

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Thursday, 15<sup>th</sup> June 2017

The House met at 6.50 p.m.

*[The Temporary Deputy Speaker  
(Hon. Cheboi) in the Chair]*

### PRAYERS

**The Temporary Deputy Speaker** (Hon. Cheboi): Order Members!

### QUORUM

I can see we are very close to the required quorum and so, we will ring the bell for 10 minutes.

*(The Quorum Bell was rung)*

Alright. Members, we now have the required quorum and, therefore, we will proceed with business.

*(Loud consultations)*

### MESSAGES

**The Temporary Deputy Speaker** (Hon. Cheboi): Order, Hon. Members!

Pursuant to the provisions of Standing Order No.41, I wish to report to the House that I have received the following messages from the Senate:

1. Message on passage of mediated version of the Health Bill (National Assembly Bill No.14 of 2015) which, as you may be aware, was passed in this House on 25<sup>th</sup> May, 2017. This now concludes the bicameral consideration of the said Bill;
2. Message on the passage of the mediated version of the Division of Revenue No.2 Bill (National Assembly Bill No.22 of 2017), which is listed for consideration by the National Assembly in this Second Sitting;
3. Message on the passage of the Parliamentary Powers and Privileges Bill (National Assembly Bill No.35 of 2015) in the same form as passed by the National Assembly on 22<sup>nd</sup> October, 2015. This also concludes the bicameral consideration of the said Bill;
4. Message on passage with amendments of the County Allocation of Revenue Bill (Senate Bill No.2 of 2017), which is also listed for consideration by the National

Assembly in this Second Sitting at all stages, pursuant to provisions of Standing Order No.124; and,

5. Message on the adoption of the Report of the Joint Parliamentary Select Committee on Election of Members to the East African Legislative Assembly (EALA) which is listed for consideration by the National Assembly in this Second Sitting.

Hon. Members, it is my hope that the National Assembly will also pass the affirmative Bill and Reports that have been listed in the Order Paper for consideration thus amicably bringing to an end the bicameral consideration of this business. With this presumption, I will accordingly proceed to present all the Bills that have been passed by both Houses to His Excellency the President for assent, in accordance with the provisions of Article 113 (3) of the Constitution.

Hon. Members, I wish to report that the Senate has also agreed with the National Assembly on its amendments to the County Assembly Service Bill (Senate Bill No.27 of 2014) and the County Early Childhood Education Bill (Senate Bill No.32 of 2014). Further, the Senate has just passed and referred to the National Assembly the following Bills for consideration:

- (i) Statutory Instruments Bill (Senate Bill No.10 of 2015);
- (ii) Preservation of Human Dignity and Enforcement of Economic and Social Rights Bill (Senate Bill No.8 of 2015);
- (iii) Persons with Disability (Amendment) Bill (Senate Bill No.13 of 2015);
- (iv) National Cereals and Produce Board (Amendment) Bill (Senate Bill No.15 of 2015);
- (v) County Pension Scheme Bill (Senate Bill No.20 of 2016); and,
- (vi) Medical Practitioners and Dentists (Amendment) Bill (Senate Bill No.2 of 2016).

Hon. Members, conscious of the scheduled *sine die* recess at the rise of the House today, it is clear that there is almost no time for the National Assembly to consider these Bills, unless we convene a Special Sitting.

Thank you.

### PAPERS LAID

**Hon. A.B. Duale:** Hon. Temporary Deputy Speaker, I beg to lay the following Papers on the Table of the House:

The Report of the Auditor-General on the Financial Statements of Kenya Reinsurance Corporation Limited for the year ended 31<sup>st</sup> December 2016.

Report of the Auditor-General on the Financial Statements of the Parliamentary Mortgage Scheme Fund for the year ended 30<sup>th</sup> June 2016.

Thank you.

**Hon. Gaichuhie:** Hon. Temporary Deputy Speaker, I beg to lay the following Papers on the Table of the House today Thursday, 15<sup>th</sup> June, 2017:

Reports of the Departmental Committee on Finance, Planning and Trade on the following matters—

- (i) Consideration of the second Sessional Paper No.3 of 2017 on the Government guarantee of US\$750 million (Equivalent to Kshs77.48 billion) in support of the restructuring of Kenya Airways;

- (ii) Consideration of a public petition presented to the House by Hon. “*Roho Safi*” on irregular transfer of Muiru Coffee Estate Limited property by Kenya Commercial Bank.

Thank you.

*(Laughter)*

**An Hon. Member:** Who is *Roho Safi*?

**The Temporary Deputy Speaker** (Hon. Cheboi): He said he was going to be....

**An Hon. Members:** Who is Hon. *Roho Safi*?

**Hon. Gaichuhie:** He is confused. He does not know that Hon. Njuguna is Njuguna *Roho Safi*.

**The Temporary Deputy Speaker** (Hon. Cheboi): That second name is not familiar to the House. Therefore, he is a stranger as far as we are concerned. However, if you mean Hon. Njuguna, the Member for Gatanga Constituency, he is a Member of this House. Therefore, the record will capture that name.

Next Order.

## NOTICE OF MOTION

### ADOPTION OF REPORT ON GOVERNMENT GUARANTEE TO SUPPORT KENYA AIRWAYS

**Hon. Gaichuhie:** Hon. Temporary Deputy Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Departmental Committee on Finance, Planning and Trade on its consideration of Sessional Paper No.3 of 2017 on Government guarantee of US\$750 million (Equivalent to Kshs77.48 billion) in support of the restructuring of Kenya Airways, laid on the Table of the House today, Thursday, 15<sup>th</sup> June 2017.

Thank you.

## REPORT

### CONSIDERATION OF THE PRESIDENT'S RESERVATIONS ON THE FINANCE BILL

**The Temporary Deputy Speaker** (Hon. Cheboi): Hon. Members, before I proceed to that Order, so that Members do not have any issue with this, Order No.8 had been dispensed with. So, that is why we have jumped it.

Hon. Members, allow us to make some consultations.

*(The Temporary Deputy Speaker  
consulted the Clerk-at-the-Table)*

**Hon. Member:** I have no Order Paper.

The Order Paper is available. You may not have it yourself. We will make sure that you have a copy. The issue is about availability. If the Order Paper is available and you do not pick it, it is something you can go and do right away.

Hon. Members, for purposes of clarity, the issues of the President's Reservation to Clause 29 of the Finance Bill had been raised by the Member for Kibwezi West. It has come to the attention of the House that, that was the true position but, inadvertently, it had been left out of

what was before the Committee. We will ask the Leader of the Majority Party to proceed and move re-committal so that we can dispense with it and proceed.

**Hon. A.B. Duale:** Hon. Speaker, I beg to move that the Motion for agreement with the Report of the Committee of whole House on the Presidential Memorandum be amended by inserting the words “subject to re-committal of Clause 28”. I request Hon. Wakapee, who is working very hard to be the Deputy Majority Whip in the 12<sup>th</sup> Parliament, to second.

**Hon. Francis Waititu:** Hon. Temporary Deputy Speaker, I second.

*(Question proposed)*

*(Question put and agreed to)*

**The Temporary Deputy Speaker** (Hon. Cheboi): Next Order.

## BILLS

### *First Reading*

The County Allocation of Revenue Bill (Senate Bill No. 2 of 2017)

*(Order for First Reading read - Read the First Time and Ordered to be read the Second Time today by leave of the House)*

### *Second Reading*

#### THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILL NO. 2 OF 2017)

**Hon. Musyimi:** Hon. Temporary Deputy Speaker, I beg to move that the County Allocation of Revenue Bill (Senate Bill No.2 of 2017), be now read a Second Time.

This Bill is fairly straightforward. It seeks to allocate sharable revenue raised nationally to each county government and communicate the same information. The Bill provides for conditional allocations to be made to county governments among other things. The Bill also provides for the budget ceilings for recurrent expenditures at the county assemblies and the county executive.

I beg to move and request the Member for Nyeri County, whom we are very happy to see - Hon. Priscilla Nyokabi - to second.

**Hon. (Ms.) Kanyua:** Thank you, Hon. Temporary Deputy Speaker and the Chair of the Budget and Appropriations Committee. I second the Bill with just a small rider that the formula used for county allocations is something that the 12<sup>th</sup> Parliament will have to deal with. Counties like my own of Nyeri are concerned about the formula that is used but, so far, the Bill covers many of the aspects that are supposed to be covered. I second.

**The Temporary Deputy Speaker** (Hon. Cheboi): Very well. Maybe, I should also take the opportunity to welcome the Member for Nyeri and tell her that while she was away, the Breastfeeding Bill went through.

*(Laughter)*

*(Question proposed)*

*(Question put and agreed to)*

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

#### COMMITTEE OF THE WHOLE HOUSE

*(Order for Committee read)*

*[The Temporary Deputy Speaker  
(Hon. (Cheboi) left the Chair]*

#### IN THE COMMITTEE

*[The Temporary Deputy Chairman  
(Hon. (Cheboi) took the Chair]*

The Finance Bill

*(Consideration of Memorandum from His Excellency the President)*

**The Temporary Deputy Chairman** (Hon. Cheboi): Order, Members! We will start with the re-committal of the Presidential Reservation to the Finance Bill, the recommitted clause.

*Clause 28*

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairman, I beg to move:  
THAT, a new clause be inserted in the Bill to read as follows:

Amendment of section  
55A of Cap.131.

28C. Section 55A of the Betting, Lotteries and Gaming Act is amended in subsection (1) by deleting the word "twelve" and substituting therefor the words "thirty-five".

The reason is the same. It is meant to protect the youth of this country so that they can put their energy in more productive economic engagements.

*(Question of the new clause proposed)*

*(New clause read the First Time)*

*(Question, that the new clause be  
read a Second Time, proposed)*

**The Temporary Deputy Chairman** (Hon. Cheboi): Hon. M'eruaki, I think you want to have a shot. It is very important to speak on the last day.

**Hon. M'uthari:** Yes, I support this. It is important. We do not have to have a country that depends on luck where people are not working, but depend on lotteries. Thank you.

**The Temporary Deputy Chairman** (Hon. Cheboi): Members, let it be very clear, the reservation is in regard to Clause 28D. I want to make that very clear because there will be many Members who would want to place it as 29. It is 28D.

*(Question, that the new clause be read  
a Second Time, put and agreed to)*

*(The new clause was read a Second Time)*

*(Question, that the new clause be added to  
the Bill, put and agreed to)*

**The Temporary Deputy Chairman** (Hon. Cheboi): That marks the end of that particular one. Let us have the Mover.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairman, I beg to move that the Committee doth report to the House its consideration of the Presidential Memorandum to the Finance Bill (National Assembly Bill No.16 of 2017), and its approval thereof without amendments.

*(Question proposed)*

*(Question put and agreed to)*

#### THE COUNTY ALLOCATION OF REVENUE BILL

**The Temporary Deputy Chairman** (Hon. Cheboi): Now we will go to the second Bill which is the Committee of the whole House on the County Allocation of Revenue Bill (Senate Bill No. 2 of 2017).

*(Clauses 1, 2, 3, 4, 5, 6, 7, 8, 9, 10,  
11, 12 and 13 agreed to)*

*(The First, Second, Third and Fourth  
Schedules agreed to)*

**The Temporary Deputy Chairman** (Hon. Cheboi): Let us call the Mover to move reporting.

**Hon. Musyimi:** Hon. Temporary Deputy Chairman, I beg to move that the Committee doth report to the House its consideration of the County Allocation of Revenue Bill (Senate Bill No. 2 of 2017) and its approval thereof without amendments.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

*[The Speaker (Hon. Muturi) in the Chair]*

## REPORT AND THIRD READING

### THE PRESIDENT'S RESERVATION TO THE FINANCE BILL

**Hon. Speaker:** Let us have the Chairperson.

**Hon. Cheboi:** Hon. Speaker, I beg to report that a Committee of the whole House has considered the Presidential Memorandum to the Finance Bill 2017 (National Assembly Bill No. 16 of 2017) and approved the same without amendments.

**Hon. Speaker:** Let us have the Mover.

**Hon. A.B. Duale:** Hon. Speaker, I beg to move that the House doth agree with the Committee in the said Report. I also request Hon. Kimani Ichung'wah to second the Motion for agreement with the Report of the Committee of the whole House.

**Hon. Speaker:** Hon. Ichung'wah.

**Hon. Ichung'wah:** Thank you, Hon. Speaker. I do second. Probably, if we make it to the 12<sup>th</sup> Parliament, I will pursue the further amendment on, particularly, tax on the consumers of those products in betting and all those other things in terms of withholding tax to ensure that we discourage the vice, especially the consumers other than taxing heavily the investors in this industry.

*(Question proposed)*

**Hon. Members:** Put the Question.

**Hon. Speaker:** Hon. Members, I could overhear the Leader of the Majority Party give the Member for Juja some title. Having ascertained that there is quorum, I put the Question.

*(Question put and agreed to)*

### THE COUNTY ALLOCATION OF REVENUE BILL

**Hon. Cheboi:** Hon. Speaker, I beg to report that a Committee of the whole House has considered the County Allocation of Revenue Bill (Senate Bill No. 2 of 2017) and approved the same without amendments.

**Hon. Speaker:** Let us have the Mover.

**Hon. Musyimi:** Hon. Speaker, I beg to move that the House doth agree with the Committee in the said Report. I also request Hon. Priscilla Nyokabi to second the Motion for agreement with the Report of the Committee of the whole House.

**Hon. Speaker:** Hon. Nyokabi.

**Hon. (Ms.) Kanyua:** Thank you, Hon. Speaker and good to see you after some time. I second.

**Hon. Speaker:** I can see you are seated close to the Member for Homa Bay. I am sure she must be giving you the good news for lactating mothers and also, of course, today the House did pass the Breastfeeding Mothers Bill. She should continue giving you that information.

*(Question proposed)*

**Hon. Members:** Put the Question.

*(Question put and agreed to)*

**Hon. Speaker:** Let us have the Mover.

**Hon. Musyimi:** Hon. Speaker, I beg to move that the County Allocation of Revenue Bill (Senate Bill No. 2 of 2017) be now read a Third Time. I request Hon. Priscilla Nyokabi to second.

**Hon. (Ms.) Kanyua:** Thank you, Hon. Speaker. I second and do support the Chair's position and the Committee's position.

*(Question proposed)*

**Hon. Speaker:** It is the desire of the House to put the Question. For purposes of record, there is quorum.

*(Question put and agreed to)*

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

## MOTIONS

### APPROVAL OF THE NOMINEE FOR APPOINTMENT AS DIRECTOR GENERAL OF FINANCIAL REPORTING CENTRE

**Hon. Speaker:** Hon. Gaichuhie.

**Hon. Gaichuhie:** Hon. Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Departmental Committee on Finance, Planning and Trade on the Vetting of the nominee for Appointment as the Director-General of the Financial Reporting Centre, laid on the Table of the House on Wednesday, 14<sup>th</sup> June, 2017 (Morning Sitting), and pursuant to the provisions of Section 25 of the Proceeds of Crime and Anti-Money Laundering Act, 2009, approves the appointment of Saitoti Kimerei Maika as Director-General of the Financial Reporting Centre.

Hon. Speaker, you will recall very well that on 6<sup>th</sup> June 2017, you conveyed a Message to this House from the Cabinet Secretary, National Treasury, nominating Saitoti Kimerei Maika as the Director-General of the Financial Reporting Center. This is pursuant to Section 25 of the Proceeds of Crime and Anti-Money Laundering Act 2009 and Standing Order No.216 (5)(f) and in furtherance of the provisions of Article 118 of the Constitution and Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, 2011.



We got the credentials of the nominee who was vetted on 13<sup>th</sup> June, 2017 based on the criteria set out in the Public Appointments (Parliamentary Approval) Act, Leadership and Integrity Act and the relevant provisions in the Constitution of Kenya 2010.

On 8<sup>th</sup> June 2017, through print media, the Clerk of the National Assembly notified the general public. On 7<sup>th</sup> June 2017, the Clerk wrote to the nominee. On 13<sup>th</sup> June 2017, we were able to vet him. We found out that during the interview, there were 11 persons. Out of the 11, only seven had attended the interview and Saitoti Kimerei emerged the winner having scored 79.1 points. When we vetted him for the position of Director-General, we noticed that he had passed all the tests. On his education background, he holds a Bachelor of Arts Degree in International Relations. He is pursuing a Master's degree now. He has a diploma too and a wealth of experience. He has headed the intelligence and policy development of Financial Reporting Centre. He has also participated in the national taskforce on anti-money laundering. Between 2006 and 2009, he was the National Intelligence Service (NIS) representative to the National Task Force on Anti-Money Laundering. He has also consulted for the Common Market for Eastern and Southern Africa (COMESA) and he has participated in Eastern and Southern Africa Anti-Money Laundering Group (ESAMLG) topology project. He has never been dismissed from any service. He has never participated in any charity or *pro bono* work. He is a Kenyan citizen who is all right.

Having conducted the approval hearing for the nominee in accordance with Article 118 of the Constitution, the Proceeds of Crime and Anti-Money Laundering Act 2009, the Public Appointments (Parliamentary Approval) Act, and the Standing Orders, this Committee, therefore, recommends that the National Assembly approves the nomination of Saitoti Kimerei Maika as the Director-General of the Financial Reporting Center pursuant to Section 25 of the Proceeds of Crime and Anti-Money Laundering Act of 2009. He is the nominee we vetted and I want to confirm to this House that he has vast knowledge when it comes to money laundering issues, especially now that he worked for the NIS. He has also consulted for COMESA and has done quite a lot. He is a Kenyan and Maasai by origin. He is 47 years of age. I think he will make a good Director-General.

I wish to request my Chairman to second.

**Hon. Speaker:** Hon. Benjamin Langat.

**Hon. Langat:** Hon. Speaker, I wish to second this Motion. I also wish to confirm to the House that the nominee is qualified both academically and career-wise. The nominee started his career in the military. He later joined NIS. We have now been requested to approve him to serve as Director-General for the Financial Reporting Centre. I wish to further confirm to the House that the Committee unanimously approved him---

*(Loud consultations)*

**Hon. Speaker:** Order Members! I am not cutting you short. I just want to beseech Members that because the other House has passed some of these things, I think it is only fair that we sacrifice some more time.

**Hon. Langat:** Hon. Speaker, I second and I ask the House to approve.

*(Question proposed)*

**Hon. Speaker:** Is it the desire of the House that I put the Question?

**Hon. Members:** Yes.

*(Question put and agreed to)*

APPROVAL OF THE MEDIATED VERSION OF THE DIVISION OF REVENUE BILL 2017

**Hon. Musyimi:** Hon. Speaker, I beg to move the following Motion:

THAT, pursuant the provision of Article 113(2) of the Constitution, and the Standing Order No.150, this House adopts the Report of the Mediation Committee on its consideration of the Division of Revenue Bill, (National Assembly Bill No. 2 of 2017), laid of the Table of the House on Thursday 15<sup>th</sup> June 2017 (Morning Sitting) and approves the mediated version of the Division of Revenue Bill 2017.

I want to start by thanking the Hon. Members for giving me the opportunity to serve in this Committee. It has been a privilege serving as Chairperson of this Committee. I would like to wish all the Members well.

Allow me to indicate that we met twice after some serious gridlock, not so long ago, and we have agreed on a figure of Kshs302 billion raising it from Kshs291.1 billion sharable revenue. This is a significant increase in terms of the audited and approved accounts. It is 37 per cent way above the requirement of the Constitution.

Let me also say that we are looking forward to seeing the county governments raise more revenue and using the money well. We have also indicated that we have received a lot of challenges processing the Division of Revenue Bill and some of us cannot wait to go back to the socio-economic audit and begin looking at the Constitution in order to seek ways of making some improvements as we had all agreed in 2010.

I thank you, again, and I beg the Member for Nyeri, Hon. Priscilla Nyokabi, to second.

**Hon. (Ms.) Kanyua:** Thank you, Hon. Speaker. Thank you, Chairman Musyimi for the Bill and the compromise that has been reached. I also want to use this opportunity to thank the people of Nyeri for giving me the opportunity to serve in the Budget and Appropriations Committee. I support it.

We are all hoping that as the 11<sup>th</sup> Parliament comes to an end, all of us are appealing to come back to the House to be able to continue with the work that has been started. The Level 5 hospitals, as you can see in the mediated version of the Bill, get Kshs4.2 billion. That money should go to hospitals directly. There is no reason for that allocation to go to county governments. The 12<sup>th</sup> Parliament will need to deal with that matter.

I second, Hon. Speaker.

*(Question proposed)*

**Hon. Members:** Put the Question.

**Hon. Speaker:** Very well, Hon. Members. As you know, this House had already debated this matter; in fact, twice. If you recall, this is the second Bill dealing with this matter.

*(Question put and agreed to)*

**Hon. Speaker:** Next Order.

## APPROVAL OF REPORT ON ELECTION OF MEMBERS TO EALA

**Hon. Speaker:** Hon. Katoo.

**Hon. Katoo:** Hon. Speaker, I beg to move the following Motion:

THAT, pursuant to Article 50 of the Treaty for the Establishment of the East African Community and Rule 13(5) of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017, this House adopts the Report of the Joint Parliamentary Select Committee on the Election of Members to the East African Legislative Assembly on its consideration of the nominees for election as members of the East African Legislative Assembly, laid on the Table of the House on Thursday, 15<sup>th</sup> June 2017, Morning Sitting.

First of all, I want to regret that as the 11<sup>th</sup> Parliament, we have not been able to approve our representatives to EALA. By doing so, we have held the entire East African region to ransom. But all is not lost. We are just going for recess. So, it is still possible for this House to do so before 7<sup>th</sup> August when the life of this Parliament comes to an end.

What we are reporting as a joint parliamentary committee is that the main stumbling block to reaching a consensus is Rule 6(1) which says that each party shall nominate any number not exceeding three times the allocation of that party. It is the rule that has brought a problem because parties are nominating the minimum number. What the joint committee has arrived at is, for clarity purposes, we need to make an amendment to ensure that the rule reads that a party shall nominate three times its allocation. We will leave the rest to the 12<sup>th</sup> Parliament to come and do the elections. Even if it is the 12<sup>th</sup> Parliament which will do the election, they will bring clarity that a party shall nominate three times its allocation. That is what we are reporting and for which we seek the approval of this House.

I beg to move. I would like to request the Leader of the Majority Party to second.

**Hon. Speaker:** The Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Speaker, I second. It is like we are going in circles. I am saying so because the two Houses approved a report in the affirmative on the number of nominees to be presented by each political party. What the committee of Hon. Katoo and Sen. Murkomen and Sen. Mutula Junior from the other side and Hon. Wamunyinyi is telling us is that they want to put more emphasis on that report. I am told the Senate has adopted the Report, and so, we have no choice.

Now they are very specific on Rule 6 and say that we must bring three times the number of names. That is the only way out. In the event it passes and we bring the required numbers, the door will be opened for a special sitting where we can do the elections. In the event the two Houses do not agree, we will go back to another state of quagmire. It is now late in the night.

There is a difference between electing another member to another assembly and electing yourself back. What is more important to me from tomorrow, as the Member for Garissa Township, is how to get my seat back. So, we have enough time and there is no crisis. South Sudan is in court. When its Parliament passed certain names, President Salva Kiir brought a different set of names. So, somebody is in court. It is only about a month. If the two Houses agree - the presiding officer our Clerk is here - we will direct and see if we can.

I beg to support the recommendation of the Committee.

**Hon. Speaker:** Hon. Members, the Report which you adopted here was time-bound. It required that whatever was to be done must have been done by 4<sup>th</sup> June, which is long gone. What we are left with is a *fait accompli*.

(Question proposed)

**Hon. Members:** Put the Question.

**Hon. Speaker:** The Minority Whip, Hon. Mwadeghu.

**Hon. Mwadeghu:** Mhe. Spika, nashukuru kupata nafasi hii kutoa wasia wangu wakati nakunja jamvi kuagana na wenzangu - kuhusu Ripoti hii na kuhusu Bunge la Afrika mashariki. Si sahihi kwa hii Ripoti kunakili katika ukurasa wa 17 kuwa Chama cha ODM kilipeana majina matano. Mimi mwenyewe ndiye nilipeleka haya majina. Majina yalikuwa manne. Kwa hivyo, hii Ripoti imechangia kwa undani sana kuleta mambo ambayo hayakuweco. Nashangaa kwa nini kama tuna wafanyakazi ambao wanatakiwa kunakili kwa ufasaha yale ambayo yametokea, kuletea Bunge maandishi ambayo si sahihi.

Kipengele cha 6(a)(i) kinasema kuwa kila chama kiko na nafasi ya kuleta watu ambao wamepatiwa. Hivi sasa, tunataka tukigeuze ili tutimize matakwa ya wenzetu. Huwezi kugeuza sheria ili kutimiza yale unataka. Wazungu wanasema: *“The law cannot be applied retrospectively.”*

Mheshimiwa Spika, ni wasia wangu tusikimbizane na muda. Kama itabidi, basi tungoje Hoja hii ipitishwe na Bunge la kumi na mbili. Hatuwezi kuketi hapa kusema eti lazima chama kilete majina kadha wa kadha. Nakubalina na Bunge jinsi ilivyopitisha jambo hili kwa kauli moja. Kwa minajili hiyo, chama cha Orange Democratic Movement (ODM) kimeleta majina matatu, nacho chama cha Wiper jina moja kwa mujibu wa sheria. Sudan Kusini nayo imekumbwa na tatizo ikabidi iende mahakamani. Nakubali kwamba nasi pia tumechangia vilivyo kukwama kwa shughuli katika Bunge la Afrika Mashariki. Ingawa hivyo, iwapo tungekuwa na nia moja sisi sote, basi hili janga halingetupata. Kilichopo ni kwamba sote tuliangalia sheria tofauti tofauti, tukazinakili tofauti tofauti. Chama cha Jubilee kikaleta majina kulingana na vile kilivyofikiria. Chama cha CORD nacho kikaleta majina jinsi kilivyotafsiri hiyo sheria. Ndiyo maana Mheshimiwa ole Metito anapendekeza kwamba tugeuze hicho kipengele ili kusiwe na tafsiri mbali mbali za hiyo sheria. Lakini huwezi kugeuza hiyo sheria sasa hivi kwa sababu ya haya majina tuliyoorodhesha!

Hali ilivyo, sitakuwa kwenye Bunge la kumi na mbili. Laiti ningekuwepo...

**An Hon. Member:** Utatazama kwenye televisheni.

**Hon. Mwadeghu:** Lakini maadamu utafanya maamuzi, nitaangalia kwenye televisheni hivyo hivyo mwenzangu amenieleza. Nawasihi wabunge wenzangu waangalie kwa kikamilifu jambo hili. Sheria hazibadilishwi tu ili kupendekeza majina fulani. Chama cha ODM, vile ninavvojua, kitaendelea kusisitiza kuwa majina haya haya ndiyo yatakayoletwa tena.

La mwisho, hatujui ni akina nani watarudi kushughulikia haya mambo. Nakubaliana na Mheshimiwa Duale kuwa kuanzia kesho, masilahi yake yatakuwa kuangalia kuwa amerudi hapa. Haya mengine kwake ni mzigo ambao hataki kubebana nao. Naomba nikunje jamvi kwa kusema hivi: tusigeuze sheria ili kubinafsisha watu fulani. Labda wengine wenu mnataka tuzigeuze ili msipo bahatika kurudi, basi majina yenu yaingizwe. Hata mimi naambiwa labda huenda nataka hivyo hivyo.

(Laughter)

Lakini kauli yangu nishaiweka wazi kuwa nagombea kiti cha gavana na wenzangu wananitakia kila la heri. Hata Mheshimiwa Duale amenitumia ujumbe akisema ananitakia mema. Anasema

eti angekuwa mpigaji kura katika kaunti yangu, angenipigia kura. Kwa hivyo, sikubaliani na hii ripoti ya kamati. Ni ombi langu kuwa Bunge lisiikubali.

Ahsante Mheshimiwa Spika.

**Hon. Speaker:** But Hon, Mwadeghu, the net effect of this recommendation is to say that the process which had been started earlier on is dead in the water. That process is not this one now. It cannot be addressed by this amendment.

**Hon. (Dr.) Pukose:** Ongea kwa lugha ya Kiswahili. Hajaelewa!

*(Laughter)*

**Hon. Speaker:** I know Hon. Mwadeghu.

**Hon. Mwadeghu:** Hon. Speaker, with your permission. I am a scholar and I opted to use Swahili. That does not mean...

**Hon. Speaker:** Hon. Mwadeghu, this proposal to amend Rule 6(1) is not to apply retrospectively. Remember, it will have my signature and that of the Speaker of the Senate. It is to address the future and not what has happened in the past. In any event, the report which you passed had a deadline of 4<sup>th</sup> June 2017. So, whatever processes that you had begun consider them as having served the purpose of making people feel happy and campaign for purposes of nominations. There are people who may have had their names there for purposes of nominations. That process is not capable of being revived. The advice we have given is that any amendments to the rules cannot apply retrospectively.

However, it may well be that the same names may still re-appear and you never know. It may well be that the names that will appear next will include the name of Hon. Thomas Mwadeghu. Who knows? The list could also have the name of Hon. Manson Nyamweya.

*(Laughter)*

It is important to appreciate that the other House has already adopted this report because they have also come to the same conclusion that, that process is now overtaken by events. In order to move forward, you need to have a look at the rules. That is the position.

*(Loud consultations)*

Do I put the Question? Hon. Members you make the decision one way or the other.

Hon. Members today is the last day. You cannot tell me that you have forgotten the Standing Orders after four years and two months! You cannot claim a point of order when the Hon. Speaker is on his feet! Do not infect those who are going to come back with...

*(Question put and agreed to)*

Next Order!

#### GOVERNMENT GUARANTEE IN SUPPORT OF RESTRUCTURING OF KENYA AIRWAYS

**Hon. Gaichuhie:** Hon. Speaker, I beg to move the following Motion:

THAT, pursuant to the provisions of Article 213 of the Constitution, and sections 50 and 58 of the Public Finance Management Act (CAP 412C), this House notes Sessional Paper No. 3 of

2017 on Government Guarantee in support of Restructuring of Kenya Airways and approves the Government of Kenya Guarantee of United States Dollars (\$) 750 million, equivalent to Kshs5.26 billion at the current exchange rate, to the US Exim Bank and eleven (11) local banks, for the restructuring of Kenya Airways PLC.

This is the amended version.

On 7<sup>th</sup> June, the Leader of the Majority Party tabled Sessional Paper No.3 of 2017 on the guarantee of US\$750 million equivalent to Kshs77.48 billion in support of the restructuring of Kenya Airways (KQ). He further gave Notice of a Motion and it was referred to the Departmental Committee on Finance, Planning and Trade. We made considerations pursuant to Section 58 of the Public Finance Management (PFM) Act of 2012. When we got this, we called Kenya Airways and the National Treasury. We met at Radisson Blue Hotel on 9<sup>th</sup> and 13<sup>th</sup> of June. The Committee heard the following:

1. The loan is for a capital project;
2. The borrower is capable of repaying the loan;
3. In the case of private borrower, there is sufficient security on the loan;
4. The financial position of the borrower over the medium term is likely to be satisfactory;
5. The terms of the guarantee comply with the fiscal responsibility;
6. The amount guaranteed does not exceed the limit;
7. The draft guarantee document has been approved by the resolution of both Houses; and
8. The loan is also made according to the provisions of this Act and the regulations made thereunder.

The gist of the Sessional Paper was to see that Kenya Airways in the next 15 years has the highest growth recorded between 2011 and 2015. During the period, the aircraft fleet increased from 32 to 45. Hon. Speaker, this is very important. I cannot rush a few things. The fleet had grown from 32 to 45. The purchase of those planes was financed through loans obtained from Citibank, JP Morgan, through a special purpose vehicle which is known as Savoy Air Services LLC and a liability to the leaser.

The loan was guaranteed by the Export Import (EXIM) Bank of the United States of America. Kenya Airways financed the pre-delivery payments of the planes. Due to the dynamics in 2012 in the airline industry, it started experiencing a downturn. Under the proposed financial restructuring, the Government of Kenya (GOK) will convert the debt of Kshs244 million plus accrued interest to equity. The GoK will also provide a guarantee amounting to Kshs750 million to cover both the USA EXIM Bank and the local banks to the tune of Kshs525 million and Kshs225 million respectively. This guarantee has contingent liability required to secure the financing of KQ which has the ability to continue and maintain certain capital assets - principally the aircraft.

It is also important to note that Kenya Airways restructured and is back to financial stability. If we guarantee this loan, they will be financially stable and will be able to continue. The independent third party has also supported the restructuring proposal of Kenya Airways according to the transaction advisers. The current and total contingent liabilities of the Government of Kenya in respect of the PFM Act Section 58(2)(f) amounts to Kshs57.6 billion and the proposed guarantee is Kshs77.4 billion, which is an aggregate of Ksh135.16 billion. This is supposed to be translated to shares. If Kenya Airways is guaranteed, looking at the reports, they will be able to turn around.

With those very few remarks, I beg to move and ask Hon. Benjamin Langat to second.

**Hon. Langat:** Thank you very much, Hon. Speaker. I wish to second this Motion of approval of a guarantee to Kenya Airways. It is in public knowledge, and information is available, that Kenya Airways has not been doing very well for the last three years.

It has accumulated serious losses which are currently eating into their assets. Sometime back, Kenya woke up to the news that Kenya Airways had made a loss of Kshs25 billion. Arising from those challenges, we have interacted with the National Treasury, the Kenya Airways Board Chairman and the outgoing Chief Executive Officer (CEO). Both the Government and the new Board, through the National Treasury and the Ministry of Transport, have been looking for ways of saving Kenya Airways. There is need to do a financial restructuring of the Kenya Airways so that their balance sheet looks better than it is at the moment.

I wish to inform the House that where the Kenya Airways has reached, it is remaining with only three options. The first one is to liquidate through what we call 'bankruptcy'. The second one is for the Government to inject money into the company and take back all the shares of the company through a process called 'nationalisation of the carrier' so that the Government becomes the sole shareholder. The third option, which has been agreed on, is what is called 'solvent concession inter-conditional restructuring', where all the stakeholders talk with each other and agree to restructure the balance sheet.

In this guarantee, the Government will convert almost US\$243 million into equity. The guarantee that we are seeking to be approved is aimed at enhancing the securities that have been given to the US Exim Bank, so that the US Exim Bank can give more concessions and save Kenya Airways cash for operations.

I wish to request the House that we consider and save Kenya Airways because it is our national carrier. It is our national pride. Without Kenya Airways, Kenya will lose some of the advantages it has in terms of making Kenya a business hub. I wish to inform the House that there is no money we are giving to Kenya Airways. We are only giving them a guarantee so that they can be able to get concessions in terms of increasing the period of repayment of an already existing loan and, therefore, save on the cash flow of the company.

With those few remarks, I wish to request the House to strongly support this guarantee so that we restructure the balance sheet of Kenya Airways and make it fly high again.

With those remarks, I second.

*(Question proposed)*

**Hon. Speaker:** Member for Mugirango South.

**Hon. Nyamweya:** Hon. Speaker, I fully support the request to support Kenya Airways and to give it the guarantee. We must also realise what happened to KQ. When there was *Ebola*, KQ could not fly to West Africa and other destinations for a period of six months. They grounded their planes. This very much affected their liquidity position. This happened when the airline was expanding. As a result, they were not able to pay their bills in time. As the National Assembly, let us not look at KQ as an entity. We must look at what it does for the country in terms of revenue earning and promotion of the image of the country. Sometimes we only see KQ as an entity, but we must realise that without KQ, the Kenya Airports Authority (KAA) would not exist. Let us look at the linkages that KQ does for us.

I fully support this. We can say we are not giving it money, but we are actually giving the money because in the event they do not pay, then the Government of Kenya will pay. That is the truth. It is a guarantee, but let us hope that the current management is going to improve and run the place efficiently. The KQ did not have an option to be where they are. If anyone of us closes their business for six months yet continue to pay interests, pay your workers, and service your loans, you will be grounded. Do any business. Close any supermarket today for six months and the same thing will happen.

I fully support this. Thank you.

**Hon. Speaker:** Hon. Keynan, do you want to contribute to this?

**Hon. Keynan:** Yes.

Hon. Speaker, thank very much. This touches on investments. Being the Chair of PIC, I feel I should say something. I appreciate and thank the Government for intervening on this critical investment called KQ. We need to understand the nature of our economy. All of us profess and say Kenya is a premier nation but underlying that is something that we must all be prepared to jealously protect. How do we do it? Look at countries like United Arab Emirates (UAE) and the services offered by the Emirates Airlines. The Emirates Airlines is one of the loss making international airlines but when you see the face of it, you feel that it is the best airline in the world. How does the Emirates benefit from a loss-making airline? This is the bit that we need to understand. This is in terms of tourism and support to other sectors.

What we lack, as a country, is the ability to deal with the gaps and failures that have affected all the privatisation initiatives we have undertaken. We have done a number of privatisation measures. Look at what has happened to the Kenya Meat Commission (KMC), Mumias Sugar, Uchumi Supermarket, Telkom, Chemelil Sugar and the Oil Refinery. All this is because even when these privatisations are undertaken, they are done for the benefit of particular individuals especially the wheeler-dealers. This is the bit that we must deal with so that the Privatisation Commission is prepared to deal with these economic saboteurs.

Look at Kenya. We pride ourselves as a regional economic, infrastructural and communication hub. If we allow KQ to go under, then we will lose other sectors. The other day, you saw the recent economic survey by the World Bank. Look at our neighbour here, a sleeping economic giant. It is almost moving. Look at what Tanzanians are doing. I do not want to allude to what is happening to the East African nation. I know it is late but I want to say that we must be prepared to project, promote and protect the image of Kenya as an investment destination. I know it is late but KQ must stay. My final prayer is that the names of those who brought down Kenya Airways are known, whether they work for KLM or other special agencies. Like my good friend and many others have said, they must be brought to book so that they pay back what they looted from Kenya Airways.

With these remarks, I want to thank those who brought this initiative and ask Michael Joseph and others who are at the helm of KQ to please, not to take this for granted. We will never bail you again. We must turn this into an opportunity and ensure that Kenya Airways once again goes back to profit making. I support.

**Hon. Members:** Put the Question.

**Hon. Speaker:** Hon. Members, it seems like it is the desire of the House that I put the Question. I, therefore, proceed to do so.

*(Question put and agreed to)*



Next Order!

## BILL

### *Second Reading*

#### STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL

**Hon. Speaker:** Leader of the Majority Party, has this one gone through public participation sufficiently?

**Hon. A.B. Duale:** Hon. Speaker, I am dropping that Bill because there are a number of legal issues which are raised by the Legal Department.

*(Bill dropped)*

**Hon. Speaker:** Next Order!

## MOTION FOR ADJOURNMENT

### ADJOURNMENT OF THE HOUSE *SINE DIE*

**Hon. A.B. Duale:** Hon. Speaker, I beg to move the following Motion:

THAT, pursuant to the provisions of Standing Order 28 on the Calendar of the Assembly (Regular Sessions), this House adjourns *Sine Die*.

Hon. Speaker, we are aware that we are at the homestretch of the term of the 11<sup>th</sup> Parliament. This House elected and swore you, Hon. Speaker, in its first sitting on 28<sup>th</sup> March 2013. This House then commenced its legislative business on the 17<sup>th</sup> April 2013, a day after the Presidential Address, to a joint sitting of Parliament on the 16<sup>th</sup> April 2013. The journey has been long, tedious, fulfilling and very interesting. Edmund Burke, a Member of the British Parliament, had this to say of Parliament.

“Parliament is not a congress of ambassadors from different and hostile interests; which interests each must maintain, as agent and advocate, against other agents and advocates, but parliament is a deliberative assembly of one nation, with one interest, that of the whole; where, not local purposes, not local prejudices ought to guide, but the general good, resulting from the general reason of the whole.”

To this, I say each individual Member of this House had a very critical role to play in this august House. I should say that when the history of this Parliament is finally written, I would like it to be remembered for among other laudable firsts, its legislative footprints on the sands of time. They are enumerated as follows:

- (i) The passage of Bills.
- (ii) Adoption of Motions.
- (iii) Consideration of Petitions from the public.
- (iv) Adoption of the Reports from the National Assembly Committees.
- (v) The vetting of nominees to State and public offices.

- (vi) The passage of development policies from the Executive arm of Government such as sessional papers and statutory instruments/regulations.
- (vii) Analysis and passage of national Government budget.
- (viii) Investigation of reported malpractice in any public entity and;
- (ix) Finally, the ratification of treaties and protocols which the new Constitution has given to the representatives of the people.

Kenyans promulgated the new Constitution on 27<sup>th</sup> August 2010 and the legislative mandate of this House has been cut out in that Constitution. The 10<sup>th</sup> Parliament began the process of passing legislation with the constitutional timelines as provided for in the 5<sup>th</sup> Schedule of the Constitution. This House received the baton in 2013. Hon. Speaker, allow me to highlight a few aspects on Bills passed by this House for the period 2013 to 2017.

This House has passed a total number of 180 Bills. The total number of Bills undergoing debate by the National Assembly as of 15<sup>th</sup> June 2017 is 49; most of them have been concluded in the last three days. Let me give a summary of the performance of the National Assembly in terms of passage of Bills. In 2013, 13 Bills; in 2014, 25 Bills; in 2015, 37 Bills; in 2016, 54 Bills; and in 2017, 29 Bills. The Bills have been passed by the House and those awaiting consideration by the Senate as of 15<sup>th</sup> June 2017 are 22 Bills.

It is most amusing that this evening, at about 6.15p.m., this House received six new Bills from the Senate. That is ridiculous! These Bills have been passed in the Senate in a record time of 30 minutes. In their wisdom, they have decided that time is of essence when we are about to go on final adjournment. How I wish the Senate had been working with the same zeal on all Bills forwarded to them. Nevertheless, I am glad that the Senate has passed the Parliamentary Powers and Privileges Bill, 2014, a Bill which originated from this House.

In 2013 as you may recall, the main reason for low legislation output was that Members were still being trained on their mandate and the House was finding its place within the bicameral structure. For that reason, the House passed only 13 Bills. The House has adopted over 50 Motions while 22 Motions are under consideration. This House has concluded 124 petitions through its Committees. The House has handled 50 questions and received, considered and acceded to a number of statutory instruments. In addition, the House has discharged its constitutional responsibility on numerous occasions when it has been called upon to vet nominees to State and public offices. The House has also adapted numerous Committee Reports which include the Public Investments Committee (PIC) Special Report on Re-capitalisation and Balance Sheet Structure of Telkom Kenya; and the Report on removal of the Chairperson of the National Gender and Equality Commission.

During your tenure as a Speaker, you have ably guided the House through considered rulings on matters arising on the Floor. You have also continued to convey Messages from the President and the Senate on various matters. You have given Communication to this House. You have issued many Communications more than any other Speaker of the Kenyan Parliament. Some of the most outstanding Communications that you issued include: The manner of considering a Presidential Memorandum on a Bill concerning county governments; consideration on the scope of the Presidential reservation; communication on whether a Bill to amend the Constitution may be amended by the House; communication on the procedure for the removal of Cabinet Secretaries and communication on the modalities of engaging the Chief Justice in the National Assembly under its Committees. Your communication on the reference of the Division of Revenue Bill, 2015 to the mediation committee and, lastly, your communication on the

consideration of the Presidential Memorandum on the EACC (Amendment) Bill (National Assembly Bill No. 33 of 2015).

Yesterday and today, the Chairperson of the Procedure and House Rules Committee moved a Motion for the adoption of the report on the amendments to the Standing Orders. Among the highlights of the Standing Orders for the 12<sup>th</sup> Parliament will be the reduction of members in a committee from the current 29 to 17 in order to bolster the effectiveness and output of the committees. It is important to note that it is possible that the House may be recalled for a special sitting on the Division of Revenue Bill, which I do not think of now because this evening we have dealt amicably with it.

Finally, it is evident that despite the set of established rules and regulations that govern and guide the operations of business in the House, changing times, political motivation, constitutional or statutory deadlines, among other factors, often affect the conduct of business in the Assembly. These were some of our low moments. The bicameral nature of the House was a test, especially when it comes to a shared legislative mandate. Bills concerning county governments and the annual Division of Revenue Bill have to be processed through both Houses of Parliament before being passed into law. The process is time consuming and may lead to the death of a Bill where both Houses fail to agree, even after mediation. Nevertheless, note with appreciation the strides made in the 11<sup>th</sup> Parliament; the House surged on and did a fantastic job towards fulfilling its constitutional mandate.

I wish all my colleagues, the 349 Members, the Speaker, the Clerk's Office, the able staff in the various departments of the National Assembly, who made the smooth-running of this Chamber and its committees very successful, we wish them well. I am sure in each and every constituency, the fruits and seeds that you planted when the time comes for harvesting on 8<sup>th</sup> August, those great constituents of ours will not forget our contribution.

The 11<sup>th</sup> Parliament will be remembered, for some of us who were in the 10<sup>th</sup> Parliament, under a new presidential system as one of the best parliaments that did the best work. One of the reasons is because it got its autonomy in terms of legislation. In the 10<sup>th</sup> Parliament, ministers used to drag Bills for years. The Executive was full of bureaucratic red tape. The independence under the presidential system gave Parliament the legislative independence to carry its mandate.

Hon. Speaker, yourself, the Clerk and Members, I want to wish you success in the elections. The election is a one-day process, Kenya will remain. The 11<sup>th</sup> Parliament will transit to the 12<sup>th</sup> Parliament. Let us do our elections in a peaceful and harmonious co-existence. Let us preach peace. I am sure God has set aside the men and women who will take over the leadership of both the Legislature and the Executive.

Hon. Speaker, I beg to move.

**Hon. Speaker:** Do I see the Member for Muhoroni, Hon. James Oyoo?

**Hon. Oyoo:** Thank you, Hon. Speaker. I remember with nostalgia that four-and-a-half years ago we first met in this House. I had an opportunity to meet good friends, people I did not know, but who I came to like in my life. They include the garrulous outgoing Member for Garissa Town, Hon. Bare Duale, my good friend the MP for Kikuyu, who I believe will be my colleague in the 12<sup>th</sup> Parliament, and the MP for Emurua Dikirr among many others.

*(Laughter)*

We had an opportunity to make a mark in legislation, oversight and representation.

I take this opportunity to thank the Muhoroni electorate who elected me on a different party with a big majority even though I was not in the 'normal' Luoland party. I believe in the four years I have been representing their interests in this House, I have made a mark and I must inform this House that this mark can only be interpreted this way: you cannot beat me in election. So, some people have resulted to taking shortcuts by going to court to retrieve the seat from me, but the public has refused. The public is saying that it cannot allow that.

I want to thank the Hon. Speaker for his very able leadership. He was equal to the task. I know that you did not get favour from across the divide of the House, but you tried your best. I am personally indebted to you. I want to inform this House that there are some small things that are bound to touch your heart. This House had more than 300 people. One day I found my name among the list of few privileged people who were sponsored to go to the USA to the National State Legislative Council. I have always wondered aloud that if the Speaker, on his own, would do a list of about 12 people out of the more than 300 people in this House and I was one of them, then that was surely remarkable. I thank you sincerely on behalf of the people of Muhoroni. I had very good working relations with you. I also had good working relations with the members of the Parliamentary Service Commission (PSC) and my colleagues across the divide.

Hon. Duale always thought that I was in Jubilee because I was very open. Of course, I did not come here on an ODM ticket. The ODM people always viewed me with suspicion, but they came to a different conclusion later when they realised that I was among the most steadfast Members on the opposite bench. This is because some of their own who were elected on the ODM ticket easily and quickly sold out to Jubilee because Hon. Duale splashed some freebies at them.

*(Laughter)*

So, it was nice meeting you all and it will be pleasure meeting you and doing business with you in the 12<sup>th</sup> Parliament. I wish all of you well. My wish is that God favours you if you can be elected. Hon. Duale, if you are not elected, I have talked to *baba*. In the next Government, we will place you in the Office of the President. You may be the Government Spokesman. So, now when you go out to campaign, please, tone down on those vitriolic outbursts because you never know about tomorrow. I wish everybody well. We should remain friends whether we shall meet here in Parliament or outside.

Thank you very much. It was nice meeting you all. You are all my friends. For anybody I may have stepped on his toes, I am genuinely sorry. Thank you, Hon. Speaker, for giving me the opportunity.

**Hon. Speaker:** Member for Samburu West.

**Hon. Lati:** Thank you, Hon. Speaker. I thank you for the many years we have been here together. This was my first term in Parliament and in politics. Hon. Speaker and the leadership of the House, including my good friend, Hon. Duale, really helped me learn many things in this House. I appreciate that. I believe I am a better person now particularly in terms of legislation. I will never forget that. I will also appreciate it.

Now that we are going back to our people, we are confident of coming back and I hope that we will have a Speaker like you in the 12<sup>th</sup> Parliament. It would be very unfair if I do not thank this House because of what they did to me when we were debating the Equalisation Fund Bill. It is very hard for a House to raise two-thirds majority - which is about 246 Members - to pass a Bill for a first timer and a fresher like me who knows very few Members. I want to

appreciate this House. I am proud today because yesterday, they advertised one of the biggest dams in Samburu that will cost about Kshs1 billion. That, by far, is the biggest single public project Samburus have ever seen since God created the world. I am proud because this House played a role in making sure that those funds and Article 204 of the Constitution are operationalised. God-willing, the Samburu people will have water and feel like they are Kenyans because of the Equalisation Fund.

I want to thank you, Hon. Speaker, and this House. I hope to come back and meet you in September so that we can continue the good work. I will always continue learning from you.

**Hon. Speaker:** Let us have the Member for Kimilili.

**Hon. Kasuti:** Thank you, Hon. Speaker, for giving me this opportunity to first of all, thank you as the leader of this House. You have proved yourself a leader whom all of us should emulate in our dealings. You have been exemplary to all of us. You showed that you do not favour any side of the House. You showed that both sides of the House are your business. I want to thank all my colleagues who have been helpful, especially the ones who had been here earlier - senior Members like Hon. Duale, who is the Leader of the Majority Party in the House and Hon. Mwadeghu, the Chief Whip on our side. I want to thank them all for having been good leaders and showing around those of us who had just come into the House for the first time. It has been a good experience for me.

I want to thank the people of Kimilili for giving me the opportunity to represent them in the House. Back home, the people of Kimilili do not regret having brought me to the House because I have proved that whatever I have always wanted to do for them, especially using the National Government-Constituencies Development Fund (NG-CDF) has been a good gain for them. The funds that the Government has provided through NG-CDF have provided what has been lacking in the past. It is not easy to find the kind of development that we have in Kimilili right now compared to the past where funds were provided selectively. With the NG-CDF, funds have not been provided selectively but it is a mandatory provision for the entire country, where everybody received funds and development is seen in various constituencies. On that score, I want to thank the Kenyan Government and urge them to ensure that the NG-CDF is not killed but remains to ensure that development across the country is achieved.

I want to thank all my friends and colleagues like Hon. Koyoo, whom I have known for a long time in the world of business and Hon. Duale, who is also a businessman like me. We have had a very cordial relationship inside here. I am sure the people of Kimilili will give me another chance to come back to the House and continue serving them so that they can see more and better development in the constituency.

With those few remarks, thank you all Members and I hope to see you again. I am sure a majority of you will make it back to the House, especially the ladies who have been agitating to ensure that they get the numbers here. I am sure Hon. Nyokabi will work hard to ensure that all the ladies that have been in this House come back, and are not left out there to start agitating for other ways.

With those few remarks, thank you, Hon. Speaker. I hope we will also give you a chance to come back and lead this House.

Thank you.

**Hon. Speaker:** Member for Endebess.

**Hon. (Dr.) Pukose:** Thank you, Hon. Speaker, for giving me the opportunity as we adjourn the House *sine die*. Doing legislative work has been a very different experience for me, having come from the medical profession as a surgeon.

Hon. Speaker, I want to thank the Clerks, your office and all the staff of the Kenya National Assembly for their support. We have been able, during this time, to pass many Bills. For us in the Departmental Committee on Health, the Health Bill, which the Senate approved today, and which is awaiting presidential assent, is a big milestone.

I also want to thank the great people of Endebess Constituency for giving me the opportunity to be the first Member of Parliament of that Constituency, which was hived off Kwanza Constituency. I can see my colleague, Hon. Wanyonyi, nodding knowing that this is a great man from Endebess. I hope they will give me another opportunity, having performed well in representing them here and making sure that we achieved a lot in many development areas within the constituency. I can cite examples in construction of school infrastructure and provision of water, among other services.

After we adjourn, I will be with my people, begging them to re-elect me. This Saturday, I intend to visit various places. I know of families who have lost relatives and close friends. I want to say *pole* to those people. Tomorrow, I will be at Chiromo to escort a friend who lost a son who was at the university, who is said to have dropped from a high building and died. We will be at Chiromo tomorrow so that over the weekend we bury him. It is a great loss to the family. These are people I know since they come from my Constituency. This is the way of life.

I also made great friends within this Parliament. We have enjoyed working together. I have sat here for the last three years with my colleague from Emurua Dikirr and Hon. M'eruaki. We have sat on the same seats for three years, and we have become friends. Hon. Wakape, alias Waititu, has always been my assistant when we say "put the Question". Hon. Speaker, you have always responded well.

*(Laughter)*

He is now my deputy and I hope the great people of Juja will give him another opportunity so that we come back during the 12<sup>th</sup> Parliament to make sure that things are run well.

I also want to congratulate Mr. Sialai, who is here. I have been here and seen him being promoted to be the Clerk of the National Assembly. It is a milestone to this House. We hope that the former Clerk will also enjoy his retirement.

I see some of our colleagues going for positions such as governorship like Dr. Gesami, the Member for Mugirango South, Hon. Momanyi and our Whip. That is great. We wish them all the best as they go and serve in those new capacities. I want to appreciate my colleagues. I can see the party leader for the Development Party, Hon. Gunga Mwinga, the Member for Kaloleni, is smiling. He knows we have enjoyed being in his constituency. We ate some *mbuzi* there and I hope he will still keep our goats. We have two goats there which we will go and eat sometime later. I wish everybody all the best of luck as they go for campaigns. I wish that they will come back.

With those few remarks, thank you. God bless all Members and God bless Kenya.

**Hon. Speaker:** Member for Homa Bay Town.

**Hon. Kaluma:** Thank you, Hon. Speaker, for this opportunity to say my last before this Floor heads for a recess within this term.

When I first spoke before this House, I thanked the people of Homa Bay Town Constituency for giving me the opportunity to be among the colleagues who would be the first Parliament to implement the new Constitution. Today, we stand before the House appreciating

the passage of time, but very happy at what has happened in the past four years and two months this far.

When we walked in here the first time, we were with several colleagues. My hope was that this time was going to find all of them to also bid farewell to the 11<sup>th</sup> Parliament as they pursue other ventures or seek re-election. I will not forget Hon. Joseph Nyumu, the first Member for Gatundu South in this Parliament who left us midway and handed over the baton to indefatigable Hon. Moses Kuria. On behalf of this Parliament and the colleagues, may I wish his soul eternal peace and thank him as we reminisce over what we have achieved as a family now on the achievements and contributions he made.

We had one of the best trade unionists, the late Member for Kabete, Hon. George Muchiri Muchai, who was murdered in circumstances not yet fully unravelled. The contributions and the loss we suffered as a House with his demise, sudden as it was and painful based on the circumstances we all know particularly in the Committee of Labour and Social Services, is something we live by. May I also, on behalf of my colleagues, wish he were here, but wish his soul eternal peace and rest and tell their families wherever they are that we have continued to journey with them to date.

When we first came, I had known you as one of the greatest lawyers outside of this House, but I did not vote for you because of those party dictates. Let me stand before the House to confirm to the nation that I have never been disappointed in your leadership of this House. Let me confirm to the House that I continue to regret having not voted for you. Your grasp of the law, your articulation of the issues on all areas of law touching on proceedings before this Parliament has been just outstanding. You never disappointed the legal profession. We wish you the best as you move forward. If there is an opportunity to serve again, we pray you continue with that commitment and dedication. It is not left in my thinking seeing you as the substantive Speaker preside over the Committee of the whole House on the important matter of the amendments to our Standing Orders today. On a number of occasions, you have been very tough. People may mistake it, but what has made me happy is your nature beyond the seat. You can be very tough, but when we walk beyond the door, you have been a very good person. I thank you for this.

Colleagues, when we came here, I never knew we will be a family. Here we are walking together as a family. We will continue to cherish one another. Those of you who are going to run again, may I wish you well and success. For those who are going to other ventures, I also wish you God's blessings and success in all you will be doing.

Let me end by saying that this Parliament has achieved so much. How I wish the people who will be sitting to write the history about the work on legislation and oversight work in the place of Parliament will go through the HANSARD and the work we have done and place us where we rightfully belong. I thank you, Hon. Speaker. I thank all of us who are seeking re-election. I also thank those who are not going to seek re-election. I wish them well.

**Hon. Speaker:** Member for Saku.

**Hon. Dido:** Thank you, Hon. Speaker. I also want to add my voice to the curtain closing of the 11<sup>th</sup> Parliament. I thank you very much for providing outstanding leadership to this House. Later in the life of the 11<sup>th</sup> Parliament, I noticed we were actually in the same school. That time, I noticed you were a school captain. I was much younger than you.

I was fresh from the battle fields in Somalia and I changed my fatigues for a suit, which is civilian clothing. I really want to thank the great people of Saku for having had trust in a soldier and I believe I provided that necessary leadership to my people over the four-and-a-half

years. I would like to thank my military colleagues and leadership. Having served in the military for close to 29 years, I was prepared for the tasking job of leading the public and being fair, upright and honest and judiciously prosecuting that which is important for both the people of my constituency and this nation.

As we exit the 11<sup>th</sup> Parliament, there are many soldiers deployed across our borders and even far deep inside Somalia. I appreciate the effort of putting their life on the line so that we as the great country of Kenya are secure. I believe this House must rise to the occasion now and into the future that those who put their life on the line, those lives will not be lost in vain.

I also would like to thank the Leader of the Majority Party on our side of the divide. I think he has shown an exemplary effort of commitment to drive the Government agenda in this House. Rarely will you see an individual sticking out his neck and his name for what they believe in. I think he has done his job for the Jubilee Government and I hope the great people of Garissa will elect him back to the 12<sup>th</sup> Parliament.

I thank the staff of the National Assembly. As we entered the National Assembly as freshmen, there is a lot we did not know, including even sitting in Committees, and we were not sure how to proceed. Young, bright and very well polished girls and boys were able to guide the proceedings both in this House, in the Committees and we shall be forever grateful to all of them.

Finally, as we go to the election, we wish for a peaceful election for this country. Kenya will remain much later after we have gone.

I thank you, Hon. Speaker.

**Hon. Speaker:** Member for Kaloleni.

**Hon. Chea:** Thank you, Hon. Speaker for this opportunity. I also wish to take this opportunity to thank the voters in Kaloleni Constituency for having given me an opportunity to serve them in this august House. When we came to this Chamber, we were new and there were so many challenges. By then, we did not have our cards. It was quite difficult for you to identify some of us to give us an opportunity to make our contributions. Hon. Speaker, I must thank you sincerely because I am one of the Members who were able to make their maiden speeches at the very initial stages of this Parliament. I may not know what particular feature you then used to identify me, but I must say that I am grateful for all the time that you accorded me.

We are set to adjourn. It is the desire of all of us who are probably contesting to come back to this Chamber that the House adjourns. I want to believe that the voters will elect us to come back in the 12<sup>th</sup> Parliament. I also wish you well. You have given us the requisite guidance in this Chamber. I know it has not been an easy job for you. The Chamber is composed of 349 Members and that is not a small number. You used whatever means to identify us. You made it and here we are.

As we adjourn, that is not the end of everything. We are faced with a general election. I urge all Members, that as we go out there to campaign and seek votes, we must do so peacefully. It is important for we do not want to see what happened in 2008. That is nothing to think about. We would wish to have peaceful elections in this country so that afterwards we come back to this Chamber. After the elections, businessmen should trade and everybody else should be in a position to continue earning a living. My clarion call, this evening, is that Kenyans must be wary of politicians who are out to preach hatred.

As I conclude, allow me to thank my colleagues Hon. (Dr.) Pukose who served as Vice-Chairman of the Health Committee. He was very useful to me. We have on so many occasions consulted on so many issues. We tried as much as we could to get used to sitting at a particular



place in this Chamber so that it could be easy for us to catch your eye. I cannot conclude without thanking the Member for Matuga, Hon. Hassan Mwanyoha. He also has also been very useful to me, more so through his wise counsel. All the time, we could consult on various issues. On so many occasions, I travelled with him to Kaloleni. We have also met so many times. I am greatly indebted to him because he is the one who proposed to the entire membership of the Coast Parliamentary Group that I should serve as their Chairman. I wish you well and wish the rest of the Members here well. *Inshallah*, we will come back to this Chamber.

**Hon. Speaker:** Member for Emurua Dikirr, not Dik Dik.

*(Laughter)*

**Hon. Kipyegon:** Thank you, Hon. Speaker for making that correction, especially for Members who have been with me for a long time but cannot pronounce the name “Emurua Dikirr.” Most of the Members will say “Emua Dikirr” while others will say “Emurua Dik Dik” like the Member for Muhoroni has said. The correct pronouncement of the name of my constituency is “Emurua Dikirr”.

I must also take this opportunity to thank God, the people of Emurua Dikirr, you and my colleagues for this great opportunity in serving this country. I am a proud Kenyan who has served this country diligently and without favour or fear. I came to this House when I knew literally nothing about this House. I found Members who taught me many things. I found you who guided us in this House and we followed all the rules that were meant to be followed.

I must also say that I am one of the few Members who have never had any problem in this House. I thank you for your great guidance. Thank you also for the role that you played in this House of being non-partisan and helping everybody to learn a few ropes here and there.

I must also say to the people of Emurua Dikirr that when I sought to stand in Kilgoris Constituency in 2007, I wanted to find my way here so that I could represent the people of that constituency at that time. We had problems. The great man who was and still is the Member of Parliament for Kilgoris opted to divide the constituency so that we could have our own.

Today, I represent the people of Emurua Dikirr which was part of Kilgoris. They found in me the qualities of a leader. Since then, I have never let them down. I have done all that is required of me as per the law. I have been in this House during all times of legislation.

On oversight, I sat on the PIC and the Departmental Committee on Justice and Legal Affairs. We did all that was required of us as members of those committees. So, I must tell the people of Emurua Dikirr I am grateful for making me their Member of Parliament.

I also did my best as a representative of Emurua Dikirr. On the funds I oversee like the NG-CDF, I have done my best. I come from a constituency where we had only nine secondary schools but today, we are proud to have over 27. We also had only 50 primary schools but today, we are proud to have over 100; and, we had only one road but today, we are proud to have more than 15 roads. We did not have bridges, we do now. We did not have any institution of higher learning but today, we are proud to be building the Kenya Medical Training College, a teachers training college and a technical training institute. These are the achievements that I tried to bring so that the people of Emurua Dikirr can also feel like other Kenyans.

I must also say, now as we go back to our people that it is what we did for them and what we are planning to do for them that will sell our manifesto. What I request is peace as we go to the elections in the next 50 or so days.

In this House, I also met very many friends. I met people like Hon. Duale, the Leader of the Majority Party, although he was cheeky and always arrogant. Still he has been a good friend. I met great debaters like Hon. Jakoyo Midiwo, who I would wish to see back here. I also met people like Hon. Millie Odhiambo, great ladies who made this House lively. We are all praying that we come back.

On top of that, I came to realise that there are very many Members in this House who played the role of sycophancy. They did not even look at the issues which were being passed. They just passed them because somebody somewhere called them to do this or that. We wish to lead this House in the right direction and do the right things.

**Hon. Speaker:** Hon. Members, it is fair that because it is the last day every Member who is present gets a chance to say something. Let us take three minutes each. We have been doing five minutes. If we continue like that most of you will not have an opportunity to contribute. If, however, each of you takes three minutes then everyone who has put a request will get an opportunity to speak.

Let us now hear the Member for Butula.

**Hon. Onyura:** Thank you, Hon. Speaker for this opportunity. This has been a wonderful experience for me. I have worked before in the Central Government, the private sector and also in parastatals. I thank God and the people of Butula for giving me an opportunity to serve them in the legislature. At times, I tell myself that one day I will get a chance to serve in the Judiciary in some position and I would have gone through the entire Government system. However, this has been a wonderful experience for me. I have done my best and I hope that the people of Butula will give me another chance to serve them for another full five-year term and not the four years that we have served.

The other thing that I wish and pray for is that we have peaceful campaigns and election. This is our country and we still need it even after the 53 days that are remaining to the election. In this regard, a lot will be expected from the Independent Electoral and Boundaries Commission (IEBC). It is not an easy job. We saw what happened when our parties tried to carry out elections and everything was in shambles. It was a big let-down. So, it is not an easy job for the IEBC but they must rise to the occasion because we expect a lot from them.

I thank everybody including my colleagues and yourself. I have learnt a lot from each of you both in the Chamber and in committees. Many times, I have come with guests at the restaurant and the comradeship that they witness just amazes them. They would be surprised that we laugh together as opposed to getting at each other. So, thank you very much for the comradeship. We hope to see each other in September in this Chamber. I wish all of you well.

Thank you.

**Hon. Speaker:** The Member for Nyeri County, you have the Floor.

**Hon. (Ms.) Kanyua:** Thank you, Hon. Speaker. I also join the Members who have thanked you and the leadership of this House. I have been a follower of some of the international associations that Parliament belongs to such as the Commonwealth Parliamentary Association.

I also thank the Leader of the Majority Party and the Majority Party Whip, Hon. Katoo, who has been a good friend to me. He helped me when I came in as a first-time Member. I thank the Kenya Women Parliamentary Association (KEWOPA). These are Members with whom we have shared the journey on the two-thirds gender rule. The journey is not yet complete, but it has given us interesting times. We hope that the 12<sup>th</sup> Parliament will complete that journey. Caucus 47 of which I am the Chairlady, we thank you, Hon. Speaker for making the women representatives equal in rank with the other 290 elected Members of Parliament. In the next

Parliament, we hope that county Members of Parliament traverse wider areas. As we look at facilitation of Members, there might be need to look at the issue of those who cover more than one constituency.

I want to thank the people of Nyeri for having represented them here successfully on many of the fronts that I have covered especially on health, education, water and the National Government Affirmative Action Fund. I want to appeal to the people of Nyeri to retain me as their *Mama* County and women's representative because there is still more work to be done on coffee and tea, land issues and colonial villages in my home county of Nyeri. We have some incomplete projects.

The county formula is a matter that needs to be addressed, for example in my county. The youth issues still need redress. In particular, we need to consider a Men's Fund or a Biashara Fund, which does not discriminate against men and an Innovation Fund that allows young people who are individuals to apply.

Health issues remain pending for the next Parliament but the prayer for all of us is to come back. Kenya should retain its best and active legislators. It is sad that when some of the people go to vote, they think that all the English we speak in Nairobi is not a good idea. Instead of supporting and encouraging us to speak as much English here as we represent our counties--- There needs to be investment in civic education. Bringing in new Members of Parliament every other season may not be the best for this country. I hope that the people of Kenya will retain some of its best brains. I hope that I get retained in that respect. I wish everybody a good time and election. I also wish the country peace.

**Hon. Speaker:** Let us have the Member for Mbita.

**Hon. (Ms.) Odhiambo-Mabona:** Thank you, Hon. Speaker for giving me this opportunity. I want to give God the glory and say Ebenezer for thus far the Lord has brought us.

When I was in this Parliament, I played the role of Esther, Hosea and Jonah. I was happy with all my multiple roles. When I come before the House, I am very clear about my legislative role. I am usually very focused and happy. If I take stock, I moved the Fisheries Management Act, as a Member of the Departmental Committee on Agriculture, Livestock and Cooperatives, which was the only committee I sat in in this Parliament. I am happy that to date it is an Act of Parliament and it addresses the issues of the people of Mbita.

As a private Member, I pushed the Victims' Protection Act which is a law on treaty-making and ratification act which protects women and children by covering the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. I am very happy about that. We also passed the Assisted Reproduction Act, which I supported. Unfortunately, the Senate did not pass it. I am sure we will bring it back. I had the Child Justice Bill which did not reach the Floor of the House. I am sure, God willing, I will bring it back in the next Parliament.

The flipside is the two-thirds gender rule. I will not say much but for me that was one of my focuses in this House. As I come in the next Parliament, my primary focus will be the Political Parties Primaries Bill so that we bring sanity in party primaries, especially for women. I do not need to lose my bodyguards and have my house burned for me to come to this House. We just need sanity. If political parties have preferences, let us go the way South Africa and other countries in the region went. Let us not have primaries that take members through so much yet in the end as we speak, there are Members who do not even know if they are flag-bearers, like our good friend Koyoo.

I want to thank the other Members. Even as we go, I pray that God blesses you and majority of us will come back. I have done a lot of work in the region training women leaders. I have written a book called *Political Leadership and Package Lessons for Women*. I am hoping we will have more women as we come back. I have started writing my second book on my experience which is called *Swimming with Sharks*. That is the best way I can describe my relationship with my male colleagues in this House. I have swum with sharks. But even as I have swum with them, I have managed just like Daniel managed in the lion's den.

I wish all the Members the best. May the Lord bless you.

**Hon. Speaker:** Let us have the Member for Igembe North.

**Hon. M'uthari:** Thank you, Hon. Speaker. From the outset, I would like to thank God and the people of Igembe North for giving me the opportunity to serve them in this House. I would also like to thank you, Hon. Speaker. You have displayed good leadership and good grasp of the law in your duties as the leader of this House. I look forward to, God willing, you serving this House as we come here in September after the elections. I believe given the good work I have done for the people of Igembe North, they will consider me.

I came here not knowing much about this House, but as we leave today, we have covered great ground and have done many things. I believe my contribution to this House will also make great contribution to the country. We have contributed a lot especially to the sorghum famers through petitions and I have also contributed through my recently passed Motion. This will boost water harvesting in this country.

Hon. Speaker, I also pray that the people of Kenya will do their best in electing their leaders and that all political leaders will display maturity. They should know that Kenya is greater than any one individual so that the coming elections will be carried out in a peaceful manner. This will also ensure that Kenyans elect their best. Nobody or group of individuals should come up with strategies for destroying or bringing chaos. It is for the good of the Republic that people are aspiring for leadership.

Thank you, Hon. Speaker for this opportunity.

**Hon. Speaker:** Let us now hear Hon. Wanyonyi, the Member for Kwanza.

**Hon. F.K. Wanyonyi:** Hon. Speaker, thank you for the opportunity. I thank you most sincerely.

Hon. Speaker, I knew you before I came here and I can say without fear of contradiction that you have been very friendly and able in guiding this House.

On my part, for those of you who do not know, I tried four times to come to this House. Three times I won, but I never had a chance to come here because I was rigged out. Therefore, the last time I tried and the good people of Kwanza gave me the opportunity to come and serve them. I think I have done a bit of work in the House. I have contributed to almost all the Bills.

I have had a chance to work in two Committees namely the Departmental Committee on Agriculture, Livestock and Cooperatives and the Committee on Implementation. I have contributed immensely given my background that I have worked in the Government as a Chief Executive Officer (CEO) and in a multinational company. So, I had a lot of experience. But given that I was given a chance by the people of Kwanza, I am very happy and they are also happy. I hope they will give me another chance to come and represent them in the next five years because the time was quite short.

I have learnt a bit and made friends here. I wish those from North Rift particularly my neighbours in Trans Nzoia where I have been a Member of FORD-K well. I also want to thank the leadership of my party who gave me a chance. We have worked very well. I have travelled to

almost all parts of this country and I wish that the good people of Kwanza will give me another opportunity to serve them and their country.

As I finish, please, let us have peaceful elections. I hope we will do that.

Thank you for the opportunity.

**Hon. Speaker:** Let us now hear the Member for Subukia.

**Hon. Gaichuhie:** Thank you, Hon. Speaker. I thank you and the clerks for the opportunity of serving in this House. I am not going to talk about re-election. Unlike my colleagues who have been talking of being re-elected, I am not in that list.

I thank everybody. For the last nine years I have been in this House, I have gained a lot of experience. I am very happy because of the people of Subukia who have given me nine years to serve them and I will be a proud person who will walk around Subukia because of my very many achievements. Were it not for them, I can assure you I would not have achieved what I have achieved in the last nine years.

As I leave this Chamber today, I am very pleased with the way this Parliament has been operating. In the 11<sup>th</sup> Parliament, we have had a lot of cooperation in committees. I have only been able to serve in two committees in the last nine years; that is the Departmental Committee on Finance, Planning and Trade and the Budget and Appropriations Committee.

I am happy to say today that it was a wise decision by the panel of Standing Orders to split the Committee dealing with finance which had a lot of work. We were not able to accomplish everything because it had many departments but with the new Standing Orders now, I know the Committee dealing with finance will be able to achieve a lot because they have split it into three. They have moved it as a department. I know the people who will take up finance will do a lot of work for this House.

I also want to thank everybody in this Chamber - the big Chamber that we normally call a double stream chamber because it has 349 Members. Hon. Duale and I were talking today and we were saying most of us will leave this Chamber without even knowing the 349 Members because you can take stock of 100 Members who we can refer to as ghost Members because of the work that is pending in Kenya. I know the Members who will come in the 12<sup>th</sup> Parliament will be able to transact business in an orderly manner because Standing Orders are not cast in stone. That is why we have reviewed them today so that they become more effective.

Hon. Speaker, I wish you the best. I know in the 12<sup>th</sup> Parliament, you will still be seeking for re-election as the Speaker of the National Assembly. I wish you all the best. I hope the person who will be elected in Subukia will give you his vote.

Thank you very much for the way you have conducted this Chamber. I wish everybody else who is seeking re-election all the best as they aim to come back in the 12<sup>th</sup> Parliament.

Thank you.

**Hon. Speaker:** The Member for Ndhiwa, you have the Floor.

**Hon. Oyugi:** Thank you, Hon. Speaker, for this chance. Allow me to thank the people of Ndhiwa for giving me a chance to serve in the 11<sup>th</sup> Parliament. I appreciate them because I have been elected twice. I am looking forward to them to give me a third chance in the 2017 elections because of how far we have come.

Permit me to thank the staff of Parliament who are sitting particularly at the clerkship table. Allow me to thank Mr. Sialai and Mr. Njoroge, who has taken me through various draft legislations. I would also like to thank Wanjiru Ndindiri who is not sitting in this Chamber and many other staff of Parliament including the Directorate of Legal Service with whom we have worked several times to push through various Bills.

Hon. Speaker, let me thank you first in person for the friendship that you have accorded me, the support and the various opportunities that we have had to exchange. In this Parliament, I made several friendships across the board. I made friends in the Parliamentary Caucus on Human Rights. This is the group of people who became my family and people with whom I had a good chance. When we were coming to this Parliament, I set upon myself a chance to travel to all the 290 constituencies. I did not make it. I did 102. I made several friends who I visited them in various capacities. It was good. It was nice being with Priscilla in Nyeri. It was also nice being with Ng'eno in Emurua Dikirr. It was nice being with the Member for Matuga in Matuga. Those are some of the friendships that we will cherish. It was nice travelling and discovering.

It is my experience in Wajir West where there were clashes between various communities from Mandera and Wajir that was an eye opener. Most Members of Parliament were wondering what we were doing in that part of the country whereas some of us were not pastoralists. It was really nice. It is those things that you do for colleagues. When there was an attack in Baragoi, being there for Members of Parliament from Samburu side; people with whom we had a friendship, was really nice.

As a Member of Parliament, as a Member of the Departmental Committee on Justice and Legal Affairs and as a Member of the Delegated Committee on Legislation, it was nice being in those committees. As a Member of Parliament, I was able to move two Private Members Bills namely the Health Records and Information Managers Bill and the Refugees Bill. That is why I was thanking Mr. Njoroge who is seated there because he knows how difficult it was negotiating some of those things in several Committees. I thank him for all the support.

Time is very short but I would like to say two things. One, sometime this Parliament fell short of good behaviour. We did not behave as ordinary Members of Parliament. I hope that in the next Parliament, we should carry some very good behaviour even if it is exciting or members of the political party leadership look at you with good eyes. I really think we should still accord ourselves good behaviour.

The last thing is that being a new Parliament and a new Constitution, I think members were excited with the tyranny of numbers. I hope that the next Parliament will look forward and know the role is oversight regardless of where the numbers tilt so that the legislature can stick to its parliamentary role of being an oversight body. Hon. Speaker, I wish all my colleagues the very best in the elections and I hope the people of Ndhwa---

**Hon. Speaker:** Hon. Isaac Mwaura, you have the Floor.

**Hon. Mwaura:** Thank you, Hon. Speaker. I wish to take this opportunity to thank you most sincerely for your leadership as our Speaker. Of course, I knew before I came to this Parliament that it was exciting to see the way you took up the new role as the Speaker of the 11<sup>th</sup> Parliament. I would also want to commend the Leader of the Majority Party because of the good work he has done in defending his forte. He was very well versed in very many issues and, I think, that must also be commended. I also commend the *de facto* Leader of the Minority Party, Hon. Jakoyo Midiwo, for offering a robust defence when issues arose on the Floor of the House.

Being the first person with albinism to be a Member of Parliament in this country on a nominated slot, I think it has been a very great experience to even demystify the role of nominated Members of Parliament in terms of their work.

Nominated Members of Parliament represent special interest groups. They bring issues on the Floor of the House concerning previously unknown groups of people like intersex people, sickle cell persons and, of course, the great docket of persons with disabilities. This forms the

first ever caucus of people with disabilities (KEDIPA) just trying to make sure that our voice has actually been heard.

Others include engaging governments in terms of creating programmes that will be inclusive, for example, the very successful inclusion of persons with disabilities in the National Youth Service (NYS) through use of a platform like the Budget and Appropriations Committee. This has more than doubled the allocations to persons with disabilities from Kshs770 million to Kshs1.8 billion.

Legislative proposals have since been passed like increasing the retirement age of persons with disabilities from 60 to 65 years; equating Kenyan sign language to English and Kiswahili and very many other things that we have accomplished because of this platform.

I conclude by saying two important things; that I have come to the sad conclusion that indeed leaders are never elected sometimes because of the work that they do. So, it is incumbent upon us as leaders to continuously do that we need to do in terms of our vision in order to secure a greater Kenya. We must not tie our good deeds to being re-elected in Parliament for leadership, but invariably because of capacity to transform society.

I thank you.

**Hon. Speaker:** The Member for Matuga, you have the Floor.

**Hon. Mwanyoha:** Asante sana, Mhe. Spika. Ninakushukuru kwa kunipatia nafasi hii ili niongee machache. Ninawashukuru watu wa Matuga kwa kunipatia kipindi cha miaka minne na miezi miwili kuwatumikia. Ni imani yangu kwamba kutokana na kazi ilivyofanyika, tutakuwa pamoja tena hapa mimi na wewe kwani nina imani pia kwamba wewe utarudi na kumbuka kwamba kura yangu ni yako. Kwa hivyo tutakuwa pamoja hapa mara tu baada ya uchaguzi.

Mhe. Spika, safari yangu ya kuja Bunge hili ilikuwa ndefu sana. Ilianza mwaka wa 2002 nikipelekwa huku na huku, nikiibiwa hapa na pale na nikienda kortini na hakimuni akiambia kwamba mjadala wangu ulikuwa mzuri na kamili lakini mwisho uamuzi wake ni kwamba kila mtu arudi afanye kazi yake. Muda huo, kazi yangu ilikuwa ni kukanyaga lami kwa sababu mwenzangu alikuwa Mbunge. Sikujua kwa nini mahakimu hao walitoa uamuzi huo.

Mhe. Spika, ninataka nikariri maneno yangu niliyoyazungumza miezi minne iliyopita. Nilikwambia kwamba wewe ni dume kwa sababu kazi uliyofanya ilikuwa kazi ngumu. Bunge hili katika Afrika nzima ndilo Bunge ambalo lilikuwa na madume na kama ungalikuwa kiongozi legelege, wewe hata ungalijiuzulu kwa sababu Bunge hili lilikuwa na watu wakali mno lakini uliwaahimili na ukatuongoza mpaka wakati huu. Kongole kwa shughuli zako nzuri.

Mwisho, ninawaomba wenzangu wote ambao wamekata shauri kurudia viti vyao. Ninaomba wafaulu. Nilipoingia hapa nilikuwa na hofu huenda watu wakapigana ndani ya nyumba hii. Kumbe ilikuwa hali ya kujuana vizuri na kutengeneza urafiki. Hivi sasa nina marafiki mia tatu na arubaini na nane ndani ya nyumba hii baada ya kukaa kwa huo muda wote.

Mheshimiwa Spika, ninataka nikushukuru kwa kazi nzuri uliyofanya na Mungu atubariki sote.

**Hon. Speaker:** The Member for Nakuru Town East, you have the Floor.

**Hon. Gikaria:** Thank you, Hon. Speaker for giving me this opportunity. First, I want to thank you and the office of the Clerk for a job well done. Every time we had some issues with the Clerk's Office, the officers in various departments were always ready to assist us.

Hon. Speaker, much has been said about you and I do not want to repeat. However, I hope that we will have another opportunity to meet in the 12<sup>th</sup> Parliament. It is my prayer that you get re-elected as the Speaker of the National Assembly. I want to thank you most sincerely for standing for the rights of the National Assembly. We have had many issues with the

Judiciary, the Senate and other quotas, but you have always stood by the law and with us as your subjects. We appreciate. At no one time did you ever allow this House to be taken for granted.

You have also reminded us about Article 95 of the Constitution that our mandate here is to represent the people. Every time a Member raised an issue pertaining to their constituency, you ably gave your guidance. Hon. Speaker, it has been great.

We are now going to an election. We are hoping that as we go out there it will be peaceful. I hope Ms. Kariuki is listening to me. She should release the money meant for the National Youth Service (NYS) cohort. Right now, they want to do what they were to do as members of the SACCO. It is important that these men and women are given their money through their respective SACCOs. They too need to achieve their dreams. Many of them want to do business. I hope the Cabinet Secretary will release their money.

With regard to my colleagues, I hope to meet them again. It is unfortunate ole Kenta has left. He has been a good friend to me. We are hoping that after the elections, ODM will support the Government of the day.

**Hon. Speaker:** Let us now hear the Member for Narok North.

**Hon. ole Kenta:** Thank you, Hon. Speaker. I think I should first of all commend you, the Clerk and the staff of Parliament for the good work and the support that you have given this Parliament. Through your guidance we have made great laws that have made lives of Kenyans much better than before. You did a good job and I think we should commend you.

I would also like to urge all leaders and all Kenyans that this country belongs to all of us. It is our duty to ensure that we protect this country and its citizens. I believe we should preach peace because we have that power. We have the power to destroy and we should choose the power to build and ensure that this country continues developing.

I would like to appeal to the pastoralists; lands have become clean fields. We are behaving as if we live in the past. We are destroying each other. I believe it is our duty as leaders to ensure that we unite our people. That is the only time we will progress. When we come back, we should ensure that Kenyans co-exist peacefully. I would like to urge the people of Narok and especially Narok North, which is cosmopolitan, to realise that they belong to one country. They are one people. They should not be divided along ethnic lines and all those outdated affiliations.

It is very important to realise that even us in Parliament we stick together. We come from different parties and ethnic groups but we have realised that we are one people. I would like to tell them that nobody will suffer. As the President has said several times, it will never happen again. We should not hurt one another and our children should not suffer. They should not be forced to live in the cold in camps. I urge them to bring me back and I know they will do that. I also urge them to maintain the peace that we have had throughout the years.

Hon. Speaker, just know that if God blesses us and we come back, we expect you here. We also expect all the staff here. We shall continue from where we have left today. It is not the end. Anybody left out should know that life continues. It is not the end of the world. We can always play our role in different spheres in this country.

Thank you, Hon. Speaker.

**Hon. Speaker:** Yes, the Member for Kericho.

**Hon. (Ms.) Chepkwony:** Thank you, Hon. Speaker, for giving me this opportunity. I want to thank, first of all, the people of Kericho for electing me to this Parliament. Before I came, I want to thank them for electing me to their local authority as the Chairlady of Bureti County Council. I wish them the best.



Hon. Speaker, I want to also thank you because of your generosity in this House. You managed to control 349 Members which was a big task. There has never been any other Speaker who has had that number. So, I want to thank you for succeeding in your work. Again, I want to congratulate Mr. Sialai for being appointed the National Assembly Clerk. I want to congratulate him because of his hard work. He has been very cooperative.

I also want to thank our Chairlady for the 47 caucus for having struggled until we managed to get the affirmative action fund which has helped us in our counties. We had a rough time, but she worked very hard until we got something small. I want to thank this House for accepting that we be given that money, which has boosted our standards of leadership in our counties.

I also want to thank the Members of Parliament. We have been here together for all that period. I want to wish them well. Those who have requested their people to bring them back, I wish them the best. For those who have surrendered, like me, you pray for us that we may succeed in our advancement in our counties. We have realised a lot of achievement in this country. That is through the membership of the National Assembly and the Senate. I want to wish everybody success in the next elections. I pray that the country enjoys peace.

Lastly, I want to congratulate the Members of the Departmental Committee on Lands to which I belong. We managed to pass the land Bills which were supposed to be passed. Though it took us long periods, at last we managed to complete them.

Thank you, Hon. Speaker.

**Hon. Speaker:** The Member for South Mugirango, you have the Floor.

**Hon. Nyamweya:** Thank you, Hon. Speaker for giving me a chance to contribute to this Motion. This is the last time I am talking as a Member of Parliament. I will not be here again. I have had a chance. I wanted to be a Member of Parliament in 1992. I participated in multiparty politics to bring multi-party democracy that we are enjoying now.

I want to thank the people of South Mugirango who saw it fit at the right time to give me a chance to serve them. I came in through a by-election in 2010. I won the last election and I thank God for that, but more important, the people of South Mugirango. I am doing my second term as you are aware. I feel that I have done the best for my people. This is not the place for me to be God willing. So, I have opted out not to come back here but to serve the people of Gusiiland, Kisii County. I always say that if God touches their hearts, they will give me a chance to be their Governor come 8<sup>th</sup> August, 2017.

I have had tremendous interactions with our colleagues here. We have lived like a family and as you know, in a family there are always quarrels and clashes. However, we have remained together, especially when Parliament came under attack. I have seen both sides of the House unite to defend the independence of Parliament. I am touched that we are not divided.

We have had divisions on party issues. This country belongs to all of us. We are looking forward to having a peaceful election such that whoever wins in the election is declared the rightful winner. This country is one.

I urge IEBC to ensure that the voting system is electronic. Let them prepare well for the election. They should not hype the idea that we shall vote by electronic means but on the last day they resort to a manual system. That can cause a crisis in this country. So, I urge the IEBC to prepare for the elections properly. We hope there will be no problems with the electronic system of voting and that people will accept the results as they will be announced.

Hon. Speaker, I thank you for the time that we have shared together. We are neighbours. Once we leave here, we shall be talking like *wazees* in the village. With those few remarks, *kwaheri kwa kuwa hapa* Parliament.

**Hon. Speaker:** Let us have the Member for Roysambu.

**Hon. Ndirangu:** Thank you, Hon. Speaker for giving me this chance.

First, I congratulate you and your team for your humour, mastery of the Standing Orders, and your management capacity of this big House. I thank the people of Roysambu who brought me to this House. I have tried my best to live to my promises and the agenda which was the platform on which I sought their votes namely improvement of primary schools, expansion of secondary schools, reclamation of public utilities which had been grabbed and ensuring that there is fairness in the distribution of the NG-CDF bursaries.

It might please you also to note that in my constituency we have improved more than 10 primary schools. We have built three new secondary schools. We have initiated another four and since I was elected, we have improved the transition rate from primary schools to secondary schools from 250 pupils to 850 pupils. Indeed, that is a record which we are all very proud of.

We also thank the people and the Government because we have been able to oversight the NG-CDF kitty in our constituency by ensuring fair distribution of CDF monies without discrimination. We have ensured that we give bursaries to over 16,000 pupils, some orphans and others from poor families who are attending secondary school education. Another 6,000 students from poor families have been sponsored to attend middle level college education.

So, I wish my colleagues a good time and encourage them not to be worried. Sovereignty belongs to the people; they give us a chance to come here. The people will rest some of us and second others to come here.

**Hon. Speaker:** The Member for Awendo, you have the Floor.

**Hon. Opiyo:** Thank you, Hon. Speaker. I want to thank you for this opportunity to say a word at the end of this session or rather this Parliament. I want to thank my colleagues with whom we have served this nation during this parliamentary term. We have had a lot to share together, particularly so with the Budget and Appropriations Committee, the Departmental Committee on Education, Research and Technology and the Departmental Committee on Health, in which I had a chance to serve at various times.

As we come to the end of this Parliament and go out there to continue with our campaigns for those of us who are seeking re-election, I want to challenge all my colleagues who are going for re-election to commit themselves to a peaceful electoral process.

Lately, when you watch television and listen to radios, a few of the leaders of this country sometimes make remarks that border on reckless. But I want to say that this country belongs to all of us. We do not have any other country and we have a responsibility and duty to ensure that we keep this country beyond any election. As you may well be aware, this nation has seen a lot in the past after elections. We want to pray and join everyone in supporting peaceful electoral process.

Lastly, I want to thank the great people of Awendo for giving me the opportunity to serve them during the last four-and-a-half years. I still believe that owing to how far we have come, they will give me another chance to serve them in the same capacity.

**Hon. Speaker:** Let us have the Member for Samburu North.

**Hon. Lentoimaga:** Thank you very much, Hon. Speaker for giving me this opportunity. I also want to join my colleagues to thank you for exemplary leadership qualities in this Chamber.

This was a very challenging period for you because of the number of Members but you have steered the Chamber well enough.

I am proud of you because I remember I campaigned for you. I do not regret that the person I campaigned for has done exemplary work. Thank you very much, Hon. Speaker. I wish you good luck. I hope when we come back - because God-willing we will come back - we will again elect you to the same position.

I also want to thank the great people of Samburu North for giving me this opportunity. It is a new constituency with a lot of difficulties because of marginalisation and remoteness. For the short time we have served, we have done very well. We have solved the problems that were there, especially insecurity.

I want to thank my colleagues for giving me the opportunity to move an amendment to the National Police Service Bill to ensure that Kenya Police Reservists are able to work well and be paid. Now that the Bill is operational, that is what has contributed to the peaceful existence of people in Samburu North.

We want to do more. We have done much. More secondary and primary schools have been built. Roads have been built. Communication networks in our constituency have also improved. I want to appeal to my constituents to bring me back to the next Parliament so that I can complete the projects that are ongoing. I also want to thank my colleagues. The 11<sup>th</sup> Parliament has done much.

Operationalising devolution is a step ahead. I used to work as a civil servant and there was bureaucracy. I am happy that although Parliament is big, there is less bureaucracy. Things move faster, and efficiency is the order of the day. I thank all the members of staff who have worked very hard to ensure that this is done.

Lastly, my word of advice to my colleagues is that there is a lot of good life after elections. Therefore, peace must be maintained. There are many Kenyans doing a lot of good work although they are not politicians. We also need to uphold peace in this country before and after the general election so that we can have a prosperous country. We should love this country for the good of Kenyans, our children and our parents.

**Hon. Speaker:** Yes, the Member for Lafey.

**Hon. Isaack:** Thank you, Hon. Speaker, for giving me this opportunity. First and foremost, I would like to thank the people of Lafey, and more so the people of the greater Mandera East Constituency, whom I have represented many times within and outside this Parliament. I would also like to join my colleagues who have said that as we go to campaign for the forthcoming general election, we need to have peaceful elections. We should be in the forefront in ensuring that we have peaceful elections because Kenya is greater than any of us.

As people from Mandera County, we want the security agencies, in particular our defence forces, to ensure that we have a secure boarder so that we can exercise our democratic rights in free and fair elections without interference from any quarters, particularly from foreign militia.

You will recall that a fortnight ago, five security personnel escorting the Governor of Mandera County were killed because of “mining” of our roads by elements of a foreign militia. We were moving in a convoy, trying to inspect development projects and engage in a meet-the-people-tour, but were not able to conclude our trip to the various parts of the county. Therefore, we want our security forces to ensure, particularly in this time of electioneering that there is no interference from outside our borders.

Hon. Speaker, lastly, I would like to thank you in particular and the staff of Parliament for serving us well and giving us all the support we needed in this Parliament so that we could

carry out our duties as required by the Constitution and by the people of Kenya. As we go for the elections---

**Hon. Speaker:** Let us have the Member for Kapenguria.

**Hon. Chumel:** Thank you, Hon. Speaker, for giving me this chance to add my voice to this very important occasion as we come to the end of the last Session of the 11<sup>th</sup> Parliament.

I want to start by thanking the people of Kapenguria, who have had confidence in me for all the years I have been in Parliament.

Secondly, I want to thank you as, the Speaker of this House and as a friend. You visited several places. This is your constituency and you have visited some of our friends including Kapenguria where you accompanied the Safaricom people to open a school officially. I also remember you went to AIC Malivani where my children were learning. This is a good gesture from a Speaker. Even young children learn when they see a Speaker who controls a House of legislators.

I also want to thank all the NGOs like the World Vision which have come to support West Pokot in general to improve the living standards of the people. These are the people we thank. We have not seen such support since Independence from the Government. We only see the missionaries, the religious bodies and the well-wishers who support us.

I also want to thank the President and the Deputy President. They have gone there severally. For the first time, we have seen children learning about a tarmac road which they can see physically. So, we have a lot of confidence in the leadership of Uhuru Kenyatta and his Deputy. We know that with time, things will improve.

I want to thank especially my neighbours the Turkana, Trans Nzoia and the other places because of peace. The leaders are now coming together to ensure that people live in peace. I also want to thank the Government because it has been supporting us especially the Inspector-General of Police.

In fact, he has come to unite people and bring them together. I want to ask the Cabinet Secretary, Maj-Gen. (Rtd) Nkaissery--- He was a politician at one time but I think the military experience influences his mind. He thinks he is still a military person. Instead of interacting and moving with people, he is isolating himself. I am not ashamed to say that he has not stepped in that place even for a day since he was given an opportunity to lead those---

**Hon. Speaker:** Let us now hear Hon. Gimose.

**Hon. Gimose:** Thank you, Hon. Speaker, for this opportunity. We had a grand performance in this House. I have heard you in particular do things that people did not expect you to do. Personally, I know you well. You were two years ahead of me at the university. I appeared before you when you were a magistrate as a State Counsel and as an advocate. We have come a long way together. When you were put in this position, I was very delighted. I knew we got a Speaker who was going to do wonderful things for this country. I would like to say congratulations.

For our chief soloist, Mr. Duale, a good friend of mine, sometimes I had moments when I was unable to agree with him but because of his hilarious moments and his jokes, he has done well for this country. I appreciate my colleagues whom we have interacted with, done things together and I wish them well.

In particular, I wish to congratulate the Chairman of the Departmental Committee on Justice and Legal Affairs, Mr. Chepkong'a. We have worked well in the Committee and he has done very well for the country.

Finally, I want to thank the people of Hamisi for electing me for the first time. I started politics in 1988 and I never came to this Parliament until 2013. I remember at the university, you voted for me when I was a student leader. I appreciate that. I want to thank the people of Hamisi for bringing me to this House albeit for a short moment but I have done my best.

For the first time in the history of development, in my constituency, we have a university. I ask them earnestly to think about re-electing me to this august House so that I can finish those aspects of development that are undone. We have done our best at home. We have improved schools---

**Hon. Speaker:** Hon. Members, I also want to take this opportunity to thank all Hon. Members of this august House who have served in the 11<sup>th</sup> Parliament until today. It has been most enjoyable for me interacting with you, of course, having our light moments both here in the Chamber and outside the Chamber. I wish each one of you luck in their forthcoming elections as well as in other endeavours for those that are going to do other activities within our country.

Thank you very much.

### ADJOURNMENT

**Hon. Speaker:** The 11<sup>th</sup> Parliament of the National Assembly is, at 10.01 p.m., adjourned *sine die*.

The House rose at 10.01 p.m.