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THE HANSARD

Thursday, 14th August 2025

The House met at 2.30 p.m.

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

PRAYERS

QUORUM

The Temporary Speaker (Hon. Martha Wangari): Sergeant-at-Arms, ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

Is the Bell still malfunctioning? Do we have the Bell? Ring it for 10 minutes.

(The Quorum Bell was rung)

(Hon. Mark Mwenje spoke off the record)

The Temporary Speaker (Hon. Martha Wangari): Hon. Mark Mwenje, do not do the job of the Sergeant-at-Arms. Come into the Chamber. I am told you have helped with whipping Members.

Hon. Members, we can begin the business of the House. Allow me to recognise the following visitors in the Public Gallery:

1. Embu County opinion leaders, hosted by the County Member of Parliament.
2. Murera Secondary School from Tharaka Constituency, Tharaka-Nithi County.
3. Christ Church Primary School from Kisumu Central Constituency, Kisumu County.
4. Alkhair Royal School from Mvita Constituency, Mombasa County.

We welcome them to the House. I will indulge the Members for Embu County and Tharaka Constituency for a minute each. Give Hon. CNN the microphone. Why are the microphones roving all over? Hon. Members, this is why you need your cards. Hon. CNN, do you have your card? When you have your card, the microphone functions properly.

Hon. Pamela Njeru (Embu County, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to welcome all the visitors to the National Assembly, especially the Embu County opinion leaders and shapers seated in the Gallery. I want to tell them that this is where we come every time we have our sittings. They are welcome alongside all the other visitors who are here today.

The team is from the four constituencies in Embu County. They are here to inform the people of Embu, who are not present, that this is where their vote counts and where they brought me, among many other leaders, for the position of Woman Representative in Embu County. On behalf of those who are not here today, I welcome them. They should feel welcome so that the next time they get an opportunity, they know that their vote counts and did not get lost. Although many people were on the ballot, they deemed it fitting to bring me to the National Assembly.

Hon. Temporary Speaker, I salute and welcome all of them to the National Assembly.

The Temporary Speaker (Hon. Martha Wangari): Member for Tharaka Constituency.

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Temporary Speaker. I join my colleague in welcoming our visitors this afternoon to this august House. I particularly welcome the leaders from Embu County, who have come to see how proceedings are conducted here. I also welcome the other visitors, including pupils from Murera Primary School, which is one of the best schools in the constituency. Tharaka Constituency is highly marginalised. It is arid and dry, and everything else is not as it should be. However, these children strive to study hard and make it in exams. Welcome, young children. This is the august House, where the laws of the country are made. We are here to show you that you, too, can become leaders tomorrow. Work hard and make it to higher institutions of learning, where you will be shaped to become leaders of tomorrow.

Thank you. I welcome all of you.

The Temporary Speaker (Hon. Martha Wangari): Thank you. We welcome all our visitors to observe the proceedings of the House.

Next Order.

PAPER

The Temporary Speaker (Hon. Martha Wangari): Chairman of the Departmental Committee on Defence, Intelligence and Foreign Relations.

Hon. Nelson Koech (Belgut, UDA): Hon. Temporary Speaker, what did you say? I am sorry, I missed it.

The Temporary Speaker (Hon. Martha Wangari): You were listed to lay on the Table of the House the Report of the Committee on its Participation in the Diaspora Mobile Consular Services. Do you have the Report? Give the Chairman the microphone.

Hon. Nelson Koech (Belgut, UDA): Hon. Temporary Speaker, I beg to lay the following Paper on the Table:

The Report of the Departmental Committee on Defence, Intelligence and Foreign Relations on its Participation in the Diaspora Mobile Consular Services Exercise in Hong Kong from 22nd to 24th April 2024.

The Temporary Speaker (Hon. Martha Wangari): Hon. Chairman, I was checking to see who you are seated next to, who is distracting you. It seems the person distracting you is not in the House.

Next Order.

QUESTIONS AND STATEMENTS

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, under Order No.7, we have several requests for statements and responses. First, allow me to indulge the Deputy Leader of the Majority Party to give the Statement of the week.

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Temporary Speaker, for indulging me on this.

STATEMENT

BUSINESS FOR WEEK COMMENCING 18TH AUGUST 2025

Hon. Owen Baya (Kilifi North, UDA): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 44 (2) (a), I rise to give a Statement on behalf of the House

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Business Committee, which met on Tuesday, 12th August 2025, to prioritise business for consideration during the week ahead.

As Members will recall, last week, the House resolved to alter its Calendar to hold both morning and afternoon sittings on Tuesday, 19th August 2025. The House will commence a long recess on Wednesday, 20th August 2025. We successfully moved the Motion, and Members supported that this House will sit in both morning and afternoon on Tuesday, 19th August 2025. Hon. Members, I request that we honour this date since we agreed to come here on that date. Let us make ourselves available here on that date to complete the business of the day. Thereafter, we shall proceed to recess, and the praesidium, or the Leadership of the House, will proceed to participate in the Leadership Conference on 20th August 2025. The House adopted the Motion for the purposes of considering priority business ahead of the long recess.

I urge the committees to use this period to expedite any pending business to a conclusion. I also wish to encourage Members to be present in the House on that day to prosecute various businesses concerning them. I urge chairpersons with pending businesses to expedite them, allowing us to table and complete all pending businesses.

I can see Hon. Kangogo looking at me. I know he has pending business. Hon. Kangogo and all other Chairpersons, please ensure that you complete the pending business before your committees. I can see Hon. Mutunga is here. He has very important business on agriculture. Hon. Nelson Koech, please ensure you bring any pending business so we can complete it. The Chairman there, please, bring all pending business. We want business. Please, finish your work. Hon. Wangwe, finish your work.

(Laughter)

The Temporary Speaker (Hon. Martha Wangari): Is it Hon. Emmanuel Wangwe's name or the Committee that you are forgetting?

Hon. Owen Baya (Kilifi North, UDA): No, he looked at me until I forgot him. Please, bring business. Chairpersons and Vice-Chairs, you have this weekend to complete all pending businesses and bring them to the House.

With regards to the business scheduled for Tuesday next week, the House is expected to consider the Virtual Asset Service Providers Bill of 2025 and the Air Passenger Service Charge (Amendment) Bill (National Assembly Bill N0.35 of 2025). The Virtual Asset Service Providers Bill is a very important piece of legislation. All cryptocurrencies and money items are out there. We need to finish them. I urge you all to come on Tuesday.

Hon. KJ, who is the Chairman of the Departmental Committee on Communication, Information and Innovation, please, ensure that you are here. We do not want to do your work. Wherever you are, Hon. KJ, come to the House on Tuesday and move the Bill, because it is a very important Bill. We must conclude its enactment and finish in the Committee of the Whole House.

The Temporary Speaker (Hon. Martha Wangari): Hon. Owen, you are now totally out of order. Can you finish reading your Statement? I indulged, and now you are abusing the opportunity. Do not debate it.

Hon. Owen Baya (Kilifi North, UDA): Okay, Hon. Temporary Speaker. I am hyping them to come.

The House will also continue with the Second Reading of the following Bills, should they not be concluded today:

1. The Kenya Roads (Amendment) (No.3) Bill of 2025.
2. The Privatisation Bill of 2025 has drawn so much interest. We would like to have it here on Tuesday.
3. The Births and Deaths Registration (Amendment) Bill of 2024.

4. The Computer Misuse and Cybercrimes (Amendment) Bill, 2024.

Hon. Daudi Aden, ably, moved the Bill.

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

1. Consideration of nominees for appointment as chairperson and members of the National Police Service (NPS) Commission. It was tabled in the morning. I believe a debate is about to start, which will allow us to give the NPS the commissioners it deserves.
2. Consideration of Sessional Paper No.2 of 2025 on Privatisation of Kenya Pipeline Corporation.

There has been much debate on this sessional paper out there. Sessional Papers are very important governance instruments, and must pass through this House for us to anchor them in law. We have the Sessional Paper.

1. Consideration of the Fifth Report on the examination of financial statements for the Water Sector Trust Fund.

Hon. Kangogo, I think this is your Paper. Be here and bring all Members of your Committee to give input on this Paper.

2. Consideration of the Fifth Report on the examination of financial statements of selected state corporations.
3. Consideration of the Comprehensive Economic Partnership Agreement between the Republic of Kenya and the United Arab Emirates.

All these are listed for Tuesday, 19th August 2025.

Additionally, upon resumption from the recess, it is expected that the Cabinet Secretary for Education will be in the House to respond to the following Questions by Members. I think he has postponed his appearance here three times because of other matters outside the House. However, we expect him to be here to answer the following Questions:

1. Question by Private Notice No.011/2025 by the Member for Emuhaya, Hon. Omboko Milemba, regarding funding for participation by public primary and secondary schools in co-curricular activities.

This was initially pegged on the Kenya Music Festival 2025. Although it is over, critical questions must be answered regarding the use of funds in public schools, including how these funds are disbursed and how education officers allegedly fleece schools of this money. This is an important Question. I expect all Members to be here to ask the hard questions so that we get answers and save our schools from being fleeced of their money sent from the Exchequer.

2. Question by Private Notice No.013/2025 by the Member of Isiolo County, Hon. Mumina Bonaya.

I cannot see her here, but it regards the rollout of a new centralised student database system known as Kenya Education Management Information System (KEMIS). There was a robust debate on KEMIS here yesterday. I think the Cabinet Secretary should come and respond to questions on KEMIS and NEMIS. People say it is just removing the "n" and replacing it with "k" to give it a new name.

The House Business Committee will reconvene on Tuesday, 19th August 2025, to schedule any other priority business for that day and business to be considered upon resumption of the House from recess.

I wish Members well as they go into the weekend to engage their constituents. Those going for empowerment, please, go there and do empowerment.

Hon. Temporary Speaker, I beg to lay the Statement on the Table and thank you for your indulgence.

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, we will go on with Order No.7 – that is the Request for Statement by Hon. (Dr) Ariko Namoi, the Member for

Turkana South. We still have microphones behaving funnily. Please, move where one is functioning. Is it still not working? Try the next one.

QUESTIONS AND STATEMENTS

REQUEST FOR STATEMENT

RIISING CASES OF INSECURITY IN TURKANA COUNTY

Hon. John Namoit (Turkana South, UDA): Hon. Temporary Speaker, I rise to request a Statement on the rising cases of insecurity in Turkana County.

Pursuant to provisions of Standing Order 44(2) (c), I wish to request a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the rising cases of insecurity in Turkana County.

Turkana County has witnessed a disturbing increase in incidents of lawlessness, insecurity, and reports of organised groups disrupting public gatherings in the last two years. Seemingly, no action is being taken to curb this trend.

Mr Sammy Ekitela, the constituency manager of Turkana South, was abducted. Known criminals assaulted three members of staff of the constituency on 28th April 2024. Additionally, there was an attack in the Lorogon area on 10th August 2024. It involved my supporters and those of the Governor. Persons connected to the Governor forcefully took a firearm belonging to my security detail in the Lobidi area on 28th June 2025. This followed a scuffle that arose after I had given a speech during the burial of the late Deputy Speaker of the Turkana County Assembly, Hon. Lomuria Philip Ekuwam. The matter was reported to the Lobidi Police Station. Sadly, no substantive action appears to have been taken. Of concern, again, are the allegations of an individual assuming the functions of the security agencies, including the mounting of a roadblock in Lodwar Town.

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

1. A report on the status of investigations into the aforementioned cases of insecurity in Turkana County, particularly the Lopiding incident involving the snatching of a firearm from a security officer and the illegal roadblock in Lodwar Town.
2. The specific measures being taken by the Cabinet Secretary for Interior and National Administration to curb the rise of persons disrupting public gatherings.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Chairperson of the Departmental Committee on Administration and Internal Security. Hon. Chairperson

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Temporary Speaker. We will provide a response within the first week after the recess.

The Temporary Speaker (Hon. Martha Wangari): That is in order. The next Request for Statement will be by Hon. Chege Njuguna. Is he in the House?

DISAPPEARANCE OF MR MOSES NG'ANG'A MUHIA

Hon. Njuguna Chege (Kandara, UDA): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 44 (2) (c), I rise to request a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the disappearance of Mr. Moses Ng'ang'a Muhia.

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Mr Moses of Identity Card No.29802051, an employee of Modern Furniture, Ruiru Branch, disappeared on 18th November 2024 after Modern Furniture premises caught fire while he was on duty.

The family reported the matter to Mombasa Police Station vide Occurrence Book (OB) No.15/20/12/24. Since then, his whereabouts remain unknown despite persistent efforts by the family to trace him. In addition, efforts to gather information from the employer and the Directorate of Criminal Investigations (DCI) have proved futile as the family is yet to receive any response.

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

1. A report on the status of investigations into the disappearance of Mr. Moses Ng'ang'a of ID No.29802051, which was reported to the police station under OB No.15/20/12/24.
2. The steps being taken by the DCI to complete investigations to ensure that Mr. Moses Ng'ang'a is found and reunited with his family.
3. Actions being taken to ensure those found culpable are arrested and prosecuted without delay.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hon. Tongoyo, back to you.

Hon. Gabriel Tongoyo (Narok West, UDA): Given the seriousness of the matter, and considering that this is a Kenyan who has gone missing – I know that we are going for recess – I can fast-track and get a response in two weeks and transmit the same to the Hon. Member. When we resume from recess, I will table the response.

The Temporary Speaker (Hon. Martha Wangari): You should bring it in the first week after we resume, but if you happen to have it earlier, liaise with the Hon. Member because it is a matter of life and death.

Hon. Gabriel Tongoyo (Narok West, UDA): I am well guided.

The Temporary Speaker (Hon. Martha Wangari): Nominated Member, Hon. Suleka Harun.

INSECURITY AT MANDERA BORDER POINT

Hon. Suleka Harun (Nominated, UDM): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 44(2) (c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations regarding the escalating insecurity in Mandera town caused by the spillover of armed conflict from Bulahawa Town in Somalia.

In recent weeks, residents of Mandera town have been subjected to a series of alarming incidents involving stray bullets and live ordinances arising from ongoing hostilities allegedly between the Federal Government of Somalia and the Jubaland Administration in Bulahawa, a town in Somalia bordering Mandera County.

The clashes have resulted in projectiles crossing into Kenyan territory, thereby endangering lives, damaging properties and businesses and instilling profound fear among the residents of Mandera, particularly families residing near the border. The daily lives of the residents have been significantly disrupted to the extent that children are no longer able to play outdoors safely, businesses are compelled to close prematurely, and communities remain in a constant state of apprehension over the potential for the next stray bullet or explosion.

Consequently, some residents near Border Point 1 have been forced to relocate to safer areas or seek refuge with relatives within Mandera Town due to the escalating threats. There

are also reports indicating that during the intense fighting, overwhelmed members of Jubaland Forces crossed into Kenyan territory. The breach poses a serious threat to our national security and constitutes a clear violation of our sovereignty. The presence of the armed group and related military activities close to the border has also heightened tensions within the community, demanding the removal of any foreigners perceived to be contributing to the increased insecurity.

The situation also highlights the urgent need for enhanced security within the border, peace initiatives and stronger security measures to safeguard the lives and livelihoods of the border communities, who bear the brunt of cross-border conflicts that they are not party to.

Hon. Temporary Speaker, it is against this background that I request a Statement from the Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations on the following:

1. Measures being put in place by the Ministry of Foreign and Diaspora Affairs to safeguard the lives and properties of the residents of Mandera from the spill over of the ongoing conflict between the warring Somali forces.
2. Action taken by the Ministry of Foreign and Diaspora Affairs to lodge formal diplomatic complaints through the diplomatic channels to the Federal Government of Somalia and the Jubaland Administration over these cross-border violations.
3. Steps being taken to implement a long-term security strategy to ensure that Mandera Town and other border areas are protected from external armed conflicts and incursions.

Thank you, Hon. Temporary Speaker.

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

Hon. Nelson Koech (Belgut, UDA): Thank you, Hon. Temporary Speaker. Listening to the Hon. Member on the sensitivity of this matter that involves lives and property, we will serve justice if we get a Statement as soon as possible. I promise to give the Statement before the House on Tuesday, this coming week.

The Temporary Speaker (Hon. Martha Wangari): The next one is by Hon. Mejjadonk.

Hon. Mejjadonk Gathiru (Embakasi Central, UDA). Thank you.

Hon. Suleka Harun (Nominated, UDM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hold on, Hon. Mejjadonk. What is out of order, Hon. Suleka? Tuesday next week is the nearest you can get the response.

Hon. Suleka Harun (Nominated, UDM): I appreciate, Hon. Temporary Speaker. However, I want the Committee to visit and see what is going on in Mandera. It is a matter of urgency.

Thank you.

The Temporary Speaker (Hon. Martha Wangari): First of all, let the Chairperson respond to the Request for Statement. I am sure the Committee is up to the task, if there is a need to visit.

Hon. Mejja.

OWNERSHIP OF LR NO. NAIROBI/BLOCK/156/548 IN EMBAKASI CENTRAL

Hon. Mejjadonk Gathiru (Embakasi Central, UDA): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 44(2) (c), I rise to request a Statement from the Chairperson of the Departmental Committee on Education regarding the ownership of land parcel LR No. Nairobi block 156/548, in Embakasi Central Constituency.

Hon. Temporary Speaker, during the official opening of Komarock South Primary School in 2022, the President, in the presence of the Former Cabinet Secretary for Education and the Cabinet Secretary for Lands, publicly pledged to allocate a five-acre parcel of land adjacent to the school, registered as LR No. Nairobi/Block 156/548 for the construction of a secondary school and a Technical Vocational Education and Training (TVET) Centre. With the rising population in the region, demand for basic and technical education has increased. Currently, the enrolment at the Komarock South Primary School is over 5,000 learners, necessitating the establishment of both secondary education and vocational training facilities to meet the intensifying demand.

Hon. Temporary Speaker, residents hoped that the Presidential directive to allocate LR No. Nairobi/Block 156/548 for the schools would be implemented. Worryingly, the land is now under new threats without any tangible steps having been taken to facilitate its transfer or development. This matter is very weighty and cuts across three ministries, namely, Education, Lands, Public Works, Housing and Urban Development and Interior and National Administration.

It is against this background that I seek an inquiry into the matter from the Chairperson of the Departmental Committee on Education on these issues with a view to ensuring that the President's directive is implemented without delay, including:

1. The current ownership of LR No. Nairobi/Block 156/548 land adjacent to Komarock South Primary School, and the progress made by the Ministry of Education to facilitate the compulsory acquisition of the land for purposes of establishing public educational facilities.
2. The measures in place to preserve the said land for the intended public facilities and safeguard it from potential irregular acquisition.
3. The progress made by the Ministry in implementing the proposal for the establishment of a public secondary school and TVET Centre on the said land.
4. The plans by the Ministry to expand post-primary education infrastructure within Embakasi Central Constituency and Nairobi City County at large, in light of the growing population, against the strained facilities.

I further request that the Committee engage the Ministry of Lands, Public Works, Housing and Urban Development, the Ministry of Interior and National Administration, and the National Land Commission for a full resolution on this matter.

Thank you.

The Temporary Speaker (Hon. Martha Wangari): Chair of Departmental Committee on Education, are you in the House? Vice Chair? Any Member? No Member of the Committee is in the House.

Majority Whip, can you make an undertaking on behalf of the Committee Chair?

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Temporary Speaker, we will make sure that we respond to the Request in the second week after the recess.

The Temporary Speaker (Hon. Martha Wangari): Kindly note that this issue is deeper than the normal 44 (2) (c). It may require an inquiry and cooperation from other committees, and specifically the Committee responsible for land matters. Therefore, you may need three weeks. I will give you three weeks to bring a report to the House after we come from recess.

Hon. Members, before we go to the next one, allow me to recognise in the Public Gallery, students from EAPC Thamani Primary School from Igembe North Constituency, Meru County; and Kagwampungu Primary School from South Imenti Primary School, Meru County.

On my behalf and that of the House, we welcome you to observe the proceedings of the House.

The next Statement Request will be by Hon. Mark Mwenje, the Member for Embakasi West.

DETENTION OF MS. MARGARET NJOKI'S BODY
AT KENYATTA UNIVERSITY FUNERAL HOME

Hon. Mark Mwenje (Embakasi West, JP): Hon. Temporary Speaker, mine is a request for a statement regarding the unlawful detention of the body of the late Ms. Margaret Njoki Mburu at Kenyatta University Funeral Home.

Pursuant to the provisions of Standing Order 44(2) (c), I request a Statement from the Chairperson of the Departmental Committee on Health regarding the detention of the body of the late Ms. Margaret Njoki Mburu.

Ms. Margaret Njoki Mburu of ID No.318484 was admitted to Poplar Hospital, Nairobi, until her untimely demise on 4th June 2024. Her body was transferred to Kenyatta University Funeral Home while the family was left with an outstanding hospital bill of Ksh2,800,000. The funeral home, with instructions from the hospital, has detained her body, demanding that her family offset the Bill. Sadly, the family of the deceased hails from a humble background and has struggled immensely to offset the pending Bill. This situation has caused grave emotional distress to the family and has denied them the right to accord their loved one a dignified burial.

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

1. Reasons for the unlawful detention of the body of the late Ms. Margaret Njoki Mburu by Kenyatta University Funeral Home from 4th June 2024 to date.
2. Urgent measures being taken to ensure that the family of the late Ms. Margaret Njoki Mburu is accorded the dignity and right to bury their loved one.
3. Long-term measures being put in place to ensure that no person is denied the right to bury their loved ones due to lack of finances to offset hospital bills.
4. A detailed report on the policy in place, if any, to support families unable to settle hospital bills, particularly in cases of prolonged detainment.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Departmental Committee on Health. The Vice Chair, Hon. Patrick, is here.

Hon. Patrick Ntwiga (Chuka/Igambang'ombe, UDA): Thank you, Hon. Temporary Speaker. The Statement Request is in two parts. The first part is one release of the body, which is urgent. It is a matter on which we can bring a response on Tuesday because the burial is an urgent matter. The second part of the Statement Request is on policy. We can take two weeks after recess to respond to it.

The Temporary Speaker (Hon. Martha Wangari): Very well. We expect a partial response on Tuesday. The rest shall be brought after we resume from recess.

Hon. Gachobe Samuel.

INCOMPLETE WORKS ON SOLAI-SUBUKIA ROAD

Hon. Samuel Gachobe (Subukia, UDA): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 44(2) (c), I request a statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding the incomplete works on Solai-Subukia Road (D366).

The construction of the 65-kilometre Solai-Subukia Road (D366) by the China Henan International Cooperation Group Company Ltd began in 2018 but was significantly delayed due to the COVID-19 pandemic, leading to the suspension of works. Upon resumption, the

contractor was expected to complete the entire road, including a crucial one-kilometre section through Subukia town linking to the Nakuru-Nyahururu Road. However, this segment remains unfinished. Additionally, two planned permanent bridges were not built and were replaced with temporary structures that have since deteriorated and are at risk of collapsing, creating serious safety hazards. These incomplete and unsafe conditions demand immediate corrective action to ensure public safety and protection of the infrastructure.

Additionally, essential components of the project, including culverts, speed bumps, clear road signage, and thorough road mapping, were neglected. The absence of these fundamental elements undermines the road's standard and efficiency, posing significant risks to motorists and local communities. In this regard, urgent evaluation and collective action are necessary to prevent further damage and ensure the road meets the required safety and quality standards.

It is against this background that I request a statement from the Chairperson of the Departmental Committee on Transport and Infrastructure on the following:

1. Current status of the Solai–Subukia Road Project, especially the critical one-kilometre segment passing through Subukia Town, intended to link with the Nakuru–Nyahururu Road, and the timeline and budgetary allocation for its completion.
2. Confirmation on whether the contractor has been paid the full contract sum, including retention, and whether the payment was backed by the certificate of completion and handover.
3. Steps being taken by the Ministry to replace deteriorating temporary bridge structures with permanent and safe alternatives.
4. Measures in place to install culverts, erect speed bumps, put up traffic and road signage, and undertake complete road mapping.
5. Existing budgetary provisions for the maintenance of the entire road to address worn-out sections and emerging potholes.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Chairman, Hon. G.K.

Hon. George Kariuki (Ndia, UDA): Hon. Temporary Speaker, I will provide the response in the second week after the recess.

The Temporary Speaker (Hon. Martha Wangari): You have the entire recess to work on the response. So, bring it in the first week after we come back.

Hon. George Kariuki (Ndia, UDA): Second week.

The Temporary Speaker (Hon. Martha Wangari): First week. It is directed.

Hon. George Kariuki (Ndia, UDA): Thank you.

The Temporary Speaker (Hon. Martha Wangari): We have some responses to requests for statements. First is the response to the Request by Hon. Tubi Bidu. Is he in the House? Hon. Raso, is this the same request whose response was tabled in the morning? It would be superfluous to repeat the same.

Hon. Ali Raso (Saku, UDA): Hon. Temporary Speaker, with your indulgence, the Chairman of the Committee can give the response, although it was...

The Temporary Speaker (Hon. Martha Wangari): Hon. Raso, I wanted to confirm if it is the same response. The Member was not present during the Morning Sitting. It was directed that the response be tabled, which you did.

Hon. Ali Raso (Saku, UDA): Yes.

The Temporary Speaker (Hon. Martha Wangari): So, the response cannot be repeated in the Afternoon Sitting.

Hon. Ali Raso (Saku, UDA): Yes, it is the same response.

The Temporary Speaker (Hon. Martha Wangari): Good. The response was tabled in the morning, and the matter will rest at that.

The next response is from the Departmental Committee on Defence, Intelligence and Foreign Relations. Hon. George Gachagua had requested a Statement from the Committee. Is he in the House? If not, table the response.

Hon. Nelson Koech (Belgut, UDA): Very good, Hon. Temporary Speaker.

(Hon. Nelson Koech laid the documents on the Table)

The Temporary Speaker (Hon. Martha Wangari): What is out of order?

Hon. Bidu Mohamed (Isiolo South, JP): Hon. Temporary Speaker, I was away this morning because I was not feeling well, but I have come back. The response was rescheduled on the Order Paper for the Afternoon Sitting. Now that I am here, why not...

The Temporary Speaker (Hon. Martha Wangari): Hon. Member, I sympathise with you because you were unwell, but this House does not make pronouncements in vain. That response was tabled in the Morning Sitting. We cannot prosecute it again in the Afternoon Sitting.

Hon. Bidu Mohamed (Isiolo South, JP): I need to react to what was tabled. Can I be allowed to do so?

The Temporary Speaker (Hon. Martha Wangari): No, I am not opening this matter again. We processed it in the morning, and it was dealt with. Hon. Chairman, do you want to contribute to the same?

Hon. Gabriel Tongoyo (Narok West, UDA): Hon. Temporary Speaker, I support your position. In addition to the response being tabled this morning by my Vice-Chairman, the issue was well prosecuted by the Cabinet Secretary on the Floor of the House yesterday.

The Temporary Speaker (Hon. Martha Wangari): That is done.
Next Order.

BILLS

First Readings

THE GOVERNMENT OWNED ENTERPRISES BILL
(National Assembly Bill No.40 of 2025)

THE QUALITY HEALTHCARE AND PATIENT SAFETY BILL
(National Assembly Bill No.41 of 2025)

THE KENYA JUDICIARY ACADEMY BILL
(National Assembly Bill No.42 of 2025)

*(The Bills were read a First Time and
referred to relevant Committees)*

SPECIAL MOTION

APPROVAL OF NOMINEES FOR APPOINTMENT TO
NATIONAL POLICE SERVICE COMMISSION

Hon. Gabriel Tongoyo (Narok West, UDA): Hon. Temporary Speaker, I beg to move the following Special Motion:

THAT, taking into consideration the findings of the Departmental Committee on Administration and Internal Security in its report on the Approval Hearing of Nominees for Appointment as the Chairperson and Member of the National Police Service Commission, laid on the Table of the House on Thursday, 14th August 2025, and pursuant to the provisions of Articles 246(2) and 250(2) of the Constitution and Sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, Cap. 7F, this House approves the appointment of the following nominees as the Chairperson and Member of the National Police Service Commission;

1. Dr Amani Yuda Komora, MBS – Chairperson
2. Ms Angeline Yiamiton Siparo, EBS - Member

The nomination of the two was conveyed to the Speaker's Office on 25th July 2025, together with their curriculum vitae, testimonials, and the Report of the Selection Panel, which was attached to the same. Pursuant to Standing Order 42, on 5th August 2025, the Speaker conveyed a Message from His Excellency the President to the House on the nomination of the two for appointment to the said positions. The names of the nominees were referred to the Departmental Committee for approval hearings. Upon conclusion of the hearings, the Committee was required to table its report to enable the House to consider the matter within the statutory timelines.

Consequently, in fulfilment of the provisions of Article 118 of the Constitution, Section 6(4) of the Public Appointments (Parliamentary Approval) Act, Cap.7F, and Standing Order 47(3), on Wednesday, 6th August 2025, the Clerk of the National Assembly notified the public through print media that the Departmental Committee on Administration and Internal Security would conduct approval hearings for the two on Wednesday, 13th August 2025, which was yesterday.

Further, in accordance with Section 6(9) of the Public Appointments (Parliamentary Approval) Act (Cap. 7F), the Clerk of the National Assembly placed an advert in the print media on Wednesday, 6th August 2025, inviting the public to submit their memoranda, by way of written statement on oath, on the suitability or otherwise of each nominee. The advertisement indicated that submissions were to be received by Tuesday, 12th August 2025, by the close of business at 5:00 p.m. Further, on the same 6th August, the Clerk wrote letters to the Office of the Director of Public Prosecutions (ODPP), Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority (KRA), Higher Education Loans Board (HELB), Directorate of Criminal Investigations (DCI) and Registrar of Political Parties (RPP) with reference to background checks on the suitability of the said nominees.

The nominees appeared before the Committee on Wednesday, 13th August 2025, for approval hearings, in accordance with the provisions of the Constitution, the National Police Service Commission Act (Cap. 85), the Public Appointments (Parliamentary Approval) Act and the National Assembly Standing Orders. During the approval hearings, the Committee considered the provisions of the Constitution, Sections 5 and 6 of the National Police Service Act and the Public Appointments (Parliamentary Approval) Act. The nominees completed their questionnaires and submitted their curriculum vitae, academic credentials, professional training, experience, personal integrity declarations, background reports from relevant authorities, and made oral submissions. The Committee made the following observations:

The nominees were nominated in accordance with the provisions of Articles 246(2) and 250(2) of the Constitution and Section 6(5) of the National Police Service Act. The nominees are Kenyan citizens, in conformity with Article 78 of the Constitution and Section 5 of the National Police Service Commission Act. They submitted declarations not to participate in any

gainful employment while serving as State officers, as required by Article 77(1) of the Constitution, Section 5 of the National Police Service Commission Act and the Schedule to the Public Appointments (Parliamentary Approval) Act. None of the nominees holds an office in any political party. The nominees demonstrated compliance with Articles 75 and 76 of the Constitution on the conduct and financial probity of State officers. They indicated no existing or potential conflicts of interest and committed to declaring any that might arise.

By the said deadline for receipt of memoranda from members of the public, the Committee had not received any objections against any of the candidates. The Committee, however, received a recommendation letter from the Women Challenge Organisation, supporting the nomination of Ms Angeline Yiamiton Siparo. The nominee met the requirements of Chapter Six of the Constitution on leadership and integrity, having obtained clearance from the relevant statutory bodies. She demonstrated a deep understanding of topical administrative and technical issues touching on governance, the role of the Chairperson and members of NPSC.

During the approval hearing, members of the Committee were so impressed with the credentials of the nominees, especially how they presented themselves and demonstrated their ability to steer the Commission forward. This is particularly notable given the ongoing push-and-pull between NPSC and NPS.

The nominee for Chairman, Dr Amani Yuda, comes from Tana River County and belongs to the Pokomo community, which is a minority and marginalised group. He is a distinguished human resource management professional with extensive academic and professional credentials. He earned a PhD in Human Resource Management from Jomo Kenyatta University of Agriculture and Technology, a Master's degree in Human Resource Management, and a Bachelor of Arts in Anthropology and Sociology from the University of Nairobi. He holds a Diploma in Human Resource Management from the Institute of Personnel Management, acquired in 2002, and is a Certified Human Resource Professional, certified in 2024. Dr Yuda has served in several institutions, both private and public, and has held very senior positions in the Republic. Notably, he served as the Vice-Chairperson of the Salaries and Remuneration Commission (SRC), where he helped achieve major milestones between 2018 and 2024. Before that, he was the General Manager of Human Resource Administration at the same institution. From 2012 to 2018, he worked as a Human Resource Manager at the Kenya Anti-Corruption Commission and later at EACC.

It is notable to mention that he has demonstrated ethics and morals not only during his tenure in these commissions but throughout his career as a civil servant. We reviewed his track record during his career progression. In his early career, including service at KRA, he rose from a Management Trainee to a Senior Human Resource Officer and Public Relations Officer. He worked as a Project Officer at the East African Wildlife Society. I have no doubt, and the Committee was equally convinced, that Dr Yuda is fit for the job, especially at such a time when the NPSC, jointly with the NPS, anticipate carrying out one of the biggest recruitments of police officers, possibly next month.

Hon. Temporary Speaker, Ms Angeline Yiamiton Siparo is a seasoned professional in counselling psychology and public health policy. She hails from Narok County and belongs to the minority sub-clan of Siria within the Maa community. She holds a Master of Arts in Counselling Psychology and a Bachelor of Arts in Psychology, both from the United States International University (USIU). She completed her Master's degree in 1993. She has also undergone specialised training in corporate governance and worked in several non-governmental organisations, such as USAID, where she was involved in management and strategic leadership in HIV and AIDS programmes. She has held numerous leadership roles across regional and international organisations. Most recently, she worked at the Young African Leaders Initiative (YALI) from 2023 to early 2025. Prior to that, she served as a project

team leader at the African Union and Africa Centres for Disease Control and Prevention (Africa CDC). She was also the Chairperson of the AIDS Council at the National AIDS & STI Control Programme (NAS COP). From 2015 to 2021, she was a senior Eastern and Southern Africa Regional Advisor and Kenya Country Director at the Population Reference Bureau. She also served as the Country Director for the Catholic Medical Mission Board from 2012 to 2025 and as a Regional Manager for East Africa at the Health Policy Initiative and Futures Group International.

She has also worked extensively as a consultant for organisations such as Women Rising International, Yamaha Health Advisory, Population Reference Bureau, UN Women Action, Africa Health International, Catholic Medical Mission Board, International Relief and Development, and ActionAid International, focusing on governance and human resources, HIV and AIDS, and Gender-Based Violence. Her board and advisory roles are extensive. She is the current Chairperson of the Maa Women Network and a Trustee of the Frontline Network. She has served on the Boards of Moi Girls High School, Nairobi and the Narok County Social and Economic Forum.

Hon. Temporary Speaker, I cannot exhaust the rich experience of the two distinguished Kenyans nominated for the positions of Chairperson and Member of NPSC. This House approved the three members who are already in office working in the National Police Service Commission (NPSC). The two will join a team of professional, committed and passionate Kenyans who are prepared and committed to serve this country diligently, just as they have already demonstrated in their previous assignments.

As I mentioned, these two members are coming in at a time when the NPSC, jointly with the National Police Service (NPS), is preparing to undertake the recruitment of 10,000 officers, including constables and cadets. Of course, there is the whole big question of whether to do the recruitment digitally or manually. However, we do not doubt that the two will add value that will enrich the experience of the commissioners who are already in office.

Honestly, the nominees are extremely experienced and qualified to serve in these positions. The Committee, having held approval hearings of the nominees regarding the suitability and pursuant to Article 250 of the Constitution, Section 6 of the National Police Service Commission Act, and the Public...

The Temporary Speaker (Hon. Martha Wangari): You have switched off the microphone of the Chairperson.

Hon. Gabriel Tongoyo (Narok West, UDA): What is happening?

The Temporary Speaker (Hon. Martha Wangari): Hon. Tongoyo, go on.

Hon. Gabriel Tongoyo (Narok West, UDA): It is the gadgets. I am actually winding up.

Hon. Temporary Speaker, the Committee recommends that the National Assembly approve the nomination of the following as the chairperson and Member of the National Police Service Commission—

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|--------------------------------------|---|--------------|
| 1. Dr. Amani Yuda Komora, MBS | - | Chairperson. |
| 2. Ms. Angeline Yiamiton Siparo, EBS | - | Member. |

With those few remarks, I beg to move and request the Hon. Rt. Col. Dido Raso to second the Motion.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, given the heavy traffic in our galleries, allow me to recognise students and learners in the Public Gallery before Hon. Raso takes the Floor. We have students from the following schools: Kiandieri Secondary School (Kirinyaga Central Constituency, Kirinyaga County), AIC Visa Oshwal (Baringo Central Constituency, Baringo County), and CCM Rwerigo Primary School (Tharaka

Constituency, Tharaka-Nithi County). In the Speaker's Gallery, we have students of Kambala Primary School and Tayari Primary School from Molo Constituency, Nakuru County.

On behalf of the House, I welcome all of them to observe the proceedings of the House.

Hon. Dido Raso, you can proceed to second the Motion.

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Temporary Speaker. I beg to second. If this House approves Dr Amani Yuda Komora and Ms Siparo as members of the National Police Service Commission, it will complete the Commission's membership, which currently consists of seven members. With the addition of these two, there will be nine members, as stipulated in the Constitution.

Article 246(2) (a), (b) and (c) of the Constitution states that the Commission shall consist of a person who is qualified to be appointed as Judge of the High Court; two retired senior police officers; three persons of integrity who have served the public with distinction; the Inspector-General of the National Police Service, and both Deputy Inspectors-General of the National Police Service.

The mandate of the NPSC is outlined in this Article of the Constitution – to recruit and confirm appointments, determine promotions and transfers, exercise disciplinary control, and remove individuals from appointments, if they see fit.

The composition of the NPSC, as observed by our Committee, reflects regional and ethnic diversity. If you consider all nine members, they come from different regions and represent different ethnic groups drawn from the Republic of Kenya.

The Committee also considered the Public Appointments (Parliamentary Approval) Act. We considered constitutional and statutory requirements, the suitability of the nominees, their abilities, the experience they will bring to the NPSC and also their qualities. As my chairperson heavily extolled, as a committee we were convinced beyond reasonable doubt that these two individuals will bring in experience, knowledge and fresh commitment to NPSC.

Finally, we expect the NPSC, NPS, and the Independent Policing Oversight Authority (IPOA) to work together seamlessly and provide service to the people of Kenya going forward.

With those remarks, I beg to second.

(Hon. Onesmus Ngogoyo walked towards the exit)

The Temporary Speaker (Hon. Martha Wangari): Hon. Ngogoyo, you are totally out of order. Freeze where you are.

(Question proposed)

Member for Marakwet East, Hon. Bowen, you may have the Floor.

Hon. Kangogo Bowen (Marakwet East, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to support my good friend, the Chairperson of the Departmental Committee on Administration and Internal Security, Hon. Tongoyo. I would like to express my appreciation to him and the Committee for this Report. I support the appointment of Dr Amani Yuda Komora as the Chairperson of NPSC, and Ms Angeline Siparo as a member of the Commission.

The NPSC is very important in the management of NPS. As provided for in our Constitution, it is supposed to recruit and manage police officers. It is a very important Commission for our country. In recent times, we have witnessed disputes between the Commission and the Inspector-General of Police. As a House, we need to make sure that our Constitution is implemented to the letter. There should be no reason for the Commission and the Inspector-General to quarrel over the payroll of the NPS because the Constitution is very clear. We request the Inspector-General of Police to concentrate on protecting Kenyans and

maintaining law and order in the country rather than engaging in fights over the police payroll. That matter is clear in the Constitution. This House seeks the approval of these two commissioners so that the Commission can function and discharge its constitutional duties of managing our police officers.

Hon. Temporary Speaker, the Curriculum Vitae (CVs) given by the Chairman are very clear that these two individuals are very qualified Kenyans. Dr Amani Yuda Komora is from a small community in Tana River County. This demonstrates that Kenya belongs to all of us. Kenya belongs to all its citizens, and every Kenyan has an opportunity to serve in any office in this country. It is very encouraging to see this gentleman, Dr Amani Yuda Komora, who is from a small community in Tana River County, rising through the ranks to become the Chairperson of the National Police Service Commission.

The lady nominee, Ms Angeline Yiamiton Siparo, whose CV I have reviewed, is highly qualified. She holds a Master's degree in Counselling and Psychology, a qualification which is particularly important for our police officers. Of late, many officers have committed suicide due to work-related stress. I believe the appointment of Ms Angeline Siparo, with her qualifications, will help ensure the provision of guidance and counselling to our police officers.

Even as we consider these commissioners, we must also address the welfare of police officers in the field. During the discharge of their duties, officers are sometimes attacked by members of the public, such as during demonstrations. Considering their housing, living conditions and salaries, we must ensure fairness to these servicemen and servicewomen. Through the Affordable Housing Programme and slum upgrading projects, the government should also focus on providing decent housing for our police officers.

We expect the two commissioners to help in streamlining operations at the NPS. While many police officers are doing a commendable job, there are some rogue officers. In the recent past, there have been cases of abductions. Just yesterday, I read about one of my officers who was abducted by police officers last Thursday and has not yet been found. We call on all officers to discharge their duties with professionalism, uphold the rule of law and follow the Constitution.

With those remarks, I support the appointment of the two commissioners.

The Temporary Speaker (Hon. Martha Wangari): Member for Sirisia.

Hon. John Koyi (Sirisia, JP): Thank you very much, Hon. Temporary Speaker. I also take this opportunity to support the appointment of the two nominated commissioners. They are both qualified to be commissioners, and I support their appointment.

The Commission is handling matters differently, either recently or as a new development. I have been a member of the Departmental Committee on Administration and National Security, and I have observed that issues were previously handled this way. I am even bringing a Motion of Adjournment to discuss the conduct of the Chief Executive Officer (CEO) of the Commission, particularly regarding the standoff with the Inspector-General of Police. It is not in order for these two offices to be in constant conflict instead of working together.

The payroll issue has created a problem. When the two officers are seen in the media pulling each other about the payroll, it raises questions among Kenyans about what is really happening. They are doing this right in the face of Kenyans, whom they are supposed to protect by ensuring proper security in this country. Yesterday, I expected the Cabinet Secretary to discuss the matter, but he only mentioned briefly that he has a plan and will call them next week to resolve the issue.

It is this House that mandated the Inspector-General of Police to be independent, have their own money and pay police officers. In my view, the National Police Service Commission cannot have a payroll to pay the police. Although the police fall under the National Police Service Commission, this House mandated the Inspector-General of Police to pay the police.

As Members of this House, we need to go back and review this, because we cannot pass a Bill or a Motion and then reverse it. It is time for the National Police Service Commission to refer to what was passed in this House some two or three years ago. The Bill we passed here mandates the Inspector-General of Police to be in charge of the payroll to pay the police. The law is clear, and there should be no tug of war between the Commission and the Inspector-General of Police.

I support.

The Temporary Speaker (Hon. Martha Wangari): I would like to, again, recognise students of Tayari Secondary School from Molo, Nakuru County, seated in the gallery. I know that we had acknowledged them, but the cohort was so large that they were split into two. Allow me to welcome them to the House.

Let us have the Member for Funyula.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker. I join my colleagues in supporting the Motion for the consideration of nominees for appointment as Chairperson and Member of the National Police Service Commission of the Republic of Kenya.

Hon. Temporary Speaker, the National Police Service (NPS) is among the national security organs established under Article 239 of the Constitution of Kenya. National security services are subject to the authority of the Constitution and Parliament in the discharge of their powers and duties. National security shall be pursued in compliance with the law and with the utmost respect for the rule of law, democracy, human rights, and fundamental freedoms. In performing their functions and exercising their powers, national security services shall respect the diverse culture of the communities within Kenya. Recruitment to national security organs shall reflect the diversity of the Kenyan people in equitable proportions.

Again, as set out in Article 246, the work of the NPS is clearly cut out. Indeed, there is no lacuna in law. There is no conflict in the law between operational mandates of the Chairman of the National Police Service Commission (NPSC) and the NPS. Currently, what we have is either a turf war or a basic sibling rivalry designed to defeat provisions of the Constitution.

Therefore, I stand here to pray and hope that Dr Amani Yuda Komora, Ms Angeline Yiamiton Siparo, and all other commissioners do nothing else but sit down and read the Constitution, the National Police Service Act, and relevant laws. Then, they should streamline the operations and management of the NPS. A dysfunctional NPS is a threat to national security. A nation at war with itself poses a threat to Kenya's national security, cohesion, welfare, and economic well-being.

With the diverse and advanced experience in human resources, resource mobilisation, and community management, the two should now be in a position to get that right. I am talking about the lady and the gentleman. There are many operational and normal service challenges within the NPS.

Hon. Waluke alluded to one of the far-reaching recommendations in the Maraga Working Report. The NPS delegated some of its powers, duties, and mandate to the Inspector-General (IG) over a period of approximately two to three years. There has been mismanagement, in one way or another, because of the delegation that did not come with authority and supervision. As the Maraga Working Report recommended, the NPS should withdraw the delegated authority given to the IG. Let it revert to the Commission as is required in the Act and the Constitution.

Finally, there will be a recruitment of new police officers. One of the requirements of the Constitution is that the recruitment must reflect the diverse culture and present the face of this country. Recruitment has been undertaken in a very opaque manner in the past. You will find that a particular community or region has a high proportion of police officers compared to other communities and regions.

There is the issue of integrity as they embark on recruitment. It has always been said that you must have about Ksh200,000 or Ksh300,000 to be recruited into the police force. Indeed, whoever bribes to join the police is likely to become a major purveyor or perpetrator of corruption to recover the investment. It is good that there has been tremendous improvement. Again, the police service remains one of the most corrupt State organs in this country.

We must also laud the police—the men and women, the young men and young women—who ensure some semblance of safety throughout this country and proper management of the affairs of this country. I also want to warn police officers individually. You will be alone and with your family members when you are charged in a Court of law and while at the dock. It will happen if you either accept an illegal order or proceed to implement an unlawful instruction that is not grounded in the Constitution and the law.

I urge the new members of the NPSC and IPOA to ensure that the police and all State security organs respect the rule of law. Killing and maiming innocent protesters is against the Constitution. It is ungodly, unbiblical, and it is against the culture of this country. Their blood will come to haunt you alone and your family members.

With those few remarks, Hon. Temporary Speaker, I support.

The Temporary Speaker (Hon. Martha Wangare): Hon. Murugara.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Temporary Speaker. I am now on intervention under Standing Order 95, as we have all agreed to approve this list as proposed by the Chairman. Therefore, I move that you call upon the Mover to reply.

The Temporary Speaker (Hon. Marth Wangari): Hon. Members, the decision is yours. A Member has risen under Standing Order 95.

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

Mover.

Hon. Gabriel Tongoyo (Narok West, UDA): I appreciate and thank Members who have contributed to this debate. Again, I assure the House and the country that we have no doubt these are the best-qualified Kenyans to steer the long-awaited reforms in the NPS. We got that, at least, from the interviews and approval hearing of the two of them. They will also help us wipe out the endemic corruption in the service. It is good that we all appreciate that we are anticipating a recruitment. The two distinguished Kenyans will be joining the Service, knowing their work is already cut out.

I reply.

(Question put and agreed to)

The Temporary Speaker (Hon. Martha Wangari): Next Order.

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

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

BILL

Second Reading

THE COMPUTER MISUSE AND CYBERCRIMES (AMENDMENT) BILL
(National Assembly Bill No. 41 of 2024)

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(Moved by Hon. Aden Mohammed on 12.8.2025)

(Resumption of debate interrupted on 12.8.2025)

From our list of contributors, Hon. Silvanus Osoro was on the Floor with a balance of five minutes. However, that is behind us now. He is not available. Leader of the Majority Party, kindly proceed.

Hon. Kimani Ichung’wah (Kikuyu, UDA): I thought Hon. Osoro completed his time. He has lost the chance now, as he is very busy in Kisii today.

I rise to support the Computer Misuse and Cyber Crimes (Amendment) Bill (National Assembly No 41 of 2024) by Hon. Aden Daudi Mohammed. I listened to several contributions earlier this week. Some were very misguided. I think one of the contributors had not even read the Bill. He conceded that he had not read the Bill, and he was speaking to the gallery. This Bill is not about curtailing the freedom of Kenyans to express themselves on online platforms. It seeks to protect the children you see in the Public Gallery who have come to witness how we legislate. The Bill seeks to protect them from online abuse, such as watching pornographic material, being radicalised through extremist religious views or cultic practices, and recruiting them online into acts of terrorism. A number of Members from the coast region will tell you how young people are recruited into terrorist groups from online platforms and then lured into crime and other things.

Clause 3 of the Bill seeks to amend Section 6 of the Act to give the National Computer and Cybercrimes Coordination Committee an additional function of issuing directives on websites and applications that may be rendered inaccessible within the country where the website or application promotes illegal activities, child pornography, terrorism and extreme religious and cultic practices.

When I listened to some of the contributions that were being given here on Tuesday, I wondered where in the Bill those Members were getting their content from. We must restrict ourselves to the contents of the legislative proposals that are before us. I keep telling Members that, even if they have not read a Bill, they can look at its Memorandum of Objects and Reasons to figure out what the Bill seeks to amend. I heard a Member saying that we should allow Kenyans to express themselves, yet nobody has asked Kenyans not to express themselves. In fact, there is no country in sub-Saharan Africa where people enjoy online freedom like Kenya. Kenyans have the freedom to express themselves and even to harass others. Kenyans do it without anyone curtailing them. Therefore, the intent of this Bill is not to stop anybody from harassing any politician online or abusing the Mover of the Bill, Hon. Aden Dawood, or Hon. Kimani Ichung’wah. That is their right. They can go ahead and do it. By the way, that has never changed anything. I keep telling people that they waste their time, money, and data when they insult people. They should spend their time more usefully doing productive things, such as online jobs, to earn a living instead of wasting it insulting leaders, politicians, and others they deem worthy of criticism.

If you read the objects of this Bill, you will see that the Bill seeks to protect the most vulnerable people in our society, our children, from acts of child pornography, terrorism, and extreme religious and cultic practices. Many of our young people have been lured into terrorism and extreme cultic practices. We saw, a year ago, the case of Shakahola. Last night, the Cabinet Secretary for Interior and National Administration said that there are close to 300 bodies in another village in Kilifi County that cannot be identified. Probably, they are bodies of people who were lured through online platforms, then went to Shakahola and died there. Their relatives do not know where they are. Some could have died with their entire families. Therefore, we must protect the most vulnerable in our society, including our children, from

illegal activities like child pornography, terrorism, and extreme religious and cultic practices without curtailing in any way the freedoms of Kenyans to constructively engage online.

On the issue of cyber harassment that one Member spoke about, it is provided in Section 27 of the Bill. It is very clear what constitutes cyber harassment. It is true that children and young people in this country have committed suicide because of cyber harassment. As leaders, if we cannot protect the young ones, who will do so? I listened to the populist views that were echoed by a Member from Muranga County, who was speaking to the gallery to make Kenyans believe that through this Bill, Hon. Abdul Dawood wants to curtail the freedom of Kenyans from expressing themselves on online platforms. I wondered if he has children. Does he represent parents who have children? Some parents have lost their children because of being harassed online. Some cannot live with it, and they end up committing suicide. Some get lured into crime, others engage in anti-social behaviour like prostitution because they see it on TikTok and other online platforms as the right way to do things.

As responsible leaders, we must be slow to what we think is popular with the people. Time and again, we have said here that what is popular is not necessarily right. In most cases, what is popular is not right. When a Member speaks to the gallery to seek cheap publicity at the expense of our children, I am left wondering if they are parents. If they are, how irresponsible can they be to expose our children to cyber harassment and child pornography?

The Bill addresses issues that touch on our economy. How many people have reported losing money from their bank accounts due to SIM swaps? The Bill addresses the issue of SIM swapping. We have had cases of people's bank accounts and M-PESA accounts cleaned by criminals. If anyone wants to make Kenyans believe that this Bill is working against them so that criminals can continue to steal from Kenyans, he is no better than those criminals.

The Bill also seeks to protect Kenyans from phishing and SIM swapping, which has become very prevalent in our country. I know there is a small village in Bomet County. I do not know if Members from Bomet County are here, but somebody told me that if you drive through Mulot, Kamiti Prison or Industrial Area Remand Prison, you had better switch off your phone because of the creative industry there. We do not need to switch off our phones when we are driving through Mulot, Kamiti Prison and Industrial Area Remand Prison. We need to have laws that will protect us from having our phones hacked into, and information phished from our accounts and cleaned. The data protection laws enacted by this House must help those in the cyber and online space.

Through phishing, people create websites or send messages via their computers and phones, inducing others to visit these sites. Recipients of such messages end up exposing their data, which should not have been disclosed. Therefore, with this, we will have penalties for people who create such websites and protect the people of Kenya. That is not to say that, as I was saying, those who are using online platforms cannot do whatever else they want to do constructively, whether it is online jobs or not. Those who wish to insult politicians can go ahead and do it. They will not benefit from anything by insulting anyone. I have told Members of Parliament not to fear those who are insulting them online. Some will insult you out of envy for what you are doing. Most of the people you find insulting you online are the first to run to you for help. Therefore, I encourage Members that nobody should fear anything that is said online. Some of us, if we lived by what is said online, would never do anything.

Even this week, I have seen some of these media people post very untrue stories online. Any story that is sold may help somebody. I saw one this week that helped our share prices rise in the stock exchange, and I thought it was a good thing. Some of us may be smiling to the bank because of these negative stories that people think they are selling, but which end up being very positive.

I commend Hon. Daudi for this Bill. It is a very progressive Bill, extremely progressive. We must support it to protect, if not anybody else, our children. The children who are here

from various schools are the most vulnerable members of our society today. Some people watch 30 or 45-second clips on TikTok and believe they are true. Everything they see on TikTok, we must be there to protect them from. I keep going back to the Finance Bill of 2024. Kenyans believed all manner of untruths that were circulated on TikTok and other social media platforms. When we begged Kenyans to read the Bill and show us where in the Bill the things they were circulating were, they could not. They told us to reject it and not amend it. Even after we amended what should have been amended, they still told us to reject it.

I said the other day, just before the Finance Bill of this year, that when we passed the Finance Bill of 2024 in June, Kenyans insisted that we reject it. His Excellency the President sent it back without assent, and we went back and passed the Tax Amendment Laws, the Tax Procedures Law, and the Business Laws I and II in December of the same year with the exact provisions that were in the Finance Bill. This happened because the era of misinformation had died off. This House passed the laws without incident, with no loss of life, no destruction of property, and without overtaxing Kenyans, as they had been told.

You remember Kenyans had been told that their freehold land would be taxed. That their cattle, *ndengu*, and avocados would be taxed. I keep challenging Kenyans to show me whose livestock has been taxed, or whose freehold land has been taxed, yet in December we adopted those laws as they were in the June proposals...

Therefore, I add that these laws must protect against misinformation and deliberate disinformation, as happened with the Finance Bill of 2024, and as continues to happen with many other Bills in this House and other matters in the country. We need to protect Kenyans from disinformation in this era of Artificial Intelligence.

(Hon. Kimani Ichung'wah's microphone went off)

The Temporary Speaker (Hon. Martha Wangari): Please, give the Leader of the Majority Party one more minute to conclude.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Just one minute, Hon. Temporary Speaker, to conclude that point.

I had a conversation with one of our top doctors, Dr Gikonyo of Karen Hospital, the other day. I was with a friend who said she had seen something circulating about Dr Gikonyo promoting certain pharmaceutical products and believed it was true. If we do not have laws to protect Kenyans, they will consume pharmaceuticals or other products because they believe they are being promoted by credible people in society, yet it is the work of certain online operators. We must protect people by enacting laws like this one. Therefore, allow me to commend not just the people of Wajir for electing Hon. Aden Daudi Mohammed, but also himself for proposing such progressive measures to protect the people of Kenya, and more so the young ones in our society.

I beg to support.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Leader of the Majority Party. Hon. Members, before I give the next Member the Floor to contribute to this Motion, I would like to go back to Order 7, Request for Statements. This will allow the Speaker who just left the Chair to prosecute her Request for a Statement. Please, Hon. Martha Wangari, proceed.

REQUEST FOR STATEMENT

INCOMPLETE WORKS ON THE
ELEMENTAITA-MITI MINGI-MAU NAROK ROAD

Hon. Martha Wangari (Gilgil, UDA): Thank you for your indulgence, Hon. Temporary Speaker.

Pursuant to Standing Order 44(2)(c), I rise to request a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding the deplorable condition of Elementaita–Miti Mingi–Mau Narok Road in Nakuru County. The Elementaita–Miti Mingi–Mau Narok project is a 23-kilometre road in Nakuru County whose construction began in June 2020. The project, expected to be completed by March 2023, remains incomplete, with certain sections unfinished and in a deplorable state, rendering them nearly impassable.

The road serves as a vital link between agricultural zones, market centres, and tourist sites, facilitating the transport of farm produce, livestock, and other goods. Its poor condition significantly hampers economic activities such as tourism and poses safety risks to motorists, boda-boda riders, and pedestrians.

It is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure on the following:

1. The reasons why Elementaita–Miti Mingi–Mau Narok Road in Nakuru County is in a deplorable state, despite the project not being completed.
2. A report on the current status of the contract, particularly regarding the unfinished Kerimo River Bridge.
3. The actions taken by the Ministry of Roads and Transport to repair sections of the road in poor condition.
4. An indication of whether the contractor is the same entity that had previously been blacklisted for substandard work in other regions of the country.

I thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): I can see the Chairman is still in the House.

Hon. George Kariuki (Ndia, UDA): Hon. Temporary Speaker, I will have a response in the second week after recess.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): You seem to like the second week. I would like to give you the first week. It is straightforward.

Hon. George Kariuki (Ndia, UDA): That is okay. We will work with that.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much. I was just referring to another Statement that was sought, and you assigned it to the second week.

Hon. Members, before we go to Hon. Murugara, we have students seated in the Speaker's Gallery this afternoon. They are students from:

1. Nandi Hills Primary School, Nandi Hills Constituency, Nandi County;
2. Ithatene School, Tigania West Constituency, Meru County; and,
3. Senetwo Secondary School, Baringo South Constituency, Baringo County.

Before I give the Floor to Hon. Murugara, I kindly allow Hon. Mutunga to welcome all the students to the House of Parliament.

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Thank you, Hon. Temporary Speaker. I warmly welcome all the students who have come to see what we do in this House. This is where the laws of Kenya are made. Welcome to the House of Parliament. Aspire to become one of the people you see here. There is no magic in being here. You just need to have your dreams, and all dreams are valid. I specifically welcome Ithatene Primary School from my constituency, which is one of the schools that are giving us good results. We are happy that the school management organised this exposure visit. We look forward to seeing them grow.

Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Let us now hear from Hon. Gitonga Murugara, the Member for Tharaka.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Temporary Speaker. First, I would like to thank Hon. Aden Mohammed, the Member for Wajir East, for being an astute Member of the Departmental Committee on Justice and Legal Affairs and of this House. The people of Wajir East elected him to do precisely what he is doing. I agree with the Leader of the Majority Party in thanking the constituents of Wajir East for electing him. This is an excellent piece of legislation that we should all support.

While we appreciate the use of computers and cyberspace in our daily lives, we must also legislate against their misuse. The keyword here is "misuse," as no one in this House advocates for the misuse of computers and cyberspace to commit crimes against other Kenyans. This law is good, despite the varied opinions that may arise during debate. We must utilise our computers, cyberspaces, and electronic devices appropriately to ensure that our actions benefit both ourselves and others. We cannot entertain the idea that, at times, we should be permitted to misuse our gadgets to commit cybercrimes against fellow Kenyans and not face punishment for such actions. We must uphold the rule of law, which is cardinal to our democracy. We must always work within the parameters of the law.

There are undoubtedly fundamental freedoms and rights that must be protected at all times, including freedom of speech. Some opponents of this proposal suggest that the introduction of these amendments could gag individuals from expressing themselves, but nothing could be further from the truth. Fundamental freedoms are universal and apply to everyone; however, they come with limitations. These limitations are established by law, meaning that where one person's freedom ends, another's begins. We cannot have it indefinite, and, therefore, it is important to regulate computer and cyberspace usage to prevent cybercrimes.

What is being curtailed here is the use of computers for improper motives. We know that some Kenyans misuse technology, including Artificial Intelligence, to produce misleading and false information, which constitutes a crime under our laws. Such misuse can lead to tragic incidents, including suicide. Some individuals create derogatory content on computers targeting others, and not everyone is capable of coping with such negativity. The unfortunate result is that our children are derailed, and adults resort to suicide because someone has chosen to misuse the right to communicate through a computer.

We also face the issue of morals, and we are discussing this matter at great length. We consistently assert that anything repugnant to morality should not be encouraged in law. If it offends and is not in consonance with our laws, it is unlawful. For instance, we are well aware that some individuals have misused computers to entice others, particularly minors, into unlawful behaviour. The net effect of this is the abuse of the very laws that are designed to protect those individuals. For this reason, we must emphasise morals, so that if one uses a computer to input false information or to commit a crime, the law should intervene, and the perpetrator should face appropriate punishment.

Therefore, everyone needs to understand that we must use our computers responsibly and utilise our cyber cafes appropriately. If one commits an offence, we have a law in this country known as the Computer Misuse and Cyber Crimes Act, which will ensure that individuals are held accountable and punished accordingly.

Thank you very much, Hon. Aden Mohammed. We support this Bill, and I urge my fellow Members also to support it so that we can implement these proposed amendments and improve our laws.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. (Dr) John Mutunga, the Member for Tigania West.

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Thank you, Hon. Temporary Speaker, for the opportunity to contribute to this very important Bill. Cybercrime has become a significant issue, not only in Kenya but globally. I have been a victim on multiple occasions—about four times, to be precise. I had to destroy my banking cards after they were copied, leading to unauthorised payments that continued even after the cards were used. This situation arises because some people resort to unfair and dubious means to seek financial gain. Having legislation to address these issues is extremely important.

There is a wealth of medical information available online, along with a multitude of purportedly good doctors providing advice. It is essential to filter this information and consider whether one would prefer to consult a physical doctor or to accept what is being offered in cyberspace. This Bill aims to establish control and regulation in this area, and I would have done a great injustice not to congratulate Hon. Aden Mohammed for proposing such good ideas.

As we reflect on the school system, particularly for the children present today, it is evident that certain topics were not taught at an early age. The school syllabus acknowledges that specific subjects are unsuitable at certain ages. Today, if a 10-year-old picks up a phone, they can access almost anything. We often wonder how this unrestricted access influences the minds of children who lack the experience to understand certain matters. This Bill will help ensure that individuals at different stages of life have age-appropriate access to information, tailored to their respective levels of maturity. Certain activities have been occurring in this country. Kenya is replete with examples of events that have resulted from being influenced through cyberspace or digital exposure. The use, knowledge, and access to information from the internet is important, but not all information is useful or relevant at any one time. The issues of relevance and usefulness need to be addressed. The only way we can do that is by having such legislation. This legislation comes in basically to control the extent to which certain age groups or certain individuals who are at different stages in life can access information.

Hon. Temporary Speaker, we have had cases of people being recruited into terrorism. We know of many Kenyans who have been recruited into terrorism. We have had instances in this country where Kenyans have led terrorists to bomb our institutions and our investments. Probably, that could not have happened if this information had been curtailed, or if there had been a process of sifting out this information, or releasing this information to individuals. Not all information is useful; only certain information is useful in specific instances.

We have also seen cults where people unknowingly hold themselves in a space where they have to make decisions that include them choosing whether to continue living or not. This is one of the things that has affected us as a country. Shakahola is a classic example. Recently, we had other revelations. When we follow up, we realise that it is all about exposure to tailored information. Some of this information does not come through physical contact; it sometimes comes out through virtual means.

Radicalisation of our people has occurred numerous times. They are fed with negative information. I take exception to what happened last year with the Finance Bill. In my opinion, there were three versions of the Finance Bill—the version discussed in this House, amended through the Committee process, and brought back to this House. Indeed, that is the Finance Bill, which many Members of Parliament voted on. The second version was developed by individuals who aimed to share their perspective and perception, influencing Kenyans to think in a specific way. It was influencing people to decide on the entire content of the Bill. This version was not only adopted on social media, but also received support from some Members in this House. That is why we pray for objectivity and patriotism in our country. Patriotism is the sense of loving this country first; this is our home and that of our future generations.

Additionally, some of the information available on the internet may mislead people. I believe we were strongly misled during that time. This is about protecting and guiding our

children to consume what is relevant for them at a particular age and time. It is important for children to know that, at the end of the day, they will be exposed to everything. There is no need to pull what does not belong to them. There is no need to try to learn things that you may not interpret and perceive correctly; 'perception' has the connotation of getting to know how to deal with the information that we get. This Bill comes in to basically manage this space, information flow, and access, as it were.

I would like to say something about those who are creating websites and those who are in branding and advertising. As people seek opportunities to make money, we must create more employment opportunities in sectors that support the proper growth and development of our children. It is good for us to create employment where it benefits Kenyans to grow as normal human beings, interact with the world as it were, and be able to live as normal and well-natured human beings. It is not good for us to grow people who are not well-nurtured and well-guided. That is why this Bill is very important.

Hon. Temporary Speaker, I support. Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. John Kwanjiku, Member for Kiambaa. Thank you for your patience.

Hon. Njuguna Kwanjiku (Kiambaa, UDA): Thank you, Temporary Speaker, for giving me this opportunity to contribute to this important Bill. I congratulate Hon. Aden Daudi for coming up with this legislation. It was long overdue for us who wish to do something to protect our cyberspace. The Bill does not infringe on the rights of people on social media and other platforms. As a country, we must find a way to curtail and control what our people and children consume.

This not only regulates social media but also gives the Government a platform that, in case there is a website or a platform that our children are consuming, we can control it using different authorities.

There must also be a way to ensure we protect the space of the young generation in our country. We must have a way to know what they are consuming daily. Most of them are just keyboard warriors. You will find them on TikTok, Facebook, and other platforms. As a Government, we must be able to know what they are consuming. We do not want our children radicalised only to find out after two or three years what they have been dealing with.

This Bill will not only help us curb cybercrime, but it will also help us deal with extremist religions. People do not want to assemble at a designated place for us to understand what they are feeding our people; for instance, what happened in Shakahola and other places. This will help us control how these online preachers are impacting our children. We must be in control so that when the worst comes to worst, we can even switch off what they are consuming through the Communication Authority of Kenya (CAK).

I concur with my senior, Hon. Murugara. He said that when you look at what happened in 2024 on social media, where they even put people in coffins, we must have a way to control the media and what our people consume. If possible, the CAK should be given that mandate to authoritatively regulate what people consume on social media. We can control pornography. Sometimes, freedom comes with responsibility. Even as a democratic nation, we must ensure that we manage democracy and freedom effectively.

We are in the era of Artificial Intelligence (AI) and technology. We must up our game as a nation to get into those spaces, control and understand what Kenyans are consuming. A while back, terrorism used to be an act of people coming and bombing the nation, but with the new technology, that is no longer fashionable. You may find that the new ways of terrorism are to radicalise people and come up with a way to occupy their space. We have online games that do not even have a physical office in Kenya, but since people have the internet, they can game, bet and do other things in other countries. As a nation, we must protect our people and understand how much they spend on online games. People even pay to get pornographic

materials online. I congratulate the Hon. Member for empowering the Communication Authority of Kenya to regulate the content consumed by Kenyans. Whatever is good, they can allow, but ensure they control the best way they know how.

Hon. Temporary Speaker, it is not only about money because this is not a Money Bill. It does not even put a lot of resources into the economy. The Member is trying to use several sections and authorities that exist to make sure we control our people, our cyberspace, and manage whatever our children are consuming. This is because almost all children aged five to eight have a phone and are on YouTube, TikTok, and Instagram. Sometimes, even a parent may not be able to control them. We urge parents to ensure they control and monitor what their children watch at home. Without an amendment to this Bill, by the end of the day, we will be giving our children materials that we are not even aware of.

Hon. Temporary Speaker, we must also deal with cult religions. You may come across some people following such religions online. They worship and engage in activities that are not religious. At the end of the day, it turns out to be a cult that people are worshipping online.

Therefore, as Members, we must be prudent with the responsibility that we have been given and ensure that we control the cyberspace while also giving it freedom. All of us, in one way or another, have been culprits of social media misuse or cybercrime misuse, such as the swapping of SIM cards. Someone can take a copy of your identity card and swap your SIM card. You end up losing a lot of money that, probably, you were not even aware of. This happens because someone creates a fake identity card to commit theft and other online crimes.

I want to congratulate the Hon. Member for introducing this Bill, which aims to clean up the social media space and control online activities within the Republic of Kenya. I support.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Kawanjiku. Hon Esther Passaris, Member for Nairobi County.

Hon. Esther Passaris (Nairobi City County, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity. I rise to support the Computer Misuse and Cybercrimes (Amendment) Bill (National Assembly Bill No.41 of 2024), sponsored by the Hon. Aden Daudi Mohammed.

This Bill is not about silencing Kenyans, but it is about protecting them, especially our children, from the dangers that unregulated online spaces bring into our homes. A child can sit in the comfort of their living room, phone or tablet in their hand, and in a matter of seconds be exposed to predators, extremists, recruiters, or explicit pornographic material. Such exposure not only distorts their moral compass but also erodes their social and cultural fabric. We must stand firm. Popular platforms should be compelled to introduce strong filtering systems to prevent minors from accessing harmful content. If they refuse to comply, we must be ready to restrict or even block them in the interest of public safety.

Hon. Temporary Speaker, other nations have acted decisively to protect their citizens and uphold their values. India has temporarily banned TikTok and other Apps over harmful content. Indonesia has blocked social media platforms until they adhere to national content laws. Australia and the United Kingdom have compelled tech companies to implement age verification and content filtering. Closer to home, Tanzania recently blocked access to the platform X, formerly Twitter, citing the platform's allowance of pornographic content, which they deemed contrary to their laws and cultural norms. These examples show that defending moral standards online is not only possible, it is responsible, and governments around the world are taking them seriously.

This Bill strengthens the powers of the National Computer and Cybercrime Coordination Committee to act swiftly against platforms that promote illegal or harmful content. Child exploitation, terrorism, cultic indoctrination, phishing scams, and SIM-swap fraud have all cost Kenyans their life savings. Also, this is where criminals pretend to be trusted organisations and lure individuals into revealing sensitive information like passwords, bank

details, or identity card numbers, often through fake emails, texts, and websites. Kenyans enjoy some of the widest freedoms of expression in Africa, and nothing in this Bill removes those freedoms. What it does is to close loopholes that criminals and predators have been exploiting, and it also ensures that liberty is not used as a shield for abuse.

I, therefore, support this Bill and urge not only my colleagues in this House, but also Kenyans who are active online, to look beyond misinformation and understand what the Bill truly seeks to address: the protection of our children, the safeguarding of our economy, and the preservation of our moral and cultural values.

Thank you, Hon. Temporary Speaker. I support.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much.

Hon. Wilberforce Oundo, Member for Funyula.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker. Let me also stand in solidarity with my colleague Hon. Daudi Aden in supporting the Computer Misuse and Cybercrime (Amendment) Bill (National Assembly Bill No.41 of 2024).

I come from a liberal world that is averse to censorship and some form of control. However, over the years, with the advent of new technology and social media, and having grown up to become a grandfather, I am now taking a closer look at this matter in light of its impact on the minds of young children. So, on that score alone, I support the Bill in principle. However, Hon. Temporary Speaker, I have two points of concern. I ask my colleagues to listen clearly because it is nothing against the Bill.

The first one is the inclusion of a terrorist act as part of the acts or crimes that can cause the disabling of a website or an Application. I am saying this because petty boys and girls, or petty young men who participated in various *maandamano*s, demonstrations, and picketing, have been charged under the Anti-Terrorism Act. My fear is that any act of mobilising people to participate in picketing and demonstrations, which are soon hijacked by goons hired by politicians and end up in property destruction, could result in the gadget or phone of that particular boy or girl being disabled. Their social accounts will be disabled, rendering them inaccessible. If they were using the phone to make money or a living, they would likely be completely out of business.

Therefore, Hon. Temporary Speaker, during the Committee of the whole House, I am not very technically savvy, so I will seek the guidance of those who know, so that we redefine or temper the meaning of 'a terrorist act'. It is because of the fear of being misused. I have Gen Z children, millennial children, and alpha nieces and nephews. I know that even if they are communicating among themselves or having issues with us parents, they can easily fall within the ambit of this Bill. That is a thought we must be aware of. Any Government can become rogue at any time. Giving a Government unfettered powers to regulate to such a deep extent brings an issue that we need to reflect on as a country. We might be curing a malady or a social problem, but we could also be creating a dangerous monster capable of being misused.

During our time at the university, it was common for us to engage the police with simple stones whenever we had a demonstration. They would throw tear gas, and we would throw stones. Since they had helmets, the injuries were minimal. They would throw tear gas that does not explode, and we would throw it back. Under these circumstances, even mobilising to collect stones for self-defence using our personal social media accounts could easily fall under the definition of terrorism.

Clause 3 seeks to amend Section 6, which gives the functions and powers of the Committee. The Committee we are referring to here is the National Computer and Cybercrime Coordination Committee (NC4). The clause is giving the Committee powers to switch off a website or an application when they suspect that the same is promoting illegal activities, child pornography, terrorism, and extreme religious and cultic practices. Again, the legal activities have not been clearly defined. Are they under the Penal Code or any other law? This takes me

back to the case of Tanzania the other day. When the Kenyan boys and girls inundated their spaces in cyber warfare, what did they do? They switched off X. I think it was on June 25th or July 7th when the Government decided to switch off live broadcasting, which was illegal. My fear is that we have issues among ourselves, and many times we must find a way to vent those issues. If you are in the process of communicating with your constituents, mobilising them for a worthy cause, or have a legitimate reason to resist a certain Government decision, it gives the Committee unfettered rights and authority to seize or render your gadget inaccessible literally, and to cut you off the network. We might be legislating to solve a problem, but I warn, again, that we are creating a bigger problem.

All over the world and in this country, the Executive can never be trusted with too much power and too many restrictions.

(Hon. Suleka Harun raised her hand)

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Order, Prof. Wilberforce Oundo. You know your name is big, Wilberforce.

Hon. Suleka Harun, I can see your hand is up. Anything out of order? Do you have your card? Your hand has been up, so I would like to indulge you. Please, proceed.

Hon. Suleka Harun (Nominated, UDM): Thank you, Hon. Speaker. I am standing under Standing Order 95. Reading the mood of the House, and as per the contributions already made, this Bill is already accepted by most of the Members. We can now call the Mover to reply.

Thank you.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): But I am still on the Floor, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): You will conclude, then I will find out whether that is the mood of the House.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM) I am afraid. I am extremely afraid. The history of this country does not give us comfort that the Government or the Executive can exercise the unfettered powers we are giving them, judiciously, consciously, and in the best interest of the people of Kenya. What will stop the Government from using those spurious reasons? It might wake up one day and say the communication between Members of Parliament on our WhatsApp group promotes illegal activities! What will stop them from doing that when we protest any attempt to deny constituencies the National Government Constituencies Development Fund (NG-CDF)? I, therefore, request that there must be a mechanism where an action is brought to a person's attention and they are given actions to remedy. If they decline to remedy, then there must be a judicial system that leads to the switching off of their gadgets.

Clause 6 is timely. I totally agree. SIM swap and identity theft are becoming a big issue. In any given day in this country, one cannot tell what is fake from what is genuine. You do not know whether an account is a clone account or a fake account. We must rein in this one.

I congratulate you, my friend. I would have called you the other name, but we are on *the Hansard*. I, however, request that you be open to comments and amendments. This is because you might be the Government today, but tomorrow you will be out of the Government, and you will join me in crying. Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Well, Hon. Members, I am inclined to indulge Hon. Njeri Maina, Member for Kirinyaga.

Hon. Njeri Maina (Kirinyaga County, UDA): Thank you, Hon. Temporary Speaker. I will be very brief. Hon. Aden is a good friend of mine. We were in some Committee together before I was suddenly de-whipped, and I joined the crying of Hon. Oundo.

I rise to support this Bill. It is very timely and very succinct. I highlight Clause 3 of the Bill on concerns that have been raised by the Hon. Member of Parliament who has spoken before me, Hon. Oundo. That amendment is a bit problematic. The terms 'illegal' and 'terrorism' have become very broad and vague. Hon. Aden, as a member of the Departmental Committee on Justice and Legal Affairs (JLAC), is aware that the current legislation defines anything illegal. We have the Penal Code to cater for that, and other relevant statutes that define what is illegal. Leaving it in that broad perspective opens it to exploitation by, perhaps, the State or other actors. You might wake up one day and hear that the term 'one term' is illegal. Due to that, it can be prone to abuse and can affect the protection of Article 37 of the Constitution of Kenya.

Further, as I wind up, the Committee cannot be the judge, the jury, and executioner of what is termed illegal. It is also important that we check on the definition of the word terrorism. As an Advocate of the High Court, I have been at Kahawa Law Courts for over three weeks, where more than 75 young people are being charged with the crime of terrorism. Yet what is purported to have been what they allegedly committed is well within the Penal Code. Like Hon. Oundo has said, today it might be convenient, but tomorrow it might not be convenient for you. Let us always make laws for the benefit of the posterity of this nation.

I support and congratulate Hon. Aden.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Member for Kirinyaga. Hon. Members, Hon. Suleka Harun rose on Standing Order 95 and requested that the Mover be called to reply. I want to find out whether it is the mood of the House that I call upon the Mover to reply.

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

I now call upon the Mover to reply, Hon. Aden Mohammed.

Hon. Aden Mohammed (Wajir East, JP): Thank you very much, Hon. Temporary Speaker. Let me thank the Members of this august House for their very intelligent contributions to this proposed piece of legislation. Let me assure them that I have keenly listened to the concerns that they have raised. I will incorporate those concerns into the Bill. It is true that "illegal activities" is a very broad term. When we reach the Committee of the whole House, we can bring an amendment to limit those illegal activities to what is currently outlawed in the laws of Kenya.

I want to assure the Members of this House that I drafted this Bill in 2024. It had nothing to do with what is happening today, people being charged with terrorism. Terrorism is defined in another Act of Parliament; that is not the Act of Parliament that I am amending. I am only using "terrorism" as defined in that Act of Parliament.

I beg to reply, but also request that by dint of Section 53(3) of Standing Orders, we do not put the question now. We shall put it when we have a quorum. Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Okay, based on your request, it is assented to.

Next Order.

BILL

Second Reading

THE BIRTH AND DEATH REGISTRATION AMENDMENT BILL

(National Assembly Bill No. 37 of 2024)

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Let us have Hon. Martha Wangari.

Hon. Martha Wangari (Gilgil, UDA): Hon. Temporary Speaker, I beg to move that the Birth and Death Registration (Amendment) Bill 2024 be now read a Second Time.

This is a very simple amendment that stemmed from last term, just about 2020. I brought a Motion on this Floor that was very well supported by many Members. This was about the civil registration services in our country. People may look at a birth certificate or a death certificate as a simple thing, but there are people in this country for whom accessing that document has become a mirage. Yesterday and the day before, we had a debate here by the Ministry of Education on NEMIS. Even today, you cannot register for NEMIS without a birth certificate. You cannot get your passport without a birth certificate.

This is a matter of human rights and identity. It is an inherent right that cannot be taken away. So, I did my research when I brought that Motion, and the support I got from this House was immense. It was a proposal from that time that we then turned into a Bill and, hopefully, into an Act of Parliament. It will not be at the pleasure of the relevant Cabinet Secretary to decide where to put a birth and death registration office. We have about 238 sub-counties in this country. These offices and services are only in 157 sub-counties. So, it was my proposal at that time. Maybe things have changed, so I will keep updating.

This department falls under the Ministry of Interior and National Administration, and precisely in the State Department for Immigration and Citizen Services. This department is responsible for the compulsory and immediate registration of all births and deaths that occur in Kenya. This is what gives the Kenya National Bureau of Statistics the statistics to help the Ministry of Planning and the whole Government in terms of services and other requirements for the communities. The Mother Act establishes the civil registration services. It was enacted in 1928. The department has the mandate of issuing birth certificates, birth notifications, and death certificates. When people are applying for bursaries (especially vulnerable children or orphans), they need to attach a death certificate, and it becomes a problem if you do not have it.

If you are dealing with succession issues, you need a death certificate. It becomes very hard to acquire one. Gilgil, which has a voter registration of about 100,000 voters, was combined with Naivasha. Almost 170,000 voters have to get services from one office in Naivasha. There was a time the Ministry of Education had put a timeline. I woke up and went to that office in Naivasha. I found some people from my constituency who had travelled at night to be there at 8.00 a.m. They had travelled all the way from the edge near Narok East to access this document. Going there does not even assure you that you will get it. So, people will queue the whole day. The staff get overwhelmed. The service is poor, and the system frequently breaks down due to numerous technical issues. These people will be hungry the whole day and still not get that document.

This is the story in many other counties in this country. If you look at Nakuru, we only had four. Out of 11 constituencies, we had only four: Njoro, Naivasha, Nakuru, and Bahati. It is only after Gilgil was added that we can say we have a few more, but we still have Subukia and Rongai constituencies that are still not covered by this very important service. Manderla is one of the most disadvantaged counties due to the long distances that residents have to travel. Citizens are travelling over 400km to access this right and service, which is very critical to them. Marsabit and Turkana suffer the same fate. West Pokot has had only one for a long time, despite having a very large area.

So, this very simple amendment holds great importance that cannot be gainsaid in this House. Many Members here assist their constituents in obtaining this document, enabling them

to register for school and other services. Even now, when we are speaking of *Kazi Majuu*, you cannot get a passport without a birth certificate. What happens when there is a scramble for services? Corruption comes in. So, you will encounter unscrupulous members of the community or even the administration charging people money to access a service that should be easily available from the Government.

I was able to appear before the Committee, which is in charge and led by Hon. Tongoyo. We had a very long discussion. We debated about sub-counties and constituencies. I was personally going for constituencies for one reason: there will be a political push and a political need for every Member of Parliament to have their constituency office working. I say that because when I requested one for Gilgil, I was told, 'There is no money for us to be able to give you an office and furniture.' I told them to give me a registrar and a clerk.

We gave them an office, which was actually next to my office, and they have been there since 2020. It is only now that I have been able to do an administration complex where I will house the Gilgil Land Registry together with the civil registration services. They are going to move to the new building. From 2020, in Gilgil, we have registered over 40,000 births and about 4,000 deaths so far. What does that tell you? The need is there, and all we need is goodwill. Just give a Member of Parliament a registrar and a clerk. They will do it. They will ensure these services are brought closer to the people. This has made it easy for my sub-county and constituency to facilitate the registrar and his team's visits to the schools. We were recently in Miti Mingi, and we will soon go to Ol Jorai to offer the services. We need to know the actual number of students and the adequate capitation, so that we can take services closer to the people. If the area is smaller, then efficiency is improved.

A lot can be said, and many Members want to share their experiences in their constituencies. When I appeared before the Budget and Appropriations Committee, I managed to convince them to first think about human resources alongside the budget. If we have enough clerks and registrars, the rest will fall into place. Furniture and other infrastructure can be acquired through the National Government Constituencies Development Fund (NG-CDF) and other means, ensuring our people have access to these crucial services.

I do not want to take more time. I beg to move and request the Chairman of the Departmental Committee on Administration and Internal Affairs to second.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Chairman, you may proceed.

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Temporary Speaker. At the outset, I want to congratulate the Member for Gilgil, Hon. Martha, for coming up with this progressive and important piece of legislation. As she has put it, every Kenyan has the right to a birth and a death certificate. Her amendment Bill proposes to anchor that provision in law so that it is not at the discretion of the Cabinet Secretary, the Ministry or the State Department. Her initial proposal was to establish one registration centre per constituency. However, after the Committee considered the Bill, we decided that the centres should be closer to the mwananchi at the sub-county level. We will amend that during the Committee of the whole House.

This is not a political office but an administrative one. It was the wisdom and consideration of the Committee Members that it should be tied in with the Deputy County Commissioners (DCCs) and other heads of departments, including county education officers and the National Registration Bureau (NRB). We currently have 167 civil registration centres in the country against gazetted sub-county centres of 400. That is a huge gap, indicating that the majority of Kenyans cannot access these essential services and documents due to the long distances they have to travel. The amendment Bill by the Member will go a long way in ensuring that Kenyans easily access these crucial services.

I do not want to belabour the point. The Cabinet Secretary yesterday cited that this sector is undergoing many reforms. Many programmes and efforts are in place to automate the entire Civil Registration Services (CRS). They are currently implementing Unique Personal Identifiers (UPI), a unique identification number assigned to every Kenyan at birth and retained throughout their lifetime. It is an end-to-end system, making it easier in the future for individuals to acquire a national identification number. The aim is to ensure that one does not need to apply for an ID later on because their information will be captured at birth and uploaded into an Integrated Population Registration System (IPRS) to make it easy for Kenyans to access documents. It is also worth noting that the State Department recently conducted a pilot programme to roll out the UPI in Nairobi, and the results were very promising. It will automate the issuance of birth certificates.

Despite the shortage of services, we have indulged the Ministry several times over the same. The outcry has been about the shortage of civil registration officers. There is currently an acute shortage of staff. They have 125 officers against an establishment of 1,200. That is why we do not have centres across the country. The Ministry recruited a few staff in the previous financial year, but the gap is still big. They still have a shortage of 700,000 officers. The Committee has been urging the State Department to mobilise resources to continuously recruit staff, so that even as we look forward to establishing offices across the country, we will still have the staff to do the same. This is a progressive and important Bill.

With those few remarks, I beg to second.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Chairman.

(Question proposed)

The first person on the list is Hon. Njeri Maina. I am relying on the list, Hon. Johana. Let us rely on the list.

Hon. Njeri Maina (Kirinyaga County, UDA): Thank you, Hon. Temporary Speaker. I rise to support this timely Bill by the Member for Gilgil, Hon. Martha Wangari, because when we promulgated the Constitution of Kenya, 2010, we intended to devolve services to Kenyans. This Bill will ensure that Kenyans get birth and death certificates, passports, and IDs – documents that are critical for them to access other services. Those documents will also help them with the Kazi Majuu Programme initiated by the Government.

To put it into perspective, Kirinyaga County only has one Huduma Centre in Kirinyaga Central Constituency. People come from as far as Mwea Constituency to access services at that Huduma Centre. Mwea Constituency is vast, with an eastern and western side, yet one has to go all the way to Kerugoya to get critical services. Let us fast-track the enactment of this Bill before the 2027 elections, so that our youths can access IDs within a particular timeframe and exercise their civil duty to vote for their candidate of choice.

This is a timely Bill. We need to action it as soon as yesterday. We should prioritise its budgetary allocation because every Kenyan deserves to access those services locally.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Timothy Toroitich, Member for Marakwet West.

Hon. Timothy Kipchumba (Marakwet West, Independent): Thank you, Hon. Temporary Speaker. I rise to support the Bill by Hon. Wangari. I congratulate her on this progressive Bill.

This Bill seeks to give effect to Article 6(3) of our Constitution, which provides that the State shall ensure that there is reasonable access to its services in all parts of the Republic. We have a very vast country. In fact, certain counties in this country are bigger than other African countries. For example, a county like Turkana is bigger than Burundi, Rwanda and Djibouti combined. From one end of a county to another, there is almost a distance of 800

kilometres. If those constituencies do not have these basic services like registration of birth and death certificates, then the people of Kenya shall suffer.

The only proposed amendment I would make is regarding the provision of those services to each constituency. Under the National Government Co-ordination Act (Cap 127), the recognised National Government Service Delivery Co-ordination Unit at that level is a sub-county, because of its vast nature. Before a constituency is divided into a sub-county, the factor to be taken into account is its vastness. Therefore, we need to bring an amendment to ensure that services are available at the sub-county level, rather than the constituency.

There is an obsession in this country that an office is a physical structure. As the Mover of the Bill has clearly said, even a tent with one or two officers is enough. We do not need an officer with a swinging chair to serve our people. If resources are limited, even a basic structure can serve our people. What our people need are services, not big offices where people want to swing and not serve them. This matter clearly lies in the docket of the Ministry of Interior and National Administration. I thank the Cabinet Secretary who has been moving around through the *Jukwaa La Usalama* initiative.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Order, Member for Marakwet West. Hon. Stephen Mule, is anything out of order, or are you being strategic?

(Hon. Stephen Mule spoke off the record)

(Laughter)

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Okay, Hon. Kipchumba, you may continue.

Hon. Timothy Kipchumba (Marakwet West, Independent): Hon. Temporary Speaker, as I summarise, this matter falls squarely within the docket of the Ministry of Interior and National Administration. I would like to express my appreciation to the current Cabinet Secretary, who has been touring the country through the *Jukwaa La Usalama* initiative. When he came to our county, he appreciated the fact that those services are not available. So, we expect a report from him. When the report identifying gaps is tabled in the House, we must be deliberate in allocating resources to make this Bill a reality.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Johanna Ng'eno, Member for Emurua Dikirr.

Hon. Johana Kipyegon (Emurua Dikirr, UDA): Thank you, Temporary Speaker. I am glad to speak to this particular matter, which has been troubling us for quite a long time. Many of our citizens suffer due to a lack of access to these important services. The Ministry of Education introduced birth certificates as a compulsory document to use in the registration and allocation of funds to both primary and secondary schools. Unless children have birth certificates, they cannot access those particular services. Therefore, the compulsory decision that every child must use a birth certificate to access services should have made it easier for every child to access it. However, currently, people have to travel over 100 kilometres and spend between Ksh5,000 and Ksh10,000 to access these certificates, and yet it has been made compulsory in registration. At that particular point, when the Ministry of Education made it compulsory, they should have also made it accessible to all the children in Kenya.

The idea of Hon. Wangari to bring these services to the sub-county level should have been done previously by the Ministry. We should now be discussing devolving it further to the ward level. These are services that are supposed to be given by the Government to the people of this Republic, just like the National Identity Card. The National Identity Card is easier to obtain because you can pick it up when you turn 18, at a time when you have the capacity to

look for it. But the birth certificate is for a small child given at birth. This service should reach the ward level to ensure people can access it.

I am excited about this amendment, and I believe that it will go through. This is something which has made our people suffer—they spend a lot of money to access the services, and school-going children do not access the capitation because they do not have birth certificates. I am one of those people who also suffer. In my constituency, Emurua Dikirr, we do not have a birth and death certificate registration office. I would have wished that the Chairman of the Departmental Committee on Administration and Internal Security were around. I have fought for that particular office for around three to four years. I have even leased an office, paid rent for a year, and put up logos for births and deaths to give it an office-like appearance. I have even bought computers and furniture for that office. But it is still lying idle. I have called the officers at the Ministry of Interior and National Administration, telling them that they are the ones who should be asking us for offices to put up those services. Not the other way around—Members asking them if they want an office.

This is a wake-up call to the Ministry. I request that the Principal Secretary concerned take this matter seriously and implement it immediately upon the passage by this House. We do not want this amendment to stall. We have been appropriating funds here towards the same. We want it acted upon as quickly as possible so that our people can stop travelling long distances to access these services. My constituents travel as far as Kilgoris, which is around 60 kilometres, and this journey is very expensive. Sometimes, when there are issues along the borders, our people stay at home because they cannot access services.

Lastly, there is the question of Unique Personal Identifiers (UPIs), which the Cabinet Secretary for Interior and National Administration talked about yesterday. I am a little bit sceptical about it because I normally read the Bible in tandem with our Constitution. The Bible tells us that there will be a number that will be branded on every face: 666. That is why I am somewhat sceptical about that UPI issue.

Hon. Temporary Speaker, I thank you and support the amendment in totality.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Now that you have talked about religious matters, I would like to give this opportunity to Hon. Naomi Waqo. You may proceed.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to add my voice to this very important debate on this Bill. I also thank Hon. Martha Wangari for coming up with the Amendment Bill. If there is an amendment we need in this country now, it is this one. Thank you, Hon. Wangari, for looking ahead and being concerned with the future generation. This Bill will assist many young people. I come from the second-largest county. The farthest point from the county headquarters is 300 to 400 kilometres away. Normally, people travel to the headquarters to get birth certificates, especially now that the Government has said that a birth certificate is a requirement for all primary school children's admission. It is a must for every child to have a birth certificate as they enrol in primary school. During our time, we only held our ears to show that we were of age. The teachers would check to confirm that we are citizens, especially those of us who come from the border. Now we are beyond that. A birth certificate is a serious requirement. As children register, the Ministry of Education can access their data through NEMIS, enabling the identification, tracking, and allocation of funds to schools. So, it is a very serious requirement. Most schools in northern Kenya do not get funds because some students do not have birth certificates. What do we need to do as a government? The best thing to do is to bring the service closer to the people.

Hon. Martha has suggested that every constituency should have a registration office. There are 290 constituencies, but we only have 143 birth and death registration offices. We can go further and make sure that anywhere there is a DCC office, there is a birth and death

registration office. As women deliver in hospitals—although in my place, some women do not deliver in hospitals—we should make sure that after issuing a birth notification, a birth certificate is issued as soon as possible. We need to pass this Bill as quickly as possible so that the service is brought closer to every citizen. School-going children will benefit.

It is 61 years since we got Independence, yet people from Marsabit travel for over 300 kilometres to get their birth certificates. We cannot continue that way. That is why we should ensure the service is brought closer to the people to empower them. The only thing we need is to have enough personnel. When we have enough personnel, we can even have mobile registration centres. Even if it is under a tree, the staff and class can move there. Registration officers can notify people about which village they are going to and under what tree to issue birth certificates. Before children join primary schools in January, we should ensure that there is a mass registration, so that nobody suffers. Currently, many students are in school, but they do not have birth certificates. Registration can also take place in every primary school. In my county, some students do not have birth certificates. As a government, let us have mass registration in all schools to make sure that every child has a birth certificate. Every November and December, we should have mass registration to cover people from far-flung or remote areas.

With those few remarks, I support and congratulate Hon. Martha. Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much.

Hon. (Dr) Makali Mulu, Member for Kitui Central.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you so much, Hon. Temporary Speaker. I thank Hon. Martha Wangari for this important Bill. I also thank the people of Gilgil for electing her back to this House. This Bill was actually moved in the 12th Parliament, but because of the time it takes to process a Bill, it expired. You can see it has taken about three years for it to be debated today. So, we have a reason to thank the people of Gilgil for electing Hon. Martha back to this House to continue with this Bill and see it become an Act of Parliament.

I associate myself with those who say that it is important to have registration offices in sub-counties. The first certificate you get immediately after you are born, even before you go to any school, is a birth certificate. Once you get it, you will be able to acquire other certificates as you live. The final certificate you get is a death certificate when you die. This Bill is very important because it opens the doors for Kenyans to get the first and last certificates.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Makali, maybe other people get the last certificate for you.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): But it is yours. It is in your name. Even though people use it to do other things, it is still in your name. These certificates are very important. For example, it is now mandatory that to register for most exams, starting with the first one which you sit as a child, you must have a birth certificate. This means parents must go out of their way to obtain this document. As Members have said, some parents travel for long distances to access this document. In other areas, they travel but find no registrar in the office, and they have to go back the following day or week. Sometimes they encounter very arrogant officers who refuse to serve them, and circumstances force them to return another day.

So, when efforts are being made to have the offices closer to the people, it is a step in the right direction. And we appreciate that. The challenge has always been that we are very good at creating offices, but we do not make them operational. You heard the Chairman of the Departmental Committee on Administration and Internal Affairs saying that there are over 400 administrative offices, yet the operational ones are about 200. This means that offices exist, but not in the form of office blocks or officers. We still have a challenge. Even if we pass this Bill to become an Act of Parliament, I can tell you for sure that we are going to take a bit of time before we make the offices operational.

So, as a House, since we have the mandate to make budgets, it is important when we are doing the next budget, and I believe by then we will have this as an Act of Parliament, we make necessary provisions in it so that these offices can become operational. In that case, it will be helping Kenyans. Otherwise, where I come from and where you, Hon. Temporary Speaker, come from, you know what our people go through to access this important document.

When it comes to the death certificate, we know most of the land issues our people are struggling with are because people passed on and they did not have death certificates; therefore, they have not processed the letter of administration. I can tell you for sure because anytime I sit in my office, I see very old ladies coming to my office saying, "*Mheshimiwa*, I do not have the death certificate of my husband. Therefore, I am not able to divide the land among my children."

This becomes a big problem for families. So, the sooner this Bill becomes an Act of Parliament, the sooner we can establish these offices near our people, which will improve service delivery. I believe the Government should strongly support this initiative to establish these offices, and not just these ones. We must appreciate that the issue of the Huduma Centres has really helped most areas. But you realise most of them are still at the county headquarters. They are not found in the interior parts of the counties.

On that note, the same problem comes up again — that people have to travel long distances to access these documents. And more so, when students have finished school or they want to register, you find a lot of congestion in these offices. Parents are forced, at times, even to sleep around there to get this document; otherwise, they will be locked out of registration for their children. That is why this Bill is very important.

As I conclude, I have heard the Chairman of the Committee talk about what he is calling 'Unique Personal Identifiers'. I want this House to take this matter very seriously because, if my memory serves me well, this is the third attempt we are trying to have this unique identifier. You must have heard something called the "Anglo-Leasing Scandal". That scandal was one of the attempts to give Kenyans a unique identifier. Then came the Huduma Card, which was done when we were in this House. Then, just about a year ago, we had another card coming, and we realised that all these attempts are attempts for people to use public resources for their own private benefit. We are benefiting private companies in an attempt to give this unique identifier. The Chairman of the Departmental Committee on Administration and Internal Security should assure this House that this fourth attempt will provide us with a unique identifier and not the stories we have heard in the past, which come every two years. People get their cut, put it in their pockets and introduce another one.

Otherwise, we should be able to say no to this process because the outcome of that process is very important to the country. If I get your *kibeti* now, I will find so many cards there. It does not make sense. And all those cards are talking about you. You should have one card that you can use for Social Health Authority (SHA), bank and everything else. Just one card. But because we do not want to get it right, we keep on going round and round. I thought it was important to say that because we have said it many times, the issue of corruption in this country is a very serious matter.

I was very happy yesterday when I saw our President saying that Members and committees of this House are demanding money from the Executive, although it was a very general statement. Since our President has access to national intelligence information, how I wish he had mentioned names and said, "Honourable so-and-so from this committee demands this money", and based on that, he should be replaced so we can get a new Chairman. In that case, we will be helping to fight corruption in this country. But when we get this general statement, I think we are doing a disservice to this beautiful country that God has given us. In that case, we will help fight corruption in this country. However, when we receive such a general statement, Hon. Temporary Speaker, I believe we are doing a disservice to this

beautiful country that God gave us. I do not know whether it is in order for us to get time to discuss this important Motion, one that Members of Parliament are allegedly being bribed to change Committee reports. I wish we had time for this to become a Motion of the House so that we could debate it for two or three hours and put things straight.

Thank you.

The Temporary Speaker (Hon (Dr) Rachael Nyamai): Hon. Catherine Omanyoo, Member for Busia County. I request the secretariat in the Clerk's Office to check the cards on this side, as they do not seem to be working, particularly Hon. Omanyoo's. The Clerk-at-the-Table had to ask her whether she was waiting to speak. I apologise. Please continue, Hon. Omanyoo.

Hon. Catherine Omanyoo (Busia County, ODM): Thank you, Hon. Temporary Speaker. I support this Motion because devolution came for a reason. Services must be taken closer to our people. Our infrastructure and conditions in remote areas make it essential for public offices to be near our people.

Recently, one of the youths who secured a job abroad did not have a birth certificate. Before travelling, he had to ask for fare from his village to town. Only after filling the e-Citizen questionnaire was he sent from Busia to Kisumu for immigration services, such as getting his fingerprints to get a passport. While we applaud devolution, is it truly with us? Very few services have actually gone to the people.

We need Huduma Centres in county towns with branches in the sub-counties, so that people in remote villages do not have to travel long distances for essential services, including birth and death certificates. If this is not done, then devolution will die with time because people will not see its benefits. Previously, post offices were located close to the communities, but many were closed and services centralised at Huduma Centres. We must revert to this noble idea so that devolution truly serves our people.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon (Dr) Rachael Nyamai): Thank you very much, Member for Busia.

Hon. Stephen Mule, Member for Matungulu.

Hon. Stephen Mule (Matungulu, WDM): Thank you very much, Hon. Temporary Speaker. First and foremost, I congratulate my sister, Hon. Martha Wangari. I know it has been long overdue, waiting for this Bill to come to the House. It is a very important Bill for a simple reason. We have been in this House with you for a fair time now. You know very well how we have struggled as Members of Parliament from across the divide to ensure we have these registrars' offices in the constituencies. For once, we are doing the right thing as a House; we will not leave it to the CS to designate these offices to our constituencies. I feel pained when such a service becomes an illusion to some Kenyans at this time and era, after 54 years of Independence. It pains parents to look for these documents, especially the birth certificate.

I want to look at a county like Machakos, where we have Huduma Centres in a few constituencies, and the other constituencies have to wait for officers. Sometimes I have to hire vehicles to ferry officers from Machakos to Matungulu Constituency for a week. You have to buy them lunch and provide transport at the end of the day. It is high time the service is taken to the people. It also pains us to know the amount of money spent on the uniqueness of people hiding behind their identifying numbers.

We were with you in this House when every Kenyan registered for a Huduma Card. Where did that data go? As we speak, a country like Rwanda has only one document of identification that carries all the information of a citizen. We are told they are eventually transforming that one unique card to be their passport.

In Kenya, it is important that we see how best to integrate all the information of every citizen into one document. It will ensure that Kenyans do not spend more money and time

looking for these documents. Parents in my constituency have to use Members of County Assembly (MCAs) to make sure that they come back with their birth certificates when they go to Machakos. It is unfair.

I think it is the right time for the Government of the day and this House to do the right thing. The right thing is to make sure that we get this amendment fast-tracked. Hon. Temporary Speaker, I request you to speak to the Hon. Speaker of this House so that this Bill does not lapse like the other one. Let the House look at the importance of the Bill and fast-track it to ensure it sees the light of day.

As a democratic country, it makes no sense to be chest-thumping about devolution when services are not devolved. The National Government Constituencies Development Fund (NG-CDF) is the only devolved thing that I know works in Kenya.

If we, as Members of Parliament, agree with Hon. Martha Wangari, we must ensure that these offices are tied to the constituency and sub-county offices. This ensures that every Kenyan can access this document without fail. I say this because the President made an allegation yesterday. It is painful for all of us.

It is high time he gets his dragnet out and shreds the issue of corruption completely. Let the Executive identify those who go to them to ask for a bribe. It is painful when your constituents call you and tell you, "We sent you there to be our representative, yet you go to ask us for bribes."

I have heard something else that is very interesting this afternoon. It probably might kill the Senate or devolution in this country. Hon. Raila has put Senators on notice not to call Governors to order. I will tell you that this House must stand for its rights. We, as Members, must stand and be counted for protecting the august House of this country.

It is not a joke when allegations are thrown at us as leaders. It paints a bad image of this House.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Mule, this is a House of debate, and you can do it the best way you know how. You have just mentioned what Hon. Raila Amolo said, and I am trying to find its relevance to this Bill. Just remain relevant.

Hon. Stephen Mule (Matungulu, WDM): Hon. Temporary Speaker, I will remain relevant.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): We have been seated here this afternoon, so we are not even aware of what has been said. It is difficult for me, as I sit here, to talk about the truthfulness of what you are saying. I would like to encourage you to speak to the Bill.

Hon. Stephen Mule (Matungulu, WDM): Thank you, Hon. Temporary Speaker. I will be truthful about what I have heard. If we are not careful, some people will be ready to ensure this Bill does not see the light of day, thereby allowing the Unique Personal Identifier number to come into play. Some people want to take advantage of this country, but Kenyans are not aware of this. We are putting it squarely to the Cabinet Secretary, Ministry of Interior and National Administration to ensure that once this amendment is passed, every sub-county in this country gets a birth registrar and a death registrar. It is a right for every Kenyan.

I heard Hon. Naomi Waqo talk about her vast Marsabit Constituency. We have children in school who do not have birth certificates. It is unfair and uncalled for. When we say we must protect some issues, this is one of them. To be a Kenyan by birth is a right given to you by God. It is not a matter for the Government of the day; it is a reality. You are Kenyan, and the Government has a responsibility to recognise you without any further pain. Thank you and kudos to Hon. Martha Wangari. This Bill should be moved with speed and implemented.

As a House, we also need to scrutinise the Unique Personal Identifier number being talked about. A serious amount of money might be spent here, yet this Ministry does not have

funds to provide officers in sub-counties. We call upon the Cabinet Secretary to explain to this House what this Unique Personal Identifier number is.

Hon. Ng'eno spoke about religious matters, which I do not want to indulge in. As a House, we need to protect Kenyans who have their rights by birth. Those who die should be dignified, and their families issued with death certificates to ensure that matters of succession and inheritance within families are handled in a fair and peaceful manner.

I support, and I will introduce amendments, Hon. Wangari. I will share with her the amendments I want to introduce. A birth certificate should become the key document for any Kenyan. It should be a digital card that every Kenyan will be proud of in the future.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you.

Hon. Mishi Mboko, Member for Likoni, and Commissioner of the Parliamentary Service Commission.

Hon. Mishi Mboko (Likoni, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity. First, I congratulate my sister, Hon. Martha Wangari, on this very important Bill.

The Bill seeks to introduce amendments to Section 5 of the Births and Deaths Registration Act, whereby a new subsection (1A) will be inserted, allowing the Cabinet Secretary to designate and gazette certain areas to be used for the registration of births and deaths.

This Bill brings services closer to the people. Most Kenyans cannot access the Huduma Centres. I am looking at Mombasa County where we have only one centre in the Central Business District (CBD) of Mombasa City. Some people come all the way from Kisauni and even further from Mwakirunge to the CBD. Others come from Dongo Kundu, where my constituency lies, and have to travel across with the ferry to reach the CBD. Similarly, individuals from Changamwe or Jomvu constituencies, particularly those from areas like Bonje, which border Mombasa and Kilifi County, travel to the CBD to obtain this document. It is good that it will allow Kenyans to reduce transport costs and reduce the amount of time spent accessing this important document. It is important for our school-going children to have birth certificates. Registration in schools is a challenge without a birth certificate. We need to do everything to make it accessible.

The other issue is that of inheritance. Before most of the inheritance processes are initiated, you need to have a death certificate. It is very difficult to do this. Many Kenyans, especially those from rural areas, do not understand that if a relative or a kin dies, they need to acquire this document. Having a centre in the sub-county or constituency allows us to provide outreach services. These can happen once or twice a month by going to the villages to sensitise Kenyans on the application process, so they acquire these documents.

This Bill will uphold the human rights as stipulated in the Constitution. This country is governed by the rule of law, and our mother law is the Constitution. Article 6(3) of the Constitution states that all state organs shall ensure reasonable access to services in all parts of the Republic. But this is not being realised. So many areas, especially rural ones, do not have centers where they can acquire these services. This means we are violating Article 6(3) of the Constitution.

There is also the right to legal identity as espoused in Article 14, the right to non-discrimination as under Article 27 and the right of children to a name and nationality. Nationality is also covered by the birth certificate – to be known, to know your name, where you are coming from, your parents and all those details. It is therefore important to have these centres as we will now have them at the sub-county level. It will ensure those coming to the villages can walk to or use *bodabodas* to these centres. By doing so, we will ensure that we are upholding the Constitution.

The Bill improves data for Government planning. Nothing can be done without planning. We need to plan and ensure the services given to Kenyans are adequate. We cannot do this without proper data and a record of Kenyans. For instance, in terms of health, it will inform how much infrastructure we are supposed to develop both at the national level and at the county level. The same applies to security, agriculture, and many Government services that are informed by data. If you have the best data, it means you have the best plans. Most of the challenges we face are due to the lack of accurate data, such as on death certificates, which poses a significant challenge since not all deaths are recorded. As for the birth certificates, Kenyans are now empowered, as it is now required for any child enrolled in school to have one. Parents are nowadays trying very hard, even by using Members of Parliament (MPs) or Members of County Assemblies (MCAs), to ensure that they acquire this document. The death certificate is still a challenge for most Kenyans, especially those who are in rural areas, who do not know about death certificates or their importance until it comes to inheritance issues.

This is an important amendment Bill. Sections 5(1) and (2) talk about having a gazetted registration area and appointing persons as registrars and deputy registrars. We currently have very few officers. You will notice extremely long queues if you visit Mombasa County. People start arriving as early as 5.00 a.m., yet some wait for hours without getting an opportunity to submit their applications. We talk about technology and the option of applying online, but does the entire country have internet connectivity? Will people in villages in Kitui County or in the remote Kiteje area of Kwale, which lacks internet connectivity, apply online? The answer is no. We need to abide by the Constitution and help Kenyans access important services, including birth and death registration.

Thank you, Hon. Temporary Speaker and Hon. Martha Wangari.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Very well. Let us have the Member for Gichimu, Hon. Gichimu.

Hon. Gichimu Githinji (Gichugu, UDA): Thank you, Hon. Temporary Speaker. I rise to support this very important Bill by the Member for Gilgil, Hon. Martha Wangari. The Bill has taken a long time to get to its current stage. I remember Hon. Martha Wangari brought a Motion in the 12th Parliament, which was overwhelmingly supported by all the Members who contributed. That Motion has now graduated into a Bill. Congratulations, Hon. Martha. You are a true representative of the people of Gilgil and the entire country.

This Bill seeks to ease the provision of birth and death certificates in the country. Apart from making the process of getting those documents easier, the Bill also aims to decongest the county headquarters where those services are normally provided. As the previous Member has said, there are usually long queues and sometimes people travel long distances just to stand in a queue. They might not even get those services at the end of the day.

The Committee's suggestion to amend the Bill to cover the sub-counties is also welcome. The Bill currently states that the Cabinet Secretary may appoint at least one registration area. Hon. Martha Wangari had already considered that aspect, but she did not limit it to the constituency level. Once it is made clear that each sub-county must have a registration area, that ambiguity disappears.

I feel for my constituents. There is no registration centre within Gichugu Constituency. Githure Ward in my constituency neighbours Manyatta, Embu County. People from that area travel about 40 kilometres to get services. Although it may not seem like a long distance compared to other areas, it is still quite a distance. People in some areas in this country travel for over 100 or even 200 kilometres to access those services. The NG-CDF committees have the mandate to provide infrastructure for Government institutions. This should be one of the areas where we will oversee the committees. The Government might not be able to provide all the infrastructure. NG-CDF will come in handy to help communities in setting up registration offices. I totally agree with all the Members who have contributed. I do not wish to belabour

my point. I support this Bill. I pray that before we break for recess, we will finalise it to await presidential assent.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Joseph Cherorot, Member for Kipkelion East.

Hon. Joseph Cherorot (Kipkelion East, UDA): Thank you, Hon. Temporary Speaker. I support the Bill by Hon. Martha Wangari, Member for Gilgil Constituency. I congratulate her and congratulate the people of Gilgil for electing her twice. I know they will still give her a third chance to represent them in this House.

A birth certificate is a very important legal document. It can be used not only to identify an individual but also to access Government services. It is a document that enables people to realise their potential as citizens of this country. This document ought to be given out freely. We still face a challenge in obtaining the document, over 60 years since we attained Independence. As my colleagues have mentioned, the only way to deal with the challenge is to take the services closer to the people. It is not enough to have the services at the county or sub-county level. The services should be taken to the village level so that citizens can access them.

Birth certificates can help us to claim the possessions of our children. There are those who engage in child trafficking, and birth certificates are very important as they can enable parents to trace their children whenever there is a problem. A birth certificate also helps determine a person's age. The same document is used during registration for National Identity Cards. The other day, there was a scandal of child sex exploitation aired by the BBC from Mai Mahiu.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Order, Hon. Cherorot. That is a very sensitive matter. It was discussed in this House when the substantive Speaker was in the Chair. What is coming out is that there could be some information that is not factual. It is important that it comes out that way.

Hon. Joseph Cherorot (Kipkelion East, UDA): Most obliged, Hon. Temporary Speaker. Kenya has gone digital, and registration for birth certificates can be done online. We have talked about the Huduma Centres. In my area, there is a challenge because we do not have one. Currently, we do not have a Huduma Centre. If we create several Huduma Centres at the grassroots level, they will help in fast-tracking the process and ensure that no child is left out during registration. Registering our children to have birth certificates will help our country budget economically. When budgeting, the Government will know the population of its citizens.

Birth certificates will help our children avoid vulnerability. It will help them to access education and other government services. I support the Bill, and I thank Hon. Martha Wangari for bringing it.

Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, the Member for Kipkelion East.

Hon. Wilberforce Oundo, the Member for Funyula.

Hon. (Dr.) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity to support the Bill that Hon. Martha Wangari has sponsored. If I do not support the Bill, I will lose some privileges that I have always had in some places.

(Laughter)

(An Hon. Member spoke off the record)

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): What is out of order? You have withdrawn? Thank you for withdrawing. Proceed.

Hon. (Dr.) Ojiambo Oundo (Funyula, ODM): From the outset, the Bill looks like an innocuous proposed amendment. However, it is an extremely important Bill. I am lucky that in Funyula Constituency, there is a registration section with very hardworking men and women who facilitate registration. I want to echo the sentiments raised by my colleagues that, as Members of the National Assembly who represent the interests of all the people of Kenya, any Bill that attempts to solve the problems of Kenyans must be supported unequivocally as a whole.

I agree with the remarks of the Chair of the Committee that, instead of discussing a constituency, we should adopt the administrative units established in the National Government Co-ordination

Act. I say so because I was in the High Court the day some judges poked holes in the National Government Constituencies Development Fund (NG-CDF). They argued that a constituency is not an administrative unit but an electoral unit. So, to avoid that ambiguity and giving a reason for any busy body to go to Court to forestall such a progressive Bill, I request Hon. Martha to agree that we move away from the word "Constituency" to the word "County", "Sub-County" or "Division" as it has been outlined in the National Government Co-ordination Act.

Many counties along the border have a unique problem. The unique problem is that, as Hon. Martha proceeds to prosecute this Bill, she brings to the fore the requirement that a child obtain a birth certificate, which necessitates the mother having an Identity Card (ID) or some form of identification that confirms her nationality. I come from Funyula Constituency, Busia County. We have many cases of beautiful young ladies crossing over from Uganda to look for better economic prospects in Kenya, and they end up meeting hardworking Samia men, who marry them. Before the blanket ban was lifted, they were not eligible to get Kenyan IDs. Imagine such a lady without an ID presenting a birth notification and not being given a birth certificate for her child.

In Funyula Constituency, approximately 50 per cent of primary school children are not included in the National Education Management Information System (NEMIS) database due to the lack of birth certificates. Many times, we have to be ingenious to get them registered for exams. Therefore, it is important that we go beyond the proposed Bill and look at other sections of the law that will enable us to drop some of these draconian documentation requirements for a child to get a birth certificate. Once a child is confirmed to have been born in Kenya, a birth notification is issued. Regardless of whether the parents have the necessary citizenship documents, that child is a Kenyan by birth and should be accorded all documents that allow them to naturalise their citizenship of Kenya. That is a matter that we will probably review, consult on, and see whether we can expand the amendment here to cover matters that were not originally contemplated.

The other issue I want to bring up, and I direct it to the ladies here and mothers all over the country, is an emerging trend we sometimes encounter during the NG-CDF bursary application process. You may find a birth certificate with the mother's name, but the father's section has stars or is cancelled. Naturally, some of us cannot understand how that is possible, so we ask questions. The answers we receive, and this is a matter to ponder, are that the expected father declined to provide the documentation to be included in the birth certificate. Since we have started this journey, it is a matter you need to reflect on. What can we do? Naturally, a child has both a father and a mother. The only person ever recorded not to have had a father was Jesus Christ.

In all the history books I have read, I have never come across any child who came into this world without the combined efforts of a male and female. It baffles many of us, the grandfathers, so to speak.

Hon. Moses Kirima (Central Imenti, UDA): On a point of order.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): I can see that we have a point of order from Hon. Moses Kirima. Are you raising this because of your position as a bishop?

Hon. Moses Kirima (Central Imenti, UDA): As a Member of Parliament, Hon. Temporary Speaker. You know it will be very wrong for us when we are sitting here. When I look at the people in this House, they are Christians, including the Member who is speaking. When he says that Jesus did not have a father, that is very wrong, because we know that Jesus is the Son of God. He is infringing on other people's faith, which is not right. How can he say Jesus did not have a father? We know that Jesus is the Son of God.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Bishop, for that clarification. Let me rephrase.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Yes. We are in the House of Rules. Give me a minute. I will give Hon. Oundo time to conclude.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): As we now delve into registration details, as provided for in the Children's Act and the Constitution, we must find a way to solve this conundrum. It is very traumatising for a child to go to school and be requested to produce a birth certificate. One child produces a certificate with both parents listed, while another produces one with a blank space for a parent. I urge you to think about this matter and help us find a solution.

As a man, the boy child will often come to me when he suspects me of being his father. When we talk to them, they say they are not certain we are their fathers. There is no certainty, because once the ball is on the pitch, many people knock it around, and you do not know who will hit it last. That is a debate we must have. How do we ascertain paternity beyond a reasonable doubt so that a child enjoys the constitutional right of having both parents listed on their birth certificate? I will not belabour the point.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): I encourage you to watch a reality show called *Divorce Court*, as it may help you realise that we are not the only ones in this country struggling with a blank space, particularly with regard to fathers.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Perhaps the Bishop needs to pray for fathers to accept the outcomes of their endeavours so that they do not abandon their children's lives. With those many remarks, I support.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, Professor. Next, we have Hon. David Mboni, Member for Kitui Rural.

Hon. David Mwalika (Kitui Rural, WDM): Thank you very much, Hon. Temporary Speaker. From the outset, I wish to thank Hon. Martha for proposing this Bill. I fully support it.

During my time at the World Bank, I managed the Statistical Capacity Building Project. We funded various activities to enhance the collection and dissemination of vital data. Information on birth and death is important. In developing countries, population censuses are often not conducted. If we have accurate data on immigration, births, and deaths, we can efficiently calculate the population without wasting resources on a full population census. A headcount would suffice, provided we have access to population data.

When planning for this country, population figures are a key factor in many areas, such as the division of revenue. This Bill is particularly important to me because, in my area, access to civil registration offices is a significant issue. Most of these offices are located far away; the main office in Kitui Town is quite distant. Many of my constituents travel nearly 80 kilometres

to access these services, which is a considerable burden. Therefore, the proposal to establish these offices at the sub-county level is of great help to the people.

Moreover, the existing offices are often inadequately equipped. Many of these facilities lack proper accommodation for staff, even at the headquarters. As I mentioned, people travel long distances to seek services. Upon arrival, they often find the offices overcrowded, making it difficult to obtain the required assistance. It is unfair for one to travel 80 kilometres only to be unable to receive services. These offices need to be brought closer to the people so that they can access the necessary services.

Additionally, there is a general lack of training among the staff; we all know the country faces financial constraints. Many workers in these offices are interns who require proper training. Staff must be adequately trained and equipped with the necessary computing resources to provide effective services to the public.

With those few remarks, I support.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): I now call upon the Member for Central Imenti, Hon. Kirima.

Hon. Moses Kirima (Central Imenti, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute to this important Bill. First and foremost, I would like to thank the Mover of the Bill, Hon. Wangari, for bringing it forward at this opportune time, as we are about to undertake the registration of voters.

This Bill is important to Kenyans. Several things have occurred within three years. Previously, birth and death certificates were issued by the registrar for around Ksh50. However, today, obtaining birth and death certificates is more expensive for citizens, making them difficult to afford for many. People need death certificates to acquire letters of administration, as required by the law, since one must have proof that a person is dead for them to be certified as such. For one to get a birth or death certificate, they have to part with Ksh1000, which is enormous. This should be reconsidered as having these documents is a constitutional right. Our people are not guaranteed to enjoy this constitutional right, as they cannot afford the charges that come with acquiring the documents.

I propose that a child be given a birth certificate in a hospital, similar to practices in Western countries. For example, in America, Britain, Germany and other European countries, children receive their birth certificates right at the place of birth. The location where children are born should be where they obtain their birth certificates. Likewise, when someone dies—whether a patient or not, as some people pass away without being ill—I am unsure how this happens because when a post-mortem is done, it reveals there were some complications. Some people go to sleep while they are ordinarily normal, but die in their sleep; in such a case, their death certificates should be issued by the registrar. If people die in hospitals in Nairobi, their death certificates should be issued in the same hospitals. It is easier.

Similarly, if children are born in Nairobi Hospital, their birth certificates should be issued there. This will cut the cost for parents and the country. The Civil Registration Services (CRSs) will not have to be there. There will be no complications or need to follow up with birth notification certificates since the children will already be walking. Why is a letter from the chief required to certify that you were born, yet there is a birth notification certificate? Children cannot walk if they are not born already. Why should one go to a village, for instance, my village, Kirigara, to check with Chief Mwirigi to certify that one was born in that village to acquire a birth certificate?

There are bureaucratic complications put in place to make sure that people suffer by the time they acquire birth and death certificates, especially when they try to access the deceased's property. In essence, we should make it easier for them to access these documents. They are a necessity. A birth certificate is a prerequisite for acquiring many things in Kenya, for example, a passport and an identity card. It is really complicated, even for children, to register in learning

institutions without birth certificates. That is why I suggest that if we can obtain it from the hospital of birth, there is no problem. Why not? What is the issue? What is all this, that you can see somebody being born, there is a notification of birth, and then somebody says that you should not be given a birth certificate? Is it that you have just been dropped from somewhere? That someone else should come to certify that you are born? If your mother is there, what are all these other things you are trying to follow? If there is a father, documents will be issued so that this is so-and-so, the father of so-and-so. And when the kid grows, things can be changed to identify the father.

By the way, I find Kikuyu land a very interesting place. There is Kimani wa Wanjiku and Gichimu wa Wairimu. In Meru, there is nothing like that. If there is Gichimu wa Wairimu, why can you not be given a birth certificate at the place of birth? If Wairimu is on that bed with her child, why should she get a paper called a notification instead of a birth certificate? I support this Bill, but a number of things need to be considered.

Even though we try to call Kenya a modernised state or an upcoming modern state, there are a number of things which are dragging us backwards, the way we were in the 1960s. And this is one of those cases where you cannot allow a child to get a birth certificate in a hospital, even though he was born there, as is done in America, Britain, or any other country.

That is all, Hon. Temporary Speaker. I support the Bill.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Kirima. So, Hon. Members, there being no more interest in this Bill, I now call upon the Mover to reply. Hon. Martha Wangari.

Hon. Martha Wangari (Gilgil, UDA): Thank you very much, Hon. Temporary Speaker. You can see that the extent of the support for this Bill cuts across counties, regions and parties. It is a matter that is very close to many of us. I want to thank my colleagues for all the comments and support they have given. The one thing I must agree with, perhaps starting with Hon. Kirima, is that the bureaucracy of the Government is sometimes beyond understanding. Every time you get a child in the hospital, you receive a birth notification—the pink paper—then you go home, and it takes around three months to get a birth certificate. But if the system were efficient, the birth certificate should be processed right at the hospital. Likewise, when you reach 18 years, it should be automatic that you receive a national identity card because you were born to begin with.

Hon. Temporary Speaker, some of these requirements are making it unnecessarily difficult to acquire these documents. That is why you hear Hon. Kirima speaking about the letter from the chief, the notifications and the time it takes. But also, what Hon. Oundo has raised is very critical. Of course, I wanted to tell him that the father of Jesus was Joseph. But more importantly, Jesus was not a normal baby; Jesus was the Son of God, so we are not able to compare with that situation.

I have also interacted with many women who have different reasons why the father's name is not on the birth certificates. That is why sometimes the chief is involved. Furthermore, for any parent who wishes to be included, there are legal ways to follow. But we cannot punish a child, and it is also not illegal to have only one parent listed on the birth certificate.

I know Hon. Timothy Toroitich spoke about the Cabinet Secretary's current initiatives, specifically the Jukwaa La Usalama forums he is undertaking, as well as some of the pronouncements he is making on the ground, as he mentioned in his county. Even when he was in Nakuru on Tuesday of this week, he made other pronouncements about establishing civil registries in Rongai and Subukia constituencies.

So, Hon. Temporary Speaker, it is already happening. But that kind of discretion is what we must cure through this Bill, so that you do not have to make noise, you do not have to bring a Motion to this Floor, and you do not have to beg, as Hon. Ng'eno said. You have even given them an office and furniture, and they still do not bring a Registrar. That discretion is

what we want to deal with. This will ensure that every sub-county or constituency, as I had proposed, gets a mandatory registration centre. That way, the issue of which party you belong to, who you are supporting and for what position does not appear there. Every person should be served equally to get these services.

I know many Members would have wanted to speak to this, and so many already have, but the growth of this Motion has been – I brought this as a Motion in 2020. I was lucky I got my centre because of that Motion. But how many other Members wanted those centres? I would have stopped at that point because Gilgil was already sorted, but we legislate in this House for posterity. We do not just do it for ourselves. We want to do it equally and with no discrimination. I thank all Members for their support, including Hon. Wago, who is seated here, Hon. Oundo, Hon. Kirima, Hon. Mboni, Hon. Omanyoo, and Hon. Makali, who was very passionate about it, as well as all the others who have supported. I appreciate all their support. I hope that we can get to the end of this. I also appreciate Hon. Gichimu, who has also confirmed that he does not even have a civil registration centre.

I confirm that we discussed this with the seconder of this Bill, who is the Chairman, Hon. Tongoyo. We agreed to move amendments in the Committee of the whole House to align with the National Government Co-ordination Act. I wanted the political boundaries, but I am overpowered, and I agree with that. We can start with the sub-counties. Some constituencies have more than one. We hope to have a registrar in at least every sub-county to kick-start the office.

Thank you. I beg to reply.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. Martha Wangari, and all Hon. Members.

(Question put and agreed to)

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

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Members, for the convenience of the House, Order No. 5 will be dropped. It will be scheduled at another time by the House Business Committee.

(Papers deferred)

Next Order.

MOTIONS

ADOPTION OF FIFTH REPORT ON AUDITED ACCOUNTS OF SELECTED STATE CORPORATIONS

THAT, this House adopts the Fifth Report of the Public Investments Committee on Social Services, Administration and Agriculture on its examination of Financial Statements of the following State Corporations, laid on the Table of the House on Tuesday, 5th August 2025-

- (i) National Social Security Fund for FY 2020/2021;
- (ii) Kenya Marine and Fisheries Research Institute for FY 2019/2020 to 2020/2021;

- (iii) National Hospital Insurance Fund for FY 2018/2019 to 2020/2021;
and
- (iv) Kenya Broadcasting Corporation for FY 2013/2014 to 2018/2019.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): I can see the Chairperson of the Public Investments Committee on Social Services, Administration, and Agriculture is not in the House at this moment.

(Motion deferred)

Next Order.

ADOPTION OF THE REPORT ON AUDITED ACCOUNTS
OF THE WATER SECTOR TRUST FUND

THAT, this House adopts the Report of the Special Funds Accounts Committee on its consideration of the audited accounts for the Water Sector Trust Fund for the financial years 2018/2019 to 2022/2023, laid on the Table of the House on Tuesday, 29th July 2025.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Members, the Chairperson of the Special Funds Accounts Committee is also not in the House at the moment.

(Motion deferred)

Next Order.

BILLS

Second Readings

THE KENYA ROADS (AMENDMENT) (NO.3) BILL
(NATIONAL ASSEMBLY BILL NO. 34 OF 2025)

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Members, this one is by Hon. Kaluma, who is also in a different engagement.
Next Order.

(Bill deferred)

THE PRIVATISATION BILL
(NATIONAL ASSEMBLY BILL NO.36 OF 2025)

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): The Leader of the Majority Party is also not in at the moment.

(Bill deferred)

ADJOURNMENT

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Members, the time now being 6.55 p.m., this House stands adjourned until Tuesday, 19th August 2025, at 10.00 a.m.

The House rose at 6.55 p.m.

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