



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT**

**NATIONAL ASSEMBLY**

**THE HANSARD**

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## THE HANSARD

Wednesday, 30<sup>th</sup> July 2025

The House met at 2.30 p.m.

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

### PRAYERS

### QUORUM

**Hon. Speaker:** Serjeant-at-Arms, ring the Quorum Bell.

*(The Quorum Bell was rung)*

**Hon. Speaker:** Hon. Members, we now have a quorum to transact business.  
Clerk-at-the-Table.

### PAPERS

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

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Speaker, on behalf of the Leader of the Majority Party, I beg to lay the following Papers on the Table:

1. Reports of the Auditor-General and financial statements of Total Technical and Vocational College for the years ended 30<sup>th</sup> June 2022, 30<sup>th</sup> June 2023 and 30<sup>th</sup> June 2024, and the certificates therein.
2. Auditor-General's Summary Report on Donor Funded Projects for the Financial Year 2023/2024.
3. 2024 Annual Status Report on Water, Sanitation and Irrigation from the Ministry of Water, Sanitation and Irrigation.
4. Reports of the Auditor-General and the financial statement for the year ended 30<sup>th</sup> June 2024, and the certificates therein in respect of:
  - (a) Gilgil Technical and Vocational College;
  - (b) Kathiani Girls High School;
  - (c) Njoro Technical Training Institute; and,
  - (d) St. Michael Kabaa High School.

I thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. Chairperson of the Departmental Committee on Health.

*(Hon. (Dr) James Nyikal consulted with several other Members)*

Hon. Nyikal, disband that *kamukunji* and go into business.

**Hon. (Dr) James Nyikal** (Seme, ODM): Okay. Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Health on its consideration of the President's Memorandum to the Cancer Prevention and Control (Amendment) (No. 2) Bill, (National Assembly Bill No. 45 of 2022).

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. Next Order. Yes, Hon. Shakeel.

**Hon. Shakeel Shabbir** (Kisumu East, Independent): Hon. Speaker, I had requested for a notice of motion, but I do not see it.

**Hon. Speaker:** What is the issue?

**Hon. Shakeel Shabbir** (Kisumu East, Independent): It is on the expression of concern on the Middle East conflict.

**Hon. Speaker:** I thought it was a statement.

**Hon. Shakeel Shabbir** (Kisumu East, Independent): Yes, it was.

**Hon. Speaker:** It was not a motion.

**Hon. Shakeel Shabbir** (Kisumu East, Independent): I was advised it was a motion, but I can make the statement, Hon. Speaker.

**Hon. Speaker:** I allowed you to make a statement.

**Hon. Shakeel Shabbir** (Kisumu East, Nominated): Can I present it, please?

**Hon. Speaker:** Not now. We have not reached statements. Take your seat. I will alert you when we get there.

Next Order.

### QUESTIONS AND STATEMENTS

**Hon. Speaker:** Hon. Members, we will skip Order No.7 now. We will dispose of Standing Order No.9.

Firstly, today, we are expecting the Cabinet Secretary for Interior and National Administration. He has written to the Speaker requesting to be excused because he is on urgent national duties elsewhere. I acceded to his request and so, I direct the Majority Party leadership to have him here next Wednesday. Those Members with questions for the Cabinet Secretary on security matters, be available to prosecute your issues on Wednesday next week.

Secondly, we will dispose of Standing Orders 8, 9 and 10. Order No. 8 is very straightforward. The House was misled by one enthusiastic Member to cast a negative vote on National Dialogue Committee (NADCO) Bill, which was a consensual Bill passed in the other House as well. It was brought to the House Business Committee and a Motion to rescind the resolution of the House was approved. I expect that to be moved, seconded and disposed of. After that, we will go to Questions and Statements. Not Questions to the Minister, but any other Questions.

Before that, also allow me to acknowledge, in the Speaker's Gallery, Ol'Manyatta Secondary School from Subukia in Nakuru and Katakala Secondary School from Narok North in Narok. In the Public Gallery are pupils from ACK St. Luke Primary from Chesumei in Nandi, Coast Central Adventist School from Mvita in Mombasa and Kapcheprotwa Liberty Academy from Konoin in Bomet.

Students, when you are mentioned, stand up to be acknowledged. Thank you. Take your seats.

*(Applause)*

The Member of Chesumei has asked to take a minute to welcome the school from his constituency. You can do so for the rest of the schools so that we do not duplicate the efforts of the House. Give the microphone to Polo. He is standing and you are putting it elsewhere. There you are. Next to you.

**Hon. Paul Biego** (Chesumei, UDA): Thank you for giving me this golden opportunity. However, the students in the Public Gallery have been taken out. I do not know why. I am not very sure whether they are present.

**Hon. Speaker:** You can acknowledge them in absentia.

**Hon. Paul Biego** (Chesumei, UDA): All right. I welcome students from Chesumei and all the other students who are visiting the House and the 13<sup>th</sup> Parliament. Let them work hard so that they can also be Members at some point. This is a House of records and leaders. You are the leaders of tomorrow. Congratulations on coming.

I am aware that there is St Luke's Secondary School Biribiriet and PAG Jerusalem Primary School. I am also aware that Kapsabet Girls High School and Isidore Kombe from my constituency are also on their way here. All the students are welcome. Feel free and watch the proceedings. You will be leaders tomorrow.

Thank you.

**Hon. Speaker:** Yes, Member for Nyando. What is it?

**Hon. Jared Okello** (Nyando, ODM): Hon. Speaker, I just wanted to acknowledge your generosity.

We have had so many children coming to attend our proceedings last week and this week. I hope that the kind of generation you are helping today would mould into future leaders. Through such kinds of visits and tours, we will have a paradigm shift on the conduct of what we can see now and what we expect in future generations. This is a testament that you really love children. Just as Christ said, "let the children come to me", you have given them an opportunity to come and see what is happening here.

I was walking in town today. I could see many schools within town. When I prodded them to know what they were doing in town, they said: "We have a date with Parliament in the afternoon". This is a step in the right direction. As the children take over from us 30 years from now, I hope they will emulate the conduct of the current Members of Parliament and not the conduct of the other generation out there.

I thank you.

**Hon. Speaker:** In fact, 60 schools visited this House yesterday alone.

*(Applause)*

Hon. Shabbir, I am told yours is a motion. It was balloted. I will come back to you to give notice of the motion. Go to Order No.8 by Hon. Owen Baya.

**Hon. Owen Baya** (Kilifi North, UDA): Thank you, Hon. Speaker. They need to pay me for doing their job. *Waniangalie vizuri* as I do their job.

**Hon. Speaker:** What do they need to do? Which job?

**Hon. Owen Baya** (Kilifi North, UDA): The Whip of the Majority Party and the Whip of the Minority Party, and the Leader of the Majority Party.

**Hon. Speaker:** I pay you a salary for doing what you are doing.

*(Laughter)*

## MOTION

### RESCISSION OF A RESOLUTION OF THE HOUSE

**Hon. Owen Baya** (Kilifi North, UDA): I beg to move the following Motion:

THAT, pursuant to provisions of Standing Order 49(2)(a), this House resolves to rescind its decision of Thursday, 24th July 2025, with respect to the Second Reading of the Election Offences (Amendment) (No. 2) Bill, (Senate Bill No.28 of 2024).

As you aptly put it, this regards the Motion on election offences. A Question was put and its decision was supposed to be made. As you said, someone misled the House to make a decision that Members did not actually intend. Since Standing Order 49(2)(a) allows us to actually rescind a decision, we come before you and before this House to request Members to agree to this procedural Motion that we rescind the decision so that we can move on.

If you allow me, I will request Hon. Mabona to second this procedural Motion. We will then take a vote and move to Order No.9 so that we can make progress.

**Hon. Millie Odhiambo-Mabona** (Suba North, ODM): Thank you for giving me this opportunity.

I second the Motion and indicate that we have multiple roles. When we are overwhelmed, sometimes it becomes very difficult to stay focused. The Motion gives Members an opportunity to relook at the issues we did. These issues relate to the NADCO Report that the country has been challenging us on, especially those who are working around issues in the broad-based government and our 10-point agenda. I am glad that we have more than enough quorum. Members can look at the issues we are dealing with very soberly and consciously, especially around electoral laws.

Thank you. I second.

**Hon. Speaker:** Thank you.

*(Hon. Patrick Makau stood in his place)*

**Hon. Speaker:** Hon. Patrick Makau, Commissioner, take your seat. Hon. Caroli Omondi, what is it?

## POINT OF ORDER

### CONSTITUTIONALITY OF THE NADCO REPORT

**Hon. Caroli Omondi** (Suba South, ODM): Hon. Speaker, I am hearing much talk about the NADCO Report and that we are supposed to adopt it. The reality is that the Report has many constitutional illegalities that we need to debate. We cannot just be shepherded to adopt it.

**Hon. Speaker:** Order, Hon. Caroli Omondi. In fact, that is the more reason you should support this Motion so that the Bill comes back and then you debate it.

**Hon. Caroli Omondi** (Suba South, ODM): It had been rejected.

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

**Hon. Speaker:** Yes, Hon. Millie.

**Hon. Millie Odhiambo-Mabona** (Suba North, ODM): I very reluctantly wish to educate my classmate from primary school to university. He is my neighbour in Suba South. He is talking broadly about a Report. The Report was looking at various amendments.

We are not talking about the Report in overall. We are talking about specific issues regarding the Report. You will be given an opportunity to look at each issue in the NADCO Report as it arises so that we are not choir members singing without music. Some of us are excellent dancers. People have been accusing me of dancing before Farouk Kibet. I dance. The first time I was ever suspended in high school was in Form II, for dancing in the library.

**Hon. Speaker:** You have made your point.

**Hon. Millie Odhiambo-Mabona** (Suba North, ODM): Hon. Speaker, I want to inform Hon. Caroli to be vigilant. It is good that the Standing Orders gives us an opportunity to relook. Be keen, vigilant and as smart as I am.

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**Hon. Speaker:** I have not proposed the question. Let me do so. Hon. Millie, I can confirm that you also danced before me at a funeral.

*(Laughter)*

*(Question proposed)*

Leader of the Majority Party, do you want to say something?

**Hon. Kimani Ichung’wah** (Kikuyu, UDA): Hon. Speaker, allow me to make a small contribution on this matter. I thank the Whip of the Minority Party for informing her neighbour and classmate, Hon. Caroli Omondi. First, we are not voting on the National Dialogue Committee (NADCO) Report. We voted on it last year and it was adopted by both Houses. Consequent to that adoption, certain legislative proposals were made in this House and in the Senate. The Election Offences Bill is one such legislative proposal. It was initiated in the Senate, passed and, thereafter, brought here for concurrence. We debated it. Hon. Caroli Omondi may have been very busy in the constituency last week and might have missed that opportunity. As the Deputy Leader of the Minority Party has said, last week, the vote was inadvertently put at a time when we were also rescinding a vote on some amendments to another Senate Bill, which was to be rejected. Members were, therefore, beckoned to reject the Senate amendments and, inadvertently, they also rejected the Bill that followed, which we intend to proceed with. We are proposing to rescind that decision which was inadvertently passed by the House in line with Standing Order 49(2)(a), which allows us to do so.

I plead with Members to support this Procedural Motion so that we may proceed to Order No.9, where we will make the right decision in affirming and passing this Bill to later proceed to the Committee of the whole House.

Thank you, Hon. Speaker.

**Hon. Speaker:** That having been a contribution, I invite the Mover to reply.

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

In replying, I urge Members to pass this because it is a Procedural Motion that is meant to address a very important and fundamental matter that is before this House. I urge Members to vote for it so that we can proceed to Order No. 9.

I thank you, Hon. Speaker.

*(Several Members stood up in their places)*

*(Hon. Julius Mawathe stood up in his place)*

**Hon. Speaker:** Order. Members on their feet, take your seats. I will now put the question. Order, Hon. Mawathe. Freeze!

*(Question put and agreed to)*

Next Order.

## BILL

### *Second Reading*

#### THE ELECTION OFFENCES (AMENDMENT) (No.2) BILL (Senate Bill No. 28 of 2024)

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*(Moved by Hon. Owen Baya on 22.7.2025)*

*(Debate concluded on 23.7.2025 - Afternoon Sitting)*

*(Hon. Clive Gisairo and several Members stood in the gangways)*

**Hon. Speaker:** Members on their feet, take the nearest seats. Hon. Gisairo, where is your nearest seat?

*(Hon. Clive Gisairo spoke off the record)*

Hon. Members, consequent to your decision at Order No. 8, we now revisit the Election Offences Bill at Order No.9.

*(Question put and agreed to)*

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

Next Order.

## MOTION

APPROVAL OF THE MEDIATED VERSION OF THE GAMBLING CONTROL BILL  
(National Assembly Bill No. 70 of 2023)

**Hon. Speaker:** Order, Hon. Members. Order. Major, take your seat. Freeze where you are.

Hon. Members, I now put the question at Order No.10...

*(The Speaker consulted with the Clerk-at-the-Table)*

Sorry, Members. These Clerks-at-the-Table are misleading the Speaker. They told me to put the question, but I am told it is for debate. I, therefore, rescind that and revert to Order No.6. I invite the Member for Kisumu East to give his Notice of Motion.

## NOTICE OF MOTION

### THE MIDDLE EAST CONFLICT

**Hon. Shakeel Shabbir** (Kisumu East, Independent): Hon. Speaker, I beg to give notice of the following Motion:

THAT, aware that among the rights enshrined in the United Nations Charter on Human Rights is the right to life and self-determination by the people; cognisant of the fact that the Israeli occupation of Palestinian territory in Gaza and the West Bank has been characterised by disproportionate and indiscriminate use of force; concerned that, this has deepened the humanitarian crisis in the region, including the destruction of infrastructure, widespread civilian casualties, and wilful killing of Palestinian civilians, including children in the occupied territories

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by the Israeli Army; noting that, those grave breaches amount to war crimes, flagrant violations of international humanitarian law and crimes against humanity; concerned that, the recent escalation of hostilities between Israel and Iran, including cross-border strikes and retaliatory attacks, threatens to engulf the wider Middle East region in conflict; recalling that, Kenya has previously suffered attacks on its soil as a result of the Middle East conflict, including the 2002 attack on the Paradise Hotel in Kikambala; appreciating that the United Nations General Assembly recently passed a Resolution demanding an end to Israel's unlawful occupation of Palestinian territories and urging compliance with international law; further appreciating the urgent need for the international community, including regional powers and the United Nations Security Council, to intensify diplomatic efforts aimed at achieving an immediate ceasefire, facilitating humanitarian access, and initiating inclusive peace negotiations in the Middle East; appreciative of the role Kenya has played regionally and internationally in global peace initiatives and in mitigating violations constituting crimes against humanity and in solidarity with the Palestinian civilians subjugated by Israel; this House:

1. Expresses deep concern over the dangerous escalation in hostilities in the Middle East that threatens international peace and security across the Middle East and beyond.
2. Reaffirms Kenya's proactive commitment to a peaceful resolution of disputes through negotiation, diplomacy, and adherence to the principles of the United Nations Charter.
3. Urges all parties to the conflict to protect civilian lives and infrastructure in accordance to the Geneva Convention and the International Humanitarian Law, to exercise maximum restraint and immediately cease further acts of aggression, including aerial bombardments, missile strikes and other forms of military escalation.
4. Calls on the international community, including the United Nations and the regional powers, to intensify diplomatic efforts aimed at de-escalation and restoration of dialogue and return to the frameworks of international law.

Thank you.

**Hon. Speaker:** Thank you, Hon. Shakeel. We will now go to Order No.7.

Hon. Members, before we go to statements, allow me to acknowledge the following schools. Because of the large volume of students visiting Parliament, I may call out some schools that have already left.

In the Speaker's Gallery, we have Keringet Primary School from Kuresoi South, Nakuru and in the Public Gallery, Father Toblino Academy from North Horr, Marsabit; Marigu B Primary School from Subukia, Nakuru; Kathera Primary School from South Imenti, Meru; Lwak Girls Comprehensive School from Rarieda, Siaya; Mutonguni Comprehensive School from Kitui West, Kitui; and Kamirithu Primary School from Limuru, Kiambu. I have been asked by Hon. Otiende Amollo to give him one minute to welcome Lwak Girls. In the process, you will also welcome all the other schools that are present.

**Hon. (Dr) Otiende Amollo** (Rarieda, ODM): Thank you, Hon. Speaker. I take this opportunity to welcome pupils from Lwak Primary and Comprehensive School as well as other schools that have been mentioned in this august House. I want the pupils to know that this House is the premier entity that shapes this country. I want them to know that life is defined by respect, hard work and the fear of God. As long as they inculcate all the three aspects, they will go places, be it to this House or to other areas of life. Lwak Girls is a very prominent old school



that has produced many people who have shaped this nation. In the last year's national exam, they emerged as the number one school in Siaya County, despite the tragedy that befell them.

*(Applause)*

One of their dormitories was burnt down to ashes but, fortunately, no student was injured because of the good precautions that the school took. I welcome them here and urge them to work hard.

The fact that we have up to and upward of 60 schools that come to this august House is a testament that Parliament is still respected in this country. It also means that, as Members of Parliament, we must remember the respect we are accorded and behave accordingly.

On a different note, in an earlier Motion you said that there was a Member who had misled the House. Misleading the House is against the Standing Orders and it is punishable. I thought you would mention the Member and punish them accordingly.

Thank you.

**Hon. Speaker:** The Member for Siaya, Hon. Christine Ombaka, I will give you one minute.

**Hon. Dr Christine Ombaka** (Siaya County ODM): Thank you, Hon. Speaker, for giving me the opportunity to greet the students from Lwak Girls...

**Hon. Speaker:** You do not greet them. You acknowledge them.

**Hon. Dr Christine Ombaka** (Siaya County ODM): I acknowledge their presence and I want to encourage them by telling them that the sky is the limit. Anybody can reach anywhere. Just as I am in Parliament today, in future, they can also be in Parliament. I know Lwak Girls has a good name as a school. It is one of the best national schools that we have. Their results are always very good. Apart from being in other professions in future, some of them can be politicians in this House. They are welcome and they should continue to visit Parliament to see the kind of debates that are conducted here and emulate them during their debates in school.

Thank you.

**Hon. Speaker:** Thank you.

## QUESTIONS AND STATEMENTS

### PERSONAL STATEMENT

**Hon. Speaker:** On Statements, the first one will be the Member for Suna West, Hon. Peter Masara, with a Personal Statement regarding the demise of his son. Like we did, we give you our collective condolences.

#### THE UNTIMELY DEMISE OF HILLARY MASESE

**Hon. Peter Masara** (Suna West ODM): Thank you, Hon. Speaker.

Pursuant to the provisions of Standing Order 44(2)(e), I wish to make a Personal Statement regarding the untimely passing of my beloved son, Hillary Masese. No parent is ever truly prepared to bury their child. The death of a son unsettles a sacred order of life, leaving behind a gap that no words can truly fill. Hillary Masese was not only my dear son, but a friend to many and a light in our family. While the loss was deeply personal, the grief was widely shared. I felt that I did not walk this painful journey of 10 months and 19 days of visiting ICU alone. Members of Parliament visited, called, prayed and stood with me. I was comforted by the warmth, solidarity and compassion that was extended to me by my colleagues in this honourable House, friends across the country, Hillary's colleagues at Kenyatta National

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Hospital and the people whom I have the honour of serving, the great people of Suna West. Even as we continue to mourn Hillary's passing, we also celebrate his life. I take solace in knowing that he now rests in eternal peace.

I take this opportunity to sincerely thank each one of you who stood with me and my family, those who visited, called and contributed in one way or another towards the dignified send off for Hillary. I also wish to acknowledge the strong support from the people of my constituency, colleagues, neighbours, friends, the business community and religious leaders who rallied around me. I must sincerely thank this House for offering me shoulders to lean on at my hour of need, led by the Rt. Hon. Speaker himself, Members of the National Assembly and Senators. The emotional, physical and generous financial support are the reason I stand strong before you today.

Finally, I cannot fail to thank the religious leaders from all denominations who stood with my family in prayer and spiritual support. Though Hillary's time with us was brief, his impact was lasting. I stand before this House today stronger because of the kindness that was extended to my family. For every call, every visit, every prayer and every contribution, I say thank you. May Masese's soul rest in eternal peace.

Thank you, Hon Speaker.

By extension, I want to thank our Whips who mobilised Members for contributions, Hon. Eve Obara, Hon. Passaris, Hon. Elachi, Hon. Lesuuda, the Budget and Appropriations Committee Members, the Departmental Committee on Administration and Internal Security and all Members. Thank you, Hon. Speaker. Let Hilary's soul rest in peace.

**Hon. Speaker:** Thank you, Hon. Peter Masara. Next is Hon. Ibrahim Saney.

## REQUEST FOR STATEMENT

### DISAPPEARANCE OF MR HUSSEIN ABDIRAHMAN MOHAMED

**Hon. Ibrahim Saney** (Wajir North, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the disappearance of Mr Hussein Abdirahman Mohamed of ID No.2672739, a resident of Wajir County and was serving as the Manager of Wajir Huduma Centre. He disappeared on Tuesday, 8<sup>th</sup> July 2025, having been last seen attending an official function presided over by the Cabinet Secretary for the Ministry of Public Service and Human Capital Development. Since the event, he has never returned home. Despite numerous efforts by his family to trace or contact him, his whereabouts remain unknown to date. That unexplained disappearance has caused great anxiety among his family members, colleagues and the wider community. He was a dedicated and committed civil servant. Therefore, his sudden absence raises concern and alarm across the constituency.

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

1. A report on the status of investigations into the disappearance of Mr Hussein Abdirahman Mohamed.
2. The measures that are being taken by the Government to ensure that Mr Hussein Abdirahman Mohamed is found and reunited with his family.
3. The steps that are being taken to enhance the safety and security of residents in Wajir North Constituency, including measures by security agencies to promptly investigate and resolve cases of missing persons.

I thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Keynan, you want to joyride?

**Hon. Adan Keynan** (Eldas, UDA): Thank you, Hon. Speaker. I thank Hon. Saney for bringing the request for statement. Mr Hussein Abdirahman, who is also nicknamed ‘Hussein Moi’, is the Manager of the Wajir Huduma Centre, a very senior officer. It has been almost a month and the line Ministry and all other concerned individuals in the Government have not even attempted to brief the public.

In addition to the request for statement by Hon. Saney, I would also like to ask the Chairman about the whereabouts of Mr Hussein. He is a very senior public servant who is missing. He was last seen when he reported to work and yet, the Ministry of Public Service and Human Capital Development, the Public Service Commission (PSC) and the Huduma Directorate have not even suggested that they are investigating that matter. Therefore, it appears that an assumption has already been made.

In addition to the statement requested, I request the Chairman to find out whether the report that has been made by the family in Wajir has been investigated and if it has, is it being handled by the Wajir Police, the Criminal Investigations Directorate (CID) or is it the CID Headquarters here, and what are the summary investigations of the missing officer.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Jehow, one minute.

**Hon. Fatuma Jehow** (Wajir County, ODM): Thank you, Hon. Speaker. I want to add my voice to this particular issue. A very senior officer who works for the Government is missing. We feel like the Police are not doing their work. We are asking the police officers and the authorities involved to bring back that particular person, whether he is dead or alive.

Thank you.

**Hon. Speaker:** Hon. Tongoyo.

**Hon. Gabriel Tongoyo** (Narok West, UDA): Thank you, Hon. Speaker. You quite understand that we have a backlog of many requests for statements that are yet to be responded to. However, given the urgency of the matter, I know that, that is a civil servant who has gone missing in Wajir, the same County that we still had the Member of County Assembly (MCA) who went missing for quite some time. I may not give a comprehensive response. Hon. Speaker, if you will allow, maybe, I can give a preliminary response on Thursday next week as we await a comprehensive response.

**Hon. Speaker:** Thank you. There is one or two Members who approached the Chairman. Hon. Naisula.

**Hon. Naisula Lesuuda** (Samburu West, KANU): Thank you, Hon. Speaker. I rise on a point of order. I had asked for a statement from the Chairperson of the Departmental Committee on Energy in regards to frequent blackouts in Maralal Town, Samburu West Constituency, before we went for recess. There has been no electricity in Maralal for the last two days, and even today, when it has come back, there is low voltage. I would like the Chairperson of the Committee to respond to that statement and take this matter very seriously. The people of Maralal deserve to have electricity frequently.

Thank you, Hon. Speaker.

**Hon. Speaker:** The Chairman of the Departmental Committee on Energy? Any Member from that Committee? Leader of the Majority Party, there is a protestation from Hon. Naisula that she requested for a statement on incessant blackouts in Maralal that has never been responded to for a long while. Can you instruct the Chairman of the Departmental Committee on Energy to bring a response on Wednesday morning?

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Yes, Hon. Speaker, I am aware the Chairman and the Vice-Chairman are engaged in another meeting with the Ministry, both Hon. Gikaria and Hon. Aramat. I will get that information to them.

**Hon. Speaker:** Thank you. Yes, Hon. Naisula.

**Hon. Naisula Lesuuda** (Samburu West, KANU): Thank you, Hon. Speaker, for that direction, and the Leader of the Majority Party for that commitment. But you mean which Wednesday? Tomorrow?

**Hon. Speaker:** Today is Wednesday.

**Hon. Naisula Lesuuda** (Samburu West, KANU): No! I wanted it later today.

**Hon. Speaker:** I said Wednesday morning, and we are past morning. So, it is next Wednesday morning, Hon. Naisula. Yes, Hon. Keynan.

**Hon. Adan Keynan** (Eldas, UDA): Hon. Speaker, I had also requested for a statement from the Chairperson of the Departmental Committee on Blue Economy and Irrigation on 9<sup>th</sup> April...

**Hon. Speaker:** On the 9<sup>th</sup>?

**Hon. Adan Keynan** (Eldas, UDA): Yes! April this year. It has been quite some time. This was a very important issue regarding the status of the water and sewerage system in Wajir Town. Hon. Speaker, you are aware that we are the only county that uses bucket latrines that were donated to us by the Italian Second World War prisoners in 1939. I plead with the Chairman to give us an answer, however, difficult it might be. I know it is very difficult, but bring an answer as soon as possible.

**Hon. Speaker:** The Chairman of the Departmental Committee on Blue Economy and Irrigation? Any Member of that Committee? Leader of the Majority Party, similarly, tell Hon. Kangogo Bowen to bring a response to Hon. Keynan on Wednesday morning next week.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Most obliged.

**Hon. Speaker:** Hon. Members, allow me to acknowledge, in the Speaker's Gallery, Transcend High School from Cherangany in Nandi. I did not know there was Cherangany in Nandi. Clerk-at-the-Table, is this correct? Cherangany is in Trans-Nzoia, and you have written Cherangany in Nandi. But be that as it may, Transcend High School from Cherangany, and Kaundu Secondary School from Mwingi North, Kitui County.

In the Public Gallery, we have Omama Academy from Bobasi, Kisii, and Kipletito Comprehensive School from Aldai, Nandi. On my behalf and that of the House, I welcome the students, their teachers and those accompanying them to the House of Parliament.

Next Order. Yes, Hon. Gonzi Rai.

**Hon. Gonzi Rai** (Kinango, PAA): Hon. Speaker, I had a request for a statement which was supposed to be responded to by the Chairman of the Departmental Committee on Administration and Internal Affairs about the abduction of Mr Charo Mae on 16<sup>th</sup> July 2024.

**Hon. Speaker:** Chairman of the Departmental Committee on Administration and Internal Affairs, are you ready?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Hon. Speaker, I committed to issue a preliminary statement tomorrow. We are still within time.

**Hon. Speaker:** Hon. Gonzi Rai, be here tomorrow. Hon. Njeri Maina.

*(Hon. Njeri Maina crossed the Floor without bowing)*

Hon. Njeri Maina, you cannot do that.

*(Laughter)*

While Hon. Njeri is finding her way, let us have the response to Hon. Umulkher Harun's request for a statement. Hon. Tongoyo, these are responses to requests for statements. Are you ready with the response to Hon. Njeri's request for a statement?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Hon. Speaker, I am ready.

**Hon. Speaker:** What about Hon. Umulkher's?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Yes, I am.

**Hon. Speaker:** Go ahead. Respond to Hon. Njeri's request for a statement first.

*(Hon. Njeri Maina consulted with Hon. Kimani Ichung'wah along the gangways)*

Hon. Njeri, be orderly, take your seat and listen to your response.

## STATEMENTS

### INCREASING INCIDENCES OF HUMAN TRAFFICKING IN KENYA

**Hon. Gabriel Tongoyo** (Narok West, UDA): It is a long one, but I will try to rush through.

Hon. Speaker, the Member for Kirinyaga County, Hon. Jane Njeri, had sought a statement regarding incidences of human trafficking in the country.

In particular, she wanted to know the measures that have been put in place by the Government to strengthen the enforcement and operationalisation of the Counter-Trafficking in Persons Act, including plans to address the emerging gaps in legislation, policy and implementation.

Secondly, she sought to know the actions that are being taken to safeguard Kenya's porous borders to curb the entry and exit of human traffickers and their victims.

Thirdly, she sought to know the safeguards that have been established to ensure the safety and well-being of Kenyans who are seeking employment opportunities abroad.

With regard to the first question, the following measures have been put in place to strengthen the enforcement and operationalisation of the Counter-Trafficking in Persons Act, 2010:

1. The National Police Service (NPS) actively monitors recruitment agencies to prevent their involvement in human trafficking in collaboration with the Ministry of Labour and Social Protection and the National Employment Authority. The frequent inspections are done to ensure all agencies operate in compliance with established legal and ethical standards.
2. The NPS established the Anti-Human Trafficking and Child Protection Unit within the Directorate of Criminal Investigations (DCI), which works in conjunction with the Border Police Unit and other security agencies to identify and dismantle the trafficking network operating across the border points.
3. In collaboration with the National Intelligence Service (NIS), the NPS conducts intelligence-driven operations to identify and apprehend traffickers, and rescue victims from trafficking syndicates.
4. The officers assigned to the border areas receive specialised training to recognise trafficking patterns, appropriately manage victims and understand legal procedures in line with the Counter-Trafficking in Persons Act, 2010.
5. The Government is intensifying border checks and increasing vigilance to deter and arrest suspicious individuals who are involved in human trafficking.
6. Kenya is also collaborating with the East African Community (EAC) and international organisations such as the International Organisation for Migration (IOM) to implement cross-border trafficking strategies. The authorities are actively mapping out suspected non-gazetted and porous routes that are used by those cartels and conducting community sensitisation forums like *barazas* so that the public can get sensitised.

7. The Government is reinforcing collaboration among law enforcement, immigration and labour departments to effectively identify and disrupt trafficking operations and networks.
8. The NPS, in conjunction with the Office of the Director of Public Prosecutions (ODPP), is enhancing mechanisms for victim protection, which include ensuring clear case reporting procedures and safeguarding victims after they come forward.

The second question was on the measures that have been taken to address the emerging gaps in combating human trafficking. The response is as follows:

While the Counter-Trafficking in Persons Act, 2010 remains a cornerstone of our legal framework, the Government is actively reviewing and updating the legislation to address evolving challenges, including the rise of online child sexual exploitation. Anti-trafficking innovations are being mainstreamed into the broader national policy framework and notably, the National Plan of Action Against Sexual Exploitation of Children in Kenya incorporates measures to combat emerging forms of trafficking. To strengthen the on-the-ground impact, the Government is implementing the National Plan of Action alongside the National Referral Mechanism (NRM). That framework is designed to enhance coordination and ensure consistent application of anti-trafficking efforts across all levels.

The operationalisation of the Data Protection Act, 2019 will enhance secure and ethical collection, sharing and analysis of data related to human trafficking, enabling better monitoring of trends and informing decision-making. The ongoing training and capacity-building programme for law enforcement agencies, front-line responders and other key stakeholders remains essential to closing implementation gaps in ensuring effective responses to both traditional and emerging forms of trafficking.

On the third question, the following measures have been taken to safeguard porous borders:

1. Joint investigation teams and operating centres have been set up to facilitate intelligence-gathering and information-sharing among border control agencies. This initiative aims to enhance investigative compatibilities and promote effective multi-agency collaboration at key border points.
2. Technological tools such as the Integrated Customs Management System (ICMS) and biometric systems are being utilised to deter irregular movements and strengthen surveillance at borders. Those systems enhance efficiency and improve the ability to identify potential trafficking activities.
3. Targeted training programmes have been implemented for border and airline personnel. Notably, the IOM, in partnership with the Kenya Airways (KQ), has conducted training to equip staff with the necessary skills to identify and assist victims of human trafficking.
4. The Border Management System (BMS) has been established at selected border points transforming them into a one-stop shop for the clearance of travellers, goods and services. The BMS operates under a multi-agency framework bringing together various Government agencies to streamline and coordinate border operations.

Lastly, the following safeguards have been established to ensure the safety and well-being of Kenyans seeking employment opportunities abroad:

1. The NPS monitors recruitment agencies suspected of engaging in fraudulent or exploitative practices in collaboration with the Ministry of Labour and Social Services. They also conduct frequent inspections to ensure all agencies operate in compliance with established legal and ethical standards.

2. The Labour Migration Desk has been set up at the Jomo Kenyatta International Airport (JKIA) and the Moi International Airport to support migrant workers by providing guidance and assistance with pre-departure procedures.
3. In accordance with Interpol and the Kenya Foreign Missions, the NPS plays a critical role in locating and repatriating Kenyan victims of trafficking. Upon their return, victims are supported through re-integration efforts that are often in partnership with the NGAO Foundation and safe shelters.
4. The NPS is responsible for investigation and arraignment in court of individuals or entities involved in illegal recruitment practices. Those include cases involving fraudulent job promises, confiscation of travel documents and coercion linked to human trafficking.
5. In collaboration with key partners, the NPS conducts awareness campaigns to educate the public on warning signs of fraudulent recruitment processes and suspicious agencies, thus helping to prevent exploitation and human trafficking.
6. The DCI has provided a toll-free hotline number so that victims can report their experiences.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Njeri Maina.

**Hon. Njeri Maina** (Kirinyaga County, UDA): Thank you, Hon. Speaker. My apologies. When you called me, I was on the other side of the aisle. Hon. Otiende mentioned that there was someone who needed to be disciplined by the Committee on Powers and Privileges, which is apparently my new committee since yesterday. I was soliciting for future suspects and attendees before that Committee.

*(Laughter)*

Hon. Speaker, I appreciate the very detailed response by the Committee chaired by Hon. Tongoyo. Perhaps, what is missing from his response is whether the Government is going to conduct fresh vetting of all travel agencies because majority of Kenyans are being exploited by travel agencies as they seek employment opportunities abroad.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Tongoyo, that is a compliment to your Committee.

**Hon. Gabriel Tongoyo** (Narok West, UDA): Yes, it is, Hon. Speaker, although in the questions, it was not included. But I think it is also not a bad thing to consider.

## RESPONSE TO REQUEST FOR STATEMENT

### DISAPPEARANCE OF MR ABDIRIZAK MOHAMED YALE

**Hon. Speaker:** Can you now respond to Hon. Umulkher Harun?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Thank you, Hon. Speaker. With regard to the response to the Statement...

**Hon. Speaker:** Is Umulkher in the House? Yes, go ahead.

**Hon. Gabriel Tongoyo** (Narok West, UDA): The statement was sought by the nominated Member, Hon. Harun, regarding the disappearance of one, Mr Abdirizak Mohamed Yale. In particular, she wanted to know the status of investigations into the disappearance of the said person, measures that the Ministry is taking to ensure that the missing person is found and reunited with his family and, generally, the measures that are being taken to apprehend and arraign the perpetrators before the court. The status is as follows:

On 13<sup>th</sup> September, 2023, Mr Aden Ali reported the disappearance of his cousin, Mr Abdirizak Mohamed Yale, who indicated that he resided in South C Estate in Nairobi County, together with his two cousins. On 29<sup>th</sup> September the same year, he left for work in the morning, leaving behind his cousins who were still asleep. Upon returning home later that day, he found out that they were not present. He initially assumed that they had gone to a local Islamic religious school located at Sungura Road, South C Estate, where both taught Islamic religion classes.

When the two failed to return home that evening, he became concerned and proceeded to make a missing person report at Nairobi West Police Station vide OB No.14309 of 2023. The incident was referred to Akila Police Station and a missing person description and details were circulated to all border points, police stations and divisions within the country vide the signal REFZ.ORG 5/2/14, Volume 1.1068.

Additionally, a request to obtain the call data record of the missing person mobile number was made to the service provider, Safaricom, to assist in identifying the last contact person that the victim communicated with. From the results, it was established that the victim's phone number was switched off within South C Estate and the victim had neither called anyone nor received any call on that material day.

After 26 days of his disappearance, Mr Ahmed Yale returned and stated that on 29<sup>th</sup> September 2003, while walking with his brother in Nairobi West area, unknown individuals abducted them by covering their heads with sacks and bundling them into a Probox motor vehicle, which drove for a short distance before stopping. They were then transferred into another vehicle, which took them to another unidentified location where they were reportedly tortured. Mr Ahmed claimed he was later given Ksh1,000 and released at an unknown location within Nairobi with a stern warning not to disclose the incident, what had happened to him, and to leave Nairobi within three days. He took a motorcycle to Eastleigh and eventually found his way back to South C Estate.

Upon further interrogation, he stated that he did not know the whereabouts of his brother, Mr Abdikadir Mohamed Yale. In compliance with the abductor's instruction, Mr Ahmed left for Garissa County three days after his return and has remained there to date. He indicated that due to the trauma he experienced, he is unwilling to return to Nairobi. Since the circulation of the missing person signal, no information has ever been received to assist the police in tracing the whereabouts of Mr Adan Nur Hassan. The case is pending under investigation.

Lastly, the case is pending under investigation and the police will update the family of any new development with regard to the whereabouts of Mr. Adan Nur Hassan. So far, there are no leads to the whereabouts of the missing person and no suspect has been established. The case remains pending under investigation.

I submit, Hon. Speaker.

**Hon. Speaker:** Hon. Harun.

**Hon. Umulkher Harun** (Nominated, ODM): Thank you, Hon. Speaker. I also want to thank the Chair of the Committee and on behalf of the Committee, I appreciate that detailed report. But I am a bit concerned because I have sat down with the families of Mr Abdirizak Yale. I was actually with the father yesterday. Mr Ahmed was abducted alongside his brother in 2023 as the report has indicated and it is accurate. Mr Ahmed detailed his story back to me, and he was released after 23 days. He was given Ksh.1,000 by the police. It is already obvious that the police abducted Mr Ahmed and they released him. Mr Ahmed was with his brother, Mr Abdirizak, who is still missing to date. So, the report from the Committee says that the police are not aware of where Mr Abdirizak is, and I find that unsatisfactory. I wish the Committee could relook into it so that they are able to give a bit of reprieve to that particular family.



Hon. Speaker, I was with that family yesterday and the father is very distressed. We will really appreciate if the security personnel can give us quick feedback on this matter.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Tongoyo.

**Hon. Gabriel Tongoyo** (Narok West, UDA): Thank you, Hon. Speaker. As I stated in the last paragraph of the Statement, it is true that the investigation is still ongoing. I understand the pain and frustration of the Member and, of course, the family. I want to promise that the police are going to do anything possible to locate the missing person and continuously give update reports to the family and the concerned Member.

**Hon. Speaker:** Thank you. Hon. Members, allow me to acknowledge, in the Hon. Speaker's Gallery, Siena Girls High School from Narok West, Narok County, Mariani Primary School from Igamba-ng'ombe Tharaka Nithi County and Nyekini Primary School from Kitui Central in Kitui County. On my behalf and on behalf of the House, I welcome the students, their teachers, and those who are accompanying them to the House of Parliament.

Next Order.

## MOTION

### APPROVAL OF THE MEDIATED VERSION OF THE GAMBLING CONTROL BILL (National Assembly Bill No. 70 of 2023)

**Hon. Speaker:** Yes, Hon. Kwenya. Are you the one moving this?

**Hon. Kwenya Thuku** (Kinangop, JP): Thank you, Hon. Speaker. Pursuant to the provisions of Article 13(2) of the Constitution and Starting Order No.153, I beg to move the following Motion:

THAT, pursuant to the provisions of Article 113(2) of the Constitution and Standing Order 150(3), this House adopts the Report of the Mediation Committee on the Gambling Control Bill (National Assembly Bill No. 70 of 2023), laid on the Table of the House on Tuesday, 1 st July 2025, and approves the Mediated version of the Gambling Control Bill (National Assembly Bill No. 70 of 2023).

By way of introduction, the Gambling Control Bill 2023 seeks to establish a comprehensive legal framework for the regulation of gambling in Kenya, with specific emphasis on incorporating safe gambling principles within the sector. Additionally, the Bill seeks to establish the Gambling Regulatory Authority of Kenya, which shall bear the responsibility of licensing and regulating the gambling sector. The National Assembly passed the Gambling Control Bill, (National Assembly Bill, No.70 of 2023), on 6<sup>th</sup> December 2023 and forwarded the same to the Senate for concurrence, pursuant to the provisions of Standing Order No.144 and Article 110 of the Constitution.

The Senate considered the Bill and passed it with amendments on 8<sup>th</sup> October 2024 and referred it back to the National Assembly for consideration in accordance with Article 112 of the Constitution. The Senate proposed amendments to clauses 5, 7, 10, 11, 28, 30, 31, 64, 66, 69, 71, 79, 87, 119, 123 and the Third Schedule. Further, the Senate proposed new Clauses 57A, 63A, 66A, 82A and 117A. The National Assembly considered the Senate amendments to the Bill and rejected all of them due to contravention with the Constitution principles of origination of Bills as well as the need for further amendments to the proposed Senate amendments.

Pursuant to Standing Order 148(b) of the National Assembly, the Speaker of the National Assembly conveyed a Message to the Speaker of the Senate on the Resolution by the National Assembly to reject the Bill as amended by the Senate. The Speaker then referred the

Bill to a Mediation Committee under Article 113 of the Constitution and, in so doing, appointed nine Members of the National Assembly to the Mediation Committee to consider the Bill.

On 19<sup>th</sup> March 2025, pursuant to Standing Order 166 of the Senate Standing Orders, the Speaker of the Senate conveyed a Message to the National Assembly on the appointment of nine Senators to sit in the Mediation Committee. Pursuant to Article 113 of the Constitution, the Mediation Committee was required to attempt to develop a version of the Bill that both Houses would pass. The Mediation Committee was confined to considering only the clauses under contention, which were the clauses proposed to be amended by the Senate.

Hon. Speaker, permit me to highlight the deliberations of the Mediation Committee, with particular attention to the clauses that were considered by the Committee.

The Committee reviewed Senate's proposal to expand county government functions in gambling, including developing legislation and issuing licences. It noted that the Bill already addresses the shared regulation by assigning licensing to the national authority and trade permits to county governments. As a result, the Committee retained Clause 5, as originally drafted, and recommended amending Clause 2 to clarify or clearly define a licence and trade permit.

The Committee considered the Senate amendment to Clause 7, which sought to amend the composition of the board of the Gambling Regulatory Authority. The Committee resolved to retain the Attorney-General's membership in the board as well as to increase the number of representatives of the Council of Governors from one to two persons. The Committee noted that those amendments would ensure meaningful representation, both by persons who are not public officers and county government representation, while maintaining manageable board size that conforms to the recommendations of the Mwongozo Code of State Corporations.

The Committee considered the Senate amendment to Clause 10, which sought to remove licensing from the functions of the Authority, and involve counties in machine registration, require disclosure of gambling company beneficial owners, as well as establish a tax compliance system. The Committee resolved to retain licensing as a mandate of the Authority, provide for the establishment of registers in both the national and county governments and provide for due diligence checks on beneficial owners of companies so as to ensure transparency and accountability.

The Committee considered the Senate amendment to Clause 11, which sought to introduce new sub-sections providing for the power of a Cabinet Secretary to grant or revoke remote platform authorisation. The Committee resolved that there was need to provide a definition of remote platform authorisation in the definition section, as well as to provide that the Cabinet Secretary shall have the power to prescribe guidelines on remote platform authorisation.

The honourable Committee considered the Senate amendment to Clause 28, which sought to remove the power of the authority to issue licences to key gambling employees and media promotions. The Committee resolved that it was necessary to retain those provisions in the Bill so as to conform with international best practices which provides for the licensing of key gambling employees.

The Committee considered the Senate amendment to Clause 31, which sought to extend the validity period of gambling licences from 12 to 36 months. The Committee resolved to increase the validity period of an operating licence to ensure ease of doing business and to align the Bill with the National Lottery Act No. 20 of 2023, which provides for a seven-year licence for an annual lottery operator.

The Committee considered the proposed new Clauses 57A, 63A, 66A and 82A, which sought to introduce lottery, betting, gaming and prize competition tax, respectively. The Committee noted that in terms of Article 109(5) of the Constitution, a money Bill may be introduced only in the National Assembly. The Committee further noted that, in as much as the

Bill proposes to repeal the existing Betting, Lotteries and Gaming Act, Clause 121(6) of the Bill provides that the provisions of betting, lottery, gaming and prize competition tax shall continue to be enforced. The Committee therefore resolved that the new clauses as proposed by the Senate should not be part of the Bill.

The Committee considered the Senate amendment to Clause 64, which sought to reduce the minimum amount of a single bet in a casino machine from Ksh20 to Ksh1. The Committee noted that the amount of Ksh1 as a minimum bet amount was not practical, noting that this would be seen as an encouragement to gambling and further noting that the intention of Bill was to regulate gambling as a social vice. The Committee therefore resolved to retain the minimum betting amount of Ksh20 as contained in the Bill.

The Committee further considered the Senate amendment to Clause 66, which sought to provide that in addition to the Authority, county governments shall also ensure that their officers are present in casinos for purposes of ensuring compliance. The Mediation Committee resolved to retain Clause 66 as contained in the Bill to ensure that the responsibility for financial reporting and anti-money laundering compliance rests with the national Government as provided in law.

The Committee considered the Senate amendment to Clause 69, which sought to provide that an online gambling transaction shall commence at the time of deposit of money into the gaming account and shall conclude at the time of withdrawal of money from a gaming account. The Committee resolved to carry the amendment as proposed by the Senate, noting that the amendment was in alignment with the provisions of Excise Duty Act, Cap 472.

The Committee considered Clause 71, which sought to reduce the penalty for the offence of permitting online gambling for an amount of less than Ksh20 million from above Ksh5 million to above Ksh50,000. The Committee noted that while a fine of not less than Ksh5 million may be too punitive, a lower limit of Ksh50,000 may be too lenient given the substantial profits that are realised in the online gambling sector. The Committee therefore resolved to amend the Bill to provide for a penalty of Ksh3 million.

The Committee further considered the Senate amendment to Clause 79, which sought to remove the requirement that a foreign gambling operator who is licensed in Kenya and who intends to carry on the online gambling businesses in Kenya, as well as foreign gambling operators, from the requirements for licensing and gambling security as contained in the Bill. The Committee noted that allowing foreign gambling operators to apply for licences would lead to increased revenue for the authority in the form of licence fees paid by the foreign gambling operators, but such gambling operators would be required to comply with the provisions of the Companies Act, Cap 486 in relation to the registration of foreign companies. The Committee, therefore, resolved to retain the requirement of gambling security in respect of foreign gambling companies or operators.

The Committee further considered the amendment to Clause 87, which sought to remove the restriction of gambling advertisements between 6.00 a.m. to 10.00 a.m., unless it is done in a live sporting event. The amendment further sought to reduce the penalty for the offence of contravening the provisions of advertisements of gambling, from Ksh20 million to Ksh1 million, and imprisonment from 20 years to one year. The Committee noted that the objective of the restriction on the hours of gambling advertisements is to discourage gambling, which is a social vice. Removing restriction from the Bill would lead to the unregulated advertisements airtime on television, which would subsequently increase the social vice. The Committee further noted that the penalty proposed by the Senate for contravention of the gambling advertisements was too low. They, therefore, resolved to retain the provision as contained in the Bill.

The Committee reviewed the Senate's proposed Clause 117(A), to restrict gambling premises operating hours to between 10.00 p.m. and 5.00 a.m. The Committee found that the

proposal would not be practical as online gambling would remain accessible 24 hours, 7 days a week, thus creating an unfair regulatory environment. Consequently, the Committee resolved not to include that clause in the Bill.

The Committee further considered amendment to Clause 119 by the Senate, which sought to remove the conduct of the national lottery and national lottery rules from among the matters which the Cabinet Secretary shall have power to make regulations on. The Committee noted that the Bill seeks to make the Gambling Regulatory Authority (GRA) the main regulator of all gambling activities, by empowering it to set standards and norms. Therefore, the amendment proposed by the Senate was not necessary. The Committee, therefore, resolved to retain the clause as contained in the Bill.

The Committee also considered clause 123 of the amendment that was proposed by the Senate, which sought to amend the Income Tax Act and the Excise Duty Act to provide for tax exemptions on gambling activities. The Committee noted that Article 109(5) of the Constitution provides that, a Money Bill may be introduced only in the National Assembly. Therefore, the amendment proposed by the Senate was in contravention of that constitutional provision. The Committee, therefore, resolved to retain the clause as contained in the Bill.

The Committee considered the Senate's amendment to the Last Schedule, which sought to reduce the security required in respect to online gambling and National Lottery, from Ksh200 million to Ksh20 million. The Committee noted that while the National Assembly's provision requiring Ksh200 million as gambling security may be considered too high, the Senate's proposed reduction to Ksh20 million would be inadequate given the scale and potential impact of those operations. The Committee, therefore, resolved to amend the Bill to provide for the amount of Ksh100 million as gambling security in respect of online gambling and national lottery.

As I conclude, permit me to thank the Members of the Mediation Committee for their efforts in developing a version of Gambling Control Bill, that not only gives effect to the constitutional principles of devolution, but will also lead to the establishment of a comprehensive legal framework to regulate the gambling sector in Kenya. I urge this House to adopt the Report of the Mediation Committee and approve the mediated version of the Gambling Control Bill as contained in the Order Paper. I take note that this Bill presents a comprehensive and modernised approach to the regulation of gambling in Kenya. It aims to balance the economic benefits of the industry which injects the much-needed revenue into the economy while, at the same time, protecting consumers and preventing social harm in our society. The mediated version of the Bill is attached to the Order Paper.

I beg to move. I request the Leader of the Majority Party, Hon. Kimani Ichung'wah, to second. Thank you.

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

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

**The Temporary Speaker** (Hon. Martha Wangari): Thank you. Hon. Members, before the Leader of the Majority Party seconds, allow me to interrupt the business of the House to welcome students in the Public Gallery this afternoon. St. Paul's Gatinda Primary School from Runyenjes Constituency, Embu County; Kiambuthia Secondary School, from Mathioya Constituency, Murang'a County; Ruiyobei Primary School from Rongai Constituency, Nakuru County; Chugor Comprehensive School from Marakwet East Constituency, Elgeyo Marakwet County and Simotwo Primary School from Keiyo South Constituency, Elgeyo, Marakwet County.

In the Speaker's Gallery, we still have Kapsabet Girls High School from Emgwen, Nandi County. On behalf of all of us, I will give one minute to Hon. Didmus Wekesa, whose daughter is a scholar in Kapsabet Girls High School, to welcome all of them.

**Hon. Didmus Barasa** (Kimilili, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to welcome our schools in the National Assembly of Kenya and, most particularly, Kapsabet Girls High School, where my firstborn daughter is sitting her Form IV exams this year. I am not only elated to welcome all the students, but very happy that my firstborn daughter can now understand where I come to every day, and why at times I am absent from home. It is because of the call of duty of enacting various laws in our country. I also appreciate the teachers of our country, who are not only preparing our students to pass the exams, but they are modelling them to be role model Kenyans and good citizens, so that they can take this country to the next frontier. On behalf of all the Members of Parliament, I welcome all of you. Feel free in the National Assembly.

I thank you.

**The Temporary Speaker** (Hon. Martha Wangari): I was going to say we sit for three days in a week, but I welcome all the scholars that are here to observe the proceedings of the House.

*(Several Hon. Members consulted in the House)*

Leader of the Majority Party, second your Motion. Hon. Naisula and Hon. Kururia, that *kamukunji* is illegal. Let us hear the Leader of the Majority Party.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Temporary Speaker. I rise to second this Motion for approval of the Mediated Version of the Gambling Control Bill, (National Assembly Bill No. 70 of 2023). I will not delve into all the specific clauses since the Mover of the Bill, Hon. Kwenya, has already done that. On behalf of the Departmental Committee on Sports and Culture and Members of the Mediation Committee, allow me to first thank all the Members of this House and those from the Senate, who have sat in that Mediation Committee. It was a painstaking process to agree on many contentious issues so as to make sure that we have a Gambling Control Act, if this Bill is passed today and becomes an Act of Parliament.

When this Bill came to this House, we sent it to the Senate because there are certain provisions that touched on county governments. Betting control is a shared function between the National Government and our county governments. Therefore, in line with the Fourth Schedule of our Constitution, we had to send this Bill to the Senate. They amended quite a number of clauses, some that made the Bill to have the Money Bill effect. When those amendments came, we rejected them and those are some of the issues that occasioned the mediation process. I am glad that the Mediation Committee between the two Houses was able to agree, and removed all the clauses that touched on taxation and anything that had the Money Bill effect. In line with Article 114 of our Constitution, our own Standing Orders and those of the Senate, anything that has a Money Bill effect can only be processed by the National Assembly and not the Senate.

I must thank the Mediation Committee because when they convened, they were able to agree and remove all the clauses that touched on Money Bills and those that involved taxation. I am pleased that many of those issues were addressed during the Finance Bill debates, and we enacted several provisions that would otherwise have been carried in this Bill. Those tax measures are now part of the Finance Act of 2025. There were also amendments, especially to provisions under Clauses 5, 7, 10, 11, 28, 31, 64, 66, 69, 71, 79, 87, 119, 123 which were being amended by this Bill, including attempts by the Senate to exclude certain companies, especially those engaged in online gambling, from statutory obligations. Some of those statutory

provisions require that any person who is engaged in a gambling business must be domiciled in Kenya, must hold a bank account in Kenya under the purview of the Central Bank of Kenya, and must deposit security bonds, bank guarantees, or insurance bonds to safeguard the interests of the betting public.

Some of the measures the Senate had proposed included removing those statutory requirements. I am happy that, during mediation, an agreement was reached to retain most of them. The only exemption allowed was Clause 29A, regarding the licensing of those engaging in online gambling. This exemption relates specifically to the requirement for local shareholding. Initially, the law required that any person who is licensed to offer gambling or betting activities under the Act must be a body corporate in which, at least, 30 per cent of the shares are held by Kenyan citizens. I am pleased that the Mediation Committee agreed that for those engaging in online gambling, local shareholding would not be mandatory. That is the only exemption that was agreed upon.

Otherwise, all the other statutory measures, including the requirement for security bonds, bank guarantees, and insurance coverage, have been reinstated. Those provisions are not arbitrary. They exist to protect the public. It is very easy for someone operating online to collect money from Kenyans under the guise of gambling or betting, then disappear without paying out the winnings. Therefore, it is essential that anyone who is licensed must deposit a security guarantee, a bank guarantee, or an insurance bond. This will ensure that, in the event of any liabilities, the betting public is protected.

I must thank the Committee for agreeing on those otherwise very offensive provisions. Members will recall that during mediation, there was widespread public concern about the impact of online gambling, particularly on our young people. Honourable Members like Hon. Kahangara and Hon. Tongoyo, who sit in the Departmental Committee on Administration and Internal Security, will attest that the measures currently being implemented by the Betting Control and Licensing Board (BCLB) are insufficient. Unless and until we have an operational Act of Parliament that effectively discourages our youth from engaging in irresponsible betting and gambling, we risk creating a generation that believes wealth can be attained through gambling without any productive economic effort.

Those of the Islamic faith will bear me witness that gambling is not permitted in their religion because it contradicts the principle of earning through hard work. Even within the Christian faith, we believe in working and earning a living through productive economic activities. Therefore, we must enact laws that discourage irresponsible gambling. It is acceptable for gambling or betting to exist as a pastime, but it cannot become a way of life. It should not be normal for radio and television stations to encourage gambling from as early as 5.00 a.m. At 6.30 a.m., some radio stations run programmes actively promoting gambling to the public. We have witnessed tragic cases of young people, including college students, who have committed suicide after losing money through gambling. Some gamble away their school fees or subsistence allowances from their parents or from the Higher Education Loans Board. They end up destitute, fall into depression, and in some cases, take their own lives.

It is those vulnerable young people we must protect. This particular law will play a crucial role in shielding our youth from the harmful influences of irresponsible betting and gambling. It will play a critical role in ensuring that media houses act responsibly and do not deceive the public into thinking that one can become a billionaire overnight by simply pressing buttons on a phone. You have seen such adverts like “Bonyeza,” “kanya kanya” and “finya finya” all suggesting that one can become wealthy through gambling. We must encourage our young people to work, to innovate, and to use their talents in economically productive ventures.

Initiatives such as the Affordable Housing Programme, digital economy jobs, and the *Kazi Majuu* programme are avenues where young people can earn a living through legitimate means, rather than being lured into gambling. Therefore, I agree with the Mover and the

proposers of this Bill. Those who mediated this Bill have given us a strong legal framework for regulating and controlling gambling activities in this country. This Bill will clearly define which gambling activities are legal in Kenya, while expressly prohibiting illegal forms of gambling. As I said earlier, gambling takes many forms, on the radio, television, online, within the country, and even from entities that are domiciled abroad. This Bill will provide clarity on what is legally authorised in Kenya.

Just two or three months ago, the BCLB informed us that they had banned approximately 330 companies that were engaged in illegal gambling. This indicates that there has been confusion, even among county governments and law enforcement agencies, about which gambling activities are licensed. This Bill will bring that clarity. It will also promote and develop a responsible gambling industry in Kenya. As I said, this industry, like the alcohol or tobacco industry, can be harmful. However, if regulated and done responsibly, it can also be a legitimate source of revenue. As harmful as gambling can be, if done responsibly, it is an industry that can also generate resources for our country and create jobs. We have many gambling companies that are engaged in responsible gambling that have created jobs for Kenyans in this country, especially young Kenyans who are very innovative in the technology sector. Many of them are employed as applications developers in those online gambling companies. They also provide money to the Exchequer. Therefore, we want to ensure that we develop that responsible gambling industry in the country. We will also minimise the social harm that irresponsible gambling can afflict in our society.

This Bill will also ensure that there is integrity in the conduct of licensed gambling activities, and provide for the establishment of mechanisms for the resolution of disputes on gambling. As I said, there are many disputes. Part of the reason that we and this House was opposed to lifting or establishment of exemptions to certain statutory provisions is because some are inbuilt in our laws to ensure that if there are disputes, for instance, between a gambling company and those who are gambling, there is a security guarantee, bank guarantee or an insurance bond that safeguards the money of those who are engaged in this business. This is the same with those who engage in the insurance business. They must have a deposit, a security bond guarantee or bank guarantee to ensure that those who underwrite insurance covers for them are compensated, should that company come down. Those who are in the banking industry are the same.

Because this is also a very fluid industry, in terms of liquidity, we must ensure that if you take money from members of the public, you have also deposited a bank guarantee or insurance bond that will secure the interests of the public. Had we not done that and fallen to the temptation of what had been done in the Senate, then we would be leaders who are encouraging a very irresponsible culture in our country. This is where one can collect money from Kenyans and after two days you close down. You raise money online from Kenyans through pretentious gambling and betting activities, and close shop and take off with their money. It will now not be possible to do that with this law in the mediated format that it is in.

With those many remarks, I plead with Members to support this Mediated Version of the Gambling Control Bill. It is a product of a give and take between us and the Senate. We have made sure that we have a law that now protects the public and encourages responsible gambling and betting in our country, while also protecting the resources that we raise nationally, in terms of revenue from taxation and all the companies that are engaged in gambling. We discourage the illegal gambling and irresponsible betting and gambling that we have seen in the past.

Therefore, I beg to second and urge Members to support this Bill. Thank you, Hon. Speaker.

*(Question proposed)*

**The Temporary Speaker** (Hon. Martha Wangari): What is out of order, Leader of the Majority Party?

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): When you were on your feet yesterday, Hon. Irene Kasalu walked out of the Chamber. Again today, when you were on your feet, she was walking out of the Chamber.

**The Temporary Speaker** (Hon. Martha Wangari): I think we need a refresher course for Hon. Irene Kasalu.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): At least, she froze today when we raised the issue. I advise her that when the Speaker is on her feet, please, remain in your position or freeze at the point where you are.

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Irene Kasalu, you do not have to freeze when the Leader of the Majority Party is on his feet.

*(Laughter)*

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): It is also okay to freeze when the Leader of the Majority Party is on his feet.

*(Laughter)*

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Members, before I indulge you, allow me to recognise schools in the galleries. We will keep doing this because of the number of children that we are receiving in this Plenary. In the Public Gallery, we have Sitotwo Primary School and Junior Secondary School from Keiyo South Constituency, Elgeyo Marakwet County; Kamacabi Primary School from Tharaka Constituency, Tharaka-Nithi County and Christ the King Academy from Kajiado Central Constituency, Kajiado County.

On behalf of the House, we welcome them to observe the proceedings of the House. Before I indulge Members, the Leader of the Majority Party has reacted to a few discussions that have been there. You remember 'yours truly' had requested a Statement on this betting problem, but we still have not got the full report. However, I hope this Bill will address most of those issues because the Betting Control and Licensing Board (BCLB) reacted by withdrawing the adverts, but they have crept back because it was a reaction and then now it has gone quiet. I will indulge Members. I know there are some who want us to put the Question. Who wants me to do so? I will give an opportunity to Hon. (Dr) Ojiambo Oundo on this side and a few others and then we can close the debate.

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute. Allow me to thank and congratulate the Mediation Committee for successfully shepherding the process. As required under Article 113 of the Constitution of Kenya, whenever a Bill originates from either of the House and the head of the House makes an amendment, then the next House makes an amendment, then if they are not acceptable to either of the Houses, we have to go to a mediation process. This was entirely respected in the Constitution. I must commend the spirit that prevailed during this mediation process because many times it always ends up with a stalemate due to some supremacy rivalry that is petty and unnecessary.

As I stand to support the Mediated Version of the Gambling Control Bill, I do so with a very heavy heart. This is in the sense that, as a Christian and human being, I find gambling a distasteful and bad activity. However, we find ourselves between a rock and hard place. We must find a way of bringing the sins that are likely to happen and are happening in some kind



of ambit of control, so that we can monitor the sinners, spouses of the sinners and outcome of the sins.

The Bible and African traditions never contemplated gambling. Our Muslim brothers do not even allow it at all. But we face a reality that our young men and women, and some even lazy and deranged old men of my age, still participate in gambling. There was some form of betting in African traditions. You might not understand it because you are fairly young. It involved a very complicated traditional way of doing it. We would put our two separate fingers, and then we hit in between here, and we bet who would win a fight and the right to dance with the most beautiful girl in a party. That never involved any monitoring. It was not addictive. It was just a way of entertainment.

Over time, as the Leader of the Majority Party has said, there is a category of people in this country who have made gambling and betting a career or job. Some have made it a way of laundering illicitly acquired money. I hope and pray that the provisions of this Bill, once it is assented to by the President and becomes an Act, and the attendant regulations, will address this particular challenge. When you go to watch a football match, be it the mighty Arsenal playing with a small team called Manchester United, you find 90 per cent of the people who are watching or sitting in a hall in a club purporting to watch the match are not soccer fans, but investors waiting to know which team will win so that they can have a huge bet. We must find a way to discourage this behaviour. I hope and pray that the county governments will be very careful when they license any form of machines or halls that allow betting and gambling. In many urban centres in Kenya, 90 per cent of the commercial spaces have gambling machines. School children sneak out of school to go and gamble. There is a notorious place in my constituency called Namboboto Centre, where boys and girls from nearby schools leave home at 5.00 a.m. in the morning purporting to go to school. But unknown to the parents, they put on civilian clothes under their school uniform. So, once they approach the school compound, they remove the uniforms, put them into their bags and enter into those gambling dens. And where do those students get the money? They steal their parents' chicken and small items at home to go and gamble. Even when they are given money for tuition, they use it to gamble.

As I stand here, I have a very close friend of mine who gave his son – a second-year boy in a certain university which I do not want to name so as to respect his privacy – some money to do some work in his clearing and forwarding business. However, the boy spent all the Ksh150,000 on aviator and he lost it. The boy had to disappear and up to now; nobody knows where he is. He is purporting to borrow some money from friends so that he can invest more in gambling hoping that he will win so that he can get some money. To be honest, it is immoral for one to entice people in such a way.

Another form of gambling is the poker cards. In my place, they are played in the bush or in some kind of hideouts where money keeps on changing hands and gets lost. We must rein in on this illegal gambling. It is addictive and a social vice that is mostly destroying our boys and girls who need to have time for other activities. The young men who have finished university need to focus on looking for jobs and entrepreneurship; not on gambling. They have done gambling to an extent that they cannot undertake other activities that they are supposed to and as provided for in the Bible when God told Adam to go and fill the world. We hope and pray that the Gambling Regulatory Authority of Kenya that will be formed once this Bill is enacted, will not be another authority that is steeped in corruption and unethical practices to continuously allow this bad devious habit to fester and become entrenched in this country.

Hon. Temporary Speaker, with those few remarks, I reluctantly support. We need to bring the devil under the watch of the Almighty God. Thank you.

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Elachi.

**Hon. Beatrice Elachi** (Dagoretti North, ODM): Thank you, Hon. Temporary Speaker. I also rise to support this Bill so that we get a law that will work in this country. But honestly

speaking, I find it very sad that you can put the minimum betting amount to be Ksh20. All you have said is that any child in the *kijiji* in Kawangware can find himself or herself in a gambling place. They only need to take money that was meant for bread or other needs from their mothers and use it to gamble. The riskiest part of addiction to gambling, especially in children below 20 years, is that the development of the prefrontal cortex of the brain that is used for decision-making deteriorates completely. After that, the children will find themselves in challenges many years later.

Kenya has the highest rate of allowing children to gamble. To make it worse, it is children of Christians. I salute Muslims wherever they are today because they protect their children. For us, Christians, we have gone mad, starting from the top. I hope the President will sign, but return this Bill with some written memorandum for us to change a few things here. First of all, the Bill states that: “A player in an online gambling activity shall not bet on an amount of less than Ksh20.” What is Ksh20? It should be about Ksh50 so that we discourage the young people from that activity. That is because getting Ksh50 would be a bit hard. It is like those people are so powerful that they can convince the Government such that a Bill can be sized into what they want. It is wrong. These are some of the wrong things that we are doing to our young people.

The other thing is depression. When a young person loses, first of all, he gets into anxiety. He tries and gets into secrecy thinking that next time he can win, but he continues losing perennially. The next thing, he is in depression and suicidal; which is the saddest thing. And many have died because of that and yet, we are here saying that we have mediated over this Bill.

Hon. Temporary Speaker, this is a Bill that should come back with the statement you asked, that we amend a few things here. We should not joke with our children, especially us mothers.

The other thing is on financial literacy in the children. Their chances of learning management of finances for the future is so low. In fact, I doubt whether it will even be there because they are used to ‘*pata potea*’. The devil lies to them that from Ksh20, they can get Ksh200 and they get excited. They continue with that lifestyle until by the age of 40, they still think that it is the way of life yet, it is not. It is a lie in life. But this is what we have made our country to be. God forbid and help Christians because many of the children who are suffering are theirs.

I can also see that we have created an authority and a tribunal. The question is: Have we not created more spaces for corruption? Even the gambling businesses that we intend to close down have been given space to gamble more because they will just be running to the tribunal, give money and they continue. Today, I would like to remind my President that he believes in the Bible. He knows what is good and bad for a country, especially for the young people – a generation that we have to raise. I plead with you, my President, that this Bill that we are passing will not affect our Muslim brothers and sisters. Their Koran is clear that gambling is wrong and, therefore, they follow that. It will affect us and our children. I plead that we put an age limit on gambling in Kenya, just the same way we have put an age limit on alcohol consumption. That 21-age limit should be put on gambling also. We should also ensure the gambling fee is not Ksh20 but about Ksh50. That way, even people will see that we are very serious in ensuring that young children are not enabled to gamble.

Hon. Temporary Speaker, with those few remarks, I beg to support.

**The Temporary Speaker** (Hon. Martha Wangari): Very well. Hon. James Nyikal, Member for Seme.

**Hon. (Dr) James Nyikal** (Seme, ODM): Thank you, Hon. Temporary Speaker.

Gambling is a bad thing. However, we enact laws to regulate bad things. I will support it on that basis. That is why we need a law to control gambling. I support it for one main reason.

That the Committee has attempted to look at areas where we have problems—like the effect on tax, money bills, statutory provisions of who owns it, that they must be locally based, and that shares must be local.

Very importantly, that we have put in a rule that there has to be security guarantees on online gambling. As much as we support it, the biggest problem with this Bill is the effects it has on young people. Gambling is addictive, exactly like any other drug. Its impact on the mind is the same as other drugs, exactly. Worse still, it drives people it has impacted directly into using drugs. Therefore, we really have to look at that

Media houses are the other issue. Media houses are very powerful tools in shaping public perception, public education, and changing the conduct and beliefs of the public. Their job is public education. It is a problem if they are also allowed to get into gambling. At least, the Committee has looked into that.

I support the Bill but I think we need to amend just its two areas in six months. We must put an age limit to gambling and put sanctions on operators who allow young people to gamble. Secondly, we should put a limit on how much one can put into gambling so that we try to cut it away from young people.

With that, I support the Motion.

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Naisula is not in the House. There is no more interest on this.

*(Hon. Zamzam Mohammed spoke off record)*

I do not have you in my records. Where are your cards? My screen has no other person apart from Hon. Naisula. Hon. Zamzam.

**Hon. Zamzam Mohammed** (Mombasa County, ODM): Ahsante sana, Mhe. Spika wa Muda. Nami pia nataka kuzungumzia Hoja hii ambayo imeletwa kudhibiti uchezaji kamari. Naunga mkono ndugu yangu Mhe. Kimani Ichung’wah kwa yale amezungumza leo katika Bunge hili.

Vitabu vyetu vyote vya dini vimekataza uchezaji kamari kwa kuwa ni haramu. Lakini pia, tumeona maisha ya watoto wetu yanazidi kuharibika. Haswa hawa wa shule. Wamekuwa wezi. Wanaingia nyumbani na kuiba shilingi mia mbili za mama na kwenda kucheza kamari. Tumeona watoto wakicheza kamari hadi katika mipira.

Namueleza Mhe. Oundo kuwa Manchester United siyo timu ndogo. Inatupa ari sana ndani ya Mombasa. Tuna watoto wanaocheza mpira. Namrekebisha kuwa Manchester United siyo timu ndogo. Labda Arsenal ni ndiyo timu ndogo.

Nikirudi kwenye kamari, watoto wetu wanaingia kamari za mpira. Utamwona mtoto na visimu au amekimbilia kwa jirani. Hawawezi kushika hata vitabu wasome. Kamari imeharibu jamii mpaka sasa badala ya vijana wetu kujifunza ujuzi mbalimabali ili wapate ujuzi wa kujisaidia na kujiajiri, wameshikilia kamari sana. Watoto wanacheza kamari na wamekuwa wakora. Serikali na nchi inaharibika kwa sababau ya kucheza kamari. Ndiyo maana nasema sheria kali iwekwe.

Mimi kama Mwislamu, nasema kamari ipingwe kabisa kulingana na maadili ya Quran. Kucheza kamari ni kitu kibaya ambacho kimeharibu maisha ya watoto. Wamekuwa wezi na wavivu. Vijana wamekuwa wavivu kiasi kwamba hawataki hata kujifunza ujuzi ili watengeneze mapeni. Kwa mfano, vijana wanaweza kushikana na kufanya *interior design*, *mechanics* na ujenzi. Mambo mengi sana yanaendelea katika sekta ya *real estate* saa hii. Watoto wanaweza kupata ajira lakini wengi wamejitwika uvivu kwa kucheza kamari ili wapate pesa za haraka.

Sijui waliobuni michezo ya kamari walifikiria nini kwa sababu nina uhakika wamezuia watoto wao kucheza michezo hii. Hii ni sawa na simu za rununu. Aliyezitengeneza amekiri

hadharani kuwa watoto wake hawana simu za rununu. Watoto wa wenzake ndio wanazitumia. Utapata mtoto anabonyeza simu kila wakati ilhali hana muda wa kushika vitabu asome. Watoto wameharibika. Sijui dunia inaenda wapi.

Ingekuwa uwezo wangu mimi Mama Zamzam, ningepinga kamari kabisa hata ifutiliwe mbali ili watu watafute biashara nyingine za kufanya kando na kuingia katika mchezo wa kamari ambao ni wa pata-potea. Mnaibia Wakenya hadharani.

Siku hizi, wanatangaza katika vituo vya redio na televisheni mchana peupe watoto wanapotazama. Mara utasikia *pick a box* au fanya hiki au kile. Yote hiyo ni kamari. Naomba kuwa kwanza itolewe katika matangazo ya televisheni na redio. Anayetaka kamari awe wa umri fulani. Ijapokuwa mimi siwezikubali mume wangu acheze kamari hata katika umri wake. Hilo ni kupoteza mali na kujitwika uvivu ndani ya nyumba.

Kwa hivyo, kwa sababu ya wanafunzi wetu walio shuleni na katika taasisi mbalimabali, naomba hii sheria ipitishwe ili tудhibiti kamari na kuangalia tunavyoweza kukinga jamii na watoto wetu kutokana na athari za kucheza kamari.

Kwa hayo machache, ahsante sana Mhe. Spika wa Muda.

**The Temporary Speaker** (Hon. Martha Wangari): I call upon the Mover to reply.

**Hon. Kwenya Thuku** (Kinangop, JP): Thank you for giving me this opportunity.

First, in a very special way, I thank all Members who have contributed to the special Motion on the Mediated Version of the Gambling Control Bill, (National Assembly Bill No. 70 of 2023). As you have realised, many Members have quite enriching proposals. Given the emerging trends and issues and because legislation is a continuous work in progress, maybe, they have an opportunity to bring amendments in six months and follow through the relevant Ministry while doing regulations.

I beg to reply and request for the putting of the Question to be deferred pursuant to the provisions of Standing Order 53. I thank you.

**The Temporary Speaker** (Hon. Martha Wangari): Very well. We shall defer putting of the Question as the Mover requests.

*(Putting of the Question deferred)*

Next Order.

## COMMITTEE OF THE WHOLE HOUSE

*(Order for the Committee read)*

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

## IN THE COMMITTEE

*[The Temporary Chairlady (Hon. (Dr) Rachael Nyamai) in the Chair]*

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

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Order, Hon. Members. Those who wish to participate in the Committee of the whole House may take their seats. We are considering the Equalisation Fund Appropriation Bill, (National Assembly Bill No. 21 of 2025).

*(Clauses 3, 4, 5, 6 and 7 agreed to)*

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): We have an amendment on the Schedule. Hon. Chairman.

*Schedule*

**Hon. Samuel Atandi** (Alego Usonga, ODM): I beg to move:

THAT, the Schedule be amended with respect to Kitui County by deleting the word “Kisumu” appearing in column B and substituting thereof with the word “Kitui”.

Hon. Temporary Chairlady, in the Schedule in Column B, which outlines the counties and constituencies that are supposed to benefit from the Equalisation Fund, the word “Kisumu” appears in the column for Kitui County. We are removing that word to align the Report properly.

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

*(Question of the amendment proposed)*

Proceed, Hon. (Dr) Nyikal.

**Hon. (Dr) James Nyikal** (Seme, ODM): I want to get clarification from the Mover. If Kisumu was initially there and has now been removed, what does that mean? Was it a repetition, implying that Kisumu is still there and Kitui is simply being added? Does this mean that the money for Kisumu is gone? Can we have an explanation on that?

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. (Dr) Nyikal, it is a typographical error where Kisumu appears in the Equalisation Fund money meant for Kitui County. However, for the purpose of clarity, Hon. Chairman, please, explain to Hon. (Dr) Nyikal.

**Hon. Samuel Atandi** (Alego Usonga, ODM): Thank you very much for that clarification. What we are correcting is basically a clean-up. However, for the benefit of Hon. Nyikal, I would like to inform him that Kisumu County is also a beneficiary of the Equalisation Fund. In Kisumu County, the sub-counties that will benefit are Muhuroni and Nyando, not Seme. So, Kisumu will still benefit, but in this particular amendment, we do not want the word “Kisumu” to appear in respect for Kitui County, which is benefiting independently as Kitui County.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. Chairman.

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

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

*(The Schedule as amended agreed to)*

*(Clause 2 agreed to)*

*(Title agreed to)*

*(Clause 1 agreed to)*

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Mover of the Bill, the Chairman of the Budget and Appropriations Committee, proceed.

**Hon. Samuel Atandi** (Alego Usonga, ODM): Hon. Temporary Chairman, I beg to move that the Committee do report to the House its consideration of the Equalisation Fund Appropriation Bill (National Assembly Bill No.21 of 2025) and its approval thereof with amendments.

Thank you, Hon. Temporary Chairman.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

IN THE HOUSE

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

### MOTION

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

**Hon (Dr) Rachael Nyamai** (Kitui South, JP): Hon. Temporary Speaker, I beg to report that a Committee of the whole House has considered the Equalisation Fund Appropriation Bill (National Assembly Bill No.21 of 2025) and approved the same with amendments.

**The Temporary Speaker** (Hon. Martha Wangari): Mover of the Bill.

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

I request Hon. (Dr) James Nyikal to second the Motion for agreement with the report of the Committee of the whole House.

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Nyikal.

**Hon (Dr) James Nyikal** (Seme, ODM): I second.

*(Question proposed)*

*(Question put and agreed to)*

### BILL

*Third Reading*

THE EQUALISATION FUND APPROPRIATION BILL  
(NATIONAL ASSEMBLY BILL NO.21 OF 2025)

**The Temporary Speaker** (Hon. Martha Wangari): Mover of the Bill, move Third Reading.

**Hon. Samuel Atandi** (Alego Usonga, ODM): Hon. Temporary Speaker, I beg to move that the Equalisation Fund Appropriation Bill (National Assembly Bill No.21 of 2025) be now read a Third Time.

I request Hon. (Dr) James Nyikal to second.

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Nyikal.

**Hon. (Dr) James Nyikal** (Seme, ODM): I second.

*(Question proposed)*

*(Question put and agreed to)*

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

## MOTION

### ADOPTION OF REPORT ON AUDITED ACCOUNTS OF SELECTED STATE CORPORATIONS

THAT, this House adopts the Report of the Public Investments Committee on Commercial Affairs and Energy on its examination of the Reports of the Auditor-General on the Financial Statements of selected State corporations, laid on the Table of the House on Wednesday, 4<sup>th</sup> June 2025.

*(Moved by Hon. David Pkosing on 29.7.2025)*

*(Resumption of debate interrupted on 29.7.2025)*

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Members, this Motion was on the Floor yesterday. We shall now resume debate.

Let us start with the Leader of the Majority Party.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Temporary Speaker, I rise to support the Motion on consideration of the Public Investments Committee on Commercial Affairs and Energy's report.

I first commend the Chairman of the Committee, Hon. Pkosing, and the Members of the Committee for the diligence they have put in to ensure that they review the audited accounts of our State corporations in the energy sector and those that are engaged in commercial activities.

I also note the communication from the Cabinet yesterday, which indicated that some of these State corporations are lined up for privatisation. This is a matter I fully support, particularly that of the Kenya Pipeline Company Limited. When you privatise, you harness both the public resources available and the expertise of the private sector, especially in the management of institutions that otherwise become inefficient due to the bureaucracies of the public sector. I look forward to a time when this privatisation becomes a reality to ensure that the Kenya Pipeline Company, for instance, is able to deliver on its mandate more effectively and efficiently than it does today, and in a manner that ensures the safety of many Kenyans. We remember what happened in Sinai some years ago. I believe with the private sector coming into play in that sector, we will have more resources and better expertise in the management of some of these State corporations.

We talk about corruption every day in this country, but we hardly ever act on it. I must commend the Public Investments Committee because it remains an integral part of the fight against corruption. A few years back, when I served as the Vice-Chairman of the Public Investments Committee, we looked into the then Youth Enterprise Development Fund heist, where in one afternoon, people scuttled away Ksh180 million that was meant for our youth. The work we did as a Committee resulted in people being charged and convicted. I want to encourage Hon. Pkosing to follow in the footsteps of that Public Investments Committee, where I served with Hon. Keynan Mohammed, who was my chairperson.

The energy sector in this country is bedevilled by rampant corruption. This House has talked about the high cost of electricity in the country over and over again. The high cost of electricity is largely because of yesteryears' corruption, sometimes due to the extremely expensive power purchase agreements that were entered into 25 to 30 years ago. We continue to pay for them today. Some State corporations in the energy sector are currently quasi-private. One example is the Kenya Power Company. Hon. Pkosing is aware that just because Kenya Power Company is listed at the Nairobi Stock Exchange and has private investors does not mean that the Public Investments Committee should not oversee it. The Government still allocates money to some of these State corporations.

I am speaking about the Kenya Power Company because the public continues to suffer due to the unchecked corruption in that entity. If the Public Investments Committee were to look into the procurement processes at Kenya Power Company, they would be astounded. I speak with authority because I am privy to a lot of information, some of which I have passed on to the Public Investments Committee to check. Corruption is rife at the Kenya Power Company right from the procurement of transformers to that of metres. There are cases where people purport to procure metres and they advertise tenders for locally produced metres. I say this with authority because I have taken time over the last few weeks to investigate how many people who have been selling metres to Kenya Power Company are actually producing metres locally. What is billed as manufacturing is actually rebranding. Because the Public Investments Committee has this information, I want to challenge them to look into the procurement of metres, transformers and cables at the Kenya Power Company, at the Rural Electrification and Renewable Energy Corporation (REREC) and at the Kenya Electricity Transmission Company Limited (KETRACO). If there is a den of corruption and theft in this country, it is at the Kenya Power Company.

There is no reason why Kenyans should continue paying heavily for metres that are being shipped into the country as complete products, and which are sold at almost three or four times the market value to enrich a few people. Those people form a cartel and boast about how powerful they are. I want the Public Investments Committee to look into this matter so that we determine who is more powerful between the cartels at the Kenya Power Company and this House, whose powers are vested on us by Kenyans. Cartels cannot be more powerful. Cartels are only powerful because they can bribe and manipulate procurement processes in the Government.

Since His Excellency the President spoke about e-procurement in Government last year during the State of the Nation Address, I have been very emphatic in challenging the Ministry of the National Treasury and Economic Planning to ensure that all public procurement in this country shifts to e-procurement. Through this, we can stop the manipulation of tenders and procurement processes in this country, which will ensure that those processes are what was envisaged by Article 227 of our Constitution, which states that all public procurement shall be done in a fair, transparent and accountable manner.

Hon. Pkosing, the procurement processes at the Kenya Power Company are not transparent, and there is no accountability at all. I have been very interested in those procurement processes since I learned what goes on there. I know the Public Investments



Committee largely deals with post-audit issues, but nothing stops them from dealing with current affairs in State corporations if it is in the interest of protecting the public. I want to ask Hon. Pkosing and his Committee to ensure that all the players in the energy sector and those engaged in commercial activities are doing the right thing.

We had the edible oils scandal two years ago because some people were using public assets or parastatals as avenues to enrich themselves. Only this House can stamp its authority through our oversight committees to ensure that we derive value from the parastatals that Hon. Pkosing oversees. The value derived is not just to shareholders, but even to consumers. Many parastatals in the energy sector, including Kenya Power Company, are largely monopolies. The KETRACO is also a monopoly. The REREC takes power to our rural areas without any competition. Therefore, there is absolutely no reason as to why State corporations should not be run efficiently to protect public assets and ensure that Kenyans get cost-effective and efficient energy without frequent blackouts. We should also ensure that we pay the right value for public goods. I support e-procurement because it will ensure that there is accountability and transparency in how we do public procurement, unlike what has been going on in the past.

This House has been dealing with the issue of the moratorium on power purchase agreements. Even as we seek to re-open that space, we must ensure that any new agreements that we get into will give value to Kenyans. Any item that we will procure, whether it is a transformer at KETRACO, cables at REREC, or metres at KPC, should be cost-effective. We should obtain them at market value, so that we do not end up paying twice or thrice the actual price as people roam around in town telling us how powerful they are. Hon. Pkosing, you have a duty. Show us that your committee has “teeth” to “bite”.

Those who are stealing from Kenyans at Kenya Power Company and at other public commercial enterprises should have their day in court because that is the only way through which we will ensure that we do not become another talk-shop against corruption, but that we use our oversight committees to deal decisively with the cancer of corruption. We should put the public interest ahead of everything else and hold to account those who abuse our resources, whether they are in ministries or parastatals.

Hon. Pkosing has done a good job in going through all these voluminous Auditor-General reports. I am an accountant and I know auditors do not point out issues for the sake of it. Even when they appear wrong, if you dig deeper, you will find something. They say in English, “where there is smoke, there is fire.” Where the Auditor-General points at you, there is something. I want to invite the Auditor-General and the State Corporations Inspectorate to also look into the procurement processes, especially in the energy sector, to ensure that we deliver value to Kenyans.

We have said that manufacturing in this country, as a percentage of our GDP, has been declining. We largely blame it on the cost of power. When shall we deal with the cost of power if we do not address the challenges at the Kenya Power Company, KETRACO, REREC, KenGen and Kenya Pipeline Corporation (KPC)? When will the cost ever come down? For how long will we keep blaming the power purchase agreements (PPAs) signed 25 or 30 years ago? Some of them, fortunately, are about to expire, thank God, but when they do, will we see new PPAs signed under the same terms we have long complained about? We pride ourselves as a country where almost 80 per cent of our energy is green. Green energy is cheaper energy, but is that cheaper energy reaching the consumer? Is that geothermal, wind or solar energy cheaper? Given that we are on the Equator with good weather nearly all year round, is it being reflected in our electricity bills? Is it helping spur manufacturing in our country? These are the questions that we must ask ourselves as legislators and as people charged with the responsibility to oversee public assets.

That is why I am really begging that, even as we adopt this Report and address the issues raised by the Committee, whose recommendations I support, we go beyond the call of

duty. We must go beyond the Auditor-General's reports. We have our departmental committees, such as the one on Energy, which oversees many of these parastatals. They must ensure that we prevent theft before it happens. It is not enough to point out where money has been lost. It is better to catch the thieves before they take off with the money, and there are many thieves in this country, especially in those parastatals.

Hon. Pkosing, you must deal with them without fear or favour. I know some go around town boasting about their connections. Let us see how well connected they are. Let us see how well connected they are in courts, not in bars or on the streets. Let them show their connections in courts when they are charged. We will support you and you can count on my support as the Leader of the Majority Party, Hon. Pkosing and your Committee Members, to ensure that all the recommendations contained in your Report are actualised.

I, therefore, support and urge Members to adopt this Report, not for the sake of the Public Investments Committee, but for the sake of our country. We must protect public assets without apologising to anyone. That is why I say I have no apologies for what I am saying. This is because it is right for the country. We must not allow people to abuse procurement processes, because of their political affiliations. We cannot let people steal and form cartels, then go around town bragging about how well connected they are. We will see how connected you are when you land in court and Hon. Pkosing is on your case.

With those remarks, I beg to support.

**The Temporary Speaker** (Hon. Martha Wangari): Very well. I do not see any further interest in this Motion. Therefore, I call upon the Mover to reply.

**Hon. David Pkosing** (Pokot South, KUP): Thank you, Hon. Temporary Speaker, for giving me the opportunity to reply. I also thank God that you presided over this debate yesterday and are presiding over it again today. That gives you the content and flow.

As I reply, let me begin with what the Leader of the Majority Party raised. I want to assure you, because a matter raised by the Leader of the Majority Party is not just any matter, that this is a serious matter. He is our leader in terms of ranking. When he raises an issue, he does so for the people of Kenya. I want to assure him that the matter of the Kenya Power Company is already under consideration by the Committee. It is a shame, from the little information I have, that some people are almost converting the institution into a private property as though they can do whatever they want. It is true, as the Leader of the Majority Party said, that some individuals boast of their connections. Let us now see the power of the people. Yesterday, some Members, including the Deputy Leader of the Majority Party, raised concerns that we are becoming a House of reports with no implementation.

We recommend as a Committee, then the matter goes to the Committee on Implementation and it becomes just another report. I learned a lot from the Deputy Leader of the Majority Party. Therefore, the work is cut out for us and we will bite. This House and this Committee are serious. I want to assure you, Hon. Leader of the Majority Party, that the matter of the Kenya Power Company will be acted upon quickly. We have ordered a special audit on the matter and given the Auditor-General a short timeline of two to three weeks. That matter should be on the Floor of the House for consideration or prosecution. I will not go into detail now since the Auditor-General is on it. Once the report is ready, I will table it in the House for decision-making, but it must be known that it will not be business as usual. The people involved must be prepared. We are also auditing the power sector more broadly.

Secondly, I will follow up on the issue of metres, both at KPC and REREC. I may ask the Auditor-General to investigate both institutions, so that if anyone has converted public entities into personal property, they face the law. I want to tell the people of Kenya listening today that it is not going to be business as usual. When we speak, we act. You know the tradition of the people where I come from. When we say we will be there at 10.00 a.m., we will be there at exactly 10.00 a.m. You know what I mean. It is not going to be business as usual. They must

now learn. As I said yesterday, in accordance with Article 221, we are doing these things not for ourselves, but for the people of Kenya. Parliament has been treated as a talking House. That must change, it is going to be an action House. I want to assure the Hon. Leader of the Majority Party, again.

Thirdly, related to this is the issue of mini-grids, implemented by some of these agencies. It came up in the Committee Report and we found that people in Garissa, Mandera, Isiolo and Turkana were promised power generation systems. Mini-grids are localised power systems. They typically use solar during the day, which charges batteries. When sunlight is insufficient, the batteries provide power. At night, a generator kicks in to continue power supply. Garissa, Mandera, Isiolo and Turkana are among the neediest regions. Why are they suffering today and yet the Government delivered the service? They now appear to be white elephant projects. As a Committee, we have refused to be a talk show. Both cabinet secretaries have been summoned to appear before us on 5<sup>th</sup> August 2025. This is a notice to the Cabinet Secretary for Energy and Petroleum, Hon. Opiyo Wandayi, and the Cabinet Secretary for the National Treasury and Economic Planning, Hon. Mbadi, my good friend, who is also invited. We have refused to become a House of reports and talks.

As I conclude, I thank my colleagues. There are issues that were raised yesterday and I want to clarify. One of the issues raised by the Members is whether we are selecting agencies. No, we are not selecting agencies. We are auditing all agencies. However, our criteria for audit is different. We select them in accordance with sectors. We are currently auditing the power sector after we audited the transport sector. We will then move to the water sector, then regional development agencies and then the financing sector. That is the reason for using selected State corporations. It is not that we will not audit the rest, we will audit all of them, but at particular times.

I thank my colleagues, the Hon. Members, and particularly the Leader of the Majority and the Deputy Leader of the Majority Party for finding time to contribute to this Motion. When senior leaders contribute to your Motion, you find joy. It means you have caught their eye.

Hon. Temporary Speaker, I beg to reply. I request that the putting of the Question be deferred pursuant to Standing Order 53(3). I thank you, Hon. Temporary Speaker, the greatest Martha in this country.

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Pkosing, we shall defer the putting of the Question to the next appointed time.

Next Order.

*(Putting of the Question deferred)*

## BILL

### *Second Reading*

THE METEOROLOGY BILL  
(Senate Bill No.45 of 2023)

**The Temporary Speaker** (Hon. Martha Wangari): Leader of the Majority Party.

*(Hon. Owen Baya consulted  
Hon. Kimani Ichung'wah)*

Hon. Member, you are disrupting the Leader of the Majority. He is supposed to move the Meteorology Bill.

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**Hon. Kimani Ichung’wah** (Kikuyu, UDA): Hon. Temporary Speaker, I had asked my deputy to help me move it. I allow him to move.

**Hon. Owen Baya** (Kilifi North, UDA): Thank you very much, Hon. Temporary Speaker and Hon. Kimani Ichung’wah, the leader.

Hon. Temporary Speaker, I beg to move that the Meteorology Bill (Senate Bill No.45 of 2023) be now read a Second Time.

As Members recall, the Meteorology Bill was read a First Time on 3<sup>rd</sup> December 2024. It was thereafter committed to the Departmental Committee on Environment, Forestry and Mining for consideration and reporting to the House, pursuant to the provisions of Standing Order 127. I commend the Committee for a job well done. I note that the Chairman, Hon. Kawayi, who leads the Committee did a commendable job. The people of his constituency have a great leader in him.

Hon. Temporary Speaker, the Bill sponsored by Sen. Aaron Cheruiyot and who is also the Leader of the Majority in the Senate, seeks to provide a legal framework for the establishment of the Kenya Meteorological Service Authority, regulation, coordination, monitoring, management, provision and control of meteorological services and for connected purposes. For many years we have relied on the Kenya Meteorological Department to provide weather forecast among other things. However, this organisation has not been anchored in proper law. They operate under a legal notice and as we are aware, legal notices in this country operate for ten years after which they lapse. To give the Kenya Meteorological Department a proper grounding and framework to operate, it is important that we enact this Bill and provide them with an Act within which they will be operating and also expand their mandate so that they are properly covered and endowed with resources and proper governance structures are put in place. We must ensure that we anchor the Kenya Meteorological Department into law.

Hon. Temporary Speaker, once this Bill is enacted into law, we will have a legal framework that will apply to weather observers, meteorological service providers, private weather service providers, the Meteorological Training and Research Directorate, among other meteorological training and research institutions and any person or group of persons or organisation whose undertakings involve or include, generally, the use of meteorological information for commercial purposes. For example, airports in this country use a lot of meteorological information. All airports in this country have weather forecasts and do a lot of meteorological work. This work needs to be consolidated so that there is an Authority that can manage, observe and ensure rules are followed in weather forecast. Sometimes the weather forecast predicts rain in Nairobi at, for example, 7.00 a.m. to midday, but it does not rain at that particular time. So, you ask who regulates weather forecasting in the country. Everybody can do it because there is no law that controls all these other organisations doing weather forecasting. Therefore, it is important that they are put under one umbrella. That is why we have this Bill.

The Bill provides for the establishment of the Kenya Meteorological Service Authority. We only have the Kenya Meteorological Department. It will be a body corporate to be managed by a board of directors; the Kenya Meteorological Service Authority Board. The Authority shall be responsible for the provision of meteorological services in Kenya, and it will be the principal technical advisor to the national and county governments on matters related to meteorology.

Additionally, the Authority shall be responsible for the issuance of permits to persons who intend to undertake meteorological observation, weather forecasting activities or weather modification activities.

The functions of the Authority shall include development, review and monitoring the implementation of Government policies in respect of meteorology and related services; provision of aeronautical meteorological services for the safety, regularity and efficiency of

international air navigation in line with Annex 3 to the Chicago Convention on International Civil Aviation; provision of timely meteorological information for search and rescue services and accident investigation; and collaboration with relevant Government agencies in the development, implementation and operation of national multi-hazard early warning systems.

Secondly, the Bill provides for the establishment of the Meteorology Training and Research Directorate, which shall be responsible for training and research and shall be the World Meteorological Organisation Regional Training Centre for provision of certificate and diploma professional courses in meteorology, operational hydrology and related sciences. In Kenya, as long as you have studied geography in university, you qualify to be a meteorology officer. However, we are now saying that just like one is trained to be a lawyer at university and then becomes an advocate after going through the Kenya School of Law, even when one has a degree in geography or related studies, they must go to the Meteorology Training and Research Directorate for training so as to be properly anchored as a meteorologist. The people who forecast the weather for us should be accounted for in terms of proper training and induction into the area.

Thirdly, the funds of the Authority shall include money as may be appropriated by Parliament for purposes of the Authority, money as may accrue to or vest in the Authority in the course of the exercise of its powers or the performance of its functions and money collected under the Air Passenger Service Charge Act, Cap 475. When passengers pay for their air tickets, the money is collected. Therefore, the Kenya Meteorological Department need to get a piece of the cake so that they can fund their activities. Right now, they do not get the money, but we are saying that from the Air Passenger Service Charge Act, the Meteorology Authority will have a piece of the pie.

The Bill provides for offences and penalties, and transitional provisions with respect to staff, assets and the Institute of Meteorological Training and Research from the Kenya Meteorological Department to the Kenya Meteorological Service Authority and the Meteorology Training and Research Directorate, respectively. That means we already have staff who work at the Kenya Meteorological Department, which is a department within the Ministry of Roads and Transport. We are now saying that when the Authority is established, we need to have transitional provisions so that the staff can move to the Authority.

There are certain organisations that we need to anchor in law in this country. They have been there for long, but they operate on legal notices. Two days ago, we did that for one and now we are moving onto this and many others that are important Government departments that we must anchor into law.

This law needs to be fast tracked. It is not a complicated law. It is doing the right thing. The passage of this Bill will anchor the Kenya Meteorological Department in law. It will provide the much-needed legal framework. It will enhance access and utilisation of meteorological services through engagement and partnership with stakeholders to facilitate integration of weather and climate information in decision-making processes. Indeed, our nation stands to benefit from compliance with international commitments and requirements. This piece of legislation is necessary. We have no choice. We have to put it in law so that we anchor this organisation into law.

With those many words, I beg to move and request Hon. Kawayu, an engineer who is a very able Member and a third-term Member, to second.

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Musyoka.

**Hon. Vincent Musau** (Mwala, UDA): Is that the three terms? Thank you, Hon. Temporary Speaker, and Deputy Leader of the Majority Party, for ably moving this overdue Bill. I want to touch on a couple of things.

First, the Bill creates two very important institutions. The Deputy Leader of the Majority Party has already mentioned one - the Kenya Meteorological Services Authority, a

corporate body with a board of directors. We also have the Meteorology Training and Research Directorate. This training institution will be responsible for training and research. It will be the World Meteorological Organisation Regional Centre providing both certificate and diploma professional courses in meteorology, operational hydrology, and related sciences.

Importantly, we should understand that we currently have the Meteorological Department that we want to upgrade from just a department under the ministry to give it full functions to work as an Authority. Since it will work as an Authority, it is also important to understand its source of resources and money to finance its operations. The money Parliament will be required to appropriate to support this institution is one such source.

Secondly, the institution will also be making some money through levies and we encourage it. Most institutions are now doing Appropriation in Aid (A-in-A) and generating their income to finance their operations. Currently, I would say that meteorology has been done in a kangaroo style. We need to invest in modern equipment. To do so, we need to resource the Authority that will be established. Further, there is the Air Passenger Service Charge Act that currently allows civil aviation to charge some money for flights landing in the country. This is going to be one of the sources of resources for this Authority. In any case, it will provide services that will make money for airlines directly.

The Kenya Meteorological Services Authority will be responsible for licensing every person or group as long as they are involved in matters of weather observation or meteorology for commercial purposes. It is important to underline the phrase “commercial purposes.”

We have also engaged widely as a Committee. We have met many stakeholders because the Constitution and Standing Order 127 require that we do thorough public participation. We engaged many stakeholders so that we could be as thorough as possible. We engaged the State Department for Environment and Climate Change, the Department for Shipping and Maritime Affairs, the Kenya Civil Aviation Authority, and the Pastoralist Alliance for Resilience and Adaptation across nations therein called PARAN.

As it is right now, it is also interesting to note that weather forecasting is not left just to sciences of the books. It is also with indigenous knowledge. Looking at the Bill and our Report keenly, we have identified indigenous knowledge as one of the critical knowledge areas that we will be looking at while identifying members of the Kenya Meteorological Services Authority Board. We look at educational background most of the time. We are told that one should be an engineer or a lawyer to be a board member. However, we are also looking at indigenous knowledge. In any case, indigenous knowledge has been used a lot in weather observation.

People from Turkana are indigenous weather experts who have never gone to school. They slaughter a cow, look at intestines, and tell you when it is going to rain. The ministry and other stakeholders who appeared before us were categorical that we cannot leave the services of indigenous people out of this Bill. In the past, these people have been used without any specific stipends. Since we will be using their services, and the Authority will be making money, we hope the services of these indigenous people will not be used for free.

The Committee made a few observations after engaging different stakeholders. One is that the Kenya Meteorological Services Authority will enhance provision of timely, accurate, and effective weather forecasts, advisories and alerts, as well as provision of user-tailored specific climate weather products. The legal framework will enhance access to, and utilisation of, meteorological services through engagement and partnerships with all stakeholders in order to facilitate integration of weather and climate information in decision-making.

The nation stands to benefit from compliance with international commitments and requirements if the Bill is enacted into law. With the Kenya Maritime Authority gaining access to real time and reliable information on atmospheric and oceanic conditions, mariners will effectively anticipate and respond to potential hazards at sea.

We also observed that the traditional indigenous knowledge that I have mentioned in weather forecasting is not only significantly valuable, but also culturally significant. It should be integrated into modern meteorological systems to improve the accuracy and relevance of weather forecasts.

The Kenya Meteorological Services Authority ought to collaborate with relevant Government agencies, including the National Drought Management Authority that operates an early warning system and conducts food security assessments through a multi-hazard approach to leverage existing systems through a collaborative network.

In a nutshell, weather forecasting is extremely important. Many of us have had our flights delayed, and we were told it was because the weather was not good for flying a chopper or an aeroplane. Even for the mariners at sea, they are told that they cannot proceed because the waves are too harsh. This shows that we are experiencing weather forecast on a daily basis. When you are told to wait, it is because the situation is unfolding as it happens. These people monitor the weather in real-time. If real-time weather monitoring is not done accurately, it can potentially cause many problems. For instance, if you are flying and the person giving the weather update is relying on outdated or inaccurate equipment, you could end up flying in bad weather. That can easily lead to accidents. This underlines one of the key issues in the Bill.

This Bill seeks to domesticate existing laws. For us to fly our aeroplanes, there are world standards domesticated under Annex III of the Chicago Convention. In considering the Bill, we ensured that provisions already domesticated under other Acts passed by this House do not conflict.

Therefore, having considered the Bill and facilitated public participation, the Departmental Committee on Environment, Forestry and Mining recommends that the House approves it with a number of amendments that we looked at as a Committee.

With those few remarks, I beg to second.

*(Question proposed)*

**The Temporary Speaker** (Hon. Martha Wangari): I am not sure whether these schools are still here. Hon. Members, before I indulge you, join me in welcoming students seated in the galleries. In the Public Gallery, we have Kamaruso School from Eldama Ravine, Baringo County, and St. Joan's Academy from Keiyo South, Elgeyo Marakwet County. On behalf of the House, I take this opportunity to welcome them to observe the proceedings.

Let us have Hon. Sunkuli.

**Hon. Julius Sunkuli** (Kilgoris, JP): Thank you, Hon. Temporary Speaker. I support this Bill. It is very important to have an Authority that will be looking into the weather and the climate of this country.

To correct a number of things, I begin by stating that meteorology is a science. It studies the relationships between the atmosphere and the geosphere, the atmosphere and the hydrosphere, and the atmosphere and the biosphere. I wanted the Committee to look at these things purely as a science and understand that the study of the atmosphere is a little bit different from the study of intestines. I heard them talking of traditional ways of predicting the weather. While that might be possible, it is not meteorology. That might be the study of intestines of cows and how they relate to the atmosphere.

Hon. Temporary Speaker, meteorology is a science and since we are creating an organisation that is going to be predicting the weather for a number of socio-economic uses, I agree with Hon. Kawayia that it must have two aspects. One, it must be well-resourced. Two, it must be well-equipped. As you might be aware, I have had the advantage of being an ambassador in China, a country where weather prediction is taken very seriously. In China, if there is a major event like Madaraka Day and rain is predicted for that day, they use science to

make it rain earlier instead. This technique is called cloud seeding. I wish to give credit to the Department of Meteorology because their weather predictions have become increasingly accurate. However, as a country, we still need to invest more in this area because, first, we are an agricultural country that needs to know what to tell our farmers.

Right now, weather prediction on whether it is going to rain tomorrow or not is based on a large territory. For example, if I want to know if it is going to rain in Kilgoris, I cannot get that from the Meteorological Department. They will tell me that the weather conditions prevailing in Kisumu are probably going to prevail in Kilgoris or the upper islands of a certain place. If we properly equip this Authority, its forecasts will become more precise. It will be able to tell you, for example, that it is going to rain in Kilgoris. I get this from international satellite because, if you have a Samsung phone and you travel between here and Kiambu, it can alert you when rain is expected in a specific area. Our own equipment should be able to predict the weather. We should put up satellites because the study of the atmosphere involves erection of satellites that are meant for the weather. I look forward to the day when our meteorologists will be very precise.

I hear the staff is going to be transited, and I think that is good for human resource. However, we need to emphasise that the staff must be trained. If we are going to transit the same staff – I am not saying that we should not – we must be able to tell them to be ready for the task. We are now creating an organisation that promises better results. You cannot get water from a stone. These people must be trained in meteorology. In my opinion, this organisation, which is being created for training, cannot in itself fulfil the training requirements of meteorology. It can only source better knowledge from elsewhere because we do not have it.

I want us to do this. I know we like our traditions, but if we are embracing science, let us embrace it. I come from a clan in the Maasai Community which can predict the weather, but most of the time I go wrong and there is no way I can understand the reason. I do not have a machine to show that it has gone wrong. Let us get rid of the idea that we are going to kill animals to know the weather. Let us just buy machines so that we can tell the whole world what is going to happen.

Weather prediction cannot be a one-country affair. We have to interact with different technologies so that we become more precise. If we want to understand the vagaries of weather, then we must learn from the best. There are many countries in the world that have perfected the science of weather over the years. If you want to know today whether to fly over the Pacific, you will be told precisely whether you can make it or not. The reason why aeroplanes sometimes fly even when there is bad weather is because the radar tells them that that weather is manageable. We can do this, but let us not pretend that we can do it alone. We must work with other countries that do it better so that we can learn. Once we know that the weather is going to be friendly for farmers, we will have better output not just for flying, but also for farming.

Right now, we are doing guesswork. We plant crops at the wrong time. Sometimes it rains and you plant your crops, only for the rain to stop unexpectedly yet no one warned you. It is very important that we do this by resourcing and equipping this Authority. For the time being, let the biologists do the science of intestines. We must build our Authority to be more scientific, because meteorology is a science.

I beg to support.

**The Temporary Speaker** (Hon. Martha Wangari): Very well. It has been mentioned that the people of Turkana are able to predict weather through their intestines.

*(Laughter)*

Hon. Emathe, maybe, you will clarify.



**Hon. Joseph Emathe** (Turkana Central, UDA): Thank you very much, Hon. Temporary Speaker, for this opportunity to contribute to the Bill. I am a Member of the Departmental Committee on Environment, Forestry and Mining. I thank my Chairperson for expediting the production of this Bill because it is one of the Bills that we have been able to generate. The first one was an amendment Bill.

Hon. Temporary Speaker, this is a Senate Bill, but when it came to our Committee, we observed the non-inclusion of Indigenous Technical Knowledge (ITK), or what we also call traditional indigenous knowledge. I want to expound on the ITK because of the following reasons. First, climate change already affects each country in the world. Secondly, the forecasting methodologies and meteorological equipment are neither equitable nor adequate. That has forced many communities, especially those in Arid and Semi-Arid Lands (ASALs), to mostly depend on ITK. A good example is Turkana, where most people rely on the reading of sand holes and animal intestines, the behaviour of frogs, the movement of birds and butterflies, and the direction of the wind. Additionally, they observe star constellations at night time to predict the rains. They will say that when certain constellations appear at certain times in the night, the rains are imminent. This is not jargon.

Sometimes when it is dry, animals will move towards a certain direction. When you inquire about that phenomenon, the people will tell you that the reading of the animal intestines informed them to move in a certain direction in anticipation of rain. Once they move, it rains. Therefore, we should include all indigenous and scientific information and knowledge in the Bill. That was our foremost observation when we received this Bill from the Senate. We acknowledge the scientific focus to support aviation, shipping and other forms of transportation, but we need to see how to integrate the ITK into our scientific findings. If that scientific information does not reach the grassroots level in good time, especially our ASAL regions where the impact of climate change is most felt by our pastoralists, it will not be useful to those communities. The integration of both scientific findings and ITK would be profound.

The State is mandated to preserve indigenous knowledge under Article 11 of the Constitution on culture. Article 69 of the Constitution on the environment and natural resources requires the State to ensure the integration of indigenous knowledge in either the meteorological systems or other scientific matters. That will enable the viewpoints of marginalised communities in far-flung areas to be included in various laws, for instance, this Meteorology Bill. I support the inclusion of ITK into this Bill. It will ensure ownership of the Bill by marginalised communities. It will also allow science to combine with traditional or indigenous knowledge and provide perspective on who will participate.

I will give an example of the National Drought Management Authority (NDMA) when it was still referred to as the Arid Lands Resource Management Programme. Back then, data was collected from local households. The Programme also collected information on the reading of sand holes and animal intestines, observation of flowering of plants, movement of butterflies and roaring of frogs. All that was included in their data. The monitoring and evaluation unit of the Arid Lands Resource Management Programme was able to provide accurate information as a result of collecting information from pastoralists and integrating it with science.

The Turkana also have a calendar which can forecast when it will rain, complete with the names given to either a rainy or a dry season. That later changed, but when the NDMA was introduced, they collected and integrated data through their monitoring unit. They would then indicate the predictions of traditional indigenous knowledge as well the scientific forecasts. When that information would get to the various households, they would confirm its authenticity and own it.

I do not dispute the use of science. It can be used in aviation or shipping as well as in other areas. However, pastoralism requires the integration of science and ITK.

With those few remarks, I support the Bill.

**The Temporary Speaker** (Hon. Martha Wangari): Mover to reply.

**Hon. Owen Baya** (Kilifi North, UDA): Thank you, Hon. Temporary Speaker. This is a very important Bill that we must enact as a Parliament to legalise our meteorological services in this country. I want to quote my area chief, Dixon Kitona. He was watching this debate and has contributed to it saying, “Yes *Mhesh*, the Act that you have supported will help a lot in disaster preparedness and farming, and it will cut off fake weather forecasters and unlicensed firms.” That is it. My chief sums it up very well! I want to thank him for his contribution.

I also give credit to my Chairperson, Hon. Kawayia, for the good job. Many times, we have given Hon. Kawayia responsibilities in this House, as Chairman in various committees, and he has done a tremendous job. This is one of those Bills that will go into the history of this country, which he midwived, pushed, and succeeded with. When we have that Authority established, we will thank Hon. Kawayia for the good job.

I also thank Members of that Committee for their work and time, and also the Members who contributed. I urge this House to pass this Bill so that we can move forward in weather forecasting. I liked the debate on whether looking at intestines is part of weather forecasting. Weather forecasting can be both physical and possibly, spiritual. Those who observe the intestines have a spiritual understanding of them. They are gifted in a certain way to do it. That kind of spiritualism, Ambassador, is a part of science. You know, science is not just about laboratory work. It is about empiricism. Those individuals Hon. Kawayia mentioned, there is empirical evidence that they predicted rainfall and, indeed, it rained based on observation of the intestines. Science is broad. You should not confine science to the version defined by Europeans. The one that Hon. Kawayia talks about, from his village, is also science, and it must be respected. That is why we have laws on traditional medicine and healers. They are recognised and respected.

As I wind up, let us welcome those people so that when the Kenya Meteorological Authority is set up, it can regulate and gather information even from seers and others who understand weather. In my place, the Chonyi Tribe is respected for its ability to predict the weather accurately. If they say it will rain tomorrow, it does. They have a certain spiritual science within them that helps them predict the weather.

I thank you for the contribution, and I thank every Member who has contributed.

I now beg to reply and request that the putting of the Question be deferred, pursuant to Standing Order 53(3). Thank you.

**The Temporary Speaker** (Hon. Martha Wangari): It shall be so. The Question will be put at the next appointed time.

Next Order.

## MOTION

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Gideon Mulyungi, Chairman of the Decentralised Funds Accounts Committee.

### ADOPTION OF SIXTH REPORT ON AUDITED ACCOUNTS OF NG-CDF FOR THREE CONSTITUENCIES

**Hon. Gideon Mulyungi** (Mwingi Central, WDM): Thank you, Hon. Temporary Speaker. I beg to move the following Motion:

THAT, this House adopts the Sixth Report of the Decentralised Funds Accounts Committee on its consideration of the Report of the Auditor-General on the Financial Statements for the National Government Constituencies Development Fund (NG-CDF) for Webuye East, Dagoretti North and Matuga

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constituencies for financial years 2016/2017, 2017/2018, 2018/2019, 2019/2020, 2020/2021 and 2021/2022, laid on the Table of the House on Thursday, 10<sup>th</sup> April 2025.

The Decentralised Funds Accounts Committee is established pursuant to Standing Order No.205B and is responsible for examining the reports of the Auditor-General on the accounts of, among others, the NG-CDF and the National Government Affirmative Action Fund and their boards. In its scrutiny of the audited financial statements for these constituencies, the Committee's primary approach was to receive submissions from accounting officers of the NG-CDF and fund account managers regarding omissions or commissions that led to audit queries raised by the Auditor-General.

This process was guided by the relevant public financial management principles in the Constitution of Kenya 2010, the Public Audit Act, the Public Finance Management Act and its Regulations, the Public Procurement and Asset Disposal Act and its Regulations, and the International Public Sector Accounting Standards (IPSAS).

The Committee examined a total of 18 audit reports for Webuye East, Dagoretti North, and Matuga constituencies for six financial years, from 2016 to 2022. The observations, findings, and recommendations are contained in the Report now before the House.

The Fund has had a significant impact on people's lives through infrastructure and social development projects, including construction and renovation of schools, land purchases for public institutions, and support for health and security initiatives, as well as bursaries. The highlights of some projects include-

1. Webuye East: the Fund supported 38 projects in education, security, and bursaries. Issued bursaries totalling Ksh67,291,333 to both secondary and tertiary institutions. All projects were complete and in use at the time of the audit.
2. Dagoretti North Constituency: The Fund supported the construction of a water tower at St. George's Secondary School and other projects. It issued bursaries totalling Ksh24 million to secondary and tertiary institutions.
3. Matuga Constituency: The Fund supported the construction of an administration block at Matuga Girls Secondary School and a chief's office in Simba. It issued bursaries amounting to Ksh26 million.

Across all three constituencies, bursaries were issued as follows: Webuye East, Ksh67 million; Dagoretti North, Ksh24 million, and, Matuga, Ksh26 million.

Hon. Temporary Speaker, although this House has ruled previously on bursary disbursements, the Auditor-General's recent report raised concerns in the media, accusing Members of Parliament of misappropriating bursary funds, citing missing receipts and acknowledgement letters from recipient institutions. Let me clarify: Members of Parliament have no role in the management of the NG-CDF. The Fund Account Managers are the Authority to Incur Expenditure (AIE) holders and accounting officers. They are the ones answerable to Parliament, not Members of Parliament.

My Committee examines Fund Managers, not Members of Parliament. The claims in the Auditor-General's Report are misleading, petty, frivolous, and unfounded. They have no basis in law. Further, this Committee has addressed the matter in previous reports adopted by the House. In particular, it is not practical to expect bursary beneficiaries to return receipts to the Constituency Development Fund office after collecting their cheques. To address this, the Committee recommended that the Auditor-General verify the disbursement of bursary cheques using the CDF bank statements and institutional recipient records, where necessary.

The Committee takes exception to the Auditor-General's Report and reprimands her for dishonouring and rubbishing the National Assembly recommendations. We put her on

notice for insubordination and for taking Parliament for granted over such frivolous and petty issues.

Hon. Temporary Speaker, the Committee recommended to summon her in due course to shed more light on allegations and insubordination of Parliament. Upon examination of the Auditor-General's Report for the three constituencies, the Committee made the following observations and recommendations:

1. On representation of accuracy of financial statements, the Committee observed that Fund Account Managers face challenges in adopting and complying with the International Public Sector Accounting Standards (IPSAS) reporting framework leading to audit queries. Therefore, the Committee recommends that the accounting officer should comply with IPSAS framework in preparing financial statements. The accounting officer in consultation with the International Public Sector Accounting Standards Board (IPSASB), has in previous reports of this Committee, been directed to conduct continuous capacity building to fund account managers on financial reporting standards and the constituency staff.
2. On failure to submit required documents during audit, the Committee observed that Fund Account Managers did not avail complete reconciled financial statements on time for review and verification by the auditors during the audit exercise. This is contrary to the law and therefore, the Committee recommends that the accounting officers should ensure Fund Account Managers comply with the Public Audit Act regarding timely provision of information. Additionally, original project management committee files should be maintained at the NG-CDF office. Further, qualified accountants should be employed by the constituency offices from the Financial Year 2025/2026 to strengthen record-keeping and financial statement preparation.
3. On delay of exchequer releases, which was very common, the Committee observed that delays in exchequer releases led to under- expenditure and delays in implementation and completion of projects. The Committee recommended that the National Treasury should ensure timely and adequate disbursement of funds to the NG-CDF Board for immediate release to constituencies to implement approved projects.

Hon. Temporary Speaker, the Report underscores the importance of transparency and accountability in management of the NG-CDF. Following the examination of the financial statements and engagement with the Fund Account Managers, the Committee has identified critical areas of improvement and has provided actionable recommendations aimed at enhancing compliance with the established financial management principles. By addressing the audit queries and implementing the proposed remedies, the constituencies will enhance efficiency and accountability in the utilisation of the NG-CDF for the betterment of the local communities.

Finally, allow me to thank the Members of my Committee and the clerks who worked very hard and put many hours to prepare this Report. With those remarks, I beg to move and request Hon. Jackson Lekumontare to second the Report.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Martha Wangari): Member for Samburu East.

**Hon. Jackson Lekumontare** (Samburu East, KANU): Thank you, Hon. Temporary Speaker. I beg to move the Motion as read by the...

**The Temporary Speaker** (Hon. Martha Wangari): The Motion has been moved.

**Hon. Jackson Lekumontare** (Samburu East, KANU): I second the Motion as read by my able Chairman.

Hon. Temporary Speaker, our Committee looked at the various reports, specifically relating to these three constituencies. Just as the Chairman mentioned, there are cross-cutting issues in almost all the constituencies, especially the delay of the exchequer from the National Treasury. When funds are not released at the right time, citizens are affected negatively. There are a lot of delays in the implementation of projects. That raised a lot of audit queries from the Auditor. We also observed that the Fund Managers did not provide complete reconciled financial records and account reports. Most of the audited accounts that we have observed as a Committee have challenges in accounting. Our Fund Managers need to be taken for refresher courses so that they can provide the requisite accounting reports.

We also observed that on the verification of projects, the Auditor could not verify the projects which is contrary of Article 229 of the Constitution of Kenya, 2010 and Section 68(2) of the Public Finance Management Act.

The NG-CDF is very important. It helps our people. Fund Managers need to have knowledge on keeping accounting records well. They did not have simple documents that they were required to submit to the auditors.

I want to thank our Committee for taking time to look at the NG-CDF audited accounts since the Fund started. Fund managers lack the understanding of the Fund and that is why we witnessed challenges.

Our Committee recommends that accounting officers should ensure compliance with the Public Audit Act. It is very important that Fund Managers comply with regulations.

This Committee's Report is very important. I urge the House to adopt it so that we can realise the efforts made by our Committee.

As a Committee, we are going to look into all the issues raised so that our funds are used in the correct way. I beg to second.

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

**Hon. Adipo Okuome** (Karachuonyo, ODM): Thank you, Hon. Temporary Speaker for giving me...

**The Temporary Speaker** (Hon. Martha Wangari): Hold on! I did not propose the Question. You will hold on so that I propose the Question first. We have had so many back-to-back Motions.

*(Question proposed)*

Member for Karachuonyo, you can have your take.

**Hon. Adipo Okuome** (Karachuonyo, ODM): Thank you, Hon. Temporary Speaker, for the opportunity. First, I must say that the National Government Constituencies Development Fund (NG-CDF) is a Fund that normally does not have pending bills. It is very unique. Elsewhere, in the national Government and the counties, you always find pending bills which get to a point of interfering with our budgeting. I congratulate my colleagues. They are doing the right thing by following the procedures.

Again, the NG-CDF has contributed to the development of this nation unquestionably. If one wants to witness what the NG-CDF has done, one only needs to go to the countryside and see what is happening there. Sometimes, when I hear so many people suggest doing away with the Fund, I wonder. I am glad that we passed a Bill in this House to anchor the NG-CDF in the Constitution. It is my hope and wish that this Fund will be entrenched in the Constitution for protection purposes. If that happens, Kenyans will never regret funds given to the NG-CDF for use in various places.

This Fund also touches on the welfare of people on the ground. It is a grassroots Fund. If you ask anybody what the Government does, you can be sure to hear them say, 'It builds schools for us and many other things.' The schools being talked about are built by the NG-CDF.

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I am proud of this Fund, and I feel that my colleagues have done well in implementing the projects for which the Fund is meant.

Additionally, you can for sure say that a much larger percentage goes into development and not recurrent expenditure. In most cases, you talk about 30 per cent recurrent expenditure in the national Government and county governments' spending, but in the NG-CDF, the recurrent expenditure is very small. Even the number of staff working in the NG-CDF offices is much less compared to the other funds. It is a Fund that is very beneficial to wananchi. I am happy to say that I support the Report of the Committee that has been tabled.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Martha Wangari): Thank you very much. Member for Migori.

**Hon. Fatuma Mohammed** (Migori County, Independent): Thank you, Hon. Temporary Speaker. I stand to support the NG-CDF. I would have added the National Government Affirmative Action Fund (NGAAF) in Kenya to my contribution though the Report tabled is solely on the National Government Constituencies Development Fund (NG-CDF). First, I want to congratulate the Chairman of the Decentralised Funds Accounts Committee and the entire Committee for a job well done. Considering that they have 290 accounts that they have to audit yet they table a report almost every day, they are working well, giving value to Kenyans who elected them. I congratulate them for that.

Hon. Temporary Speaker, the NG-CDF and the NGAAF are the only Funds that work on the future because most of the projects that they do concern school going children who are our future. The children are witnesses. Days are going by and we will soon be out of this House. However, we leave these children who are our future well educated and in good classrooms.

Hon. Temporary Speaker, the days I was going to school, there was no NG-CDF. I studied in a mud classroom where I sat on a stone. Fortunately, I made it to be who I am today. On the contrary, our children are doing a little bit better because at least the Members of Parliament who have NG-CDF are making good use of it, apart from a few areas that still are behind. Therefore, this Fund is good for this country, and I believe all citizens in this country are happy with what it is doing.

If we were to compare what the Members of Parliament do with the NG-CDF with the national Government and the county governments, we would see a very big difference with the little money that our Hon. Members receive. The children can attest to that. In fact, the NG-CDF and in particular bursaries is the only reason a Member of Parliament is known. If you ask a standard two pupil who is their Member of Parliament, they will tell you who it is and if you ask them how they know him they will tell you it is because the Member of Parliament visited their school or built a class in their school. Thus, this Fund is very important. If anything, after it will be enshrined into the Constitution, it should be enhanced and allocated more money because this is a Fund that is truly felt on the ground.

I support the Report. I congratulate the Committee, and I wish them well. Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Martha Wangari): Mover to reply.

**Hon. Gideon Mulyungi** (Mwingi Central, WDM): Thank you, Hon. Temporary Speaker. Allow me to thank the Members who have contributed to this Motion, particularly the Member for Karachuonyo, Member for Migori County and the Member for Kajiado. I assure them that their contributions will go a long way in enriching our future reports.

Hon. Temporary Speaker, allow me before I reply, to say that there is a notion out there that Members are in charge of the NG-CDF, manage it, and write cheques. Just to reiterate to the public that Members of Parliament have no role in the NG-CDF. Their role is oversight only. The Fund is managed by a Funds Account Manager, who is appointed by the Board of the NG-CDF. Therefore, any time a report is made by the public, the civil society or the

Auditor-General, they always state that Members of Parliament have misappropriated the NG-CDF. That is not true and I would like to make it clear.

Hon. Temporary Speaker, with those few remarks, I beg to reply. In accordance with Standing Order 53(3), I request that putting of the Question be deferred.

**The Temporary Speaker** (Hon. Martha Wangari): You are right on track. The Question will be put at the next appointed time.

*(Putting of the Question deferred)*

Next Order.

## BILL

### *Second Reading*

#### PYRETHRUM (REPEAL) BILL (National Assembly Bill No.40 of 2024)

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Deputy Leader of the Majority Party.

**Hon. Owen Baya** (Kilifi North, UDA): Thank you very much, Hon. Temporary Speaker. I beg to move:

THAT, the Pyrethrum (Repeal) Bill (National Assembly Bill No.40 of 2024) be now read a Second Time.

By way of introduction, I want to make a few introductory remarks. Pyrethrum was introduced in Kenya in 1928 and quickly grew up into a major cash crop. By 1935, production had reached commercial levels leading to export market development. At its peak, in the 1990's, Kenya was the global leader in pyrethrum production commanding over 70 per cent. I remember those days when we were young, we would sit by a small transmitter radio and we would hear about the Pyrethrum Board of Kenya. They used to have a program before the 7.00 a.m. news and there was always something on pyrethrum. In school, we were taught about foreign exchange earners as being tourism, coffee, pyrethrum, etc. We knew the list. I do not know what happened, but we had 70 per cent of the world market.

Hon. Temporary Speaker, today, pyrethrum is cultivated in only 18 counties and remains a high potential crop. I think the key is word "potential crop". It is a high potential crop. It used to be grown even in my village, especially as demand for organic insecticide continues to grow due to rising health concerns over synthetic chemicals. You know those pesticides that are synthetically developed. We must move back to organic, and pyrethrum would be that potential crop.

To manage the growing industry, the Government enacted the Pyrethrum Act, CAP.340 in 1964. This law established two statutory boards, namely, the Pyrethrum Board of Kenya (PBK) to oversee cultivation and licensing, and the Pyrethrum Marketing Board (PMB) to manage, process, and market pyrethrum. These bodies were charged with regulating and promoting the industry through a State-controlled structure. In 1997, the Act was amended to merge PBK and PMB into a single entity, the Pyrethrum Board of Kenya.

As I speak, I am preparing the Bishop to second me. I have already said who will second me and I hope he will.

**The Temporary Speaker** (Hon. Martha Wangari): Are you having doubts on the capacity of the good Bishop.

**Hon. Owen Baya** (Kilifi North, UDA): No, the good Bishop is ready. I am just alerting him that when I am done in a few minutes, he will be up to second this Bill.

As part of the wider agricultural sector reforms (this is where the rubber meets the road), three key laws were enacted and assented to on 14<sup>th</sup> January 2014, which include the Crops Act No.16 of 2013, the Agricultural and Food Authority (AFA) Act No.13 of 2013, and the Pyrethrum Act No.22 of 2013. I want to explain that, as part of the major reforms in 2014, we put all the individual crops Acts into one Act and we got the Crops Act. Then we looked at those crops that were meant to be food crops and we put them under AFA Act. When we did that, we did put Coffee, Tea, Pyrethrum, Sunflower, Cashew nuts, Macadamia and all crops together. However, the mistake that was made is to allow pyrethrum to still have its own Act yet it was put under AFA Act. I hope that is understood.

When it was put under AFA Act, it made it very difficult for pyrethrum to operate under its own Act because other Acts were regulating pyrethrum. I think that is what is very important. Because of that, we have stifled the growth of pyrethrum in this country because it is neither operating under the Pyrethrum Act nor AFA Act or the Crops Act. So, the remedy for this is to ensure that there is only one Act that regulates pyrethrum.

Therefore, it is at this point a thought came to mind that we now repeal, let me use a crude word, 'kill' the Pyrethrum Act and remain with the Agriculture and Food Authority (AFA) and Crops Acts, so that we do not have a duplicity. That is why we are moving the repeal. These reforms are aimed at consolidating agricultural laws and creating a streamlined framework. However, the simultaneous existence of all three Acts led to regulatory duplication, particularly, in the pyrethrum sub-sector.

The Pyrethrum Act, 2013 established the Pyrethrum Regulatory Authority whose functions largely mirror those of AFA. Therefore we have duplicity. Earlier, under Cap.340, the regulatory and marketing responsibility were separated between the Pyrethrum Board of Kenya (PBK) and the Pyrethrum Marketing and Processing Company (PMP), until their eventual merger. The 2013 Act aimed at revitalising the sector with a focused approach, but its structure essentially duplicated roles already assigned to AFA under the new reforms, especially with regard to licensing, processing, and promotion.

As we speak, we have the Pyrethrum Act, which has functions which are duplicated under the AFA and Crops Acts. Therefore, it is important that one of them paves way for the other and the choice is that Pyrethrum Act paves way for the AFA Act to continue regulating Pyrethrum. The existence of the Pyrethrum Act, 2013 alongside the Crops and AFA Act has created legal uncertainty and conflict in mandates. It has also delayed the enactment of specific regulations under the Crops Act for the pyrethrum sub-sector and this is very important.

The cabinet secretary is supposed to give regulations to the pyrethrum sub-sector, but the AFA Board is also supposed to give regulations for the same sub-sector. Because of that duplicity, it has become very difficult to give regulations and to keep pyrethrum alive in this country. This lack of clarity has affected efficient oversight, discouraged investment, and hindered full liberalisation of the pyrethrum sector.

What is the content of this repeal Bill? It is unprecedented. I have been in this Parliament for many years, but this is the first time we are doing this and I have the honour and pleasure to midwife a repeal. The Pyrethrum (Repeal) Bill (National Assembly Bill No.40 of 2024) seeks to address this problem by repealing the Pyrethrum Act, 2013 in its entirety, that is to write it off and remove it from the face of the Kenyan law.

The repeal is aimed at harmonising regulations by allowing only the Crops Act, 2013 and AFA Act, 2013 to govern the pyrethrum sub-sector. This will eliminate duplication, clarify institutional mandates and facilitate the development of sector-specific regulations under a single legal and institutional framework enhancing efficiency, attracting investment and supporting the revival of once Kenya's thriving pyrethrum industry.



In conclusion, the repeal of the Pyrethrum Act, 2013 will address long-standing regulatory overlaps, ensure clarity in governance,, and allow the sector to be effectively guided under the Crops and AFA Acts. This will unlock the full potential of pyrethrum as a key value chain, attract investment, and improve livelihoods. I, therefore, urge all Members to support the Pyrethrum (Repeal) Bill (National Assembly Bill No.40 of 2024) in the interest of revitalising the industry and supporting our farmers.

I have made a clear case that we do not need this Bill. We, therefore, need to repeal it and allow the AFA and Crops Acts to regulate pyrethrum so that we can have a revitalised pyrethrum sub-sector in this country. In that regard, I ask the good Bishop, a man of great wisdom and words, to support and second this Bill. Thank you.

**The Temporary Speaker** (Hon. Martha Wangari): Hon. (Dr) Bishop Jackson Kosgei.

**Hon. (Dr) Jackson Kosgei** (Nominated, UDA): Thank you, Hon. Temporary Speaker. I second this Bill which proposes a repeal of the Pyrethrum Act, Chapter 340, as read and explained in depth by the Deputy Leader of the Majority. The intent and the reason is to remove ambiguity in the operation. It makes it easier when laws are clearer and are not in duplication with other laws. It makes it efficient and productive as an entity. It also makes sense to realise that subsequent laws passed in this House have catered for the interest which this particular Act is catering for.

For that, I second. Thank you.

**The Temporary Speaker** (Hon. Martha Wangari): Very well.

*(Question proposed)*

Hon. Mulyungi.

**Hon. Gideon Mulyungi** (Mwingi Central, WDM): Hon. Temporary Speaker, I rise to support this Bill by the Deputy Leader of the Minority Party of this House.

I recall a crop that was called pyrethrum which I do not know where it went. It used to exist a long time ago, among other crops. After Independence, agriculture was a pivotal part of the economy and it grew the economy of this country, but over time, crops like coffee, tea, pyrethrum, cotton, and sunflower are no longer as flourishing as they were before. Where I come from, we used to even grow cotton and sunflower. We now need to relook into what went wrong; relook at our laws and our Acts, repeal them, and try to improve the economy of this country by reviving agriculture. I believe this is one of the ways which the Mover of this Motion proposes, so that we can revive the economy of this country through agriculture, and in particular through growing pyrethrum.

I, therefore, support this Pyrethrum (Repeal) Bill (National Assembly Bill No. 40 of 2024), which intends to delete and remove the Pyrethrum Act 2013, to bring it together with other crops under the Crops Act. This Act will now be regulating pyrethrum. I wish we can grow pyrethrum, coffee, and tea where I come from. When I pass through Kericho, I love that environment. I wish my constituency in Lower Eastern in Ukambani can look like Kericho. We need to improve agriculture and grow the economy of this country. I support this Bill.

Thank you very much.

**The Temporary Speaker** (Hon. Martha Wangari): Very well. Member for Kiharu.

**Hon. Ndindi Nyoro** (Kiharu, UDA): Thank you very much, Hon. Temporary Speaker. I rise to support with a few points. One, is to highlight the primacy of agriculture in the Kenyan economy, where over 70 per cent of the rural population is engaged in issues surrounding agriculture, where our GDP has its highest weight, especially in relation to employment.

When you talk about pyrethrum, we speak generally about other crops as well, including coffee and tea. I am pleased that with the legislation we continue to enact, even in this House, we are moving away from what existed before. The bodies, especially marketing

bodies formed around pyrethrum, tea, coffee, and other crops, particularly immediately after Independence, were more of extractive institutions rather than institutions aimed at adding value to farmers and stakeholders. However, we have continued to move away from that, which is a very positive development that has been happening in this House. Legislation is now geared more towards aggregation and putting produce together so that we can set and source the best prices collectively, especially for farmers. That way, everyone benefits.

However, we must understand that economies across the world, including Kenya and other developing countries in the global south, and even developed nations, have gone through, and continue to go through different stages. The first stage, which is usually the most basic, is agrarian. The second stage is manufacturing, and the final one, which much of the world is experiencing now, revolves around technology and information. One of the definitions of what constitutes a developed country is, paradoxically, that the agricultural sector, the primary side of the economy, comprises less than ten per cent of the entire GDP.

It may seem contradictory that even while we promote agriculture in a developing country like Kenya, one of the key indicators of development is actually a reduction in agriculture's contribution to the overall economy. That occurs for many reasons. As is well known, agriculture is based on the principle of diminishing returns. In a country like Kenya, we begin by tilling land that is evidently productive. Once we have cultivated the easily productive and, that is, only rain-fed areas, we then turn to land that may require mechanisation, irrigation, and higher input costs. As a result, agricultural productivity tends to decline in marginal returns as production expands. This is the nature of primary production in agriculture.

In contrast, manufacturing is based on increasing returns to scale. After producing the first item, each additional unit is produced at a much lower cost. This is why most developed countries, including South Korea, Japan, the United States, and the United Kingdom, did not attain their economic status through agriculture alone. There is no economy anywhere in the world that became developed solely on the basis of agriculture. Agriculture must always transition into manufacturing, and this is for many reasons.

Any business activity in agriculture is subject to market prices because agricultural produce lacks differentiation. For instance, mangoes or maize produced in Kenya are not significantly different from those produced elsewhere. Consequently, farmers and producers are at the mercy of market prices, and there is little they can do to influence them. Commodity prices are determined by market forces. On the other hand, in manufacturing, economies are able to differentiate their products. For example, a country producing cars can distinguish its models from those of others, and this differentiation allows variation in pricing. Therefore, the return from manufacturing can be increased simply through price differentiation.

The second point, and I spoke about it earlier, is that when one engages in production based on increasing returns, that by itself is a catalyst to produce more. Therefore, there is a basis for mechanising manufacturing in terms of increasing production, which diminishes cost and enlarges the return. But when you engage so much in primary production, it creates a vicious cycle within the economy where you have to depend on seasons, say, the weather – which you have no control over – and market prices, which make you a price taker and not a price maker. This is not a very good thing.

Lastly, to catch up with the rest of the world, as Africa, we can only jump some of these processes. This is because Africa is more or less an agrarian economy. We may have to leapfrog or jump a stage of manufacturing to catch up with the rest of world, which is currently ahead in technology around big data and AI. We have no choice other than do that because, yes, we need food security guaranteed through agriculture, but increasing productivity per person can only happen if we depart from primary production.

Hon. Temporary Speaker, I will put this into context. Currently, agriculture, including fisheries and forestry, constitutes around 18 per cent of the Kenyan GDP. This is what we call

primary production. Manufacturing, including logistics, constitutes around 17 per cent. The rest, that is 65 per cent of our economy, is service. But what is service? What is the paradox around it? I would like to demystify it from technology. Agriculture, which constitutes around 18 per cent, employs 70 per cent of the rural population. Then only one thing can be deduced from there, that if you are employing too many people in a small sector, then productivity is too low. If so many people are engaged in an 18-per cent segment of the GDP, then it means that 70 per cent are earning too low. Therefore, the productivity is too low. Basically, there is a limit at which you can mechanise agriculture and do increasing return to scale.

In manufacturing, we have to ask ourselves: What do many economies in the global south call manufacturing? What we call manufacturing is actually agriculture value addition. This means that whatever we call manufacturing in Kenya, a bigger proportion is what adds value to what we get out of primary production. Even within manufacturing itself, we need to scale to higher levels of manufacturing, including machinery and technology. Again, in that level, where do we play as an economy? We only play around assembly. Many times you confuse manufacturing and assembly. When a vehicle is assembled in Kenya, that does not constitute and cannot pass as manufacturing. Manufacturing should go into components. Where do the components that you assemble come from? The same could also apply to primary production. Whatever you produce in primary production and sell it in that form, means that you hand over the advantages of the second stage of manufacturing to the economy which you are exporting to. When you produce raw minerals and resources like fisheries, forestry and agriculture then export them to another economy, it means that you hand over increasing returns, more productive jobs and taxes which would have been derived if that were done around. Therefore, you are handing over what is more productive in the entire value chain.

Hon. Temporary Speaker, the point is that even beyond primary production and manufacturing, we need to move to the side of technology which can be found mostly around the service industry. This is to ensure that even within the service industry, which is dominant in our economy, we move from the low paying service industry cadre and now scale up to what has more productivity. Whatever we call service in Kenya is mostly in terms of hospitality, retail and wholesale, logistics and transportation. However, when you look at productivity there because mechanisation is low, productivity per person is also low.

In lumpsum, even if we talk about agriculture or this Bill, we also have to think about manufacturing and the modern economy which is now technology around big data and Artificial Intelligence (AI). We should also not forget that manufacturing is the one that creates jobs in scale. If there was more time, I would have given more points on the equalities that can be created by dominantly jumping into technology without engaging in manufacturing. However, I leave that for other Hon. Members to also give their views.

I submit, Hon. Temporary Speaker.

*(Hon. Fatuma Mohammed spoke off the record)*

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Fatuma, do you want to contribute to this Bill?

**Hon. Fatuma Mohammed** (Migori County, Independent): No.

**The Temporary Speaker** (Hon. Martha Wangari): Okay, I call upon the Mover to reply.

**Hon. Owen Baya** (Kilifi North, UDA): Thank you so much, Hon. Temporary Speaker. It is also my pleasure to reply. I listened to my friend, Hon. Ndindi Nyoro, who now sounds like a professor in a university giving very good lectures. I think this is the next thing you need to go to; become a professor at a university.

**The Temporary Speaker** (Hon. Martha Wangari): He always sounds like that.

*(Laughter)*

**Hon. Owen Baya** (Kilifi North, UDA): I was there and I enjoyed my time. I can induct you on how to become a good professor. You have good ideas on the economy and agriculture. I appreciate you very much.

In replying, it is now time that we repeal the pyrethrum law and ensure that we allow Agriculture, Fisheries and Food Authority Act and the Crops Act to take precedence and move the pyrethrum sub-sector in this country. I invite Hon. Members to support this Bill in the Committee of the whole House so that we can breathe new life, very fast, into the pyrethrum sub-sector in this country.

Hon. Temporary Speaker, I reply and request that we defer putting of the Question to another appropriate time as per the Standing Orders of this House. Thank you.

**The Temporary Speaker** (Hon. Martha Wangari): The Question will be put in the next appointed time.

*(Putting of the Question deferred)*

Hon. Members, we have exhausted the business of the day. Be up standing.

### ADJOURNMENT

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Members, the time being 6.53 p.m., this House stands adjourned until tomorrow, Thursday, 31<sup>st</sup> July 2025, at 2.30 p.m.

The House rose at 6.53 p.m.

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