be established.

The Clerk is mandated to arrange for the accrued monies in the Fund to be kept in the Central Bank of Kenya in an

account to be known as the County Assembly Fund Account.

The Clerk will also ensure that all the money authorised to be paid by the County Assembly for a public purpose is paid from that account without undue delay.

Before any withdrawal, the Clerks will have to obtain the written approval of the Controller of Budget under the authority of an Act of the County Assembly that appropriates money for a public purpose or an Act of Parliament or county legislation that imposes a charge on that County Assembly Service Fund.

“The approval of the Controller of Budget for the withdrawal of money from the Fund, together with written

instructions from the administrator requesting for the withdrawal, is sufficient authority for the approved bank where that Fund Account is held to pay amounts from this account in accordance with the approval and the instructions,” says the Bill.

The introduction of the Bill in the House comes as a major sigh for the County Assemblies which have complained that the current financial model undermines their mandate.

Currently, it is the County Executive Committee Member in charge of Finance who appoints signatories for the County Assemblies Accounts.

This implies that county assemblies must get approval from the executive

when placing requisitions for funds to the Office of the Controller of Budget. MCAs have argued that this model is an affront to the principle of separation of powers and undermines their oversight mandate.

The MCAs have argued that they cannot be expected to effectively execute their mandate if they have to receive money from the same person that they are expected to oversight.

The current arrangement gives the governors and the finance CECs control over the funds disbursed to counties, and by-extension, control over county assembly budgets.

MCAs have been forced to beg the executive to release their share of the equi-

table shareable revenue because Finance CECs must sign everything including monies of salaries and allowances.

The introduction of the Bill is timely because the effectiveness of the County Assemblies has been undermined by a lack of financial autonomy, meagre resources they are allocated, low remuneration for the Members of the County Assembly (MCAs) and the ever-growing demand and push for social support from the community.

The Assemblies are at the mercy of the county executives since no assembly can run without funds.

## She was a dedicated lawmaker, House says of fallen Senator Godliver Omondi in Eulogy

Senators have eulogised the late Godliver Nanjira Omondi as a dedicated lawmaker and selfless leader who fearlessly championed the interests of People with Disabilities (PwDs).

Ms Omondi, who served as a Nominated Senator between 2013 and 2017 representing PwDs, died on Sunday, November 12, 2023, after a short illness.

At the time of her demise, she was serving as a nominated member of the County Assembly of Kakamega.

After her stint in the Senate, she contested and was elected MCA for Kholera Ward in Kakamega County in 2017 General Election where she served as the Deputy Minority Leader.

In the communication to the House delivered by Senator Veronica Maina on behalf of Speaker Amason Kingi, described the late Senator as a diligent worker who restlessly served the youths, women and PwDs in her political career.

“Parliament and the nation at large have lost a diligent and a selfless leader who always championed for the interests of the people of Kakamega County, more so women, youth and PwDs,” said Senator Maina in the communication on Tuesday afternoon.

Senator Omondi, 52, was sworn in as Senator in October 2013, seven months after the first Senate was inaugurated. She held a degree and diploma in Community Development from Maasai Mara University.

“I remember how she came into this House,” mourned Senator Boni Khalwale in his eulogy. “It was in keeping with her fighting spirit. She had been



*The late Senator Godliver Omondi and Senator Boni Khalwale*

short-changed in making the list for affirmative action for PwDs. I remember we started with Senator Harold Kipchumba, but she fought in court, won and joined us. We worked here together successfully for five years,” he told the House.

Initially on the ODM party PwDs Senate nomination list in the 2013 General Election, Senator Omondi was bypassed and the seat granted to a candidate who was listed as second on the list, Harold Kipchumba.

Both Ms Omondi (ODM) and Mr Njoroge (TNA) had been ranked as top candidates and were listed as 1st on their respective party lists ahead of Harold Kipchumba (ODM) and Linet Kemunto who emerged 2nd in their party lists, re-

spectively.

Senator Omondi was sworn in alongside Senator Ben Njoroge of the National Alliance Party (TNA) after the High Court ruled that IEBC contravened the law when it picked Kipchumba and Kemunto as representatives of persons with disability in Senate pursuant to Article 98 (1) (d) of the Constitution.

Article 90(2) (b) of the Constitution provides that the names on the party list should be in the priority in which they are listed in a way that at the point of elections, IEBC only selects the names for candidates in the priority in which they appear.

“The wording of Article 98 (2) (c) in my view is mandatory in that IEBC’s

mandate was to consider the party lists in order of priority in which the nominees were listed. To argue that they had to achieve the principle of diversity and to ensure the two disabilities of physical and visual were represented and that they had to strike a balance in my view was wrong in light of Article 90 (2) (b) of the Constitution. I note that no disability is superior to another neither no disability is vulnerable to another,” argued Justice Rose Ougo in the 2013 judgement.

In her message of condolences, Senator Crystal Asige hailed the late Senator as a person who left a lot of power in the spaces that she traversed.

“She created more inclusion and diversity and has been able to have people with disabilities seen, heard and understood just by way of her being in the position that she was in and to fight to stay in that space until when we lost her,” she told the House.

Edwin Sifuna said the late senator had used platform of her nomination to sharpen her leadership skills.

“She had passion for PwDs and all other people she represented,” said Senator Sifuna.

Others who eulogised the fallen legislators were senators Catherine Mumma, Danson Mungatana and Esther Okenyuri, Minority Leader Stewart Madzayo, Godfrey Osotsi and David Wakoli.

“I didn’t know her but from what I have heard, she used the affirmative action constructively, inspired many and was elected as an MCA,” said Senator Okenyuri.



1. Speaker Amason Kingi and Deputy Speaker (National Assembly) Gladys Shollei converse as they waited the arrival of Romanian President Klaus Werner Iohannis at Mzee Kenyatta's Mausoleum. The two received President Werner Iohannis who was in Kenya for a three-day state visit. The Romanian leader was hosted by President William Ruto on Tuesday, November 14. While in Kenya, President Iohannis laid a wreath at the mausoleum of Jomo Kenyatta, visited the UN Office in Nairobi and met with the executive director of the United Nations Environment Programme.
2. Speaker Kingi receives President Werner Iohannis when he arrived to lay the wreath to the mausoleum of the founding father of the Nation, Jomo Kenyatta.
3. President Werner Iohannis lays a wreath at the Mausoleum watched on by KDF officers.
4. The Romanian leader, together with the First Lady Carmen Iohannis, receive full military honours after laying the wreath.
5. President and First Lady Werner Iohannis walk out of the Mausoleum after the ceremony.

# Maseneta wamuomboleza mwenzao wa zamani aliyeaga dunia

Maseneta walimmimonia sifa aliye kuwa Seneta Maalum Godliver Omondi aliye fariki siku ya Jumatatu Novemba 13 baada ya kuugua kwa muda mfupi.

Taarifa ya kufariki kwa aliye kuwa Seneta Godliver Omondi ilisomwa rasmi kwenye Seneti na Seneta Maalum Veronica Maina akiwa Spika wa muda wakati wa kikao cha siku ya Jumanne aduhuri.

Seneta Maina kwenye ujumbe wake alimtaja marehemu kuwa kiongozi aliyejitolea kwa ukakamavu kutekeleza wajibu wake akitaja baadhi ya Kamati ambazo Seneta huyo alihudumu kwazo ikiwemo ya Afya, Maktaba na Utangazaji, Utangamano wa Kitaifa na Usawa wa nafasi.

Aliutaja mchango mkubwa wa marehemu akihudumu kwenye Kamati hiyo akifichua kuwa taifa la Kenya limempo-



Marehemu Seneta Omondi

teza kiongozi shupavu aliyejitolea kulihudumia taifa.

“Bunge la Kenya na taifa kwa jumla limempoteza kiongozi mahiri aliyejitolea pakubwa hususan kupigania haki za watu katika Kaunti ya Kakamega hasa wanawake, vijana na wenye ulemavu,”

alieleza Seneta Maina.

Maseneta wakiongozwa na Kiranja wa upande wa wengi kwenye Seneti na Seneta wa Kaunti ya Kakamega Dakta Boni Khalwale walielezea uchungu wa kumpoteza Seneta huyo wa zamani wakisema kuondoka kwake kumeacha mwanya katika uongozi na utendakazi nchini Kenya.

“Nakumbuka namna alivyokuja kwenye jumba hili, ilikuwa ni katika ku-shikilia azimio lake la kuwapigania Wakenya, alikuwa amechezewa karata katika uundwaji wa orodha ya usawazishaji kwa wenye ulemavu, japo alipigana vita mahakamani, akashinda na kujiunga nasi,” alisema Seneta Khalwale.

Seneta wa Kaunti ya Nairobi Edwin Sifuna alimtaja marehemu kuwa kielelezo chema hususan kwa kuwa na msimamo thabiti.

“Nimefanya kazi naye, nikamwona

akifanya kazi yake kwa kujitolea kabisa kuwawakilisha wenye ulemavu na katika kuwawakilisha wenyeji wa wadi ya Kholera,” alisema Seneta Sifuna.

Maseneta wengine waliowasilisha ujumbe wa makiwa kutokana na kifo cha aliye kuwa Seneta Omondi ni pamoja na Seneta Dunston Mungatana, Catherine Mumma, Esther Okenyuri, Godfrey Osotsi, Wafula Wakoli, Crystal Asige na Stewart Madzayo wote wakimmimonia sifa marehemu kwa kujitolea kuwahudumia Wakenya ipaswavyo.

Marahemu aliyezaliwa mnamo Disemba 15, 1971 katika Kaunti ya Kakamega alihudumu kama Seneta Maalum katika kipindi cha mwaka 2013 hadi 2017 akiwaakilisha wenye ulemavu katika Seneti.

# Seneta Okenyuri ataka majibu kuhusu wizi wa simu na vifaa vya elektroniki

Seneta Maalum Esther Okenyuri ametaka taarifa kutoka kwa kamati ya Kudumu ya Seneti ya Usalama wa kitaifa, Ulinzi na Mashauri ya Kigeni kuhusu wizi, unyang'anyi wa simu na vifaa vingine vya elektroniki vya Wakenya.

Akiwasilisha ombi la kauli kwa majibu wa Kanuni 53(1) ya Kanuni za Seneti, Seneta huyo ametaka maelezo ya ni vipi vifaa hivi vya wizi vinauzwa mataifa jirani akiitaka kamati hiyo ya Seneti kutoa ripoti ya mtindo wa unyang'anyi wa mitaani na wizi wa nyumbani tangu mwaka 2022 hadi sasa, hasa kwa kuangazia kwa kina visa vinavyohusisha kuibwa kwa simu za mkononi na wizi wa vifaa vya elektroniki nyumbani.

Anaitaka Kamati hiyo kutaja sababu za kuongezeka kwa visa vya wizi wa mitaani na unyang'anyi kutumia nguvu inaohusisha wizi wa vifaa vya elektroniki, kwa kueleza maeneo hatari katika miji minne nchini mbali na matokeo ya kila mwezi na kiwango cha kuokoa vifaa vilivyoibwa.

Seneta huyo wa chama cha UDA aidha anaitaka Kamati hiyo kuchungu-



Senator Okenyuri.

za na kutoa ripoti kuhusu athari za kiu-chumi za shughuli hizo za uhalifu kwa kubaini masoko ya kimsingi kwa vifaa hivyo vya wizi nchini na kimataifa, kwa kueleza mtandao wa wezi na wakora wanaohusika katika biashara hii haramu kando na kutaja mikakati yoyote iliyowekwa kuwazima wahalifu hawa na kusambaratisha mipangilio yao, kutoa

mapendekezo ya mbinu za kisasa na mikakati ya kisheria ama kisera ya kumaliza mitandao hiyo ya wakora.

Kadhalika Kiongozi huyo anaitaka Kamati hiyo inayoongozwa na Seneta wa Baringo William Cheptumo kuifamisha Seneti kuhusu hatua na mikakati inayotumika na asasi za usalama kuwalinda Wakenya dhidi ya shughuli

kama hizo za kihalifu na kuhakikisha ulinzi na usalama wa wananchi wote na bidhaa zao.

Kwingineko Seneta wa Migori Eddy Oketch amewasilisha ombi kwenye Seneti akitaka majibu kutoka kwa Kamati ya Kudumu ya Usalama wa Kitaifa, Ulinzi na Mashauri ya Kigeni kuhusu usajili wa maafisa wa jeshi katika vitengo mbali mbali, mwaka 2022 na 2023.

Seneta Oketch anaitaka Kamati hiyo kwenye majibu yake kuweka bayana ripoti kamili ya zoezi la usajili uliofanywa wa jeshi mwaka 2022 na 2023, kwa kutoa maelezo ya tarehe na sehemu kulikoandaliwa usajili kando na kueleza tofauti zozote kati ya nafasi zilizotangazwa wazi wakati wa usajili husika ikilinganishwa na idadi kamili ya walioorodheshwa.

Vile vile Kiongozi huyo anaitaka Kamati hiyo kutoa ripoti kwa kila kaunti na kila jamii, maelezo ya walioorodheshwa kutokana na zoezi la usajili.

Aidha Seneta huyo ameiomba Kamati kueleza mikakati iliyowekwa kuhakikisha maadili ya kitaifa ya kujumuisha na kukumbatia kila jamii kama inavyobainishwa na Katiba, yanalindwa na KDF katika mchakato wa usajili.

# Consider allowances for Supply Chain Management, Labour Committee advises Governors, SRC

The Committee also wants County Governments to consider allowances to the Supply Chain Management Assistants alongside other County Government employees.

This is contained in recommendations on the report petition submitted to the House by the Supply Chain Management Assistants tabled in the House on Tuesday, November 14.

“Supply Chain Management Assistants offered essential services during the COVID-19 pandemic as suppliers and practitioners alongside other health professionals like doctors, nurses, among others, but they did not receive any extraneous allowances,” said the committee in the report tabled by chairman, Senator Julius Murgor.

About 43 Supply Chain Management Assistants from Kitui County countersigned the Petition on behalf of their colleagues from the 47 counties, with the lead Petitioner being Mr Elijah Muthungi.

The Petitioners were concerned that



*Senator Julius Murgor, the chairman of the Labour Committee, and a parliamentary staff in a past sitting of the committee.*

the Supply Chain Management Assistants deployed across all the county governments, including health facilities, are not considered for allowances despite the compendium of remuneration and benefits for the Public Service of December, 2022, requiring that all health

workers receive health service allowances and extraneous allowances.

The Supply Chain Management Assistants offer essential services such as receiving, storing and issuing pharmaceutical and non-pharmaceutical items, among other duties, being on call all

weekends and holidays and during emergencies,

The petitioners then prayed that the Senate addresses the grievances and ensures that the Supply Chain Management Assistants deployed in health facilities in the counties benefit from health services allowances and extraneous allowances and that no health worker is discriminated against.

The Petitioners also wanted the Senate to compel the Ministry of Health to develop policy guidelines geared towards the recognition of the Supply Chain Management Assistants attached to the health departments across the country.

The Kenya Health Policy 2014-2030, by extension, the Health Act 2017, does not classify Supply Chain Management Assistants serving in hospitals and health facilities as healthcare workers.

Currently, they are not workers per Health Profession Standards as prescribed in the World Health Organisation (WHO) guidelines on health professionals.

## Agriculture Committee starts public engagement over the Sugar Bill



*Senator James Murango chairs a sitting of the Committee on Agriculture as it considered Sugar Bill, 2022.*

The Committee on Agriculture has started public engagement over the Sugar Bill, 2023 currently before the House.

The Bill went through First Reading two weeks and the Speaker referred it to the Committee to undertake public participation.

The Bill, which originated from the National Assembly, seeks to reinstate the Sugar Act which was repealed through the enactment of the Crops Act, 2013.

If enacted, the Bill will restore the roles of the Kenya Sugar Board currently undertaken by the Sugar Directorate

of the Agriculture and Food Authority.

The Bill further provides for the development, regulation and promotion of the sugar industry, to provide for the establishment, powers and functions of the Kenya Sugar Board.

During the Thursday meeting, the Agriculture Committee of the Council of Governors said it had reviewed the Bill and discovered that it does not respect the Fourth Schedule of the Constitution in terms of the devolved nature of agriculture, trade and county roads.

Bungoma Governor Kenneth Lusaka, who chairs the committee, submitted



*Governor Bungoma Kenneth Lusaka, who also served as Speaker of the 3rd Senate, makes Council of Governors Presentation on the Bill.*

that there is need to align the Bill with the provision of the Fourth Schedule in the Constitution which bestows County Governments with the responsibility of regulation and development of Agriculture, trade, county transport among others.

“Section 5 of Part 2 to the Fourth Schedule stipulates that the County transport, including county roads where most of the road network in the sugar industry fall are functions of the County Governments. CoG strongly opposes the proposal to have KeRRA manage these roads,” he told the committee.

The Kenya Sugar Manufacturers Association attributed cane shortage to poor governance structures leading to miller competition for the scarce supply.

In view of the need for coordination of cane farming and supply activities, it proposed that cane catchment areas be created each comprising of two or more sugar mills.

The Committee also received submissions from the Kenya National Federation of Sugarcane farmers, Kenya Sugarcane Growers Association, Kenya Agricultural and Livestock Organisation.

## Challenges of community awareness has stalled adjudication of Kaloleni Majengo settlement scheme, says CS Wahome



Senator John Methu chairs the Lands Committee with CS Alice Wahome. Others in the picture are Senators Johnes Mwaruma and Mariam Omar.

Lands CS Alice Wahome has told a committee of the House that adjudication of Kaloleni Majengo Settlement Scheme in Voi Sub-County has faced serious lack of community awareness and mobilisation.

The CS told the Committee on Land Environment and Natural Resources that the local leadership displayed serious abuse of trust by being compromised as evidenced by changing names of benefi-

ciaries quite often.

“To this end, no final list of beneficiaries was generated. The complainants were many and they went ahead to uproot the beacons placed on the ground. There is need therefore to have the beaconing exercise repeated,” said the CS when she appeared before the committee.

The CS was responding to a statement sought by Senator Johnes Mwaruma, concerning the transfer of land owner-



CS Wahome and a Ministry official during the meeting.

ship under Voi Point Limited to the local community in Mkamenyi village.

The CS said Kaloleni Settlement will require determination of its perimeter before fixing the boundary. This will entail engagement of the scheme’s administration/representatives and the Ministry’s technical officers. Picking and standardisation of road widths will follow before beaconing of individual properties.

On the land on Mkamenyi, the CS in-

formed the Committee that total acreage of 13.68 hectares was surrendered by Voi Point Limited to the Ministry for the settlement of Mkamenyi Squatters.

“The Ministry is in the process of planning and surveying the surrendered land for the eventual allocation to Mkamenyi squatters,” she explained

The surveyor will provide for the roads of access in the scheme and eventually the road linking the village to Mombasa Road during the surveying process.

## Parliament approves Police deployment to Haiti Mission

Parliament has approved the request by the Executive to deploy National Police Officers to the Multinational Security Support (MSS) Mission for Haiti.

In its report, the Joint Committee of the Committee on Administration and Internal Security (National Assembly) and the Committee on National Security, Defence and Foreign Relations (Senate) tabled in the Houses on Thursday argued that the decision by the government to send the officers to the mission meets the constitutional threshold

“The Committees having reviewed Kenya’s obligations to the UN, its existing legal framework, submissions through public participation and submissions by stakeholders recommends that Parliament approves the proposed deployment of the officers of the National Police Service to the Multinational Security Support (MSS) Mission for Haiti under the provisions of Article 240(8) (a) of the Constitution,” said Narok West MP Gabriel Tongoyo and his Co-chair Baringo Senator William Cheptumo.

The report argues the mission is anchored on the country’s responsibilities as a United Nations member state and



Senator William Cheptumo, the chairman of National Security Committee of the Senate with Hon Gabriel Tongoyo who chairs the counterpart Committee in National Assembly.

as part of the global community and it is not the first time the nation is being in the frontline in providing solutions to global security challenges.

To support this, the Committee highlighted Kosovo, Yugoslavia, Darfur, Namibia, East Timor, Angola, Sierra Leone and Croatia as countries where Kenyan police have been deployed to keep peace in the past.

While approving the planned mission, the committee was also convinced by the actions of the United Nations Security Council (UNSC) in adopting its resolutions authorising a multinational

security mission to Haiti under Chapter VII of the Charter of the United Nations.

Parliament has also assured the police that they will not be coerced to be part of this mission and those who will find themselves as part of the multinational security team to the Caribbean country and opt out of it will not face any disciplinary action noting that those who will accept the offer, their insurance will be catered fully by the UN.

“That the officers of the National Police Service participating in the Multinational Security Support (MSS) Mission have not been coerced and no conse-

quences will be suffered by any officer who chooses to reject the deployment offer,” reads the report in part and which is being debated in both Houses.

“The United Nations will be responsible for the insurance of deployed NPS officers and therefore compensation for any harm suffered by the officers shall be borne by the United Nations.”

Article 240(8) (a) of the Constitution provides for the National Security Council with the approval of Parliament to deploy the national forces of Kenya for regional or international peace support operations or other support operations.

Homa Bay MP Peter Kaluma dissented and argued NPS operates under an independent command of the Inspector General adding that Parliament cannot deliberate on a matter that is active before a Court after it challenged by Dr Ekuru Aukot’s Thirdways Alliance Party.

The High Court will on January 26 determine whether the move by the state to deploy police officers to the Haiti Mission to is constitutional.

## Vihiga cuts off programmes to focus on pending bills



The chairman of Finance Committee Ali Roba and his deputy Tabitha Mutinda during the meeting with Vihiga Governor Wilbur Ottichilo (right).

Vihiga Governor Wilbur Ottichilo has told a committee of the Senate that he has been forced to scale down on some development projects and programmes in order to channel more funds in settlement of pending bills.

The Governor told the Committee on Finance and Budget that the total amount of pending Bills for his administration stood at Sh780 million which included historical pending bills for 2014/15 to 2017/18 financial years and the development and recurrent bills for 2018/19 to 2021/22 financial years.

However, the figure is at variance with the one the Controller of Budget

has reported which indicates that as June 30, 2023, the county had outstanding pending bills of Sh1.4 billion.

“I have formed a Pending Bills Resolution Committee whose mandate is to scrutinise further the ineligible bills for accuracy and completeness and further clearance for payment,” said the Governor.

He had been invited to the committee to respond to a statement sought by Senator Godfrey Osotsi who wanted to know the status of pending bills in the county.

“The full realisation of the settlement of pending bills has been hampered by the financial resource constraints experi-

enced during the implementation of our budgets,” explained Governor Ottichilo.

“Vihiga County is excluded from the equalisation fund unfairly, and that the County does not get fair share of the sharable revenue due to inaccurate statistics on population and poverty index.”

The Governor reported to have settled a huge chunk of historical pending bills of Sh1.4 billion, leaving a balance of Sh300 million as at June 30, 2023.

In the current financial year, the County has so far paid Sh29.4 million as historical pending bills leaving a balance of Sh270 million. Recurrent and development bills resulting from accruals in the period between 2018/19 to 2021/22

financial years are also being settled.

Governor Ottichilo said the late exchequer releases have contributed to inordinate delays in finalising payments on Internet Banking (IB) and in further accumulation of pending bills.

In the current Financial year, the County has received her equitable share on time which has improved the general operations.

The governor said saw the timely settlement of pending bills except for the month of October 2023 that experienced delay in release of the exchequer.

## Trade Committee directs Watu Managers to provide details of its dealings



Members of Trade Committee led by chair Lenku Seki ole Kanar in a meeting with the management of Watu Credit Ltd which was represented by its Director, Mr Andris Kaneps.

The Committee on Trade, Industrialisation and Tourism has given the management of Watu Credit Ltd seven days to provide evidence of the response they provided to the committee on their operations.

The evidence the committee is seeking include details of the sample of the agreement between the Company and their clients, documentation of the tax-

es paid, database of the beneficiaries of their credit facilities for verification.

Chairman Lenku Seki ole Kanar said it is only after the committee is furnished with the documents that it will make a determination on the matter.

The management had told the Committee, which is chaired Senator Lenku that its pricing entails a down payment ranging from 8 per cent to 22 per cent



loans successfully, a small portion default and their assets are repossessed after several failed interventions.

“We employ a hybrid approach to asset repossessions by involving local boda boda leadership, police force and specialised asset recovery staff. The repossession of the assets is the last resort as we give our customers ample time and options to regularise their accounts before repossession and this has proved a passive and humane approach,” said Mr. Andris Kaneps, Director of Watu Credit Limited,

Senator Samson Cherarkey had statement on the numerous cases reported concerning theft of motorbikes, specifically those whose owners had cleared their loans with Watu Credit.

But the company admitted that motorcycle theft is a rampant problem countrywide and given that approximately 60-70 per cent of motorcycles are acquired through Watu, theft incidents have a greater impact on its customers.

of the Listed Asset Price chosen by the customer followed by weekly installments for the entire loan duration (12 to 18 months).

The company charges an interest rate of 6 per cent per month on a reducing balance.

The company further defended its services telling the committee that while many of the entrepreneurs repay their

## A Flag: the optics, the power and the respect that come with it

Flags are important in optics and this is demonstrated in international relations where they are used to symbolise patriotism, honour and respect.

It is for this reason that one of the two iconic photoshoot spots in the Senate is synonymous with the honour and respect that comes with the flags.

At the entrance of the Senate Chamber is a lineup of flags representing the forty-seven county governments we have in Kenya.

Aesthetic in nature, the lineup makes for a sight to behold where visitors can take photos whenever they visit. Elegance aside, the flags are also very symbolic in the sense that they evoke pride whenever respective county delegations visit the Senate.

Not only do the delegations feel honoured but also acknowledged for the salient role they play towards entrenching good governance and service delivery at the grassroots level.

For visitors who came and left, pic-

tures taken at the photoshoot area serve as a constant reminder of the awesome experience they had in the corridors of power for there is no better way to preserve memories than to have them frozen in time through pictures taken.

It is also on this same spot that the Speaker and the Clerk of the Senate take pictures alongside visitors, signifying the historical importance of the given the stature of the Senate as an august House.

The other area synonymous with photoshoots is the Senate terraces overlooking Parliament Road.

The terraces have played host to a plethora of students, teachers and, on certain occasions, Parliamentarians who join their constituents for a meet and greet session and then photo session.

Small acts such as allowing visitors to take pictures in the broader scheme of things project a nice image of a Senate that is open to the public and willing to extend its services to wananchi.



Officers working as Researchers at the County Assembly of Garissa pose for a photo at the lineup of County governments flags just outside the Senate Chamber. The group was on a benchmarking tour at the Senate.

### This Week in History



*"There are many concerns across the country now about the amount of debt that we are accumulating. The concerns are informed by the model we have adopted to achieve the development agenda for this nation, particularly infrastructure; that is, roads, ports and railways. There is an argument that public and private sector can work together to achieve public good and development of a nation without resorting to debt."*

**Senator Kipchumba Murkomen** during debate on the Public Private Partnerships (Amendments) National Assembly Bills No.52 of 2017 on **November 20, 2018**.



*"The Government entity must have its own model so that when the private sector proposes to fund a project and say that it is going to generate revenue through the tolls and the rest, then the fees charged must be reasonable and the contracting agency must have its own financial model to agree with that."*

**Senator (Eng.) Mahamud Mohamed** during debate on the Public Private Partnerships (Amendments) National Assembly Bills No.52 of 2017 on **November 20, 2018**.



*"This country now has an unmanageable public debt because of the inability of the Houses of Parliament to regulate how the National Treasury borrows. The World Bank, The International Monetary Fund (IMF) and internal organisations that observe our debt growth are raising alarm. We need a proper management structure. A unit is created to help counties and the national Government in processing Public Private Partnerships (PPPs)."*

**Senator Moses Wetangula** during debate on the Public Private Partnerships (Amendments) National Assembly Bills No.52 of 2017 on **November 20, 2018**.



*"This is a new impetus to the way we finance our public facilities or projects. It is important to note that we are in this realization because of the rising debt. Recently, the International Monetary Fund (IMF) revised our Debt to Gross Domestic Product (GDP) ratio at 63 per cent, yet the red line is at 72 per cent. If we are to borrow the monies that we anticipate to finance the otherwise ambitious Sh3 trillion budget, we are likely to go beyond the ceiling. This is not very good because there are serious challenges of liquidity and cash flow management in the projects that we have put in place, which are now in terms of billions. For the last few years, the cost of doing projects in this country has escalated inordinately and disproportionately to the growth of the economy."*

**Senator Isaac Mwaura** during debate on the Public Private Partnerships (Amendments) National Assembly Bills No.52 of 2017 on **November 20, 2018**.



## Kenya plans to expand products to attract more international tourists, CS Mutua tells Senators

Tourism Cabinet Secretary Alfred Mutua has told parliament that the Kenya Kwanza administration has a very elaborate plan on expanding tourism so that meets the demands of modern clients.

The CS regretted that Kenya's products on international tourism circuits have remained the same over years, insisting there is need to expand if the industry must attract traffic.

"It has always been the beach, the animals and the curios, which have remained the same. We have not added anything," said the CS on Wednesday while answering questions from members on the floor of the House.

"We have to expand the products that we are selling. I will be traversing this country beginning either December or early January. I am going to sit down with the Governors and the elected leaders to discuss circuits on what they have to offer."

The CS was responding to questions from Senator Boni Khalwale in which

he wanted to know what the government is doing to fully exploit the potential of Kenya's tourism circuits.

Senator Khalwale said for over a 100 years, Kenyan tourism has meant the Big Five and the beautiful beaches at the Coast.

"Could you tell the Senate and the whole country what plans you have put in place and how much money you have committed to ensure that we exploit the potential of tourism beyond the Big Five and the beaches at the Coast," posed Senator Khalwale.

He cited Kit-Mikayi in Nyanza, the crying-stone, Ikhongo Murwe, in Kakamega, bullfighting, Kakamega Forest, Mt. Elgon Forest, Mwibale stone in Bungoma and the rich history in Trans Nzoia of the settlement, as some of the products that can be expanded into the income from tourism.

"I have already had meetings with the different stakeholders and have agreed that we have to come up with new circuits for Kenya. We cannot just be sell-

ing the same products," said the CS.

"The population that is going around the world now is young. They want adventure, music, entertainment, to climb and see new things and not just what their mothers and their fathers saw. So, we also have to adapt to the times. We need to have hiking, climbing programmes and adventure."

The CS also revealed that the Government has started to produce snake anti-venom in this country which will be available in every health centre, which is within 10-kilometre distance of everybody in this country.

He said many people die from snakebites because of lack of treatment on time.

"Snakes do not have to kill you if you get treated on time. If there is good system, which we are putting into place with the Ministry of Health, we hope we will be able to take care of snakes bites that kill our people."



CS Mutua addresses the House.

### BILLS

## Meteorology Bill, 2023 introduced in the House

Senators have started considering a Bill that seeks to modernise the Meteorological Services for reliable weather forecast and climate information.

Through the Meteorology Bill, 2023, which is sponsored by the Majority Leader Aaron Cheruiyot, is proposing a transition from the current Kenya Meteorological Department under the Ministry of Environment and Natural Resources to a self-autonomous entity, Kenya Meteorological Services Authority.

The Authority will be responsible for the provision, regulation, co-ordination and management of meteorological services in Kenya and ensure the Government fulfils its obligations under treaties and conventions on meteorology, in particular the Convention of World Meteorological Organisation, to which Kenya is a party.

The Authority will be mandated to

develop, review and monitor the implementation of government policies in respect of meteorology and related sciences, develop, review and operate a national strategic plan for the Authority in alignment with international treaties, protocols, agreements, and conventions on meteorology and a national framework for climate services in support of the climate services information system value chain to process data, run models and produce climate products for user benefits.

It will also be expected to establish and maintain a surface, upper-air and marine meteorological observation networks, integrated information systems, in line with the World Meteorological Organisation Information System, for the exchange of meteorological data and products and meteorological management systems for data processing, analysis, forecasting and archival.

The Bill is proposing to establish an eight-member Board which will be responsible for the general management, development and control of the undertakings and affairs of the Authority.

The Authority will identify suitable sites and places on which to establish meteorological observation stations.

The director general has been given the power to designate and appoint any person to be an authorised officer for purposes of carrying out the functions of the Authority.

Such authorised officers will at all reasonable times, enter any land on which an observation station is established for the purpose of conducting necessary inspection, maintenance and data collection.

The Bill further allows the Authority to install its equipment on private land which it must enter into an agreement with the owner stating the manner

in which the station will be maintained and the minimum distance to be kept between the station and any other structure.

"A person who uses any information or material of the Authority of publication in any way including in radio, television, social media, internet or other such medium, shall acknowledge the Authority as the source or contributor of such information," the Bill states in Section 37.

Section 38 secures the Authority from any liability arising from its operations. It provides that the Authority will not be liable for any damage, loss or injury sustained or alleged to have been sustained, by any person because of such person's reliance on meteorological information provided by the Authority.

# Declare cattle rustling a national disaster, says Senator Cheptumo



Senator Cheptumo

**A** Senator wants the National Government to declare cattle rustling a national disaster.

In a motion before the House, Senator William Cheptumo is pushing the Ministry of Interior and National Administration to engage the Council of Governors and establish a National Task force on cattle rustling to investigate the causes of the rampant cattle rustling in the country.

He also wants the Task force to establish the extent of loss and damage the cattle rustling has caused to communities in all the affected Counties.

“Cattle rustling is a major menace and

security threat in the South and North Rift regions and some other regions of the country,” Senator Cheptumo says in the motion currently before the House.

A common practice amongst communities in the arid and semi-arid land regions in Kenya, the menace has left irreparable and negative socio-economic impact which include increased number of widows, widowers, orphaned children, poverty, displacement of people leading to Internally Displaced Persons (IDPS).

It has also disrupted educational programmes and other economic activities

owing to the destruction and closure of educational, health and other institutions.

“The people living in the affected regions have been denied the enjoyment of their social, economic and political rights as guaranteed to them under the Bill of Rights as enshrined in Chapter Four of the Constitution,” explains the Senator.

He wants the state to create a special fund for mitigating the losses suffered by and in compensating all victims of cattle rustling and settle all internally displaced persons occasioned by the menace.

# Senator wants National Treasury to protect borrowers

**S**enator Wahome Wamatinga wants the National Treasury to develop a policy framework to review the Banking Act which to allow borrowers to renegotiate the repayment terms of their loans whenever the business environment becomes unfavorable.

Such a policy shift should be able to cushion Kenyans with non-performing loans and prevent the loss of their movable assets, according to the lawmaker.

Through a motion before the House, Senator Wamatinga says youth have invested in movable assets, including vehicles and motorcycles, in order to start



Senator Wamatinga

business in the transport industry.

Most of the youths have signed up to the ride hailing apps including Uber, Taxify, Bolt and Little cab.

The high cost of living has lowered earnings from the App providers and high interest rates, endangering the assets of the youths.

“The high unemployment rate has pushed many Kenyans to seek loans from Saccos, Microfinance institutions and Banks to start Small and Medium Enterprises (SMEs) to sustain their livelihoods,” says Senator Wamatinga in the motion.

The Banking Act does not provide for renegotiation on the loan repayment agreement whenever the business environment becomes unfavorable as a result of the high cost of living, lowered earnings from the App providers and high interest rates.

“The National Treasury should review the Banking Act in order to renegotiate the repayment terms of the loans and provide cushion for Kenyans with non-performing loans and prevent the loss of their movable assets,” says the Senator.

# Encourage the use of electric hybrid buses, Senator Asige pleads

**S**enator Crystal Asige wants the Ministry of Roads and Transport, in collaboration with the Council of Governors and the National Climate Change Council to encourage the use of electric hybrid buses and provide appropriate incentives for their use.

The legislator further wants the entities to provide affordable, safe and efficient public transport including the development of Bus Rapid Transport (BRT) in the urban areas.

In a motion she filed in the House, Senator Asige argues that the National Climate Change Action Plan identifies transportation as the fourth largest contributor to greenhouse gas emissions which if uncontrolled, will result to neg-

ative impact of climate change that will adversely affect millions of Kenyans.

The number of private vehicles has significantly grown leading to increased road accidents, carbon emission and vehicle congestion costs which are estimated to be in excess of Sh100 billion in Gross Domestic Product per year.

The senator wants the three entities to work together and execute suitable monthly car-free days and County car-free zones in urban areas, design an infrastructure that can support non – motorised transport facilities such as pedestrian and bicycle access within urban centers; and v.) ensure inter-modal connectivity among the various transport modes.



Senator Asige



Six students from Starehe School have ended their apprenticeship at Parliament. The students were in Parliament for three weeks where they offered voluntary service across all the directorates in both the Senate and National Assembly. Deputy Clerk Eunice Gichangi hosted the students on their final day in parliament where she thanked them for the service urging them to go back and focus on their studies. At the end of the meeting, she rewarded the students with copies of the Standing Orders which were later autographed by the Clerk, Mr Jeremiah Nyegenye

1. Clerk Jeremiah Nyegenye is pictured with the students after he bid them farewell at the end of their three-week voluntary service at Parliament.
2. Members of the Committee on Delegated Legislation of the County Assembly of Busia and Senate Liaison Officers pose at the entrance to the Senate Chamber during their tour of Parliament Buildings. The Committee was in Senate for benchmarking tour.
3. Deputy Clerk Eunice Gichangi offers a word of advice to the students as she bid them farewell.
4. Deputy Clerk Gichangi hands a copy of the Standing Orders to one of the students.
5. Clerk Nyegenye signs a souvenir copy of the Standing Orders for one of the students



## A PUBLICATION OF THE SENATE

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