



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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THE HANSARD

Wednesday, 30th April 2025

The House met at 9.30 a.m.

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

PRAYERS

QUORUM

Hon. Deputy Speaker: Serjeant-at-Arms, please ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

Hon. Members, we may now begin.

PAPERS

Hon. Deputy Speaker: Are there Papers from the Leader of the Majority Party? Hon. Murugara, “Sir.” George, are you tabling the papers on behalf of the Leader of the Majority Party?

Hon. George Murugara (Tharaka, UDA): Hon. Deputy Speaker, where are they? If they were here, I would table them.

Hon. Deputy Speaker: Give him the microphone.

Hon. George Murugara (Tharaka, UDA): Hon. Deputy Speaker, I beg to lay the following Papers on the Table:

1. Report of the Auditor-General on Turkana East Technical Vocational College for the year ended 30th June 2020.
2. Report of the Auditor-General on Hybrid Generation of Off-Grid Power System Credit, No. CKE-106601L, for the year ended 30th June 2021, Kenya Power and Lighting Company, PLC.
3. Reports of the Auditor-General and the financial statements for the year ended 30th June 2021, 2022, and 2023, and the certificates therein for:
 - (a) Gathuri Secondary School
 - (b) Kwale High School
4. Reports of the Auditor-General and financial statements for the year ended 30th June 2022, 2023, and 2024, and the certificates therein in respect of:
 - (a) Kagumo Teachers Training College
 - (b) Kamwenja Teachers Training College
 - (c) Murang’a Teachers College.
5. The annual performance report for the Financial Year 2023/2024 from the Ministry of Defence.
6. Reports of the Auditor-General and financial statements for the year ended 30th June 2021, 2022, and 2023, 2024, and the certificates therein in respect of:
 - (a) Machakos Teachers Training College
 - (b) Kitui Teachers Training College.

7. Report of the Auditor-General on the National Government Constituencies Development Fund for the year ended 30th June 2024
8. Report of the third quarter for the National Government Constituencies Development Fund Board on the project's proposal approvals, disbursements, status, and restrictions imposed on constituency accounts for the Financial Year 2024/2025

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you, Hon. Murugara, on behalf of the Leader of the Majority Party.

There is also a paper to be laid by the Chairperson of the Select Committee on National Cohesion and Equal Opportunity. Hon. Adan.

Hon. Yusuf Adan (Mandera West, UDM): Hon. Deputy Speaker, I beg to lay the following Paper on the Table:

The third Report of the Select Committee on National Cohesion and Equal Opportunity on employment diversity audit. Thank you.

Hon. Deputy Speaker: Thank you. Next Order.

NOTICE OF MOTION

Hon. Deputy Speaker: Chairperson, Committee on National Cohesion and Equal Opportunity, you may now give your Notice of Motion.

ADOPTION OF THIRD REPORT ON AUDIT OF EMPLOYMENT DIVERSITY

Hon. Yusuf Adan (Mandera West, UDM): Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT the House adopts the third Report of the Select Committee on National Cohesion and Equal Opportunity on employment diversity audit in public institutions laid on the table of the House on Wednesday, 30th April 2025.

Thank you.

Hon. Deputy Speaker: Thank you. Next Order.

QUESTIONS AND STATEMENTS

Hon. Members, with your permission, allow me to reorder the Order Paper. Before we go to Order No.7, I would like us to go to Order Nos.8, 9 and 10. We will then come back to Order No.7. Read out Order No.8.

PROCEDURAL MOTION

EXEMPTION OF BUSINESS FROM THE PROVISIONS OF STANDING ORDER 40(3)

Hon. Deputy Speaker. Mover.

Hon. George Murugara (Tharaka, UDA): Hon. Deputy Speaker, I beg to move the following Procedural Motion:

THAT this House resolves to exempt the business appearing as Orders No. 9,11,13, and 14 in today's Order Paper from the provisions of Standing Order

40(3), being a Wednesday morning, a day allocated for business not sponsored by the majority or minority party or business sponsored by a committee.

Hon. Deputy Speaker, it is clear from the Order Paper that businesses at Orders No. 9, 11, 13 and 14 do not fall under provisions of Standing Order 40(3). Today being a Wednesday morning, business is reserved for Private Members' Motions and Bills. These are very important matters that we have to discuss this morning in view of the fact that today we proceed on recess until the House resumes.

It is for this reason that I urge the House to allow we exempt these four businesses on the Order Paper from the provisions of the Standing Orders on the Private Members' Bills and Motions that are to be moved this morning so that we can deal with the four matters.

With those remarks, I beg to move. I request Hon. Cynthia Muge, the woman Member of Parliament representative for Nandi County, to second.

Hon. Deputy Speaker: Hon. Muge.

Hon. Cynthia Muge: (Nandi County, UDA): Hon. Deputy Speaker, I beg to second.

Hon. Deputy Speaker: Thank you.

(Question proposed)

Hon. Members: Put the Question!

Hon. Deputy Speaker: Okay, it is the mood of the House that I should put the Question.

(Question put and agreed to)

MOTION

CONSIDERATION OF REPORT ON THE SOCIAL PROTECTION BILL (National Assembly Bill No.12 of 2025)

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Social Protection Bill (National Assembly Bill No.12 of 2025)

(Moved by Hon. Kimani Ichung'wah on 29.4.2025)

(Resumption of consideration interrupted on 29.4.2025)

(Question put and agreed to)

The Mover of the Bill, Hon. Osoro.

BILL

Third Reading

THE SOCIAL PROTECTION BILL (National Assembly Bill No.12 of 2025)

Hon. Silvanus Osoro (South Mugirango, UDA): Thank you very much, Hon. Deputy Speaker. I beg to move that the Social Protection Bill (National Assembly Bill No. 12 of 2025) be now read a Third Time. I also ask the Hon. Member of Kwanza to second.

Hon. Deputy Speaker: Give Hon. Ferdinand Wanyonyi the microphone.

Hon. Ferdinand Wanyonyi (Kwanza, FORD-K): Hon. Deputy Speaker, I second.

(Question proposed)

Hon. Deputy Speaker: May I proceed?

Hon. Members: Yes.

Hon. Deputy Speaker: I will give you a chance, Hon. Nyikal.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Deputy Speaker. I really appreciate that we at long last have the Social Protection Bill in place.

We must decide on which Ministry or authority to implement it. This is not the first time we are having a Bill on social protection. The late governor of Bomet County put forth one that passed. Nothing ever worked. We have many uncoordinated social protection programmes going on.

I support that the Bill be read at Third Time. However, let us implement it this time when it becomes an Act.

Hon. Deputy Speaker: Hon. Members, may I now put the Question?

Hon. Members: Yes.

(Question put and agreed to)

(The Bill was accordingly read a Third Time and passed)

Hon. Millie Odhiambo, I was expecting you to say something.

(A Member spoke off record)

No. The 'ayes' have it. I will just give her a chance because I know she has been very passionate about this.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Deputy Speaker, for indulging me on this issue.

Indeed, I did not speak because I had spoken to it at Second Reading. I know we very passionately worked on this Bill with the late Hon. Joyce Laboso. I even agree with Hon. (Dr) Nyikal that it is a good thing that this Bill has passed. We hope that the Government will implement it this time, at least in honour of the late Hon. Joyce Laboso.

Thank you.

Hon. Deputy Speaker: Thank you, Hon. Millie Odhiambo. It would not have been proper for the Bill to pass without you saying something because I know you have been the one who has done the heavy lifting on this Bill.

Next Order.

BILL

First Reading

THE INDUSTRIAL TRAINING BILL

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(National Assembly Bill No. 50 of 2024).

(The Bill was read a First Time and referred to the relevant Committee)

Hon. Deputy Speaker: Thank you, Hon. Members.

QUESTIONS AND STATEMENTS

REQUESTS FOR STATEMENTS

Hon. Deputy Speaker: We can now go back to Order No. 7 that is Questions and Statements. Let us go to Statements. Members who have Requests of Statements include the Member of Lungalunga, Hon. Mangale. Are you present? Okay, the Member is not present.

(Request for Statement deferred)

We shall proceed to the next one. Member of Subukia, Hon. Gachobe?

DEMISE OF MS WANJIRU NG'ANG'A MUTONGA

Hon. Samuel Gachobe (Subukia, UDA): Pursuant to Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the murder of Ms Wanjiru Ng'ang'a Mutonga alias *Shiru* and the increasing insecurity in Subukia Constituency.

On 18th April 2025, Ms Wanjiru Nganga Mutonga alias *Shiru*, a young mechanical engineering student aged 20 years was found murdered under unclear circumstances in Akuisi Village of Subukia Constituency in Nakuru County. On 17th April 2025, *Shiru* was working as a motorbike mechanic in a garage at Kiborojo Shopping Centre. She failed to return home from her workstation, which was uncharacteristic of her.

Her concerned mother mobilised her neighbours to assist in physically searching for her at her workplace at Kiborojo Shopping Centre and surrounding areas given that *Shiru* previously mentioned being followed by unknown persons on several occasions. They did not trace her. The search continued the following morning without success, prompting her mother to file a missing person's report at Kiborojo Police Station on 18th April 2025 under OB No. 06/18/04/2025.

Later that day, the search party came across *Shiru's* body dumped near the Limuru Bridge that connects Rongai Constituency and Subukia Constituency. A close observation of the body indicated that she appeared to have been raped and later killed by suffocation. *Shiru's* murder, likely by people known to her, raises concerns on increasing insecurity in Subukia Constituency. Previously, five other people had been murdered in the area. Regrettably, to date, no suspects have ever been arrested in connection with the murder.

It is against this background that I seek for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security on the following:

1. The steps being taken by security agencies to ensure thorough and expeditious investigation into the circumstances surrounding the disappearance and murder of Ms Wanjiru Ng'ang'a alias *Shiru*, and the swift apprehension and prosecution of perpetrators of her murder so as to deliver justice and closure to the bereaved family.

2. The strategies being deployed to guarantee safety and security of residents in Akuisi, Baraka, Limuru, and Kiborojo towns, in Subukia Constituency, and surrounding areas in light of the prevailing fear of potential attacks among the community.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Tongoyo of the Departmental Committee on Administration and Internal Security is not here. Is there any Member of the Committee to give a commitment on behalf of the Committee?

(Hon. David Kiplagat stood in his place)

Yes, Hon. DK Kiplagat.

(Hon. David Kiplagat spoke off the record)

We need a commitment. Let the Whip of the Majority Party give the commitment then I will get to yours.

Hon. Silvanus Osoro (South Mugirango, UDA): Much obliged, Hon. Deputy Speaker. You are all aware that we are proceeding on recess for a month. I can only commit two weeks after the recess.

Hon. Deputy Speaker: Thank you. The next request for a Statement is from Hon. David Kiplagat, the Member for Soy Constituency.

PLIGHT OF UNEMPLOYED TEACHERS AGED 45 YEARS AND ABOVE

Hon. David Kiplagat (Soy, UDA): Thank you, Hon. Deputy Speaker. I am sorry for that confusion. The Whip was causing a lot of confusion. I thought I was to read my Statement.

(Laughter)

Pursuant to the provisions of Standing Order No.42(2)C, I rise to request for a Statement from the Chairperson of the Departmental Committee on Education regarding the plight of unemployed, trained, registered and qualified teachers aged 45 years and above.

In 2019, the Employment and Labour Relations Court ruled that the age capping of 45 years imposed by the Teachers Service Commission (TSC) for the recruitment of teachers was unconstitutional and discriminatory as it violated the right to non-discrimination and denied deserving teachers the opportunity to serve for the remaining years until their retirement age of 60. The Court ordered TSC to employ teachers above 45 years without age limitation.

Despite the 2019 Court ruling, many trained, registered and qualified teachers aged 45 years and above continue to be discriminated against in recruitment. This group of teachers have been continuously applying for jobs, meeting all the recruitment requirements, but are still overlooked in the hiring process. This happens despite Kenya facing a severe shortage of teachers, with over 110,000 vacancies reported in 2023, including a deficit of 72,422 teachers in Junior Secondary School alone, yet more than 350 qualified teachers remain unemployed, a significant number being above 45 years.

Their exclusion from recruitment drives us to despair and disillusionment, calling for affirmative action by the TSC to offer them employment opportunities before they reach the mandatory retirement age of 60.

It is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Education on the following:

1. A request on the number of registered teachers above 45 years who are currently not employed by TSC, indicating their year of graduation, year of registration, their current ages, and distribution countrywide, particularly the sub-counties within Uasin Gishu and Bomet counties.
2. A report on the number of teachers aged 45 years that were absorbed by TSC in the recent recruitment, specifying their distribution, particularly in Uasin Gishu County.
3. Efforts being made to implement affirmative action to address the plight of teachers aged above 45 years.
4. Plans being put in place by the TSC to adjust the current recruitment framework with the aim of discouraging prolonged delays in employment and late entry into the profession.

I thank you.

Hon. Deputy Speaker: The Chairperson of Departmental Committee on Education, Hon. Melly. Member for Tinderet, would you like to say something? Okay, let me give Hon. Muge a chance.

Hon. Cynthia Muge (Nandi County, UDA): Thank you, Hon. Deputy Speaker. I would like to make a comment. Of course, I thank Hon. DK for his very good request for a Statement from the Chairperson of Departmental Committee on Education. I have noted with concern that the TSC sub-county offices do not have the data that Hon. DK is asking for.

We cannot be in a country where we have trained teachers registered by the TSC and when we ask for their details, like their years of graduation, from the TSC sub-counties offices, we are not given. That is a very bad show in terms of record-keeping and planning in this country. If the details of the teachers' records were available, we would be comfortable saying TSC knows how many teachers graduated and how old they are and use that information to inform decisions that will be made going forward.

I request that, that information be made available so that better decisions are made. Without data, you can hardly make a proper decision.

Thank you.

Hon. Deputy Speaker: Thank you. The response from the Chairperson. Hon. Kamuren, do you want to say something? I will give one more person before I let you respond as the Chairperson. Hon. Cherorot.

Hon. Joseph Cherorot (Kipkelion East, UDA): Thank you, Hon. Deputy Speaker. The good thing is that Hon. Kamuren comes from Baringo and I come from Kericho. Our fathers certainly were confined to those areas.

I want to support what Hon. DK has raised. This matter should not be confined only to Uasin Gishu or Soy. It is a national issue affecting all teachers, especially those who are above 45 years old. TSC must make sure that teachers who are above 45 years old are considered. That is my contribution.

Thank you.

Hon. Deputy Speaker: Hon. DK, do you want to have a second go?

(An Hon. Member spoke off record)

I will just exercise my discretion and allow him to contribute.

Hon. DK.

Hon. Charles Kamuren (Baringo South, UDA): Hon. Deputy Speaker, Mheshimiwa Cherorot has mentioned something in passing. This Statement is for the whole country. It is not only for Uasin Gishu. I was giving emphasis on what I was saying because I come from Uasin Gishu, so that in case other data are not available, we are considered as Uasin Gishu. That said, this is a national issue that needs to be addressed nationally.

Thank you.

Hon. Deputy Speaker: Thank you. That is the clarification I wanted you to give. Hon. Melly, Chairperson of the Departmental Committee on Education.

Hon. Julius Melly (Tinderet, UDA): Thank you, Hon. Deputy Speaker. I want to thank the Hon. Member for raising this issue. The Departmental Committee on Education has been seized of this matter several times. A number of teachers, because of the 45 years rule, have failed to be employed. Three years ago, the Committee met and discussed the issue and we made it clear that a teacher needs to be employed even if he has two years before retirement.

This is an issue that cuts across the country. Immediately we are back from recess – we are going today for recess – we shall furnish this House with enough information on the same. We shall invite the TSC, the Hon. Member and other interested Members to appear before the Committee so that we interrogate this issue further and develop a proper policy on employment of teachers, especially with regard to their age.

Thank you.

Hon. Deputy Speaker: Thank you. We can move to the next request for a Statement by the Hon. Tom Mboya, the Member for Nyatike. Is he present? Okay, give him the microphone.

THE STATE OF INFRASTRUCTURE OF KENYA POWER IN NYATIKE CONSTITUENCY

Hon. Tom Odege (Nyatike, ODM): Thank you, Hon. Deputy Speaker. Pursuant to the provisions of Standing Order 44(2)(C), I wish to request for a Statement from the Chairperson of the Departmental Committee on Energy regarding the state of the infrastructure of Kenya Power within Nyatike Constituency and its impact on power supply in the area.

The electricity transmission and distribution infrastructure in Nyatike is currently in a state of disrepair across all the seven wards of the constituency. The residents have raised serious concerns regarding exposed, sagging and fallen power lines, dilapidated poles and malfunctioning transformers. These unsafe installations have caused multiple injuries to residents, especially during the rainy seasons, when the risk of electrocution becomes even higher.

On Tuesday, 22nd April 2025, Mr William Onyango was electrocuted by a fallen electricity wire, sustaining serious injuries. He is currently recuperating in hospital. Sadly, this is not an isolated incident. There are multiple cases of people being injured due to unsafe power lines and other faulty installations in the constituency.

Additionally, Nyatike has been facing frequent and prolonged power outages, causing significant disruption to both social and economic activities in the area. The impact of these outages is far-reaching, with businesses reporting substantial financial losses due to the inability to operate consistently. Critical operations in hospitals are at risk due to the absence or failure of power backup equipment. The blackouts have also heightened insecurity in Nyatike due to non-operational street lights and security systems.

Hon. Deputy Speaker, it is against this background that I request for a statement from the Chairperson of the Departmental Committee on Energy on the following:

1. Status of replacement and maintenance of dilapidated power transmission and distribution infrastructure, including collapsed poles and hanging live wires in Nyatike Constituency.
2. Report on the causes of the frequent and prolonged power outages in Nyatike Constituency and steps that the Ministry of Energy is taking to address and prevent the outages, including expected timelines for the implementation of strategies to alleviate the current crisis.
3. Measures that the Ministry has put in place to compensate Mr William Onyango, including reimbursement for medical expenses and consequential losses suffered by the family of Mr Onyango, indicating specific timelines.
4. Report on the number of victims and all deaths that have occurred due to faulty power infrastructure since 2017, and whether compensation for the same has been finalized.

Thank you.

Hon. Deputy Speaker: Thank you. Can we have an undertaking from the Chairperson of the Departmental Committee on Energy or a representative of the Committee? Is the Leader of Majority Party available to undertake on behalf of the Committee? Who is available? Yes, Hon. Gikaria, you are here. Proceed. We need your undertaking on this request.

Hon. David Gikaria (Nakuru Town East, UDA): Thank you, Hon. Deputy Speaker. Due to the sensitivity of the matter, we request for two weeks after recess.

Thank you.

Hon. Deputy Speaker: Hon. Members, we shall go back to Request for Statement No.1 that was supposed to be given by Hon. Mangale, Member for Lunga. He is now in the House. Could you proceed?

STATUS OF CONSTRUCTION OF LUNGALUNGA SUB-COUNTY HEADQUARTERS

Hon. Chiforomodo Mangale (Lungalunga, UDM): Thank you, Hon. Deputy Speaker. Pursuant to Standing Order 44(2)(c), I rise to request for a statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the status of construction of Lungalunga Sub-county Headquarters.

The establishment of Lungalunga Sub-county was initiated in 2012, with the construction of its headquarters commencing in Lungalunga Town in the same year. Regrettably, the project has stalled for over four years. Currently, there are no indications of its resumption. The absence of a fully functional sub-county headquarters has severely hampered effective service delivery in Lungalunga. Public officers, including the County Commissioner and heads of departments, have been forced to operate from temporary and inadequate facilities thus compromising on efficiency, coordination and accessibility of government services to the people.

This situation has not only delayed critical administrative functions but also undermined the confidence of residents in Government operations at the grassroots level.

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

[The Temporary Speaker (Hon. Peter Kaluma) took the Chair]

Hon. Temporary Speaker, it is against this background that I request for a statement from the Chairperson of the Departmental Committee on Administration and Internal Security on the following:

1. Current progress of the construction of the Lungalunga Sub-county Headquarters.
2. Measures, if any, being undertaken to expedite its completion in order to provide proper office space for the County Commissioner, heads of departments and other public officers intended to operate from the premises.

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Is that also to be committed on by the Chairperson of the Departmental Committee on Energy? It is the Chairperson of Administration and Internal Security Committee. Can we have any Member of the Committee making an undertaking? Yes, address the matter on behalf of the Committee.

Hon. Protus Akujah (Loima, UDA): Thank you, Hon. Temporary Speaker. Since we are proceeding for recess, the response will be available two weeks after we come back. Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Two weeks, unless the Member has something else to say. Hon. Chiforomodo, two weeks?

Hon. Chiforomodo Mangale (Lungalunga, UDM): Thank you, Hon. Temporary Speaker. Since the response needs a lot of research to get to know where the project has reached, the contract period and all that, two weeks after recess is fine.

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Two weeks it shall be. Request for Statement No.5 on the Order Paper by Hon. Amina Mnyazi is deferred until the Member comes to the House or in the future.

IMPACT OF WITHDRAWAL OF USAID FUNDING

(Request for Statement deferred)

Next is Request for Statement No.6 by Hon. Joseph Tonui.

STALLED CONSTRUCTION OF OLENGURUONE STADIUM

Hon. Joseph Tonui (Kuresoi South, UDA): Thank you, Hon. Temporary Speaker, for giving me an opportunity to make a request for statement.

Pursuant to the provisions of Standing Order 44(2)(c), I request for a statement from the Chairperson of the Departmental Committee on Housing, Urban Planning and Public Works regarding the stalled construction of Olenguruone Stadium.

The construction of Olenguruone Stadium commenced in 2012.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Tunoi, you are not audible.

Hon. Joseph Tonui (Kuresoi South, UDA): Hon. Temporary Speaker, the construction of Olenguruone Stadium commenced in 2012 under the national government through the Ministry of Public Works, Housing and Urban Development. However, more than a decade later, the project remains incomplete.

This prolonged delay in the construction has not only denied residents access to vital public sporting facilities but also exposed the site to degradation. Notably, severe soil erosion has taken a toll on parts of the stadium grounds, posing a significant risk of structural collapse and potential loss of public investment if urgent remedial action is not taken.

This continued inaction undermines the principles of good governance, especially accountability and transparency, as enshrined in Article 10(2)(c) and Article 232(1)(e) of the Constitution, which require public officials to act in a manner that promotes efficient service delivery. Moreover, with the reported transfer of the project to the County Government of Nakuru, it is imperative to clarify whether this was done in accordance with the law.

Hon. Temporary Speaker, it is against this background that I request for a statement from the Chairperson of the Departmental Committee on Housing, Urban Planning and Public Works on the following:

1. The terms under which construction of the Olenguruone Stadium, which was being undertaken by the national government through the Ministry of Public Works, Housing and Urban Development, was transferred to the County Government of Nakuru.
2. Details of the contract sum for the project, including the total amount paid out at the time of transfer, the outstanding balance, an indication that the corresponding funds were lawfully and fully transferred to the County Government of Nakuru, and whether the process was done according to the law.
3. Why the contractor deserted the construction site despite having received public funds, and what legal action, if any, has been taken to enforce compliance with the contract terms or recover misused public funds.
4. Specific measures or plans that the Ministry has put in place to ensure completion of the abandoned Olenguruone Stadium, and whether the measures are in line with the national development goals.

The Temporary Speaker (Hon. Peter Kaluma): Is the Chairperson of the Departmental Committee on Housing, Urban Planning and Public Works present? The Vice-Chairman, Hon. Rindikiri, please; commit.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Temporary Speaker. I have listened to the request for the Statement by Hon. Tonui. Since we are proceeding on the one-month recess, I promise that within two weeks of resumption, we shall deliver the report.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Tonui.

Hon. Joseph Tonui (Kuresoi South, UDA): Thank you, Hon. Temporary Speaker. I am satisfied with the two weeks.

The Temporary Speaker (Hon. Peter Kaluma): Thank you. Two weeks it is. Let us have the request for Statement by Hon. Cynthia Muge.

WELFARE OF KENYANS WORKING IN MIDDLE EAST

Hon. Cynthia Muge (Nandi County, UDA): Thank you, Hon. Temporary Speaker.

Pursuant to the provisions of Standing Order 44(2)(c), I request for a Statement from the Chairperson of the Departmental Committee on Labour regarding the welfare of Kenyans working in the Middle East.

In November 2024, the Ministry of Labour and Social Protection launched a job recruitment programme to connect skilled and semi-skilled Kenyans with overseas employment opportunities, particularly in Gulf countries that include Qatar, the Kingdom of Saudi Arabia, and the United Arab Emirates (UAE).

The programme, which targeted placing 21,000 Kenyans in overseas jobs in the first phase, is part of the Kenya Kwanza Government's broader strategy to address the high unemployment rates, especially amongst youths aged between 18 and 34 years, who constitute 35 per cent of the country's population.

The Ministry contracted accredited private agencies, one of them being Blue Wave International Services Limited, to facilitate recruitment to the UAE. It also partnered with the Youth Enterprise Fund to provide soft loans ranging from Ksh185,000 to Ksh650,000 to cover for agency fees, air tickets, visas and medical expenses for successful candidates.

Whereas the Ministry's initiative demonstrates a proactive approach to reducing unemployment by tapping into the opportunities in the global labour market, several concerns have been raised about the process. Notably, there are claims of exploitation and unethical practices during recruitment process, where some private agencies charged illegal fees or mismanaged funds meant for job seekers.

Hon. (Dr) Rachael Nyamai (Kitui South, JP): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Rachael Nyamai, what is out of order?

Hon. (Dr) Rachael Nyamai (Kitui South, JP): Hon. Temporary Speaker, I noted that Hon. Farah Maalim was eating in the House. Although I have been around for long, I am not sure about the exact rule on eating in the august House. He has been eating nuts. The nuts are still here. He ate them and did not even give me a piece. He has left the nuts here, and I do not know whether I am supposed to continue eating them. I just want to know if eating in the House is allowed.

I am also asking this for the benefit of first-term Members to learn. Is it allowed to eat in the august House? The nuts are here presented as evidence to you. Exhibit!

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Farah Maalim, pursuant to Standing Order No.1, I direct the Serjeant-at-Arms to take out that foodstuff from the Chamber. I am doing this not only under the rules but also because you have chosen to eat alone while Hon. Rachael Nyamai is seated there with you.

Whip of the Minority Party, Hon. Millie Odhiambo, proceed.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker. I am concerned that you have acted under Standing Order No.1, which gives discretionary powers to the Speaker. How sure are we that you are not going to partake of the nuts yourself?

The Temporary Speaker (Hon. Peter Kaluma): You are challenging the discretion of the Speaker, and that is not permitted. In fact, that could be disorderly, Whip of the Minority Party. The Speaker has directed that the nuts be taken away from the plenary by the Serjeant-at-Arms. The Speaker has reasonable means to buy his own nuts. The Speaker is certainly not going to pursue those nuts.

Where were we? Hon. Cynthia Muge, proceed.

Hon. Cynthia Muge (Nandi County, UDA): Thank you, Hon. Temporary Speaker. I will pick up from my second point.

[The Temporary Speaker (Hon. Peter Kaluma) left the Chair]

[The Temporary Speaker (Hon. Farah Maalim) took the Chair]

Notably, there have been claims of exploitation and unethical practices during recruitment, where some private agencies charge illegal fees or mismanage funds meant for job seekers. They have also subjected job seekers to debt bondage due to loans being tied directly to recruitment agents' accounts.

There are also challenges in complying with bilateral agreements in countries where labour laws may not adequately protect migrant workers. This situation necessitates government intervention to streamline the process for long-term success.

It is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Labour on the following matters:

1. Number of Kenyans recruited to work in the Middle East particularly in Qatar, the Kingdom of Saudi Arabia and the UAE, including specific sectors to which they were hired to serve, and number of workers exported in each category in the specified countries. I emphasise that there is a lot of importance in data.
2. Measures that have been put in place by the Ministry to protect Kenyan migrant workers from exploitation and ensure compliance with bilateral agreements in countries where labour laws may not adequately protect them.
3. Oversight mechanisms by the Ministry to ensure that private recruitment agencies operate ethically and comply with the law in order to curb abuses such as human trafficking, among other issues that have been on the forefront lately.

I thank you.

The Temporary Speaker (Hon. Farah Maalim): Where is the Chairperson of the Departmental Committee on Labour? Hon. Dorothy, are you responding on behalf of the Chairperson?

Hon. Dorothy Muthoni (Nominated, UDA): I want to comment.

The Temporary Speaker (Hon. Farah Maalim): You can comment before the Chairperson takes the Floor.

Hon. Dorothy Muthoni (Nominated, UDA): Thank you, Hon. Temporary Speaker. The statement being sought by Hon. Cynthia is of paramount importance to this House bearing in mind that the export of labour from this country is one of the key pillars that we are working under, so that our young people can work outside our country. As she has stated, bilateral agreements should be signed and adhered to so that we avoid loss of lives and mistreatment of people who go out there to work. This is a very timely Statement request.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Hon. Millie Odhiambo, Chief Whip of the Minority Party.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker. I just want to thank Hon. Cynthia Muge for raising this issue, especially the concerns on the possibility of trafficking of persons. We have had many cases of women who were mistreated when they went out there. I request the Member to consider asking the relevant Ministry to consider a long-term change in policy.

Many countries with migrant workers are working towards creating employment opportunities at home. In the Philippines, anybody who wants to get elected must have an agenda of bringing their own people back home. They are moving away from sending their people away from home. However, we are coming up with a policy to send our people away from home to work in other countries. Can we come up with a policy of creating jobs at home, however humble they are?

The Temporary Speaker (Hon. Farah Maalim): Yes, Chairperson of the Committee. Proceed.

Hon. David Gikaria (Nakuru Town East, UDA): Hon. Temporary Speaker, I echo what Hon. Millie has indicated. Export of labour has become a menace. Just the other day, we saw on television that the government is being accused of taking people's money and failing to deliver on its promises. As Hon. Millie has said, we should come up with a policy of creating jobs locally.

We appreciate that what Kenyans in the diaspora remit back to the country assists in economic growth but it is important that we put measures in place to create jobs locally, particularly through industrialisation and manufacturing because these are key areas that can promote economic growth. We need to do so at both the county and national levels so that we avoid the madness of sending our children out there to be mistreated.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Yes, Hon. Kaluma. Can you give Hon. Kaluma the microphone?

Hon. Peter Kaluma (Homa Bay Town, ODM): Thank you very much, Hon. Temporary Speaker. I am just from a meeting of the International Monetary Fund (IMF) and the World Bank, where it was confirmed that by 2035 – barely 10 years from now – we will have a population surge of 1.2 billion young people seeking job opportunities.

The Temporary Speaker (Hon. Farah Maalim): In the globe?

Hon. Peter Kaluma (Homa Bay Town, ODM): Yes, across the globe. The numbers will even be greater in the developing countries. Kenya is listed as a middle-income economy. I am emphasising this point because I saw the president mention somewhere in China that unlike other East African Community (EAC) nations, Kenya is a middle-income economy, while the others still remain listed as least developed countries. The media ran around saying that he was undermining the other states. Those are facts.

Kenya is disadvantaged because of its categorisation as a middle-income country, as the president explained. The consequence is that we may not have sufficient engagement or job opportunities for our young people. It would mean that our surging young population will seek opportunities in countries where the older population is the majority.

The Committee needs to interrogate how we can ensure that our citizens who are going outside the country can have job opportunities and participate in the local economy while being protected in terms of labour practices. That issue should not be looked at just in terms of the Middle East but globally.

I commend the President because he is doing very well. When I was in Washington D.C., I was shocked to find over 17 primary school teachers from Homa Bay Town Constituency who went to the United States of America (USA) to upgrade their level of education over the last one year. They were teachers who were previously struggling. Sometimes they were even without adequate bus fare. They drove me around Washington D.C., Virginia and Maryland. We must avail ourselves of those opportunities and encourage the government to create opportunities but on properly regulated terms, so that our citizens can meaningfully engage while they stay safe wherever they are.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): For the benefit of the House, maybe one needs to see the thin line between labour export and brain drain. Is it brain drain when we export drivers, security guards and maids out of the country? That is not brain drain. It is important that the Chairperson notes that we need to protect those people who go out there for casual jobs, which do not need any skills.

At the same time, we need to see if we can retain some of those skills, particularly those related to industrialisation. I do not know how much industrial labour or the blue-collar cadre goes to the Middle East to work in the industries there.

Yes, Hon. Adan. Can you give the microphone to Hon. Adan?

Hon. Yusuf Adan (Mandera West, UDM): Thank you, Hon. Temporary Speaker, for giving me this opportunity. I also rise to add my voice to the Statement Request. It is crucial that we look for jobs for our youths. Currently, there is a large number of youths who have completed university education. We also have many youths who have graduated from middle-

level colleges with diplomas and certificates, as well as those who dropped out of school at primary and secondary school levels. They are found in every household in this country, which is seriously alarming.

Looking at our environment, I do not think we will be able to create adequate jobs for all these youths in the near future. Looking for jobs outside the country is very crucial. Even if they do not remit anything back to our country and are only able to take care of themselves, feed themselves and their families wherever they are, that in itself is very important.

Looking at the number of people going out there to look for jobs *vis-a-vis* the available jobs, there is no opportunity for brain drain. We already have so many brains in this country. Even if we send a few highly skilled people out there, we still have many more who can satisfy the market within our country. Therefore, as much as it is very important---

The Temporary Speaker (Hon. Farah Maalim): Hon. Adan, you have now turned this into a debate. You need to raise issues that you think will enrich the Statement that has been sought. Do not debate the matter. Hon. Muge has asked for a statement. If you believe that you have additional information to contribute, please, do so, so that the Chairperson may take note and when responding, encompass all of it. That is why we allow a few Members to comment on statement requests.

Hon. Yusuf Adan (Mandera West, UDM): Thank you for your guidance, Hon. Temporary Speaker. The only thing I would add is that as the Chairperson considers this issue, he should be very objectified in ensuring the safety, security and proper working environment for Kenyans going abroad. These are parameters that should be met and adequately addressed.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): That is noted. Hon. (Dr) Nyamai, do you have something to add?

Hon. (Dr) Rachael Nyamai (Kitui South, JP): Yes, thank you very much, Hon. Temporary Speaker. I would like to add my voice to the matter raised by Hon. Cynthia Muge, which is extremely important. The greatest concern is our children, young people out there, who are suffering in the Middle East. I would encourage the Committee to urge the Ministry of Labour to become more involved, particularly with private agencies as they appear to be the root cause of the problem. The recruitment agencies must be regulated by the government.

This is something that the Committee must investigate and seek ways of monitoring those who leave the country, evaluate the destinations they go to, and ensure that the country benefits from them not only through remittances but also through some form of taxation. Although taxation is a term many seem to dislike these days. I believe we are producing more graduates than we can absorb locally. In my view, *jobs majuu* represent a great initiative by the president, and we must laud the government for it.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. Let us have Hon. Oundo, who will be followed by Hon. Martha. Kindly, be very brief. If there is any gap that you feel should be included in the statement request, address just that gap.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Temporary Speaker. I would request the Chairperson of the Committee, in responding to this matter, to be very deliberate in his answer. You have rightly distinguished between dumping excess labour and brain drain. Indeed, sending people to the Middle East is an act of dumping excess labour. The youths of this country were promised jobs but it was all mere stories. They have now been abandoned to suffer.

We need to stratify those in the Middle East. What cadre of jobs are they doing? Are they manual or intellectually stimulating jobs? What kind of roles have they been assigned?

We must not simply offload all the hustlers who were promised jobs and have now been discarded. They are, indeed, being dumped in the Middle East.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Yes, Hon. Martha. Yes, it is you. Who is that? I am a little short-sighted.

Hon. (Dr) Christine Ombaka (Siaya County, ODM): Thank you, Hon. Temporary Speaker. I wish to support what has been said by other Members. The security of our young people who travel abroad to seek employment is extremely critical. We have witnessed cases where some of them returned in coffins but the circumstances surrounding such deaths have never been known. Neither have such cases been thoroughly investigated.

I wish to highlight the need to obtain data on how many of our young people are seeking jobs abroad. We need statistics to determine the number of those young people leaving the country, the nature of the work they are undertaking, and to ensure that we do not export so many and leave ourselves with a labour shortage. We must have people remaining behind to serve the country. Otherwise, we risk emptying the country with everyone going abroad for further studies or employment without regulation.

My appeal to the Committee is to examine the statistics required to manage both the outflow of job seekers and the retention of a domestic workforce. Otherwise, we shall suffer brain drain, and we need young people here to work for us as well.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): The last comment on this Statement request will come from the Member for Westlands, Hon. Timothy Wanyonyi.

Hon. Tim Wanyonyi (Westlands, ODM): Thank you, Hon. Temporary Speaker. While seeking overseas employment for our young people is a noble endeavour, the processes must be regulated by the government. Numerous illegal agencies are fleecing our youth, extracting money from them and then disappearing without delivering on their promises.

The Government must treat this issue seriously, regulate it properly and ensure that all agencies involved are held accountable.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. The Member for Kesses will be the final one to comment. Please, ensure that your remarks raise points not previously mentioned.

Hon. Julius Rutto (Kesses, UDA): Thank you very much, Hon. Temporary Speaker. I believe the contributions made by Members centre around the need to establish a clear legal framework. Over time, the Government, through the Ministry, has spoken about labour migration and the signing of bilateral agreements. However, the fundamental question that the Members of this honourable House must ask themselves is whether there is a legal framework to ensure the protection of Kenyans' rights as stipulated in the Constitution, which is the supreme law of the land.

Kenya is a sovereign State. While we address the issue of unemployment amongst the youth, we must also avoid exposing them to exploitation by countries seeking to take advantage of our trained labour. Kenya is known for its well-trained human resources. Recently, a report from Moi Teaching and Referral Hospital highlighted that nurses who had been trained and had acquired experience in healthcare service provision have left the country. The institution is now struggling due to inadequate budget allocations to hire new staff. Even if it were to recruit, where would it find personnel trained to handle specialised referral cases?

Facilities such as Moi Teaching and Referral Hospital cater to special cases, requiring specifically trained nurses. It is time that this House rose to the occasion and began offering guidance on this issue.

Thank you very much.

The Temporary Speaker (Hon. Farah Maalim): Is the Chairperson of the Committee present? If he is not present, we can have any Member of the Committee or Leader of the Majority or Whip of the Majority Party to give an undertaking, on behalf of the Committee? We do not have the Leader of the Majority Party, the Leader of the Minority Party, or their deputies. Is any Member from the Departmental Committee on Labour present?

Hon. Millie, can you take responsibility on behalf of the House? Given that you have a broad-based government arrangement, you should be prepared to assume some responsibilities on behalf of your colleagues in the government.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker. We indeed have a broad-based government arrangement. I speak cautiously as a lawyer. Within the broad-based government arrangement, I undertake that this matter shall be responded to within two weeks after the House resumes from recess due to its urgency.

The Temporary Speaker (Hon. Farah Maalim): Very well, that is acceptable.

The next request for Statement will be from the Member for Msambweni, Hon. Faisal Bader.

UNYAKUZI WA ARDHI YA MSIKITI WA KONGO
KATIKA ENEOBUNGE LA MSAMBWENI

Mhe. Feisal Bader (Msambweni, UDA): Ahsante, Mhe. Spika wa Muda. Kwa mujibu wa Kanuni ya Kudumu ya 44(2)(c), naomba Kauli kutoka kwa Mwenyekiti wa Kamati ya Ardhi kuhusu unyakuzi wa ardhi ya umma ya Msikiti wa Kongo katika Eneobunge la Msambweni.

Mheshimiwa Spika, Msikiti wa Kongo una dhima ya kihistoria na kidini, kwa kuwa ulijengwa katika Karne ya 14 na Waajemi (*Persians*). Msikiti huu ulitambuliwa kwa mara ya kwanza kama kumbukumbu la kitaifa na Serikali ya mkoloni mnamo mwezi Juni mwaka wa 1927.

Baada ya Kenya kupata uhuru, Msikiti wa Kongo, pamoja na ardhi inayouzunguka, ulitangazwa rasmi kuwa kumbukumbu la kitaifa lililolindwa chini ya sheria. Hata hivyo, mnamo mwaka wa 1986, inadaiwa kwamba watu fulani walishirikiana na maafisa waandamizi wa Serikali kutekeleza njama ya kumilikishwa ardhi hiyo kwa Rais wa wakati huo, hayati Daniel Toroitich Arap Moi, kwa njia ya udanganyifu na isiyo halali.

Mnamo mwaka wa 2009, akiwa amestaafu, hayati Rais Moi alifahamishwa kuhusu umilikishaji huo usiyo halali na kwa hiari yake, alirejesha hati miliki ya ardhi hiyo kwa msajili wa hati. Hatua hii ilipelekea kubatilishwa kwa hati miliki hiyo na kurejesha hali ya umiliki wa ardhi hiyo kuwa ya umma, kama ilivyotambuliwa tangu mwaka wa 1927.

Mhe. Spika wa Muda, kutokana na hatua hizo, Serikali ilitenga ardhi hiyo kwa manufaa ya jamii ya Waislamu wanaoswali katika Msikiti wa Kongo na kutoa hati mbili: Hati Nambari 55034 kwa Msikiti wa Kongo na Hati Nambari 55035 kwa Kituo cha Kiislamu cha Kwale. Serikali ilitoa Katibu Mtendaji katika Wizara ya Hazina ya Taifa kuwa mdhamini wa hati miliki ya ardhi hiyo. Mnamo mwaka wa 2012, aliyekuwa Waziri Mkuu wakati huo, Mhe. Raila Odinga, maarufu Baba, alizikabidhi hati miliki hizo kwa jamii-nufaika.

Mnamo mwezi wa Machi 2025, jamii hiyo ilishangaa kugundua kuwa kipande hicho cha ardhi kilikuwa kimetangazwa kuuzwa kwa bei ya shilingi bilioni moja, milioni mia nne arobaini na tano (Ksh1.445 bilioni). Watu wanaodai kumiliki ardhi hiyo ni Bwana Mohammed Hamisi Mwachumba na Bwana Ali Mwadarashi Mwagariche. Wanadai kuwa walipata hati miliki ya ardhi hiyo tarehe 17 Februari 2025. Jambo ambalo linastaajabisha ni kuwa

inafahamika kwamba ardhi hiyo imekuwa ya umma tangu mwaka wa 1927 na kudumishwa baada ya Kenya kuwa nchi huru.

Mhe. Spika wa Muda, ni kutokana na hali hii ndipo ninaomba kauli kutoka kwa Mwenyekiti wa Kamati ya Kiidara ya Ardhi kuhusu masuala yafuatayo:

1. Maelezo kuhusu namna ambavyo ardhi ya Msikiti wa Kongo, inayojulikana kuwa ardhi ya umma na iliyotangazwa kama eneo la kumbukumbu la kitaifa lililolindwa, ilisajiliwa kwa umiliki wa kibinafsi.
2. Hatua zinazochukuliwa na Wizara ya Ardhi pamoja na Tume ya Kitaifa ya Ardhi kukabiliana na unyakuzi huu wa ardhi ya Msikiti wa Kongo.
3. Mikakati iliyowekwa kulinda eneo hilo kama kumbukumbu la kitaifa linalolindwa.
4. Maelezo ya kina kuhusu jinsi Wizara pamoja na Tume ya Kitaifa ya Ardhi zinavyokusudia kuwezesha kurejeshwa kwa ardhi hiyo kwa wamiliki halali ambao ni jamii ya Waislamu wa Msikiti wa Kongo.

Asante, Mhe. Spika wa Muda.

The Temporary Speaker (Hon. Farah Maalim): Kuna Mhe. yeyote angependa kuchangia Kauli hii? Dada yetu kutoka Kwale, Mhe. Masito.

Hon. Fatuma Masito (Kwale County, ODM): Asante sana, Mhe. Spika wa Muda, kwa kunipa fursa hii. Nataka ibaki katika kumbukumbu za Bunge hili kwamba naunga mkono Kauli iliyoletwa na Mbunge wa Msambweni. Yeye ametoka katika eneo bunge ambayo mimi pia ninamiliki.

Sisi, kama watu wa Kwale, tulitamaushwa pakubwa na jambo hili. Mimi naunga mkono Kauli hii. Hii ni kwa sababu mimi ni mtoto wa Kiislamu na ninaelewa historia kamili kama vile Mhe. Feisal alivyo izungumzia. Ardhi ya Msikiti wa Kongo ni pahali patakatifu. Ni jambo la kushangaza vile wezi na walaghai walikuja na kusema ardhi ile wao ndio wamiliki.

Historia inajieleza vizuri sana kwamba ardhi ile ni ya msikiti. Ilipatikana kwa njia gani? Mhe. Feisal ameeleza historia. Haiwezekani kuwa mtu ametokezea hivi majuzi na anasema anataka kumiliki ardhi ile ya kihistoria. Ardhi ya Kongo haiuziki na haiwezi kuuzwa. Nina laani vikali jambo hili. Pia, naongezea Kamati ya Kiidara ya Ardhi ya Bunge hili iweze kuingilia kati. Hii ni kwa sababu historia inajieleza vizuri sana. Wacha nikome hapo.

Asante sana.

Hon. Temporary Speaker (Hon. Farah Maalim): Mhe. wa Kesses, angalia jinsi unavyoweza kuboresha Kauli hii.

(Laughter)

Hon. Julius Rutto (Kesses, UDA): Mhe. Spika wa Muda, unanipatia mtihani mkubwa sana. Wacha niongee kwa lugha ya Kimombo.

Hon. Temporary Speaker (Hon. Farah Maalim): Sawa, endelea basi.

Hon. Julius Rutto (Kesses, UDA): Thank you, Hon. Temporary Speaker. In any case, even if I respond word by word, be sure the Member for Msambweni has already confused me by using deep Kiswahili words that I could not fathom.

This particular issue is increasingly becoming a big problem. Cases where public land or community land are changing hands are very rampant. There are so many cases currently. We have another serious pending issue which involves people dying.

The Temporary Speaker (Hon. Farah Maalim): Unachangia Hoja? Sisi tunataka uchangie *Statement*. Inaitwa aje kwa Kiswahili?

Hon. Members: Kauli.

The Temporary Speaker (Hon. Farah Maalim): Tunataka uchangie Kauli sio Hoja.

Hon. Peter Kaluma (Homa Bay Town, ODM): On a point of order, Hon. Temporary Speaker.

Hon. Julius Rutto (Kesses, UDA): Asante. Mhe. Spika wa Muda, mambo kama haya yametokea kila pahali. Wizara husika ianze kuangazia shida iko wapi.

The Temporary Speaker (Hon. Farah Maalim): Imetosha.

Hon. Julius Rutto (Kesses, UDA): Asante.

The Temporary Speaker (Hon. Farah Maalim): Mhe. Kaluma.

Hon. Members: Speak in Kiswahili.

(Laughter)

The Temporary Speaker (Hon. Farah Maalim): *Point of order* ni nidhamu kwa Kiswahili. Mhe. Kaluma.

Hon. Peter Kaluma (Homa Bay Town, ODM): Hon. Temporary Speaker, I am standing under Article 27 of the Constitution which speaks to the matter that nobody shall be discriminated on any consideration, including language. The issue being raised by Hon. Feisal Bader is a very serious one. I remember the last time I saw Prime Minister, Raila Amollo Odinga, is when he was meeting the Principal Secretary, State Department for Lands and Physical Planning, over this very matter.

When Baba meets and commits by any means, including X post, that action will be taken and then it will be seriously handled. This issue is also serious because it concerns a mosque which is a place of worship that should be respected. I am standing under Standing Order 27 to ask whether---

The Temporary Speaker (Hon. Farah Maalim): Is it Article 27 of the Constitution or the Standing Orders?

Hon. Peter Kaluma (Homa Bay Town, ODM): Article 27 of the Constitution. I do this to ask whether the Hon. Member and the Chairperson of the relevant Committee or his representative are right to address such a serious matter in Kiswahili. What about other Members present in the House who feel deeply about it, like myself, whose disabilities in that language are well known?

(Laughter)

Can you direct those Members to use English so that we can participate like other Members?

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Mhe. Kaluma, katika Kanuni za Kudumu zetu na pia Katiba yetu, lugha mbili zinazokubaliwa kutumika Bungeni ni Kiswahili na Kizungu. Kwa hivyo, kama amezungumza kwa Kiswahili, amezingatia Kanuni za Kudumu.

Wacha tumskize Mhe. Haro, alafu atafuatwa na Mhe. Mayaka.

Hon. Abdul Haro (Mandera South, UDM): Asante Mhe. Spika wa Muda, kwa kunipatia fursa hii ili nichangie kauli hii muhimu. Naunga mkono kauli hii ya Mheshimiwa kuhusu Msikiti wa Kongo.

Mambo kuhusu ardhi za kidini yamekuwa donda sugu katika nchi hii. Tumepata misukosuko mingi katika sehemu za sala, iwe kanisa ama misikiti kuhusu ardhi na majibizano kuhusu uongozi wa sehemu hizo. Ardhi imekuwa jambo ambalo limeleta matatizo mengi katika sehemu za dini.

Wakati Kamati itakapokuwa ikiangalia kauli hili, ningependa isiangalie Msikiti wa Kongo pekee yake, ila waangalie sehemu zote za dini ambazo zina mabishano kuhusu ardhi,

iwe ni kanisa au misikiti. Hapa Nairobi, wiki iliyopita, tulipata matatizo katika Msikiti wa Majengo. Juzi, watu waliumizana katika mabishano kuhusu ardhi ya Msikiti wa Jamia hapa Globe roundabout. Kisumu pia kulikuwa na mabishano kati ya msikiti na kanisa hadi msikiti ikapewa jina ambayo inahusisha dini zote mbili. Majibizano kuhusu ardhi katika sehemu za maombi ni nyingi. Ningependa Kamati iangazie sehemu zote ambazo ziko na mabishano.

Asante.

The Temporary Speaker (Hon. Farah Maalim): Sawa Kamati wamekusikia. Mhe. Mayaka kisha Mwenyekiti.

Hon. Irene Mayaka (Nominated, ODM): Asante Mhe. Spika wa Muda. Ningependa kuchangia kauli ya Mheshimiwa ambayo inazungumzia swala la ardhi za kihistoria.

Ardhi za kihistoria na za kidini ni mambo ambayo Kamati inayohusika inafaa iangalie kabisa. Inafaa tuwe na sera ili kama taifa tujue ni wapi ambapo tuko na ardhi za kihistoria ambazo hazijateuliwa, hazijalindwa au kuzingatiwa katika sheria. Ili tuhakikishe zimekuwa na ulinzi ambao uko murwa kabisa.

Ninamshukuru Mheshimiwa kwa kuleta kauli hii. Kamati ambayo itaenda kuangalia jambo hili iangazie ni sera gani tunaweza leta ili swala la ardhi za kihistoria litatuliwe kisawa.

Asante sana.

The Temporary Speaker (Hon. Farah Maalim): Mhe. Sigei, kisha Mhe. Nyikal alafu tutamskiza Mwenyekiti wa Kamati.

Hon. Francis Sigei (Sotik, UDA): Asante sana, Mhe. Spika wa Muda. Nachukua nafasi hii kuunga mkono kauli hii ambayo imeletwa na Mhe. Feisal. Mambo ya ardhi katika nchi hii yamekuwa chanzo cha maafa na watu kunyakua ardhi ya wengine au jamii. Niliuliza Mhe. Feisal ni kiasi gani cha hilo shamba kimenyakuliwa. Aliniambia kuwa ni ekari 16.

Hili ni jambo ambalo linazidi Kamati inayohusika. Ninapendekeza kwamba Waziri wa Ardhi aweze kufika hapa baada ya likizo tunayoelekea leo. Hili ni jambo ngumu sana kwa maana kuna watu wamenyakua shamba hata za shule. Ni lazima Serikali ishughulikie jambo hili kwa njia inayotakikana. Ninapendekeza kuwa Waziri wa Ardhi aweze kufika hapa ili atueleze mambo mengi yanayohusu ardhi. Asante sana.

The Temporary Speaker (Hon. Farah Maalim): Mhe. Nyikal alafu tutamsikiza Mwenyekiti. Kidogo Mwenyekiti tumsikize Mhe. Nyikal.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Speaker. I would like the Committee to look at the deeper question relating to land. The problem is so much that the documents we use for land procedures and processes no longer look valid. When the Committee looks at this, can they look at documents like the search certificate? What does it mean to have a search certificate and later on, find out that it did not reveal all the details about the land? Why then should citizens pay for that certificate?

Secondly, people have titles deeds and yet transactions go on and later on the title is found to be invalid, whereas these are Government documents. What should we do? Do we need other documents with detailed information which the Government can be responsible for?

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Mhe. Mwenyekiti wa Kamati ya Kiidara ya Ardhi

(Mhe. David Gikaria spoke off record)

Unataka kuchangia? Wapi Mwenyekiti wa Kamati ya Kiidara ya Ardhi? Kuna yeyote kutoka Kamati hio hapa? Basi Mheshimiwa endelea, yako ndio ya mwisho kuchangia.

Hon. David Gikari (Nakuru Town East, UDA): Asante sana, Mhe. Spika wa Muda. Ninakushukuru kwa kunipa nafasi hii ili nichangie kauli ya ndugu yangu Mhe. Feisal.

Kitu cha kwanza ni hatuwezi kuwa na mafisaa wa ardhi ambao wanashiriki kufanya maovu hata ya kunyakua ardhi ya misikiti na kanisa. Ninaomba Kamati itoe hukumu kwa mafisa wa ardhi waliohusika katika ubadilishaji huu.

Pili, kama ndugu yangu alivyosema kuhusu kumwalika Waziri hapa, mbeleni tuliambiwa wanaenda katika mfumo ya kidijitali. Tungependa kujua kama bado mfumo huo unaendelea kusajili wamiliki wa mashamba. Tukiendelea na usajili wa *manual*, tutasumbuka zaidi. Ningependa Kamati itoe hukumu kwa mafisa wa ardhi ambao waliohusika katika uporaji wa shamba la msikiti.

Asante.

The Temporary Speaker (Hon. Farah Maalim): Kama hakuna mtu kutoka

(Mhe. Naomi Waqo spoke off record)

Mhe. Naomi, wewe ni Naibu wa Kiranja wa Chama cha Walio Wengi Bungeni. Unaweza kutueleza na kupeana ahadi ya kuhakikisha tumepata majibu kuhusu kauli hii?

Hon. Naomi Waqo (Marsabit County, UDA): Ndio nitapeana. Kwa sababu tunaenda *recess* tukisharudi ...

The Temporary Speaker (Hon. Farah Maalim): *Recess* kwa Kiswahili inaitwa likizo.

Hon. Naomi Waqo (Marsabit County, UDA): Baada ya likizo ama baada ya wiki mbili itakuwa sawa.

The Temporary Speaker (Hon. Farah Maalim): It is so directed.

Hon. Naomi Waqo (Marsabit County, UDA): Asante.

REQUESTS FOR STATEMENTS

The Temporary Speaker (Hon. Farah Maalim): Next is Hon. Victor Koech, Member for Chepalungu. Proceed and put the request for your statement.

HUMAN-WILDLIFE CONFLICT IN CHEPALUNGU CONSTITUENCY

Hon. Victor Koech (Chepalungu, CCM): Hon. Temporary 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 Tourism and Wildlife regarding the serious human-wildlife conflicts currently being experienced in parts of Chepalungu Constituency.

On 18th March 2025, the late Kelvin Kipkemoi Ng'etich who is the son of Mr Paul Ruto tragically lost his life after being attacked by a crocodile while washing clothes in Chepkulo River. Kelvin, a 16-year-old Form Three student at Nogirwet Day Secondary School, had returned home from Sunday service and proceeded to the river to wash his clothes and take a bath. Sadly, three hours later, his clothes were found floating midstream. Prompting local residents to raise the alarm. Upon investigation, a crocodile was sighted confirming the tragic incident.

It is sad to note that despite being informed promptly, officers from the Kenya Wildlife Service (KWS) located barely two kilometres from the scene delayed their response by over six hours. Ultimately, two elderly community members and a youth group retrieved the body of the deceased. This is not an isolated incident. Residents of Chepalungu have long suffered repeated human-wildlife conflict with crocodiles, hyenas, elephants, and other wild animals,

frequently attacking and killing people and livestock such as goats and sheep, and destroying crops.

These losses have devastated livelihoods, undermined community security, and severely affected the socio-economic well-being of residents. Further, residents around Chemeng'wa, Kinyang'a, Lugumek, Kobolwo, Kosia, Nogirwet, Kapkulumben, Chebelion, Kaboson, Kamosiro, Kamongil, Kaptumo, and their environs, largely depend on casual work offered by conservancies and large-scale farmers across the river. Many also rely on sand harvesting activities along riverbanks to earn a living, put food on the table, and pay school fees. However, their lives are now endangered by the growing crocodile menace that makes daily survival increasingly perilous.

It is against this background that I request a Statement from the Chairperson of the Departmental Committee on Tourism and Wildlife on the following:

1. A detailed report on the measures taken by the ministry and the Kenya Wildlife Service to mitigate human-wildlife conflict in Chepalungu Constituency and the wider Bomet County.
2. An explanation for the delayed response by KWS officers in the incident involving the late Kelvin Kipkemai Ng'etich, and steps taken to ensure such delays do not recur.
3. Information on the compensation, if any, provided to the family of the deceased and other victims of wildlife attacks in the constituency;
4. Details of long-term strategies the ministry is implementing to prevent loss of life, protect livelihoods, and secure communities from recurring wildlife threats.
5. Plans by the ministry to assist affected communities, for instance construction of at least two footbridges across the river under the Kenya Wildlife Service's Corporate Social Responsibility (CSR) programmes to enhance residents' safety.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): We have another Request of Statement by Hon. Marianne Keitany to the same Committee. I direct that you also take it so that they respond to all at the same time. These are very similar Requests of Statements.

HUMAN-WILDLIFE CONFLICT IN ALDAI CONSTITUENCY

Hon. Marianne Keitany (Aldai, UDA): Yes. Thank you, Hon. Temporary Speaker.

Pursuant to the provisions of Standing Order 44(2)(c), I rise to request a Statement from the Chairperson of the Departmental Committee on Tourism and Wildlife regarding an incident of human-wildlife conflict in Chepkilot Village in Aldai Constituency.

There has been an increase in incidents of human-wildlife conflict in the Aldai Constituency. Notably, on 14th April 2025, a wild animal attacked and killed six sheep belonging to Mr Josiah Kipkemboi Tanui of ID No. 22154512 in Chepkilot village in Aldai Constituency. The matter was reported to the Bonjoge Police Post under OB No. O5/14/04/2025. Similarly, on 13th April 2025, wild animals attacked and killed 14 sheep in the same village. The attacks have left families in a state of fear and agony while also threatening their livelihoods as the wild animals target their livestock.

It is against this background that I request a Statement from the Chairperson of the Departmental Committee on Tourism and Wildlife on the following:

1. A report on the measures being taken by the government to address the cases of human-wildlife conflict in Aldai Constituency.

2. Measures being put in place by the government to compensate Mr Josiah Kipkemboi Tanui and other victims of wildlife attacks in Chepkilot village in Aldai Constituency.

The Temporary Speaker (Hon. Farah Maalim): There is not much interest here. It is a very straightforward Request of Statement. Yes, Kitur, do you have something to add?

Hon. Bernard Kitur (Nandi Hills, UDA): Yes, Hon. Temporary Speaker. It is just to enrich the questions asked. Especially by the Member of Parliament of Chepalungu, Hon. Victor Koech. First, condolences on the loss of that young man.

I feel that we need to know if there is any service level agreement and a turnaround time. The station in the region is barely two kilometres away yet they were unable to respond. Why do we have a station there? What is the service level agreement that exists?

Secondly, is it also possible to have KWS and the ministry map all regions in our country so that we know possible risks in particular regions? Losing a young man in the sense you have been told is very sad. We would not lose any lives if people were informed of the dangers that exist in particular regions. We need to have broad information. That is mapping all regions that could have conflict between wildlife and communities around them.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): You have already made your point. We just want to listen to the Chairperson of the Committee giving an undertaking. The Deputy Majority Whip, Hon. Naomi Waqo, will give an undertaking on both Requests of Statements if the Chairperson is not in. The matters by the Member for Chepalungu and Hon. Keitany should be responded to because they are very similar.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker. I will make sure that I pass the message to the Chairperson of the Committee. Members will get responses two weeks after recess.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Thank you. Yes, Member for Chepalungu. I am hesitating to call you by your nickname. Did you say you are called *Mandazi*?

Hon. Victor Koech (Chepalungu, CCM): Yes, *Mandazi* is my name. I was not happy that we were eating groundnuts here. So, I wished we were eating *mandazi*.

The Temporary Speaker (Hon. Farah Maalim): Do you want me to address you as *mandazi*? Proceed.

Hon. Victor Koech (Chepalungu, CCM): Yes, thank you. I am making a request. I will write to the Chairperson of the Departmental Committee on Tourism and Wildlife to appear as a friend to the Committee when the Committee calls the Director-General, together with the Principal Secretary or any personnel from KWS, to respond to this request for Statement. I would wish for your direction that I be allowed to attend as a friend.

The Temporary Speaker (Hon. Farah Maalim): Hon. Deputy Chief Whip of the Majority Party, do you think you can take that responsibility to create a rendezvous between the Hon. Member seeking the Statement, the Principal Secretary and people involved?

Hon. Naomi Waqo (Marsabit County, UDA): Yes. Let me liaise with the Chairperson and then we will revert.

STATEMENT

The Temporary Speaker (Hon. Farah Maalim): Thank you. There is a Statement by the Chairperson of the Committee on Parliamentary Broadcasting and Library. We will defer it to the afternoon.

BROADCASTING OF THE PARLIAMENTARY PROCEEDINGS

(Statement deferred)

Now, we go to responses. There was a request for Statement on the status of the Mavoko water supply, sought by the Hon. Joyce Kamene, Machakos County Member of Parliament. Where is the Chairperson of that Committee?

RESPONSES TO STATEMENTS

STATUS OF MAVOKO WATER SUPPLY PROJECT

Hon. Kangogo Bowen (Marakwet East, UDA): Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Is Hon. Kamene in the House?

Hon. Joyce Kamene (Machakos County, WDM): Yes.

The Temporary Speaker (Hon. Farah Maalim): Yes, I can see you. Proceed, Hon. Bowen.

Hon. Kangogo Bowen (Marakwet East, UDA): Hon. Temporary Speaker, on 4th March 2025, Hon. Joyce Kamene, a Member of Parliament from Machakos County, rose to request for a Statement regarding the Mavoko water supply. The Hon. Member was seeking the status of implementation of the Mavoko Drinking Water Supply Project, jointly funded by the Kenyan Government and the Belgian Government.

Second, the Member sought to know the steps taken by the Ministry to ensure completion of the project and the expected timelines for its completion.

Third, the Member sought to know the interim measures being taken by the Ministry to address the water scarcity faced by residents and protect them from unscrupulous water vendors in Mavoko.

I have a Statement from the Cabinet Secretary for Water and Irrigation. The Ministry of Water and Irrigation, through the Tanathi Water Works Development Agency, is responsible for implementing the Mavoko Water Supply Project.

I wish to respond as follows. On question one, regarding the status of implementation of the Mavoko Drinking Water Supply Project, which is jointly funded by the Kenyan and Belgian governments, the contract for the construction of the Mavoko Water Supply was signed on 19th November 2017 between the Tanathi Water Works Development Agency and ASPAC International Company of Belgium. The contractor, ASPAC International, was granted access to the site on 19th February 2018 for a period of 36 months, with the intended completion date being 18th August 2020. The total cost was Ksh2.8 billion, funded by the Belgian Government and partly by the Government of Kenya.

The project scope included several interrelated components to enhance water supply and distribution of infrastructure. The Kenya Meat Commission Dam was rehabilitated and reconstructed alongside a pumping station and a 6.2-kilometre raw water pipeline installed to deliver 8,000 cubic meters of water per day to a new water treatment plant. The East Africa Portland Cement Company Dam was also rehabilitated, with a new pumping station and construction of a 3.8-kilometre raw water pipeline to deliver an additional 4,000 cubic meters of water per day to the same facility.

A new treatment plant of 12,000 cubic meters capacity was constructed. The distribution network was extended by construction of a 3.8-kilometre Nairobi Line from Namanga interchange at Export Processing Zone (EPZ) and an additional 6.2 kilometres to

Green Park Estate along Mombasa Road. It incorporated a 4,000 cubic-meter reservoir and a 3,000-cubic-meter elevated steel tank, 15 meters high, with a pumping station.

The bulk supply system was reinforced by rehabilitating the Nolturesh Water Supply Line, installing a new pump, repairing three existing pumps in Salama Pumping Station 1, and refurbishing the Kimakui and Lukenya Reservoirs, each with a capacity of 3,000 cubic meters per day. The system is currently operational, and is managed by Mavoko Water and Sanitation Company. The company supplies water to up to 200,000 connections.

On question two, regarding steps taken by the Ministry to ensure completion and the expected timelines for its completion, the project was completed on 21st March 2021 and commissioned on 14th April 2023. The construction is 100 per cent complete. The project was handed over to Machakos County Government, and is operated by Mavoko Water and Sanitation Company in line with the Water Act, 2016.

Currently, the project supplies at least 10,000 cubic meters of water per day from the new water treatment plant, and an additional 5,000 cubic meters from the Northern Collector Tunnel, connected earlier this year. The water serves domestic, commercial, and industrial areas around Mavoko. The areas covered include Mlolongo, Athi River, EPZ, Syokimau, Kinanie, Katani, and parts of Lukenya.

On question three regarding the interim measures being taken by the Ministry to address water scarcity and protect residents from unscrupulous vendors, the agency notes that Mavoko and Syokimau currently face severe water scarcity and lack of water due to last-mile connectivity, which should be done by Machakos County Government through Mavoko Water and Sanitation Company. To address this, the agency is implementing the Mavoko Water and Sewerage Interventions and the pipeline extension project. This last-mile intervention project is funded by the Government of Kenya and is estimated to cost Ksh585 million.

The project is currently 31 per cent complete, having spent Ksh183 million so far. It requires an additional Ksh402 million to complete. The last-mile project aims to connect about 50,000 households and increase access for 250,000 residents in Syokimau, Mlolongo, and Athi River.

The scope of the Mavoko Water and Sewerage Intervention includes a 50-kilometre water distribution line ranging from 63 mm to 250 mm diameter pipes. It links about 60 kilometres of sewer lines, ranging from 200 mm to 600 mm in diameter. It also includes rehabilitation of existing water supply and sewerage infrastructure and provision of water exhaustor trucks, along with technical assistance to Mavoko Water Supply.

However, the project has faced frequent extensions of completion dates due to delays in Exchequer releases. In addition, the Ministry, through the Tanathi Water Works Development Agency, is preparing the Mavoko-Kitengela Last Mile Connectivity Project, which aims to increase the number of households connected to water at an estimated cost of Ksh592 million.

In conclusion, the Ministry of Water and Sanitation, through the Tanathi Water Works Development Agency, is committed to ensuring a sufficient, reliable, and sustainable water supply system for Mlolongo, Athi River, EPZ areas, Syokimau, Kenanie, Katani and parts of Lukenya.

As the Chairperson of the Committee, I want to confirm that as we move into the 2025/2026 Financial Year, after recess, the Committee will visit the Mavoko and Syokimau areas to assess the situation. A contractor was already given work, and about Ksh183 million has been utilised. We are also seeking to increase the resources to ensure that the community in the area has access to water.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Let us have the Member for Machakos County, Hon. Joyce Kamene.

Hon. Joyce Kamene (Machakos County, WDM): Thank you, Hon. Temporary Speaker. The Chairman has answered the question, but he has not given any timelines or commitments. This project has taken 10 years. The Government has done such a great project. We are told that water is in the tanks, but people living next door cannot access it. It has been there year in, year out.

How is it that the Exchequer is not releasing funds? Money is insufficient, yet such a big and wonderful project has been done! People are suffering due to lack of water. Why can it not be given priority? After all, once water is supplied to the residents, revenue will be collected. Does it make sense to let this become a white elephant project?

The Temporary Speaker (Hon. Farah Maalim): Fair enough. Chairman, hang on a minute. Let Hon. Kemei also weigh in on that, and then you will answer.

Hon. Beatrice Kemei (Kericho County, UDA): Hon. Temporary Speaker, I want to thank the Machakos County Women Representative for seeking this Statement from the Committee. As much as I appreciate what the Chairperson has said concerning Mavoko and the surrounding areas, I want to mention I live in Syokimau. I can confirm that water is very scarce. The residents get water using donkeys, and private vendors exploit the people. The Chairperson mentioned that the Ministry is going to do the last-mile connectivity. I am worried that this has been the case for the last 15 years, yet people pay taxes for the same. People also pay their obligations, not forgetting the issue of sewerage.

Therefore, I feel this answer is not sufficient. There are no timelines, as the County Women Representative for Machakos has said. It seems there is no seriousness given to this matter.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. Hon. Kangogo Bowen, the issue is that this has been ongoing for 10 good years. Can you be definitive about the exact timeline when the residents of Mavoko will enjoy that massive Government investment?

Hon. Kangogo Bowen (Marakwet East, UDA): Hon. Temporary Speaker, as a Committee, we take our work very seriously. Water is a devolved function, especially the last-mile connectivity. The National Government, through the Tanathi Water Development Agency, has done the pipeline, tanks, dams, and related infrastructure. The project was handed over to the Machakos County Government and is currently managed by Mavoko Water Supply. It is Mavoko Water Supply, through the County Government of Machakos, which is responsible for the last-mile connectivity.

As a Committee, we have taken a position and asked the Ministry to acknowledge that the county government lacks the capacity and resources to complete the work. We are seeking to support the county government because the people living in Syokimau, Kanani, Katani and surrounding areas are also Kenyans who pay taxes. We are going to take deliberate action. In the 2025/2026 Financial Year, we will provide resources to Mavoko Water Supply and Machakos County Government to complete the last-mile connectivity for the people in those areas.

The Temporary Speaker (Hon. Farah Maalim): Are you talking about the financial year that is starting in June?

Hon. Kangogo Bowen (Marakwet East, UDA): Yes.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. That is a very firm undertaking, and it is the presumption of the Speaker that you have already done your work well. I do not see any more interest in this matter other than from Hon Omanyo. Is it on the same issue?

Hon. Catherine Omanyo (Busia County, ODM): Yes.

The Temporary Speaker (Hon. Farah Maalim): What is your issue?

Hon. Catherine Omanyi (Busia County, ODM): Thank you, Hon. Temporary Speaker. Water supply management across Kenya, as a devolved function, is a challenge. It is lacking in every county. People are suffering and do not have access to clean and safe drinking water. Counties seem not to understand what to do in that sector.

We would love all Governors to take this issue seriously - not just in Mavoko, but also in Busia, where I come from. Women travel miles to look for water, which leads to other issues, like girls being raped in forests. Water is a devolved function and we must task the Governors to do something about it. For instance, they must ensure that piped water reaches some homes every month. At the end of five years, many homes will have access to piped and safe drinking water.

Thank you.

Hon. (Dr) Rachael Nyamai (Kitui South, JP): On a point of order.

The Temporary Speaker (Hon. Farah Maalim): Is it on the same issue?

Hon. (Dr) Rachael Nyamai (Kitui South, JP): Yes.

The Temporary Speaker (Hon. Farah Maalim): Yes, Hon. (Dr) Rachael Nyamai.

Hon. (Dr) Rachael Nyamai (Kitui South, JP): Thank you, Hon. Temporary Speaker, for giving me a chance to comment, especially on the matter raised by Hon. Kamene. I fully feel her. When a project takes 10 years and people have not benefited, it stops being useful, even though we allocate budgets every financial year.

In the corridors of power, the Chairperson of the Departmental Committee on Blue Economy, Water and Irrigation has told us that he believes the most useful projects in this country are small ones that are implemented and completed within one or two years, giving people access to water.

The budget for water is high, and sometimes the Committee's hands are tied. I am not in that Committee, but I am a friend of the Chairperson. He has informed me that their hands are tied. They have to handle the Thwake Dam, which involves billions of shillings. There is another project in Tana River. What is it called?

An Hon. Member: Galana Kulalu!

Hon. (Dr) Rachael Nyamai (Kitui South, JP): Yes, Galana Kulalu. The Committee funds several projects in one year, including dams. The other day, he gave two dams to my constituency, and people now have access to water. These are small projects worth Ksh20 million, Ksh30 million, up to Ksh100 million. However, the Thwake Dam, which is expected to serve Machakos, Makueni and Kitui counties, requires billions of shillings. Kitui South Constituency is 150 kilometres from that dam. Billions of shillings go to huge projects, and the Committee does not have much control. I am sorry to say that we keep financing these projects for the benefit of others.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): There being no further interest in this matter, we will move to the next response by the Departmental Committee on Energy. The Statement was sought by the Member for Funyula, Hon. (Dr) Oundo.

OPERATIONS OF KUDURA POWER EAST AFRICA IN WESTERN REGION

Hon. David Gikaria (Nakuru Town East, UDA): Thank you, Hon. Temporary Speaker. The Committee has a Statement which was sent by the Principal Secretary for Energy. I know Hon. Oundo is around.

The first question was on the regulatory framework under which KUDURA Power East Africa Limited is operating, generating and supplying power in Western Kenya. The response is as follows:

KUDURA Power East Africa Limited is duly incorporated in the Republic of Kenya as a wholly owned subsidiary of RVE.SOL, a Portuguese company. KUDURA is a social enterprise focused on providing decentralised renewable energy and sustainable infrastructure solutions to underserved communities in East Africa. The company focuses on empowering rural and peri-urban areas by addressing critical needs such as clean energy, water access, and sanitation, aligning with global Sustainable Development Goals (SDGs), particularly SDG 7 on affordable and clean energy and SDG 6 on clean water and sanitation. KUDURA specialises in integrated systems that combine solar energy, water purification, and biogas technology.

The Company operates under Section 117 of the Energy Act that provides that---

(Hon. David Gikaria's phone rang)

Sorry, Hon. Temporary Speaker.

The Company operates under Section 117 of the Energy Act that provides that a person who wishes to carry out generation, exportation, importation, transmission, distribution, and retail supply of electricity must apply for a license, as the case may be, to the Authority in accordance with the provisions of the Act.

KUDURA Power East Africa Limited was granted a Construction Permit by EPRA on 3rd April 2019 for a period of one year for the development of 10 solar PV mini grids, as listed in Table 1.

Table 1: Details of the KUDURA Power East Africa Mini Grids sites in Busia, Western Kenya

	PROJECT SITE	LOCATION (Sub-County)	INSTALLED CAPACITY (kWp)
1.	Akadetawai	Teso North	18
2.	Dirakho and Rukhada	Funyula	35
3.	Mufumu	Funyula	35
4.	Mukhwayo	Funyula	30
5.	Namagumba	Funyula	18
6.	Buyende	Matayos	35
7.	Makhurisi	Funyula	18
8.	Bwiri A, Bwiri B and Mudorika	Funyula	47
9.	Mumbaka, Mukhondo and Mugonga	Funyula	30
10.	Syamakhanga	Matayos	18

NB: All the sites were to use solar PV with battery storage technology

Before approval of the aforementioned Construction Permit, KUDURA submitted the following documents required for generation, distribution and supply licences in accordance with the Energy Act, 2019 and the Energy (Electricity Licensing) Regulations, 2012 listed below:

1. A Public Notice of Application in the *Daily Nation* dated 1st May 2018 and a Gazette Notice No.4134 published in the *Kenya Gazette* on 4th May 2018.
2. No objection from the county government where the project is located.
3. Approval from the physical planning department of the county government.
4. Description of the undertaking, including maps to help identify location.

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5. Valid National Environment Management Authority (NEMA) licence.
6. Audited accounts for the last three years.
7. Report by a competent engineer.
8. Approved Power Purchase Agreement/Tariff.
9. Certificate of Incorporation for the company.
10. CR12.
11. Land title deed/registered lease.
12. Demonstration of technical competency to implement the project and carry out operation and maintenance.
13. A memorandum of understanding between the County Government of Busia on behalf of the beneficiary communities and RV.SOL, which wholly owns KUDURA.

The second question was on the agreement on leases granted to KUDURA Power East Africa Limited to impose tariffs on power supplied and steps being taken to regulate such charges. The response is as follows:

On 25th March 2020, the EPRA granted KUDURA Power East Africa Limited generation, distribution, and supply licences for operation of the 10 solar PV mini grids in Table 1 above. Section 11(c) of the Energy Act, 2019 mandates the EPRA to set, review, and adjust electric power tariffs and tariff structures and investigate tariff charges, whether or not a specific application has been made for a tariff adjustment. The approved tariffs shall be a just and reasonable tariff which enables a licensee, including KUDURA Power East Africa Limited to, *inter alia*: maintain its financial integrity; attract capital; operate efficiently; and, compensate investors fully for the risks assumed.

Section 165(7) of the Energy Act, 2019, and the current Retail Electricity Tariff Review Guidelines, 2023 provide for a review of retail electricity tariffs once every three years. Section 163 of the Energy Act, 2019 requires that tariffs and contracts for supplying electrical energy and network services be submitted to the EPRA for approval before execution. KUDURA's tariff application for 10 sites in Busia County, Western Kenya was approved by the EPRA Board on 30th January 2019 having met all the tariff approval requirements.

The third question was on the timelines within which KUDURA Power East Africa Limited will upgrade its infrastructure to ensure continuous and un-interrupted supply of power to homesteads. The response is as follows:

Solar mini grids can become unreliable during the rainy season primarily due to the following:

1. Reduced solar irradiance that could significantly reduce electricity generated to sometimes 10 to 25 per cent of the peak performance.
2. During extended cloudy or rainy periods, batteries may not fully charge leading to shortages, especially at night or during peak demand.
3. Sometimes power demand increases during rainy seasons for lighting or indoor activities putting more pressure on the already limited generation capacity.

The mitigations for that are:

1. Inverters that were previously problematic have been replaced.
2. The operator to strengthen their distribution network and work towards replacing all defective storage batteries, especially in Buyende area, within one month.
3. The EPRA has instructed the operator to develop strategies to enhance power supply reliability during cloudy periods and submit a report on this to the Authority within two weeks.

4. The EPRA will send a technical team to the sites to further probe the issues raised and come up with a detailed report.

The fourth and last question was on a report on the terms of the agreement between KUDURA Power East Africa Limited and the Government, including whether the terms are subject to review to allow alternative service providers to supply power alongside KUDURA Power East Africa Limited. The response is as follows:

Section 165(7) of the Energy Act, 2019 and the current Retail Electricity Tariff Review Guidelines, 2023 provide for a review of retail electricity tariffs once every three years. Therefore, KUDURA Power East Africa Limited is required by the aforesaid provisions of the law to submit a tariff renewal every three years upon the expiry of the approved tariff, subject to review and approval by the Authority.

Second, the generation and distribution licences were given for 10 years commencing in 2020, hence KUDURA Power East Africa Limited is remaining with about five years within which they ought to have recovered their investment, after which the terms will be renegotiated or the sites handed over to a different distributor.

Third, the Ministry of Energy and Petroleum has developed draft mini-grid regulations which give guidelines on what options will be available to the mini-grid operator when the main grid arrives. Once the mini-grid regulations are enacted, KUDURA Power East Africa Limited may operate as:

1. A power producer selling to the distribution licensee.
2. A power distributor that purchases power in bulk from the distribution licensee and resells that electricity to the consumers.
3. The mini-grid operator that remains the power distributor for the area, purchasing power from the distribution licensee to sell to the consumers, in addition to its existing generation.

I submit.

The Temporary Speaker (Hon. Farah Maalim): Hon. Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker. I also thank the Chairperson for the effort he has made to present the response to the request for a Statement.

However, honestly speaking, this is like a defence Statement written by KUDURA Power East Africa Ltd. It obviously cuts around the main issues requested. I want the Chair to carefully note that question two is the most important. When they say: "This approved tariff shall be just and reasonable which enables---"

Hon. Temporary Speaker, there is no way Ksh88 per Kilowatt hour for KUDURA Power East Africa Ltd against Ksh25 per kilowatt hour for Kenya Power can be termed just and fair. This is exploitation and daylight robbery.

Secondly, they indicate that the tariffs are reviewed every three years. KUDURA Power East Africa Ltd., started operating in 2020. Obviously, a follow-up question, which I hope the Chair will get details and revert, is, when was the last review and what was it reviewed to? The main overriding concern is the issue of the tariffs. We will wait for these draft regulations to allow our people have alternative sources as we wait for the expiry of this inordinately long period that seems to simply exploit the beneficiaries.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): The interest is only one way. Do you have something to add? Please give him the microphone.

Hon. David Gikaria (Nakuru Town East, UDA): Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Have you taken note of exactly where he feels that KUDURA Power East Africa Ltd., is cutting around?

Hon. David Gikaria (Nakuru Town East, UDA): Yes.

The Temporary Speaker (Hon. Farah Maalim): Please, respond to that right away.

Hon. David Gikaria (Nakuru Town East, UDA): Hon. Temporary Speaker, I know Hon. Oundo. He prepares himself.

The Temporary Speaker (Hon. Farah Maalim): He is thorough.

Hon. David Gikaria (Nakuru Town East, UDA): ‘Thorough’ is the word. When I got this response, I knew part of what he is saying would come up. I totally agree with him, except regarding the aspect that this is a response by KUDURA Power East Africa Ltd. This Statement is signed by the Principal Secretary for Energy. I confirm that it is not from KUDURA Power East Africa Ltd.

Secondly, I totally agree that the issues he has raised are key. Kshs88 per kilowatt hour is total theft. It has no economic value to the people of Western Region. Without mentioning the administration, the Committee is seized of the fact that the Power Purchase Agreements (PPAs) that were signed in the past were punitive, discriminative and disregarded the interests of Kenyans. KenGen gives us power at only Kshs50 cents per kilowatt hour, yet you can imagine getting it at Kshs88 per kilowatt hour. I totally agree that it is unfair.

The Temporary Speaker (Hon. Farah Maalim): Have you lifted the veil on that to see why such an unfair deal can be done to the Government? Who are the owners of KUDURA Power, East Africa Ltd., and other exploitative power producers’ outfits that sell to the national grid at a high price?

Hon. David Gikaria (Nakuru Town East, UDA): Hon. Temporary Speaker, our Committee is seized and we will bring a report on the Floor of this House. It was brought in the last Session, but was not discussed. We will bring it back to specifically talk about these punitive and discriminative PPAs that are of no economic value to this country. That is what we have been talking about. Without the input of Parliament, are there provisions of a review of the tariffs within the agreements that were signed?

The Temporary Speaker (Hon. Farah Maalim): You realise Hon. Oundo is actually convinced that the Statement you have given us right now was prepared by KUDURA Power East Africa Ltd.

Hon. David Gikaria (Nakuru Town East, UDA): No.

The Temporary Speaker (Hon. Farah Maalim): This is because it protects the interests of KUDURA Power East Africa Ltd., and similar organisations. The Chair is forced to move in this year because we made an undertaking that we will protect this country under all circumstances.

When we were in Naivasha, these matters predominantly came up and it was abundantly clear. That is when I said that camels stolen by the owner can never be recovered. Are you sure the most powerful people in the country are not interested parties which is why these things have been shoved down the throats of Kenyans?

(Hon. (Dr.) Ojiambo Oundo raised his hand)

Yes, you have to say something before the Chairman responds. Before I give Hon. Oundo a chance, is that the Member for Gem?

Hon. Elisha Odhiambo (Gem, ODM): Yes.

The Temporary Speaker (Hon. Farah Maalim): Proceed, Member for Gem.

Hon. Elisha Odhiambo (Gem, ODM): Hon. Temporary Speaker, I have listened to you and you have said that it looks like my Chairman read a Statement presented to him. I want

to talk to my friend, Hon. (Dr) Oundo. The Committee is seized of the fact. What is important to note is that the Independent Power Producers (IPPs) have a contractual agreement to sell power to Kenya Power. Upon that contractual obligation, Kenya Power then sells to the public.

The Temporary Speaker (Hon. Farah Maalim): Member for Gem, Hon. Gikaria is the Chairman of the Departmental Committee on Energy. He is responding to a Statement that was sought by Hon. Oundo. The only way you can rise is to enrich that Statement so that Hon. Gikaria gives more information. You are not there to defend anything else.

Hon. Elisha Odhiambo (Gem, ODM): Hon. Temporary Chairman---

The Temporary Speaker (Hon. Farah Maalim): I am not the Hon. Temporary Chairman, but the Temporary Speaker.

Hon. Elisha Odhiambo (Gem, ODM): Hon. Temporary Speaker, I am trying to add meat to support Hon. Gikaria.

The Temporary Speaker (Hon. Farah Maalim): Relax. Hold your horses. Hon. Oundo, you had asked a Supplementary Question.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Speaker, the Member for Gem is completely misinformed concerning this subject matter. KUDURA Power East Africa Ltd., produces power using solar panels, and thereafter, distributes and charges them. They do not sell to Kenya Power. He is completely misinformed. He should have sought to know the correct position.

The Temporary Speaker (Hon. Farah Maalim): They do not sell power to Kenya Power, but directly to consumers.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Yes. They produce the power. They have signed agreements with the consumers directly. It is a pure monopoly that is exploitative. I expected the State department to clearly say they note Ksh83 per Kilowatt hour tariff is extremely exorbitant, and they would make efforts to open negotiations with the power producer, supplier and biller to reduce it to a reasonable figure. That is why I said that, the Statement looks like it was written and given to the Principal Secretary to sign. He could be complicit in this outright theft and exploitation of the people. It is as simple as that.

The Temporary Speaker (Hon. Farah Maalim): Hon. Gikaria, it is a tall order. KUDURA Power East Africa Ltd., does not sell power to Kenya Power. It is a direct relationship between the producers and consumers, but the price is regulated by the Government agency. That is the elephant in the room. Do you want to say something or come back later with a better answer? Energy is a very sensitive matter in this House.

Hon. Temporary Speaker, I agree. Under Section 117 of the Energy Act of 2019, we regularised distribution, exportation and importation. One only needs a licence from the Energy and Petroleum Regulatory Authority (EPRA). KUDURA Power East Africa was given a license on 30th April 2020 by the EPRA to generate, distribute and sell. This is the position because it is licensed---

The Temporary Speaker (Hon. Farah Maalim): Does the license allow them to be a monopoly?

Hon. David Gikaria (Nakuru Town East, UDA): Yes.

The Temporary Speaker (Hon. Farah Maalim): Then how is it a monopoly if you have regularised?

Hon. David Gikaria (Nakuru Town East, UDA): It is not a monopoly. That is misinformation. Under Section 117 of the Energy Act of 2019, I was the then Chairperson of the Departmental Committee on Energy. I moved those amendments to liberalise the energy sector in a broad manner. This is the position I agree with. The question asked is whether we have reviewed this. A review was to be done in 2020 after three years, but it was subject to a request for the review. This is what Hon. (Dr) Ojiambo Oundo is asking us to do.

As a committee, we have asked EPRA to engage the independent power producers to review the power tariffs which contribute to the cost of energy and electricity in the country.

The Temporary Speaker (Hon. Farah Maalim): The cost is passed on to the consumer.

Hon. David Gikaria (Nakuru Town East, UDA): That is correct. I agree that we will still engage EPRA through this request for a Statement.

The Temporary Speaker (Hon. Farah Maalim): When do you undertake to respond?

Hon. David Gikaria (Nakuru Town East, UDA): Hon. (Dr) Oundo made this request two weeks ago and we have a response.

The Temporary Speaker (Hon. Farah Maalim): So, when are you bringing a comprehensive answer?

Hon. David Gikaria (Nakuru Town East, UDA): Hon. Temporary Speaker, the second week after recess,.

The Temporary Speaker (Hon. Farah Maalim): Is there any grey area that you would like it to be addressed? This should be captured on the HANSARD.

(Hon. (Dr) Ojiambo Oundo spoke off-the-record)

If I were you, I would ask for the lifting of the veil to see who is behind this KUDURA Power East Africa. Whether Hon. Gikaria or Hon. Farah Maalim have shares in this.

(Laughter)

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Speaker, ultimately, our country is very complicated. The better you leave things as they are, the better it is for posterity and a good life. We are not interested in the stakeholders or the exploiters. We all want the exploitation to come to an end.

The Temporary Speaker (Hon. Farah Maalim): There is exploitation, blatant and outright daily robbery. How do we differentiate between Ksh50 cents and Ksh88 for the same number?

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Precisely. My plea to the Chairperson is that in the review---

(Hon. Joseph Emathe rose on a point of order)

The Temporary Speaker (Hon. Farah Maalim): The Member for Turkana Central is on a point of order.

Hon. Joseph Emathe (Turkana Central, UDA): Thank you, Hon. Temporary Speaker.

I would like to reiterate the position taken by Hon. (Dr) Oundo. It is essential to understand who owns KUDURA Power East Africa. Currently, it appears to be a private entity, and they are providing us with mini grids in Turkana. I have researched this company, and it seems to be a Portuguese firm, which we need to examine more closely.

We also need to understand why they are conducting business in Kenya, with whom they are partnering, and the nature of their services. It is important to gather information about their shareholding and the specific services they offer. We need details.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Hon. (Dr) Oundo, I believe you are done.

Hon. Gikaria, have you given an undertaking on when you will respond with a comprehensive answer?

Hon. David Gikaria (Nakuru Town East, UDA): Hon. Temporary Speaker, I have committed to do so within two weeks after the resumption of the House.

The Temporary Speaker (Hon. Farah Maalim): That is in order. Let us have the response to Hon. Shurie request on the issue of HELB. Is Hon. Shurie in the House? I can see you. Who is answering this? Is it the Chairperson of the Departmental Committee on Health or Education?

EXCLUSION OF KMTC STUDENTS FROM HELB FUNDING

An. Hon. Member: Jointly.

The Temporary Speaker (Hon. Farah Maalim): Do you want to take the first shot?

Hon. (Dr) James Nyikal (Seme, ODM): Yes.

The Temporary Speaker (Hon. Farah Maalim): Proceed, Hon. (Dr) Nyikal.

Hon. (Dr) James Nyikal (Seme, ODM): Hon. Temporary Speaker, we were to give a joint response to the request. Both our Committee and the Departmental Committee on Education sat with the Cabinet secretary. The Departmental Committee on Education was to take a lead on this. I do not see my colleague here. The actual report is not ready, but I can give progress of what happened during the meeting with the Cabinet Secretary.

The Temporary Speaker (Hon. Farah Maalim): You are supposed to give a comprehensive report. Do not give us the progress report.

Hon. (Dr) James Nyikal (Seme, ODM): Yes. We will get a comprehensive report within two weeks after the resumption.

The Temporary Speaker (Hon. Farah Maalim): Hon. Shurie, are you happy with that?

Hon. Abdi Shurie (Balambala, JP): I am okay and will be around then. It is best we get the full report.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. It has to be comprehensive unless other issues crop up. That is in order.

Next is the response to a Statement by Hon. (Amb.) Sigei, my former District Commissioner (DC), when DCs were powerful in this country. When I first came to Parliament, you were the DC in my area. Who is the Chairperson for Trade Industry and Cooperatives?

STATUS OF UPGRADING NEW KCC MILK PROCESSOR

Hon. Benard Shinali (Ikolomani, ODM): Thank you, Hon. Temporary Speaker. I am responding to a request for statement by Hon. Amb. Sigei.

Before I go to the specifics, new KCC has been modernising its old milk processing facilities under the Government of Kenya financing from the year 2015 to date. The facilities had old obsolete machinery replaced with modern and efficient machinery. The following factories have had a number of their equipment and infrastructure renewed, and the facilities are running efficiently.

	Factory	Amount Spent in Kshs
1	Eldoret Factory in Uasin County	610 million
2	Sotik Factory in Bomet County	153 million
3	Dandora Factory in Nairobi County	323 million
4	Nyahururu Factory in Laikipia County	260 million
5	Kiganjo Factory in Nyeri County	360 million
6	Kitale Factory in Trans Nzoia County	204 million

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7	Miritini Factory in Mombasa County	56 million
8	A new facility in Nyambene, Meru County	509 million
	TOTAL	2.475 billion

[The Temporary Speaker (Hon. Farah Maalim) left the Chair]

[The Temporary Speaker (Hon. (Dr) Rachael Nyamai) took the Chair]

(Hon. Farah Maalim spoke off the record)

Hon. Benard Shinali (Ikolomani, ODM): These are several regions. Let me mention a few items being produced by these factories. Dandora Factory in Nairobi County produces fresh milk, yoghurt, mala, butter and cheese products; Eldoret Factory in Uasin Gishu County produces fresh milk, mala, long life and milk powder; Nyahururu Factory in Laikipia County produces extended shelf life and long-life milk products; Sotik Factory in Bomet County produces fresh milk, extended shelf life and long-life milk products; Miritini Factory in Mombasa County produces fresh milk; Kitale Factory in Trans Nzoia County produces ghee, butter, and milk powder; and Kiganjo Factory in Nyeri County produces milk powder and bottling services. Let me move to the specific Statement as requested by Ambassador Francis, Member for Sotik Constituency.

Hon. Temporary Speaker, I wish to submit the following response from the Cabinet Ministry of Co-operatives and Micro, Small and Medium Enterprises (MSMEs) Development to address specific issues raised by the Hon. Member.

First, it is on the upgrading of the New Kenya Co-operative Creameries Sotik Processing Plant, including the current earnings of dairy farmers since its upgrading and the measures put in place to implement buying of milk from dairy farmers at Ksh55 to increase their earnings and attract more deliveries. To address these issues, several old, obsolete machines were replaced with modern, efficient machinery that was successfully installed and has been running.

Some of the equipment that were procured and installed in Sotik and have been in use include, the supply, installation and commissioning of Aseptic Tetrahedron milk filling machine; supply, installation and commissioning of Refrigeration Compressor; supply, installation and commissioning of 650 KVA Generator set; construction of a production store; supply, installation and commissioning of an automatic Clean-in-Place (CIP) system; and outsourced steam from biomass boilers as an alternative source to fuel Solar power as an alternative source of energy

Secondly, Sotik cluster farmers' earnings are currently at an average of Ksh85 million per month, which means it is at about Ksh1.02 billion a year. The New Kenya Co-operative Creameries (KCC) has continuously improved the unit price for farmers' milk across the country, including Sotik cluster. Currently, milk prices are at the National Government-guided price of a minimum of Ksh50 per litre of milk delivered to a New KCC facility across the country.

The Member also wanted to know the steps taken to address the low wages of casuals at the new KCC factories. Considering the high cost of living and inflation in the country, including payments of overtime allowances as required by law, the New KCC employs staff as per the Government of Kenya's labour guidelines and within the new KCC Human Resource Policy.

Secondly, the dairy business in Kenya is seasonal, given that majority of Kenyan farmers are weather-dependent. Such a business has systems that allow staff to work overtime,

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but only when volumes are above the normal projections. When such a situation occurs, overtime is paid as per the Collective Bargaining Agreements (CBAs) guidelines.

Where casuals or business staff are engaged, depending on work demands. The earnings are as per the Government Labour Guidelines, which categorise regions. The New KCC strictly adheres to the guidelines in all locations, including Sotik factory.

Additionally, the Member wanted to know the measures put in place to create participation by the dairy farmers to be more involved in the process of the New KCC and its success. On this, the Ministry of Co-operatives and Micro, Small and Medium Enterprises (MSMEs) Development is undertaking the following measures to ensure the protection of members' funds:

1. The New KCC has elaborate independent extension services groups run by farmers through their appointed leadership in various clusters across the country and the Sotik region has a very strong extension group.
2. The New KCC leadership engages farmers regularly through its raw milk procurement and Extension Services Department, which is a fully operational department that coordinates all the new KCC farmers through their leadership and various farmers' cooperatives and even directly to individual farmers.
3. The top leadership of KCC, which includes the Managing Director to their Board of Directors, occasionally engage with their farmers and their leadership across the entire country, where Sotik region farmers are among the stakeholders that are involved in such forums.

The next response seeks to address a report on products produced at the Sotik Milk Processing Plant and plans in place to vary the type of products manufactured, including plans for the maintenance of the machines processing products such as *Mala*.

In this regard, Sotik Factory processes and packages fresh milk, 24-hour shelf life, extended shelf life, 90-day shelf life and long-life milk products with a one-year shelf life. The milk products in the Sotik Factory are in the following Stop Keeping Units:

1. Tetra Fino Aseptic: Gold Crown, KCC Fresh and Taifa.
2. Tetra Classic Aseptic: Gold Crown, KCC Fresh, Taifa and Pupils Access to Community Health (Pacoh).
3. Extended Shelf Life: Fresh 500ml, Gold 200ml and Gold 500ml.
4. Fresh Milk: (10 and 20 litres), Filpack 200ml, Filpack Gold 500ml, Filpack Fresh 500ml, Filpack 500ml, Taifa and Filpack 200ml).

The new KCC machine maintenance is undertaken as per the best maintenance practices as per equipment manufacturers' guidelines and is being implemented across all factories, including Sotik.

Additionally, *mala*, a new KCC product, is processed in Dandora and Eldoret factories that have full infrastructure for its processing, fermentation and packaging but are distributed to all KCC sales depots. Sotik sales depot gets *mala* from Eldoret and Kisumu factories, while the *mala* from Dandora is distributed to the following sales depots: Nairobi, Nakuru, Nanyuki and Mombasa.

Hon. Temporary Speaker, attached is the response from the Cabinet Secretary and annexures for transmission to the Hon. Member.

Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. Chairman. Hon. Ambassador Francis Sigei, is the answer satisfactory?

Hon. Francis Sigei (Sotik, UDA): Hon. Temporary Speaker, first of all, I appreciate the effort by the Chairman in responding to my Questions. However, the answer is a long story with repetition. I had asked specific questions, but in the mix, the issues have been lost.

Firstly, I raised the issue of milk prices.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Ambassador, before you lose hope, the Chairman is here. You can raise the specific matter that has not been responded to.

Hon. Francis Sigei (Sotik, UDA): The price of milk in Sotik is less than Ksh50. That must be confirmed. That is why our farmers in Sotik are now selling their milk to private processors. If we continue this way, we will kill the New Kenya Creameries Corporation (KCC). I am not satisfied with the response regarding prices.

Secondly, I asked about the status of the processing plant. Sotik is now a municipality. It deserves an upgrade to the level of Eldoret, Nanyuki or Dandora. I, personally, visited the former managing director. He kept promising that Sotik would be upgraded. Two years later, nothing has been done. I would like to see the Sotik Processing Factory upgraded now that it is a municipality.

We also have casuals at the factory who have worked for a long time. The problem is that people from outside are being brought in to work there while long-serving casuals are ignored. Their families are suffering despite years of service. These workers must be confirmed.

Another key issue is about *maziwa mala*. Up to last year, Mr Sigei, the former KCC managing director, kept saying that the mala processing line was in place and that they were only doing maintenance. However, we have now realised that it will be transferred elsewhere. The quality of *maziwa mala* from Sotik was very high. I demand that this processing line be reinstated in Sotik so that our people can get maximum benefit.

I also disagree with the Hon. Chairman regarding labour guidelines on casual employment. There is no fairness at all. Someone needs to come back with a better answer when we come back from the recess. I know the casual workers by name. They have been there for years, while others are brought in and given preference. I need a better response.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Those are very clear concerns from the Hon. Member for Sotik. Although he addressed more than three points, I listened keenly and counted five fundamental issues. Hon. Chairman, when will you provide a response? He is saying that he is not satisfied.

Before I close the debate on this matter, I can see two more Members have interest in this matter. Hon. Rutto, do you also have interest in this? Please be brief so that we can combine the points.

Hon. Julius Rutto (Kesses, UDA): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity to also joyride on the concerns raised by my colleague, the Member for Sotik.

The Chairman mentioned the Eldoret Factory, which is historically known for handling milk from the entire North Rift region. Despite the huge investments made there, it is painful to see these assets going to waste.

I want to raise another concern about milk transporters. These individuals have gone unpaid for over two years, despite their essential role in transporting milk from farmers to factories. No one has addressed their plight. The Chairman should consider this as a matter of concern.

The issue of employment is also fundamental. The governance of the board has issues to do with interference. How can a factory under the Ministry of Trade, Industry and Cooperatives be in such a critical state of failure? It is critically failing. We need to sort out the governance issues and ensure the factory fulfils its mandate of processing and distributing milk. It has the market, potential and capacity. We do not understand where the problem lies in decision-making.

Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Majimbo Kalasinga, please limit your remarks to a minute.

Hon. Majimbo Kalasinga (Kabuchai, FORD-K): Thank you, Hon. Temporary Speaker. I will take a minute.

I am an expert in the dairy industry. I am an Egerton University graduate in Dairy and Food Technology. During my attachment at Premier Dairy, Kabianga, which is just a few kilometres from the Sotik Dairy, I learned that you cannot claim not to be servicing a *mala* line. *Maziwa mala* only requires fermentation tanks, starter cultures and a tetra classic machine. These are the same machines used to package both fresh and UHT milk. There is no reason to say the *mala* line is not operational. It must be reinstated by all standards.

Removing the *mala* line reduces the workforce, the casuals. Where will these young men and women go if the line is removed? This beats logic. KCC factories were established with a clear purpose. Dandora was designed as a dry milk powder processor while Sotik was supposed to process *mala* and sell in the western region. You cannot process *mala* in areas without raw milk. Sotik is at the centre of Kenya's best milk-producing region.

For your information, the butterfat content of milk in Sotik is the highest in the country at 5.5 percent. Let us support this facility. Let the Chairman come with a substantive answer and tell this house that the fermented milk line will be restored and casual workers employed. We must stop this dillydallying with the casuals.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): You have made your point. Hon. Members, I now return to the Hon. Chairman. Hon. Chairman.

Hon. Bernard Shinali (Ikolomani, ODM): Thank you, Hon. Temporary Speaker.

The issues raised by Members are critical. As a Committee, we had already planned a programme to visit these factories to see for ourselves, investigate and come up with a clear report. That process is ongoing.

We confirm that the Ministry of Trade, Industry and Cooperatives has acquired a facility to help manage the milk industry. What has been ailing the industry is management. Interviews are currently underway to appoint a substantive general manager or a managing director. There is a facility in place to ensure that farmers are paid when they deliver milk.

As for the other concerns, we will invite the Member to accompany us when we visit Sotik. That way, he can directly engage with the team and contribute to the solution.

Finally, I request the Member to give us time. Instead of coming up with an answer within a short time, may he allow us to come with substantive answers after our trips to the factories.

Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. Listening to you Chairperson and the Member for Sotik, the response is not satisfactory bearing in mind that we have other issues related to the same from the Member for Kesses and Hon. Majimbo Kalasinga. You have stated that you already have a programme of going to the field. Can you give the House a date? I mean a possible date that you plan to go there so that we satisfy the Member and his constituents who are listening. They would like to have a solution. Which week after recess?

Hon. Bernard Shinali (Ikolomani, ODM): I will need about four weeks after recess. That is one month.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Okay, four weeks. Member for Sotik.

Hon. Francis Sigei (Sotik, UDA): I think two weeks after recess will be appropriate. I thank the Chairperson for being more pragmatic in answering the question. Two weeks will be good. I invite him as a friend.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Order, Member for Sotik. You have really spoken very well today. You are aware that we have given you much time to address this matter. The Chairperson has made much effort bearing in mind that he is not the Cabinet Secretary. He has made a commitment that he will be going to the field. You have requested for two weeks after recess.

(Hon. Bernard Shinali stood in his place)

Chairperson, you may take your seat. It will be two weeks. Let us plan. Kindly, let your Committee plan to give the answer two weeks after recess. Do you have another activity scheduled? Please, give him the microphone.

Hon. Bernard Shinali (Ikolomani, ODM): We have other activities scheduled. You know very well that we are going into the budget-making process. I do not want to give dates that will fail us. We must be specific as a House. We must give realistic answers.

(Hon. Ferdinand Wanyonyi raised his hand)

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Member for Kwanza, what is terribly out of order? Your hand is up.

Hon. Ferdinand Wanyonyi (Kwanza, FORD-K): Yes, it was up. I have come in from another meeting. I also want to tell the Member something. We should also include Members of the Departmental Committee of Agriculture and Livestock if we are to invite stakeholders. Those are the key fellows. I agree with you but it has something to do with the New Kenya Cooperative Creameries (New KCC).

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Member for Kwanza, what is out of order? Did you want to add something?

Hon. Ferdinand Wanyonyi (Kwanza, FORD-K): I did not say it is out of order. I simply said I have a supplementary issue. Yes; I am saying it.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): You can conclude now.

Hon. Ferdinand Wanyonyi (Kwanza, FORD-K): Thank you.

The best thing is to include Members of the Departmental Committee of Agriculture and Livestock because it lies under that Committee. I have an interest there as well.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Members, I agree with the Chairperson bearing in mind that there are other existing programmes. I would like to convince the Member for Sotik that we go with the four weeks the Chairperson has provided.

Thank you very much, Members.

We will go to the next Order as per the re-organisation the Hon. Deputy Speaker did in the morning. Chairperson, please proceed to move the Motion before you go to names. Can you please assist him with the Order Paper?

SPECIAL MOTION

APPROVAL OF NOMINEES FOR APPOINTMENT AS MEMBERS OF CBK BOARD

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Speaker, I beg to move:

THAT, taking into consideration the findings of the Joint Committee of the National Assembly Departmental Committee on Finance and National Planning and the Senate Standing Committee on Finance and Budget on the

approval hearing of nominees for appointment as members of the Board of Central Bank of Kenya, laid on the Table of the House on Tuesday, 29th April 2025, and pursuant to Section 11(2) of the Central Bank of Kenya Act, Cap 491, this House approves the appointment of the following nominees as members of the Board of Central Bank of Kenya –

- (i) FCPA Sophie Moturi.
- (ii) CPA Abdullahi Mohamed Abdi.
- (iii) Ms. Beatrice Kosgei.
- (iv) Mr. David Simpson Osawa Owuor.

The Board of Directors of the Central Bank of Kenya (CBK) is established under Section 10 of the Central Bank of Kenya, Cap 491.

Further, Section 11 (1)(d) of the Act provides that the Board shall consist of a chairperson appointed by the President, a Governor, a Principal Secretary to the National Assembly or his or her representative who shall be a non-voting member, and eight other non-executive directors.

The Board of Directors of CBK is established under Section 10 of the CBK Act. It is responsible for the following:

1. Determining the policy of the bank, excluding policy formulation.
2. Setting the bank's objectives, overseeing its financial management, and strategic direction.
3. Continuously reviewing the bank's performance according to its functions.
4. Consistently monitoring the Governor's performance in fulfilling the responsibility of the office and ensuring achieving the bank objectives.
5. Assessing whether policy statements issued under Section 4(b) align with the bank's primary functions and objectives under Section 4.
6. Maintaining constant oversight over the use of the bank's resources.

Appointment of the Director of the Board of CBK shall take provisions of Section 11(7) of the CBK Act into consideration. The Section provides that persons shall be eligible for appointment as Director if the person is a citizen of Kenya, is knowledgeable, and experienced in monetary, financial, banking and economic matters, or other disciplines relevant to the functions of the Central Bank of Kenya.

The Committee assessed the nominees against criteria of their academic and professional qualifications, leadership and integrity, financial probity, political neutrality, and conflict of interest. The Committee also received clearance reports from the Ethics and Anti-Corruption Commission (EACC), the Kenya Revenue Authority (KRA), the Directorate of Criminal Investigation (DCI), the Higher Education Loans Board (HELB), and the Office of the Director of Public Prosecution (ODPP).

All four nominees demonstrated knowledge and professionalism in the banking sector and that they possess extensive experience relevant to monetary policy, banking, finance, and regulatory matters. They fulfilled all legal and constitutional requirements for appointment.

There is brief Curriculum Vitae (CV) of the nominees. I will start with FCPA Sophie Moturi who is a seasoned finance and governance expert, with over 38 years of experience spanning through public service, accounting, non-governmental organisations (NGO), corporate boards and international development work.

She has served in various capacities. They include being an accountant at the Clients Accounting Department (CAD) of the PricewaterhouseCoopers (PwC) and a finance administration manager at the Action Africa in Need Kenya. She was a director at Life in Abundance International, a chairperson of Association of Women Accountants of Kenya, and

a member of the selection panel of the Independent Electoral and Boundaries Commission (IEBC).

Sophie was a trustee at the Microenterprise Support Programme Trust, a member of Association of Professional Societies in East Africa (APSEA), a trustee of Kenya Professionals Development Fund, and a board member of the Public Sector Accounting Standards Board. She was also a member of the public policy and governance committee of the Institute of Certified Public Accountants of Kenya (ICPAK), a commissioner at the Salaries and Remuneration Commission (SRC), and currently the chairperson at the Life Abundance International that is an NGO.

FCPA Moturi holds a master's degree in Banking and Finance from Moi University, a bachelor's degree in Commerce from the University of Nairobi and a Certified Public Accountant (CPA), having studied at Strathmore University. The nominee advocated for a strong regulatory framework, correct regulation in internet banking at the county level, and monetary stability.

CPA Abdullahi Mohammed Abdi is a finance governance practitioner with over 23 years of experience, especially in the NGO sector. He also served in different capacities in operation and leadership roles, that includes serving an Accountant in Finance and Administration Manager at Womankind Kenya, a Senior Relationship Manager at Chase Bank Kenya Limited, a Board Director at Coast Development Authority, a Chairperson of Board Trustees of Adoption Consortium Trust, and currently serves as an Executive Director at Womankind Kenya and Council Member at Koitalel Samoei University College. He holds an MBA in Finance and is currently pursuing his PhD in Development Studies and Leadership. The nominee advocated for strategic governance, climate resilience, and technology innovation impairment system.

Another nominee is Ms Beatrice Kosgei, a legal expert with over four years of progressive experience in public service and corporate governance. She is an advocate of the High Court of Kenya and holds a Masters of Law in Commercial and Corporate Law. She has served as a State Counsel at the Attorney General Chambers, a Legal Officer at Kenya Industrial Estate, an associate at Jim Choge & Company Advocates, as an in-house counsel at Council Liberty Assurance Company, and a Managing Partner at Kosgei and Company Advocates. She has also served as a Corporate Secretary at Agricultural Development Corporation, Head of Legal for Kenya Trade Network Agency, General Manager, Legal Services, and Company Secretary for Geothermal Development Company Limited, and is a Senior Consultant at Limo & Njoroge Advocates.

The other nominee is David Simpson Osawa Awuor, who is an IT and FinTech professional with over 15 years of experience in digital and financial technology across Africa. She has served in different capacities in the private sector, including serving as a Systems Administrator Technology Transfers at Craft Silicon Limited, a Software Developer, Systems and Support Engineer, Senior Systems Engineer, a Team Leader in Internet Business General and a Division Head of Mobile Banking at Craft Silicon Limited, and also served as a Head of Projects at Code Matrix and is currently a Senior Project Manager at Craft Silicon Limited.

He holds a Bachelor of Science Degree in Information Technology from Jomo Kenyatta University of Science and Technology (JKUAT), and in his interview, he advocated for technological modernization of financial systems and emphasized on cybersecurity and innovation in banking.

The Committee found that all four nominees possess the requisite knowledge and experience in either banking, finance, IT, law, and governance, as specified in the requirements of the *Central Bank of Kenya Act*. They exhibited leadership traits needed as board members.

All the nominees displayed zeal to strengthen the Central Bank's regulatory and oversight role, enhancing financial stability and supporting Kenya's economic growth.

In recent years, the global financial landscape has witnessed rapid innovation, particularly in the realm of blockchain technology, virtual assets, and cryptocurrencies. These technologies are shaping traditional banking models and introducing new regulatory and security challenges. It is therefore important that, as this House approves these four nominees, they need to update the Central Bank of Kenya systems to make sure that they are cognisant of the use of blockchain technology. They need to leverage on use of virtual assets and cryptocurrencies, including making sure that the Virtual Assets Bill in this House, is well up to date with best practice. They need to ensure that they do risk checks and ensure that there is no collapse of these particular systems. They also need to guide the bank on policy and regulatory considerations and make sure that they use up-to-date technologies to advance the issue of cybersecurity and innovations.

In the last few years, the traditional banking sector has changed. For a very long time, Kenyans relied on banks and bank products in the traditional way of banking. But of late, for example, you have seen an uptake of digital loans now accounting for 52.79 per cent of all active loan accounts with a total outstanding balance of Ksh158 billion.

Loans like *Fuliza*, that overdraft facility under M-PESA, disbursed Ksh834 billion in the last 12 months as of March 2024 which averaged Ksh2.3 billion daily. Other products like KCB M-PESA, and M-Shwari disbursed Ksh83.7 billion and Ksh42 billion, respectively.

However, despite this growth, although credit platforms provide great convenience and are easily accessible within a very short period of time, especially to those outside formal employment, the interest rates on these platforms remain very expensive. I have done a small analysis of the interest rates, and I will just give an example of KCB M-PESA. When you hold a KCB account and take a digital loan, the interest rate is 7.5 per cent per 30 days on amounts between Ksh50 and Ksh1 million. The repayment period is 30 days. When you calculate the effective annualised interest rate, it comes to 130 per cent. If you take M-Shwari loan, the product by NCBA Bank and Safaricom, at 7.5 per cent for 30 days, they offer loans from Ksh100 and Ksh1 million, which brings an annualised rate of 130 per cent.

If you take another product, the MCo-op Cash App, which is available to most Members here with Cooperative Bank accounts, they charge between 8 and 12 per cent for a period of 30 to 90 days. They will offer you between Ksh1,000 and Ksh500,000, with a repayment period of one to three months. The annualised interest rates, taking the spread between 8 and 12 per cent, range from 107 and 207 per cent per annum.

Therefore, the Central Bank of Kenya, which should supervise and ensure that interest rates remain affordable to Kenyans, should not just focus on products within the traditional banking system. The access to digital loans, especially with our commercial banks, emphasises the need for Central Bank of Kenya (CBK) to go out of its way to ensure that interest rates remain affordable.

We cannot have a situation where when seeking to secure a loan with a log book you are charged interest rates between 12 and 20 per cent, but the same loan offered through a digital platform, which actually incurs less cost for the bank, ends up with an effective interest rate of up to 100 per cent or more. In fact, if I went through the list further, you would see some of them exceed 300 per cent.

The challenge for this Board of Directors is to view the banking sector not just as a traditional banking system, but to take into consideration the digital space, cryptos and blockchain technology staying up to speed rather than being reactionary. Some people have lost their monies through some of these platforms, like one of the cryptos that collapsed last

week, I think it was called Ibex Limited where members, including some from this House lost millions of shillings. They should be proactive and not reactive.

Lastly, the Business Laws (Amendment) Bill, now the Business Laws Amendment Act, that this House passed in December last year, gives additional responsibilities to the Central Bank of Kenya. This includes bringing under the purview of the Central Bank of Kenya the 'Buy Now, Pay Later' programme such as the *Lipa Pole Pole* on our phones, especially when people buy phones or get into the *boda boda* sector and use *Lipa Pole Pole*.

This additional mandate therefore means that the Central Bank must be up to speed to ensure they have the requisite human resource and technology to take on the new responsibilities. As the CBK transitions into a modernised future, the new board's capacity to balance innovation, stability and consumer protection will be very critical.

Hon. Temporary Speaker, in view of the following, the Joint Parliamentary Committee recommends that this House approves FCPA Sophie Moturi, CPA Abdullahi Mohamed Abdi, Ms Beatrice Kosgei and Mr David Simpson Osawa Owuor for their appointment as members of the Board of the Central Bank of Kenya. Their wealth of experience will be instrumental in steering Kenya's financial sector towards a future of stability, innovation and inclusive economic growth. I respectfully urge my colleagues in this House to approve and adopt the Joint Committee's Report for the appointment of these board directors of the Central Bank of Kenya.

I beg to move and request Hon. CPA Rutto, the great Member of Parliament for the people of Kesses Constituency, to second.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): CPA Ruto.

Hon. Julius Rutto (Kesses, UDA): Thank you so much, Hon. Temporary Speaker. As I rise to second, I also want to confirm, as one of the Members of the Departmental Committee on Finance and National Planning that joined with the Standing Committee of Finance and Budgeting of the Senate, that indeed, we established that the candidates who were nominated for this particular position had the requisite experience and knowledge of what is expected of them.

I will be right to say that the economic situation of countries – Kenya being one of them – requires people who can understand and measure the direction a country is going. Bringing on board such people is the direction that Kenya is focussing on in expanding its economy through the right policies. Even as I request this House to approve the nominees, I call upon the nominees to ensure that they bring on board good governance and a focus that will accommodate the changes in technology, so that we can develop our economy in terms of industrialisation and innovation, and onboard young Kenyans who are energetic and passionate to participate in building our economic blocks.

Lastly, during vetting, we had a challenge with one nominee, Mr David Simpson Osawa Owuor. His names were varying in his documents. As a committee, we had to undertake due diligence to establish the ownership of the documents that he provided. What I want to request Kenyans is that whenever they have a challenge with a name in their documents, they should not waste time. They should regularise their name so that it does not bring a challenge like what faced us as a committee. We had to fact find to ensure that the person we were vetting was indeed the right person, Mr. David Simpson Osawa. Having said that, I beg to second the Motion.

(Question proposed)

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): I will not put the Question, Hon. Kaluma.

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I will give a chance to Hon. Rahim Dawood, the Member for North Imenti.

Hon. Members, you can make brief comments.

Hon. Rahim Dawood (North Imenti, Independent): Thank you, Hon. Temporary Speaker. I will just need a minute. I support the list by the Committee on Finance. I want to advise the incoming directors on the threshold on banks which has been removed so that new banks can be done. We need to put all the banks together so that we do not get too many banks consolidating and we need to reduce the amount from Ksh10 billion to figure less than that. With those few remarks, I support.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): The Member for Chuka/Igambang'ombe, Hon. Patrick Ntwiga.

Hon. Patrick Ntwiga (Chuka/Igambang'ombe, UDA): Thank you, Hon. Temporary Speaker. Mine will be brief. As we approve these names, I wish that Members would take their rightful position. Kenya has turned into a country that literally hawks loans. Kenyans have been vanquished by people peddling loans with logbooks and title deeds as collaterals.

If you go anywhere, there are posters all over, on any electric post and shops. With a logbook, you can get a loan within two minutes and with a title deed, you get a loan within three minutes. Because Kenyans are at times needy, they end up giving their title deeds and logbooks to brokers who end up selling their property. I wish the Central Bank of Kenya (CBK) could take steps to control and monitor online lending platforms.

I support the Special Motion.

Hon. Peter Kaluma (Homa Bay Town, ODM): On a point of order.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): What is out of order, Hon. Kaluma?

Hon. Peter Kaluma (Homa Bay Town, ODM): Hon. Temporary Speaker, I rise under the relevant provisions of the Standing Orders to ask whether it would be right for the Mover to be called upon to reply. The Mover gave very detailed information and the Report of the Committee is conclusive. I have been listening to Members and we are repeating the same points. Nothing new is coming up. For the sake of pending business, could the Mover be called upon to reply?

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Members, I would like to find out from you whether it is the mood of the House that we call upon the Mover to reply.

(Question, that the Mover be now called upon to reply, put and agreed to)

Mover.

(Hon. Shakeel Shabbir spoke off record)

With all due respect, Hon. Shabbir--- Unfortunately, Hon. Kuria Kimani, you cannot donate your time. It is the same rule as applying emergency brakes.

Please proceed, Mover.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Speaker, all the board directors who have been following this debate have heard the concerns raised by Members. Therefore, it is up to them to do their best to ensure that the CBK is respected, authoritative, innovative, technology-driven, and has an interest in all the issues raised in this House.

With those few remarks, I beg to reply.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Members, I will not put the Question. The putting of the Question will be done at a time when the business is next scheduled for consideration by the House Business Committee.

(Putting of the Question deferred)

Next Order.

Let us have Hon. Kaluma before we make a decision on the Committee of the whole House.

Hon. Peter Kaluma (Homa Bay Town, ODM): Thank you, Hon. Temporary Speaker. I rise pursuant to Standing Order No.131 to request that the matter under Order No.12 be stepped down for future consideration. I have consulted with the Mover of the Assisted Reproductive Technology Bill (National Assembly Bill No.61 of 2022), Hon. Millie Odhiambo, who is also the Chief Whip of the Minority Party, together with the Chairperson of the Departmental Committee on Health. Given that it is just a few minutes to the end of the session, this is a very complex matter that needs a bit of time.

This Bill has also been referred by the House to the relevant Committee for harmonisation. We have agreed with both the Mover and the Chairperson of the relevant Committee that the Chairperson will convene us so that we can complete that exercise and file a report that will then enable the House to transact this important matter in the smoothest and shortest way possible.

I urge that you so direct, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Millie Odhiambo is also in the House. I will give her one minute to contribute. I will also give one minute to the Chairperson of the Committee. Let us start with the Chairperson of the Committee and then the Chief Whip of the Minority Party.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Speaker. We have indeed consulted on this matter. This is an extremely complex Bill, which has undergone a winnowing process. However, many clauses still need further agreement on so that consideration of the Bill will be easier when we come back. We will be referring to almost three different documents. If the Mover and proposer of the Bill is of the same opinion and has no objection, we can proceed with that arrangement.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Chief Whip of the Minority Party, Hon. Millie Odhiambo, proceed. I know you are not only speaking as the Whip, but you have a lot of interest in this subject.

Hon. Millie Odhiambo–Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker. I am actually the Mover of the Bill. We have discussed and made progress outside the Floor. We have agreed that during the period of recess, we harmonise the process that we have begun so I am in agreement with both Members. Thank you.

The Temporary Speaker (Hon. Rachael Nyamai): Thank you very much, Hon. Members. Having listened to the Chairman of the Committee and also Hon. Kaluma and the Mover of the Bill, Hon. Millie Odhiambo, I now step-down Order No. 12.

(Committee of the whole House deferred)

ADJOURNMENT

The Temporary Speaker (Hon. Rachael Nyamai): Hon. Members, the time now being 1:00 p.m., this House stands adjourned until today, Wednesday, 30th April 2025, at 2:30 p.m.

The House rose at 1:00 p.m.

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