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THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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Thursday, 25th July 2024

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 for 10 minutes.

(The Quorum Bell was rung)

Hon. Members, we now have a quorum to proceed. Clerk-at-the-Table.

PAPERS

Hon. Speaker: Leader of the Majority Party.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Thank you, Hon. Speaker. On behalf of the Leader of the Majority Party, I beg to lay the following Papers on the Table:

Reports of the Auditor-General and Financial Statements of the National Government Constituencies Development Fund for the year ended 30th June 2023, and the Certificates therein in respect of the following constituencies:

1. Naivasha;
2. Mosop;
3. Aldai;
4. Saku;
5. Moyale;
6. Gilgil;
7. Bahati;
8. Mavoko;
9. Kathiani;
10. Laikipia East;
11. Kajiado West;
12. Kitui West;
13. Kibwezi West;
14. Mwingi Central; and,
15. Kuresoi South.

I thank you, Hon. Speaker.

Hon. Speaker: Thank you. The Chairperson of the Public Investments Committee on Governance and Education.

Hon. Naisula Lesuuda (Samburu West, KANU): Hon. Speaker, we will table it in one minute.

Hon. Speaker: If it is in one minute, then it is already over. Is it your Committee? Who is your Chairman? Hon. Wamboka?

(Hon. Naisula Lesuuda spoke off the record)

Are you ready? As Hon. Naisula gets herself organised, let us proceed to the Departmental Committee on Sports and Culture. Chairperson.

Hon. Caroli Omondi (Suba South, ODM): I am here, Sir.

Hon. Speaker: Yes, Hon. Caroli.

Hon. Caroli Omondi (Suba South, ODM): Thank you, Hon. Speaker. I am holding brief for the Chair and the Vice-Chairperson who are not in the House.

I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Sports and Culture on its Consideration of the Kenya National Library Service Bill (National Assembly Bill No.20 of 2023).

Hon. Speaker: Thank you. Back to the Public Investments Committee on Governance and Education.

Hon. Naisula Lesuuda (Samburu West, KANU): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Public Investments Committee on Governance and Education on its examination of reports of the Auditor-General on the financial statements of State corporations (Nyanza Region) for the financial years 2018/2019, 2019/2020 and 2020/2021.

Thank you.

Hon. Speaker: Thank you. Next Order.

NOTICE OF MOTION

ADOPTION OF REPORT ON FINANCIAL STATEMENTS OF STATE CORPORATIONS IN NYANZA REGION FOR 2018/2019, 2019/2020 AND 2020/2021

Hon. Speaker: Chairperson of the Public Investments Committee on Governance and Education.

Hon. Naisula Lesuuda (Samburu West, KANU): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Public Investments Committee on Governance and Education on its examination of the reports of the Auditor-General on the financial statements of State corporations (Nyanza Region) for the financial years 2018/2019, 2019/2020 and 2020/2021, laid on the Table of the House on Thursday, 25th July 2024.

Hon. Speaker: Thank you. Next Order.

QUESTIONS AND STATEMENTS

REQUEST FOR STATEMENTS

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CHALLENGES FACING THE NEW HIGHER EDUCATION FUNDING MODEL

Hon. Naisula Lesuuda (Samburu West, KANU): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Education and Research regarding the application of the New Higher Education Funding Model.

On 3rd May 2023, His Excellency the President launched the New Higher Education Funding Model, intended to ensure equitable access to higher education and address the challenges of inadequate funding encountered by public universities and Technical and Vocational Education (TVET) institutions. This new model replaces the system of block funding to universities and TVET institutions and provides for beneficiaries through loans, bursaries, or both, with students categorised into five bands based on financial need assessment.

Concerns have emerged regarding the effectiveness of this new model. Despite assurances by the Ministry of Education that the model aims to closely align funding more with the needs of individual students, there is widespread confusion and anxiety among parents and students about its application. Of note is the system's categorisation of students into five income-based bands, which has raised fears about accessibility to funding, particularly the disadvantaged students. Moreover, public universities are facing substantial debt and budget deficits, casting doubt on the ability of the model to address systemic financial challenges while maintaining equitable access to higher education.

Hon. Speaker, it is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Education and Research on the following:

1. A report on the application of the new funding model for public universities and TVETs, including the criteria for ensuring that the analysis and categorisation of beneficiaries into five income-based bands does not disadvantage the very needy children.
2. The efforts being made to simplify the model and enlighten the general public, particularly parents, guardians and students, on the model.
3. A clear breakdown of university fees, specifying fee obligations payable by parents/guardians and the amount to be offset through Government funding.
4. The safeguards provided in the formula to ensure that it does not roll back the gains made towards realising 100 per cent transition from secondary to university and TVET education.
5. The measures put in place to ensure that the high fees indicated in university admission letters do not bar needy students from admission to public universities and public-sponsored students placed in private universities.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Naisula. Hon. Kiragu, Member for Limuru.

SPILLAGE OF POISONOUS SUBSTANCE IN RIRONI

Hon. (Eng.) John Kiragu (Limuru, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a statement from the Chairperson of the Departmental Committee on Environment, Forestry and Mining regarding the spillage of a highly poisonous substance in Kambembe area of Rironi Town, Limuru Constituency.

On 20th July 2024, a lorry ferrying 22 tonnes of sodium cyanide overturned in Kambembe area in Rironi Town, resulting in the spillage of a highly poisonous substance. In the chaos following the accident, some residents, unaware of the extreme danger posed by sodium cyanide to their health, removed containers of this toxic chemical from the site. These containers are yet to be returned to the relevant authorities, thereby exacerbating the risk of exposure to the toxic substance.

It is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Environment, Forestry and Mining on the following:

1. A report on the origin and intended destination of the sodium cyanide, including details of the transporter or owner and their compliance with the National Environment Management Authority (NEMA) Regulations on managing and handling highly toxic substances on transit.
2. The exact quantities of sodium cyanide that spilled from the 22-tonne cargo that was being transported, including details of quantities that were recovered and those that cannot be traced.
3. Measures put in place by NEMA for monitoring movement of toxic materials across the country and policies for rapid response to such incidents to safeguard the safety of residents.
4. The steps taken by the Ministry to safely dispose of the spilled chemical and recover containers of sodium cyanide that were looted for safe disposal to protect communities near the accident site from potential health risks.
5. Clarify whether plans are put in place to hold owners or transporters of the spilled sodium cyanide accountable for the associated health and environmental hazards occasioned by the spillage.

I thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Kiragu. Hon. Melly, on the request for Statement by Hon. Naisula, bring a response in two weeks.

Hon. Julius Melly (Tinderet, UDA): Thank you, Hon. Speaker. That is a very pertinent question. As the Departmental Committee on Education, we are seized of the matter. The Principal Secretary, the CEO of the Universities Funding Board (UFB) and the CEO of the Higher Education Loans Board (HELB) will appear before the Committee on Thursday. I had organised a big session and I invite the Member to appear.

Hon. Speaker: Thursday next week?

Hon. Julius Melly (Tinderet, UDA): Yes, Thursday next week.

Hon. Speaker: Hon. Naisula, can you prosecute your Statement before the Committee on Thursday next week? It is unlikely that she will be available.

Hon. Naisula Lesuuda (Samburu West, KANU): Hon. Speaker, I will be sitting in the Committee on Appointments. I believe Members can discuss the matter and issue a Statement.

Hon. Speaker: He will bring a Statement to the House in two weeks' time.

Hon. Naisula Lesuuda (Samburu West, KANU): Thank you.

Hon. Speaker: Chairperson of the Departmental Committee on Environment, Forestry and Mining. Leader of the Majority Party, who is the Chairman? Give Hon. Ngogoyo the microphone.

Hon. Onesmus Ngogoyo (Kajiado North, UDA): Thank you, Hon. Speaker. I have been holding brief for my Chairman since morning in the Committee. We will deliver the response in three weeks, Hon. Chairman.

Hon. Speaker: In this House, we do not have a Chair, we have the Speaker.

Hon. Onesmus Ngogoyo (Kajiado North, UDA): I am well guided, Hon. Speaker.

Hon. Speaker: Two weeks, Hon. Kiragu. Next Order. Leader of the Majority Party Leader, give your Thursday Statement.

BUSINESS FOR WEEK COMMENCING 29TH JULY TO 2ND AUGUST 2024

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. This is the usual Thursday Statement on behalf of the House Business Committee (HBC), pursuant to the provisions of Standing Order 44(2)(a). The HBC met on Tuesday, 23rd July 2024 to prioritise business for consideration during the week. Allow me to welcome Members back to the House after the just-concluded short recess. This part of the Third Session promises to be busier than usual.

As Members are aware, His Excellency the President, through a Memorandum, referred the Finance Bill (National Assembly Bill No.30 of 2024) back to the House for reconsideration in accordance with the provisions of Article 115 of the Constitution. As shown in today's Order Paper, the House is scheduled to consider the President's Reservations to the Bill and make its final decision.

Further, this week, the House has been considering the Supplementary Estimates I for the Financial Year 2024/2025, occasioned by the outcome on the Finance Bill, 2024. As indicated in today's Order Paper, it is expected that consideration of the Supplementary Estimates I will be concluded at the Committee of Supply.

Additionally, the President has since nominated various persons for appointment to the offices of cabinet secretaries. I would like to urge the Committee on Appointments to expedite this important business of great national interest. I am aware that this Committee sat this morning, under your chairmanship, in preparation for that. As we reflect on what has been achieved, I wish to point out that our mission is far from over. We still have a significant number of legislative proposals, Bills, other statutory instruments and reports that most certainly need our keen attention.

*(Members cheered on Hon. Opiyo Wandayi
as he walked into the Chamber)*

Hon. Speaker: Order. Go on, Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. I was wondering why the House was cheering the Leader of the Minority Party as he walked in. He is also a Member of the House Business Committee. As I was saying, I urge Members to rise to the occasion when the business is presented before the House and remain diligent in its consideration.

With regard to the business for Tuesday next week, the House is expected to consider the First and Second Readings of the Supplementary Appropriation (No.2) Bill, 2024, which is expected to be published upon conclusion of the Committee of Supply on the Supplementary Estimates. Allow me to plead with Members to hold their horses. This business of the Second Reading of the Supplementary Appropriation Bill (No.2) Bill, 2022 cannot proceed if we do not conclude the Committee of Supply this afternoon. I urge them to stick around and support the Chairman of the Budget and Appropriations Committee and other Chairs.

Like the President has indicated that he has reviewed his Cabinet, chairs of committees who are never available in the House, especially during the Committee of Supply, are served notice. I hear some Members saying that those are threats. I am only informing the chairs of committees that budget-making is one of their principal duties. Those who chair departmental

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committees must be available in the House to supply to their ministries and departments. If a chair of a committee is not available to supply, then the membership of that committee should reconsider who should chair their committee.

Additionally, debate will also be undertaken on the following Motions, should they not be concluded today:

1. Report of the Auditor-General on the National Government Constituencies Development Fund for nine constituencies in Bungoma County.
2. Report on consideration of a public petition on funds spent contrary to the provisions of Article 223 of the Constitution.
3. Report on consideration of the audited accounts of specified State corporations.
4. Report on enhancing reporting of parliamentary business on online platforms.

In conclusion, the House Business Committee will reconvene on Tuesday, 30th July 2024, to schedule business for the rest of that week. I wish to lay this Statement on the Table of the House.

Thank you.

Hon. Speaker: Thank you, Leader of the Majority Party. Next order.

MOTION

ADOPTION OF REPORT ON SUPPLEMENTARY ESTIMATES I FOR THE FINANCIAL YEAR 2024/2025

(Moved by Hon. Ndindi Nyoro on 24.7.2024 - Morning Sitting)

(Resumption of debate interrupted on 24.7.2024 - Afternoon Sitting)

Hon. Speaker: Order, Hon. Members. As we go to Order No.8, we are calling the Chairperson of the Budget and Appropriations Committee to reply.

(Loud consultations)

Order. Hon. Ndindi, I am addressing you in particular. After you reply in Order No.8 and the Question is put, we shall re-organise the Order Paper and go to Order No.10 and dispose of the President's reservations to the Finance Bill which will be dealt with in the Committee of the whole House. After that, we will come back to the Committee of Supply at Order No.9. Order No.10 should not cost us more than an hour, from the materials available to me.

Hon. Ndindi, you may now reply to the contributions to the Motion at Order No.8.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Speaker, as I reply, I thank all Members of this House. We have been in a very tumultuous moment for the last four weeks. I thank all the Members for giving so much time in this process. Departmental committees have been burning the midnight oil in regard to the revision of the Budget. I am glad we have a document that represents what Kenya wants to achieve within a very limited fiscal space.

The essence of this process of revising the Budget was necessitated by the fact that we had already passed the Appropriations Bill with the hope that we were going to fund the Budget. Unfortunately, it was not possible given what we all know. Kenyans told us to look inwards and

see what we can do within the limits of revenue-raising measures that were already in place in 2023.

Hon. Speaker, in that regard, we did two things. We increased our debt slightly by about Ksh167 billion. We also cut our expenditure by about Ksh111 billion. One thing that I want to cite is the kind of selflessness we have seen in this House. Since I came to this House, it is only in this budget cycle that I have seen Members of Parliament like Hon. Wamboka and Hon. Junet seated here supporting the reduction of the National Government Constituencies Development Fund (NG-CDF). This shows that Kenyans, through their representatives here in Parliament, agree that we are in different moments. Therefore, all of us have to get a haircut, when it comes to expenditure.

There is money that we proposed for cuts. I wish the Members can listen keenly to this. We rationalised the Budget both horizontally and vertically. We did this across all levels of Government because the national Government will lose money, but also counties, through the equitable share, will lose Ksh20 billion through this process. Even in the national Government, everyone rationalised their expenditure appetite across all the arms of Government. Both the Executive and the Judiciary lost money. Parliament will also lose Ksh3.7 billion. I thank all the Members of Parliament for supporting these austerity measures. Parliament has volunteered cuts in foreign and domestic travel for the sake of our economy. However, even as we cut the budgets, there are some areas that I want to highlight that we could not permit cuts. Even when we have austerity measures, there are some things that we deemed too important for our economy now and they could not wait.

At the outset, education, as it is in our Report, is getting the lion's share of our Budget of over Ksh650 billion. I assure this House that the Committee did not permit any cuts of the money for the confirmation of the Junior Secondary School (JSS) interns. Therefore, we have sustained Ksh18.7 billion for confirmation of all the 46,000 JSS interns into permanent and pensionable terms. The second thing is that we allocated Ksh1.5 billion to the New Kenya Cooperative Creameries (KCC) to act as a defence for raw milk prices for our dairy farmers. We had a conversation with the New KCC management and we have already pressed them that going forward, the minimum amount of money Kenyan farmers ought to be paid for supply of raw milk is Ksh50 per litre. We have provided a buffer of up to Ksh53, so that even if the cooperatives and societies get Ksh3, the farmers will get their net of Ksh50 per litre.

We also allocated an additional Ksh3 billion to the Coffee Cherry Advance Revolving Fund, so that we continue to support this very important commodity that spurs our exports. Therefore, it bridges the deficit of the balance of payment. We also allocated Ksh2 billion as waiver to help coffee farmers and societies in the payment of the debts that have accumulated over time. We also allocated money for sugar reforms to support our sugar farmers, especially when it comes to arrears owed to them out of supplying to public sugar factories.

In this regard, we have allocated money to enhance technology, so that farmers can be incorporated into supplying sugarcane based on sucrose levels other than just having weight as the only measure of what they should be paid.

Hon. Speaker, we have allocated Ksh3.7 billion for confirmation of interns who are in the health sector because they deserve a better pay. I congratulate this House for allocating Ksh3.7 billion that will go to that direction. We are in unprecedented times. At the same level, there are things that could not wait. I thank this House because of the money that we have rationalised across many areas. We have also done two very critical things. One, the Government of Kenya had a programme of purchasing coolers from Poland. We were to raise 5 per cent of the money and get financing from Poland for an additional 95 per cent. However, out of the bottlenecks we have

encountered in accessing this financing, we have allocated Ksh2 billion to the Government of Kenya outrightly for purchasing these coolers without need of any financing, so that we accelerate this process.

As Members are aware, Maraga Taskforce on Police Reforms went around the country to look at the condition at which our security officers serve our country. They looked at the condition of security officers across all organs of the Government, namely, the Kenya Defence Forces (KDF), the National Police Service (NPS) and the Kenya Prisons Service. They did fantastic work. I confirm to this House that the KDF will get an enhancement of their salaries starting this month, July.

In addition to that, we have allocated Ksh3.5 billion to the NPS. Starting from the time the Appropriations Bill will be signed, our police officers will get a pay increment or salary enhancement through the appropriation that we have done in this cycle. We have added Ksh3.5 billion that will go into increment of the salaries for our police officers, especially in line with the recommendations of the Maraga Taskforce on Police Reforms.

As I conclude, there is one thing that we, as a House, have to agree on. Kenya has had a very large Government over the years. Majority of the Bills that come to this House end up creating a Government body. Therefore, we end up with a huge Government. Therefore, most of Government money gets lost into many entities. In this regard, in the first phase in this budget cycle, we have denied 47 Government entities money for operations and maintenance. We have saved around Ksh7 billion in this exercise, so that we can walk the talk of having a lean Government that leaves much more money to go into the service of Kenyans.

Hon. Speaker, there is a question I asked yesterday. If you go to Ndhiwa, Bondo or Taveta Constituency, you will get a Kenya Rural Roads Authority (KeRRA) engineer, Kenya National Highways Authority (KeNHA) engineer and Kenya Urban Roads Authority (KURA) engineer. We need to ask very critical questions in this House. Do we actually need this kind of duplication, so that going forward, the money we are spending so much in recurrent expenditure can be used for development?

Hon. Bowen Kangogo is here. The water sector has over 20 bodies. We need to ask very critical questions in this House. Do we need them or fewer ones that are more capitalised through development? These are questions that we have to provide answers to, going forward. If we do that, we will have a lean Government that leaves more money to take to Kenyans for development.

With those very many remarks, I thank this House again, the Membership of the departmental committees and our teams that have been working around the clock.

I beg to reply, Hon. Speaker.

(Several Members stood on the gangways)

*(Hon. James K'Oyoo and Hon. (Dr) Ojiambo Oundo
consulted on the gangways)*

Hon. Speaker: Thank you. Hon. Members who are on their feet, take your seats. Hon. K'oyoo and Oundo, take your seats.

(Question put and agreed to)

Hon. Speaker: Hon. Members, we will now go to Order No.10. Before we go there, I have the following Communication.

COMMUNICATION FROM THE CHAIR

GUIDANCE FOLLOWING THE PASSAGE OF THE PRESIDENT'S RESERVATIONS TO THE FINANCE BILL, 2024

Hon. Speaker: Hon. Members, you will recall that on Tuesday, 23rd July 2024, I conveyed a Message from His Excellency the President referring the Finance Bill (National Assembly Bill No.30 of 2024) back to the House for reconsideration in exercise of the powers conferred under Article 115(1)(b) of the Constitution. I referred the reservations to the Departmental Committee on Finance and National Planning for consideration. The Committee has since laid its Report on the memorandum.

Hon. Members, for the information of the House, I wish to note that the Committee has recommended that the House agrees with the President's reservations that all the clauses of the Bill be deleted.

In this regard, I wish to draw the attention of the House to the Speaker's Communication on 28th July 2015 on the consideration and scope of the President's Reservations. As per the cited Communication, any Member who wishes to move the House to reinstate any clause of the Finance Bill 2024 shall be required to marshal the support of at least 233 Members. This is in keeping with the provision of Article 115(4) of the Constitution, which requires that such a proposal be supported by at least two-thirds of the Members of the National Assembly. Not two-thirds of Members present and voting, but two-thirds of whole House as constituted.

Conversely, agreement with the President's Reservations and the recommendation to delete all the clauses of the Finance Bill 2024 shall only require the support of a simple majority of Members present and voting. This is in line with the provisions of Article 115(2)(a) of the Constitution as read with Article 122(1) of the Constitution. A summary of this guidance is contained on page 1987 of the Order Paper. The House is accordingly guided.

I thank you.

As you go into the Committee, the Chair of the Committee will be calling out each clause. For any Member who has a contrary view, you must demonstrate that you have 233 Members present in this House to vote for you in support of what you want to reverse. If you do not marshal that, do not even bother to contest the reservations. I now request you to be up-standing. Hold on, Serjeant-at-Arms. Let them call out the Order first. Sorry. We have not called out the Order. Take your seats. Call it out. Yes, Hon. Member for Keiyo South, do you have an issue? Give him the microphone

(Loud consultations)

Order, I have somebody on the Floor. Yes.

Hon. Gideon Kimaiyo (Keiyo South, UDA): Hon. Speaker, I seek your advice on Article 115(3). Article 115(2) says, "If the President refers a Bill back for reconsideration, Parliament may, following the appropriate procedure under this part, amend the Bill in light of the President's reservations". Article 115(2)(b) says that Parliament may pass the Bill the Second Time. Article

115(3) says that, “If Parliament amends the Bill fully, accommodating the President’s reservation, the appropriate Speaker shall re-submit it to the President for assent.

My question assumes that this House will agree with the President and we will pass everything by removing all the clauses. Shall we be taking back an empty Bill to the President?

Hon. Speaker: Yes, Hon. Millie.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Speaker. I can see the House is welcoming me. I am getting used to sitting in the position of the Leader of the Minority Party.

I consulted you on the side on behalf of Hon. Otiende Amollo yesterday in relation to the same Article 115 of the Constitution. Unfortunately, over and above what the Member has suggested, I thought this was going to come on Tuesday. I have not come with his written submissions. However, what Hon. Otiende Amollo was requesting over and above what the Members has said was that, according to him, the Bill becomes law within 14 days. In his considered legal view, what should have been done was to just do a one-liner seeking to repeal a Bill that had already passed. On behalf of Hon. Otiende Amollo, I would want to say that he has the same concerns under Article 115 of the Constitution.

Hon. Speaker: Order, Hon. Millie and the Hon. Member for Keiyo South.

Hon. Members, Hon. Otiende Amollo wrote to me. The President can pick out clauses he does not agree with and send them to the House when the Bill is sent to him. That is if you read the Constitution very carefully and understand it. That is what is contemplated in what you have quoted. The Bill will come back with specifically identified clauses that the President does not agree with and a proposal on what he wants, or she wants if the President is a lady. The House will then consider.

You can overturn the President’s reservations and restore the clauses as you passed them, *ab initio*, if you marshal two-thirds majority. If you do not marshal that, the reservations become part of the Bill. The remaining parts of the Bill without reservations, together with the reservations clauses that you either agree with or not agree with, depending on the numbers you marshal, there will still be a Bill to take back to the President for assent. In this case, the President has expressed reservations on everything. Including the Title. What has come here is a Bill as you passed it. It is with reservations on the Short Title, the Long Title, and the Memorandum. That is all the clauses.

If you fail to overturn what the President has reserved, there is nothing to take back to the President for assent. Already, there is precedent set by this House. A Member brought a Bill to amend the Law of Contracts Act. Another Member brought a Bill to amend the Central Bank of Kenya Act or the Penal Code. Each had only one amendment. When they were taken to the President on express reservations to the clause amending the Penal Code, the House was unable to overturn. Only the Title of the Bill and nothing else was left. You cannot carry a Title of the Bill to the President for assent. Therefore, it all died there.

Number three, to Hon. Millie, Hon. Otiende Amollo engaged me on some jurisprudence on this matter. We have engaged one on one. I have reminded him of my seniority in the legal profession and my long usage of the law. I want to repeat what I told him. What he sent to me as a draft Bill to repeal the Finance Bill were just papers because you cannot repeal what is not an Act of Parliament. If the President does not assent to the Bill within 14 days once a Bill is sent to him, it automatically becomes law. If the President has reservations on a Bill and sends it back to the Houses, those 14 days do not apply.

You will come back to the House and deal with the reservations. If you overturn his reservations, you take back the Bill to him for assent as you have passed. Tell Hon. Otiende Amollo

that what I told him about the law and what he wrote to me is repeated in this House. The academic exercise was just good for communication between the Speaker and him. However, it carried no material value whatsoever in considering this Bill.

Hon. Members, I hope that rests the matter. Yes, Hon. Caroli.

Hon. Caroli Omondi (Suba South, ODM): Thank you very much, Rt Hon. Speaker.

We need some little clarity on the steps that we will take as a House once we amend the Bill by adopting the reservations of the President. The Constitution says that when we have a referral, we have two options. The first one is, we can amend by accepting all the reservations of the President. We have still amended the Bill or we can review the reservations of the President and amend. In other words, we can introduce new clauses. If we introduce new clauses, the Constitution requires us to marshal two-thirds of the Membership. But even if we adopt the amendments as expressed by the President, all the reservations, which I hope we are all going to do, the Constitution requires us still to present a document from the House to the President for his assent to signify that all his reservations have been accepted and that the Bill has been formally terminated. May I read:

“If Parliament amends the Bill fully accommodating the President’s reservations, the appropriate Speaker shall resubmit it to the President for assent.”

So, we must send a document from the House to the President. That is what the Constitution says.

Hon. Speaker: Hon. Caroli Omondi, I do not know if you followed my explanation. If the President had sent to the House portions of the Bill on clauses he does not agree with, then the Bill as you passed in portions he has not expressed any reservations remains validly passed. Then you deal with what he has reservations about. If you marshal the requirements of Article 233 of the Constitution and overturn his reservations, you send back the Bill in its original form as you passed it. Then, he has to assent. If you fail to raise two-thirds, and you have clauses that were saved in the memorandum, then you take back the Bill as you passed it with the reservations as they came as now part of the Bill. So, the Bill is now amended with those reservations. In this case, the President has told you that he has reservations about the entire Bill including the title. When you agree with the President in his memorandum, there is no Bill there to take back for assent. The matter ends there. All that the Speaker will do is convey a message to the President that the House agreed with him on this Bill, and there is nothing to take to him to assent.

Yes, Hon. Junet.

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, this matter is settled by your last statement. You need to write to the President to agree to tell him that the House has agreed with his Message in the memorandum. What Members are contemplating on is the fact that when a Bill goes through the Third Reading and it is taken to the President for assent, it is no longer ours. It is now with the President. Before the Third Reading, we have all the powers within Parliament here to either withdraw it or push it aside or whatever we want to do with it. The question that they are asking is: Where is the graveyard? Where is the grave? Is it in Parliament or the State House? The grave of this Bill is in the State House. That is the burial site. Communicate to him that we have agreed with him that all the clauses be deleted. Please, take it and bury it there and do not return it. That is the communication you should convey to him.

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

Hon. Kimani Ichung’wah (Kikuyu, UDA): Thank you, Hon. Speaker. Hon. Junet has put it very well.

Hon. Speaker: Not being a lawyer, he has done very well.

Hon. Kimani Ichung'wah (Kikuyu, UDA): He has put it in layman's terms, that, indeed, what we are conducting is the requiem mass. After the mass this afternoon, the final internment will be in the State House and the Speaker will convey a Message to His Excellency the President that the House has agreed with him. But I also heard what Hon. Caroli Omondi said. Probably, if we were under ordinary circumstances, there are certain things, like the tax amnesty that was being granted to Kenyans that may be Hon. Caroli Omondi or any other Member of this House would have sought to save from this Bill, then the Speaker would have had something to present to the President negating his reservation. What has happened with the death of this Finance Bill, Kenyans who were going to enjoy tax amnesty for the next one year will not enjoy it. Our small-scale farmers and business people who were going to enjoy exemption from Electronic Tax Invoice Management System (eTIMS) have lost that opportunity with the death of this Bill.

There are some lessons we can learn, as a country, when we consider Bills in this House. Questions that were asked to you, Hon. Speaker, by the Member for Keiyo South Constituency, the Member for Suba South Constituency and the issue that was raised by the Senior Counsel, Hon. Otiende Amollo, are critical in informing Kenyans. You remember on the X Space when the President declined to assent to this Bill, Kenyans were being told to forget about what was being done and the Bill would still become law at the lapse of 14 days. It is good for Kenyans – and I am saying this to thank you, Hon. Speaker, for indulging those questions and even the issues raised by Hon. Otiende Amollo through Hon. Millie - to be informed that a Bill can never become a law or an Act of Parliament unless and until it is assented to by the President or at the laps of 14 days if the President does not assent to it or does not do anything. If this Bill was sent to the President and he stayed with it beyond 14 days from the time it was presented to him, then it would have become law.

These are some of the untruths and falsehoods that were being peddled out there. As we said during the Kamukunji, in a way, just like the President conceded that his Government had failed Kenyans in communication, even ourselves as a House, and I said this in our leadership meeting, we have also failed in communicating and letting Kenyans know what goes on in this House. I remember many Kenyans at the end of the Second Reading believed that that was *fait accompli* and the Bill had come to an end. That is why even on the 25th June 2024, many Kenyans did not understand that even part of the amendments that were being done were helpful. It is a lesson for us following the death and eventual interment of this Bill, as a House, probably to bring back the parliamentary open days. Let us bring our young men and women in the country and to sit in this House in the Public Gallery so that they can get to understand the actual process of law-making, namely, when a law becomes a law and when things can be changed and when you cannot. It is my submission that we have, indeed, as a House failed, to a large extent, in not allowing or letting Kenyans understand the law-making process and what goes on in this House. We have assumed that everybody understands what goes on in this House.

Hon. Speaker: Yes, Hon. Raphael Wanjala.

Hon. Raphael Wanjala (Budalangi, ODM): Thank you, Hon. Speaker.

Thank you for responding to the several issues that Members have asked you because these were the questions that were disturbing Kenyans out there. This Bill has really cost some of the people who voted yes. Therefore, we do not want to waste time with it. We want it dead like yesterday. Please, can we go ahead and kill it right now? We want it dead.

Hon. Speaker: Yes, Hon. Osoro.

Hon. Silvanus Osoro (South Mugirango, UDA): Hon. Speaker, this is an unprecedented matter...

Hon. Speaker: It is not unprecedented.

Hon. Silvanus Osoro (South Mugirango, UDA): Let me explain what I mean. In as much as I agree with you, I think the drafters of the Constitution did not envision or anticipate a period where the President would reject an entire Bill and send it back to Parliament.

Hon. Speaker, our powers are limited to either amending the Bill in light of the President's reservations, or pass it a second time without amendments. After we do that, we usually send it back to the President as Article 115(3) of the Constitution states. You have put it very well, that where there is a *lacuna* in law, this law-making institution - the Legislative Arm of Government - is also free to make or amend a law, where the Constitution of Kenya which is the supreme law of the land is silent.

You have said that the Bill by Hon. Gikaria was rejected by the President, the same way we rejected it here. So, you communicated an empty document. What should come out clearly is that in such scenarios, you communicate emptiness, a blank Bill, stating that we have agreed with the President and that will be the standard procedure. Hon. Members are asking what you will take back to the President. Do you take to him a deleted Bill or an empty document?

Hon. Speaker: Hon. Osoro, if you listened to me keenly, I said that once you agree with the President on this matter, I will convey a message to him that the House has agreed with his reservations on the Bill in its entirety. That is the end of the matter.

(Loud consultations)

Order, Hon. Members. Be up standing. Have you called the next Order? Call it out. Let us go to Order Nos.9 and 10. Hon. Members, be up standing. Hon. Osoro be up standing. That matter is as clear as daylight. We should not pontificate on it anymore.

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

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

IN THE COMMITTEE

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

PRESIDENT'S RESERVATIONS ON THE FINANCE BILL
(National Assembly Bill No.30 of 2024.)

Hon. Chairlady: Order, Hon. Members. We are now in the Committee of the whole House. You may be seated. Order, the Majority Party Whip, Hon. Osoro. Order, Hon. Members. Order, Hon. Millie Odhiambo. Let us proceed. Hon. Millie Odhiambo, you are the incoming Leader of the Minority Party and you should be putting order in the House. Let us proceed. Hon. Members, we are now in the Committee of the whole House to consider the President's Reservations on the Finance Bill (National Assembly Bill No.30 of 2024)

Hon. TJ Kajwang' (Ruaraka, ODM): On a point of order, Hon. Chairlady.

Hon. Chairlady: What is your point of order, Hon. Kajwang'.

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Hon. TJ Kajwang' (Ruaraka, ODM): Thank you, Hon. Chairlady, for chairing this session. I also want to thank the Speaker for correctly analysing the constitutional meaning of Article 115(3) and (4) of the Constitution. Looking at these articles, in my view, we have a very able Clerk who is averse to these issues. Perhaps we can think together. Right now, we are in the Committee stage and the Chairlady should satisfy herself that we quorate.

In other words, we must have two-thirds of the Members to consider this Bill. If we do not, then we should not go clause by clause. We should not sit here for a long time and be unable to consider even Clause 1 or the Title. This will be an act in futility or vanity. I submit.

Hon. Chairlady: Hon. TJ Kajwang' I think the substantive Speaker has already pronounced himself on the quorum required. Also, you should not fear that we will take too long. We will be moving the clauses based on the subject matter. So, we can proceed quickly. I hope your concerns are alleviated. Let us proceed.

Provisions relating to Income Tax Act, Cap 470

Clauses 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26

Hon. Chairlady: Mover, the Leader of Majority Party. Please, proceed.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Chairlady.

I beg to move:

THAT, the following clauses be deleted as proposed by His Excellency the President.

THAT, Clause 3 of the Bill be deleted.

THAT, Clause 4 of the Bill be deleted.

THAT, Clause 5 of the Bill be deleted.

THAT, Clause 6 of the Bill be deleted.

THAT, Clause 7 of the Bill be deleted.

THAT, Clause 8 of the Bill be deleted.

THAT, Clause 9 of the Bill be deleted.

THAT, Clause 10 of the Bill be deleted.

THAT, Clause 11 of the Bill be deleted.

THAT, Clause 12 of the Bill be deleted.

THAT, Clause 13 of the Bill be deleted.

THAT, Clause 14 of the Bill be deleted.

THAT, Clause 15 of the Bill be deleted.

THAT, Clause 16 of the Bill be deleted.

THAT, Clause 17 of the Bill be deleted.

THAT, Clause 18 of the Bill be deleted.

THAT, Clause 19 of the Bill be deleted.

THAT, Clause 20 of the Bill be deleted.

THAT, Clause 21 of the Bill be deleted

THAT, Clause 22 of the Bill be deleted.

THAT, Clause 23 of the Bill be deleted.

THAT, Clause 24 of the Bill be deleted.

THAT, Clause 25 of the Bill be deleted.

THAT, Clause 26 of the Bill be deleted.

Hon. Chairlady, these are some of the clauses which I indicated when the Speaker was still in the Chair, were to bring positive changes through the Finance Bill.

Hon. Chairlady, at least not here because they were pointed out. However, as the country engaged on the expenses and elsewhere in other public fora, these are some of the positives that nobody ever spoke about.

Hon. Chairlady, with the deletion of these clauses on the Income Tax Act, I have indicated, that we intended to give exemption to *mama mbogas*, subsistence farmers, small-scale traders, and anyone who was required to file their returns using eTIMS were going to be exempted. This is especially for farmers and micro-enterprises, whose gross income is below Ksh1 million. They would not have been required to file their returns through eTIMS.

(Loud consultations)

If you can protect me from Hon. KaWanjiku who is conversing in Kikuyu behind me... I was saying Hon. KaWanjiku, for instance, Shiko from Ruaka, who is a small-scale trader, would not have required to have eTIMS to file her returns if her gross income is below a Ksh1 million. All that is lost now with the deletion of all these clauses.

We were going to introduce minimum top-up tax to multinationals and not for Kenyan companies. The multinationals were to top up their taxes if they were paying in other jurisdictions a tax rate that is lower than that which is being paid here. For instance, if there is a multinational operating in Kenya and through profit transfers they are paying say, 15 per cent in another country and here the corporate tax rate is at 30 per cent, it was to top up that 15 per cent. That would have meant that those multinationals would have paid more taxes to us and generated more revenue. That, again, is lost.

More importantly for me, many Kenyans, especially many business people came to us and said that they are owed hundreds of billions of shillings by county governments and Government ministries. While they are owed by Government, both at the county and national level, the same Government is demanding taxes from them and they are being penalised for taxes that they have not paid. They were getting a tax amnesty for a further period of nine months as the Pending Bills Committee completes its work and money is processed for them to get paid, so that they pay their taxes without paying penalties. This would also have increased our revenues by close to another Ksh30 to Ksh40 billion, besides being a relief to many of our business people. Unfortunately, many of these business people now will have to contend with dealing with KRA because that tax amnesty came to an end on 30 June this year. Therefore, they will not be able to enjoy that tax amnesty that was extended to them in the Finance Bill of 2023 which we sought to extend to next year around March by a further nine months.

Lastly, our post-retirement medical schemes were also going to enjoy a saving by increasing or rather, we were to support savings by people who are saving in post-retirement medical schemes, again in an endeavour to encourage Kenyans to save. Today, many of us here, the perfect example would be Members of Parliament, senior public servants and other people in the corporate world who enjoy very lucrative or very rewarding or very good medical cover schemes when they are in employment. However, upon retirement they have no medical cover and end up suffering in destitution because of medical bills. We were increasing the limit from Ksh10,000 to Ksh15,000 of post-retirement schemes. If you save up to 15,000 shillings per month, that is about Ksh180,000 in a post-retirement medical scheme, you are going to enjoy tax rebates.

You will not have to pay up to Ksh15,000 per month or up to a total of Ksh180,000 shillings a year on any saving amount you saved in a post-retirement medical scheme.

That again is lost under the Income Tax Act. With that, I beg to move that we delete all those clauses. It is unfortunate because when Kenyans said 'reject', we rejected everything good and bad. I just took liberty to point out the good that we rejected, it is now rejected, dead and buried.

I beg to move.

*(Question of amendment proposed)
(Members spoke off the record)*

Hon. Chairlady: It is the mood of the House that I should put the question. Yes, Hon. Makali.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): *Wacha wewe. Wacha tuongee bwana. Si Majority Leader ameongea.*

Thank you, Hon. Chairlady. I have listened to the Leader of the Majority Party and what I thought we should just do is that even though clauses that would have helped Kenyans... Kenyans did not say we do away with this Bill. Can we just say we agree with the President and delete those clauses without any explanation?

I submit.

*(Question, that the words to be left
out be left out, put and agreed to)*

*(Clauses 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,
16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 deleted)*

Provisions relating to Value Added Tax Act:

Clauses 27, 28, 29, 30, 31, 32, 33, 34 and 35.

Hon. Chairlady: Mover, Hon. Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you Hon. Chairlady, I beg to move:

THAT, Clause 27 of the Bill be deleted.

THAT, Clause 28 of the Bill be deleted.

THAT, Clause 29 of the Bill be deleted.

THAT, Clause 30 of the Bill be deleted.

THAT, Clause 31 of the Bill be deleted.

THAT, Clause 32 of the Bill be deleted.

THAT, Clause 33 of the Bill be deleted.

THAT, Clause 34 of the Bill be deleted.

THAT, Clause 35 of the Bill be deleted.

The Clauses as read out, without repeating be deleted as proposed by His Excellency the President.

Hon. Chairlady, allow me to just point out some of the good things that were in this Bill relating to VAT. This is because, Kenyans were made to believe that there was VAT on almost

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everything that was being put on this Bill. I remember, at one point engaging with Kenyans, and a young lady told me that, you guys are so heartless, you are even adding VAT to cancer drugs. That was sold out there and Kenyans believed that there was VAT on cancer medication.

Far from the truth, there was no amendment or any proposal in the Finance Bill 2024 dealing with cancer drugs or putting VAT on cancer drugs. What was there was the financing of cancer treatment to be absolutely free for Kenyans. That is lost today.

We had sought to zero-rate locally assembled mobile phones. The benefit for zero-rating locally assembled phones, was to create jobs for young people in this country besides encouraging local manufacturing and local assembly of phones in this country. Kenyans are aware that there are coltan deposits that have been discovered in this country. Instead of exporting these minerals to other countries in the manufacture of mobile phones, we would have been using these minerals in Kenya to begin assembling and manufacturing phones in Kenya.

There is a local mobile assembler called East Africa Devices Assembly Kenya Limited who has assembled 400,000 phones in a period of only six months since they commenced. They have employed 300 young Kenyans in that assembly line. It is those jobs that we sought to protect by zero rating the local assemblers to encourage others to come up and create more job opportunities for young Kenyans. However, that is now dead. We are now conducting its funeral service in order for us to bury it.

Hon. Chairlady, there was VAT exemption to support recyclers in environmental conservation and we are exempting VAT on plant, machinery and equipment used in the construction of plastic recycling plants, and in this era of climate change control and adaptation to ensure that anybody who wants to come and set up a recycling plant of plastics that are destroying our environment. If you look at the Nairobi River today, it is a mass of plastics flowing to the Lower Eastern Region. Hon. Chairlady, this is what we sought to protect Kenyans from to ensure we get Kenyans who can invest in recycling of plastics. This is not just to create jobs for our young people but also to conserve our environment. That is lost. Let me not belabour with all the others because some are painful. We have lost huge savings under the VAT Act. Let us bury them. I move that we delete and burry them.

(Question of the amendment proposed)

(Question that the words to be left out be left out, put and agreed to)

(Clauses 27, 28, 29, 30, 31, 32, 33, 34 and 35 deleted)

Clauses 36, 37, 38, 39, 40, 41 and 42

Hon. Chairlady: Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Chair. I beg to move:

THAT, Clause 36 of the Bill be deleted.

THAT, Clause 37 of the Bill be deleted.

THAT, Clause 38 of the Bill be deleted.

THAT, Clause 39 of the Bill be deleted.

THAT, Clause 40 of the Bill be deleted.

THAT, Clause 41 of the Bill be deleted.

THAT, Clause 42 of the Bill be deleted.

Without belabouring the point, Kenyans were told that sanitary towels and diapers will be subject to Excise Duty. However, far from the truth, what was sought to be done by this Bill was to only levy Excise Duty on fully finished products of either diapers or sanitary towels imported from other countries so that we protect our local industries here in Mlolongo, Thika and other corners of the country. Over ten manufacturers of diapers and sanitary pads are producing an average of 148 million units of sanitary towels in a month against a consumption of 121 million units by our ladies around the country.

Therefore, we have adequate capacity in this country to manufacture and export sanitary towels out of this country. In an endeavour to actualise the import subscription policy, we sought to protect our local manufacturers of this item and levy Excise Duty on fully finished imported products from China and other countries. That is lost. Now, people can import them and kill our industries but I hope and pray that the Ministry of Trade, Investment and Industry will take corrective measures to protect our local manufacturers so as to protect the jobs of the young Kenyans who are working in those ten industries producing locally.

I beg to delete and kill all these things. Hon. Chairlady, as good as they were, they are dead.

(Question of the amendment proposed)

(Question that the words to be left out be left out, put and agreed to)

(Clauses 36, 37, 38, 39, 40, 41 and 42 deleted)

Clauses 43, 44, 45, 46, 47, 48 and 49

Hon. Chairlady: Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Chair. I beg to move:

THAT, Clause 43 of the Bill be deleted.

THAT, Clause 44 of the Bill be deleted.

THAT, Clause 45 of the Bill be deleted.

THAT, Clause 46 of the Bill be deleted.

THAT, Clause 47 of the Bill be deleted.

THAT, Clause 48 of the Bill be deleted.

THAT, Clause 49 of the Bill be deleted.

(Question of the amendment proposed)

(Question that the words to be left out be left out, put and agreed to)

(Clauses 43, 44, 45, 46, 47, 48 and 49 deleted)

Clauses 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61 and 62

Hon. Chairlady: Leader of the Majority Party.

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Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Chair. I beg to move:

THAT, Clause 50 of the Bill be deleted.
THAT, Clause 51 of the Bill be deleted.
THAT, Clause 52 of the Bill be deleted.
THAT, Clause 53 of the Bill be deleted.
THAT, Clause 54 of the Bill be deleted.
THAT, Clause 55 of the Bill be deleted.
THAT, Clause 56 of the Bill be deleted.
THAT, Clause 57 of the Bill be deleted.
THAT, Clause 58 of the Bill be deleted.
THAT, Clause 59 of the Bill be deleted.
THAT, Clause 60 of the Bill be deleted.
THAT, Clause 61 of the Bill be deleted.
THAT, Clause 62 of the Bill be deleted.

(Question of the amendment proposed)

*(Question that the words to be left
out be left out, put and agreed to)*

(Clauses 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61 and 62 deleted)

Clauses 63, 64, 65, 66, 67, 68, and 69

Hon. Chairlady: Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Chairlady. I beg to move:

THAT, Clause 63 of the Bill be deleted.
THAT, Clause 64 of the Bill be deleted.
THAT, Clause 65 of the Bill be deleted.
THAT, Clause 66 of the Bill be deleted.
THAT, Clause 67 of the Bill be deleted.
THAT, Clause 68 of the Bill be deleted.
THAT, Clause 69 of the Bill be deleted.

(Question of the amendment proposed)

*(Question that the words to be left
out be left out, put and agreed to)*

(Clauses 63, 64, 65, 66, 67, 68, and 69 deleted)

Clause 1

Hon. Chairlady: Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Chairlady, I beg to move:

THAT, Clause 1 of the Bill be deleted.

Therefore, those who were asking whether we will delete even the title, the answer is yes. So, this Bill is dead. When you die, a death certificate is issued. This Bill has no name. In this case, everything has been deleted including the title “The Finance Bill 2024/2025.” I urge all of you to support the deletion of the title, as proposed by the President. Therefore, there is no Finance Bill 2024.

This is the first time we have deleted even the Title of a Bill. For the Gikaria Bill, we only deleted the clauses; the title was never deleted. Whatever led the President to delete even the title is subject to discussions in the history of this House. I am sure and certain that those who will study the history of this House will read about the Finance Bill 2024, whose title was deleted.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Title deleted)

Hon. Chairlady: I now call upon the Mover to move reporting.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Chairlady, I beg to move that the Committee do report to the House its consideration of the President’s recommendations to Finance Bill (National Assembly Bill No.30 of 2024) and its approval thereof without amendments; therefore, deleting all clauses of the Bill.

(Question proposed)

(Question put and agreed to)

(The House resumed)

IN THE HOUSE

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

MOTION

CONSIDERATION OF REPORT ON PRESIDENT’S
RESERVATIONS ON THE FINANCE BILL

The Temporary Speaker (Hon. Martha Wangari): Chairperson.

Hon. Gladys Boss (Uasin Gishu County, UDA): Hon. Temporary Speaker, I beg to report that the Committee of the whole House has considered the President’s reservations on the Finance Bill (National Assembly Bill No. 30 of 2024) and its approval thereof without amendments; therefore, deleting all clauses of the Bill.

The Temporary Speaker (Hon. Martha Wangari): Thank you, Hon. Chairperson. Mover of the Bill.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, I beg to move that the Committee of the whole House do agree with the Committee in the said report. I also request Hon. Silvanus to second.

Hon. Osoro.

Hon. Silvanus Osoro (South Mugirango, UDA): Thank you very much, Hon. Temporary Speaker. Though with a very heavy heart, I wish to second. I thank all the Members for their participation and agreement with the President's reservations regarding the Bill.

(Question proposed)

(Question put and agreed to)

COMMUNICATION FROM THE CHAIR

GUIDANCE FOLLOWING THE PASSAGE OF THE PRESIDENT'S RESERVATIONS TO THE FINANCE BILL 2024

The Temporary Speaker (Hon. Martha Wangari): Hon, Members, allow me to issue this Communication.

Hon. Members, this guidance relates to the just concluded business, which is the agreement with the Report of the Committee of the whole House on the consideration of the President's Reservations to the Finance Bill (National Assembly Bill No.30 of 2024).

As you are aware, the House has voted in agreement with the President's Reservations and the recommendation to delete all the Clauses of the Finance Bill, 2024. Following this decision, the Bill has been rejected in its entirety. I wish to clarify that the import of the decision of the House is that the Bill is lost. Consequently, no provision that was contained in the Bill shall have legal effect.

In this regard, strictly speaking, there is no Bill for the Speaker to present to His Excellency the President for assent as contemplated under Article 115(5) of the Constitution. To signify the decision that the House has taken on the Bill this afternoon, I shall, therefore, only convey the effect of the decision, which is, that the Finance Bill (National Assembly Bill No.30 of 2024) has been rejected.

The House is accordingly guided.

I thank you.

COMMITTEE OF SUPPLY

(Order for Committee read being the First Allotted Day)

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

IN THE COMMITTEE

[The Temporary Chairlady (Hon. Martha Wangari) in the Chair]

CONSIDERATION OF FIRST SUPPLEMENTARY

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ESTIMATES FOR THE FINANCIAL YEAR 2024/2025

The Temporary Chairlady (Hon. Martha Wangari): Hon. Members, we are now in the Committee of Supply to consider the Supplementary Estimates I of Recurrent and Development Expenditure for the year ending 30th June 2025.

VOTE 1011 – EXECUTIVE OFFICE OF THE PRESIDENT

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1011 (Executive Office of the President) be reduced by a sum not exceeding Ksh1,847,715,488.

(Question proposed)

The Temporary Chairlady (Hon. Martha Wangari): There is no amendment.

(Programmes 0603000, 0701000, 0703000 and 0770000 agreed to)

(Vote 1011 agreed to)

VOTE 1012 – OFFICE OF THE DEPUTY PRESIDENT

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1012 (Office of the Deputy President) be reduced by a sum not exceeding Ksh2,297,847,003.

(Question proposed)

(Programme 0734000 agreed to)

(Vote 1012 agreed to)

VOTE 1013 – OFFICE OF THE PRIME CABINET SECRETARY

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1013 (Office of the Prime Cabinet Secretary) be reduced by a sum not exceeding Ksh419,077,619.

(Question proposed)

(Programme 0755000 agreed to)

(Vote 1013 agreed to)

VOTE 1014 – STATE DEPARTMENT FOR PARLIAMENTARY AFFAIRS

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1014 (State Department for Parliamentary Affairs) be reduced by a sum not exceeding Ksh94,370,050.

(Question proposed)

(Programmes 0759000, 0760000 and 0761000 agreed to)

(Vote 1014 agreed to)

The Temporary Chairlady (Hon. Martha Wangari): Hon. Members, I wish to alert you that there are some more amendments from the Chairman of the Budget and Appropriations Committee. The Serjeant-at-Arms is circulating the changes as proposed.

VOTE 1015 – STATE DEPARTMENT FOR PERFORMANCE AND DELIVERY MANAGEMENT

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1015 (State Department for Performance and Delivery Management) be reduced by a sum not exceeding Ksh89,262,724.

(Question proposed)

(Programmes 0762000, 0764000, 0772000 and 077300 agreed to)

(Vote 1015 agreed to)

(Loud consultations)

The Temporary Chairlady (Hon. Martha Wangari): Hon. Members, keep the consultations manageable so that we can hear.

VOTE 1016 – STATE DEPARTMENT FOR CABINET AFFAIRS

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1016 (State Department for Cabinet Affairs) be reduced by a sum not exceeding Ksh46,463,771.

(Question proposed)

(Programme 0758000 agreed to)

(Vote 1016 agreed to)

VOTE 1017 – STATE HOUSE

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1017 (State House) be reduced by a sum not exceeding Ksh5,188,468,342.

(Programme 0704000 agreed to)

(Vote 1017 agreed to)

VOTE 1023 – STATE DEPARTMENT FOR CORRECTIONAL SERVICES

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1023 (State Department for Correctional Services) be reduced by a sum not exceeding Ksh1,120,690,548.

(Question proposed)

(Programmes 0623000, 0627000 and 0628000 agreed to)

(Vote 1023 agreed to)

VOTE 1024-STATE DEPARTMENT FOR IMMIGRATION AND CITIZEN SERVICES

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1024 (State Department for Immigration and Citizen Services) be reduced by a sum not exceeding Kshs. 689,363,128.

(Programmes 0605000, 0626000 and 0631000 agreed to)

(Vote 1024 agreed to)

VOTE 1025 - NATIONAL POLICE SERVICE

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1025 (National Police Service) be reduced by a sum not exceeding Ksh2,274,628,352.

Hon. Temporary Chairlady: There are some amendments. Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Temporary Chairlady. I wish to move the amendments to Vote 1024.

The Temporary Chairlady (Hon. Martha Wangari): Order Hon. Chairman, it is Vote 1025 regarding National Police Service and not Vote 1024.

Hon. Ndindi Nyoro (Kiharu, UDA): I am sorry. I beg to move.

THAT Vote 1025 be amended under programme 0601000 (Policing Services) by deleting the expression Ksh108,242,444,423 appearing in Column 6 (Gross Current

Estimates) and substituting therefor the expression Ksh108,642,444,423. This is an increment of Ksh400 million for operations and management of the National Police Service. I request Hon. Gabriel Tongoyo to second.

The Temporary Chairlady (Hon. Martha Wangari): Hon. Gabriel Tongoyo

Programme 0601000 – Policing Services

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Temporary Chairlady. As it has been said by the Chairman of the Budget and Appropriations Committee, I second the increment by Ksh400 million as said for policing services. This will enable our police officers to perform their duties more effectively. I appreciate the Committee.

Thank you. I second.

(Question of the amendment proposed)

The Temporary Chairlady (Hon. Martha Wangari): If you wish to speak, use the intervention button. Hon. Makali Mulu.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you, Hon. Temporary Chairlady. I want my Chairman to make this clear. He has said the increase is Ksh400 million, but the figure read that the increase is Ksh500 million. Is it a mistake?

The Temporary Chairlady (Hon. Martha Wangari): Chairman of the Budget and Appropriations Committee, kindly clarify.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Chairlady, this is very clear. If you have Ksh108,642,444,423 and subtract Ksh108,242,444,423, you get Ksh400 million.

The Temporary Chairlady (Hon. Martha Wangari): Hon. Makali Mulu, are you on board?

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Hon. Temporary Chairlady, I have realised that I am looking at the wrong Order Paper.

The Temporary Chairlady (Hon. Martha Wangari): I had given some guidance. There is a Supplementary Order Paper that has gone round.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): I think that is where the challenge is, but it is okay.

The Temporary Chairlady (Hon. Martha Wangari): Acquire it from the Serjeant-at-Arms. Allow me, Hon. Members, to put the question.

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Programme 0601000 as amended agreed to)

(Vote 1025 as amended agreed)

VOTE 1026 – STATE DEPARTMENT FOR INTERNAL

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SECURITY AND NATIONAL ADMINISTRATION

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1026 (State Department for Internal Security and National Administration) be reduced by a sum not exceeding Ksh7,691,779,765.

(Programmes 0629000, 0630000 and 0632000 agreed to)

(Vote 1026 agreed)

VOTE 1032 – STATE DEPARTMENT FOR DEVOLUTION

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1032 (State Department for Devolution) be reduced by a sum not exceeding Ksh146,508,447.

(Programme 0712000 agreed to)

(Vote 1032 agreed)

VOTE 1036 - STATE DEPARTMENT FOR ASALS AND REGIONAL DEVELOPMENT

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1036 (State Department for ASALs and Regional Development) be reduced by a sum not exceeding Ksh4,207,170,559.

Programme 1013000 — Integrated Regional Development

The Temporary Chairlady (Hon. Martha Wangari): Mover.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Chairlady, I beg to move:

THAT, Vote 1036, under the Programme 1013000 — Integrated Regional Development, be amended by deleting the expression “Ksh1,713,220,000” appearing in Column 7 (Gross Capital Estimates) and substituting therefor the expression “Ksh2,113,220,000”.

It is an increment of around Ksh400 million which will go into various ongoing projects.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Programme 1013000 as amended agreed to)

(Programmes 0733000 and 0743000 agreed to)

(Vote 1036 as amended agreed to)

VOTE 1041 - MINISTRY OF DEFENCE

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1041 (Ministry of Defence) be reduced by a sum not exceeding Ksh134,755,232.

(Programmes 0801000, 0802000, 0803000 and 0805000 agreed to)

(Vote 1041 agreed to)

VOTE 1053 - STATE DEPARTMENT FOR FOREIGN AFFAIRS

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1053 (State Department for Foreign Affairs) be reduced by a sum not exceeding Ksh3,084,296,254.

(Programmes 0714000, 0715000, 0741000 and 0742000 agreed to)

(Vote 1053 agreed to)

VOTE 1054 - STATE DEPARTMENT FOR DIASPORA AFFAIRS

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1054 (State Department for Diaspora Affairs) be reduced by a sum not exceeding Ksh190,316,991.

(Programme 0752000 agreed to)

(Vote 1054 agreed to)

VOTE 1064 - STATE DEPARTMENT FOR TECHNICAL
VOCATIONAL EDUCATION AND TRAINING

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1064 (State Department for Technical Vocational Education and Training) be reduced by a sum not exceeding Ksh2,480,252,664.

(Programmes 0505000, 0507000 and 0508000 agreed to)

(Vote 1064 agreed to)

VOTE 1065 - STATE DEPARTMENT FOR HIGHER EDUCATION AND RESEARCH

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1065 (State Department for Higher Education and Research) be reduced by a sum not exceeding Ksh4,993,295,277.

(Programmes 0504000, 0506000 and 0508000 agreed to)

(Vote 1065 agreed to)

VOTE 1066 – STATE DEPARTMENT FOR BASIC EDUCATION

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1066 (State Department for Basic Education) be reduced by a sum not exceeding Ksh11,055,096,424.

Programme 0502000 – Secondary Education

The Temporary Chairlady (Hon. Martha Wangari): Mover to move amendments.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Chairlady. I beg to move:

THAT, the Schedule be amended in Vote 1066 under Programme 0502000, Secondary Education, by deleting the expression “Ksh93,534,182,740” appearing in Column 6 (Gross Current Estimates), and substituting therefor the expression “Ksh91,534,182,740”.

We are just trying to take care of examination waivers. Currently, they have no allocation. Therefore, we are re-allocating within the education sector. I request Hon. Melly to second.

The Temporary Chairlady (Hon. Martha Wangari): We agreed it does not need a Secunder. We will proceed.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Programme 0502000 as amended agreed to)

Programme 0503000 – Quality Assurance and Standards

The Temporary Chairlady (Hon. Martha Wangari): There is another amendment on quality assurance.

Hon. Ndindi Nyoro (Kiharu, UDA): I beg to move:

THAT, the Schedule be amended in Vote 1066 under the Programme 0503000, Quality Assurance and Standards, by deleting the expression “Ksh4,254,729,739” appearing in Column 6 (Gross Current Estimates), and substituting therefor the expression “Ksh6,254,729,739”.

It is the same Ksh2 billion. We are now provisioning to have some kitty for examination waivers.

The Temporary Chairlady (Hon. Martha Wangari): Very well.

(Question of the amendment proposed)

(Programme 0503000 as amended agreed to)

(Programmes 0501000 and 0508000 agreed to)

(Vote 1066 as amended agreed to)

VOTE 1071 - THE NATIONAL TREASURY

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1071 (The National Treasury) be reduced by a sum not exceeding Ksh13,446,353,812.

The Temporary Chairlady (Hon. Martha Wangari): There is an amendment. Mover.

Programme 0717000 – General Administration, Planning and Support Services

Hon. Ndindi Nyoro (Kiharu, UDA): Thank you very much, Hon. Temporary Chairlady. I beg to move:

THAT, the Schedule be amended in Vote 1071 under the Programme 0717000 General Administration, Planning and Support Services, by deleting the expression “Ksh59,037,647,001” appearing in Column 6 (Gross Current Estimates), and substituting therefor the expression “Ksh58,037,647,001”

We are moving this money from a kitty we had given for pending bills into budget reserves to take care of emergencies.

(Question of the amendment proposed)

(Programme 0717000 as amended agreed to)

(Programmes 0718000, 0719000 and 0720000 agreed to)

(Vote 1071 as amended agreed to)

VOTE 1072 – STATE DEPARTMENT FOR ECONOMIC PLANNING

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1072 (State Department for Economic Planning) be increased by a sum not exceeding Ksh5,088,102,481.

*(Programmes 0710000, 07710000, 0706000,
0707000 and 0709000 agreed to)*

(Vote 1072 agreed to)

VOTE 1082 – STATE DEPARTMENT FOR MEDICAL SERVICES

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1082 (State Department for Medical Services) be reduced by a sum not exceeding Ksh7,102,024,230.

Programme 0402000 – National Referral and specialised services

The Temporary Chairlady (Hon. Martha Wangari): There is an amendment. Mover.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Chairlady, I beg to move:

THAT,

- (i) under the programme 0402000 - National Referral and Specialised Services, by deleting the expression “Ksh45,044,624,110” appearing in Column 6 (Gross Current Estimates), and substituting therefor the expression “Ksh44,994,624,110.”
- (ii) under the Programme 0402000 - National Referral and Specialised Services, by deleting the expression “Ksh10,435,166,667” appearing in Column 7 (Gross Capital Estimates) and substituting therefor the expression “Ksh10,405,166,667.”

This is clean up from the department. It is the same balancing from the other side and therefore Hon. Temporary Chairlady, what is indicated under (iii) falls. What is indicated under (iii) is not there. This is because parts (i) and (ii) take care of everything.

(Question of the amendment proposed)

*(Question, that the words to be left
out be left out, put and agreed to)*

*Question, that the words to be inserted in place
thereof be inserted, put and agreed to)*

(Programme 0402000 as amended agreed to)

The Temporary Chairlady (Hon. Martha Wangari): Hon. Ndindi, what is the figure under (ii)?

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Chairlady, if you check (iii), there is Ksh280 million from Ksh200 million. There is no movement in (iii). So, the Ksh80 million is not there. That is why the figure is Ksh10,405,000,000 and not Ksh10,485,000,000 because the Ksh80 million in (iii) is no longer applicable making it Ksh10,405,166,667.

The Temporary Chairlady (Hon. Martha Wangari): Yes, Chairman.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Chairlady, kindly allow me to make an amendment. Let me read it again for the *Hansard*.

Hon. Temporary Chairlady, I beg to move:

THAT, under the programme 0402000 - National Referral and Specialised Services, by deleting the expression “Ksh10,435,166,667” appearing in Column 3 (Gross Capital Estimates) and substituting therefor the expression “Ksh10,405,166,667.”

Here, it is the Ksh80 million that is being taken care of in (iii) under the programme 0411000 Health Research and Innovations by deleting expression “Ksh200,000,000” appearing in column 8 (Gross Capital Estimates), and substituting....

The Temporary Chairlady (Hon. Martha Wangari): Separate it with (iii). Let us deal with (ii).

Hon. Ndindi Nyoro (Kiharu, UDA): Okay.

(Question, that the words to be left out be left out, put and agreed to)

(Questions, the words to be inserted in place thereof be inserted, put and agreed to)

(Programme 0402000 as amended agreed to)

Programme 0411000 – Health Research and Innovations

The Temporary Chairlady (Hon. Martha Wangari): Mover.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Chairlady, I beg to move:

THAT, under the Programme 0411000 - Health Research and Innovations, by deleting the expression “Ksh200,000,000” appearing in Column 8 (Gross Capital Estimates), and substituting therefor the expression “Ksh280,000,000.”

This is the Ksh80 million we were dealing with in (ii) Hon. Temporary Chairlady.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place)

thereof be inserted, put and agreed to)

(Programme 0411000 as amended agreed to)

(Programmes 0410000 and 0412000 agreed to)

(Vote 1082 as amended agreed to)

VOTE 1083—STATE DEPARTMENT FOR PUBLIC HEALTH AND PROFESSIONAL STANDARDS

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1083 (State Department for Public Health and Professional Standards) be reduced by a sum not exceeding Kshs1,312,813,088.

Programme 0406000—Preventive and Promotive Health Services

Hon. Temporary Chairlady: Mover.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Chairlady, I beg to move:

THAT, Programme 0406000 Preventive and Promotive Health Services be amended by deleting the expression “Kshs4,804,157,783” appearing in Column 6 (Gross Current Estimates), and substituting therefore the expression “Kshs4,844,157,783.”

(Question of the amendment proposed)

(Programme 0406000 as amended agreed to)

Programme 0408000—Health Policy, Standards and Regulations

Hon. Temporary Chairlady: Mover.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Chairlady, I beg to move:

THAT, Programme 0408000 Health Policy, Standards and Regulations be amended by deleting the expression “Kshs 4,020,834,197” appearing in Column 6 (Gross Current Estimates), and substituting therefore the expression “Kshs3,980,834,197.”

(Question of the amendment proposed)

(Programme 0408000 as amended agreed to)

(Programmes 0407000 and 0412000 agreed to)

(Vote 1083 as amended agreed to)

VOTE 1091—STATE DEPARTMENT FOR ROADS

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1091 (State Department for Roads) be reduced by a sum not exceeding Kshs7,228,037,339.

(Programme 0202000 agreed to)

(Vote 1091 agreed to)

VOTE 1092—STATE DEPARTMENT FOR TRANSPORT

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1092 (State Department for Transport) be reduced by a sum not exceeding Kshs3,286,916,889.

*(Programmes 0201000, 0203000, 02040000,
0205000 and 0216000 agreed to)*

(Vote 1092 agreed to)

VOTE 1093—STATE DEPARTMENT FOR SHIPPING AND MARITIME AFFAIRS

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1093 (State Department for Shipping and Maritime Affairs) be reduced by a sum not exceeding Kshs621,008,788.

(Programme 0220000 agreed to)

(Vote 1093 agreed to)

VOTE 1094 - STATE DEPARTMENT FOR HOUSING AND URBAN DEVELOPMENT

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1094 (State Department for Housing and Urban Development) be increased by a sum not exceeding Ksh2,067,441,714.

Programme 0102000 - Housing Development and Human Settlement

The Temporary Chairlady (Hon. Martha Wangari): Mover, move the amendments.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Chairlady, I beg to move:

THAT, the First Schedule on the Report on Consideration of the Supplementary Estimates No.1 for the FY 24/25 be amended in Vote 1094, under the Programme 0102000 Housing Development and Human Settlement by deleting the figure Ksh75,734,800,000 in Column 7 (Gross Capital Estimates), and substituting therefor the figure Ksh123,018,800,000.

Hon. Temporary Chairlady, this is enhancement in Appropriations-in-Aid (A-in-A) with regards to the Housing Levy.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Programme 0102000 as amended agreed to)

The Temporary Chairlady (Hon. Martha Wangari): Chair, is there a second amendment on the same? Have you agreed.

(A Member spoke off the record)

It is the same.

(Programmes 0105000 and 0106000 agreed to)

(Vote 1094 as amended agreed to)

VOTE 1095 - STATE DEPARTMENT FOR PUBLIC WORKS

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1095 (State Department for Public Works) be reduced by a sum not exceeding Ksh1,103,936,282.

(Programmes 0103000, 0104000, 0106000 and 0218000 agreed to)

(Vote 1095 agreed to)

VOTE 1104 – STATE DEPARTMENT FOR IRRIGATION

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1104 (State Department for Irrigation) be reduced by a sum not exceeding Ksh 1,925,251,000.

Programme - 1022000 Water Harvesting and Storage for Irrigation

The Temporary Chairlady (Hon. Martha Wangari): Mover, move the amendments.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Chairlady, I beg to move:

THAT, the First Schedule on the Report on Consideration of the Supplementary Estimates No.1 for the FY 24/25 be amended in Vote 1104, under the programme 1022000 - Water Harvesting and Storage for Irrigation, by deleting the expression “Ksh2,160,000,000” appearing in column 7 (Gross Capital Estimates), and substituting therefor the expression “Ksh2,360,000,000.”

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Programme 1022000 as amended agreed to)

(Programmes 1014000, 015000 and 1023000 agreed to)

(Vote 1104 as amended agreed to)

VOTE 1109 – STATE DEPARTMENT FOR WATER AND SANITATION

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1109 (State Department for Water and Sanitation) be reduced by a sum not exceeding Ksh2,719,452,827.

(Programmes 1001000, 1004000 and 1017000 agreed to)

(Vote 1109 agreed to)

VOTE 1112 - STATE DEPARTMENT FOR LANDS AND PHYSICAL PLANNING

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1112 (State Department for Lands and Physical Planning) be reduced by a sum not exceeding Ksh4,005,886,000.

(Programmes 0101000, 0121000 and 0122000 agreed to)

(Vote 1112 agreed to)

VOTE 1122 - STATE DEPARTMENT FOR INFORMATION COMMUNICATION
TECHNOLOGY AND DIGITAL ECONOMY

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1122 (State Department for Information Communication Technology and Digital Economy) be reduced by a sum not exceeding Ksh2,356,926,403.

(Programmes 0207000, 0210000 and 0217000 agreed to)

(Vote 1122 agreed to)

VOTE 1123 - STATE DEPARTMENT FOR BROADCASTING AND
TELECOMMUNICATIONS.

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1123 (State Department for Broadcasting and Telecommunications) be reduced by a sum not exceeding Ksh353,471,332.

(Programmes 0207000, 0208000 and 0209000 agreed to)

(Vote 1123 agreed to)

VOTE 1132 - STATE DEPARTMENT FOR SPORTS

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1132 (State Department for Sports) be reduced by a sum not exceeding Ksh188,176,118.

(Programme 0901000 agreed to)

(Vote 1132 agreed to)

VOTE 1134 - STATE DEPARTMENT FOR CULTURE AND HERITAGE

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1134 (State Department for Culture and Heritage) be reduced by a sum not exceeding Ksh203,732,037.

(Programmes 0902000, 0903000, 0904000, 0905000 and 0916000 agreed to)

(Vote 1134 agreed to)

VOTE 1135 - STATE DEPARTMENT FOR YOUTH AFFAIRS

AND THE CREATIVE ECONOMY.

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1135 (State Department for Youth Affairs and the Creative Economy) be reduced by a sum not exceeding Ksh610,246,398.

*(Programmes 0221000, 0711000, 0748000,
and 0749000 agreed to)*

(Vote 1135 agreed to)

VOTE 1152 - STATE DEPARTMENT FOR ENERGY

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1152 (State Department for Energy) be reduced by a sum not exceeding Ksh15,603,916,623.

*(Programmes 0211000, 0212000, 0213000,
and 0214000 agreed to)*

(Vote 1152 agreed to)

VOTE 1162 – STATE DEPARTMENT FOR LIVESTOCK

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the Year 30th June 2025 in respect of Vote 1162 (State Department for Livestock) be reduced by a sum not exceeding Ksh617,716,641.

Programme 0112000 – Livestock Resources Management and Development

The Temporary Chairlady (Hon. Martha Wangari): Hon. Chairperson.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Chairlady, I beg to move:

THAT, the First Schedule on the Report on Consideration of the Supplementary Estimates No.1 for the FY 2024/2025 be amended in Vote 1162, under the Programme 0112000 Livestock Resources Management and Development, by deleting the expression “Ksh6,406,000,000” appearing in column 7 (Gross Capital Estimates), and substituting therefor the expression “Ksh7,916,000,000.”

This is just a movement within the department.

(Question of the amendment proposed)

(Programme 0112000 as amended agreed to)

(Vote 1162 as amended agreed to)

VOTE 1166 – STATE DEPARTMENT FOR THE BLUE ECONOMY AND FISHERIES

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the Year 30th June 2025 in respect of Vote 1166 (State Department for the Blue Economy and Fisheries) be reduced by a sum not exceeding Ksh1,655,641,409.

*(Programmes 0111000, 0117000 and
0118000 agreed to)*

(Vote 1166 agreed to)

VOTE 1169 - STATE DEPARTMENT FOR AGRICULTURE

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1169 (State Department for Agriculture) be reduced by a sum not exceeding Ksh3,680,543,003.

Programme 0107000 – General Administration Planning and Support Services

The Temporary Chairlady (Hon. Martha Wangari): Mover.

Hon. Ndindi Nyoro (Kiharu, UDA): I beg to move:

THAT, the First Schedule on the Report on Consideration of the Supplementary Estimates No.1 for the FY 2024/2025 be amended in Vote 1169:

- (a) Under the Programme 0107000 General Administration Planning and Support Services, by deleting the expression “Ksh6,172,084,712” appearing in Column 6 (Gross Recurrent Expenditure), and substituting therefor the expression “Ksh6,202,084,712.”
- (b) Under the Programme 0107000 General Administration Planning and Support Services, by deleting the expression “Ksh3,523,292,000” appearing in column 7(Gross Capital Expenditure), and substituting therefor the expression “Ksh3,223,292,000.”

Hon. Temporary Chairlady, this is just moving from Recurrent Expenditure to Development Expenditure.

The Temporary Chairlady (Hon. Martha Wangari): Very well.

(Question of the amendment proposed)

*(Question, that the words to be left out
be left out, put and agreed to)*

*(Question, that the words to be inserted in place
thereof be inserted, put and agreed to)*

(Programme 0107000 as amended agreed to)

Programme 0108000 – Crop Development and Management

The Temporary Chairlady (Hon. Martha Wangari): Mover.

Hon. Ndindi Nyoro (Kiharu, UDA): Thank you, Hon. Temporary Chairlady. I beg to move:

THAT, the First Schedule on the Report on Consideration of the Supplementary Estimates No.1 for the FY 2024/2025 be amended in Vote 1169, under the Programme 0108000 Crop Development and Management, by deleting the expression “Ksh22,106,782,896” appearing in Column 7 (Gross Capital Expenditure), and substituting therefor the expression “Ksh22,362,782,896”

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Programme 0108000 as amended agreed to)

The Temporary Chairlady (Hon. Martha Wangari): Hon. Chairperson, is there a further amendment?

(Hon. Ndindi Nyoro spoke off the record)

No further amendment.

(Programmes 0109000 and 0120000 agreed to)

(Vote 1169 as amended agreed to)

VOTE 1173 – STATE DEPARTMENT FOR COOPERATIVES

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1173 (State Department for Cooperatives) be increased by a sum not exceeding Ksh2,128,755,182.

The Temporary Chairlady (Hon. Martha Wangari): Mover, do you have an amendment?

Hon. Ndindi Nyoro (Kiharu, UDA): Yes.

Programme 0304000 – Cooperative Development and Management

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Chairlady, I beg to move:

THAT, the First Schedule on the Report on Consideration of the Supplementary Estimates No.1 for the FY 24/25 be amended —

- (a) in Vote 1173, under the programme 0304000 Cooperative Development and Management, by deleting the expression Ksh3,500,000,000 appearing in Column seven (Gross Capital Estimates), and substituting therefor the expression Ksh2,000,000,000.

We are moving the money to purchase coolers, from the Department of Cooperatives to that of Livestock.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Programme 0304000 as amended agreed to)

(Vote 1173 as amended agreed to)

VOTE 1174 – STATE DEPARTMENT FOR TRADE

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1174 (State Department for Trade) be reduced by a sum not exceeding Ksh526,618,913.

(Programmes 0309000, 0310000 and 0312000 agreed to)

Programme 0311000 – International Trade Development and Promotion

The Temporary Chairlady (Hon. Martha Wangari): Mover.

Hon. Ndindi Nyoro (Kiharu, UDA): Thank you very much, Hon. Temporary Chairlady. I beg to move:

THAT, the First Schedule be amended —

- (a) in Vote 1174 (State Department for Trade) by inserting the figure Ksh290,000,000 in Column 8 (Gross Capital Estimates) under Programme 0311000 - International Trade Development and Promotion.

This is for the establishment of the commodities exchange platform under commerce.

(Question of the amendment proposed)

(Question that the words to be inserted be inserted, put and agreed to)

(Programme 0311000 as amended agreed to)

(Vote 1174 as amended agreed to)

VOTE 1175 – STATE DEPARTMENT FOR INDUSTRY

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1175 (State Department for Industry) be reduced by a sum not exceeding Ksh2,538,393,394.

(Programme 0301000 agreed to)

Programme 0321000 – Standards and Quality Infrastructure and Research

Hon. Ndindi Nyoro (Kiharu, UDA): I beg to move:

THAT, the First Schedule be amended —

- a) deleting the figure Ksh902,117,595 in Column six (Gross Current Estimates) under the Programme 0321000 - Standards and Quality Infrastructure and Research and substituting therefor the figure Ksh942,117,595.
- b) deleting the figure Ksh1,343,870,000 in Column seven (Gross Capital Estimates) under the Programme 0321000 - Standards and Quality Infrastructure and Research and substituting therefor the figure Ksh1,453,870,000.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Programme 0321000 as amended agreed to)

Programme 0320000 – Industrial Promotion and Development

The Temporary Chairlady (Hon. Martha Wangari): Mover. You will move two amendments.

Hon. Ndindi Nyoro (Kiharu, UDA): Thank you very much, Hon. Temporary Chairlady. I beg to move:

THAT, the First Schedule be amended —

- (b) in Vote 1175 (State Department for Industry) by—

- (i) deleting the figure Ksh790,871,940 in Column six (Gross Current Estimates) under the Programme 0320000 - Industrial Promotion and Development and substituting therefor the figure Ksh805,871,940.
- (ii) deleting the figure Ksh2,500,000,000 in Column seven (Gross Capital Estimates) under the Programme 0320000 - Industrial Promotion and Development and substituting therefor the figure Ksh2,676,000,000.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Programme 0320000 as amended agreed to)

(Vote 1175 as amended agreed to)

VOTE 1176 – STATE DEPARTMENT FOR MICRO, SMALL AND MEDIUM ENTERPRISES DEVELOPMENT

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1176 (State Department for Micro, Small and Medium Enterprises Development) be reduced by a sum not exceeding Ksh3,473,511,750.

Programme 0316000 – Promotion and Development of MSMEs

The Temporary Chairlady (Hon. Martha Wangari): Mover.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Schedule be amended in Vote 1176 (State Department for Micro, Small and Medium Enterprises Development) by—

- (i) deleting the figure Ksh2,408,500,000 in Column 8 (Gross Capital Estimates) under the Programme 0316000 - Promotion and Development of MSMEs and substituting therefor the figure Ksh2,528,500,000.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Programme 0316000 as amended agreed to)

(Programmes 0317000, 0318000 and 0319000 agreed to)

(Vote 1176 as amended agreed to)

VOTE 1177 – STATE DEPARTMENT FOR INVESTMENT PROMOTION

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1177 (State Department for Investment Promotion) be reduced by a sum not exceeding Ksh2,290,357,492.

Programme 0322000 – Investment Development and Promotion

The Temporary Chairlady (Hon. Martha Wangari): Mover.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Schedule be amended in Vote 1177 (State Department for Investment Promotion) by—

- (i) deleting the figure Ksh1,065,686,422 in Column 7 (Gross Current Estimates) under the Programme 0322000 – investment Development and Promotion and substituting therefor the figure Ksh1,165,686,422.
- (ii) deleting the figure Ksh1,360,000,000 in Column 8 (Gross Capital Estimates) under the Programme 0322000 – investment Development and Promotion and substituting therefor the figure Ksh1,200,000,000.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Programme 0322000 as amended agreed to)

(Vote 1177 as amended agreed to)

VOTE 1184 – STATE DEPARTMENT FOR
LABOUR AND SKILLS DEVELOPMENT

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1184 (State Department for Labour and Skills Development) be reduced by a sum not exceeding Ksh1,463,878,475.

*(Programmes 0910000, 0906000
and 0907000 agreed to)*

(Vote 1184 agreed to)

VOTE 1185 – STATE DEPARTMENT FOR SOCIAL
PROTECTION AND SENIOR CITIZENS AFFAIRS

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1185 (State Department for Social Protection and Senior Citizen Affairs) be reduced by a sum not exceeding Ksh135,751,912.

*(Programmes 0908000, 0909000
and 0914000 agreed to)*

(Vote 1185 agreed to)

VOTE 1192 – STATE DEPARTMENT FOR MINING

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1192 (State Department for Mining) be reduced by a sum not exceeding Ksh763,288,190.

*(Programmes 1007000, 1009000
and 1021000 agreed to)*

(Vote 1192 agreed to)

VOTE 1193 – STATE DEPARTMENT FOR PETROLEUM

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1193 (State Department for Petroleum) be reduced by a sum not exceeding Ksh381,202,147.

(Programme 0215000 agreed to)

(Vote 1193 agreed to)

VOTE 1202 - STATE DEPARTMENT FOR TOURISM

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1202 (State Department for Tourism) be reduced by a sum not exceeding Ksh13,207,305.

(Programmes 0313000, 0314000 and 0315000 agreed to)

(Vote 1202 agreed to)

VOTE 1203 - STATE DEPARTMENT FOR WILDLIFE

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1203 (State Department for Wildlife) be reduced by a sum not exceeding Ksh1,929,119,563.

(Programme 101900 agreed to)

(Vote 1203 agreed to)

VOTE 1212 - STATE DEPARTMENT FOR GENDER AND AFFIRMATIVE ACTION

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1212 (State Department for Gender and Affirmative Action) be reduced by a sum not exceeding Ksh530,902,761.

(Programmes 0911000, 0912000 and 0913000 agreed to)

(Vote 1212 agreed to)

VOTE 1213 - STATE DEPARTMENT FOR PUBLIC SERVICE

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1213 (State Department for Public Service) be reduced by a sum not exceeding Ksh590,257,339.

(Programmes 0710000, 0709000 and 0747000 agreed to)

(Vote 1213 agreed to)

VOTE 1221 - STATE DEPARTMENT FOR EAST AFRICAN COMMUNITY

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote

1221 (State Department for East African Community) be reduced by a sum not exceeding Ksh74,744,471.

(Programme 0305000 agreed to)

(Vote 1221 agreed to)

VOTE 1252 - THE STATE LAW OFFICE

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1252 (The State Law Office) be reduced by a sum not exceeding Ksh1,548,567,629.

(Programmes 0606000, 0607000 and 0609000 agreed to)

(Vote 1252 agreed to)

VOTE 1271 - ETHICS AND ANTI-CORRUPTION COMMISSION

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1271 (Ethics and Anti-Corruption Commission) be reduced by a sum not exceeding Ksh27,920,000.

(Programme 0611000 agreed to)

(Vote 1271 agreed to)

VOTE 1291 - OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1291 (Office of the Director of Public Prosecutions) be reduced by a sum not exceeding Ksh22,500,000.

(Programme 0612000 agreed to)

(Vote 1291 agreed to)

VOTE 1311 – OFFICE OF THE REGISTRAR OF POLITICAL PARTIES

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1311 (Office of the Registrar of Political Parties) be reduced by a sum not exceeding Ksh110,056,771.

(Programme 0614000 agreed to)

(Vote 1311 agreed to)

VOTE 1321 – WITNESS PROTECTION AGENCY

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1321 (Witness Protection Agency) be reduced by a sum not exceeding Ksh44,058,500.

(Programme 0615000 agreed to)

(Vote 1321 agreed to)

VOTE 1331 – STATE DEPARTMENT FOR ENVIRONMENT AND CLIMATE CHANGE

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1331 (State Department for Environment and Climate Change) be reduced by a sum not exceeding Ksh557,794,895.

*(Programmes 1002000, 1010000,
1012000 and 1018000 agreed to)*

(Vote 1331 agreed to)

VOTE 1332 – STATE DEPARTMENT FOR FORESTRY

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1332 (State Department for Forestry) be reduced by a sum not exceeding Ksh984,249,889.

(Programmes 1018000, 1024000 and 1025000 agreed to)

(Vote 1332 agreed to)

VOTE 2011 - KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the Year 30th June 2025 in respect of Vote 2011 (Kenya National Commission on Human Rights) be reduced by a sum not exceeding Ksh34,638.

(Programme 0616000 agreed to)

(Vote 2011 agreed to)

VOTE 2021 - NATIONAL LAND COMMISSION

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the Year 30th June 2025 in respect of Vote 2021 (National Land Commission) be reduced by a sum not exceeding Ksh234,033,781.

(Programme 0119000 agreed to)

(Vote 2021 agreed to)

VOTE 2031 - INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the Year 30th June 2025 in respect of Vote 2031 (Independent Electoral and Boundaries Commission) be increased by a sum not exceeding Ksh62,513,154.

(Programmes 0617000 and 0618000 agreed to)

(Vote 2031 agreed to)

VOTE 2061 - THE COMMISSION ON REVENUE ALLOCATION

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the Year 30th June 2025 in respect of Vote 2061 (The Commission on Revenue Allocation) be reduced by a sum not exceeding Ksh49,116,515.

(Programme 0737000 agreed to)

(Vote 2061 agreed to)

VOTE 2071- PUBLIC SERVICE COMMISSION

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 2071 (Public Service Commission) be reduced by a sum not exceeding Ksh191,019,458.

(Programmes 0725000, 0726000, 0727000, 0744000 and 075000 agreed to)

(Vote 2071 agreed to)

VOTE 2081- SALARIES AND REMUNERATION COMMISSION

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 2081 (Salaries and Remuneration Commission) be reduced by a sum not exceeding Ksh19,494,716.

(Programme 0728000 agreed to)

(Vote 2081 agreed to)

VOTE 2091- TEACHERS SERVICE COMMISSION

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 2091 (Teachers Service Commission) be reduced by a sum not exceeding Ksh10,328,147,858.

(Programmes 0509000, 0510000 and 0511000 agreed to)

(Vote 2091 agreed to)

VOTE 2101- NATIONAL POLICE SERVICE COMMISSION

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 2101 (National Police Service Commission) be reduced by a sum not exceeding Ksh123,231,397.

(Programme 0620000 agreed to)

(Vote 2101 agreed to)

VOTE 2111 – AUDITOR-GENERAL

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 2111 (Auditor General) be reduced by a sum not exceeding Ksh562,871,820.

(Programme 0729000 agreed to)

(Vote 2111 agreed to)

VOTE 2121 – OFFICE OF THE CONTROLLER OF BUDGET

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote

2121 (Office of the Controller of Budget) be reduced by a sum not exceeding Ksh35,967,183.

(Programme 0730000 agreed to)
(Vote 2121 agreed to)

VOTE 2131 – COMMISSION ON ADMINISTRATIVE JUSTICE

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 2131 (The Commission on Administrative Justice) be reduced by a sum not exceeding Ksh25,453,358.

(Programme 0731000 agreed to)
(Vote 2131 agreed to)

VOTE 2141 – NATIONAL GENDER AND EQUALITY COMMISSION

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 2141 (National Gender and Equality Commission) be reduced by a sum not exceeding Ksh18,107,500.

(Programme 0621000 agreed to)
(Vote 2141 agreed to)

VOTE 2151 - INDEPENDENT POLICING OVERSIGHT AUTHORITY

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 2151 (Independent Policing Oversight Authority) be reduced by a sum not exceeding Ksh19,031,579.

(Programme 0622000 agreed to)
(Vote 2151 agreed to)

VOTE 1261 - THE JUDICIARY

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 1261 (The Judiciary) be reduced by a sum not exceeding Ksh1,892,400,000.

(Programme 0610000 agreed to)

(Vote 1261 agreed to)

VOTE 2051- JUDICIAL SERVICE COMMISSION

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 2051 (Judicial Service Commission) be reduced by a sum not exceeding Ksh242,784,836.

(Programme 0619000 agreed to)

(Vote 2051 agreed to)

VOTE 2041- PARLIAMENTARY SERVICE COMMISSION

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 2041 (Parliamentary Service Commission) be increased by a sum not exceeding Ksh130,266,307.

Programme 0765000 — General Administration, Planning and Support Services

The Temporary Chairlady (Hon. Martha Wangari): Hon. Chairman, do you have an amendment?

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Chairlady, I beg to move:

THAT, Vote 2041, under the Programme 0765000 – General Administration, Planning and Support Services – be amended by deleting the expression “Ksh1,107,266,307” appearing in Column 6 (Gross Recurrent Expenditure) and substituting therefor the expression Ksh1,097,266,307.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Programme 0765000 as amended agreed to)

(Programme 0766000 agreed to)

(Vote 2041 as amended agreed to)

VOTE 2042 – NATIONAL ASSEMBLY

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 2042 (National Assembly) be reduced by a sum not exceeding Ksh2,246,435,425.

Programme 0721000 – National Legislation, Representation and Oversight

The Temporary Chairlady (Hon. Martha Wangari): Mover.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Chairlady, I beg to move:

THAT, Vote 2042, under Programme 0721000 – National Legislation, Representation and Oversight – be amended by deleting the expression “Ksh24,528,564,575” appearing in Column 6 (Gross Recurrent Expenditure) and substituting therefor the expression “Ksh24,638,564,575”.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Programme 0721000 as amended agreed to)

(Vote 2042 as amended agreed to)

VOTE 2043 - PARLIAMENTARY JOINT SERVICES

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 2043 (Parliamentary Joint Services) be reduced by a sum not exceeding Ksh1,060,508,478.

Hon. Temporary Chairlady (Hon. Martha Wangari): Mover. The Chairman Budget and appropriation Committee ignore the Whip. You have an amendment.

Programme - 0723000 General Administration, Planning and Support Services

Hon. Kwenya Thuku (Kinangop, JP): Yes, the whip was helping in moving this amendment. I wish to move the amendment under Vote 2043, Programme 0723000 - General Administration, Planning and Support Services – by deleting the expression Ksh6,050,461,246 appearing in Column 9 (Gross Recurrent Expenditure) and substituting therefore the expression ‘Ksh6,000,461,246.’

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Programme 0723000 as amended agreed to)

(Programme 0746000 agreed to)

(Vote 2043 as amended agreed to)

VOTE 2044 - SENATE

THAT, further to the Appropriations Act, 2024, the sum allocated to meet the expenditure (Recurrent and Development) for the year 30th June 2025 in respect of Vote 2044 (Senate) be reduced by a sum not exceeding Ksh555,822,405.

(Loud consultations)

Hon. Temporary Chairlady (Hon. Martha Wangari): I see there is some interest. I will give Hon. Kwenya a chance. Is there an amendment?

Chairman of the Budget and Appropriation Committee, the first two programmes have no amendments – that is the one I have prosecuted. The third one has an amendment. So, Hon. Thuku Kwenya, are you talking about the first two?

(Members consulted)

Let us hear Hon Kwenya Thuku. Hon. Mark Mwenje, I can see you on my screen.

Hon. Kwenya Thuku (Kinangop, JP): Hon. Temporary Chairlady, the reason as to why we are here is partly because members of the public say that there is a lot of wastage and duplication of functions. We are allocating money and we are not expecting any yields. The issue of allocating money to the Senators for oversight is confusing. We would like to know whether Senators are not paid just like Members of Parliament and Members of the County Assemblies (MCAs). If we are going to allocate money to the Senate for oversight, we must also allocate money to MCAs and Members of the National Assembly to oversight.

(Applause)

Members of the National Assembly are not interested with allocation of any money for oversight. This programme must be deleted just like we deleted the Finance Bill, 2024. This is not an amendment. We must delete this Vote and present to the President a deleted clause for him to assent to.

Thank you, Hon. Temporary Chairlady.

The Temporary Chairlady (Hon. Martha Wangari): Hon. Mark Mwenje.

(Hon. Kiborek stood in his place and spoke off the record)

Hon Kiborek, you are becoming disorderly.

Hon. Mark Mwenje (Embakasi West, JP): Hon. Temporary Chairlady, we saw the Senators saying that the National Government Constituencies Development Fund (NG-CDF)

should be dissolved. However, none of them mentioned the fact that they have been given a fund for oversight and yet they receive salaries. The NG-CDF is being used to educate children, and build classrooms and police stations. It creates employment in our constituencies. I, therefore, want to support the budget team.

(Loud consultations)

Deleting this fund should be among the austerity measures that this House should take. There are more measures we want the Parliamentary Service Commission (PSC) to institute. We should ensure that all Members of Parliament are treated equally. None should earn more than the other.

Thank you, Hon. Temporary Chairlady.

The Temporary Chairlady (Hon. Martha Wangari): I will give chance to two Members from the other side – Hon. Ochieng’ and Hon. Kiborek to be precise. I will start with Hon. Ochieng’.

Hon. David Ochieng’ (Ugenya, MDG): Hon. Temporary Chairlady, I want to ask Hon. Members to forgive the Senate for they do not know what they are doing. There are people who just keep yapping everyday but they do not know how money is made and how it is allocated. I would request this House to be the big brother. Let us not kill the Senate. Let us forgive them for they do not know what they are doing.

Hon. Members: No!

(Loud consultations)

Hon. David Ochieng’ (Ugenya, MDG): Please, let us allow them to have their monies. Let them do their job. That is my plea to my fellow Hon. Members. Let us not get into tuff wars. They say that when they go low, we go high. Let them be.

(Loud consultations)

The Temporary Chairlady (Hon. Martha Wangari): You will have a minute each. Hon. Kiborek.

Hon. Kiborek Reuben (Mogotio, UDA): Thank you, Hon. Temporary Chairlady. It defeats logic to discuss the issue of giving oversight money to the Senate at a time when we are talking about austerity measures. The Senators have their salaries and millage allowances to go back to their counties and conduct oversight.

We cannot come to this House to discuss about giving people oversight funds when we are talking about instituting austerity measures. Members of the National Assembly, MCAS and everyone else will demand oversight money. We will be using taxpayers’ money to provide oversight yet that is what we are elected to do. Senators are elected to oversee governors and perform other oversight roles. Therefore, we cannot give them more money because they are doing their job. Let us delete that clause and remove the Oversight Fund for Members of Parliament, MCAs and everyone else because that is what we are elected to do.

Thank you, Hon. Temporary Chairlady.

The Temporary Chairlady (Hon. Martha Wangari): Hon. Chairman of the Budget and Appropriations Committee, take notes as I expect you to give the way forward on this matter.

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Hon. Sabina Chege.

(Hon. Sylvanus Osoro spoke off the record)

The Temporary Chairlady (Hon. Martha Wangari): I will allow the Chairman of the Budget and Appropriation Committee to give us the way forward.

Proceed Hon. Sabina.

Hon. Sabina Chege (Jubilee, Nominated): Hon. Temporary Chairlady, you know that some people play to the gallery to make themselves popular. We are here to support the Chairman of the Budget and Appropriations Committee, who is a member of my county. However, we need to delete and reject this programme because we know the history of this whole thing. Looking at what has been there before, I support the rejection of this budget programme. People should stop playing with the gallery and the minds of Kenyans by trying to impress them. If they need to oversee anything, let them go to the governors.

In my opinion, the Senate should be abolished. That way, we will be able to save Kenyans' money. We can establish a Departmental Committee to oversee the operations of the counties. That committee will have fourteen Members of Parliament who will not earn extra salaries but they will make sure that Kenyans' money is saved.

With those remarks, I beg again that we delete the Vote.

The Temporary Chairlady (Hon. Martha Wangari): Your time is up. Member for Likuyani. He has a card. I can see you on my screen.

Hon. Innocent Mugabe (Likuyani, ODM): Thank you very much, Hon. Temporary Chairlady. I want to delve into the issue of the Oversight Fund by the Senate.

Members of the County Assemblies (MCAs) and the Senators are elected with the main role of oversight. Giving this Oversight Fund to Senators basically means that tomorrow, Members of the National Assembly and MCAs across the country will also demand creation of a similar fund for themselves. This will add more burden to Kenyans, who are already overburdened through taxation.

Secondly, we have our County Assemblies, which can perform the role of oversight at the county level. I do not see any need for overseeing the governors at the county level and, again, at the national level. It is utterly a total waste of taxpayers' money to have the Senate overseeing the governors, who are supposed to be overseen by MCAs. In that spirit, I call for the disbandment of the Senate of the Parliament of Kenya.

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

Hon. Sylvanus Osoro (South Mugarango, UDA): Thank you very much, Hon. Temporary Chairlady. Our responsibilities, as a bicameral Parliament, are enshrined in the Constitution under Articles 95 and 96 – that is oversight, legislation and representation. I agree with all the sentiments made by my colleagues as far as the small House of the Senate is concerned. The Senate is actually a small House. Their roles are very minor. They are very petty, and everything they do just shows that it is the lower House. While I agree with my colleagues, we have a challenge on procedure.

The Estimates, as they appear, were approved by the Speaker. Therefore, it means that the only thing we can amend here are the proposed amendments by either the Chairman of the Budget and Appropriation Committee or any other Member. Those amendments have already been approved by the Speaker. So, we have a technical challenge. We really do not need the Senate to have allocation of oversight funds. However, we cannot do that at this stage because there is no

amendment before the House. There is nobody amongst us who proposed such an amendment to be approved by the Speaker.

Therefore, while I agree with them, let us also be very factual that it cannot get to that level.

(Loud consultations)

The Temporary Chairlady (Hon. Martha Wangari): Hon. Members, I want to give this chance to the Chairman of the Budget and Appropriations Committee.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Chairlady, we had an opportunity to have a very robust hearing with the Parliamentary Service Commission, where the Clerks of the National Assembly and the Senate, and all the Accounting Officers in Parliament were present. I want to allay the fears that in this Budget, we have cut all the flesh in the National Assembly and the Senate. We have deducted Ksh3.7 billion from Parliament as an institution. As we speak, there is no money for oversight in the Budget. The proposal that I want to move on the next Vote is actually deletion of some money. I think all the fears are now allayed.

(Loud consultations)

The Temporary Chairlady (Hon. Martha Wangari): Hon Members, let us make progress. I know that there will be another amendment. So, allow me to put the Question on the ones that have been discussed.

(Programmes 0767000 and 0768000 agreed to)

Programme 0769000 – General Administration, Planning and Support Services

The Temporary Chairlady (Hon. Martha Wangari): Chairman, you have a further amendment. Take the time to allay Members' fears because they have great concerns on this one.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Chairlady, I beg to move:

THAT, Vote 2044 be amended in Programme 0769000 (General Administration, Planning and Support Services) by deleting the expression "Ksh2,495,150,900" appearing in Column 6 (Gross Recurrent Expenditure) and substituting therefor the expression "Ksh2,445,150,900."

Hon. Temporary Chairlady, the figures are self-explanatory. It shows a reduction from the initial figure. What we are seeking to do is to get money for the Independent Electoral and Boundaries Commission (IEBC) Selection Panel from this Vote. We are doing the bidding of the sentiments we have heard in this House.

Thank you.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Programme 0769000 as amended agreed to)

(Vote 2044 as amended agreed to)

The Temporary Chairlady (Hon. Martha Wangari): Hon. Members, we are done with the Committee of Supply.

Let us have the Mover to move reporting.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Chairlady, I beg to move that the Committee of Supply do report to the House its consideration of the Supplementary Estimates I for Financial Year 2024/2025 and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

(The House resumed)

IN THE HOUSE

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

MOTION

ADOPTION OF REPORT ON THE SUPPLEMENTARY ESTIMATES I FOR FINANCIAL YEAR 2024/2025

Hon. Martha Wangari (Gilgil, UDA): Hon. Deputy Speaker, I beg to report that the Committee of Supply has considered the First Supplementary Estimates for the Financial Year 2024/2025 and approved the same with amendments, and pursuant to the provisions of Article 223 of the Constitution and Section 9 of the Public Finance Management Act, 2012 and Standing Order 243 approved an overall decrease in the total Budget of the Financial Year 2024/2025 by Ksh99,062,055,790 with respect to the National Executive, Parliament and Judiciary during the year ending 30th June 2025 in respect of the Votes as contained in the Schedule.

Hon. Deputy Speaker: Mover.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Deputy Speaker, I beg to move that the House do agree with the Report of the Committee of Supply in its consideration of the First Supplementary Estimates for Financial Year 2024/2025, and pursuant to the provisions of Article 223 of the Constitution of Kenya, Section 39 of Public Finance Management Act, 2012 and Standing Order 243, approves an overall decrease in the total Budget for Financial Year 2024/2025 by Ksh99,062,055,790 with respect to the National Executive, Parliament and Judiciary during the year ending 30th June 2025 in respect of the Votes as contained in the Schedule.

Hon. Deputy Speaker, before I call the Seconder, I wish to thank the Members of this House. As you can see, we are almost full house at this hour. I know Kenyans are watching and appreciating that they actually elected the right representatives to this House. I laud the memberships of the Departmental Committees. They worked for long hours within a very short

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time. Members of the Budget and Appropriations Committee were meeting Chairpersons of the Departmental Committees within the precincts of Parliament. There was a time when we had a meeting on a Monday at the County Hall. I confirm that we left there at 3.30 a.m. working on these Budget Estimates.

I thank our team, led by Hon. Speaker and the Clerk of the National Assembly, which works very closely with the Budget and Appropriations Committee led by Ms Julie, Dr Abel and Mr Dan Kachumbo. They have been working round the clock to make sure that we complete this process in time.

I have read out Ksh99 billion, which appears as if we have added some money. The decrease in the Budget is less than anticipated. What has brought out this? The Report we brought here is slightly different. We have added monies to the Housing Levy – over Ksh45 billion – which is A-in-A. It is not money that will be collected through taxes. It is being collected through the Housing Levy. Therefore, we also provided expenditure for it. That is why it seems that there is enhancement in expenditure.

I know that we are going home. I can see Hon. Osoro prompting the Seconder. It is important for the Members of this House to note this. Give me two minutes, Hon. Osoro. Besides the decrease in the Budget, there are things we have safeguarded. I am repeating them for the benefit of doubt. This House has declined to reduce the money that was meant for confirmation of the JSS intern teachers. That means we have provided Ksh18.7 billion for confirmation of our brothers and sisters who were serving as intern teachers into permanent and pensionable status. We did not also cut the budget meant for the confirmation of the interns who were serving in the health sector, amounting to Ksh3.7 billion.

Hon. Deputy Speaker, even as we institute austerity measures, we have allocated Ksh1.5 billion to New KCC to act as defence for raw milk prices so that farmers can get a net of at least Ksh50 per litre of raw milk. Hon. Sabina is here. I know she has some coffee bushes. We have been able to provide an extra Ksh3 billion for the Coffee Cherry Fund so that coffee farmers can continue to count coffee farming as a business. We have also provided Ksh2 billion for waiver of coffee debts owed to farmers and coffee societies so that coffee farmers do not continue to be overloaded by debts. We have provided a lot even for sugar reforms. We have allocated money for payment of arrears owed to sugarcane farmers out of the supplies they did to public sugarcane factories.

We have provided Ksh8 billion to the Equalisation Fund so that development programmes in areas that have been marginalised over the years can be jump-started to bring those areas at par with the rest of the country. We are all Kenyans despite which part of the country one comes from. There is a lot that we have done.

With those remarks, I beg to move and request Hon. Mary Emaase to second.

Hon. Deputy Speaker: Hon. Mary Emaase.

Hon. Mary Emaase (Teso South, UDA): Thank you, Hon. Deputy Speaker. As I second, allow me just to say two things. First, I want to thank these Hon. Members. Let Kenyans know that today we have come to the end of the Finance Bill. It has been buried.

Second, I want to reassure the sugarcane farmers of Western Kenya who have been lied to that there is tax on sugarcane farming that today this House appropriated money to pay the arrears of sugarcane farmers.

With those remarks, I second.

(Question proposed)

Hon. Members: Put the Question! Put the Question!

(Question put and agreed to)

ADJOURNMENT

Hon. Deputy Speaker: Hon. Members, we have come to the end of our business this evening. Therefore, the House is adjourned until Tuesday, 30th July 2024, at 2.30 p.m.

The House rose at 7.14 p.m.

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