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THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

VOL. IV NO. 55

THE HANSARD

Thursday, 19th June 2025

The House met at 2.30 p.m.

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

PRAYERS

QUORUM

Hon. Speaker: Hon. Members, there is no quorum in the House. Serjeant-at-Arms, ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

Order, Hon. Members. We have quorum to transact business. Clerk-at-the-Table, proceed.

PAPERS

Hon. Speaker: Leader of the Majority Party.

Hon. Silvanus Osoro (South Mugirango, UDA): Hon. Speaker, I beg to lay the following papers on the Table:

1. Legal Notice No. 107 of 12th June 2025 relating to the Graphic Health Warnings for Tobacco Products, explanatory memorandum and other accompanying documents from the Ministry of Health;
2. Report of the Auditor-General on Riamo Technical and Vocational College for the years ended 30th June, 2022, 30th June 2023, 30th June 2024, and the certificates therein;
3. Report of the Auditor-General on Borabu Technical Training Institute for the year ended 30th June, 2022, and the certificate therein;
4. Report of the Auditor-General on Riatirimba Technical and Vocational College for the years ended 30th June, 2022, 30th June 2023, 30th June, 2024 and the certificate therein;
5. Report of the Auditor-General on Nairobi International Financial Centre Authority for the years ended 30th June, 2023, 30th June, 2024, and the certificate therein;
6. Report of the Auditor-General on the Kiambu National Polytechnic (KINAP) and Kiambu Institute of Science and Technology (KIST) for the years ended 30th June, 2023, 30th June, 2024, and the certificates therein;
7. Report of the Auditor-General on Hybrid Generation of Off-Grid Power Systems Credit No. CKE 1066 01 L for the years ended 30th June 2019, 30th June 2020 and the certificates therein – Kenya Power and Lighting Company PLC;
8. Report of the Auditor-General on Lunga Lunga Technical and Vocational College for the year ended 30th June, 2022, and the certificate therein;

9. Report of the Auditor-General on Audit of Human Resource Information System-Kenya, and the certificate therein;
10. Audited Financial Statements from the Kenya Civil Aviation Authority for the year ended 30th June, 2024;
11. Report of the Auditor-General on Chepalungu Technical Training Institute for the year ended 30th June, 2022, and the certificate therein;
12. Reports of the Auditor-General and Financial Statements for the Year ended 30th June, 2024, and the certificates therein in respect of:
 - (a) Mwaani Boys Secondary School;
 - (b) Kasikeu Boys High;
 - (c) Cardinal Otunga High -Mosocho;
 - (d) Asumbi Girls High School;
 - (e) Moi Nyabohanse Girls' High School;
 - (f) Nyabururu Girls National High School;
 - (g) Kisii High School;
 - (h) Kanga High School;
 - (i) St. Joseph's Nyabigena Boys High School;
 - (j) Voi Boys High School;
 - (k) Murray Girls High School;
 - (l) St. Mary's High School-Lushangonyi;
 - (m) Isiolo Boys Secondary School;
 - (n) Njonjo Girls' High School;
 - (o) St. Stephen's Lwanya Girls Secondary School;
 - (p) Moyale Boys Secondary School;
 - (q) Bishop Sulumeti Chelelemuk Girls High School;
 - (r) AIC Kyome Boys Secondary School;
 - (s) Kenyatta High School;
 - (t) St. Anne's Muthale Girls Secondary School;
 - (u) St. Bakhita Bahati Girls Secondary School;
 - (v) Molo Academy Boys Secondary School;
 - (w) Elburgon Secondary School;
 - (x) Naivasha High School;
 - (y) Jomo Kenyatta Girls High School;
 - (z) Ribe Boys High School;
 - (aa) Kombeni Girls Secondary School;
 - (bb) Marifano Secondary School;
 - (cc) Wenje Secondary School, and
 - (dd) Hola Secondary School.
13. Reports of the Auditor-General and Financial Statements for the year ended 30th June 2024, and the Certificates therein in respect of the following Technical and Vocational Colleges:
 - (a) Tetu;
 - (b) Kieni;
 - (c) Kipipiri;
 - (d) Kandara;
 - (e) Ndaragwa;
 - (f) Lamu East, and
 - (g) Nachu.

14. Reports of the Auditor-General and Financial Statements for the year ended 30th June 2024, and the certificates therein in respect of the following Technical Training Institutes:
- (a) Mukurweini; and
 - (b) Mathenge.
15. Reports of the Auditor-General and Financial Statements for the years ended 30th June 2023, 30th June 2024, and the Certificates therein in respect of the following Technical and Vocational Colleges: -
- (a) Mathira;
 - (b) Mwea;
 - (c) Kigumo;
 - (d) Weru;
 - (e) Garsen; and
 - (f) Kamukunji.

Thank you, Hon. Speaker. I beg to lay.

Hon. Speaker: Thank you, Hon. Osoro.

Next, Chairperson, Budget and Appropriations Committee.

Hon. Samuel Atandi (Alego Usonga, ODM): Hon. Speaker, I beg to lay the following paper on the Table:

Report of the Budget and Appropriations Committee on its Consideration of the Fourth Basis for Revenue Sharing for County Governments.

Thank you.

Hon. Speaker: Next order.

NOTICE OF MOTION

FOURTH BASIS FOR REVENUE SHARING FOR COUNTY GOVERNMENTS

Hon. Samuel Atandi (Alego Usonga, ODM): Hon. Speaker, I beg to give notice of the following Motion:

THAT, taking into consideration the findings of the Budget and Appropriations Committee in its report on the consideration of the Fourth Basis for revenue sharing for county governments, laid on the Table of the House on Thursday, 19th June 2025, and pursuant to the provisions of Article 217(1) and (4) of the Constitution on allocation of the Share of National Revenue among the Counties, this House concurs with the Senate and approves the Fourth Basis for the Annual Allocation of the Share of National Revenue to the county level of government without amendments.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you.

Whip of the Majority Party, where is the Chairperson of the Departmental Committee on Finance and National Planning, and the Leader of the Majority Party? I wanted to dispose of the Questions.

Hon. Silvanus Osoro (South Mugirango, UDA): Hon. Speaker, the Chairperson of the Departmental Committee on Finance and National Planning is on his way. We may skip a little, and the Leader of the Majority Party will arrive a little late today. However, the Deputy Leader of the Majority Party is present.

Hon. Speaker: Is there a Member of the Departmental Committee on Finance and National Planning who can hold brief when we put the Question at Third Reading?

(Hon. Owen Baya consulted with the Hon. Speaker)

You can do that? Very well. Hon. Members, I believe you have your Supplementary Order Paper. I would like us to dispose of the Questions listed under Order Nos. 8, 9, 10, 11, and 12. Thereafter, we shall proceed to Statements before returning to Order No. 13, and eventually moving into the Committee of the whole House.

Before we call out the orders, allow me to acknowledge, in the Speaker's Gallery, Kiamuriuki Primary School from Chuka/Igambang'ombe, Tharaka Nithi; Unity High School from Naivasha, Nakuru; and Kambaa Secondary School from Ndaragwa, Nyandarua. In the Public Gallery, we also have Korongoi Girls School from Bureti in Kericho County. On behalf of the...

(Hon. Hon. Kibet Komingoi spoke off the record)

Yes, Hon. Member, do you want to welcome them? Then do it for everybody.

Hon. Kibet Komingoi (Bureti, UDA): Thank you, Hon. Speaker. On behalf of this House, I would like to welcome all the students from various schools and counties that are here today, especially those from Korongoi Girls, the most progressive and disciplined girls' school in my constituency. On behalf of Parliament and the rest of us here, we welcome you to this honourable House to observe the proceedings and the things that further the welfare and education of our students in the country. We welcome you to this hallowed place. Enjoy your time while you are here.

Thank you.

(Applause)

Hon. Speaker: Thank you. On behalf of the Speaker and the House, we welcome all the students, their teachers, and those accompanying them to the House of Parliament.

Hon. Owen Baya, are you ready?

Can we now go to Order No. 8?

MOTION

CONSIDERATION OF THE REPORT ON THE FINANCE BILL

THAT, this House do agree with the Report of the Committee of the Whole House on its consideration of the Finance Bill (National Assembly Bill No. 19 of 2025).

(Moved by Hon. Kuria Kimani on 18.6.2025-Afternoon Sitting)

(Resumption of consideration interrupted on 18.6.2025- Afternoon Sitting)

(Question put and agreed to)

BILL

Third Reading

THE FINANCE BILL
(National Assembly Bill No. 19 of 2025)

Hon. Speaker: Mover.

Hon. Owen Baya (Kilifi North, UDA): Thank you very much, Hon. Speaker.

(Several Members stood at the Bar)

Hon. Speaker: Members at the Bar, take the nearest seats.

(Hon. David Kiplagat and Hon. Wanami Wamboka stood in the gangway)

Hon. DK, where is your nearest seat? Hon. Wanami Wamboka, where is your nearest seat?

Hon. Owen Baya (Kilifi North, UDA): The nearest to the Speaker.

(Laughter)

Hon. Speaker: Go ahead.

Hon. Owen Baya (Kilifi North, UDA): Hon. Speaker, I beg to move that the Finance Bill (National Assembly Bill No. 19 of 2025) be now read a Third Time.

Hon. Speaker, I thank Members who participated in the debate and the eventual completion of this very important piece of legislation to ensure we are within the timeframe.

Having said that, I would like to request Hon. Kwenya Thuku, who was one of the Members who contributed very much to this Bill, to second.

(Several Members spoke off the record)

No, he was there.

Hon. Kwenya Thuku (Kinangop, JP): Thank you, Hon. Speaker. I wish to take this opportunity to second the Bill. Thank you.

Thank you, Hon. Members.

(Question proposed)

Hon. Members: Put the Question.

Hon. Speaker: I will now put the Question. I am satisfied we have a quorum

(Question put and agreed to)

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

Hon. Speaker: Next Order.

MOTION

REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE
KENYA NATIONAL COUNCIL FOR POPULATION AND DEVELOPMENT BILL

THAT, this House do agree with the Report of the Committee of the Whole House on its consideration of the Kenya National Council for Population and Development Bill (National Assembly Bill No. 72 of 2023)

(Moved by Hon. Kuria Kimani on 18.6.2025-Afternoon Sitting)

(Resumption of consideration interrupted on 18.6.2025-Afternoon Sitting)

(Hon. John Kiarie and Hon. Ndindi Nyoro stood in the gangway)

Order, KJ and your colleague. Take your seats.

(Question put and agreed to)

BILL

Third Reading

KENYA NATIONAL COUNCIL FOR POPULATION AND DEVELOPMENT BILL
(National Assembly Bill No. 72 of 2023)

Hon. Speaker: Mover.

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Speaker.

I beg to move that the Kenya National Council for Population and Development Bill (National Assembly Bill No. 72 of 2023) be now read a Third time.

Hon. Speaker, once again, I thank the Members who participated yesterday. Yesterday we had a full House here; not a full House in terms of numbers, but people who combed through the Bill. We had robust debate. This is a good piece of legislation. Yes, we had the numbers. I want to thank the Members who stayed to debate and to go clause by clause. I also thank the two Chairpersons who were there, Hon. David Ochieng' and Hon. Peter Kaluma. They sacrificed. We went up to I think 9:00 p.m., and we did.

Hon. Speaker: There is no sacrifice. They were working.

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

(Laughter)

And they did a good job. If you have something like tea, you can give the two gentlemen for a good job. I also call Hon. Irene Mayaka, who was here throughout to second. You know, I always think she is a third-term Member. So, Hon. Irene Mayaka, please second this Bill.

Thank you.

Hon. Speaker: Yes, Hon. Irene Mayaka, go ahead.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Speaker. I second.

(Question proposed)

We put the question?

Hon. Members: Yes.

Hon. Speaker: I confirm that we have a quorum in the House.

(Question put and agreed)

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

THE APPROPRIATION BILL
(National Assembly Bill No. 23 of 2025)

(Moved by Hon. Samuel Atandi on 18.6.2025- Afternoon Sitting)

(Debate concluded on 18.6.2025- Afternoon Sitting)

(Hon. Millie Odhiambo stood in the gangway)

Hon. Speaker: Minority Whip, take your seat.

(Question put and agreed to)

*(The Bill was read a Second Time and
Committed to the Committee of the Whole House)*

THE EQUALISATION FUND APPROPRIATION BILL
(National Assembly Bill No. 21 of 2025)

(Moved by Hon. Samuel Atandi on 18.6.2025 – Afternoon Sitting)

(Debate concluded on 18.6.2025 – Afternoon Sitting)

(Question put and agreed to)

*(The Bill was read a Second Time and
Committed to the Committee of the Whole House)*

Hon. Speaker: Hon. Members, you will note, that at Order No. 14, you will be going to a Committee of the Whole House on Orders No. 10 and 11. So, be ready for that.
Next?

THE KENYA ROADS (AMENDMENT) (NO. 2) BILL
(National Assembly Bill No. 16 of 2025)

(Moved by Hon. Kimani Ichung'wah on 18.6.2025 – Afternoon Sitting)

(Debate concluded on 18.6.2025 – Afternoon Sitting)

*(Hon. Raphael Wanjala and Hon. Benjamin
Lang'at stood in the gangway)*

Hon. Speaker: Order, Hon. Raphael Wanjala and Hon. Benjamin Lang'at. Take your seats.

(Question put and agreed to)

*(The Bill was read a Second Time and
Committed to the Committee of the Whole House)*

Let us go back to Order No. 7.

QUESTIONS AND STATEMENTS

STATEMENTS

Hon. Speaker: Hon. Harun Suleka. Is Hon. Harun Suleka in the House?

Hon. Harun Suleka (Nominated, UDM): Yes.

Hon. Speaker: Go ahead.

(Hon. Harun Suleka spoke off the record)

Hon. Harun Suleka, you have no Statement to make? You are listed as having a Statement to make on behalf of Gitonga Mukunji. You are not in the picture? The statement is stayed.

(Statement deferred)

Next is Hon. Protus Akujah. Member for Loima.

DELAY IN THE IMPLEMENTATION OF INFRASTRUCTURAL PROJECTS EARMARKED FOR FY 2024/2025

Hon. Protus Akujah (Loima, UDA): Hon. Speaker, I rise to request a Statement from the Chairperson of the Budget and Appropriations Committee regarding the status of the social services projects earmarked by the Budget and Appropriations Committee during the public hearings in the Financial Year 2024/2025.

Pursuant to Standing Order 44(2)(c), I wish to request a Statement from the Chairperson of the Committee on Budget and Appropriations regarding delay in the implementation of infrastructural projects earmarked for the Financial Year 2024/2025. Following a public participation hearing by the Committee on Budget and Appropriations in Turkana County in the current Financial Year 2024/2025, Turkana County was allocated Ksh100 million to be shared among six constituencies for project allocation identified by constituents through their respective Members of Parliament.

These specific projects were in the itemized budget and captured in the budget books as approved by this House for implementation by their respective State Departments. Loima Constituency had two sets of infrastructural projects falling under the State Department of Basic Education and the State Department for *Technical and Vocational Education and Training (TVETs)*. They included implementations of projects at Saint Bakhita Girls Secondary School for the construction of teachers' houses, ablution blocks, and classrooms. Others included construction of a perimeter wall or fence at Loima Technical and Vocational Training. The implementation of these projects has not commenced despite funds being budgeted and allocated in the vote heads, noting that the Financial Year is coming to an end.

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

1. Report on the status of implementation of projects approved by the Committee on Budget and Appropriations during the public participation hearing in the Financial Year 2024/2025.
2. Report indicating the amount of funds released to institutions for the implementation of the identified projects.
3. Specific measures being taken to ensure funds have been released and implementation of projects has commenced before the closure of the Financial Year 2024/2025.

Thank you, Hon. Speaker.

Hon. Speaker: Chairperson of the Committee on Budget and Appropriations, Hon. Samuel Atandi, when can you bring a response? Can we do it by Thursday next week?

Hon. Samuel Atandi (Alego Usonga, ODM): Yes, agreed.

Hon. Speaker: Thursday next week?

Hon. Samuel Atandi (Alego Usonga, ODM): Yes, I am in agreement.

Hon. Speaker: Thank you.

Hon. Namoit Ariko, Turkana South. Go ahead.

(Hon. Speaker consulted the Clerk-at-the-Table)

Hon. Namoit; give him the microphone. Do you have the request for statement?

Hon. Joseph Emathe (Turkana Central, UDA): No.

Hon. Speaker: Why?

Hon. Joseph Emathe (Turkana Central, UDA): They have not supplied the Order Paper to me yet.

Hon. Speaker: The Order Paper was out yesterday and you ought to have seen that you were listed to request for a statement.

Hon. John Namoit (Turkana South, ODM): Hon. Speaker, I went to the Table office and they said it was here. What do I do?

Hon. Speaker: What you ought to do is that when you file a request for statement at the Table Office, you retain a copy. Are you ready now?

Who has a point of order? You have a point of order?

Hon. Joseph Emathe (Turkana Central, UDA): Yes, Hon. Speaker.

Hon. Speaker: Hon. Benjamin, what is your point of order?

Hon. Benjamin Lang'at (Ainamoi, UDA): Hon. Speaker, Dr Ariko is a fellow member in the Departmental Committee on Finance and National Planning, and I know him very well. But the gentleman standing there is not Dr Ariko.

Hon. Speaker: I know that. And I know where Hon. Ariko sits in the House. Hon. Emathe, do you have authority?

Hon. Joseph Emathe (Turkana Central, UDA): Yes, Hon. Speaker.

Hon. Speaker: The Standing Orders are very clear. If your colleague wants you to transact any matter on his or her behalf, they have to write to the Speaker. I have received no such written request. So, take your seat.

(Laughter)

Hon. Speaker: I have now been shown a written request, which was not available to me. Go ahead.

Hon. Joseph Emathe (Turkana Central, UDA): Thank you, Hon. Speaker. I thought I would go through that, and then be dismissed.

Hon. Speaker: Go ahead.

DELAY IN DISBURSEMENT OF FUNDS FOR
THE HUNGER SAFETY NET PROGRAMME

Hon. Joseph Emathe (Turkana Central, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I wish to request a Statement from the Chairperson of the Departmental Committee on Social Protection regarding delays in the disbursement of funds for the Hunger Safety Net Programme (HSNP). The HSNP is one of the flagship social protection initiatives under the Kenya National Safety Net Programme, and is implemented through the National Drought Management Authority (NDMA). The programme targets vulnerable populations in arid and semi-arid areas by providing predictable and regular cash transfers aimed at cushioning vulnerable households from food insecurity and poverty. Regrettably for close to eight months now, beneficiaries under the HSNP have not received the funds. This delay has impacted over 100,000 households, exacerbating hunger, malnutrition and deepening poverty in the affected areas. The non-disbursement negatively affects the socio-economic status of communities dependent on the programmes. Further, lack of representation of persons from arid and semi-arid areas in NDMA raises concerns on the effective management of the challenges faced in the areas.

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

1. A report on the status of disbursement of funds from the HSNP to support vulnerable populations in the arid and semi-arid areas, including Turkana County.
2. The reasons for the delay in the disbursement of cash transfers to the vulnerable groups and a report on challenges facing HSNP related to financing, operations and communication.
3. A report on the human resource audit undertaken by NDMA, addressing allegations of disparities in ethnic and regional representation of beneficiaries under HSNP.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Emathe.

Hon. Alice Ng'ang'a... Or who is in charge of the Departmental Committee on Social Protection? Yes, Hon. Lochakapong.

Hon. Peter Lochakapong (Sigor, UDA): Thank you, Hon. Speaker. I think the request is misdirected. The HSNP is under NDMA overseen by the Departmental Committee on Regional Development.

Hon. Speaker: So, it should be directed to your Committee?

Hon. Peter Lochakapong (Sigor, UDA): Yes.

Hon. Speaker: Hon. Alice Ng'ang'a, is that correct?

Hon. Alice Ng'ang'a (Thika Town, UDA): Yes, Hon. Speaker. It is not under us, administratively, and under the Standing Orders.

Hon. Speaker: I direct that the request goes to the correct Committee, chaired by Hon. Lochakapong. When can you bring a response?

Hon. Peter Lochakapong (Sigor, UDA): Ordinarily, it would be two weeks, but we will be going for recess. So, I will bring it the first week after recess.

Hon. Speaker: Okay.

Hon. Peter Lochakapong (Sigor, UDA): Thank you.

Hon. Speaker: Thank you.

There is a response to a request by Hon. David Kiplagat to the Departmental Committee on Education. I have been told by the Chairman of the Committee that he is not ready today.

*(Hon. David Kiplagat consulted
with Hon. Eric Wamumbi)*

Hon. Speaker: The questioner, Hon. David, is just chatting away. He is not paying any attention.

Hon. David.

Hon. David Kiplagat (Soy, UDA): Yes.

Hon. Speaker: You are chatting away the afternoon when you are part of our business. Your Statement will be responded to next week on Wednesday.

(Hon. David Kiplagat spoke off the record)

Hon. Speaker: No, you cannot. You are not even paying attention.

Hon. Gabriel Tongoyo (Narok West, UDA): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Hon. Tongoyo.

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Speaker. You recall last week, I promised the House that the Cabinet Secretary for Interior and National Administration would appear before the Committee today to respond to about 18 requests for statements. The Cabinet Secretary wrote a letter to us last evening, indicating that there is an ongoing Cabinet retreat, making him unavailable for today's meeting. Considering that we will be going for recess, hopefully next week, I need your guidance on what I should do with the requests by Members. It is a big backlog.

Hon. Speaker: Thank you, Hon. Tongoyo. Indeed, we agreed that the Cabinet Secretary would be appearing before your Committee. I am also aware that there is a Cabinet retreat. In fact, I had designated the Leader of the Majority Party to go and address the Cabinet retreat, which he has done and come back. Leader of the Majority Party, ensure the Cabinet Secretary for Interior and National Administration is here on Wednesday to respond to the homicide cases and requests for explanation.

On the backlog of requests for statements, we will be going on recess, but Committees will sitting. So, pick any date in the course of the recess and notify your colleagues who have requests to appear and prosecute them.

Hon. Speaker: Hon. Wangari.

Hon. Martha Wangari (Gilgil, UDA): Thank you, Hon. Speaker, for indulging me. I had requested for a statement on betting – specifically on the game of Aviator – before the last recess. You directed that it be responded to after recess. I am worried we are going on another recess, but there is still no communication on that request.

Hon. Speaker: Which Committee was it directed to?

Hon. Martha Wangari (Gilgil, UDA): The Departmental Committee on Finance and National Planning.

Hon. Speaker: Is the Chair of the Departmental Committee on Finance and National Planning here? Hon. Wangari, fish out a copy of the request, drop it at my office and I will give direction.

Hon. Members, allow me to acknowledge the following schools in the Speaker's Gallery: Murray Girls from Mwatate in Taita Taveta, and Alliance Boys High School from Kikuyu in Kiambu. In the Public Gallery, we have Malivani AIC Primary School from Makueni in Makueni, and Ibara Girls Boarding from Borabu in Nyamira.

Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, on behalf of the House, allow me to welcome the schools present, namely Ibara Girls Primary Boarding School from Nyamira County, and of course, the Alliance High School. I left the Alliance High School

exactly 31 years ago as a young man, very determined to serve the world because our school motto stated, 'You are Strong to Serve.' Every day in the morning, we prayed to God to give us the strength to grow up to be strong men in body, mind, and character to faithfully serve fellow men.

Allow me to welcome the students and to tell them that they are strong to serve. They are welcome to the National Assembly, where their representatives represent them and the people of Kenya. As they work hard in school, they must bear in mind that this country looks up to them, not just as the future leaders, but also as present and active citizens of our country. We want them to be the best examples that they can be to other young people. I welcome them to the National Assembly.

I was the House Captain of Smith House in 1994, and I also served as the Senior Prefect in charge of discipline at the Alliance High School. That is why I am a very disciplined person. I had to lead by example. Even as I lead the House, I want to ensure that each and every one of us, including the Member for Juja, becomes a disciplined legislator.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Leader of the Majority Party. Yours truly went to a better school called Friends School Kamusinga. Two of my sons went to the Alliance High School.

Member for Mwatate, Hon. Mbogho.

Hon. Peter Shake (Mwatate, JP): Thank you, Hon. Speaker. I take this opportunity to welcome my students from Murray Girls High School in Mwatate Constituency, Taita Taveta County. This is a top performing school in Mwatate, and one of the best performing schools in the Coast region. I feel honoured to have them here in the National Assembly.

I encourage the students to ensure that they gather lots of information on the National Assembly, its establishment, and roles during this visit and throughout your trip to Nairobi. This exposure is fundamental to your studies and also to some of you who aspire to be leaders in the near future so that you know exactly what happens in this legislative arm of government. *Karibuni sana*. Feel welcome.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Mbogho.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: Hon. Millie Odhiambo.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Hon. Speaker, I welcome the students who have come here, but that is not why I am rising on a point of order.

I just wanted to get clarity on whether Hon. Wamuchomba is properly dressed. She is adorned in her party colours. Everything she is wearing is yellow, including her dress and shoes. Is it appropriate to wear party colours in the House? She is adorned in the colours of the United Democratic Alliance (UDA). That is against the Standing Orders of the House.

(Hon. Gathoni Wamuchomba consulted loudly)

Hon. Speaker: Order, Hon. Wamuchomba. Nobody has invited you to say anything. Order, Hon. Members.

Hon. Millie, in my communication about the dress code, the Speaker never prohibited any colours. We only discouraged party symbols in the House. The Speaker is colour-blind in terms of the colour of the clothing you wear. So, Hon. Wamuchomba is properly dressed.

Hon. John Kiarie (Dagoretti South, UDA): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Hon. KJ.

Hon. John Kiarie (Dagoretti South, UDA): Hon. Speaker, I am concerned about the veracity of the information given by Hon. Millie Odhiambo. Is she really in order to contend

that everything that Hon. Wamuchomba is wearing is yellow? How did Hon. Millie Odhiambo confirm that everything that Hon. Wamuchomba is wearing is yellow?

(Laughter)

We should be very concerned. The Leader of the Majority Party and the Chief Whip of the Majority Party almost stood up in their places because they are concerned about the UDA party colours. I do not know how Hon. Millie can verify that everything that Hon. Wamuchomba is wearing is yellow. Has Hon. Wamuchomba come back to the party and is now promoting its ideals?

Hon. Speaker: Order! That is enough comic relief. We can now move on to other matters.

Yes, Hon. Wamuchomba. What is it?

Hon. Gathoni Wamuchomba (Githunguri, UDA): Hon. Speaker, it is unfortunate that my colleague and senior, Hon. Millie Odhiambo, can only see me in the whole House. There are people in yellow seated behind me. Even our seats have a yellow emblem. I do not know why you are so particular about the colour yellow. Why are you so particular about this wonderful lady who is in black and yellow? It is because you know I have come to dissect the Finance Bill and protect the wishes of Kenyans, whom you have refused to speak for. That is why you are all talking about me. You know I am here because you have failed.

(Loud consultations)

Hon. Speaker: Order, Members! Hon. Wamuchomba, you are out of date; the Finance Bill is way behind us. It is now in the annals of parliamentary history. It will be implemented. If that is what you came for, you are out of date. Let us end there.

MEMBERS' GENERAL STATEMENTS

Hon. Suleka, you have the authority to present a Statement. Is it a request for a Statement or just a General Statement?

Hon. Suleka Harun (Nominated, UDM): It is a General Statement.

Hon. Speaker: Go ahead.

BLOOD DONATION DRIVE

Hon. Suleka Harun (Nominated, UDM): Hon. Speaker, pursuant to the provisions of Standing Order 43(1), I rise to make a Statement of great national importance regarding a blood donation drive scheduled to be hosted by the Kenya Young Parliamentarians Association (KYPA), on Monday, 23rd June 2025, within Parliament Buildings.

The KYPA has organised a blood donation drive within Parliament in commemoration of the 2025 World Blood Donor Day, which was observed last week on 14th June 2025. This event comes at a time when the country is facing a persistent shortfall in blood supply, with the annual national demand far outpacing the available voluntary blood donations. While our health professionals have been working tirelessly to save lives, many patients have to wait, and sometimes perish in the course of waiting simply because blood was not available in time. This situation calls on us, parliamentarians, by virtue of our unique positions, to influence positive change in embracing voluntary blood donation to save lives. This is because our voices as leaders can shape public opinion, inspire trust and unlock positive responses to the much-needed resources for the Kenya National Blood Transfusion Service (KNBTS).

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It is for this reason that I invite all Members of this House to participate in the blood donation drive on Monday, 23rd June 2025, in Parliament. Your participation in the drive will be greatly symbolic and transformative. I also encourage Members to use their platforms, both in Parliament, constituencies and counties to create awareness on blood donation. They should also address the cultural, religious, and logistical barriers that hinder voluntary blood donation. This will inspire your constituents to participate in the ongoing and future blood donation drives to boost our blood banks.

To encourage further voluntary blood donation in the country, I call upon the House to support legislative and budgetary efforts to strengthen Kenya's blood donation system. That includes modernising blood infrastructure, promoting plasma fractionation, and enabling blood service reimbursement under the Social Health Insurance Fund (SHIF).

I will, at an appropriate stage, table a Motion to declare June as Kenya's national blood donation month. This will serve as a lasting legacy that will institutionalize annual nationwide blood donation efforts in the country.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Suleka.

Hon. Members, hold on there before we go to the next Order.

Yes, Leader of the Majority Party for the Thursday's Statement.

STATEMENT

BUSINESS FOR THE WEEK OF 23RD – 27TH JUNE 2025

Hon. Kimani Ichung'wah (Kiambu, UDA): Thank you, Hon. Speaker. The Clerk was in a rush.

Pursuant to provisions of Standing Order 44(2)(a), I rise to give the following Statement on behalf of the House Business Committee that met on Tuesday, 17th June 2025, to prioritise business for consideration during the week.

(Hon. Farah Maalim and Hon. John Kiarie consulted)

Hon. Speaker, protect me from Hon. Farah Maalim and Hon. KJ. They are so close to me. Ordinarily, Members do not listen to this Statement. That is why you hear Hon. Wamuchomba not being aware what business will be transacted in the week.

(Hon. Gathoni Wamuchomba spoke off the record)

Hon. Speaker: Hon. Wamuchomba, just be courteous to your colleagues. He was not being rude. He just said you missed the point because people did not listen. Order, Hon. Wamuchomba. It is out of order and indecent of a lady to tell another Member "*kwenda huko wewe.*" You should not behave like that. Order, Hon. Wamuchomba.

Hon. Kimani Ichung'wah (Kiambu, UDA): Thank you for your protection. I was making this point not just for Hon. Wamuchomba's sake; it is for the sake of all Members of Parliament and the country at large. Hon. Wamuchomba might have been here yesterday, but she clearly was not aware that the Finance Bill was being transacted yesterday. We finished with debate in Second Reading the day before. We dealt with the Committee of the whole House yesterday and finalised.

Hon. Speaker, you just put the question this afternoon. Therefore, Hon. Wamuchomba should just be courteous and pay attention to what goes on in the House better than what goes on out there.

With regard to business scheduled for Tuesday next week, the House is expected to continue with consideration of the following Bills, should they not be concluded today:

The Second Reading of:

- (a) The County Public Finance Laws (Amendment) Bill (Senate Bill No. 39 of 2023).
- (b) The Virtual Asset Service Providers Bill of 2025.
- (c) The Kenya Institute of Primate Research Bill of 2024.

Additionally, debate will be undertaken on the following Motions, some of which are listed in today's Order Paper:

- (a) Consideration of the Fourth-Generation Revenue Sharing Formula for Counties. You made a Communication on it yesterday.
- (b) Consideration of Senate Amendments to the National Disaster Risk Management Bill (National Assembly Bill No. 24 of 2023) and resultant Committee of the whole House.
- (c) Consideration of the Performance Audit Report on the Provision of Services to Persons with Disabilities by the National Council for Persons with Disabilities.
- (d) Consideration of Comprehensive Economic Partnership Agreement between the Republic of Kenya and the United Arab Emirates.

Hon. Speaker, in accordance with provisions of Standing Order 44A (5) and (6), and as you directed, I wish to convey that the Cabinet Secretary of Interior and National Administration is scheduled to appear before the House on the afternoon of Wednesday, 25th June 2025, to respond to concerns raised by Members regarding circumstances surrounding the death of Mr Albert Ojwang.

In addition, the Cabinet Secretary will respond to the following Questions:

- (a) Question No. 058/2025 by the Member of Rarieda, Hon. Otiende Amollo, MP, regarding police brutality against peaceful protestors and unarmed civilians.
- (b) Question No. 059/2025 by the Member of Nairobi County, Hon. Esther Passaris, MP, regarding implementation of body-worn cameras in the police force.
- (c) Question No. 060/2025 by the Member of Suba North, Hon. Millie Odhiambo-Mabona, MP, regarding deaths of persons while in police custody.

As I conclude, I remind Members that the House is scheduled to proceed for a short recess next week. As such, Members should note that the House might be required to sit longer or have additional sittings on some days to conclude priority business before proceeding on recess at the end of that week. Finally, the House Business Committee will reconvene on Tuesday, 24th June 2025, to schedule business for the rest of that week.

I lay this Statement on the Table of the House. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Leader of Majority Party.

Next Order by the Chair of the Budget and Appropriations Committee.

MOTION

APPROVAL OF THE MEDIATED VERSION OF THE
DIVISION OF REVENUE BILL
(National Assembly Bill No. 10 of 2025)

Hon. Samuel Atandi (Alego Usonga, ODM): I beg to move the following Motion:

THAT, pursuant to the provisions of Article 113(2) of the Constitution and Standing Order 150(3), this House adopts the Report of the Mediation Committee on the Division of Revenue Bill (National Assembly Bill No. 10 of 2025), laid on

the table of the House on Wednesday, 18th June 2025, and approves the mediated version of the Division of Revenue Bill (National Assembly Bill No. 10 of 2025).

The Speaker of the National Assembly and the Speaker of the Senate constituted the Committee pursuant to Standing Order 149 of the National Assembly, and Standing Order 166 of the Senate, to facilitate consensus between both Houses on the Division of Revenue Bill of 2025. Our primary role was to reconcile the differences that had arisen between the National Assembly and the Senate on the proposed allocation of revenue between the national government and county governments.

I inform Members that the National Assembly had proposed to allocate an equitable share of Ksh405.1 billion to counties, while the Senate had proposed to allocate Ksh465 billion. We held four meetings in the course of our mediation. The process of mediation requires extensive consultations. To date, I thank the various stakeholders who engaged us in the process of arriving at a mediated figure. I thank the President of the Republic of Kenya because we had to engage the presidency at some stage, to help us iron out some of the challenges that we had in the process. I also thank the National Treasury because we had to talk to it so that we could arrive at a figure agreeable to both parties.

We learned so many things in the process of mediation. County governments are doing many tremendous programmes which most of our Members are not aware of. Many times, you find most of us castigating counties and saying they are not making very good progress. I confirm to this House that we realised counties are doing so much, especially in facilitating national programmes like in the health sector.

Many counties have already on boarded so many people into the Social Health Authority (SHA) programmes. They are working very hard to ensure some of these programmes are successful. There are programmes in which the national government and country governments are engaging in partnerships. Some involve construction of County Aggregation and Industrial Parks (CAIPs). Most counties have finished some of those programmes.

Counties are also engaging in programmes involving agriculture. Many counties are also succeeding in doing much infrastructure like tarmacking roads. The amount of money we allocate to counties is not in vain.

Hon. Speaker, I confirm that both the President and this House are committed to devolution. This is shown by the fact that we were able to arrive at a historical figure. This is because we moved through the mediation process, from Ksh405 billion to Ksh415 billion. We realised an increase of about Ksh10 billion. This shows that this House and the National Government are committed to devolution. I confirm to Members of the Orange Democratic Movement (ODM) that this figure agreed upon between the National Assembly and the Senate is very progressive. I ask them to accept it, because this is a step in the right direction to ensure devolution succeeds.

During mediation, some issues came up. One of them was non-discretionary expenditures. These are expenditures that are due to counties not because of their own liking, but because of some of the programmes they are doing in consultation with the National Government. The total non-discretionary expenditures are about Ksh34 billion. Counties are grappling with how to realise resources to fund these programmes. That is the reason we decided, in our mediation process, that we need to enhance the share of allocation to counties by about Ksh27 billion. The share of allocation to counties is Ksh387 billion in this Financial Year. However, we added a total of about Ksh27 billion to help the county governments fund these non-discretionary expenditures. Some of them include housing levy deductions. When it was introduced, it was not anticipated that counties would incur additional expenditures, courtesy of this law. These deductions are about Ksh4.1 billion annually.

Another non-discretionary expenditure we realised counties have to bear involve enhanced contribution to the National Social Security Fund (NSSF), courtesy of the law that we passed here that increased contributions. There are other matching allocations to the Kenya Industry and Entrepreneurship Projects (KIEPs) and Community Health Promoters (CHPs). All these expenditures require us to increase our allocations to counties. The process went on very well. We held four successful mediation meetings. Ultimately, we concluded that this money will help our counties to advance and prosper. Therefore, I urge Members of this House to support and adopt this Report so that we move forward.

With those few remarks, I beg to move and call upon my able Vice-Chairman, Hon. (Dr) Pukose, to second.

Hon. (Dr) Robert Pukose (Endebess, UDA): Thank you, Hon. Speaker. I stand to second the Mediated Version of the Division of Revenue Bill. I join my Chairman in thanking the Hon. Members from the National Assembly who were in the mediation team. They are my neighbour seated here, Hon. GK, Hon. Naisula Lesuuda, Hon. Zamzam, who is the Woman Representative for Mombasa County, and others who are not in the Chamber now. We also thank the Senate team led by Senator Roba for their understanding during the negotiation process, and for agreeing on the mediated figure of Ksh410 billion.

This is money that will be appropriated to the 47 counties. The law states that the money that has already been appropriated to the county governments cannot be reduced, even if the Kenya Revenue Authority (KRA) does not reach revenue collection target. This means that the National Government will bear responsibility. Putting that into consideration, we urge the counties to use this money judiciously. Let it go to the projects they are meant for. Some counties like Elgeyo Marakwet and Taita Taveta have not realised serious development owing to the current formula. After this mediation, there will be a new formula from the Commission on Revenue Allocation (CRA) which has been approved by the Senate and forwarded to this House. This means that all the 12 counties that have not realised meaningful development will now develop. This will enable them to move forward. When you visit counties, what you see in most cases is what the National Government Constituencies Development Fund (NG-CDF) has done. You will see projects like schools, administrative offices like those for the Assistant Chiefs, Chiefs, Assistant County Commissioners, and Deputy County Commissioners. You will also see police stations, Directorate of Criminal Investigations (DCI) offices and security infrastructure. However, you do not see anything tangible from the county governments.

The Senate should provide proper oversight to the counties. There is some bit of laxity on the oversight role. Yesterday, I watched the Senate proceedings when Senator Sifuna was playing his oversight role in Trans Nzoia County, and I was happy. Senator Kajwang' – not Hon. TJ Kajwang' – who is the Chairman of the County Public Accounts Committee in the Senate put my Governor on his toes. I hope Governor Natembeya will respond appropriately to those questions. If he cannot, then *wananchi* and I will deal with him.

This money that has been allocated to counties must be used for the county functions. When you look at the Budget of the National Government, there is Ksh13 billion for primary healthcare. Surprisingly, when you go to the counties, many Level 2, 3 and 4 hospitals do not provide necessary services. We have also recapitalised the Kenya Medical Supplies Authority (KEMSA) to a tune of Ksh1.5 billion, which means they should supply enough medicines to all our health facilities. Therefore, I call upon the counties to ensure that the health facilities are properly equipped with health products and technologies to ensure services are rendered to *wananchi*.

When you look at the number of devolved functions, health is a major function. It is followed by agriculture and then water. County governments should ensure that this money sent to the counties provides minimum services to *wananchi*. This is the only way we can reap from devolution.

When our elders met at the Bomas of Kenya and came up with this idea of devolution, they meant services to go closer to *mwananchi*. However, we have devolved corruption. This is evidenced by the level of opulence exhibited by county governments. Some governors carry seats to meetings and funerals. Others hire goons to move around with in their meetings. That is not what we wanted with devolution.

I applaud the Committee of the National Assembly that mediated the Division of Revenue Bill together with the Senate. I hope that the House will support this Motion, so that we can appropriate resources to the counties so that they can have meaningful development.

Hon. Speaker, with those few remarks, I second the Motion.

(Question proposed)

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

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I rise to support this Report on the Mediated Version of the Division of Revenue Bill. Ksh415 billion is not the only money going to counties; that is just the sharable revenue that counties are getting. There is the additional county allocations of a further Ksh55 billion.

Therefore, when we speak of money going to your counties in this coming financial year, it should be the Ksh415 billion plus the Ksh55 billion, which is a whopping Ksh470 billion, which is Ksh5 billion above the Ksh465 billion that our good Senators and the Council of Governors (COG) sought. Over and above that, we have another close to Ksh10 billion – about Ksh9.6 billion – through the Equalisation Fund that is again going to counties.

Last evening, I listened to the contribution by Hon. *Mwalimu* Moroto. You know he usually gets very agitated in the evening on account of age.

(Laughter)

Hon. Speaker: Order, Hon. Leader of the Majority Party. There is no scientific evidence that old people get agitated in the evening.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, for Hon. *Mwalimu* Moroto, as much as there is no scientific explanation, but over the years that I have known him, he usually comes in the evening when he is very agitated. I have never figured out the reason for that. His agitation notwithstanding, he was very passionate about the Equalisation Fund money, pleading that this money should have been implemented through constituencies. Whether through a model like the one for the NG-CDF, or any other model. I could identify with what Hon. Moroto was saying because I have been to his county, and they lagging behind like many other counties. This fund was meant to uplift those counties lagging behind.

Unfortunately, with devolution, the more the money that goes to a county, the more corruption there is in that county, and the more backward that county continues to be. I do not know why that is so. If you look at the counties that benefit with the highest amounts, corruption is also very rampant, but I do not want to name any particular county. Most of those counties are still in the same state they were at the advent of devolution. You have to ask yourself where all this money is going to. When I listen to the Hon. Vice-Chairman of the Budget and Appropriations Committee speak and allude to some counties like his County, Trans-Nzoia, I could not help but imagine that these are the same governors, who when they are accused of corruption and the Ethics and Anti-Corruption Commission (EACC) summons them to appear before it or they are arrested, mobilise goons to burn EACC offices and police cars on account of being asked to be accountable for the money.

I am saying this because these accounting officers in county governments, our governors, must be accountable for this money being appropriated to counties. It is true that

many Kenyans are still suffering for lack of medication in their county hospitals at a time when hundreds of billions are being devolved every year to our county governments. We just came from a painful journey with the Road Maintenance Levy Fund (RMLF). Walk to any county in this country, Members of the County Assembly (MCA) say openly that the RMLF is the only money they would get to eat. Therefore, we are saying it here that when Governors get the RMLF money, we must be emphatic and give conditions that will ensure that it goes specifically to constructing roads; not just murram roads, but they must tarmac the roads. I know we are about to do legislation around the issues that the courts made a decision. We must conditionalise that money to ensure that there is no county in this country is without a shopping centre or some sort of urban population, and that at least that goes to tarmac roads in those urban centres. If they are doing rural roads, they must be the ones already identified in work plans by the Kenya Roads Board (KRB) so that we stem the abuse of all these monies going to the counties. We cannot give Ksh415 billion in sharable revenue then it is all stolen.

If you look at the Controller of Budget's Report, you will be shocked by the percentage of money going to development in this sharable revenue. This is because if I am elected the Governor today, I will fire ward administrators, sub-county administrators and village liaison officers who are on permanent and pensionable terms employed by my predecessor in the county. When a new governor comes into office, they recruit their own kin, friends and campaigners into the same permanent and pensionable jobs. They then start crying all over that they have no money for development. You have no money for development because you have failed in governance. You do not have to employ every person who campaigned for you. Grow the economies in the counties, and your supporters and those who campaigned for you will get jobs when economies in your counties are growing. When roads and hospitals are functional, those economies will thrive. In return, all your supporters and citizens in your counties will have job opportunities.

With those many remarks, Hon. Speaker, allow me to support the Report with the caution that when we come to make the law, we must condition the money for RMLF. I hope the Hon. Chairman of the Departmental Committee on Transport and Infrastructure is listening if he is still here. Hon. GK, is here. In the same manner, the Additional County Allocation Revenue money comes with conditions, the RMLF must also come with conditions. The cardinal condition on sharable revenue must be accountability and transparency on how this money is utilised at the county level.

Thank you, Hon. Speaker. I beg to support.

Hon. Speaker: Yes, Hon. Farah.

(Hon. Naisula Lesuuda spoke off record)

I will give you an opportunity, just be patient.

Hon. Farah Maalim (Dadaab, WDM): Hon. Speaker, I want to put my voice in supporting this Report on the Mediated Version of the Division of Revenue Bill, National Assembly Bill No. 10 of 2025. I also want to add my voice into the rampant corruption that is so prevalent in our country right now. You wonder what is happening to law and order in the country.

We have the Equalisation Fund, which was supposed to be used to help the counties left behind in the colonial days and those that were marginalised systemically. Right now, the county governments want to lay their hands on the Equalisation Fund. Before we could even go far, the Governor in one county had the audacity to call the MCAs and tell them: "You people have been disturbing me, you want to put a Motion of Impeachment on me. Take that Ksh23 million, Ksh20 million or Ksh15 for your ward." He was literally parcelling it out and telling them: "That is how you are going to make money." The idea is those MCAs will go

there, but I do not know if they are going to accept it. A few of them have called me, and they seemed disgusted by the issue. They just create something like some small pans from nowhere without proper bill of quantities and take the money.

I indicated earlier that we need that money to be put into infrastructure to help the entire rural area in my constituency get the national grid. By the way, the Rural Electrification and Renewable Energy Corporation (REREC) has the materials; all they need to do is provide labour. That place would have lit up the entire constituency. However, when you put that in the hands of governors, what happens? That money only facilitates labour and transport. Ksh200 million can light up my entire constituency, help with labour and transport as well. The materials are there with the Rural Electrification and Renewable Energy Corporation (REREC). I do not know why even the Executive is afraid of the county governments. Why are they allowed to carry out the kind of corruption they are engaging in, which is rampant and unbridled? It is runaway and amok corruption. That is where the problem lies. Somebody told me the other day that old age and death begin from the legs. When one grows old, one begins to lose strength in the legs. The muscles cease to function.

Why is this country experiencing institutional atrophy, beginning with the county governments and governors, who are crooked? They treat national resources as their personal property, while the Executive sits idly. This message goes directly to the Executive and all relevant agencies mandated to act. These are agencies that should be enforcing the law and protecting national resources for the benefit of Kenyans. When these things happen, as they are happening now, and public participation is nearly non-existent, people are enriching themselves and we are allowing it to happen. We are allowing hundreds of billions of shillings meant for Kenyans to go to waste. Governors are flying in choppers and planes, treating public resources as their estate.

We have a serious problem in this country. This House, being a legislative body and a law-making organ has the express authority and constitutional mandate to act. We must begin addressing these issues decisively. We must declare that we shall not pass any appropriation before accountability measures are put in place. You will recall the time we tried to negotiate the Roads Maintenance Levy Fund (RMLF) before the courts intervened. The governors were pushing hard for control of that fund. They are now coming for the NG-CDF as well. The goal is not to serve the people through transparent, independent agencies. They simply want to steal. They are also misappropriating donor funds.

I wish to state my position clearly: we have a problem in this country. We are talking about corruption, but it is the same corrupt individuals who enjoy the support of local communities. That is because Parliament has failed in its oversight role. The Executive has failed. The enforcement agencies responsible for law and order and the protection of national resources are also failing. We have a crisis. There is a crisis of resources. There is a crisis of poverty. Rampant poverty. The amount of money being disbursed to counties through devolution should be transforming the lives of ordinary citizens. It should be changing the lives of students.

If the Senate has reduced itself to a body that becomes pliant during impeachment proceedings, allowing governors to move around, dishing out money and influencing Members of the County Assembly (MCAs), then we are in trouble. Governors go out and mobilise elders and other stakeholders to pressure MCAs to drop impeachment motions. These actions are deeply troubling. The ordinary citizen must be educated. There must be a robust civic education programme to inform people that every shilling must be accounted for. At the national level, at the county level, and even at the level of the NG-CDF. We are not the managers of the NG-CDF; it is managed by a board. However, everything must be accountable.

We are a nation with resources, but the resources are not reaching the people. Kenyans are suffering. Students across the country are suffering. The little money available for bursaries

is not enough, and counties are not stepping in. Instead, they are allocating funds for building walls and white elephant projects. Projects where the governors are often the contractors themselves. They are awarding themselves consultancies and organising festivals, pageants, and other non-essential activities. This House must rise to the occasion. Members of Parliament must take responsibility for safeguarding national resources from all who would misuse them. If we fail, then we become complicit. We become part of the rot. We can see the kind of problems going on in the country. Kenya is bleeding. That is not in question.

Let us rise, as legislators. Let us utilise the necessary instruments through committees and legislative tools to amend the law where necessary, and stop thieves from plundering national resources. We are the law-making institution. We have the tools to put a bridle on these excesses, yet we are not using them.

With those many remarks, and in view of the bleeding that this country is experiencing due to the rampant misuse of our resources and runaway corruption, I rest my case. But I urge my colleagues; let us rise and protect Kenyans. Let us protect the limited resources we have and ensure they are used properly. There is no medicine in hospitals. There is nothing.

Thank you.

Hon. Speaker: Hon. Members, before I give the next Member, allow me to acknowledge the presence of students from the following schools seated in the galleries:

1. Kitengela East Adventist School from Kajiado East, Kajiado County;
2. Nunguni Junior School, Kithembe from Kaiti, Makueni County;
3. Moi Girls High School from Ainabkoi, Uasin Gishu County;
4. Don Bosco Manyatta from Embu County; and,
5. Molo Academy from Molo, Nakuru County.

On my behalf and that of the entire House, I welcome the students, their teachers, and those accompanying them to Parliament. Now, Hon. Benjamin, did you want to welcome the students? I give you half a minute because you are interrupting an ongoing debate.

Hon. Benjamin Lang'at (Ainamoi, UDA): Thank you, Hon. Speaker. First and foremost, I wish to welcome all the students from the various schools visiting Parliament today. I wish them an enjoyable tour of Parliament and wherever else they will be visiting. In particular, I warmly welcome the students of Moi Girls Eldoret, because among them is my daughter. I am informed that the Deputy Speaker is also an alumnus of that institution. I welcome them all to Parliament. I encourage them to aspire to greatness. Parliament is established under Article 94 of the Constitution and assigned its functions under Article 95. I hope they will grow into great women and men. Some will become Speakers, just like you, Hon. Speaker. Others will become Members of Parliament, and other great leaders of this Republic. So, welcome.

Hon. Speaker: Thank you. Hon. Members, this Motion is a product of a Bill you debated extensively. You rejected the amendments made to it by the Senate, and it was referred to mediation. Upon reviewing the *Hansard*, it is evident that we are repeating the same arguments made during the rejection of the Bill. Is that not so?

Hon. Members: Yes!

Hon. Speaker: Shall we have a consensus to allow three Members from each side to speak, then we put the Question? The record already speaks for itself.

Yes, Hon. Wangari?

Hon. Martha Wangari (Gilgil, UDA): Thank you, Hon. Speaker. If we keep our contributions short, we shall manage the debate quickly.

First, I thank the Mediation Committee for a job well done. More importantly, let us note that while the NG-CDF receives only about Ksh50 billion, the counties receive Ksh415 billion, yet their work remains largely invisible. The counties must focus on three simple responsibilities: Ensure that dispensaries and health centres have a doctor or clinical officer;

ensure there is medicine; and ensure these facilities function. That is the foundation of primary healthcare.

When it comes to education, counties are only responsible for Early Childhood Development Education (ECDE) centres and village polytechnics. All other education infrastructure is supported through the NG-CDF. These are simple, visible things, yet they are not being done.

More importantly, Hon. Speaker, I have observed that a lot of donor funding is being channelled through counties, particularly funds from the World Bank. If you examine the housing programme, you will see that county governments are taking the lead as the ones doing it, yet the money is appropriated by this House. For instance, in my constituency, all the four markets are being constructed by the National Government, but the county government will own them. They are using these projects to shine or to show that they are working, yet the appropriated money from this Division of Revenue is not seen.

The other problem we have in this arrangement of county governments is the issue of the Senate. There are two things here: First, there is an obsession by Senators with wanting to become governors. They have, therefore, punctured their oversight in terms of focus. Secondly, the obsession of calling Cabinet Secretaries (CSs) to the Senate must be dealt with once and for all. They have lost the ability and mandate to oversee governors. For instance, the former Member here, Hon. John Mbadi, the Cabinet Secretary for the National Treasury and Economic Planning, has gone to the Senate five times. What is he going to do? Appropriation and money matters are in this House. We must deal with this problem through our Standing Orders. We must be clear that CSs appear before the National Assembly. When there is a disciplinary issue, it is the National Assembly to should deal with it. Even a Censure Motion cannot be done by the Senate. They have lost the time to call governors to order, because they are too busy focusing on CSs and what they can do with them. Those two issues must be dealt with in this House. Otherwise, we will keep going round in circles, and the issue of Senate oversight will remain lost. As I support, I would like to put that on record.

Hon. Speaker: Thank you.

Hon. Elachi.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Speaker. I also rise to sincerely thank the Mediation Committee. As everyone said, I reiterate that this House must get back its power. The Supreme Court has clearly stipulated that this is the House that deals with the monies of this country to ensure that funds allocated are used correctly.

I want to thank *Baba* because he pleaded that we give the county governments Ksh450 billion. We have gone beyond that, including the Equalisation Fund. For the first time, the Cabinet Secretary, Hon. Mbadi, will ensure that we get the Equalisation Fund. However, the question is: How are we going to use these resources? It is very unfortunate that a governor decides to have as many advisors as he wants, and this money turns into foreign trips. That is why we are facing challenges. The country's growth is below expectations because the money sent for growth, to build markets and support micro-entrepreneurs and SMEs is gone. The governor will then decide what he wants to pay or not to pay.

Hon. Speaker, look at Kenyans suffering from diabetes. In this country, insulin injections cost Ksh750 per day. I want to call on the governors: we need to reduce these prices. Our people are dying. The health sector is in their hands. You should stop looking for bursaries. You must focus on managing and helping the people so that we can save lives in this country. I wish they could concentrate 100 per cent on health, and we focus 100 per cent on education. We would have transformed our country.

Lastly, Hon. Martha Wangari, Hon. Lesuuda and I were all in the first Senate.

(Several Members spoke off the record)

I have mentioned the Speaker. He was our leader. He taught us. He was our scholar. At that time, we thought we were going to have a Senate that would think through county governments. We never used to summon CSs; that was not our business. Once in a while, we would summon them when we knew it was a county function going to the dogs. However, the Senate we have today is the National Assembly.

Hon. Speaker: In fact, for five years, we invited Cabinet Secretaries no more than five times.

Hon. Beatrice Elachi (Dagoretti North, ODM): Yes. We did the best to build the foundation. The Senate today has decided that they know how to speak better English than everyone else. However, they have forgotten that when they sought to represent counties, it was not meant for someone who speaks good English, but for one who cares about service.

Today, Senators have no idea about whatever is happening on their own doorstep, or whether a family has a sick person. They have not conducted monitoring or evaluation in their own counties. They do not know how many people suffer from chronic diseases, yet 98 per cent of health functions were devolved.

As I finalise, I want to state that you cannot bring us murram roads in Nairobi. You should remember that we tarmac our roads. All counties must start tarmacking their roads. The funds from the National Government must be used to tarmac roads, not to make murram ones. We must be serious about this and stop the misuse. I plead with counties to awaken themselves. It has been 15 years: you should be showing us stronger counties that can sustain themselves without the National Government.

I beg to support. Thank you, Hon. Speaker.

Hon. Speaker: Hon. GK.

Hon. George Kariuki (Ndia, UDA): Thank you, Hon. Speaker, for giving me this opportunity to support the Mediated Version of the Division of Revenue Bill. I was one of the mediators. We supported the allocation of Ksh415 billion because we firmly believe in the principle of decentralising resources.

In my opinion, we need to relook at the current devolution system. We need reforms. We created devolution to achieve a flourishing society, which is referred to in Greek as *eudaimonia*. A flourishing society comes when we focus on the human development index, such as education, health and the standards of living of our people. However, that is not what is happening in our counties. We are seeing a lot of wastage of resources and misuse of opportunities where people should be benefiting. However, that is not happening. For that reason, I support my colleagues in calling on our governors to ensure that resources appropriated here are used for the right reasons.

I support, but I would like to caution our governors to do what is right. They must ensure that our people are well taken care of. Their needs must be addressed.

Hon. Speaker, I support.

Hon. Speaker: Hon. Otiende Amollo.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Hon. Speaker, I support this Mediated Version of the Bill and congratulate the team. Those of us who are lawyers know that even in law, we are moving from confrontation and litigation to mediation. So, mediation is a good thing. We have this mediated version because we are obligated by the Constitution. However, we should also encourage ourselves, the Senate and the Council of Governors to mediate what we perceive to be our differences instead of litigating all the time. As the National Assembly, we have been greatly restrained in litigation. In fact, out of about 36 cases I have counted, virtually all of them...

Hon. Speaker: We are defendants.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Yes, we are the defendants. Most cases were initiated by either the Senate or the Council of Governors. I urge the Senate and the Council of Governors to take that cue. Instead of running to court, we should try and mediate our issues. In fact, it looks very untidy to a Kenyan that the Constitution says that there is the Parliament of Kenya, and then the Parliament of Kenya sues itself. It is actually an oxymoron, and it should be discouraged. We must understand that even though the Constitution creates institutions that are independent, they are also interdependent. That independence must not be taken to its illogical conclusion. We need not be antagonistic all the time. We can sit, discuss and agree. In fact, if we were to take the hard stance all the time, this House would emerge as the victor. I think this House has purposefully taken a step back for the betterment of the nation.

It is a good thing that we were able, and we are navigating even the issue of the Road Maintenance Levy Fund (RMFL). As we directed yesterday, we will be having a *Kamukunji* on it on Tuesday. As directed by the Court, we will be considering Sections 6 and 47 of the Kenya Roads Act. I believe that when we look at it, there are two things we ought to look at: One is the question of percentages. The court cannot determine for us how much to allocate; it can only encourage that we do not exclude. We will be talking percentages. We should go beyond percentages and talk about purpose. If we appropriate a certain percentage of the RFML, we should outline the exact purpose. It cannot be before the purposes of constructing a footpath next to my home.

It is now time we consider this because we are all suffering. While we can usually engage with the Kenya Rural Roads Authority (KeRRA) to try and do some murram roads here and there, the few roads that were tarmacked are all now being wiped out. We should now restrict anything that is allocated to the counties to the low-volume tarmac in the urban areas within our constituencies; that way, we can see what is being done. That is very important.

If you take note of the two examples that are fully devolved – health and sports – many of the counties would rush to construct health facilities because that is easy politically. However, they would then not put any drugs because that is expensive, and it is not visible. Also, many counties would rush to put up a sports facility because that is visible, but fail to invest in sports equipment or sports tournaments. The idea of sports was removed from the NG-CDF, and none of us is now involved. In the whole country now, you will realise that there are no longer sports tournaments. The development of sports talent then just dies like that.

I would like to conclude by saying that in the context of all this is the question of the NG-CDF. As the Speaker directed, we will be discussing this matter next week, especially the constitutional amendment, and then go on recess. At this point, I would like to urge Members to plan for next week so that you can be here. It would be a very unfortunate situation if we get to next week when we are supposed to raise two-thirds of the House, and then we hear that some Members are in their constituencies, abroad, in their offices, or in all sorts of other businesses that usually engage them. This is much more fundamental.

I support, Hon. Speaker.

Hon. Speaker: Hon. Osoro, you will be the last on this side.

Hon. Silvanus Osoro (South Mugirango, UDA): Thank you very much, Hon. Speaker. I also rise to support the mediated version of the Division of Revenue Bill. I congratulate the Senate and the National Assembly team for coming up with an amicable solution. In my engagements with hon. Members from both sides, I realised there was a push and pull, and it took a lot of effort, utmost wisdom and maturity to get to that level of Ksh415 billion. Initially, they were stuck at Ksh425 billion, and they were not deviating.

It is becoming the norm year in, year out, that county governments are allocated a substantial amount of money for development. At the end of it, we end up opting for mediation between the two Houses. I wish the same vigour used by the Senate to defend the Division of Revenue Bill and push for higher allocation to the counties was used to follow up on how the

money is spent in the counties. It is unfortunate. We must remind them that devolution has been here for over 10 years, and we have not reached the level envisioned by the drafters of the Constitution.

Members of Parliament are still being approached to work on issues that are supposed to be handled by the county governments. Civic education should be done to the members of the public to know the function of Members of Parliament under Articles 95 and 96 of the Constitution, and what the governors are supposed to do. Whenever we visit our constituencies, we are approached by people asking about water, hospitals, feeder roads and everything. When we tell them that this is supposed to be done by the governors, they tell us that they elected us, and they do not know these governors and the Members of the County Assemblies (MCAs). They want us to implement the suggested projects. This is challenging.

There has been a gradual growth in the revenue allocated to the counties. From Ksh370 billion, and now we are at Ksh415 billion. The question is, where does this money go to? We know it gets to the counties, but what does it do? They only move around and across the counties. The roles of the county governments include building Early Childhood Development and Education (ECDE) classrooms, and constructing feeder roads, but this is still a challenge.

Yesterday, I was engaging one Senator who was in the Mediation team, and he confided in me that even after pushing for the allocation, they know that out of the 47 governors, only three of them are working. When I asked him why they were pushing for Ksh430 billion, he said they were just enriching them. It is quite sad. What this money is used for nowadays will surprise you. It is only meant to create a group of people who are paid monthly and move around with the governors to public functions as cheering squads. You will notice that even the standing position is the same. They go around with the governor everywhere, be it in churches or at funerals. Their job description is to cheer whenever the governors stand to speak so that everyone thinks they are popular. This is a sad reality. Counties are not doing what they are supposed to be doing.

The drafters of the Constitution envisioned that the money would get closer to people, and the responsibilities would be limited to that area; so would development. This is not happening. The roads are in a pathetic condition. The other day when they were engaging us over the RMLF, where yours truly sent us, we took four hours debating about Ksh10 billion, and we could not agree. In fact, they got to a point and said that if we did not agree, they would shut down the counties. However, we told them that we would not feel the impact, since even when they are in operation, we do not feel them. Therefore, their shutting down would be inconsequential.

We are promoting the culture of goons by allocating significant funds to hire them from one corner of the country to another. I have always stated, and I shall repeat, that as you move around the country, you will see the work of the NGAAF and the NG-CDF. You will see, in the public eyes, water tanks being distributed by the gracious ladies from this House. You will also witness them providing bursaries, albeit with a meagre amount of approximately Ksh40 million.

Hon. Speaker, for the billions allocated to county governments, one would need a microscope to identify any tangible achievements. All you see is a group of individuals travelling with a convoy of 30 to 40 vehicles to a single function—one carrying a podium, another carrying a chair, another a carpet, another a toilet, and yet another who knows what else. Their aim is merely to hear a queue of people calling out, "Oh, Your Excellency." How can we refer to individuals who do not work as "Your Excellency"? Stop calling them that!

We need to empower the county assemblies. It is time we rethought how to empower these assemblies so that they have a replica system to ours, enabling them to enjoy greater autonomy and perhaps more development funds. We are enriching individuals who are creating a demigod status for themselves. People who, if they disagree with you, will mess your life to

the point that you cannot even sleep in your own house because they send goons after you. It is indeed very sad.

We urge the Senate to do their work. Their responsibility is to oversee the county governments. What purpose do they serve by inviting a Cabinet Secretary for matters of national security, engaging in theatrics, when they have no means to reprimand, impeach, or even invoke an impeachment motion? What is their interest? Can they do their work. If they genuinely care about the security of Kenyans, they should invite the *kanjo* to the Senate and inquire why they resort to using *rungus* at work. The Senate should cease these attempts of fighting for recognition when they know they are merely playing to the public gallery. They are aware that they are simply whipping up emotions, claiming to be the Upper House capable of engaging the Cabinet Secretary, whilst knowing they possess no power to reprimand or even call for a motion of impeachment against anyone in the national Government.

Therefore, I urge the Senate to stand firm and resolute against the governors stealing from Kenyans. It is time we questioned them, through the County Public Accounts and Investments Committee (CPAIC), about what further measures they implement to safeguard these funds. All we see are theatrics; a governor appears, sometimes answers questions anyhow, and is subsequently asked to leave. These performances are everywhere on TV, and ultimately, that is where it ends. It is indeed sad. Kenyans are losing a lot of money. We must find a way to ensure that these funds are traced back to the grassroots. We need value for the money and taxes that Kenyans pay.

With those many remarks, I still support the Ksh415 billion, although I wish it had been reduced to Ksh200.

Thank you.

(Applause)

Hon. Speaker: Hon. (Dr) Oundo. You are the last to speak from this side.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Speaker. I also join my colleagues in supporting this.

Hon. Speaker: Hon. (Dr) Oundo, share your five minutes with Hon. Keynan.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): I will do three minutes, and then give him two.

Hon. Speaker: I said three minutes each.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Speaker, I also join my colleagues in supporting the allocation of Ksh415 billion to the counties, but with a lot of reservations. I do not wish to echo what my colleagues have said, but the intention of devolution was to foster successful development in all parts of this country. We had so many issues about balanced development in the 1980s. After nearly 15 years, we expected devolution to have considerably changed the rural landscape. However, as we stand here today, many areas in this country have not seen or felt the impact of devolution. While a few billionaires have emerged in the counties, many others are grappling with poverty, depression, and various challenges. Medical care remains a major challenge. As we move forward, we urge the Senate to act. They are the biggest let-down in addressing devolution challenges.

Hon. Speaker, as a senior Member, I encourage you to invite your former colleagues for a cup of tea someday to discuss the missing link in the improved performance of county governments, which is essentially the Senate.

With those very few remarks, I support.

Hon. Adan Keynan (Eldas, JP): Hon. Speaker, I will reluctantly contribute because I know some of us are on retainers here. We have been around for some time.

Hon. Speaker: Order, Hon. Keynan. You may choose to contribute or not.

Hon. Adan Keynan (Eldas, JP): I did not mention anyone. I said some Members here are on retainers. If you wish, I can name them.

Hon. Speaker: Order, Hon. Keynan! You are out of order. If you wish to contribute, please do so.

Hon. Adan Keynan (Eldas, JP): Hon. Speaker, you know I have contributed many times here. It would not be an issue if I do not contribute now.

Hon. Speaker Order, Hon. Keynan! We have bestowed you the title of ‘the father of the House’ because of your longevity. The least I expect from you is to mentor these young Members by being courteous and friendly, and by showing the best example even under stress. This is what we expect from you and other seniors like Hon. Farah Maalim. The younger Members observe and wait for the contributions of Hon. Farah, Hon. Keynan, and Hon. (Dr) Pukose. I encourage you to mentor these young Members. Those who sat with me in both Houses, here and the Senate, know that I provided mentorship unconditionally. At no time should any Member assume they have the right to speak over another. We are all equal. When we grant you preference due to your seniority, accept it gracefully, speak graciously, and conclude with grace.

Go ahead, Hon. Keynan.

Hon. Adan Keynan (Eldas, JP): You can give the opportunity to somebody else.

Hon. Speaker: Hon. Zamzam.

Hon. Zamzam Mohammed (Mombasa County, ODM): Asante sana, Mhe. Spika, kwa fursa hii adhimu. Nami pia ni moja wa wanakamati tuliofanya maelewano katika Mswada huu. Kwanza, nachukua fursa hii kuipongeza Kamati andalizi ambayo imefanya mikakati hii. Haikuwa jambo rahisi, na tulikuwa na swintofahamu hapa na pale, lakini mishowe tuliafikiana. Ugatuzi ulikuja ili kufikisha huduma kwa wananchi wa chini. Wajibu wa kamati hii ulikuwa ugavi sawa wa rasilimali baina ya serikali Kuu na serikali za ugatuzi. Kwa sasa, serikali za ugatuzi zimeongezewa fedha katika mgao wao. Naomba tu magavana wahakikishe kuwa huduma zinafikia wananchi, haswa katika sekta ya afya.

Utupata mgonjwa anakufa katika *Intensive Care Unit* (ICU) kwa sababu saa zingine mashine zinazimika ama hazifanfyi kazi. Kama Mama Kaunti, nimejibidiisha kuhakikisha ongezeko katika kaunti ya Mombasa, na kaunti zinginezo. Kwa hivyo, naomba magavana wahakikishe kuwa huduma kama za barabara zimezingatiwa. Kitu ambacho nahitaji kutoka kwa magavana ni kuhakikisha kuwa huduma na vile vile barabara ni bora. Hii ni kwa sababu kutoka shilingi bilioni 405, tumeweza kusukuma hadi tumefika bilioni 415. Zaidi ya hiyo, kunazo shilingi bilioni 55 zimetengwa kwa ujenzi wa barabara. Pia kunazo shilingi bilioni 10 ambazo ni za *Equalisation Fund*. Ukijumlisha hizi pesa zote katika zile ambazo walikuwa wanataka, shilingi bilioni 450, hata zimeongezeka zimefika kama bilioni 485. Kwa hivyo, kitu ambacho tunataka serikali za kaunti kuhakikisha ni kuwa huduma na madawa yawe yanapatikana hospitalini. Hatutaki kuona mama ambaye amejifungua analipishwa kupokea huduma, na mtoto pia analipishwa. Huo ni wizi au ni dhuluma. Hatutaki kuona wagonjwa hospitalini wanakosa madawa. Juzi na hata jana, tulishuhudia katika mkutano waliokuwa maafisa wa *Kenya Medical Supplies Agency* (KEMSA) kwamba bilioni 90 imepotea kwa sababu madawa zili *expire* ilhali Wakenya wanakosa madawa katika hospitali.

Mhe. Spika, ukiangalia barabara zinazojengwa Mashinani, unapata zinawekwa *patches*, vinawekwa vitambara. Barabara hazijengwi vizuri kwa sababu kuna mtu amekaa mahali anajua atajenga barabara vibaya, halafu kesho na kesho kutwa, pesa zingine zitakuja na atazidi kuweka viraka.

Mhe. Spika, tumekuwa tukipoteza pesa nyingi sana katika kaunti zetu, na Wakenya wanaangalia. Vijana na kina mama wanaangalia huduma gani inayo kuja mashinani. Na kama alivyosema ndugu yangu, Mhe. Osoro, licha ya kaunti kupata mgao mdogo sana – kama vile Mombasa imetengewa shilingi milioni 46 – tunawawezesha kina mama mpaka watu wa

bodaboda. Juzi mmeona niliwawezesha watu wa bodaboda 40. Vijana wanafurahi na hiyo pesa kidogo. Ukiangalia kina mama, wanapata pesa ya kuwawezesha kufanya biashara. Kaunti wanazo pesa za kuwapatia vijana na akina mama ambayo inaitwa *Revolving Fund*. Huu ni mwaka wa tatu tukiangalia pesa kukosa kufika Mashinani, na akina mama wanataka kuweka biashara. Wanafanya Serikali ya Taifa hili kulemazwa. Kila wakati, Rais analaumiwa, ilhali kunao viongozi wamepewa nafasi kuweza kufanya kazi, na hawafanyi kazi.

Hizi pesa tumewapa, tunataka mjenge *Early Childhood Development (ECD) classes*. Kuna wengine tuliona hata Seneta alifanya *oversight*. Alitoa ripoti yake iliyobainisha kuwa shule inaandikwa kuwa imejengwa na shilingi milioni 100, lakini ukiingia *ground*, hakuna skuli. Nataka kuwaambia magavana kuwa zile kesi nyingi mmetupelekea kule kotini tumekuwa *defendants* kila siku, wakati ambapo nyinyi wenyewe mmezembea kazini. Tumewapa pesa kwa sababu tunaheshimu kauli ya baba yetu, Raila Amolo Odinga, akisema ugatuzi uimarishwe. Tumeheshimu na nimekuwa mmoja wa wale ambao tumewapa hizi pesa na sisi tunataka muonyeshe heshima kwa Mzee Raila Amolo Odinga, kuwa pesa mmepata, na kazi mnayofanya sio wizi ndani ya *counties*.

Kwa hayo, namalizia kwa kusema ugatuzi unaheshimika. Pesa tumewapa na nyinyi pia muheshimu Bunge hili. Msiwe watu wa kuingilia mambo ya *National Government Affirmative Action Fund (NGAAF)*, na *National Government Constituencies Development Fund (NG-CDF)*. Mnakuwa na tamaa ya hapa na pale. Na maseneta, nyinyi mmekuwa kama wasimamizi kule kaunti. Acheni kupewa vipeni vidogo vidogo, halafu mukija mnataka kulemaza kila kitu katika taifa, mkitetea serikali za kaunti. Tumewapa pesa, kwa hivyo wafanye kazi. Tunataka kuona kazi yao.

Asante sana, Mhe. Spika.

Hon. Speaker: Mover.

Hon. Samuel Atandi (Alego Usonga, ODM): Thank you very much, Hon. Speaker. Let me take this opportunity to thank Members of this House who have made their contributions on this important Bill. This Bill is important in the Budget process because without the passage of this Bill, we cannot appropriate.

With the support I have received from the Members, and the contributions they have made, governors have listened to the concerns of this House. This House expects governors to restrict themselves to their mandate, and develop counties with the resources they have been given.

Hon. Speaker, I also would like to join Members who are asking the Senate to undertake the oversight responsibilities. My observation is that the Senate is composed of many young legislators. I would like to urge some of them to come to National Assembly, because they are misusing the Senate. They should come and do the things they are doing in the Senate at the National Assembly.

With those many remarks, I beg to reply.

(Question put and agreed to)

(Mediated version of the Bill passed)

Hon. Speaker: At Order No. 14, Hon. Members, at the request of the Leader of the Majority Party, with the agreement of the Chairman of the Budget and Appropriations Committee, and with the approval of the Speaker, we will go to Committee of the whole House on the Appropriation Bill (National Assembly Bill No. 23 of 2025) and stay the Equalisation Fund Appropriation Bill (National Assembly Bill No. 21 of 2025) to a later date, possibly next week.

Next Order.

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

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

IN THE COMMITTEE

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

THE APPROPRIATION BILL
(National Assembly Bill No. 23 of 2025)

The Temporary Chairlady (Hon. Martha Wangari): Order, Members. We are now in the Committee of the whole House to consider the Appropriation Bill (National Assembly Bill No. 23 of 2025).

(Clause 3 agreed to)

New Clause 4

Limitation under
Vote R1065. THAT, the following new clause be inserted immediately after Clause 3—
4. The disbursement of the monies appropriated to the State Department for Higher Education and Research under Vote R1065, and meant for university education under sub-vote 0504000, for purposes of programme 1065004000 (GoK Sponsorship to Students in Private Universities), shall be limited to the amount appropriated under this Act for that programme, and the provisions of Article 223 of the Constitution shall not be invoked to appropriate additional monies for such disbursement in the financial year ending on 30th June, 2026.

(The new clause was read a First Time)

The Temporary Chairlady (Hon. Martha Wangari): Mover, to move Second Reading.
Hon. Kimani Ichung'wah (Kikuyu, UDA): Sorry Hon. Temporary Chairlady. I was consulting with the Chairperson, and I wish to withdraw that particular amendment, having consulted him on the way forward.

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

(Proposed amendment by Hon. Kimani Ichung'wah withdrawn)

Schedule

The Temporary Chairlady (Hon. Martha Wangari): Mover, you have an amendment.
Hon. Samuel Atandi (Alego Usonga, ODM): Hon. Temporary Chairlady, I beg to move:

THAT, the Bill be amended by deleting the Schedule and substituting therefore the following new Schedule—

SCHEDULE			
(1)	(2)	(3)	(4)
Vote No.	Service or Purpose	Supply	Appropriation in Aid
	Recurrent Expenditure	KSh.	KSh.
	Central Government		
R1011	The amount required in the year ending 30th June, 2026 for current expenses of the Executive Office of the President in the following programmes:	4,520,303,961	15,000,000
	0603000 Government Printing Services	767,596,015	-
	0701000 General Administration Planning and Support Services	1,774,129,661	15,000,000
	0703000 Government Advisory Services	1,066,683,617	-
	0770000 Leadership and Coordination of Government Services	911,894,668	-
R1012	The amount required in the year ending 30th June, 2026 for current expenses of the Office of the Deputy President in the following programmes:	2,968,834,559	3,300,000
	0734000 Deputy President Services	2,968,834,559	3,300,000
R1013	The amount required in the year ending 30th June, 2026 for current expenses of the Office of the Prime Cabinet Secretary in the following programmes:	356,636,938	-
	0755000 Government Coordination and Supervision	356,636,938	-
R1014	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Parliamentary Affairs in the following programmes:	363,508,889	-
	0759000 Parliamentary Liaison and Legislative Affairs	67,369,063	-
	0760000 Policy Coordination and Strategy	74,512,779	-
	0761000 General Administration, Planning and Support Services	221,627,047	-
R1016	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Cabinet Affairs in the following programmes:	228,723,204	-
	0758000 Cabinet Affairs Services	228,723,204	-
R1017	The amount required in the year ending 30th June, 2026 for current expenses of the State House in the following programmes:	7,681,901,432	2,100,000
	0704000 State House Affairs	7,681,901,432	2,100,000
R1018	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for National Government Coordination in the following programmes:	1,022,343,631	-
	0755000 Government Coordination and Supervision	1,022,343,631	-
R1023	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Correctional Services in the following programmes:	37,832,701,992	11,500,000
	0623000 General Administration, Planning and Support Services	639,558,553	1,500,000
	0627000 Prison Services	34,748,867,140	4,000,000
	0628000 Probation & After Care Services	2,444,276,299	6,000,000
R1024	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Immigration and Citizen Services in the following programmes:	9,180,034,808	2,524,400,000
	0605000 Migration & Citizen Services	3,583,672,800	1,894,563,999
	0626000 Population Management Services	4,679,360,928	407,000,000
	0631000 General Administration and Planning	917,001,080	222,836,001
R1025	The amount required in the year ending 30th June, 2026 for current expenses of the National Police Service in the following programmes:	125,312,631,555	65,927,600
	0601000 Policing Services	125,312,631,555	65,927,600
R1026	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Internal Security & National Administration in the following programmes:	31,734,465,087	130,070,000
	0629000 General Administration and Support Services	10,754,872,299	69,923,570
	0630000 Policy Coordination Services	1,470,231,846	60,146,430
	0632000 National Government Field Administration Services	19,509,360,942	-
R1032	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Devolution in the following programmes:	1,331,230,248	-
	0712000 Devolution Services	1,331,230,248	-
R1033	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Special Programmes in the following programmes:	488,084,242	-
	0733000 Accelerated ASAL Development	488,084,242	-
R1036	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for the ASALs and Regional Development in the following programmes:	6,595,076,046	478,500,000
	0733000 Accelerated ASAL Development	4,802,002,697	-

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SCHEDULE			
(1)	(2)	(3)	(4)
Vote No.	Service or Purpose	Supply	Appropriation in Aid
	Recurrent Expenditure	KSh.	KSh.
	Central Government		
	0743000 General Administration, Planning and Support Services	279,363,022	-
	1013000 Integrated Regional Development	1,513,710,327	478,500,000
R1041	The amount required in the year ending 30th June, 2026 for current expenses of the Ministry of Defence in the following programmes:	189,561,647,260	7,827,300,000
	0801000 Defence	184,946,900,000	45,000,000
	0802000 Civil Aid	335,000,000	-
	0803000 General Administration, Planning and Support Services	2,919,747,260	-
	0806000 Defence Industrialization	1,360,000,000	7,782,300,000
R1053	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Foreign Affairs in the following programmes:	22,734,805,062	282,938,526
	0714000 General Administration Planning and Support Services	3,276,975,425	58,000,000
	0715000 Foreign Relation and Diplomacy	19,254,826,695	223,938,526
	0741000 Economic and Commercial Diplomacy	47,931,976	-
	0742000 Foreign Policy Research, Capacity Dev and Technical Cooperation	155,070,966	1,000,000
R1054	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Diaspora Affairs in the following programmes:	717,827,342	-
	0752000 Management of Diaspora Affairs	717,827,342	-
R1064	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Technical Vocational Education and Training in the following programmes:	20,430,111,022	14,978,319,475
	0505000 Technical Vocational Education and Training	19,550,462,582	14,978,319,475
	0507000 Youth Training and Development	54,066,000	-
	0508000 General Administration, Planning and Support Services	825,582,440	-
R1065	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Higher Education in the following programmes:	86,164,033,390	54,788,988,577
	0504000 University Education	85,863,437,820	54,788,988,577
	0508000 General Administration, Planning and Support Services	300,595,570	-
R1066	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Basic Education in the following programmes:	108,054,099,951	1,367,672,626
	0501000 Primary Education	12,141,585,724	150,000,000
	0502000 Secondary Education	81,890,836,085	56,000,000
	0503000 Quality Assurance and Standards	8,828,962,675	1,120,714,317
	0508000 General Administration, Planning and Support Services	5,192,715,467	40,958,309
R1067	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Science, Innovation and Research in the following programmes:	832,865,404	160,000,000
	0506000 Research, Science, Technology and Innovation	832,865,404	160,000,000
R1071	The amount required in the year ending 30th June, 2026 for current expenses of The National Treasury in the following programmes:	48,499,588,911	15,880,200,000
	0717000 General Administration Planning and Support Services	41,388,175,113	13,872,900,000
	0718000 Public Financial Management	5,147,064,153	1,796,700,000
	0719000 Economic and Financial Policy Formulation and Management	1,546,705,645	-
	0720000 Market Competition	417,644,000	210,600,000
R1072	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Economic Planning in the following programmes:	3,393,417,533	286,100,000
	07710000 Monitoring and Evaluation Services	168,358,922	-
	0707000 National Statistical Information Services	987,210,000	71,000,000
	0709000 General Administration Planning and Support Services	396,028,621	200,000
	077400 Macro-economic Policy, National Planning and Research	1,122,383,504	214,900,000
	077500 Sectoral & Intergovernmental Development Planning Coordination	719,436,486	-
R1073	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Investments and Assets Management in the following programmes:	2,832,399,815	339,900,000
	0718000 Public Financial Management	2,832,399,815	339,900,000
R1082	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Medical Services in the following programmes:	57,204,613,491	26,812,680,000
	0402000 National Referral & Specialized Services	22,300,722,964	26,368,480,000
	0410000 Curative & Reproductive Maternal New Born Child Adolescent Health RMNCAH	1,633,961,361	-

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SCHEDULE			
(1)	(2)	(3)	(4)
Vote No.	Service or Purpose	Supply	Appropriation in Aid
	Recurrent Expenditure	KSh.	KSh.
	Central Government		
	0411000 Health Research and Innovations	2,722,626,000	220,000,000
	0412000 General Administration	30,547,303,166	224,200,000
R1083	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Public Health and Professional Standards in the following programmes:	17,573,677,650	9,017,300,000
	0406000 Preventive and Promotive Health Services	4,644,444,364	1,158,510,000
	0407000 Health Resources Development and Innovation	9,694,071,015	4,291,437,000
	0408000 Health Policy, Standards and Regulations	760,156,738	3,567,353,000
	0412000 General Administration	2,475,005,533	-
R1091	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Roads in the following programmes:	1,325,035,000	70,216,269,200
	0202000 Road Transport	1,325,035,000	70,216,269,200
R1092	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Transport in the following programmes:	2,468,787,056	4,653,000,000
	0201000 General Administration, Planning and Support Services	1,627,744,459	320,000
	0203000 Rail Transport	607,088,848	-
	0204000 Marine Transport	15,881,139	-
	0216000 Road Safety	218,072,610	4,652,680,000
R1093	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Shipping and Maritime Affairs in the following programmes:	470,782,223	2,988,000,000
	0220000 Shipping and Maritime Affairs	470,782,223	2,988,000,000
R1094	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Housing & Urban Development in the following programmes:	1,813,440,317	5,286,000,000
	0102000 Housing Development and Human Settlement	798,092,919	3,936,000,000
	0105000 Urban and Metropolitan Development	523,762,774	1,250,000,000
	0106000 General Administration Planning and Support Services	491,584,624	100,000,000
R1095	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Public Works in the following programmes:	2,153,323,471	1,538,400,000
	0103000 Government Buildings	643,225,949	2,100,000
	0104000 Coastline Infrastructure and Pedestrian Access	102,817,373	-
	0106000 General Administration Planning and Support Services	355,113,929	-
	0218000 Regulation and Development of the Construction Industry	1,052,166,220	1,536,300,000
R1097	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Aviation and Aerospace Development in the following programmes:	230,359,225	13,926,000,000
	0205000 Air Transport	230,359,225	13,926,000,000
R1104	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Irrigation in the following programmes:	647,216,610	308,000,000
	1014000 Irrigation and Land Reclamation	453,442,210	308,000,000
	1022000 Water Harvesting and Storage for Irrigation	20,860,560	-
	1023000 General Administration, Planning and Support Services	172,913,840	-
R1109	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Water & Sanitation in the following programmes:	3,119,942,945	3,658,000,000
	1001000 General Administration, Planning and Support Services	488,853,960	235,000,000
	1004000 Water Resources Management	441,153,385	1,600,000,000
	1015000 Water Storage and Flood Control	322,200,000	50,000,000
	1017000 Water and Sewerage Infrastructure Development	1,867,735,600	1,773,000,000
R1112	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Lands and Physical Planning in the following programmes:	3,252,168,880	2,528,000,000
	0101000 Land Policy and Planning	2,393,348,278	1,975,080,000
	0121000 Land Information Management	50,811,382	20,200,000
	0122000 General Administration, Planning and Support Services	808,009,220	532,720,000
R1122	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Information Communication Technology & Digital Economy in the following programmes:	3,130,589,165	423,000,000
	0207000 General Administration Planning and Support Services	403,428,424	-
	0210000 ICT Infrastructure Development	868,330,000	303,000,000

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SCHEDULE			
(1)	(2)	(3)	(4)
Vote No.	Service or Purpose	Supply	Appropriation in Aid
	Recurrent Expenditure	KSh.	KSh.
	Central Government		
	0217000 E-Government Services	1,858,830,741	120,000,000
R1123	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Broadcasting & Telecommunications in the following programmes:	3,482,161,772	2,715,000,000
	0207000 General Administration Planning and Support Services	238,687,995	-
	0208000 Information And Communication Services	3,047,084,777	2,635,000,000
	0209000 Mass Media Skills Development	196,389,000	80,000,000
R1132	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Sports in the following programmes:	1,058,460,837	568,300,000
	0901000 Sports	1,058,460,837	568,300,000
R1134	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Culture, The Arts and Heritage in the following programmes:	2,137,866,128	634,730,000
	0902000 Culture/ Heritage	1,152,135,951	490,230,000
	0903000 The Arts	211,488,394	42,500,000
	0904000 Library Services	367,782,190	100,000,000
	0905000 General Administration, Planning and Support Services	136,302,915	-
	0916000 Public Records Management	122,156,678	2,000,000
	0917000 Lottery Control, Licensing and Regulations	148,000,000	-
R1135	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Youth Affairs and Creative Economy in the following programmes:	2,048,043,305	180,570,000
	0221000 Film Development Services	732,153,224	79,000,000
	0711000 Youth Empowerment Services	61,231,955	101,570,000
	0748000 Youth Development Services	661,689,739	-
	0749000 General Administration, Planning and Support Services	592,968,387	-
R1152	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Energy in the following programmes:	879,884,528	11,108,000,000
	0211000 General Administration Planning and Support Services	238,109,749	131,580,000
	0212000 Power Generation	537,502,298	1,800,000,000
	0213000 Power Transmission and Distribution	45,416,289	9,175,000,000
	0214000 Alternative Energy Technologies	58,856,192	1,420,000
R1162	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Livestock Development in the following programmes:	2,728,709,832	2,306,700,000
	0112000 Livestock Resources Management and Development	2,728,709,832	2,306,700,000
R1166	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for the Blue Economy and Fisheries in the following programmes:	2,877,201,290	121,000,000
	0111000 Fisheries Development and Management	2,620,388,635	121,000,000
	0117000 General Administration, Planning and Support Services	199,693,874	-
	0118000 Development and Coordination of the Blue Economy	57,118,781	-
R1169	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Agriculture in the following programmes:	6,006,312,489	11,786,400,000
	0107000 General Administration Planning and Support Services	1,177,439,041	7,466,450,000
	0108000 Crop Development and Management	674,181,628	3,413,000,000
	0109000 Agribusiness and Information Management	120,211,706	12,950,000
	0120000 Agricultural Research & Development	4,034,480,114	894,000,000
R1173	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Cooperatives in the following programmes:	4,664,381,907	1,213,230,000
	0304000 Cooperative Development and Management	4,664,381,907	1,213,230,000
R1174	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Trade in the following programmes:	2,342,468,752	1,641,590,000
	0310000 Fair Trade Practices And Compliance of Standards	142,341,760	50,000,000
	0311000 International Trade Development and Promotion	1,390,447,213	15,000,000
	0312000 General Administration, Planning and Support Services	362,397,577	-
	0325000 Domestic Trade and Regulation	447,282,202	1,576,590,000
R1175	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Industry in the following programmes:	2,711,771,091	868,000,000

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SCHEDULE			
(1)	(2)	(3)	(4)
Vote No.	Service or Purpose	Supply	Appropriation in Aid
	Recurrent Expenditure	KSh.	KSh.
	Central Government		
	0301000 General Administration Planning and Support Services	743,574,001	9,000,000
	0320000 Industrial Promotion and Development	1,201,730,090	569,000,000
	0321000 Standards and Quality Infrastructure & Research	766,467,000	290,000,000
R1176	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Micro, Small and Medium Enterprises Development in the following programmes:	1,437,210,575	594,500,000
	0316000 Promotion and Development of MSMEs	876,089,972	4,500,000
	0317000 Product and Market Development for MSMEs	123,419,043	390,000,000
	0318000 Digitization and Financial Inclusion for MSMEs	135,630,000	200,000,000
	0319000 General Administration, Planning and Support Services	302,071,560	-
R1177	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Investment Promotion in the following programmes:	709,437,200	742,000,000
	0322000 Investment Development and Promotion	709,437,200	742,000,000
R1184	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Labour and Skills Development in the following programmes:	1,615,105,739	2,680,100,000
	0910000 General Administration Planning and Support Services	474,149,743	800,000
	0906000 Labour, Employment and Safety Services	967,439,850	207,300,000
	0907000 Manpower Development, Industrial Skills & Productivity Management	173,516,146	2,472,000,000
R1185	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Social Protection and Senior Citizens Affairs in the following programmes:	29,029,748,798	103,140,000
	0908000 Social Development and Children Services	1,522,320,344	103,140,000
	0909000 National Social Safety Net	27,147,459,714	-
	0914000 General Administration, Planning and Support Services	359,968,740	-
R1186	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Children Welfare Services in the following programmes:	12,073,116,294	960,000
	0908000 Social Development and Children Services	2,605,107,741	960,000
	0909000 National Social Safety Net	9,310,736,000	-
	0914000 General Administration, Planning and Support Services	157,272,553	-
R1192	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Mining in the following programmes:	613,413,476	750,000,000
	1007000 General Administration Planning and Support Services	279,424,462	95,675,000
	1009000 Mineral Resources Management	166,432,910	451,325,000
	1021000 Geological Survey and Geoinformation Management	167,556,104	203,000,000
R1193	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Petroleum in the following programmes:	295,000,000	25,083,400,000
	0215000 Exploration and Distribution of Oil and Gas	295,000,000	25,083,400,000
R1202	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Tourism in the following programmes:	760,958,141	10,764,480,000
	0313000 Tourism Promotion and Marketing	119,736,000	690,000,000
	0314000 Tourism Product Development and Diversification	398,118,319	10,074,480,000
	0315000 General Administration, Planning and Support Services	243,103,822	-
R1203	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Wildlife in the following programmes:	3,799,504,637	8,156,000,000
	1019000 Wildlife Conservation and Management	3,799,504,637	8,156,000,000
R1212	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Gender and Affirmative Action in the following programmes:	1,880,151,049	135,000,000
	0911000 Community Development	940,810,000	-
	0912000 Gender Empowerment	697,961,098	135,000,000
	0913000 General Administration, Planning and Support Services	241,379,951	-
R1213	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Public Service in the following programmes:	16,802,841,153	2,949,600,000
	0710000 Public Service Transformation	6,306,522,751	1,993,362,407
	0709000 General Administration Planning and Support Services	1,602,842,236	-
	0747000 National Youth Service	8,893,476,166	956,237,593

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SCHEDULE			
(1)	(2)	(3)	(4)
Vote No.	Service or Purpose	Supply	Appropriation in Aid
	Recurrent Expenditure	KSh.	KSh.
	Central Government		
R1221	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for East African Community in the following programmes:	1,034,727,960	-
	0305000 East African Affairs and Regional Integration	1,034,727,960	-
R1253	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Justice Human Rights and Constitutional Affairs in the following programmes:	1,020,342,234	100,000
	0607000 Governance, Legal Training and Constitutional Affairs	1,020,342,234	100,000
R1331	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Environment & Climate Change in the following programmes:	2,551,994,324	1,342,900,000
	1002000 Environment Management and Protection	712,173,615	1,324,000,000
	1010000 General Administration, Planning and Support Services	484,170,110	2,000,000
	1012000 Meteorological Services	1,355,650,599	16,900,000
R1332	The amount required in the year ending 30th June, 2026 for current expenses of the State Department for Forestry in the following programmes:	3,982,168,653	4,950,000,000
	1018000 Forests Development, Management and Conservation	3,811,741,680	4,950,000,000
	1024000 Agroforestry and Commercial Forestry Development	15,295,289	-
	1025000 General Administration, Planning and Support Services	155,131,684	-
	CLASS SUB TOTAL	914,770,190,479	331,892,566,004

SCHEDULE			
(1)	(2)	(3)	(4)
Vote No.	Service or Purpose	Supply	Appropriation in Aid
	Development Expenditure	KSh.	KSh.
	Central Government		
D1011	The amount required in the year ending 30th June, 2026 for capital expenses of the Executive Office of the President in the following programmes:	1,034,004,100	-
	0603000 Government Printing Services	300,000,000	-
	0701000 General Administration Planning and Support Services	480,000,000	-
	0703000 Government Advisory Services	185,000,000	-
	0770000 Leadership and Coordination of Government Services	69,004,100	-
D1012	The amount required in the year ending 30th June, 2026 for capital expenses of the Office of the Deputy President in the following programmes:	100,000,000	-
	0734000 Deputy President Services	100,000,000	-
D1017	The amount required in the year ending 30th June, 2026 for capital expenses of the State House in the following programmes:	894,906,667	-
	0704000 State House Affairs	894,906,667	-
D1018	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for National Government Coordination in the following programmes:	22,000,000	-
	0755000 Government Coordination and Supervision	22,000,000	-
D1023	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Correctional Services in the following programmes:	309,004,510	-
	0623000 General Administration, Planning and Support Services	16,000,000	-
	0627000 Prison Services	223,100,000	-
	0628000 Probation & After Care Services	69,904,510	-
D1024	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Immigration and Citizen Services in the following programmes:	1,670,274,845	8,970,000,000
	0605000 Migration & Citizen Services	1,089,074,845	6,352,000,000
	0626000 Population Management Services	581,200,000	2,418,000,000
	0631000 General Administration and Planning	-	200,000,000
D1025	The amount required in the year ending 30th June, 2026 for capital expenses of the National Police Service in the following programmes:	1,212,814,922	500,000,000
	0601000 Policing Services	1,212,814,922	500,000,000
D1026	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Internal Security & National Administration in the following programmes:	3,965,777,277	-
	0629000 General Administration and Support Services	3,553,777,277	-

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SCHEDULE			
(1)	(2)	(3)	(4)
Vote No.	Service or Purpose	Supply	Appropriation in Aid
	Development Expenditure	KSh.	KSh.
	Central Government		
	0630000 Policy Coordination Services	65,000,000	-
	0632000 National Government Field Administration Services	347,000,000	-
D1032	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Devolution in the following programmes:	15,915,122,542	-
	0712000 Devolution Services	15,915,122,542	-
D1033	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Special Programmes in the following programmes:	165,602,460	-
	0733000 Accelerated ASAL Development	165,602,460	-
D1036	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for the ASALs and Regional Development in the following programmes:	3,508,689,612	296,560,000
	0733000 Accelerated ASAL Development	1,959,189,612	96,560,000
	1013000 Integrated Regional Development	1,549,500,000	200,000,000
D1041	The amount required in the year ending 30th June, 2026 for capital expenses of the Ministry of Defence in the following programmes:	1,000,000,000	3,934,000,000
	0801000 Defence	800,000,000	3,934,000,000
	0806000 Defence Industrialization	200,000,000	-
D1053	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Foreign Affairs in the following programmes:	2,346,400,000	-
	0714000 General Administration Planning and Support Services	238,100,000	-
	0715000 Foreign Relation and Diplomacy	1,958,300,000	-
	0742000 Foreign Policy Research, Capacity Dev and Technical Cooperation	150,000,000	-
D1064	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Technical Vocational Education and Training in the following programmes:	2,109,623,214	5,726,700,000
	0505000 Technical Vocational Education and Training	2,109,623,214	5,726,700,000
D1065	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Higher Education in the following programmes:	2,741,974,265	40,000,000
	0504000 University Education	2,741,974,265	40,000,000
D1066	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Basic Education in the following programmes:	18,180,447,879	310,000,000
	0501000 Primary Education	14,320,800,000	50,000,000
	0502000 Secondary Education	3,834,647,879	260,000,000
	0503000 Quality Assurance and Standards	25,000,000	-
D1071	The amount required in the year ending 30th June, 2026 for capital expenses of The National Treasury in the following programmes:	33,060,488,274	9,439,104,378
	0717000 General Administration Planning and Support Services	1,968,000,000	210,000,000
	0718000 Public Financial Management	15,484,488,274	9,229,104,378
	0719000 Economic and Financial Policy Formulation and Management	15,608,000,000	-
	0720000 Market Competition	-	-
D1072	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Economic Planning in the following programmes:	59,300,111,950	60,000,000
	07710000 Monitoring and Evaluation Services	6,000,000	-
	0707000 National Statistical Information Services	339,520,000	60,000,000
	0709000 General Administration Planning and Support Services	-	-
	077400 Macro-economic Policy, National Planning and Research	16,863,803	-
	077500 Sectoral & Intergovernmental Development Planning Coordination	58,937,728,147	-
D1073	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Investments and Assets Management in the following programmes:	736,000,000	-
	0718000 Public Financial Management	736,000,000	-
D1082	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Medical Services in the following programmes:	13,615,068,600	8,321,000,000
	0402000 National Referral & Specialized Services	3,798,000,000	2,651,000,000
	0410000 Curative & Reproductive Maternal New Born Child Adolescent Health RMNCAH	9,597,068,600	5,670,000,000
	0411000 Health Research and Innovations	220,000,000	-

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SCHEDULE			
(1)	(2)	(3)	(4)
Vote No.	Service or Purpose	Supply	Appropriation in Aid
	Development Expenditure	KSh.	KSh.
Central Government			
D1083	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Public Health and Professional Standards in the following programmes:	5,161,191,767	400,000,000
	0406000 Preventive and Promotive Health Services	3,946,191,767	400,000,000
	0407000 Health Resources Development and Innovation	1,165,000,000	-
	0408000 Health Policy, Standards and Regulations	50,000,000	-
D1091	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Roads in the following programmes:	76,244,238,213	74,008,981,256
	0202000 Road Transport	76,244,238,213	74,008,981,256
D1092	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Transport in the following programmes:	4,322,236,808	36,012,000,000
	0201000 General Administration, Planning and Support Services	1,812,327,461	592,000,000
	0203000 Rail Transport	1,609,443,854	34,900,000,000
	0204000 Marine Transport	450,000,000	-
	0216000 Road Safety	450,465,493	520,000,000
D1093	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Shipping and Maritime Affairs in the following programmes:	165,602,460	2,059,000,000
	0220000 Shipping and Maritime Affairs	165,602,460	2,059,000,000
D1094	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Housing & Urban Development in the following programmes:	20,890,355,362	95,839,000,000
	0102000 Housing Development and Human Settlement	7,222,904,661	95,839,000,000
	0105000 Urban and Metropolitan Development	13,667,450,701	-
D1095	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Public Works in the following programmes:	703,000,000	50,000,000
	0103000 Government Buildings	454,000,000	-
	0104000 Coastline Infrastructure and Pedestrian Access	249,000,000	-
	0218000 Regulation and Development of the Construction Industry	-	50,000,000
D1097	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Aviation and Aerospace Development in the following programmes:	358,805,330	-
	0205000 Air Transport	358,805,330	-
D1104	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Irrigation in the following programmes:	4,963,175,736	1,630,000,000
	1014000 Irrigation and Land Reclamation	4,718,175,736	1,630,000,000
	1022000 Water Harvesting and Storage for Irrigation	245,000,000	-
D1109	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Water & Sanitation in the following programmes:	31,016,976,232	16,159,400,000
	1001000 General Administration, Planning and Support Services	115,000,000	-
	1004000 Water Resources Management	11,672,000,000	2,765,000,000
	1015000 Water Storage and Flood Control	1,543,901,215	-
	1017000 Water and Sewerage Infrastructure Development	17,686,075,017	13,394,400,000
D1112	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Lands and Physical Planning in the following programmes:	3,505,390,000	1,477,000,000
	0101000 Land Policy and Planning	3,505,390,000	454,700,000
	0121000 Land Information Management	-	1,022,300,000
	0122000 General Administration, Planning and Support Services	-	-
D1122	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Information Communication Technology & Digital Economy in the following programmes:	6,485,200,631	6,150,000,000
	0210000 ICT Infrastructure Development	5,770,014,293	6,150,000,000
	0217000 E-Government Services	715,186,338	-
D1123	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Broadcasting & Telecommunications in the following programmes:	356,045,289	-
	0208000 Information And Communication Services	322,372,789	-
	0209000 Mass Media Skills Development	33,672,500	-
D1132	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Sports in the following programmes:	100,000,000	15,735,000,000
	0901000 Sports	100,000,000	15,735,000,000

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SCHEDULE			
(1)	(2)	(3)	(4)
Vote No.	Service or Purpose	Supply	Appropriation in Aid
	Development Expenditure	KSh.	KSh.
Central Government			
D1134	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Culture, The Arts and Heritage in the following programmes:	56,980,000	756,000,000
	0902000 Culture/ Heritage	10,000,000	121,000,000
	0903000 The Arts	10,000,000	490,000,000
	0904000 Library Services	-	145,000,000
	0916000 Public Records Management	36,980,000	-
D1135	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Youth Affairs and Creative Economy in the following programmes:	2,172,428,825	500,000,000
	0221000 Film Development Services	34,700,000	420,000,000
	0711000 Youth Empowerment Services	401,422,367	80,000,000
	0748000 Youth Development Services	1,736,306,458	-
D1152	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Energy in the following programmes:	21,120,892,644	30,365,020,000
	0211000 General Administration Planning and Support Services	-	280,000,000
	0212000 Power Generation	2,079,891,458	8,428,000,000
	0213000 Power Transmission and Distribution	17,910,340,539	20,749,020,000
	0214000 Alternative Energy Technologies	1,130,660,647	908,000,000
D1162	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Livestock Development in the following programmes:	4,076,058,633	1,000,000,000
	0112000 Livestock Resources Management and Development	4,076,058,633	1,000,000,000
D1166	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for the Blue Economy and Fisheries in the following programmes:	4,206,727,099	1,025,000,000
	0111000 Fisheries Development and Management	4,206,727,099	1,025,000,000
D1169	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Agriculture in the following programmes:	29,114,811,411	3,037,000,000
	0107000 General Administration Planning and Support Services	9,850,000,000	1,185,000,000
	0108000 Crop Development and Management	19,264,811,411	1,052,000,000
	0109000 Agribusiness and Information Management	-	800,000,000
D1173	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Cooperatives in the following programmes:	1,471,377,900	-
	0304000 Cooperative Development and Management	1,471,377,900	-
D1174	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Trade in the following programmes:	369,845,500	-
	0310000 Fair Trade Practices And Compliance of Standards	70,000,000	-
	0325000 Domestic Trade and Regulation	299,845,500	-
D1175	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Industry in the following programmes:	5,822,254,000	-
	0320000 Industrial Promotion and Development	4,892,254,000	-
	0321000 Standards and Quality Infrastructure & Research	930,000,000	-
D1176	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Micro, Small and Medium Enterprises Development in the following programmes:	2,761,779,500	300,000,000
	0316000 Promotion and Development of MSMEs	2,411,779,500	300,000,000
	0318000 Digitization and Financial Inclusion for MSMEs	350,000,000	-
D1177	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Investment Promotion in the following programmes:	2,061,026,000	-
	0322000 Investment Development and Promotion	2,061,026,000	-
D1184	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Labour and Skills Development in the following programmes:	768,601,830	-
	0906000 Labour, Employment and Safety Services	211,637,230	-
	0907000 Manpower Development, Industrial Skills & Productivity Management	556,964,600	-
D1185	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Social Protection and Senior Citizens Affairs in the following programmes:	187,130,780	-
	0908000 Social Development and Children Services	39,000,000	-
	0909000 National Social Safety Net	148,130,780	-

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SCHEDULE			
(1)	(2)	(3)	(4)
Vote No.	Service or Purpose	Supply	Appropriation in Aid
	Development Expenditure	KSh.	KSh.
	Central Government		
D1186	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Children Welfare Services in the following programmes:	244,000,000	-
	0908000 Social Development and Children Services	244,000,000	-
D1192	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Mining in the following programmes:	267,171,968	-
	1009000 Mineral Resources Management	71,190,000	-
	1021000 Geological Survey and Geoinformation Management	195,981,968	-
D1193	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Petroleum in the following programmes:	150,000,000	5,161,000,000
	0215000 Exploration and Distribution of Oil and Gas	150,000,000	5,161,000,000
D1202	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Tourism in the following programmes:	-	5,010,000,000
	0313000 Tourism Promotion and Marketing	-	584,000,000
	0314000 Tourism Product Development and Diversification	-	4,386,000,000
	0315000 General Administration, Planning and Support Services	-	40,000,000
D1203	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Wildlife in the following programmes:	1,376,080,668	1,028,000,000
	1019000 Wildlife Conservation and Management	1,376,080,668	1,028,000,000
D1212	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Gender and Affirmative Action in the following programmes:	4,128,949,404	200,000,000
	0911000 Community Development	4,000,000,000	-
	0912000 Gender Empowerment	128,949,404	200,000,000
	0913000 General Administration, Planning and Support Services	-	-
D1213	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Public Service in the following programmes:	1,511,405,740	345,000,000
	0710000 Public Service Transformation	1,396,405,740	345,000,000
	0747000 National Youth Service	115,000,000	-
D1331	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Environment & Climate Change in the following programmes:	1,864,702,439	70,000,000
	1002000 Environment Management and Protection	1,635,702,439	70,000,000
	1010000 General Administration, Planning and Support Services	-	-
	1012000 Meteorological Services	229,000,000	-
D1332	The amount required in the year ending 30th June, 2026 for capital expenses of the State Department for Forestry in the following programmes:	2,336,041,057	1,276,000,000
	1018000 Forests Development, Management and Conservation	2,336,041,057	1,276,000,000
	CLASS SUB TOTAL	402,228,794,343	337,190,765,634
	CLUSTER SUB TOTAL	1,316,998,984,822	669,083,331,638

SCHEDULE			
(1)	(2)	(3)	(4)
Vote No.	Service or Purpose	Supply	Appropriation in Aid
	Recurrent Expenditure	KSh.	KSh.
	Commissions and Independent Offices		
R1252	The amount required in the year ending 30th June, 2026 for current expenses of the State Law Office in the following programmes:	4,522,216,345	564,580,000
	0606000 Legal Services	3,779,038,984	557,580,000
	0609000 General Administration, Planning and Support Services	743,177,361	7,000,000
R1261	The amount required in the year ending 30th June, 2026 for current expenses of The Judiciary in the following programmes:	24,871,354,027	366,045,973
	0610000 Dispensation of Justice	24,871,354,027	366,045,973
R1271	The amount required in the year ending 30th June, 2026 for current expenses of the Ethics and Anti-Corruption Commission in the following programmes:	4,306,262,694	13,700,000
	0611000 Ethics and Anti-Corruption	4,306,262,694	13,700,000

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SCHEDULE			
(1)	(2)	(3)	(4)
Vote No.	Service or Purpose	Supply	Appropriation in Aid
	Recurrent Expenditure	KSh.	KSh.
	Commissions and Independent Offices		
R1281	The amount required in the year ending 30th June, 2026 for current expenses of the National Intelligence Service in the following programmes:	51,447,229,480	-
	0804000 National Security Intelligence	51,447,229,480	-
R1291	The amount required in the year ending 30th June, 2026 for current expenses of the Office of the Director of Public Prosecutions in the following programmes:	4,388,131,922	7,500,000
	0612000 Public Prosecution Services	4,388,131,922	7,500,000
R1311	The amount required in the year ending 30th June, 2026 for current expenses of the Office of the Registrar of Political Parties in the following programmes:	2,486,991,519	-
	0614000 Registration, Regulation and Funding of Political Parties	2,486,991,519	-
R1321	The amount required in the year ending 30th June, 2026 for current expenses of the Witness Protection Agency in the following programmes:	841,206,825	-
	0615000 Witness Protection	841,206,825	-
R2011	The amount required in the year ending 30th June, 2026 for current expenses of the Kenya National Commission on Human Rights in the following programmes:	530,334,902	-
	0616000 Protection and Promotion of Human Rights	530,334,902	-
R2021	The amount required in the year ending 30th June, 2026 for current expenses of the National Land Commission in the following programmes:	2,803,230,215	-
	0119000 Land Administration and Management	2,803,230,215	-
R2031	The amount required in the year ending 30th June, 2026 for current expenses of the Independent Electoral and Boundaries Commission in the following programmes:	9,302,347,536	-
	0617000 Management of Electoral Processes	9,302,347,536	-
R2041	The amount required in the year ending 30th June, 2026 for current expenses of the Parliamentary Service Commission in the following programmes:	2,839,865,359	-
	0765000 General Administration, Planning and Support Services	2,583,865,359	-
	0766000 Human Resource Management and Development	256,000,000	-
R2042	The amount required in the year ending 30th June, 2026 for current expenses of the National Assembly in the following programmes:	28,568,556,038	-
	0721000 National Legislation, Representation and Oversight	28,568,556,038	-
R2043	The amount required in the year ending 30th June, 2026 for current expenses of the Parliamentary Joint Services in the following programmes:	6,794,110,806	24,000,000
	0723000 General Administration, Planning and Support Services	6,590,110,806	4,000,000
	0746000 Legislative Training Research & Knowledge Management	204,000,000	20,000,000
R2044	The amount required in the year ending 30th June, 2026 for current expenses of the Senate in the following programmes:	8,199,167,797	-
	0767000 Senate Legislation and Oversight	3,270,000,000	-
	0768000 Senate Representation, Liaison and Intergovernmental Relations	2,131,000,000	-
	0769000 General Administration, Planning and Support Services	2,798,167,797	-
R2051	The amount required in the year ending 30th June, 2026 for current expenses of the Judicial Service Commission in the following programmes:	842,410,000	-
	0619000 Judicial Oversight	842,410,000	-
R2061	The amount required in the year ending 30th June, 2026 for current expenses of the Commission on Revenue Allocation in the following programmes:	370,005,079	-
	0737000 Inter-Governmental Transfers and Financial Matters	370,005,079	-
R2071	The amount required in the year ending 30th June, 2026 for current expenses of the Public Service Commission in the following programmes:	3,546,677,980	15,000,000
	0725000 General Administration, Planning and Support Services	915,256,784	1,000,000
	0726000 Human Resource management and Development	2,402,590,622	14,000,000
	0727000 Governance and National Values	168,512,866	-
	0744000 Performance and Productivity Management	39,269,892	-
	075000 Administration of Quasi-Judicial Functions	21,047,816	-
R2081	The amount required in the year ending 30th June, 2026 for current expenses of the Salaries and Remuneration Commission in the following programmes:	751,716,658	-
	0728000 Salaries and Remuneration Management	751,716,658	-
R2091	The amount required in the year ending 30th June, 2026 for current expenses of the Teachers Service Commission in the following programmes:	385,552,363,906	958,000,000
	0509000 Teacher Resource Management	376,789,020,900	100,471,606
	0510000 Governance and Standards	764,232,527	300,000,000
	0511000 General Administration, Planning and Support Services	7,999,110,479	557,528,394

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SCHEDULE			
(1)	(2)	(3)	(4)
Vote No.	Service or Purpose	Supply	Appropriation in Aid
	Recurrent Expenditure	KSh.	KSh.
	Commissions and Independent Offices		
R2101	The amount required in the year ending 30th June, 2026 for current expenses of the National Police Service Commission in the following programmes:	1,390,844,291	-
	0620000 National Police Service Human Resource Management	1,390,844,291	-
R2111	The amount required in the year ending 30th June, 2026 for current expenses of the Auditor General in the following programmes:	7,952,032,880	407,000,000
	0729000 Audit Services	7,952,032,880	407,000,000
R2121	The amount required in the year ending 30th June, 2026 for current expenses of the Controller of Budget in the following programmes:	826,093,754	8,000,000
	0730000 Control and Management of Public finances	826,093,754	8,000,000
R2131	The amount required in the year ending 30th June, 2026 for current expenses of the Commission on Administrative Justice in the following programmes:	674,212,573	-
	0731000 Promotion of Administrative Justice	674,212,573	-
R2141	The amount required in the year ending 30th June, 2026 for current expenses of the National Gender and Equality Commission in the following programmes:	556,488,224	-
	0621000 Promotion of Gender Equality and Freedom from Discrimination	556,488,224	-
R2151	The amount required in the year ending 30th June, 2026 for current expenses of the Independent Policing Oversight Authority in the following programmes:	1,315,881,096	-
	0622000 Policing Oversight Services	1,315,881,096	-
	CLASS SUB TOTAL	555,679,731,906	2,363,825,973

SCHEDULE			
(1)	(2)	(3)	(4)
Vote No.	Service or Purpose	Supply	Appropriation in Aid
	Development Expenditure	KSh.	KSh.
	Commissions and Independent Offices		
D1252	The amount required in the year ending 30th June, 2026 for capital expenses of the State Law Office in the following programmes:	300,000,000	-
	0606000 Legal Services	50,000,000	-
	0609000 General Administration, Planning and Support Services	250,000,000	-
D1261	The amount required in the year ending 30th June, 2026 for capital expenses of The Judiciary in the following programmes:	1,152,938,473	547,061,527
	0610000 Dispensation of Justice	1,152,938,473	547,061,527
D1271	The amount required in the year ending 30th June, 2026 for capital expenses of the Ethics and Anti-Corruption Commission in the following programmes:	180,000,000	-
	0611000 Ethics and Anti-Corruption	180,000,000	-
D1291	The amount required in the year ending 30th June, 2026 for capital expenses of the Office of the Director of Public Prosecutions in the following programmes:	86,000,000	-
	0612000 Public Prosecution Services	86,000,000	-
D2021	The amount required in the year ending 30th June, 2026 for capital expenses of the National Land Commission in the following programmes:	556,104,101	-
	0119000 Land Administration and Management	556,104,101	-
D2031	The amount required in the year ending 30th June, 2026 for capital expenses of the Independent Electoral and Boundaries Commission in the following programmes:	30,000,000	-
	0617000 Management of Electoral Processes	30,000,000	-
D2043	The amount required in the year ending 30th June, 2026 for capital expenses of the Parliamentary Joint Services in the following programmes:	1,565,000,000	-
	0723000 General Administration, Planning and Support Services	1,565,000,000	-
D2091	The amount required in the year ending 30th June, 2026 for capital expenses of the Teachers Service Commission in the following programmes:	671,000,000	-
	0509000 Teacher Resource Management	629,000,000	-
	0511000 General Administration, Planning and Support Services	42,000,000	-
D2111	The amount required in the year ending 30th June, 2026 for capital expenses of the Auditor General in the following programmes:	330,000,000	-
	0729000 Audit Services	330,000,000	-
	CLASS SUB TOTAL	4,871,042,574	547,061,527
	CLUSTER SUB TOTAL	560,550,774,480	2,910,887,500

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SCHEDULE			
(1)	(2)	(3)	(4)
Vote No.	Service or Purpose	Supply	Appropriation in Aid
	Development Expenditure	KSh.	KSh.
	Commissions and Independent Offices		
	GRAND TOTAL	1,877,549,759,302	671,994,219,138

Hon. Temporary Chairlady, Members are aware that there were the recent changes in the government, where the President pronounced himself through a new Executive Order. That Order has occasioned the reorganisation of the Budget to reflect the realities of government. The new Schedule captures all the changes contained in the Executive Order.

Thank you.

The Temporary Chairlady (Hon. Martha Wangari): Very well. Hon. Elachi, do you want to speak on this?

(Question of the amendment proposed)

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

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

(Schedule as amended agreed to)

Clause 2

Hon. Chairman, proceed.

Hon. Samuel Atandi (Alego Usonga, ODM): Thank you, Hon. Temporary Chairlady. I beg to move:

THAT, Clause 2 of the Bill be amended by deleting the words “one trillion eight hundred seventy-seven billion three hundred sixty-six million eight hundred thirty thousand eight hundred twenty-nine” and substituting therefor the words “one trillion eight hundred seventy-seven billion five hundred forty-nine million seven hundred fifty-nine thousand three hundred and two”.

Due to the changes that were occasioned by the new Executive Order, there is an increase in the Exchequer Vote by Ksh150 million, and a reduction in the Appropriations-in-Aid by a similar amount.

Thank you.

(Question of the amendment proposed)

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

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

(Clause 2 as amended agreed to)

(Title agreed to)

(Clause 1 agreed to)

The Temporary Chairlady (Hon. Martha Wangari): Hon. Members, that was a very short Committee of the whole House. I call upon the mover to move reporting.

Hon. Samuel Atandi (Alego Usonga, ODM): I beg to move that the Committee do report to the House its consideration of the Appropriation Bill (National Assembly Bill No. 23 of 2025) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

(The House resumed)

IN THE HOUSE

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

MOTION

CONSIDERATION OF REPORT ON THE APPROPRIATION BILL

The Temporary Speaker (Hon. Farah Maalim): Chairperson to report to the House.

Hon. Martha Wangari (Gilgil, UDA): Hon. Temporary Speaker, I beg to report that the Committee of the whole House has considered the Appropriation Bill (National Assembly Bill No. 23 of 2025) and approved the same with amendments.

The Temporary Speaker (Hon. Farah Maalim): Mover of the Bill to move agreement with the Report.

Hon. Samuel Atandi (Alego Usonga, ODM): Hon. Temporary Speaker, I beg to move that the House do agree with the Committee in the said report. I request Hon. (Dr) Pukose to second the Motion.

Hon. (Dr) Robert Pukose (Endebess, UDA): Hon. Temporary Speaker, I second.

(Question proposed)

(Question put and agreed to)

BILL

Third Reading

THE APPROPRIATION BILL (National Assembly Bill No. 23 of 2025)

The Temporary Speaker (Hon. Farah Maalim): Mover of the Bill.

Hon. Samuel Atandi (Alego Usonga, ODM): Hon. Temporary Speaker, I beg to move that the Appropriation Bill (National Assembly Bill No. 23 of 2025) be now read a Third Time. I request Hon. (Dr) Pukose to second.

Hon. (Dr) Robert Pukose (Endebess, UDA): Hon. Temporary Speaker, I second.

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(Question proposed)

The Temporary Speaker (Hon. Farah Maalim): Hon. Members, I have confirmed that the House is properly constituted for the purpose of making a decision. I therefore put the question.

(Question put and agreed to)

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

Next Order.

SPECIAL MOTION

APPROVAL OF NOMINEES FOR APPOINTMENT TO THE PUBLIC BENEFIT ORGANISATION DISPUTE TRIBUNAL

The Temporary Speaker (Hon. Farah Maalim): Chairperson of the Departmental Committee on Justice and Legal Affairs, Hon. Murugara.

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

THAT, taking into consideration the findings of the Departmental Committee on Justice and Legal Affairs in its report on the Approval Hearing of Nominees for Appointment as the Chairperson and Members of the Public Benefit Organisation Dispute Tribunal, laid on the Table of the House on Tuesday, 17th June 2025, and pursuant to the provisions of Section 50 of the Public Benefit Organisation Dispute Tribunal Act, 2013 and Sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act (Cap 7F), approves the appointment of the following persons to the Public Benefit Organisation Dispute Tribunal—

- | | | |
|---------------------------------|---|-------------|
| (a) Ms Eunice Adoyo Otieno Arwa | - | Chairperson |
| (b) Ms Christabel Mideva Eboso | - | Member |
| (c) Ms Elizabeth Mbithe Mulwa | - | Member |
| (d) Dr Leonard Kinyulusi | - | Member |
| (e) Mr Mohamed Sheikh Noor | - | Member |

What is the purpose of the National Assembly approving these tribunals? Is there room for rejection? What would be the grounds for rejection? I will leave that for now.

We have tabled an elaborate Report that covers all the hearings of the five nominees. I urge Members who have not read it to do so, so that we do not spend a lot of time on it.

The first nominee was Ms Eunice Adoyo Otieno Arwa, aged 52, who is proposed to be the Chairperson of the Tribunal. She is a seasoned advocate who satisfied all the constitutional requirements in terms of her ability to serve as the chairperson. She has served in several other similar tribunals. Those were positive attributes that qualified Ms Otieno Arwa to serve as the chairperson for the appointed period.

The second nominee to be vetted was Ms Christabel Mideva Eboso, a young lady of 32 years. She is the Generation Z (Gen Z) representative, and it is good to speak positively about her. She is an advocate of the High Court of Kenya, and has practised law for quite a while. She has also been involved in various tribunal matters, which gives her the necessary experience and qualifications to serve on this Tribunal.

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The third nominee was Ms Elizabeth Mbithe Mulwa, aged 41 years; another Gen Z whom we were pleased to vet. She is also an advocate of the High Court of Kenya and fully qualifies to serve as a member of the Tribunal.

The fourth nominee was Dr Leonard Kinyulusi, who is not an advocate. The law requires that two of the members of the Tribunal need not be advocates. He is well educated. The Report indicates that he has written extensively on various topics in law, social work and dispute resolution. That experience qualified him to serve on this Tribunal.

Last was Mr Mohamed Sheikh Noor, who is also not a lawyer. He is a self-made man from Northern Kenya, aged 50 years. He has studied quite a lot about social matters, religion and dispute resolution. Since this is the Public Benefit Organisations Dispute Tribunal (PBODT), we were of the opinion that Mr Mohamed Sheikh Noor was well-suited to serve. For the ease of the House, Public Benefit Organisations (PBOs) were previously called Non-Governmental Organisations (NGOs). We had all that in mind when considering the nomination of these five persons. The procedure of their nomination fully satisfied the provisions of the relevant Public Benefit Organisations Act.

The nominees satisfied the requirements under the Constitution and all the necessary statutory requirements, including citizenship, leadership, ethics, integrity and tax compliance. The nominees also met the integrity threshold under Chapter Six of the Constitution. They all demonstrated knowledge of topical, administrative and technical issues of the positions to which they have been nominated. They also have the requisite abilities, academic qualifications and professional experience to be approved for appointment.

We assessed the nominees' suitability for the appointments based on whether their abilities, experience, and qualities met the needs of the body they were nominated to. We concluded that they demonstrated a deep understanding of the affairs of Public Benefit Organisations, dispute resolution mechanisms, and their respective roles as chairperson and members

As a general observation, we were convinced, as a Committee, that the PBODT is the only tribunal that requires vetting. We have proposed to look at that afresh to confirm whether we should nominate all members of all tribunals. I wish to inform the House that we are re-engineering and will re-submit and re-publish the Tribunals Bill so that we come up with a Tribunals Act on the various tribunals in the country. We will consider whether it will be necessary to vet tribunal members, or if we should leave it to the exclusive jurisdiction of the Judiciary to appoint members to various tribunals.

The Committee now recommends that this House approves Ms Eunice Adoyo Otieno as the Chairperson of the PBODT, and Ms Christabel Mideva Eboso, Ms Elizabeth Mbithe Mulwa, Dr Leonard Kinyulusi, and Mr Mohamed Sheikh Noor as members of the PBODT.

On a light note, you will notice that age has been considered to the fullest. The ages of the members are spread across various generations. We have good words for the Gen Z because they have a member in the Tribunal.

Secondly, the gender parity and equality requirement has been satisfied in favour of the ladies, because three ladies and two men serve on the Tribunal. This is a positive step, and we commend the Judiciary for it.

With those few remarks, having called upon the House to approve the appointment of the five nominees, it is my singular pleasure to invite Nominated Member, Hon. Suleka Harun, to second the Motion.

Hon. Suleka Harun (Nominated, UDM): Thank you very much, Hon. Temporary Speaker. I take this opportunity to second the Report tabled by the Chairman of the Departmental Committee on Justice and Legal Affairs on the approval vetting of the members of the PBODT.

The Committee noted that all the nominees met the statutory requirements, academic qualifications, professional experience, and all the requirements under the Act. The nominees also demonstrated deep understanding of issues to do with the PBODT, including conflict resolution mechanisms they will employ in their roles on the Tribunal.

I was excited by these appointments because we always fight for the two-thirds gender rule for every appointment in this country. However, we are celebrating today because the Tribunal has three women out of the five nominees. Women are the majority. I also congratulate the Chief Justice who has done justice to our ladies in this country.

Secondly, the youth issue has also been covered very well. Three out of five members fall under the Gen Z and Millennial brackets. I also want to congratulate them for considering the Gen Zs in their appointment. Gen Zs are not only on the streets, but we have serious Gen Zs who are taking part in crucial matters of this country. An example is Ms Christabel Eboso, who did so well in the interview until we did not even get a chance to ask her more questions in the vetting process. I congratulate her on that, and all the nominees who have made it to this list.

As I second, I urge the House to consider these members. Congratulations to the Committee and the good work they have done.

I second. Thank you.

(Question proposed)

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

Hon. Muchangi Karemba (Runyenjes, UDA): Yes, that is the correct pronunciation. Thank you very much, Hon. Temporary Speaker. From the outset, I fully support this Motion on the appointment of these very diligent Kenyans to this tribunal. I confirm that I am a member of the Departmental Committee on Justice and Legal Affairs under the leadership of Hon. Murugara, who led us in doing this very important assignment.

What excites me in this Report and its findings is that the members of this tribunal are very well educated. Apart from that, we have two very young members in this tribunal who demonstrated ability in the responsibility that they are just about to assume. We have had very many tribunals, commissions and assignments in this country that have only been given to the very senior citizens in this country. However now, seeing very young people being given opportunities to work in this high-level tribunal inspires confidence in the young people of this country. It gives them confidence that indeed, there are opportunities for them when they get the training and education that is needed of them.

These members are coming from different regions in this Republic. This means that there is fair distribution of opportunities. I believe that this is the way to go, even with the opportunities to come.

I therefore support.

The Temporary Speaker (Hon. Farah Maalim): Fair enough.

Hon. Rindikiri, Member for Buuri.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Temporary Speaker for this opportunity. First, I identify myself with the findings of the Departmental Committee on Justice and Legal Affairs on their assessment and the subsequent presentation of the nominees. Tribunals play a very great role, especially when there are issues related to disputes. The Public Benefit Organisations (PBOs) are what used to be called Non-Governmental Organisations (NGOs). These organisations are both local and international. They engage themselves in various activities, like education and health. They are also involved in public awareness in various parts of this country. In many cases, they are required to adhere to the legal status of the country. We used to hear a lot of complaints and tug of wars between NGOs and the

government. Government requires to know where many of the NGOs are from, what they are doing, and what achievements they have gained in their areas of operation. In the process, a lot of disputes would arise. Therefore, a tribunal becomes very important, because when these disputes between the government and these NGOs arise, there must be someone to listen to them. Many of them require legal decisions to be made. We also need a lot of fairness when a dispute arises. Tribunals also provide legal experts. That is why I need to identify myself with the nominees.

Are the nominees qualified to perform these responsibilities? These are lawyers of good standing, and they are people from very strong backgrounds. To me, they are able to discharge the responsibilities of a tribunal. The Committee has looked at their *Curriculum Vitae*, which we have also looked at. There is fairness in terms of gender sensitivity, which is a requirement in our Constitution. They have also adhered to all the required age brackets. From this perspective, the Committee has done a good job. I urge that we support the nomination and confirm them to sit in this very important tribunal.

I support.

The Temporary Speaker (Hon. Farah Maalim): Hon. Member for Rarieda.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Hon. Temporary Speaker, the nominees are qualified, suitable, and appropriate.

I support.

The Temporary Speaker (Hon. Farah Maalim): Hon. Elachi Beatrice.

Hon. Beatrice Elachi (Dagoretti North, ODM): Hon. Temporary Speaker, you know when the senior says that, he is telling us to finalise. But I stand to support. Indeed, as the Chairman has said, we must appreciate the crucial role of resolving disputes, particularly in special areas. This is one special area that is very interesting. It is an area we have had a lot of challenges in how to work together, harmonise and ensure transformation in our people.

We appreciate that Article 1(3)(c) of the Constitution recognises that the Judiciary and independent tribunals are organs given the powers to deal with all claims and most of the challenges we face in matters of law. The most important thing is to thank those who applied. The team that is coming in must know that they are entering a very crucial area, one where we consistently face numerous challenges. These include challenges of even just understanding the international organisations that fall under this authority, which should be regulated. When you come into a country, you come in to enhance it and build trust. This is because you are also spending taxpayers' money from the country you are coming from. You are also spending money coming from a taxpayer outside the country. The person or citizen in that country who was taxed for the money to come here and benefit another citizen would wish to see the transformation.

As I finalise, I plead that we work together to achieve peace in our country, despite all the things happening now. Even with those organisations, look at your country and remember this is just your country. Work for it.

I beg to support.

The Temporary Speaker (Hon. Farah Maalim): Let us have Hon. Saney, followed by Hon. Langat. I can see the Vice-Chair of the very able Committee. That is Hon. Mutuse. You will also have a go at it.

Proceed, Hon. Ibrahim Saney, Member of Parliament of Wajir North.

Hon. Ibrahim Saney (Wajir North, UDA): Thank you, Hon. Temporary Speaker. Public-private organisations have a broad mandate to perform. I have been an employee of civil society organisations. They have been doing great work in matters of charity, education, humanitarian issues, health, environmental conservation, human rights, and poverty alleviation. Their scope is so broad and deep.

However, public-private organisations are expected to behave in a certain manner. They are expected to be independent, voluntary, non-partisan, and non-profit making, and to work for the public good. Over the years, we have had issues with whether they adhere to the required values and principles. Kenya has had problems. We had chaos and civil societies being funded to cause chaos in this country. This country was nearly brought down during the Gen Z demonstrations.

Public-private organisations have not been non-partisan as expected of them. This tribunal comes at a time when it is required to resolve disputes where things are not done correctly. Mostly, privileged persons lead them. They take their children to top-notch schools, yet they want Kenyans to suffer at times. Their purpose is mainly to get funds without regard to where to use the funds.

Public-private organisations are the ones agitating for LGBTQ rights. We belong to a moral society. We are a country anchored on recognising God and religion. Our Constitution recognises the family as the natural and fundamental unit of society. It is the basic unit and source of social order. In as much as there is a lacuna in our laws that does not forbid queer behaviour, it is improper when civil society organisations try to propagate LGBTQ rights actively. You will see so many people supporting gays.

This dispute tribunal has much work. This is the time they should at least engage and resolve disputes on funding, mandates, and disputes on so many other things done behind the country. We were about to lose our country. This tribunal should be up to the task of ensuring that we do not lose our stability. We safeguard our stability because we have enjoyed an island of peace for some time. You know we have Somalia on one side. We know what is happening in Sudan, South Sudan and other parts of East and Central Africa.

I am concerned that we may lose our country if these civil society organisations are not audited and held accountable. This tribunal should be tough and thorough on public-private organisations.

I support the nominees. Thank you.

The Temporary Speaker (Hon. Farah Maalim): Hon. Kiplagat David, followed by the Vice-Chair of this Committee.

Hon. David Kiplagat (Soy, UDA): I support the Committee for the Kenyans appointed to different positions of this tribunal. The Committee is a hum of this Parliament. It has done background checks. It has checked their qualifications and reputations. It has informed us that all these Kenyans, from the chairperson to the members, are all qualified in terms of academics, reputation, and everything else.

I support.

The Temporary Speaker (Hon. Farah Maalim): Hon. Mutuse, Vice Chair of the Committee. Please, give him the microphone.

Hon. Mwengi Mutuse (Kibwezi West, NCCP): Thank you. I will be very brief. First is to thank our Chairman—the Chairman of the Departmental Committee on Justice and Legal Affairs Committee, the Member of Tharaka, Hon. George Gitonga Murugara—for good stewardship of the Committee while considering and vetting the nominees.

Two, Parliament would recall that while the Public Benefit Organisations Act was enacted in 2013, it was only operationalised recently in 2024. If my memory serves me right, this will be the first tribunal under the Public Benefit Organisations Act. Therefore, it is incumbent upon the chairperson and the membership to set the record straight, as they are the trendsetters.

I am very pleased with the persons nominated to be chairperson and members. As senior counsel Otiende Amollo has said, they are highly qualified and have a good gender mix. For the first time, the number of women exceeds that of men in a tribunal. They are also well-balanced in generational equity. There are of age and the young. This is to provide diverse

experiences so that young people in this country also understand that they can participate in tribunals and public bodies as long as they are qualified.

With those remarks, I wish you well and request that Members approve these nominees this afternoon so that the sector can have a tribunal to hear and determine disputes that may arise from the Act and any appeals that may come from the sector.

It is also important for us to remember that the objective of the Public Benefit Organisations Act is to create a self-regulating public benefits sector. For that, there is also the risk of non-disclosure because it is self-regulating. In addition, there is an overriding objective that initially and primarily non-governmental organisations also promote good governance and accountability.

As you have seen, part of promoting good governance is ensuring that it is not being used for the proliferation of illicit financial flows that may be used to harm either the security or other aspects of our national economy. We urge those nominated to prioritise the country's interests when disputes arise. Let them know that even the organisations that fund our public benefits organisations do so because of their interest. They are not doing so because of our national interest at all times. Let them be careful such that public benefits organisations are not used to advance the interests of other nations to the detriment of our national interest.

I support.

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

Hon. Rahab Mukami (Nyeri County, UDA): Thank you very much. I rise to support the nominees. After going through their names and hearing from the Chair, they all have what it takes. I also want to thank the Chairman, as I see that women are well-represented. We also have youth there. Generally, they have what it takes to be in the Tribunal. Non-Governmental Organisations (NGOs) are very good. They serve us very well, especially in my county. They help people living with disabilities, women and youth. I hope they will deliver, as we expect them to do so.

I support the Motion.

The Temporary Speaker (Hon. Farah Maalim): Hon. Waqo Naomi.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to confirm my support for the nominees who will be appointed to the Public Benefit Organisation Dispute Tribunal. They are well-considered. I have gone through the Report and seen that they all qualify for the positions. The Members of this Committee have done good work. I congratulate them for that.

I tell the nominees—especially the Chairperson, Ms Eunice Adoyo Otieno Arwa—that when they take up their responsibilities and are sworn in, they should represent the entire country. They should also represent the interests of everybody. They will be there on behalf of all Kenyans. We are going far because this Government is paying close attention to nominating qualified people for various positions and representing the entire nation. I support the Motion. Let them serve the country in the best possible way as if there is no tomorrow. We have a lot of responsibilities. We need to give our best to the country. This is the time that God has given us to serve our country.

Thank you, Hon. Temporary Speaker. I support the Motion.

The Temporary Speaker (Hon. Farah Maalim): Hon. Members, I get the feeling that there is a concurrence.

(Hon. (Dr) Shadrack Mwiti spoke off the record)

Do you want to contribute? You had not put in your card.

Proceed, Hon. Member.

Hon. (Dr) Shadrack Mwiti (South Imenti, JP): Thank you, Hon. Temporary Speaker. I support the nomination of members to the Public Benefit Organisation Dispute Tribunal. It resolves a number of disputes instead of escalating them in the wrong forums. The characters or individuals nominated to this Tribunal are qualified.

The Temporary Speaker (Hon. Farah Maalim): They are not characters, but eminent personalities.

Hon. (Dr) Shadrack Mwiti (South Imenti, JP): They are personalities. When the word “characters” is put in the right perspective, it describes a person. It is not an insult or a demeaning word. It is a way of describing people.

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Member.

(Laughter)

Hon. (Dr) Shadrack Mwiti (South Imenti, JP): These nominees are best placed at this time. The Departmental Committee on Justice and Legal Affairs scrutinised them. Their documents were verified, and it was proven that they were the most qualified for the positions. I hereby support their nomination. At this crucial time, we have issues with police officers or law enforcement officers. We should have a Tribunal that balances confidentiality with the duties of the law enforcement agencies. It can address matters that the public cannot address directly. It is the right time for them to play the role of arbitrators of what will be presented to them.

I support the Motion.

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

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Speaker. I rise to support the Report of the Committee. What we used to know as NGOs are now called Public Service Organisations (PSOs). They are an important part of a democratic society. They offer charity in service delivery. They are often the ones who conduct the most public education on all matters of public interest. They lobby when we have new policies and laws. Many times, they are the first to draw attention to matters of public interest. Therefore, they are very important politically. To that extent, they are also controversial.

They are often funded by foreign sources, which puts them in controversy, particularly when we want to pass laws or do things that are not supported by the public. The need for a Tribunal to support them is important because they face significant criticism and are often accused of various things. Sometimes, they do things that are against the public interest. This Tribunal is extremely important. According to the Committee’s report, the proposed members went through the correct vetting process. Each of them was found suitable in terms of education, professional qualifications and experience.

I had an opportunity to interact with some of them, particularly the proposed Chairperson. She is a lady of great integrity and industry. I have seen how she leads public organisations. She will do a good job.

With those remarks, I support the Motion.

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

Hon. Julius M’ anaiba (Igembe North, UDA): Thank you, Hon. Temporary Speaker, for giving me the opportunity to contribute. I rise to support this progressive act through the Departmental Committee on Justice and Legal Affairs under the able stewardship of Hon. Murugara. The Tribunal will create a very good atmosphere in teaming the sector.

The nominees are of high integrity and credibility. I believe the lady who has been nominated as the Chairperson is capable of leading the sector and, more importantly, serving Kenyans with the integrity required.

I support this Motion. We expect that the members will do what is required of them under the Tribunal.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): There being no further interest to contribute to this Motion, I call upon the Mover to reply.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Temporary Speaker. Allow me to thank everybody who has contributed to this Motion. The support is overwhelming. I confirm that although the Act establishing this Tribunal came into force in 2013, we did not establish it at that time. This is the right time to do it.

I congratulate the five nominated members and urge them to go and perform their duties diligently. Kenyans are waiting for them to receive the justice which is supposed to come from this Tribunal. Even if it is quasi-judicial, it must deliver justice to all parties who appear before it without fear, favour or ill will.

With those remarks, I beg to reply. Thank you, Hon. Temporary Speaker.

(Question put and agreed to)

Hon. Temporary Speaker (Hon. Farah Maalim): Next Order.

BILL

Second Reading

THE COUNTY PUBLIC FINANCE LAWS AMENDMENT BILL (Senate Bill no. 39 of 2023)

Hon. Temporary Speaker (Hon. Farah Maalim): The Chairman, Departmental Committee on Finance and National Planning. Proceed. Hon. Member, you are doing it on behalf of your Chair.

Hon. Benjamin Lang'at (Ainamoi, UDA): Thank you, Hon. Temporary Speaker.

I beg to move that, the County Public Finance Laws Amendment Bill (Senate Bill No. 39 of 2023), be now read a Second Time.

This is a fairly simple Bill because we are seeking to maintain the County Assembly's financial autonomy by creating what the Bill is calling the County Assembly Fund. This Bill, as I have said, establishes the County Assembly Fund. It also defines the administration of the fund under Clause 5 and outlines what the fund will be able to support. Also, the monies that will be contained in the fund.

It gives the Controller of Budget the power to check the account; the Bill refers to it as viewer rights to avoid corruption. What will happen is that for every County Assembly, they will create what we call the County Assembly Fund, and this fund will be maintained in the Central Bank of Kenya. The administrator of the fund shall be the County Assemblies Clerks, who can also designate another Member to be the accounting officer. Thirdly, no money in this account shall be withdrawn without the approval of the Controller of Budget. I think for a very long time, county assemblies have worked as appendices of the county governments and have no independence because the moment you rely on the person you oversight to give you money, you will not be doing your job properly because they will control you from behind through the financial disbursement.

This Bill is a very progressive One, which will enable county assemblies to be more financially independent, allowing them to perform their duties effectively. Of course, the money will go to the county treasury, but in this Bill, we stipulate that the county treasury must,

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and not later than the 15th of every month, send the money to the county assembly fund for the purpose of county assembly accountability. If we pass this Bill, our county assemblies will be able to improve their oversight, representation, budget, and legislative roles. Therefore, I request that this House pass this Bill, making our county assemblies more independent. We are saying that even if the money is not used for one reason or another, that money shall remain in the county assembly fund for the purpose of which they have been budgeted.

Hon. Temporary Speaker, I support and I ask Members to support.

The Temporary Speaker (Hon. Farah Maalim): Do you mean you beg to move?

Hon. Benjamin Lang'at (Ainamoi, UDA): Yes, Hon. Temporary Speaker. I beg to move and ask the Hon. Members to support this Bill in order to support our county assemblies. I request my colleague, Hon. Irene Mayaka, to second.

The Temporary Speaker (Hon. Farah Maalim): Yes, Hon. Irene Mayaka. You can proceed.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Temporary Speaker. It is an honour and a privilege to second this Motion.

The Temporary Speaker (Hon. Farah Maalim): It is a Bill, not a Motion.

Hon. Irene Mayaka (Nominated, ODM): Sorry, Hon. Temporary Speaker. I second the County Public Finance Laws (Amendment) Bill (Senate Bill No. 39 of 2023) that seeks to give county assemblies autonomy and independence. I say it is a privilege because previously I was a Member of the County Assembly (MCA) of Nyamira. In my experience while at the County Assembly, there was a lot bargaining at the County Assemblies Forums for MCAs to have autonomy.

Secondly, I know a majority of Members here and those of the public have witnessed what is going on in the County Assembly of Nyamira. Where the MCAs and the County Executive have been grounded for the last nine months, unable to even pay salaries for both the MCAs and the workers of the county assembly. This has been extremely frustrating for that particular county assembly. I have also seen many other county assemblies frustrated by their county executive because they lack autonomy. When you look at the particular provisions, they cover the whole spectrum of amending various acts that are very necessary to seal all loopholes in the Law. The Bill seeks to amend Sections 2, 31, 32, and 34 of the County Assembly Service Act, 2017, and, most importantly, introduces Sections 109(A) to (E) and 119 to the Public Finance Management Act. These are fundamental in the establishment and management of that particular Fund, prescribing how the Controller of Budget comes in to ensure the proper utilisation of funds.

I will take a bit of time on the specifics of this particular amendment, which establishes the purpose of this Fund. Section 109(B) prescribes how this Fund will be utilised, Section 109(C) proposes how the monies will be retained within the Fund, and Section 119 focuses on the viewer's rights. So, the Controller of Budget shall have viewer rights into this particular Fund. Another important provision is Section 136, which outlines the recovery mechanism for unutilised funds. On this matter, I urge the Members of the County Assemblies and the Clerks of the County Assemblies, who will be the key administrators of this Fund, to ensure that we do not have situations where monies that have been appropriated are returned to the Exchequer. As I mentioned, this is something they have fought for for a very long time.

This Bill has many advantages. One is to give county assemblies independence from the county, which will help them perform their Constitutional duty of overseeing the executives without feeling like they have to depend on them. Second is an increase in public participation. Currently, as it stands, Members of the County Assembly and the County Secretariats are unable to facilitate direct public participation because they rely on the executive. A case in point is when they administer the budget in county assemblies, they have to wait for the executive to allocate funds for public participation. Most of the time, they are

unable to consider direct requests and community engagement because they must ensure that the person with the power of the purse is happy.

Therefore, Hon. Temporary Speaker, to save time and allow other Members to contribute, I would like to encourage them to support this Bill. Members of County Assembly (MCAs) have been looking for this particular empowerment since devolution began and the establishment of the 2010 Constitution. This will be a landmark law not only for the county assemblies but also for the general public. We should remember that, in terms of political administration in this country, MCAs are at the lowest level, at the ward level. Enabling them to have funds that give them autonomy to serve members of the public at the county wards is not only about this House and the Senate passing a significant law; it is also about creating a legacy that will strengthen devolution beyond our tenure as Members of Parliament.

With those remarks, I second. Thank you.

(Question proposed)

The Temporary Speaker (Hon. Farah Maalim): Hon. Mutuse will be followed by Hon. Nyakundi and Hon. Makali Mulu.

Hon. Mwengi Mutuse (Kibwezi West, MCCC): Thank you, Hon. Temporary Speaker. From the outset, I am passionate about this legislative proposal because it is one of the most progressive measures the 13th Parliament will have taken for this country. This legislative proposal breathes life into the objectives of our new constitutional order, which we bestowed upon ourselves in August 2010.

One of the key objectives contained in our new Constitution is devolution. The second tier of government received Ksh415 billion this afternoon to cover its recurrent and development expenses. You will realise that, at the county level, many governors have been personalising governance by behaving like demigods. County assemblies, by the very creation of the Constitution, are required to provide checks, balances and oversight to ensure good governance, accountability and transparency in the management of funds appropriated by this House at that level. However, that objective has been fundamentally undermined in the execution of the mandate.

(Hon. Johana Ng'eno spoke off the record)

I have been interrupted by the Chairman of the Departmental Committee on Housing, Urban Planning and Public Works.

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Chairman of the Departmental Committee on Housing, Urban Planning and Public Works, Member for Emurua Dikirr Constituency. Do not distract the good Member on the Floor.

Hon. Mwengi Mutuse (Kibwezi West, MCCC): Governors have been treating the funds allocated to their counties as if they were intended for personal use or groceries. County assemblies have not been receiving their due share, even after their budgets and finances have been approved.

Hon. Temporary Speaker, if you send a watchdog that is not well-fed to watch over the funds at the counties, the likely outcome is that it would be compromised. Therefore, corruption is partly to blame for the lack of financial independence of the county assemblies, which we are providing with funds this afternoon.

I am also aware that in many instances, the wrangles that happen in the counties between speakers and governors, or county assemblies and governors, often revolve around the management of finances. County assemblies, every time they attempt to exercise their oversight mandate by inviting members of the executive for accountability purposes, are met

with retaliation. The usual reaction by the executive is to withhold funding meant for the county assemblies.

Therefore, this afternoon, it behoves every Kenyan to support the legislative proposal before us so that county assemblies may attain financial independence. This financial independence will, in turn, lead to increased checks and balances and enhanced oversight.

Some argue that county assemblies should not be granted financial independence because they are incapable of managing their finances effectively. I completely disagree with that line of reasoning. That school of thought seeks to micromanage institutions and defeat the spirit of devolution. The framers of our Constitution, in their wisdom, envisioned a governance structure that includes two distinct arms of government at the county level: the executive and the legislature. Just as it is at the national level, it is important that the county assembly, being the second arm of government at the county level, be granted financial autonomy.

For that reason, I wish to thank the Senate. I also commend our own Committee, led by Hon. Kimani Kuria, and here in this House, ably represented by Amb. Lang'at and seconded by my sister from Nyamira. I urge that we process this Bill with speed so that as we enter the new financial year, beginning in September, and as the President assents to the Appropriation Bill, funds disbursed to counties will include direct allocations to county assemblies. Going forward, funds for county assemblies should no longer pass through the county executive. In the new financial year, county assemblies ought to receive their allocations directly from the National Treasury. The necessary checks and balances, as provided by the Controller of Budget and the Office of the Auditor-General, will apply to ensure accountability at that level. Members of County Assemblies must also note that to whom much is given, much is expected.

As I conclude, I wish to emphasise that county assemblies have fought for this financial autonomy for over 12 years since the advent of devolution in 2013. Today, the mood in this House suggests that this autonomy shall be granted. As the responsibility is handed over to them, they must demonstrate their ability to manage these funds responsibly. The fight for autonomy should never be perceived as a mere attempt to access public funds for personal gain. It must be seen as a noble pursuit aimed at promoting good governance, enhancing devolution, and upholding the independence of county assemblies. The goal is to ensure that taxpayers' money allocated to counties yields greater benefits for citizens at the grassroots level.

For those reasons, I support.

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

Hon. Japheth Nyakundi (Kitutu Chache North, UDA): Thank you, Hon. Temporary Speaker, for granting me this opportunity to contribute to the Bill. This is one of the most progressive Bills that the 13th Parliament shall be remembered for. As Members are aware, county assemblies have, for the past 12 years, fought relentlessly for their financial autonomy. During that period, many county assemblies have not exercised effective oversight over governors, as mandated by law. This failure has often been due to the stranglehold that governors have over assembly finances. In many instances, governors have treated funds allocated to county assemblies as though they were personal funds. As a result, Members of County Assemblies have been compelled to follow governors, either to access development funds for their wards or other forms of facilitation.

Most MCAs have been reduced to mere subjects of their respective governors. If there is one Bill that brings me great satisfaction to debate today, and I hope that this House shall pass it as fast as possible, it is this one. Many people have been complaining that most counties are not doing their roads. If you go to any constituency right now, every Member of Parliament is constantly being asked to make roads because most governors are not doing their work. Unfortunately, the MCAs are unable to be accountable because they are afraid that the governor will not develop their areas.

Let me give you an example: Nyamira County has two speakers and two clerks. For the last nine months, they have been unable to move forward because one speaker is in the county assembly while the other one is operating from a nearby hotel.

I thank the Senate and Hon. Kimani Kuria for bringing this Bill. This Bill will change what we see in our county assemblies. I am impressed because this Bill states that money meant for the county assemblies must be disbursed by the 15th of every month. And in case they do not spend the funds, they will remain there. The Controller of Budget will also oversee how the county assemblies use these resources. Today, we passed the Mediated Version of the Division of Revenue Bill, and almost Ksh415 billion is going to the county governments. I can now clearly see that this money will be spent more prudently than before.

We want to tell the county governments to ensure that the resources the National Assembly has bestowed upon them are used appropriately. They should ensure that the roads under the county government are made passable. They should ensure that Level 1, Level 2, Level 3, and Level 4 hospitals are equipped with the necessary medicine and facilities so that our people at home can receive the medical attention they need. Right now, many people want water in their homes. Water is a devolved function, but if you go to my constituency, you will not even see one borehole or a single last-mile water connection in any part in the two-and-a-half years I have been a Member of Parliament.

Therefore, if there is one Bill that made me a happy man today, then it is this one. By the time I complete my five-year term, I will return home and say that this House passed a Bill that granted county assemblies the autonomy to run freely and smoothly.

Thank you, Hon. Temporary Speaker, for this opportunity.

The Temporary Speaker (Hon. Farah Maalim): Hon. (Dr) Makali.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you so much, Hon. Temporary Speaker, for this opportunity. I join my colleagues in appreciating this Bill. Being a Senate Bill, it is of much interest to me. Our Constitution clearly states that the Senate exists to serve the interests of the counties. Even though we are discussing this Bill today, I believe it is long overdue. It should have been one of the Bills that the Senate processed as early as 2014.

Why am I saying that? If you take the example of this House and the Executive, the reason we can carry out our programmes and activities with some success is that we control our resources as a Parliament. When you talk about financial autonomy for counties, particularly for county assemblies, you will realise that this debate and that of the Ward Development Fund has been with us for a long time. I now see a situation where we are likely to conclude one of these debates once this Bill passes. We will then remain with the law on the Ward Development Fund.

I want to make a few observations. The truth is that if you are not financially independent, you are unlikely to be independent in terms of decision-making. If you are relying on the county executive to finance your activities and programmes, then you are not likely to have the freedom to stand your ground and say this is wrong. The fact that we are now seeing an attempt for the county assemblies to become financially independent is something that the House should support.

It is good that we are talking about a county assembly account where the county assembly's money will be sent after we pass the budget. I see this playing out similarly to what happens in this House. The county assemblies will present their budgets to the Budget and Appropriation Committee in the county assembly, just as Parliament does to its Budget and Appropriation Committee. Once their budget is approved, those resources should be sent to their account to be utilised.

Another interesting issue we have proposed is that the Controller of the Budget, just as she does with other funds drawn from the Consolidated Fund, be responsible for budget monitoring to ensure that resources are used for relevant activities and programmes. Over time,

the Controller of Budget has complained that, at times, she approves money for certain activities only to find that it is being utilised for different purposes. The idea of involving the Controller of the Budget is to ensure that whatever money she approves is used for the intended purpose. This way, county assemblies will do their work as outlined in the Constitution.

When the Chairman was moving this Bill, there was something he said, and I am not sure if it was a slip of the tongue or if that is what the Bill proposes. He said “that the money paid to the county assembly account, once the year ends, is rolled over”, just like we do with the National Government Constituencies Development Fund (NG-CDF). That is an area we need to get right. Even in this Parliament, we do not get our budgets rolled over to the next financial year. Come 30th June, what has not been spent is expected to disappear from the box. That is aligned with doing zero-based budgeting. Once we adopt rolling over of budgets, we will kill the spirit of zero-based budgeting. That is an area that we need to think about when this Bill moves to Third Reading.

We must ensure the money is spent annually. Our budgeting process is annual, with the other two years for purposes of budgeting. It should be that way. If the counties are unable to spend their money by 30th June of every year, they justify it in the next financial year, as all government institutions do. This will help avoid confusion regarding our financial management issue.

There is not much to say about this. This is a very exciting moment. I wish it came 10 years ago. Today, our county assemblies would be independent. The corruption problem we are seeing with the county executive is largely because our county assemblies lack the authority to effectively say no to the county executive. With financial autonomy, they will be able to say no and conduct their activities independently. Since their roles are similar to ours —legislation, representation, and oversight —with the introduction of financial autonomy, they will carry out their roles effectively. I wish them all the best as they start the new journey of financial independence.

Thank you so much, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Member of Parliament for Luanda, Hon. Maungu.

Hon. Dick Oyugi (Luanda, DAP-K): Thank you very much, Hon. Temporary Speaker, for the opportunity to also add my voice to this very important piece of legislation.

First and foremost, I thank those who proposed the idea of making the county assemblies independent. Since the introduction of devolution approximately 13 years ago, our country has sent significant funds, amounting to trillions, to the counties. Under the current regime, I have noted that the Government has disbursed over Ksh1.2 trillion to counties as devolved funding. This Bill comes at a crucial time, as we have just appropriated Ksh415 billion to these counties.

One of the major weaknesses we have observed over the years is that the county assemblies, which are supposed to oversee and monitor these funds on behalf of the common mwananchi, have been limping. This is because they have been dependent on the County Executives for the facilitation required to perform their duties. Therefore, the proposal for a County Public Finance Law is commendable, as it will significantly enhance oversight of all devolved funds, just as in the national Government, where Parliament, the Judiciary and the Executive operate independently with their own budgets. Each arm can fulfil its responsibilities without hindrance due to lack of resources.

On the other hand, in the county governments, our Members of County Assemblies (MCAs) have for a long time cried and asked to be empowered enough to oversee their counties. We all agree that huge sums of money have been devolved to the county governments, yet we did not give the MCAs enough teeth to bite. We did not give them enough power to oversee the county governments. In some counties, the county executives have been

micromanaging, sometimes holding the purse and frustrating the legislative work and oversight responsibilities of the assemblies by ensuring they are not adequately facilitated.

Thus, this Bill comes at the right time. It will provide the necessary power, muscle, and capability to our assemblies to oversee the county governments effectively. Members of county assemblies have consistently sought autonomy. In Vihiga County, where I come from, our assembly comprises approximately 36 Members who have been advocating for independence and autonomy, enabling them to perform their duties without fear or favour, as they are properly protected.

In my opinion, granting them independence is a great gain. I believe and pray that this will go a long way in ensuring that our funds at the county level are properly overseen. One thing I like about this Bill is that the county executives will not be doing this at their whims. They have been given specific deadlines within which these funds must be given to the assemblies, that is, by the 15th of every month.

The Temporary Speaker (Hon. Farah Maalim): The county executives do not control that; it is the Controller of Budget.

Hon. Dick Oyugi (Luanda, DAP-K): Thank you, Hon. Temporary Speaker, for that

The Temporary Speaker (Hon. Farah Maalim): According to the Bill, this ensures total autonomy and independence as the money does not go through the county governments. It is in line with exactly how we do it here in the National Assembly.

Hon. Dick Oyugi (Luanda, DAP-K): Exactly. This is a great deal. All I would request is that given the clause stipulating that if these funds are not spent, we should avoid a scenario where, at the end of the financial year, there are unspent funds due to a lack of flair on the part of the accounting officers. We must ensure that these funds are allocated to the assemblies and utilised, thus preventing rollovers, as *Mheshimiwa Daktari* alluded to. Therefore, I stand in support of this Bill, asserting that it is a substantial step towards ensuring the success of devolution.

Thank you.

Temporary Speaker (Hon. Farah Maalim): Next is Hon. Naomi Waqo.

Hon. Naomi Waqo (Marsabit County, UDA): Yes, it is Waqo with a “q,” not “k.” Thank you, Hon. Temporary Speaker.

Temporary Speaker (Hon. Farah Maalim): You are right. It is Waqo with a “q.”

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker, for this opportunity to add my voice to this Bill. I thank its originators, because they have given us and the entire country something we can be proud of.

When we got the Constitution in 2010, it gave us the opportunity to serve this country in a better way. It gave the country the freedom we desired and empowered women, people living with disabilities and other groups. This Bill seeks to empower our county assemblies. It will give the assemblies the financial independence they need. Without finances, nothing can be done. Even at the family level, if you have no money, you will not run your family well. Passing this Bill is the best gift we can give county assemblies as the 13th Parliament.

For people aspiring to be CEOs of county governments, there will be a law for accountability, give hope to county assemblies and make MCAs own whatever they do. MCAs will have direct control over the operational budget and the freedom to conduct oversight. Any politician would want to be free in terms of their speeches, politicking, oversight and representation. MCAs lack this particular path. When this Bill is assented to, county assemblies will be empowered fully.

Because there is not much bureaucracy and control, county assemblies will have access to and control over money for emergency needs. Some of us come from dry areas, which sometimes flood. When drought comes, we lose animals, or a disease outbreak occurs, and we need emergency funds. For the first time, county assemblies will have control over their budget.

Within a short time, they can approve what needs to be done, which will benefit citizens. County assemblies will be proud of their work. This Bill will also enhance accountability. It will also ensure timely reporting to oversight bodies. We have a corruption problem in the country. The measures outlined in the Bill will ensure accountability and effectiveness. Funds will be available for county assemblies to serve the people.

Clause 5(a) of the Bill says:

“Arrange for the County Assembly Fund to be kept in the Central Bank of Kenya in an account to be known as the County Assembly Fund Account.”

We should all support this Bill because counties will now have funds in their accounts to run their projects and programmes, deliver better services, reach out to their people, and do the projects that they need to do.

With those few remarks, I support the Bill. The faster the President assents to it, the better so that our counties can benefit from it.

The Temporary Speaker (Hon. Farah Maalim): Hon. Umulkher, followed by Hon. Jematiah.

Hon. Umulkher Harun (Nominated, ODM): Thank you, Hon. Temporary Speaker, for giving me the opportunity to contribute to this matter. This is a timely amendment Bill, as it supports the independence of our county assemblies and county governments, allowing them to operate efficiently. The biggest challenge currently facing Members of County Assemblies (MCAs) is having to work with the county executives while performing their oversight roles. The Bill will enable MCAs to perform their duties with minimal intimidation. I support that agenda.

I am concerned that we might be creating emboldened clerks within the Bill. I propose that we get guidance on how we can address that because we might have a situation where the clerks run everything, and they might even undermine the work being done in the county assemblies due to corruption. When the crafters of the Constitution introduced devolution, they did not envision creating individual millionaires. We now have demagogue governors who undermine development.

The Temporary Speaker (Hon. Farah Maalim): Member for Garissa, I was in the 10th Parliament which fathered the current Constitution. The independence we envisaged for Parliament was to be devolved to the county assemblies. The only missing thing was the laws that would operationalise the independence of the county assemblies. At no time did the framers of the Constitution imagine that the county assemblies would lack independence unlike the National Assembly.

Hon. Umulkher Harun (Nominated, ODM): I get your point, Hon. Temporary Speaker. However, my point was on the vision of the county governments. Devolution was intended to allow resources to trickle down to the counties and to promote the independence of marginalised regions. Corruption has resulted in governors who run everything without consultation and with little oversight from the MCAs. The Bill will address that challenge, and I support it.

I hope that we will deal with the issue of the clerks so that we can have very strong county governments and county assemblies.

I also encourage the Senate to propose a Bill that blocks immediate former governors from running for a Senate seat because they use the Senate to protect themselves from prosecution after looting during their 10-year term. The Senate should protect us from these thugs who transition to Parliament because the National Assembly and the Senate have respectable Members. We do not wish to have thugs sitting in our House.

Thank you very much, Hon. Temporary Speaker.

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

Hon. Jematiah Sergon (Baringo County, UDA): Thank you very much, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Hon. Umulkher was very categorical.

Hon. Jematiah Sergon (Baringo County, UDA): Hon. Umulkher was very specific, and repeatedly called rogue governors “thugs”.

I also join my colleagues in supporting this Senate Bill that will enable our counties to be fully functional. I also echo your words that this Bill replicates the existing pattern in the National Assembly. The Bill categorically shows how the funds will be utilised, almost to the extent of giving details on how the money will be managed. The County Public Finance Laws (Amendment) Bill will help us manage our counties. Specifically monies going to accounts of every county according to their numbers and locations since all regions in this country differ.

I insist that this is a very nice Bill if you look at what Members of County Assemblies (MCAs) go through, as much as they want to do their work without interference from the Executives.

(Hon. Umulkher Harun’s microphone was on)

I am distracted a bit. Two microphones are on.

The Temporary Speaker (Hon. Farah Maalim): Umulkher’s microphone can be switched off.

Hon. Jematiah Sergon (Baringo County, UDA): Just as we do here in Parliament, where we pay our bills and manage our spaces, MCAs need to have their funds to manage day-to-day activities in assemblies as they conduct oversight. I am specifically referring to oversight over the Executive of Governors, County Executive Committee Members (CECMs), and Chief Officers (Cos). County Assemblies should also ensure that their buildings are managed properly, as they belong to the Kenyan people. They are supposed to help counties to grow for posterity.

These funds shall defray administrative expenses and assist with the acquisition, proper maintenance, and upkeep of county assemblies' buildings, grounds, and other assets. This will keep counties in good shape for a long time. There is another good thing about this Fund, according to the Constitution. The County Assembly Fund shall retain accruals and balances of county assemblies at the end of each financial year. They shall be applied in accordance with the Constitution.

Section 109E is very interesting. It says county treasuries shall disburse monies to the County Assembly Fund at the beginning of every month and in any event not later than the 15th day from the commencement of the month. That will be for the expenditure of the following month. This will ensure proper utilisation and management in counties. You will realise that most of the counties are unable to pay their bills. This Fund will give them very good service.

The Clerk of a County Assembly will be the administrator of the Fund. They will now be able to manage the institution. The institutions are already in place. To maintain and make them useful for posterity, we must give them an opportunity to serve through this Bill.

Thank you. I support the County Public Finance Laws (Amendment) Bill.

The Temporary Speaker (Hon. Farah Maalim): Hon. Naisula, the lady from Samburu.

Hon. Naisula Lesuuda (Samburu West, KANU): Thank you very much, especially for giving women chances to speak in quick succession. We are always thrown like beans in *githeri*. I will take a very few minutes because my colleagues have said much about this Bill.

I support the County Public Finance Laws (Amendment) Bill. I commend the Senate Standing Committee on Finance and Budget led by the Chair, Hon. (Sen.) Roba, for coming up with this very important Bill.

As you have rightfully said severally, you were there during the Constitution-making process. The Constitution is a living document. As we implement it, we learn and see what the country needs to do progressively. The Senate and our county assemblies have seen this as one of the challenges. I know many Members here whose MCAs have reached out to me saying that when this Bill comes to the Floor of the House, we should support it. This is because they have noted that there is a big challenge when they have no autonomy over their finances and how they run and manage the resources that come to the county assemblies.

It is quite demoralising when it is the Executive which allocates money. It is as if the assemblies are the qualms of the counties, so they have to wait for the Executive to determine how much money they will be given. It is as if they are begging for that money. However, as you rightly said, it will mirror what we have in Parliament, the Judiciary, and the Executive.

We have also seen another challenge in our counties, where MCAs have to run around looking for the Ward Development Fund (WDF). And if you do not support that governor, you will not be given the WDF. It is akin to tokenism for the MCAs and what they are supposed to do.

Most importantly, once they have their own resources, it will enable them to do their work more effectively. Just as we are facilitated here to execute our mandate in Parliament, when our county assemblies are well-resourced, their motivation and working methods will improve. That is what we expect to see from them once the Bill is passed and assented to. It is also coming in at the right time, when we are doing the budget process, and we just passed the Division of Revenue Bill. I therefore hope it can be expedited and assented to so that it can start working.

With those very many remarks, I support.

The Temporary Speaker (Hon. Farah Maalim): The Hon. Member for Tharaka, Hon. Murugara.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Temporary Speaker. I begin by saying three things. Number one, lately, we have not seen anything good coming from the Senate, apart from some bills that have been falling when they come here and some of which we have been rejecting outright. This is because they have been busying themselves with things that do not concern them. But as we debate now, something good has come from the Senate: a Bill trying to entrench a fund in the Public Finance Management Act to secure ward representatives, the MCAs.

The Temporary Speaker (Hon. Farah Maalim): Independence of the county assemblies.

Hon. George Murugara (Tharaka, UDA): Number two, as we strive for independence of the county assemblies, we must also remind ourselves that we have not had kind words for governors. This is not out of malice. It is the reality on the ground. We have always said that if the governors are working well, let one of them stand up and say, 'This is what I have done this year. I am competing with the National Government-Constituencies Development Fund (NG-CDF). Let NG-CDF show us what they have done, then I will show you what I have done, and I will win against NG-CDF'. While the NG-CDF is a paltry amount, counties have all these resources, yet they have nothing to show for it. Therefore, we will continue to be unkind to them because they are not being kind to Kenyans when they fail to apply the monies allocated to them by this House prudently and appropriately.

Thirdly, the MCAs, who are the basic representation at the grassroots level, have been calling for the WDF. We have responded by saying that this could be addressed through local legislation in each county, but there may be an alternative avenue available. The Senate must review it again to determine the appropriate law that we should amend at the national level, ensuring that MCAs have a WDF that they can use to develop their wards. This is similar to

the structure where we have the NG-CDF, which is based in a constituency but does not involve a Member of Parliament.

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Thirdly, the MCAs, who are the basic representation at the grassroots level, have been calling for the WDF. We have responded by stating that this issue could be addressed through local legislation in each county. However, an alternative avenue may also be available. The Senate must review it again to determine the appropriate law that we should amend at the national level, ensuring that MCAs have a WDF that they can use to develop their wards. This is similar to the structure where we have the NG-CDF, which is based in a constituency but does not involve a Member of Parliament. With those remarks, I beg to support this very important Bill coming from the Senate.

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

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Temporary Speaker. I join my colleagues in support of this amendment to ensure there is autonomy in the operations of our county assemblies. We are so lucky as the National Assembly to have the Parliamentary Service Commission. This takes care of the activities and operations of the National Assembly. Our county assemblies have not yet established all the institutions charged with the responsibility of oversight in the spirit of good governance.

The Temporary Speaker (Hon. Farah Maalim): Hon. Rindikiri, county assemblies also have the same thing. We have the Parliamentary Service Commission; they also have a County Public Service Board.

Hon. Mugambi Rindikiri (Buuri, UDA): I hear you, but what am I saying?

The Temporary Speaker (Hon. Farah Maalim): But they do not have that autonomy.

Hon. Mugambi Rindikiri (Buuri, UDA): They do not have the autonomy.

The Temporary Speaker (Hon. Farah Maalim): Financial autonomy.

Hon. Mugambi Rindikiri (Buuri, UDA): That is what I said.

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

Hon. Mugambi Rindikiri (Buuri, UDA): And that is my point. Therefore, the County Public Service Board is also largely controlled by the Executive.

Now, in the spirit of good governance, there is a principle we call participation. Our Members of County Assemblies (MCAs) are involved in public participation during the budget process. The MCAs want to be responsive to their wards. However, their operations are curtailed because their salaries, petty cash, and benefits are administered through the Executive. By the nature of this Executive's governance today, they have used that lapse in law to control and manage the county assemblies. Hon. Temporary Speaker, it is very bad in the spirit of this era where we are exercising good governance. You cannot be a good Governor if you do not give the freedom to those people who are supposed to be overseeing you.

I would like to provide a clear example from our county, Meru. For almost two years, there has been no oversight, monitoring, or evaluation of what is happening. There is drama everywhere. The MCAs are divided simply because the Executive has taken control of the

finances. In leadership and governance, it is the control of finance that matters quite a lot. Once the Governor is in control of finances, the other matters are left now at the mercy of that Governor. It is high time that we support the MCAs in being autonomous in their operations so that they can effectively execute their representation and oversight for the benefit of the people they represent in every ward. If we need to cite an example of poor governance, we can conduct a case study of Meru County from 2022 to 2024. Then if you want to do a good study of good governance, we can start from last year up to now, where good governance and bad governance are very visible.

For the first time, I would like to thank the Senate. It has taken them a considerable amount of time to act, yet these are the things they are supposed to be doing. What they have been doing, including trying to oversee the National Assembly, is wrong. I thank our Judiciary for setting a clear record. If the Senators are serious, they will now go back to work with the county assemblies to oversee the county executives. The dangling of carrots by county executives to MCAs will come to an end due to this Bill. There should be cooperation among those with oversight roles, including members of the National Assembly and MCAs. The MCAs will now have the freedom to serve our people without being controlled by the executive.

With those few remarks, I support this amendment. Once again, I congratulate the Senate for the first time since I came to this House. This is the best thing they have done. Whatever they were doing in the past was entering into other guy's territories and coming out naked.

Thank you, Hon. Temporary Speaker.

(Hon. Owen Baya raised his hand)

The Temporary Speaker (Hon. Farah Maalim): Hon. Nyikal, you were next, but when those in the House leadership request for a chance, they somehow get certain preference.

Hon. Baya, proceed.

(Hon. (Dr) James Nyikal spoke off the record)

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Temporary Speaker. It comes with the office.

(Laughter)

The Temporary Speaker (Hon. Farah Maalim): Proceed, Deputy Leader of the Majority Party.

Hon. Owen Baya (Kilifi North, UDA): I want to contribute to this very important Bill from the Senate. I congratulate the Senate for thinking about it. This is a matter we thought about, even when I served at the county. Why can the county assemblies not be given autonomy in terms of funds? This is a noble thing.

Hon. Temporary Speaker, were you in an earlier Parliament?

The Temporary Speaker (Hon. Farah Maalim): Yes, indeed. I was in the 10th Parliament, when everything used to come through the Office of the President. Sorry, I meant the 7th Parliament. Before we got the independence of Parliament, we depended on the Executive Office of the President.

Hon. Owen Baya (Kilifi North, UDA): That is what we have subjected the county assemblies to. In the 21st century, they operate under a 20th century paradigm. This Bill is trying to shift that into a modern paradigm. It is the right thing. The MCAs need to be independent,

just as this Chamber got independence from the National Executive. For a long time, we have placed county assemblies under the control of county executives. Sometimes, if a governor wants to control or frustrate the county assemblies, they decide not to give them money or other resources. By controlling the budget and resources, you confuse the entire assembly. This is a very noble Bill.

The two arms of government at the county level need to work independently, just as we work with the National Executive. The county assemblies and county executives should be financially independent. By giving them authority and resources, we empower county assemblies to oversee their executives effectively. As we give MCAs these funds and autonomy, they should now start overseeing the county governments and county executives properly. They have now been given the funds to do so, but they must be accountable for them.

Hon. Temporary Speaker, I beg to support.

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

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Speaker. I rise to support this Bill from the Senate. It is very interesting that, even after 10 years, we are still looking at the structure of financial management of these entities. It is a whole issue of devolution. In my view, when devolution came, we had the Commission for the Implementation of the Constitution...

The Temporary Speaker (Hon. Farah Maalim): It was the Commission for the Operationalisation of the Constitution, or rather the Commission for the Implementation of the Constitution, as you put it.

Hon. (Dr) James Nyikal (Seme, ODM): We then had the Transitional Authority. We still have the Constitution Implementation Oversight Committee in this House. This Committee needed to continuously work because, with devolution, we devolved without first setting up the structures.

I recall the debate before devolution, just after the Constitution had been passed, was that there was a need to establish some structures for the counties so that as they came into being, they would have rudimentary structures with which to start operations. We did not do that. We only considered the loss, and the Transition Authority did not examine the administrative element. That is what has brought us here. We now talk very much about runaway corruption in the counties. What do you expect to happen when you give out a lot of money without financial structures to support it? Unless you are an angel, you will use that money the way you want. I am happy that we are beginning to see that these are major structural gaps. Apart from the financial issue, the human resource issue also needs to be addressed.

Let me talk about the issue of health that I am conversant with. Again, what we are dealing with is a lack of structures to deal with human resources. We had the Public Service Commission (PSC). We then established the County Public Service Board (CPSB), but there is no direct link between them. There are workers, for example, in the health sector, who recognise themselves as the same cadres wherever they are. However, there is no uniform way of handling it from county to county. Again, that is a major gap in the human resource management. I think the procurement sector is also suffering the same way.

Therefore, Hon. Temporary Speaker, I support this because, for once, we are taking a serious look at the financial structures that are needed in the counties. This Bill brings in what we needed to have done immediately after we had the Constitution in place or even before we had it. In fact, it was suggested, but enthusiastic people shot it down. Maybe they saw ahead and gave themselves room to use this money. We are now putting it in the Bill.

This Bill is good because it gives autonomy to the Members of the County Assembly (MCAs), which is the most glaring issue, although it is looking at all the other areas. Look at the issues of the autonomy of the assemblies. How can you oversee a person who is financing you? Structurally, it is not workable. That structure will just incapacitate you. There have been

many disputes between the MCAs and the governors, which is understandable given the structural nature of the issue. It would be unnatural if they were friends. It is like asking a goat and a hyena to be friends, expecting them to understand that they need to work together. It cannot work like that.

When we give them this autonomy, they can manage their finances by themselves. Similarly, they may not understand the constraints of the governor. However, now that they have the money allocated to them, which they are handling, they will behave differently. The issue of holding governors at ransom, and on the other hand they are denying you what you need to do so that you become weak and more obedient, is a thing of the past. Many of the attempts to impeach governors may arise from this dispute: “You are denying us this, *tutakutoa tu*”. That is what has been going on. Now that we have put that in place, I think we will also need to provide training and establish structures for them after implementation.

Therefore, Hon. Temporary Speaker, I support this Bill. However, we not only need to look at the financial structures but also go ahead and look at the human resource management and procurement structures. Remember, we were recently looking at how they can access funds from grants and donors. I support. It is a big move; it has shown us the way, and we expect more to come from the Senate.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Hon. Jaldesa, followed by Hon. Oundo Wilberforce.

Hon. (Prof.) Guyo Jaldesa (Moyale, UPIA): Thank you, Hon. Temporary Speaker. I agree with the sentiments expressed by Members who have contributed. County assemblies should be granted autonomy to make decisions independently without relying excessively on the county executive. When county assemblies lack autonomy, they are unable to exercise effective oversight over the county government. This has led to numerous challenges across the country. For example, MCAs are taken on small trips. Such gestures are presented as sufficient, while essential functions, such as ward development funds, which are traditionally used for localised projects, have either been removed or withheld at the whim of governors without any consultation or reference to the county assemblies. If county assemblies have autonomy, such practices will no longer be possible.

With that, I support.

The Temporary Speaker (Hon. Farah Maalim): Hon. Oundo, and then Hon. Kirima.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker. I rise to support the Bill. I also wish to join my colleagues who have served since the 12th Parliament in commending the Senate. For the very first time, they have done something commendable. Indeed, this is exactly what the Senate ought to be doing. Anything else is a waste of public resources. This is where their constitutional mandate lies.

When we debated the mediated version of this Bill, we did not have many kind words for the county governments. It is, therefore, commendable that the county assemblies have now been granted autonomy to operate independently. We hope, and indeed pray, that they will now serve as a strong layer of oversight over the excesses of the county government.

The Bill is fairly descriptive. Many of the matters it addresses could easily have been integrated into broader legislation. While it may appear somewhat restrictive, the provisions are necessary and timely.

With those few remarks, I support.

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

Hon. Moses Kirima (Central Imenti, UDA): Thank you, Hon. Temporary Speaker, for giving me the opportunity to contribute to this important Bill. I support the Bill, with a few remarks based on the provisions of Article 95 of the Constitution. The duties of the Senate, as enshrined in the Constitution, are to address matters pertaining to county governments. This is

the first time since I entered this House that I have seen the Senate act in accordance with that mandate. Previously, there have been concerns that the Senate was duplicating the work of the National Assembly by attempting to exercise oversight over institutions outside its purview. Today, we can see that the Senate is finally acting appropriately and at the right time.

Since 2013, when the county governments were operationalised, county assemblies have been subjected to manipulation and mistreatment by the county executives. With this Bill, which grants county assemblies financial independence, they will now conduct their functions, especially oversight, without interference or manipulation from the executive.

This move can be extended further. Once county assemblies attain financial independence, the Senate could consider drafting additional legislation to ensure that development funds are also allocated under a separate model. One that is distinct from the current framework. At present, the county executive determines which areas receive development and which do not. This creates bias and undermines equitable development. Once county assemblies are independent, it will be necessary to establish a model where the development agenda is not dictated solely by the county executives. They will still be independent on the county executive. If you differ with the governor, your ward may not get any development. And that determines whether you are re-elected or not. This Bill will make county assemblies more independent.

Article 95 of the Constitution defines the roles of the Senate, but it has been engaging in matters that do not belong to them. They have been wasting taxpayers' money for no reason. This is the first Bill they have come up with that actually relates to their work. If the public were given the chance, through a referendum, they would abolish the Senate. They have been doing what they should not be doing. It is now that they have realised their role. And we congratulate them for that. I support the Bill.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Member for Bomet, please take no more than three minutes.

Hon. Linet Chepkorir (Bomet County, UDA): Thank you, Hon. Temporary Speaker, for this opportunity to add my voice to the Bill. I support the Bill and congratulate the Senate for it. MCAs are representatives of the people and the people expect them to deliver. So, we should give them money for their work to be seen. With this funding, they plan what to do. Because they are not independent, they cannot properly oversee county executives. When they have their funds, they will be independent and carry out their work better.

Thank you, Hon. Temporary Speaker. I support.

The Temporary Speaker (Hon. Farah Maalim): Fair enough.

Hon. Members, it is now fair to call upon the mover to reply.

Hon. Benjamin Lang'at (Ainamoi, UDA): Thank you, Hon. Temporary Speaker, for this opportunity again to reply. I thank all Members who took their time to go through the Bill and make serious contributions to it. I already instructed our secretariat, led by one Benjamin Magut, to follow this debate and take note of what Members say concerning this Bill. I request Members to make suggestions for improvement at the Committee of the whole House stage. As a Committee, we are open to ideas. All Members have the right to propose amendments. I believe we have done a fair job on this Bill. I reply.

(Question put and agreed to)

*(The Bill was read a Second Time and
committed to Committee of the whole House)*

The Temporary Speaker (Hon. Farah Maalim): Next Order.

MOTIONADOPTION OF PERFORMANCE AUDIT REPORT BY THE
NATIONAL COUNCIL FOR PERSONS WITH DISABILITIES

THAT, this House adopts the Report of the Public Investments Committee on Social Services, Administration and Agriculture on its consideration of the Performance Audit Report by the Auditor-General on the provision of services to persons with disabilities by the National Council for Persons with Disabilities, laid on the Table of the House on Tuesday, 30th July 2024.

The Temporary Speaker (Hon. Farah Maalim): Hon. Members, Order No. 17 is deferred.

(Motion deferred)

I think we have a Communication from the Chairman of the Select Committee on Public Investments Committee on Social Services, Administration and Agriculture. I direct that this be put on the Order Paper at an appropriate time when the Chairman is ready to move.

(Motion deferred)

Next Order.

BILLS*Second Readings*THE VIRTUAL ASSET SERVICE PROVIDERS BILL
(National Assembly Bill No. 15 of 2025)

The Temporary Speaker (Hon. Farah Maalim): Are you going to move that? The substantive Leader of the Majority Party had initially indicated that he wanted this to be deferred.

Hon. Owen Baya (Kilifi North, UDA): We agreed that it be deferred until Parliament sits next.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Okay, fair enough. Under the circumstances, Order No. 18 is deferred to an appropriate date in the future.

(Bill deferred)

Next Order.

THE KENYA INSTITUTE OF PRIMATE RESEARCH BILL
(National Assembly Bill No. 52 of 2024)

The Temporary Speaker (Hon. Farah Maalim): The Chairman of the Departmental Committee on Health, do you wish to move that? Okay, fair enough.

Thank you.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Speaker. I beg to move that the Kenya Institute of Primate Research Bill (National Assembly Bill No.52 of 2024), be now read a Second Time.

Let me begin by thanking the Members of the Departmental Committee on Health, which I chair, for their support in the preparation and tabling of the Committee Report on the Bill in this House.

The Kenya Institute of Climate Primate Bill (National Assembly Bill No.52 of 2024) by the Departmental Committee on Health was published on 26th November 2024. The Bill was read for a First Time in this House on Thursday, 5th December 2024, and thereafter committed to the Departmental Committee on Health for consideration and reporting to the House, pursuant to provisions of Standing Order 127.

The principal object of this Bill is to make provision for the establishment, powers and functions of the Institute of Primate Research. This Institute conducts research using non-human primates and other experimental animals to improve human health through innovative pre-clinical research. Basically, this is an institution that exists, and it has been doing research using primates and other animals, particularly the basic research that we normally do in the development of medicines and vaccines when they still cannot be actually applied to human beings. This Bill, therefore, seeks to establish this in law and give it the powers and proper functions according to the law.

Currently, this is operating under Legal Notice No. 273 of 2017 of the Science and Technology Innovation Act. This Bill intends to now establish a full Act on which it will operate so that it becomes a legal entity on its own. This is important because, since 1958, when this Institute was established, it has been operating under a Legal Notice rather than under a law. This Institute is extremely important for the primary research on vaccines and medicine. Therefore, we now need to establish it under its own Act of Parliament.

Temporary Speaker (Hon. Farah Maalim): Order, Hon. (Dr) Nyikal. When the next debate on this Bill resumes, you have 41 minutes left to move.

ADJOURNMENT

Hon. Members, the time being 7.00 p.m., this House stands adjourned until Tuesday, 24th June 2025, at 2.30 p.m.

The House rose at 7.00 p.m.

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