



**THIRTEENTH PARLIAMENT**  
**THE SENATE**  
**OFFICIAL REPORT**



**Fourth Session**

**Thursday, 31<sup>st</sup> July, 2025 – Afternoon Sitting**

# PARLIAMENT OF KENYA

## THE SENATE

## THE HANSARD

Thursday, 31<sup>st</sup> July, 2025

*The House met at the Senate Chamber,  
Parliament Buildings at 2.32 p.m.*

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

### PRAYER

#### DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

**The Speaker** (Hon. Kingi): Clerk, do we have quorum?

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

Serjeant-at-Arms, kindly ring the Quorum Bell for 10 minutes.

*(The Quorum Bell was rung)*

Order, hon. Senators, we now have quorum.  
Clerk, you may call the first Order.

### MESSAGE FROM THE GOVERNOR OF MAKUENI COUNTY

#### CESSATION OF LOGGING ACTIVITIES IN KIVALE FOREST, MBOONI WARD

**Sen. Maanzo:** Mr. Speaker, Sir, I wish to report to the Senate that pursuant to Standing Order No.49(1) of the Senate Standing Orders, I have received the following Message from the Governor of Makueni County on the cessation of logging activities in Kivale Forest in Mbooni Ward, Makueni County. The Message, dated Monday, 28<sup>th</sup> July, 2025, was received in my office on Tuesday, 29<sup>th</sup> July, 2025.

Pursuant to Standing Order No. 49(2), I now report the Message.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

NOTING that implementation of specific national Government policies on natural resources and environmental conservation, including forestry, is a function devolved to county governments;

AND NOTING that there have been unexplained ongoing logging activities in Kivale Forest, located in Mbooni, Makueni County, carried out without knowledge of public participation or participation of the local community, the county government, local administration and the Community Forest Association, (CFA);

WHEREAS the wanton logging is being carried out, despite an existing national moratorium on logging, and the loggers purportedly claim to possess a court order from a Makueni Court authorising the felling of trees allegedly paid for prior to the moratorium;

AND WHEREAS intervention by the County Government of Makueni as a stakeholder on matters environment have not been considered;

CONCERNED THAT continued logging poses a serious threat to the local ecosystem, including the degradation of critical water catchment areas such as Mulima Dam;

FURTHER CONCERNED that the loggers are relying on a purported approval of the Kenya Forest Service (KFS);

CONCERNED THAT, Kivale Forest is one of the largest forest blocks in Mbooni Constituency, with trees planted more than 52 years ago;

AND CONSIDERING THAT, Kivale Forest is the source of Mulima Dam, serving over five wards with clean water for drinking;

NOW THEREFORE, pursuant to Standing Order No.49(1) of the Senate, I hereby forward this Message and request the Senate to urgently intervene and take the necessary steps to halt all ongoing logging activities in Kivale Forest in Mbooni Ward, Makueni County.

I take the liberty to attach the photos. I hereby table the Message and photos for your further action.

I thank you.

*(Sen. Maanzo laid the documents on the Table)*

**The Speaker** (Hon. Kingi): Pursuant to Standing Order No. 49(6)(c), I refer the said Message to the Standing Committee on Land, Environment and Natural Resources for consideration.

*(The Message was referred to the Standing Committee on Land, Environment and Natural Resources)*

Next Order.

**PAPER LAID****REPORT ON FINANCIAL STATEMENTS OF MACHAKOS  
COUNTY CLIMATE CHANGE FUND**

**Sen. (Dr.) Lelegwe Ltumbesi:** Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the Senate today, Thursday, 31<sup>st</sup> July 2025-

Report of the Auditor-General on financial statements of Machakos County Climate Change Fund, County Government of Machakos for the year ended 30<sup>th</sup> June, 2024.

*(Sen. (Dr.) Lelegwe Ltumbesi laid the document on the Table)*

**The Speaker** (Hon. Kingi): Next Order.

**QUESTIONS AND STATEMENTS****STATEMENTS**

Statements pursuant to Standing Order No.53(1).  
Proceed, Sen. Catherine Mumma.

**DIRE CONDITIONS FACED BY ELDERLY  
WOMEN ACROSS THE COUNTRY**

**Sen. Mumma:** Thank you, Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Labour and Social Welfare on a matter of national concern regarding the increasing dire conditions faced by elderly women across the country, particularly those who have been abandoned or are living without family support, caregivers or access to consistent social protection.

In the Statement, the Committee should address the following-

(1) Whether the Government has a central system or database that comprehensively records and tracks all elderly persons in the country, especially those living in poverty or are at risk of abandonment.

(2) How the current social protection programmes such as Inua Jamii and Elderly Persons Cash Transfer Programme identifies and enrolls elderly persons, particularly those who are not part of a formal system, who lack documentation and next of kin to assist them.

(3) The steps the Government is taking to ensure that all elderly people, especially women in rural and marginalised areas, are reached, registered and receive benefits under Inua Jamii or any other relevant social protection programme.

(4) To indicate the policy measures in place or being considered to support elderly persons who have no family, caregivers or homes, including the possibility of establishing or expanding safe homes or community-based elderly care centres.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

(5) Further action that can be taken by both the national and county governments to ensure the dignity, well-being and social inclusion of the elderly, particularly those who are vulnerable and abandoned.

**Sen. Cherarkey:** Thank you, Mr. Speaker, Sir. I have two Statements. I request your indulgence to read them one after the other.

#### PACKAGING OF MAIZE FOR PURCHASE BY THE NCPB

Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Agriculture, Livestock and Fisheries on a matter of national concern regarding the packaging of maize for purchase by the National Cereals and Produce Board (NCPB).

The NCPB purchases maize from farmers packaged in 90 kilos per bag with pricing set per bag. However, this practise is contrary to provisions of Section 36(3) of the Crops (Food Crops) Regulations No.217 of 2019, which states that the maximum weight for the packaging of each single unit of a food crop shall be 50 kilogrammes.

These regulations are subsidiary to the Crops Act, Cap. 318 Laws of Kenya and applied to all food crops listed in the same schedule, which includes maize. In contrast, other food crops listed in the same schedule, such as beans, pigeon peas and cow peas are packaged in 50 kilogrammes bags for purchase by NCPB.

Mr. Speaker, Sir, in the Statement, the Committee should address the following-

(1) The rationale behind the National Cereals and Produce Board (NCPB) continued purchase of maize in 90 kilogramme bags, despite the regulation limiting packaging weight to 50 kilogrammes and whether there are specific challenges or considerations informing this practice.

(2) The reason for the disparity in packaging sizes between maize and other crops and whether there are plans to revise the packaging standards for maize to align with the regulations. If such plans exist, what are the timelines for their implementation?

(3) The impact of the current maize packaging practices on farmers' incomes and the overall sustainability of their farming operations and how these challenges are being addressed.

(4) The steps NCPB is taking to comply with Section 36(3) of the Crops (Food Crops) Regulations of 2019 as per the Crops Act, Cap. 318 of the Laws of Kenya and the long-term strategy for resolving challenges relating to maize packaging and ensuring full compliance with agricultural regulations.

#### RISE IN UNFAIR AND UNETHICAL DEBT COLLECTION PRACTICES

**Sen. Cherarkey:** Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Trade, Industrialization and Tourism on a matter of county and countrywide concern regarding the rise in unfair asset recovery amidst rising debt defaults.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

Kenya is experiencing a surge in debt defaults among households and businesses due to rising living costs, high bank interest rates and declining incomes to our households. This has led to growing reliance on debt collection agencies whose asset recovery methods are often opaque, aggressive and emotionally distressing to Kenyans.

The sector suffers from fragmented regulation, weak oversight and inconsistent enforcement, resulting in poor ethical standards, lack of transparency and inadequate consumer protection under the Consumer Authority of Kenya (CAK).

In the Statement, the Committee should address the following-

(1) The effectiveness of current legal statutes, including the Civil Procedure Act, the Law of Contract Act, the Limitation of Actions Act and the Auctioneers Act in safeguarding consumers from unfair and unethical debt collection practices.

(2) Existing oversight and accountability mechanisms for debt recovery agencies and recommendations for strengthening these mechanisms to ensure ethical and professional conduct.

(3) Public awareness and consumer education initiatives aimed at informing citizens about debt recovery processes, their rights and the channels available for disputing unlawful or exploitative asset recovery actions.

(4) The recommendations for institutional and regulatory reform, including strategies to enhance consumer protection, promote responsible lending and borrowing practices and foster a more inclusive, transparent and sustainable credit ecosystem in Kenya.

I thank you for that indulgence.

**The Speaker** (Hon. Kingi): Proceed, Sen. Peris Tobiko.

#### TRANSFER OF INFANT TO ABYANN HOSPITAL INSTEAD OF KENYATTA NATIONAL HOSPITAL

**Sen. Tobiko:** Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Health on the matter regarding an infant who, though formerly referred from Loitokitok Sub-County Hospital to Kenyatta National Hospital, was instead taken to a private facility, Abyann Hospital in Eastleigh, Nairobi, on 12<sup>th</sup> June, 2025.

Mr. Speaker, Sir, the one-year-old infant in question, in urgent need of specialized care, was referred to Kenyatta National Hospital, a public national referral hospital. However, the ambulance transporting the child was diverted mid-route to Abyann Hospital in Eastleigh, which is a private health facility.

Disturbingly, the infant's family has since been denied access to the child and the hospital is now demanding a payment of Kshs3 million. To date, no clear explanation has been provided regarding the diversion, the breakdown of the medical bill or the legal basis for denying parental access.

In the Statement, the Committee should address the following-

(1) The circumstances under which a referral to Kenyatta National Hospital was altered and the infant taken to a private hospital, including who authorized the diversion and whether due process was followed.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

(2) Investigate whether there exists any formal arrangement between public hospitals and Abyann Hospital permitting such transfers, and if so, under what conditions.

(3) Know what is the justification for denying the parents access to their child.

(4) The measures being taken by the Ministry of Health and relevant authorities to investigate this case, including immediate interventions to prevent similar occurrences in the future.

Thank you.

FAILURE BY SAMBURU COUNTY GOVERNMENT  
TO PAY SALARIES TO ECDE TEACHERS

**Sen. (Dr.) Lelegwe Ltumbesi:** Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Education on a matter of countywide concern regarding the failure by the County Government of Samburu to pay salaries to the Early Childhood Development and Education (ECDE) teachers who were employed earlier this year.

This raises serious concerns about the welfare, dignity and rights of ECDE teachers in Samburu County who play a fundamental role in the development of children and success of the Competency-Based Curriculum (CBC).

In the Statement, the Committee should address the following-

(1) The number and identities of ECDE teachers employed by the County Government of Samburu in the 2024/2025 Financial Year, including details of their respective dates of appointments, stations of deployment, their contractual probation period as well as the applicable provisions on payment of salaries during probation.

(2) The current status of the payment of salaries to the ECDE teachers employed in the specified financial year, including the details on whether they have all been assigned the Integrated Payroll and Personal Database (IPPD) numbers and if not, include the reasons for the delay and the steps being taken to address the issue.

(3) Whether there was an adequate budgetary allocation in the 2024/2025 Financial Year for the remuneration of the ECDE teachers, including those employed during the financial year and if so, obtain information on why the County Government has failed to pay the salaries of the ECDE teachers who were employed earlier this year, despite receiving its full equitable allocation of revenue raised nationally.

(4) The actions being taken to promptly resolve the matter, including details on any disciplinary actions taken against officers responsible for the negligence or systemic inefficiencies that contributed to the situation.

(5) The measures in place to prevent recurrence of similar delays in the processing of salaries not only for the ECDE teachers, but for all county staff.

I thank you.

**The Speaker** (Hon. Kingi): Hon. Senators, I will allow the Senator for Kisii, Sen. Richard Onyonka and after that, we will move to the Committee of the Whole before coming back to the Statements.

Proceed.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

SUSPENSION OF HEALTHCARE FACILITIES  
AND DISBURSEMENT OF CLAIMS UNDER SHA

**Sen. Ogola:** Mr. Speaker, Sir, thank you for allowing me to read a Statement on behalf of Sen. Richard Onyonka, the Senator of Kisii County.

I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Health on a matter of nationwide concern regarding the suspension of healthcare facilities and the disbursement of claims under the Social Health Insurance Authority (SHA).

Mr. Speaker, Sir, since the operations of the Social Health Insurance Authority, several Level 4 and 5 private hospitals across the country have been suspended. The Ministry of Health attributes the suspensions to fraud involving double billing under SHA.

The July, 2025 SHA disbursement schedule reveals glaring disparities in claims reimbursements, with some facilities receiving tens of millions of shillings while others got as little as Kshs2,000. These inconsistencies have led to concerns about favoritism and possible conflict of interest. Compounding the issue is the ineffective Kshs104 billion Integrated Healthcare Information Technology System (IHITS), which was meant to enhance data sharing and service delivery.

In the Statement, the Committee should address the following-

(1) The specific audit findings or investigations that led to the suspension of the health facilities and whether due process was observed in each case.

(2) The criteria used in determining SHA fund disbursements, including an explanation for the significant disparities in the amounts received by different facilities.

(3) The current status of the IHITS, including any identified irregularities in its procurement and implementation.

(4) Reforms or policy measures being considered to enhance transparency, accountability and equity in the operations of the SHA.

(5) Immediate remedial steps being taken to reinstate facilities wrongly suspended, including measures towards equitable reimbursement protocols.

The second Statement is also on behalf of Sen. Onyonka.

THE COST AND TRANSPARENCY OF CONSTRUCTION  
OF GREEN PARK PEDESTRIAN UNDERPASS

**Sen. Ogola:** Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Roads, Transportation and Housing on a matter of national concern regarding the cost and transparency of Green Park Pedestrian Underpass Project in Nairobi City County.

While I acknowledge and commend the Government's commitment to enhancing pedestrians' safety and modernising urban infrastructure, the expending of Kshs2 billion on the construction of the pedestrian underpass near Green Park Terminus located beneath Uhuru Highway in Nairobi raises serious concerns about financial prudence, transparency and value for money.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*



In the Statement, the Committee should address the following-

(1) The full scope, cost breakdown and procurement procedures related to the Green Park Pedestrian Underpass Project.

(2) Whether due process was followed in the selection of contractors, project appraisal and feasibility assessment.

(3) Whether there have been any instances of cost inflation, conflict of interest or violation of procurement rules.

Mr. Speaker, Sir, this is a Statement request by Sen. Richard Onyonka, EBS, MP, Senator for Kisii County.

I thank you.

**The Speaker** (Hon. Kingi): Hon. Senators, allow me to rearrange today's Order Paper, pursuant to Standing Order No.45(2). We will move to Order Nos.17 to 21. Once we are done, we will resume the normal flow as contained in today's Order Paper, that is, going back to the Statements.

*(Interruption of Statements)*

Clerk, kindly call those Orders.

## COMMITTEE OF THE WHOLE

*(Order for Committee read)*

*[The Speaker (Hon. Kingi) left the Chair]*

IN THE COMMITTEE

*[The Temporary Chairperson (Sen. Mumma) in the Chair]*

### THE CREATIVE ECONOMY SUPPORT BILL (SENATE BILLS NO.30 OF 2024)

**The Temporary Chairperson** (Sen. Mumma): Hon. Senators, could we settle down? We are now in the Committee of the Whole on the Creative Economy Support Bill (Senate Bills No.30 of 2024).

#### *Clause 3*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move-  
THAT Clause 3 of the Bill be amended—

(a) in the introductory clause by deleting the words “and each county government” appearing immediately after the words “National Government”;

(b) in the marginal note by inserting the word, “national” immediately after the words “Obligations of”.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

(c) by inserting the following new clause immediately after clause 3—

Obligations of county governments.	3A. A county government shall—  (a) include the development of the creative industry in the County Integrated Development Plans for purposes of planning and resource allocation; (b) undertake regular consultation with the creative community in the county on areas of mutual cooperation; and (c) introduce monitoring and evaluation frameworks to assess the effectiveness of county level initiatives in supporting the creative sector.
--	--

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 4*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move—  
THAT Clause 4 of the Bill be amended by—

(a) deleting the words “persons in the creative industry may publish” appearing immediately after the words “online platform” and substituting therefor the words “information on incentives, opportunities,”;

(b) inserting the words “shall be published” immediately after the words “affairs in the creative industry”; and

(c) inserting the following new clause immediately after Clause 4—

Data Protection. observed  in the processing and handling of sensitive Cap. 411C.	4A. The Cabinet Secretary shall ensure that the provisions of the Data Protection Act are observed  personal data of creatives on the online platform.
--	--

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 5*

*(Question, that Clause 5 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

*Clause 6*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move—  
THAT Clause 6 of the Bill be amended—

(a) by deleting the word “Guild” appearing immediately after the words “Creative Industry” and substituting therefor the word “Council”; and

(b) in the marginal note by deleting the word “Guild” appearing immediately after the words “Creative Industry” and substituting therefor the word “Council”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 7*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move—  
THAT Clause 7 of the Bill be amended—

(a) in the introductory clause by deleting the word “Guild” appearing immediately after the word “The” and substituting therefor the word “Council”;

(b) in the marginal note by deleting the word “Guild” appearing immediately after the words “of the” and substituting therefor the word “Council”;

(c) by inserting the following new paragraph immediately after paragraph (f) —

(fa) develop and publish industry standards on royalty computation, royalty collection and royalty distribution.

(d) in paragraph (l) by deleting the word “guild” appearing immediately after the words “members of the” and substituting therefor the word “Council”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 8*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move—

THAT Clause 8 of the Bill be amended by deleting subclause 1 and substituting therefor the following subclause—

Board of the	8. (1) The Council shall be governed by an incorporated
Council	Advisory Board which shall consist of—

- (a) the Principal Secretary for matters relating to trade and industrialisation or a representative designated in writing;
- (b) the Principal Secretary for matters relating to the creative economy or a representative designated in writing by the Principal Secretary;
- (c) the Principal Secretary for matters relating to information and technology or a representative designated in writing by the Principal Secretary;
- (d) one person representing industry players in the film industry including resellers, distributors, vendors and manufacturers of filming and photography equipment
- (e) one person representing industry players in the music and dance industry;
- (f) one person representing industry players in the fashion industry;
- (g) one person representing industry players in the literary and visual arts industry;
- (h) an Advocate of the High Court of Kenya nominated by the Law Society of Kenya; and
- (i) one person being a public officer nominated by the Cabinet Secretary who shall be Secretary to the Board.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clauses 9 and 10*

*(Question, that Clauses 9 and 10 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 11*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move-

THAT Clause 11 of the Bill be amended in paragraph (d) by deleting the word “Guild” appearing immediately after the words “meetings of the” and substituting therefor the word “Council”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clauses 12 and 13*

*(Question, that Clauses 12 and 13 be part of the Bill proposed)*

---

**Disclaimer:** The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 14*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move-  
THAT Clause 14 of the Bill be amended in paragraph (h) by deleting the words “a data base” appearing immediately after the words “maintain” and substituting therefor the words “a manual and digital database”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 15*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move-  
THAT Clause 15 of the Bill be amended by deleting the word “Guild” appearing immediately after the words “Membership to the” and substituting therefor the word “Council”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 16*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move-  
THAT clause 16 be amended-  
(a) in subclause (1) by deleting the word “Guild” appearing immediately after the words “member of the” and substituting therefor the word “Council”; and  
(b) in the marginal note by deleting the word “Guild” appearing immediately after the words “Application to the” and substituting therefor the word “Council”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 17*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move-

THAT clause 17 be amended in the marginal note by deleting the word “the Guild” appearing immediately after the words “Roll of” and substituting therefor the word “Roll of creatives”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 18*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move-

THAT Clause 18 of the Bill be amended—

(a) by deleting the words “The Guild” appearing at the beginning of the clause and substituting therefor the words “The Council”; and

(b) in the marginal note by deleting the word “Guild” appearing immediately after the words “Decentralization of the” and substituting therefor the word “Council”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 19*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move-

THAT Clause 19 of the Bill be amended—

(a) in the introductory clause by—

(i) deleting the words “The Guild shall,” appearing at the beginning of the clause and substituting therefor the words “The Council shall”

(ii) deleting the words “and shall, for this purpose” appearing immediately after the words “the creative industry” and substituting therefor the words “which shall include”;

(b) in paragraph (d), by inserting the following words, “that are aligned with county- specific needs and opportunities, ensuring that creatives across all counties can access support” after the words “and development activities”;

(c) by inserting the following new clause immediately after clause 19—

Incentive  
s for  
person  
s with  
disabiliti  
es.

**19A.** (a) The Council shall in collaboration with county governments ensure equitable access to incentives for creatives for persons with disabilities.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end

*Clause 20*

*(Question, that Clauses 20 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 21*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move-

THAT Clause 21 be amended by deleting subclause (3) and substituting therefor the following new subclause—

(3) The Regulations developed under subsection (1) shall—

(a) ensure that a person is eligible for a grant from the fund if that person has not benefitted from any other financial support scheme by the National or county government;

(b) prescribe the nature of financial support in paragraph (a) that will preclude a person from benefitting from the fund; and

(c) provide for a criterion for disclosure and due diligence in establishing that a person has not benefitted from any other financial support by the National or county governments.

*Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 22*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move -

THAT Clause 22 be amended in subclause (3)—

(a) by inserting the following new paragraph immediately after paragraph (b).

(ba) collaborate with county governments to ensure that creatives in all counties have equitable access to financial support;

(b) by deleting the words “mechanism for” appearing at the beginning of paragraph (d) and substituting therefor the words “mechanisms for”.

*(Question of the amendment proposed)*

*Clause 23*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move-  
THAT clause 23 of the Bill be amended –

(a) by deleting the words “The Guild” appearing at the beginning of the clause and substituting therefor the words “The Council”; and

(b) in paragraph by (h) deleting the word “Guild” appearing immediately after the words “information as the” and substituting therefor the word “Council”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 24*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move-

THAT Clause 24 be amended by deleting the entire clause and substituting it therefor the following clause—

Application for~~24.~~ The Council shall provide technical support to grant orcreative artists which shall include—

revocation of (a) application for registration, grant, revocation patents. and institution of legal action for infringement of intellectual property rights; and

(b) filing and registration of intellectual property pursuant to international instruments.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.



*Clause 25*

*(Question, that Clause 25 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 26*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move—

THAT the Bill be amended by deleting Clause 26 and substituting therefor the following clause—

Scope of **26.** (1) The incentives and benefits under this Part shall only be made available to members of the Council whose names have been entered into the roll of creatives.

(2) The Council shall in collaboration with county governments ensure that creative artists in remote and underserved areas whose names have been entered into the roll of creatives access the incentives.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 27*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move –

THAT Clause 27 be amended in subclause (2) by—

(a) deleting the word “Guild” appearing immediately after the words “from the” and substituting therefor the word “Council” in paragraph (j);

(b) deleting the word “and” appearing immediately after the words “measures of creatives” in paragraph (l); and

(c) inserting the following new paragraphs immediately after paragraph (l) —

(la) on industrial standards in the sub-sectors represented in section 8;

(lb) on industrial standards for royalty computation, collection and distribution;

(lc) on intellectual property protection of creative work from institutions and communities;

(ld) on the procedure and criteria for nomination of industry representatives in the board of the council.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*New Clause 3A*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move –  
THAT new Clause 3A be now read a second time.

*(Question of the New Clause 3A proposed)*

*(New Clause 3A read the First Time)*

*(Question, that New Clause 3A be read a Second Time proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*New Clause 4A*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move –  
THAT new Clause 4A be now read a second time.

*(Question of the New Clause 4A proposed)*

*(New Clause 4A read the First Time)*

*(Question, that New Clause 4A be read a Second Time proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*New Clause 19A*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move –  
THAT new Clause 19A be now read a second time.

*(Question of the New Clause 19 A proposed)*

*(New Clause 19A read the First Time)*

*(Question, that New Clause 19A be read a Second Time proposed)*

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 2*

**Sen. Okenyuri:** Madam Temporary Chairperson, I beg to move –

THAT Clause 2 of the Bill be amended by—

(a) deleting the word “Guild” in the definition of the word “Board” and substituting therefor the word “Council”

(b) deleting the definition of the word “Guild” and substituting therefor the following new definition -

“Council” means the Creative Industry Council established under section

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*The Title and Clause 1*

*(Question, that the Title and Clause 1 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

Hon. Senators, we are now moving to a Committee of the Whole for the Business Law (Amendment) Bill (Senate Bills. No.51 of 2024).

THE BUSINESS LAW (AMENDMENT) BILL  
(SENATE BILLS. NO. 51 OF 2024)

*Clauses 2-12*

*(Question, that Clauses 2,3,4,5,6,7,8,9,10, 11 and 12  
be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clauses 13-24*

*(Question, that Clauses 13, 14, 15, 16, 17, 18, 19, 20, 21,  
22, 23 and 24 part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

---

**Disclaimer:** The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.

*The Title and Clause 1*

*(Question, that the Title and Clause 1 be part  
of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

**The Temporary Chairperson** (Sen. Mumma): Hon. Senators, we are now moving to the Committee of the Whole for the Early Childhood Education Amendment Bill, (Senate Bill No. 54 of 2023).

THE EARLY CHILDHOOD EDUCATION (AMENDMENT)  
BILL (SENATE BILL NO.54 OF 2023)

*Clause 2*

**Sen. Kinyua:** Madam Temporary Chairperson, I beg to move-

THAT Clause 2 of the Bill be amended by deleting the proposed subsection (2A) and substituting therefor the following new subsection —

2A) A County Government shall take into account the following factors when determining the remuneration payable to an early childhood education teacher —

- (a) the minimum rate advised by the Salaries and Remuneration Commission;
- (b) minimum wage;
- (c) the qualification of individual teachers; and
- (d) any other relevant factor.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 3*

*(Question, that Clause 3 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*The Title and Clause 1*

*(Question, that the Title and Clause 1 be part  
of the Bill, proposed)*

Division will be at the end.

---

**Disclaimer:** The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.

**The Temporary Chairperson** (Sen. Mumma): Hon. Senators, we are now moving to the Committee of the Whole for the Local Content (Amendment) Bill (Senate Bills No.50 of 2023).

THE LOCAL CONTENT (AMENDMENT) BILL  
(SENATE BILLS NO.50 OF 2023)

*Clauses 3-6*

*(Question, that Clauses 3, 4, 5 and 6 be part  
of the Bill, proposed)*

Division will be at the end.

*Clause 7*

**Sen. Kisang:** Thank you, Madam Temporary Chairperson. I beg to move—  
THAT Clause 7 of the Bill be amended in paragraph (b) by —  
(a) deleting subparagraph (iii);  
(b) deleting the words “and implementation” in subparagraph (iv) appearing immediately after the words “the development; and  
(c) deleting subparagraph (v) and substituting therefor the following new subparagraph—  
(v) provision of guidelines to ensure local content activities shall include the participation of local persons at a quota of not less than thirty percent.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clauses 8 and 9*

*(Question, that Clauses 8 and 9 be part of the Bill, proposed)*

Division will be at the end.

*Clause 10*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move—  
THAT Clause 10 of the Bill be amended in subclause (1) by—  
(a) inserting the word “relevant” immediately after the words “advise the” in paragraph (b); and

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

(b) inserting the word “relevant” immediately after the words “recommendations to the” in paragraph (c).

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 11*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move—

THAT Clause 11 of the Bill be amended in paragraph (a) by deleting the word “six” appearing immediately after the words “period of” and substituting therefor the word “twelve”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 12*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move—

THAT clause 12 of the Bill be amended in subclause (1) by —

(a) deleting paragraph (a) and substituting therefor the following new paragraph—

(a) a chairperson who shall be competitively recruited by the Public Service Commission and appointed by the President by notice in the Gazette.

(b) deleting paragraph (c) and substituting therefor the following new paragraph—

(c) the Principal Secretary responsible for matters relating to mining or a representative designated in writing;

(c) deleting paragraph (f) and substituting therefor the following new paragraphs—

(f) one person nominated by players in the oil and gas industry in such a manner as the Cabinet Secretary responsible for matters related to oil and gas shall determine;

(fa) one person nominated by players in the mining industry in such a manner as the Cabinet Secretary responsible for matters related to mining shall determine;

(d) deleting subclause (2) and substituting therefor the following new subclause—

(2) The persons nominated under subclause (1)(f) and (fa) shall be appointed by the relevant Cabinet Secretary by notice in the Gazette.

(e) deleting subclause (3) and substituting therefor the following subclause—

(1) There shall be paid to the members of the Committee such allowances as the Cabinet Secretaries responsible for matters related to petroleum, oil and mining may, in consultation with the Salaries and Remuneration Commission, determine.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clauses 13-15*

*(Question, that Clauses 13, 14 and 15  
be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 16*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move—

THAT Clause 16 of the Bill be amended in subclause (1) by—

(a) inserting the word “relevant” in paragraph (e) immediately after the words “addressed to the”; and

(b) inserting the word “relevant” in paragraph (f) immediately after the words “office by the”

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clauses 17 and 18*

*(Question, that Clauses 17 and 18 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 19*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move—

THAT Clause 19 of the Bill be amended by deleting clause 19 and substituting therefor the following new clause—

Secretariat. **19.** (1) The relevant Cabinet Secretaries responsible for matters related to the extractive industry shall designate an

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

appropriate administrative unit that includes representation from each of their respective Ministries to serve as the Secretariat of the Committee.

(2) The Secretariat shall consist of —

(a) a director, who shall be competitively recruited and appointed by the Public Service Commission.

(b) such other public officers from each relevant Ministry responsible for matters related to the extractive industry as the Cabinet Secretaries shall, in consultation with the Committee, designate for the proper performance of the functions of the Secretariat under this Act.

(3) Without prejudice to subsection (2), a person is qualified to be appointed as a director, if that person—

(a) is a citizen of Kenya;

(b) holds a degree in matters related to oil, gas and mining from a university recognized in Kenya;

(c) has had at least ten years proven experience at management level; and

(d) meets the requirements of Chapter Six of the Constitution.

(2) Director shall hold office for a term of four years, renewable for one further term.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 20*

*(Question, that Clause 20 be part of the Bill, proposed)*

Division will be at the end.

*Clause 21*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move—

THAT Clause 21 of the Bill be amended in subclause (1) by inserting the word “relevant” immediately before the words “Cabinet Secretary”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.



*Clause 22*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move –  
THAT Clause 22 of the Bill be amended in subclause (5) by inserting the word “relevant” in paragraph (f) immediately after the words “plans as the”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 23*

*(Question, that Clause 23 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 24*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move –  
THAT, Clause 24 of the Bill be amended by deleting the introductory clause of subclause (1) and substituting therefor the following new introductory clause—  
(1) The Committee shall prescribe rules on local content certification and in doing shall—

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clauses 25-27.*

*(Question, that Clauses 25, 26 and 27 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 28*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move—  
THAT Clause 28 of the Bill be amended in subclause (2) by inserting the word “relevant” in paragraph (c) immediately after the words “prescribed by the”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 29*

*(Question, that Clause 29 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 30*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move—

THAT Clause 30 of the Bill be amended in —

- (a) subclause (1) by inserting the word “relevant” immediately before the words “Cabinet Secretary”; and
- (b) subclause (2) by inserting the word “relevant” immediately before the words “Cabinet Secretary”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 31*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move—

THAT Clause 31 of the Bill be amended in the introductory clause by inserting the word “relevant” immediately before the words “Cabinet Secretary shall”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clauses 32-36*

*(Question, that Clauses 32, 33, 34, 35 and 36  
be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 37*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move—

THAT Clause 37 of the Bill be amended in -

- (a) subclause (1) by inserting the word “relevant” immediately after the words “operator as the”;

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

- (b) subclause (3) by inserting the words “relevant” immediately after the words “in consultation with the”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clauses 38-42*

*(Question, that Clauses 38, 39, 40, 41 and 42  
be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 43*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move –

THAT Clause 43 of the Bill be amended by deleting subclause (2) and substituting therefor the following new subclause–

(2) Despite subsection (1), where the goods or services required in relation to an extractive activity are not available locally, the relevant Cabinet Secretary may, subject to such conditions as the relevant Cabinet Secretary may impose, authorise the continued importation of the required goods or service.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 44*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move–

THAT Clause 44 of the Bill be amended in—

- (a) subclause (2) by inserting the word “relevant” immediately after the words “consultation with the”; and
- (b) subclause (3) by inserting the word “relevant” immediately after the words “prescribed by the”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 45*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move –

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

THAT Clause 45 of the Bill be amended in subclause (1) by inserting the word “relevant” immediately after the words “provisions of this Act, the”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 46*

*(Question, that Clause 46 be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 47*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move—

THAT Clause 47 of the Bill be amended by —

- (a) deleting subclause (2) and substituting therefor the following new subclause—
- (2) An operator shall annually remit a tax-deductible training levy consisting of such percentage of its net revenues as the relevant Cabinet Secretary may, in consultation with the Committee, prescribe to the Fund in support of the objectives of this Act.
- (b) by deleting subclause (3) and substituting therefor the following new subclause—
- (3) The Cabinet Secretary responsible for matters relating to mining shall, in consultation with the Cabinet Secretary responsible for matters relating to oil, gas and other petroleum resources and the Committee, prescribe in regulations under the Act the manner in which the Fund shall be operated and applied.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 48*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move—

THAT Clause 48 of the Bill be amended in subclause (5) by inserting the word “relevant” immediately after the words “approval of the”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 49*

---

**Disclaimer:** The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.

*(Question, that Clause 49 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 50*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move—

THAT Clause 50 of the Bill be amended in—

- (a) subclause (2) by inserting the word “relevant” immediately after the words “submit to the”;
- (b) subclause (3) by inserting the word “relevant” immediately after the words “submit to the”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 51*

*(Question, that Clause 51 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 52*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move —

THAT Clause 52 of the Bill be amended in clause (1) by inserting the word “relevant” immediately after the words “make recommendations”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division at the end.

*Clause 53*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move —

THAT Clause 53 of the Bill be amended in clause (1) by inserting the word “relevant” immediately before the words “Cabinet Secretary”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clauses 54 and 55*

*(Question, that Clauses 54 and 55 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 56*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move –

THAT Clause 56 of the Bill be amended by inserting the word “relevant” immediately before the words “Cabinet Secretary”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 57*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move –

THAT Clause 57 of the Bill be amended —

- (a) by deleting subclause (1) and substituting therefor the following subclause—
- (1) The Cabinet Secretary responsible for matters relating to mining shall, in consultation with the Cabinet Secretary responsible for matters relating to oil, gas, and other petroleum resources and the Committee, make regulations generally for the better carrying out of the provisions of this Act.
- (b) in subclause (2) by deleting the word “Secretary” appearing immediately after the words “the Cabinet” and substituting therefor the word “Secretaries”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*New Clause 20A*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move –

THAT the Bill be amended by inserting the following clauses immediately after Clause 20—

General fund. 0A There shall be a general fund of the Committee which shall vest in the Committee.  
 here shall be paid into the general fund— (a) such monies or assets as may accrue to or vest in the Committee in the course of the exercise of its powers or the performance of its functions under this Act; annual contributions from the ministries responsible for matters related to the extractive industry,  
 all monies from any other source provided for or donated or lent to the Committee.

*(Question of the New Clause 20A proposed)*

*(New Clause 20A read a First Time)*

*(Question, that New Clause 20A be read a Second Time proposed)*

*(Question, that New Clause 20A be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*New Clause 20B*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move—  
 THAT the Bill be amended by inserting the following clauses immediately after Clause 20—  
 Annual  
 estimates.

- 1) At least three months before the commencement of each financial year, the Committee shall cause to be prepared estimates of the revenue and expenditure of the Committee for that year.
- 2) The Committee shall approve the annual estimates before the commencement of the financial year to which they relate and shall be submitted to the Cabinet Secretary for approval and after the Cabinet Secretary's approval, the Authority shall not increase the annual estimates without the consent of the Cabinet Secretary.

*(Question of the New Clause 20B proposed)*

*(New Clause 20B read a First Time)*

---

**Disclaimer:** The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.

*(Question, that New Clause 20B be read a  
Second Time proposed)*

*(Question, that New Clause 20B be part of the  
Bill, proposed)*

*New Clause 20C*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move—  
THAT the Bill be amended by inserting the following clauses immediately after  
Clause 20—

Accounts and audit. **20C** (1) The Committee shall cause to be kept all proper books and records of accounts of the income, expenditure and assets of the Committee.

(2) Within a period of three months from the end of each financial year, the Committee shall submit to the Auditor-General the accounts of the Committee together with—

(a) a statement of the income and expenditure of the Committee during that year; and

Cap. 412A. (b) a statement of the assets and liabilities of the Committee on the last day of that year.

(3) The annual accounts of the Committee shall be prepared, audited and reported upon in accordance with the provisions of Articles 226 and 229 of the Constitution and the Public Financial Management Act.

*(Question of the New Clause 20C proposed)*

*(New Clause 20C read a First Time)*

*(Question, that New Clause 20C be read a  
Second Time proposed)*

*(Question, that New Clause 20C be part of the  
Bill, proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.



*New Clause 59*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move-  
THAT, the Bill be amended by inserting the following new clauses immediately after Clause 58-

Amendment to Cap.306.

**59.** The Mining Act is amended by—  
(a) repealing Section 46;  
(b) repealing Section 47;  
(c) repealing Section 49; and  
(d) repealing Section 50.

*(Question of the New Clause 59 proposed)*

*(New Clause 59 read a First Time)*

*(Question, that New Clause 59 be read a  
Second Time proposed)*

*(Question, that New Clause 59 be part of the  
Bill, proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*New Clause 60*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move-  
THAT, the Bill be amended by inserting the following new clauses immediately after Clause 58-

Amendment to Cap.308.

**60.** The Petroleum Act is amended by deleting Part VI.

*(Question of the New Clause 60 proposed)*

*(New Clause 60 read a First Time)*

*(Question, that New Clause 60 be read a  
Second Time proposed)*

*(Question, that New Clause 60 be part of the*

---

**Disclaimer:** The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.

*Bill, proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*New Clause 61*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move—  
THAT, the Bill be amended by inserting the following new clauses immediately after Clause 58-

Amendment to Cap.314.

- 61.** The Energy Act is amended by—  
(a) in Section 10 by repealing paragraph (ee);  
(b) repealing Section 206; and  
(c) repealing Section 207.

*(Question of the New Clause 61 proposed)*

*(New Clause 61 read a First Time)*

*(Question, that New Clause 61 be read a  
Second Time proposed)*

*(Question, that New Clause 61 be part of the  
Bill, proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*The Schedule*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move-

*(Question, that the Schedule be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 2*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move-

THAT Clause 2 of the Bill be amended by deleting the definition of the term “Cabinet Secretary” and substituting therefor the following new definition—

“Cabinet Secretary means either the Cabinet Secretary responsible for matters relating to oil, gas and other petroleum resources or the Cabinet Secretary responsible for matters relating to mining as the case may be”

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*The Long Title*

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move-

THAT the Long Title of the Bill be amended by deleting the long title and substituting therefor the following new long title –

**A Bill for**

**AN ACT of Parliament to provide for a framework to facilitate the local ownership, control, and financing of activities connected with the exploitation of gas, oil, other petroleum resources, and mineral resources; to provide a framework to increase local value capture along the value chain in the exploration of gas, oil, other petroleum resources, and minerals; and for connected purposes.**

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 1*

*(Question, that the Clause 1 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.  
Let us move on to the next Bill.

THE STREET VENDORS PROTECTION OF LIVELIHOOD  
BILL (SENATE BILLS NO.41 OF 2023)

*Clause 3*

*(Question, that the Clause 3 be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 4*

**Sen. Mbugua:** Madam Temporary Chairperson, I beg to move-  
THAT Clause 4 of the Bill be amended —

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

- (a) in subclause (1) by –
- (i) deleting paragraph (a);
  - (ii) deleting the words “the minimum standards” appearing immediately after the words “relevant stakeholders, the” in paragraph (b) and substituting therefor the words “national guidelines”;
  - (iii) deleting paragraph (c);
  - (iv) deleting paragraph (d); and
  - (v) inserting the words “and taking into consideration universal design principles” immediately after the words “street vending” in paragraph (e).
- (b) in subclause (2) by –
- (i) inserting the word “and” immediately after the words “delegate to the unit;” in paragraph (a);
  - (ii) deleting the words “the unit and;” appearing immediately after the words “to serve in” and substituting therefor the words “the unit.” in paragraph (b); and
  - (iii) deleting paragraph (c).

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 5*

**Sen. Mbugua:** Madam Temporary Chairperson, I beg to move-  
THAT Clause 5 of the Bill be amended in subclause (1) by deleting the word “county” appearing immediately after the words “notice in the”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 6*

*(Question, that Clause 6 be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 7*

**Sen. Mbugua:** Madam Temporary Chairperson, I beg to move-  
THAT Clause 7 of the Bill be amended in subclause (2) by deleting the word “county” appearing immediately after the words “in the”.

*(Question of the amendment proposed)*

---

**Disclaimer:** The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 8*

**Sen. Mbugua:** Madam Temporary Chairperson, I beg to move—  
THAT Clause 8 of the Bill be amended by deleting subclause (2) and substituting therefor the following new subclause —  
(2) The County Executive Committee Member shall —  
(a) not designate a market as a no-vending zone; and  
(b) in designating a no-vending zone consider existing businesses in the zone.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 9*

**Sen. Mbugua:** Madam Temporary Chairperson, I beg to move—  
THAT Clause 9 of the Bill be amended in the marginal note by inserting the word “vending” appearing immediately after word “unauthorised”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 10*

**Sen. Mbugua:** Madam Temporary Chairperson, I beg to move—  
THAT Clause 10 of the Bill be amended in subclause (2) by deleting paragraph (b) and substituting therefor the following new paragraph —  
(b) maintain a register of vending zones within the county.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 11*

*(Question, that Clause 11 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

*Clause 12*

**Sen. Mbugua:** Madam Temporary Chairperson, I beg to move: -  
THAT Clause 12 of the Bill be amended in subclause (2) by deleting the word “security,” appearing immediately after the words “limited to”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 13*

**Sen. Mbugua:** Madam Temporary Chairperson, I beg to move-  
THAT Clause 13 of the Bill be amended in subclause (5) by deleting the words “including water, lighting, security and waste disposal facilities” appearing immediately after the words “essential facilities”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 14*

**Sen. Mbugua:** Madam Temporary Chairperson, I beg to move-  
THAT Clause 14 of the Bill be amended in paragraph (a) by deleting the word “enact” appearing at the beginning of the paragraph and substituting therefor the word “formulate”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 15*

**Sen. Mbugua:** Madam Temporary Chairperson, I beg to move-  
THAT Clause 15 of the Bill be amended –  
(a) in subclause (2) by inserting the words “including street vendors with disabilities” immediately after the words “vendors in the county” in paragraph (b);  
(b) by deleting subclause (3);  
(c) in subclause (4) by deleting the words “to regulate inter-county mobility trade” appearing immediately after the words “registration of foreigners”;  
(d) by inserting the following new subclause immediately after subclause (4) —

(4A) The Cabinet Secretary shall in formulating regulations under subclause (4) adhere to treaties and conventions ratified by Kenya pursuant to Article 2(6) of the Constitution.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 16*

**Sen. Mbugua:** Madam Temporary Chairperson, I beg to move-  
THAT Clause 16 of the Bill be amended in subclause (1) by deleting the words “with the respective county executive committee member” appearing immediately after the words “registered as a street vendor”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 17*

**Sen. Mbugua:** Madam Temporary Chairperson, I beg to move-  
THAT Clause 17 of the Bill be amended in subclause (5) by inserting the following new paragraph after paragraph (f) —  
(fa) disability registration details for a street vendor with disability;

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clauses 18-20*

*(Question, that Clauses 18, 19 and 20 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 21*

**Sen. Mbugua:** Madam Temporary Chairperson, I beg to move-  
THAT Clause 21 of the Bill be amended—  
(a) by inserting the following new subclause immediately after subclause (3);

(3A) A street vendor aggrieved by the decision of the county government in subclause (3) may apply to the county government for a review of the decision.

(b) in subclause (4) by deleting the words “relevant county tribunal” appearing immediately after the words “may appeal to the” and substituting therefor the words “appeals committee.”; and

(c) inserting the following new subclause immediately after subclause (4)—

(4A) A vendor who is further aggrieved by the decision of the county tribunal under this section may seek judicial review of the committee’s decision.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 22*

**Sen. Mbugua:** Madam Temporary Chairperson, I beg to move—

THAT Clause 22 of the Bill be amended in subclause (2) by inserting the words “responsible for public health” immediately after the words “county executive committee member”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 23*

*(Question that Clause 23 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 24*

**The Temporary Chairperson** (Sen. Mumma): Mover.

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move –

THAT clause 24 be amended by deleting subclause (1) and substituting therefor the following subclause —

(1) Every street vendor has the right within a vending zone and adjacent areas as may be determined by the county executive member, to access essential facilities of reasonable quality including but not limited to lighting and accessible sanitation and parking facilities.

*(Question of the amendment proposed)*

---

**Disclaimer:** The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.



**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clauses 25-30*

*(Question that Clauses 25, 26, 27, 28, 29 and 30  
be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 31*

**The Temporary Chairperson** (Sen. Mumma): Mover.

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move –

THAT the Bill be amended in clause 31 by deleting the words “one hundred thousand shillings” appearing immediately after the words “fine not exceeding” and substituting therefor the words “fifty thousand shillings”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*Clause 32*

*(Question, that Clause 32 be part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

*The Schedule*

**The Temporary Chairperson** (Sen. Mumma): Mover.

**Sen. Kisang:** Madam Temporary Chairperson, I beg to move –

THAT the Schedule be amended in paragraph (1) by inserting the following new sub-paragraph immediately after sub-paragraph (c);

(ca) be prepared pursuant to National and county planning laws;

*(Question of the amendment proposed)*

*Clause 2, the Title and Clause 1*

*Question, that Clause 2, the title and Clause 1 be  
part of the Bill proposed)*

**The Temporary Chairperson** (Sen. Mumma): Division will be at the end.

---

**Disclaimer:** The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.

Hon. Senators, please, settle down. We are now going to report progress on the Committee of the Whole on The Creative Economy Support Bill (Senate Bills No.30 of 2024).

Proceed Mover.

THE CREATIVE ECONOMY SUPPORT BILL  
(SENATE BILLS NO.30 OF 2024)

**Sen. Oketch Gicheru:** Madam Temporary Chairperson, pursuant to Standing Order No.153, I beg to move that the Committee of the Whole do report progress on its consideration of The Creative Economy Support Bill (Senate Bills No.30 of 2024), and seek leave to sit again tomorrow.

*(Question proposed)*

*(Question put and agreed to)*

**The Temporary Chairperson** (Sen. Mumma): Hon. Members, we are now going to report progress on The Business Laws (Amendment) Bill (Senate Bills No.51 of 2024). Proceed, Mover.

THE BUSINESS LAWS (AMENDMENT) BILL  
(SENATE BILLS NO.51 OF 2024)

**Sen. (Dr.) Lelegwe Ltumbesi:** Madam Temporary Chairperson, pursuant to Standing Order No.153, I beg to move that the Committee of the Whole do report to the Senate its consideration of The Business Laws (Amendment) Bill (Senate Bills No.51 of 2024), and seek leave to sit again tomorrow.

*(Question proposed)*

*(Question put and agreed to)*

**The Temporary Chairperson** (Sen. Mumma): Hon. Senators, we are now going to report progress on The Early Childhood Education (Amendment) Bill (Senate Bills No.54 of 2023).

Proceed, Mover.

THE EARLY CHILDHOOD EDUCATION (AMENDMENT) BILL  
(SENATE BILLS NO.54 OF 2023)

**Sen. Oketch Gicheru:** Madam Temporary Chairperson, pursuant to Standing Order No.153, I beg to move that the Committee of the Whole do report to the Senate its

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

consideration of The Early Childhood Education (Amendment) Bill (Senate Bills No.54 of 2023) and seek leave to sit again tomorrow.

*(Question proposed)*

*(Question put and agreed to)*

**The Temporary Chairperson** (Sen. Mumma): Hon. Members, we are now going to report progress on The Local Content Bill (Senate Bills No.50 of 2023).

Proceed, Mover.

**Sen. Kisang:** Madam Temporary Chairperson, pursuant to Standing Order No.153, I beg to move that the Committee of the Whole do report to the Senate its consideration of The Local Content Bill (Senate Bills No.50 of 2023), and seek leave to sit again tomorrow.

*(Sen. Nyamu stood at her place and consulted loudly)*

**The Temporary Chairperson** (Sen. Mumma): Sen. Nyamu, can you sit down and stop speaking loudly, please?

*(Question proposed)*

*(Question put and agreed to)*

Hon. Senators, we are now reporting progress on The Street Vendors (Protection of Livelihood) Bill (Senate Bills No. 41 of 2023).

Proceed, Mover.

THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL  
(SENATE BILLS NO. 41 OF 2023)

**Sen. Okenyuri:** Madam Temporary Chairperson, pursuant to Standing Order No. 153, I beg to move that the Committee of the Whole do report on its consideration of the Street Vendors (Protection of Livelihood) Bill (Senate Bills No. 41 of 2023) and seek leave to sit again tomorrow.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

*(The Temporary Speaker (Sen. Wakili Sigei) in the Chair)*

---

**Disclaimer:** The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.

**PROGRESS REPORTED****THE CREATIVE ECONOMY SUPPORT BILL  
(SENATE BILLS NO.30 OF 2024)**

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Members, you can resume your seats. Sen. Tabitha, take your seat. The Chair will give you instructions on how you will deal with your concerns. I am aware about it. So, take your seat.

Hon. Senators, we are now reporting on the progress by the Committee of the Whole on the Bills which have just been dealt with. We will start with the Creative Economy Support Bill (Senate Bills No.30 of 2024). I call upon the Mover to move.

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, I beg to move that the House do agree with the Committee in the said report.

**The Temporary Speaker** (Sen. Wakili Sigei): Chairperson, please proceed. Just a clarification, you are not in this particular Bill. First of all, let us have Sen. Mumma, who was the Chairperson of the session, to report.

**Sen. Mumma:** Mr. Temporary Speaker, Sir, I beg to report that the Committee of the Whole has considered The Creative Economy Support Bill (Senate Bills No.30 of 2024) and seeks leave to sit again tomorrow.

**The Temporary Speaker** (Sen. Wakili Sigei): I call upon the Mover to move.

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, I beg to move that the House do agree with the Committee in the said report and call upon Sen. (Dr.) Lelegwe to second.

**Sen. (Dr.) Lelegwe Ltumbesi:** Mr. Temporary Speaker, Sir, I second.

*(Question proposed)*

*(Question put and agreed to)*

**THE BUSINESS LAWS (AMENDMENT) BILL  
(SENATE BILLS NO.51 OF 2024)**

**The Temporary Speaker** (Sen. Wakili Sigei): We will move to the second reporting on The Business Laws (Amendment) Bill (Senate Bills No.51 of 2024). I call upon the Chairperson to report.

**Sen. Mumma:** Mr. Temporary Speaker, Sir, I beg to report that the Committee of the Whole has considered The Business Laws (Amendment) Bill (Senate Bills No.51 of 2024) and seeks leave to sit again tomorrow.

**The Temporary Speaker** (Sen. Wakili Sigei): Mover to proceed to move.

**Sen. (Dr.) Lelegwe Ltumbesi:** Mr. Temporary Speaker, Sir, I beg to Move that the House do agree with the Committee in the said report. I call upon Sen. Kisang' to second.

**Sen. Kisang':** Mr. Temporary Speaker, Sir, I second.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

*(Question proposed)*

*(Question put and agreed to)*

THE EARLY CHILDHOOD EDUCATION (AMENDMENT)  
BILL (SENATE BILLS NO. 54 OF 2023)

**The Temporary Speaker** (Sen. Wakili Sigei): We move to the next Bill for reporting; the Early Childhood Education (Amendment) Bill (Senate Bills No. 54 of 2023). I call upon the Chairperson, Sen. Mumma, to report.

**Sen. Mumma:** Mr. Temporary Speaker, Sir, I beg to report that the Committee of the Whole has considered The Early Childhood Education (Amendment) Bill (Senate Bills No. 54 of 2023) and seeks leave to sit again tomorrow.

**The Temporary Speaker** (Sen. Wakili Sigei): I call upon the Mover to move.

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, I beg to Move that the Senate do agree with the Committee in the said report. I call upon Sen. Kinyua to second.

**Sen. Kinyua:** Mr. Temporary Speaker, Sir, I second.

*(Question proposed)*

*(Question put and agreed to)*

*(Sen. (Dr.) Lelegwe Ltumbesi walked out of the Chamber)*

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. (Dr.) Lelegwe, you are a senior Member of this House and a leader. Much is expected of you. You may proceed to take your leave.

We will now move to the next Bill for reporting. I call upon the Chairperson to report.

THE LOCAL CONTENT BILL  
(SENATE BILLS NO. 50 OF 2023)

**Sen. Mumma:** Mr. Temporary Speaker, Sir, I beg to report that the Committee of the Whole has considered the Local Content Bill (Senate Bills No.50 of 2023) and seeks leave to sit again tomorrow.

**The Temporary Speaker** (Sen. Wakili Sigei): Mover, please, proceed.

**Sen. Kisang:** Mr. Temporary Speaker, Sir, I beg to move that the Senate do agree with the Committee on the said report and request Sen. Ogola to second.

**Sen. Ogola:** Mr. Temporary Speaker, Sir, I second.

*(Question proposed)*

*(Question put and agreed to)*

---

**Disclaimer:** The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.

THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL  
(SENATE BILLS NO. 41 OF 2023)

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Senators, lastly, we are reporting progress of the Committee of the Whole on The Street Vendors (Protection of Livelihood) Bill (Senate Bills No.41 of 2023). I call upon the Chairperson to report.

**Sen. Mumma:** Mr. Temporary Speaker, Sir, I beg to report that the Committee of the Whole has considered the Street Vendors (Protection of Livelihood) Bill (Senate Bills No. 41 of 2023) and seeks leave to sit again tomorrow.

**The Temporary Speaker** (Sen. Wakili Sigei): Mover to proceed to move.

Sen. Essy.

**Sen. Okenyuri:** Mr. Temporary Speaker, Sir, I beg to move that the House do agree with the Committee on the said report and request Sen. Eddy Oketch to second.

**Sen. Oketch Gicheru:** Mr. Temporary Speaker, Sir, I second.

*(Question proposed)*

*(Question put and agreed to)*

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Members, for the convenience of the House, we are going to rearrange the Order Paper. We will go back to statements.

*(Resumption of Statements)*

I have seen in the House, Sen. (Dr.) James Murango of Kirinyaga. I will allow you to read your statement.

## QUESTIONS AND STATEMENTS

### STATEMENTS

CHANGAMOTO ZA WAKULIMA KATIKA KITUO CHA BODI YA  
TAIFA YA MAZAO NA HIFADHI CHA SAGANA

**Sen. (Dr.) Murango:** Asante, Bw. Spika wa Muda. Nimesimama hapa kuomba kauli kuhusu changamoto zinazowakumba wakulima katika vituo vya Bodi ya Taifa ya Mazao na Hifadhi ya National Cereals and Produce Board (NCPB) vya Sagana na Wanguru, Kaunti ya Kirinyaga.

Nasimama kwa mujibu wa Kanuni ya Kudumu Nambari 53(1) ya Kanuni za Kudumu, kuomba kauli kutoka kwa Kamati ya Kilimo, Mifugo na Uvuvi kuhusu changamoto zinazowakabili wakulima katika kaunti ya Kirinyaga, kuhusu upatikanaji wa mbolea ruzuku kupitia kituo cha Bodi ya Taifa ya Mazao na Hifadhi ya NCPB kilichoko Sagana na Wanguru.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

Bw. Spika wa Muda, wakulima kutoka maeneo mbalimbali ya Kaunti ya Kirinyaga wamekuwa wakifika katika Kituo cha NCPB cha Sagana na Wanguru wakiwa na vocha halali za kupata mbolea. Lakini, hukataliwa kwa sababu ya hitilafu katika mifumo ya kompyuta pamoja na upungufu mkubwa wa mbolea katika kituo hicho. Hali hii si tu ya kuvunja moyo, bali pia inahujumu juhudi za uzalishaji wa chakula na kuhatarisha usalama wa chakula nchini.

Katika Kauli hiyo, Kamati hii inatakiwa kujibu masuala yafuatayo—

(1) Sababu za kucheleweshwa kwa usambazaji wa mbolea ya ruzuku katika vituo vya NCPB vya Sagana na Wanguru, licha ya wakulima kuwa na vocha halali.

(2) Hatua zipi za haraka ambazo Wizara ya Kilimo, Mifugo na Uvuvi imechukua kutatua tatizo la uhaba wa mbolea na kuhakikisha kuwa wakulima wa Kirinyaga wanapata mbolea kwa wakati ufao.

Bw. Spika wa Muda, ninaona kuna mkutano na minong'ono zano na Seneta wa Migori kwa sauti iko juu.

*(Sen. Oketch Gicheru, Sen. Ogola na Sen. Kisang  
waliongea kwa sauti ya juu)*

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Eddy, Sen. Kisang' and Sen. Beatrice, if you must consult, do so in low tones, so that Sen. (Dr.) Murango can be heard in silence.

**Sen. (Dr.) Murango):** Asante, Bw. Spika wa Muda.

(3) Sababu mifumo ya kielektroniki ya NCPB inaendelea kuwa ya kizamani, dhaifu na yenye hitilafu za mara kwa mara, na ni lini Serikali inapanga kuboresha au kuibadilisha ili kuwezesha utoaji wa huduma bora, wa haraka na kuaminika kwa wakulima.

(4) Iwapo Wizara inatambua athari mbaya zinazotokana na ucheleweshaji huu kwa msimu wa upanzi na uzalishaji wa chakula katika taifa.

(5) Ni mipango gani imewekwa ili kusaidia au kufidia wakulima watakoathirika kwa kutopata mbolea na kwa kuchelewa, hali inayoweza kusababisha mavuno duni au kutopata mavuno kabisa.

Asante, Bw. Spika wa Muda.

**The Temporary Speaker** (Sen. Wakili Sigei): Next is the Statement by the Senate Majority Leader pursuant to Standing Order No.57(1).

BUSINESS FOR THE WEEK COMMENCING  
TUESDAY, 5<sup>TH</sup> AUGUST, 2025

**The Senate Majority Leader** (Sen. Cheruiyot): Mr. Speaker, I rise, pursuant to Standing Order No.57(1) to present the business of the Senate for the week commencing Tuesday, 5<sup>th</sup> August, 2025.

As hon. Senators are aware, in accordance with the Senate Calendar, the House will proceed on recess on Thursday, 7<sup>th</sup> August, 2025. While much progress has been

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

made in advancing Senate business during this part of the Calendar, a substantial amount of business is still pending.

The current status of business is as follows-

(1) There are 57 Bills, of which 37 are at the Second Reading stage. Two are awaiting First Reading and 18 are at the Committee of the Whole stage;

(2) Twenty-eight Motions are pending conclusion;

(3) Twenty-seven Petitions are under consideration by the respective Committees, out of which 24 are due for reporting; and,

(4) Four Hundred and forty statements pursuant to Standing Order No. 53(1) are before respective Standing Committees.

With regards to Petitions, during the sitting held on Tuesday, 29<sup>th</sup> July, 2025, the Senate considered and adopted four reports of petitions pursuant to Standing Order No.238 for which I commend hon. Senators. Nevertheless, several petitions remain pending before committees, as follows-

The Committee on Devolution and Intergovernmental Relations, one; the Committee on Labour and Social Welfare, five; and, and the Committee on Land, Environment and Natural Resources, 13. The Chairperson of that Committee is not in the House, but I believe there are Members of that Committee here. Sen. Beatrice, you have a lot of work to do, 13 petitions are before their Committee.

There is the Standing Committee on National Security, Defence and Foreign Relations; one, and the Committee on Roads, Transportation and Housing. They also have a heavy calendar. I can see that their Chair is not listening.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Eddy?

**The Senate Majority Leader** (Sen. Cheruiyot): Their Committee has four petitions due for reporting. I hope before we proceed on recess, the Committee can bring those petitions with responses to Kenyans who petition this House on various issues.

On Tuesday, 5<sup>th</sup> August, 2025, the Senate Business Committee (SBC) will meet to consider the business for the week. The tentative business for the week will include, business not concluded from today's Order Paper as well as the business indicated in the Notice Paper.

The tentative business for the Morning Sitting on Wednesday, 6<sup>th</sup> August, 2025 will include Questions to Cabinet Secretaries as approved by the SBC. Next week, we have the Cabinet Secretary for Co-operatives and Micro, Small and Medium Enterprises (MSMEs) Development. We will also have the Cabinet Secretary for Interior and National Administration, Sen. Murkomen, who is coming to respond to a number of questions by various Senators. They are nine questions in total.

The tentative business for the afternoon sitting on Wednesday, 6<sup>th</sup> August, will include business not concluded from Tuesday's Order Paper and the following Bills at the Second Reading stage -

(i) The County Governments (State Officers Removal from Office) Procedure Bill (Senate Bills No.34 of 2024);

(ii) County Governments (Amendment) Bill (Senate Bills No.39 of 2024); and

(iii) The Street Naming and Property Addressing System Bill (Senate Bills No.43 of 2024).

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*



There are Bills at the Committee of the Whole, which include-

- (i) The Sports (Amendment) Bill (Senate Bills No. 33 of 2024);
- (ii) The Public Fundraising Appeals Bill (Senate Bills No. 36 of 2024);
- (iii) The Heritage and Museums Bill (Senate Bills No. 8 of 2023);
- (iv) The Environment Laws (Amendment) Bill (Senate Bills No. 23 of 2024);
- (v) The Statutory Instruments (Amendment) Bill (Senate Bills No. 10 of 2024);
- (vi) The County Governments Election Laws (Amendment) Bill (Senate Bills No. 2 of 2024); and
- (vii) The Sports (Amendment) (No.2) Bill (Senate Bills No. 45 of 2024).

I am looking around to see if there are any other Members of the Committee on Finance and Budget, save for Sen. Eddy, because there are various amendments to the PFM Act. I know the Chairperson of that Committee had promised that they will consolidate all of them into one Bill. We are still awaiting that report so that we conclude.

The projected business for Thursday, 7<sup>th</sup> August, 2025, will include any business not concluded from Wednesday's Order Paper after which, at the rise of the House, the Senate will proceed on recess.

It has been a fulfilling session. I hope next week Members will avail themselves. I can see already Members are beginning to go into the recess mood. I know they have worked hard for the past six weeks, but I request that we give it one last push for the final week before we proceed on recess.

Mr. Temporary Speaker, Sir, I thank you and beg to lay the Statement on the Table of the Senate.

*(Sen. Cheruiyot laid the document on the Table)*

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Members, I will allow 15 minutes or less depending on Members who are keen on making comments on the two and other Statements which were earlier on read out by the respective Members.

On my dashboard, I can see a request by Sen. Kinyua.

*(Sen. Oketch Gicheru spoke off record)*

Sen. Eddy, I do not see your request.

Proceed, Sen. Kinyua.

**Sen. Kinyua:** Asante, Bw. Spika wa Muda, kwa kunipa fursa hii. Kwanza, ningependa kumpongeza Kiongozi wa Wengi. Ningependa kuchangia Kauli iliyoletwa na Sen. Mumma kuhusu wazee. Kuna wazee wengi sana katika Jamhuri ya Kenya ambao hawasajiliwa. Wanaposajiliwa, wanaingizwa katika mfumo wa kuwasaidia.

Bw. Spika wa Muda, kwanza nikubalie nizungumze kuhusu Kauli iliyosomwa na Kiongozi wa Wengi. Ningependa kuanza kwa kumshukuru kwa kutupatia ripoti hii.

Mimi ni Mwanakamati wa Kamati ya Barabara, Uchukuzi na Makao. Tumekuwa tukiwajibikia kazi yetu na tunaivalia njuga. Hata hivyo, nimesikia akisema kwamba kuna *petitions* nne ambazo tunapaswa kushughulikia. Kulingana nami, kwa sababu kila wakati

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

nahudhuria vikao vya kamati hiyo, ni *petitions* mbili pekee ambazo tumeanza kushughulikia. Pengine atafafanua zaidi.

Bw. Spika wa Muda, wazazi tulionao ni wazee wetu ambao tunapaswa kuwalinda na kuwachunga. Ikiwa wamesajiliwa, wanapaswa kupewa malipo ya uzee almaarufu Inua Jamii. Hata hivyo, baada ya kusajiliwa, hawapati malipo ambayo wanapaswa kupata kila mwezi ili wajikimu kimaisha. Kutokana na uzee, hawana uwezo wa kuendelea kufanya kazi ambazo walikuwa wakifanya.

Ni vizuri Serikali ichukulie jambo hili kwa uzito unaofaa kwa sababu hao ni wazee wetu. Wengi huzikwa hata kabla ya kuanza kupata pesa hizo. Kimsingi, unaweza kusema kuwa wanaaga dunia tukiwa na madeni yao na hilo si jambo nzuri hata kidogo.

Kuna Bodi ya Kitaifa ya Nafaka na Mazao. Nazungumzia Taarifa iliyoletwa na Sen. Cherarkey kutoka Kaunti ya Nandi. Ukifuata sheria, inapaswa kuwa kilo 50, lakini utapata wanaweka kilo 90 ilhali maharagwe na mbaazi hupimwa kulingana na sheria. Hiyo ni kunyanyasa wakulima kwa sababu wakulima wengi wanategemea kilimo cha mahindi. Kwa hivyo, tunafaa kufuata sheria. Bodi hiyo inapaswa kuchangamka vilivyo.

Seneta wa Kirinyaga amesema kuwa wamekuwa wakilalama kuwa kuna shida ya mbolea ya ruzuku ama pembejeo. Wakulima hawapati mbolea hiyo wakati unaofaa. Wao huenda masafa marefu kutafuta mbolea hiyo. Wakifika huko, wanaambiwa kuwa mitambo ina hitilafu. Mitambo kuwa na hitilafu si kazi ya wakulima. Hiyo ni kazi ya bodi. Wanafaa kujipanga vilivyo ili wakulima wapate pembejeo.

Kuna vikwazo vingi kwa wakulima kwa sababu mbolea hiyo inapeanwa wakati mvua imekwisha. Wanategemea mbolea hiyo wakati wa upanzi. Ikiwa bodi hiyo haitafanya kazi jinsi inavyopaswa, tunapaswa kuifutilia mbali.

Yote tisa, kumi ni kuwa kamati ambayo itashughulikia masuala hayo iyaangazie kwa kindani kisha walete suluhu la kudumu ili Wakenya wapate afueni kutokana na mbolea hiyo. Vile vile, bodi hiyo inafaa kuhakikisha kuwa kuna faida kwa Wakenya badala ya hasara.

Nashukuru, Bw. Spika wa Muda, kwa kunipa fursa hii.

**The Temporary Speaker** (Sen. Wakili Sigei): Proceed, Sen. Eddy.

**Sen. Oketch Gicheru:** Thank you, Mr. Temporary Speaker, Sir, for the opportunity. I wanted to make quick comments on two Statements. The first one is the Statement by the Senate Majority Leader on some outstanding issues in committees.

Indeed, I acknowledge some of the overarching petitions pending before the Committee on Roads, Transportation and Housing. We are working on them, but we are facing a lot of problems with a number of governors. For instance, there is a petition on a development in Kisaju in Kajiado County that involves Kingdom Bank Limited and Jamii Bora Trust.

One of the biggest contentions is the issue of land rates, so that people who have paid for the properties there can be given their title deeds. However, we have invited the governor four times to come and give his input on the issue that is standing between the people who have paid for their property in Kisaju, in order to get their title deeds but he has refused to appear before the Committee. Last week, the Committee summoned the governor. We had decided to go to Kisaju in Kajiado County in the first week of September, so that we deal with the governor there.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

Mr. Temporary Speaker, Sir, I would like Members here to know that there is a level with which governors are still giving us problems when it comes to issues of accountability. Governors are only keen on appearing before the County Public Accounts Committee (CPAC) and the County Public Investments and Special Funds Committee. They do not honour any other standing committee that attempts to oversight them.

I will table some names in subsequent conversations to make sure that we call governors to order. How do we do oversight if they cannot show up?

In the past two weeks, five governors have sent apologies to the Committee on Roads, Transportation and Housing. Out of seven governors that we invited, only two showed up.

Mr. Temporary Speaker, Sir, it is a serious issue that other committees are also facing. Governors must appear to any committee of this House to answer to questions pertaining to oversight. We will deal with those Petitions as fast as is required, but we will need the help of this House to call these governors to order.

Mr. Temporary Speaker, Sir, secondly, I wish to quickly comment on the Statement by Sen. (Dr.) Murango who has spoken very passionately about the delay in fertilizer distribution for rice farmers in Sagana and Mwea.

The Senator also happened to have been the Chairperson of the Committee on Agriculture, Livestock and Fisheries and did a very good job. I do not know when he lost the script and then lost that seat.

As former Chair of the Committee will understand that fertilizer for planting in the rice sector is a national issue. In fact, it should be declared a national disaster. This is because if you look at this week's recent news reports, the rice farmers are suffering because they are now competing with rice coming from abroad. Their rice is not being taken, but the problem starts with the issue of fertilizer.

The triple superphosphate, which they call TSP, which is the fertilizer that they use to plant, is not in the country currently. This is a fact that the National Cereal Produce Board (NCPB) must be able to respond to. I come from a rice-growing community. When you go to Nyatike Constituency, the Lower Kuja Irrigation Scheme, I think that we have got some of the best potential rice in that community, yet there is just no fertilizer. If some meagre fertilizer shows up, then it is so small and it shows up when the rains have even ended. By that time, there is no flooding to enable them to plant properly. These things go according to seasons.

Mr. Temporary Speaker, Sir, another issue that this Committee must address, and I wish that Sen. (Dr.) Murango was the Chairman only for this issue, apart from other issues that have been affecting him politically. If it was not for those issues, he would understand that the cooperatives right now in the rice sector are not being given the power to distribute fertilizer.

You know very well that farmers cannot get this fertilizer as individuals because they might not have the money to purchase it at sale. The problem here is that now the NCPB does not allow for this fertilizer to go to the cooperatives, which can take this fertilizer in advance and give it to their cooperative members. Once they have harvested and sold their rice, then they can pay back. This is a problem that must be solved by this Committee.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

The last issue that must be solved by this Committee is mopping up rice. It cannot be that a farmer in Nyatike plants rice, gives paddy to a number of agencies that are supposed to buy rice, they are given small prices that even ends up delaying for even three months. This is happening in Mwea Tebere and to all our farmers within our borders. Can you imagine they are forced to sell paddy to people in Uganda because they cannot be paid in the mop-up programme?

This is a problem that must be addressed. You cannot sell our rice to Uganda in paddy form so that even the ash that can be used as bagasse to be able to generate biochar is all going there. That can be a relative form of fuel and can even be used further to generate fertilizer, which is a problem. So, we are not having a vertical integration that can enable an entire value chain to be developed. Why? Because of just mop-up programme for buying rice from our farmers. These are issues that I hope that the Chairperson of the Committee on Agriculture, Livestock and Fisheries, Sen. Wafula, will be able to deal with. I know he is also very capable because he has served in this Committee.

I was with him in Turkana. I saw the way he was giving Sen. (Dr.) Murango a lot of support. Now you are sitting on the seat, Sen. Wafula. If this comes to you, please, look at a way of addressing these three issues. Make sure that just the same way the Government has enabled us as a country not to import maize and sugar; we have got no business importing rice into this country because we have got the capacity of producing rice to the extent that we should be able to export.

I support.

**Sen. Cherarkey:** Thank you, Mr. Temporary Speaker, Sir. One, I want to comment on the Statement on ECDE teachers.

As you are aware, there was the Salaries and Remuneration Commission (SRC) scheme of service for ECDE teachers. It is unfortunate that ECDE teachers across the country, including Bomet, Nandi, Kisumu, Migori, Bungoma, among other 47 counties are yet to get the SRC Circular.

The SRC Circular was very clear, including service. For example, in Nandi, we are doing badly, and we are at the mercies of God Almighty, especially for the ECDE teachers.

The scheme of service was supposed to be implemented in two phases under the SRC circular that was in Financial Year 2023/2024 and Financial Year 2024/2025.

In Nandi, they are paying ECD teachers without the stipulated allowance. This is a clear violation against the ECD teachers of the county. For example, teachers who are getting special salary include - Kshs18,000 for certificate, Kshs24,000 for diploma and Kshs32,000 for degree programme. This is below the “standardised” amounts by the SRC.

*(Loud consultations)*

You know, I am thinking in Nandi.

**The Temporary Speaker** (Sen. Wakili Sigei): Allow Sen. Cherarkey to be heard in silence. Continue thinking in Nandi, as long as you speak.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

**Sen. Cherarkey:** Mr. Temporary Speaker, Sir, sorry, I am thinking in Kalenjin and trying to translate it into English. In a standardized manner, which was provided by the SRC in schemes of service--- Early Childhood Development Education (ECDE) teachers across the country are suffering.

This is the same even in Kisumu. I have seen a statement from my learned Senior Counsel on the issue of ECD teachers. It also the same in Nyamira. These governors are “eating” allowances meant for even ECDE teachers.

Where does one get the courage to “eat” ECDE teachers' salary and allowances as is happening in Nandi? It is so shameful. It is everywhere, even in Bomet. These teachers take care of our children who are yet know how to use the toilet, know how to write and talk.

I saw the human resource audit that was tabled before this House that most of this wage bill that is going up is because of ghost workers, yet, the rightful ECDE teachers who should get value for work are not being paid.

You have seen in Nandi, they are paying Kshs18,000 for certificate and Kshs24,000 for diploma and Kshs32,000 for degree, which is way below. This is without allowances as has been provided for by SRC.

If we had a functional Ethics and Anti-Corruption Commission (EACC), County Government of Nandi led by the governor should have been held accountable. The same case applies to Nyamira and even Kisumu so that our ECDE teachers can get value for what they are doing.

I am happy that Sen. Beatrice Ogola, who is a distinguished teacher, is getting fired up because I am defending ECDE teachers. The Chairperson of Committee on Agriculture, Livestock and Fisheries, Sen. Wafula, is also a distinguished teacher who teaches *Kiswahili sanifu*.

So, there are many teachers. Even my teacher of law, Prof. Ojienda, knows the value of a teacher. The greatest teacher of all time is Jesus Christ, for all of us who are believers.

On the issues raised by Sen. Mumma, because I agree we have *Inua Jamii* programme, it is sad that most of the elderly who have served this nation with distinction; who have sacrificed including those in Bomet, Kagio in Kirinyaga County and many other areas are yet to be registered under *Inua Jamii* Programme.

I request that national Government administration officers must move with speed and ensure that all *wazee* who are above 60 years are registered under the *Inua Jamii* Programme.

I laud President William Ruto, because nowadays, as you are aware, *Inua Jamii* Programme beneficiaries are paid Kshs2,000 before the salaries of civil servants are paid. That is a significant point because they have sacrificed for the benefit of this nation.

As the Senate, we are ready to partner with the National Government Administration Officers (NGAO) and the Ministry concerned to ensure all old men and women, the vulnerable in the society and caregivers are given opportunity, as Sen. Mumma has indicated in her Statement. We should take care of them. It is said, if you want to measure a society, look at how they treat their vulnerable, not the rich or the

wealthy. The character and value of our society will be defined by how we treat our vulnerable

Mr. Temporary Speaker, Sir, I would like to comment on the issue of roads that was read by Sen. Ogola, courtesy of the Senator of Kisii County. I would like to thank the media. I have been asking questions about the Nairobi Expressway, and I am happy the conflict-of-interest law has come into force.

I was shocked that the running of the Nairobi Expressway is linked to a former President. We challenge the Ethics and Anti-Corruption Commission (EACC) now that the Conflict-of-Interest Act is in place--- We must be told who the people siphoning money from Expressway are. On many occasions, we have asked how much the Expressway through Moja Express is collecting. I was shocked when the media exposed the real people who are stealing from Kenyans through the Expressway.

When you drive around, especially during rainy season, the state of our roads and drainage is in a pathetic situation. When you drive around Kilimani, Jogoo Road, Likoni Road and the back streets along Kirinyaga Road, you will think that you are somewhere in Karamojong, because the roads are pathetic, yet we have an agency called the Kenya Urban Roads Authority (KURA), led by somebody called Engineer Kinoti. They must be called to order.

We cannot be blaming the Governor or the County Government of Nairobi City County of poor infrastructure, yet KURA has a lot of money. That is why I am still of the position that KURA and Kenya Rural Roads Authority (KeRRA) should be disbanded, so that the money is taken to counties. This is so that we can take accountability from one shop. I wish the Chairperson of the Senate Standing Committee on Roads, Transportation, and Housing was here.

There is a lot of corruption in KURA. For instance, they only give one company to do roads in Nairobi City County. That is why roads within the Nairobi City County, Kapsabet, Nandi Hills, Mosoriot, Homabay, Vihiga, and Bungoma Towns are in pathetic situation, because they are being run by one agency that gives contracts only to proxies.

I am happy with the Conflict-of-Interest Act. My brother, Senior Counsel, Sen. Okongo Omogeni, who was my protégé when I was the Chairperson of Senate Standing Committee on Justice, Legal Affairs, and Human Rights (JLAHRC), has enlightened me on the conflict-of-interest. We want these people to be fixed, because they are giving these contracts to their proxies and friends. They must be dealt with. I hope my Senior Counsel will be careful as he engages on legal services across many counties.

Finally, Mr. Temporary Speaker, Sir, on the issue of fertilizer by Sen. (Dr.) Murango, I agree that by November, each and every Kenyan should be given an opportunity to use subsidized fertilizer. This money should be given to deserving farmers of sugarcane--- God willing, on Saturday, we will be in Kisumu, courtesy of Sen. (Prof.) Tom Ojienda. All farmers---

*(An. hon. Senator spoke off record)*

**The Temporary Speaker** (Sen. Wakili Sigei): Proceed to conclude, Sen. Cherarkey.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

**Sen. Cherarkey:** Sorry, I am just concluding. We must have an opportunity for all of us to access fertilizer.

I am only disappointed, as I expected Sen. Murango to have brought a Statement on the Gazette Notice on the importation of rice, yet rice in Mwea and Nyatike is yet to be bought. I found that Gazette Notice that was issued unfair to the farmers of Mwea. We should mop the rice that is in Mwea and Nyatike, before issuing a Gazette Notice on importation of rice.

**The Temporary Speaker** (Sen. Wakili Sigei): What is your point of order, Sen. (Dr.) Murango?

**Sen. Cherarkey:** I thought I am enriching his argument.

**The Temporary Speaker** (Sen. Wakili Sigei): Take your seat. There is a point of order.

Sen. (Dr.) Murango, what is your point of order?

**Sen. (Dr.) Murango:** Mhe. Spika, naunga mkono vile Sen. Cherarkey anaongea lakini pia anafaa ajue kwamba nilijaribu kuleta ombi lakini halikuruhusiwa na Spika. Kwa hivyo, ni makosa kusema kwamba sijaleta ombi na ndio maana sijalisoma siku ya leo. Naomba aweze kuongea kwa sababu nimemwambia mahali ukweli upo.

**The Temporary Speaker** (Sen. Wakili Sigei): That is a point of information.

Sen. Cherarkey, conclude in under one minute.

**Sen. Cherarkey:** Thank you, Mr. Temporary Speaker, Sir.

In conclusion, under Standing Order No.1, allow him to bring that Statement so that we can converse.

It is in bad faith to issue a Gazette Notice to import rice, yet we have a lot of rice in Mwea and Nyatike, that farmers are not selling. I also hope there is no Gazette Notice to import sugar and maize again because it will kill the spirit and the soul of farmers.

Mr. Temporary Speaker, Sir, I thank you and support.

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Members, the 15 minutes that I had allowed for comments on Statements are over. Therefore, I will allow Sen. (Prof.) Tom Ojienda to read his Statements. We will not be able to comment because we are out of the time allowed for comments on Statements.

**Sen. (Prof.) Tom Odhiambo Ojienda, SC:** Thank you, Mr. Temporary Speaker, Sir.

I have five Statements this afternoon. The first Statement is on project identification in Kisumu County.

#### PROJECT IDENTIFICATION, CRITERIA AND IMPLEMENTATION STATUS IN KISUMU COUNTY

Mr. Temporary Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Devolution and Intergovernmental Relations on a matter of countywide concern regarding the project identification, criteria and implementation status in Kisumu County.

Mr. Temporary Speaker, Sir, while the County Government has in recent financial years allocated portions of its development budget to project identification at the ward

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

level, residents and local leaders have increasingly expressed concern over the transparency, equity, and overall effectiveness of this process.

In the Statement, the Committee should address the following-

(1) The total number of development projects undertaken by the County Government of Kisumu from the Financial Year 2021/2022 to date, disaggregated by ward, including the responsible implementing departments.

(1) The criteria and procedures used to identify and prioritize projects at the ward level and whether the criteria consistently applied across all the 35 wards.

(2) Whether public participation forums were held in each ward prior to project selection and budgeting, including how the community views were documented and incorporated into the final decisions.

(3) The current implementation status of ward-level projects, including details on any stalled, incomplete or low-impact projects identified in audit or department reports.

(4) The oversight framework applied by the County Assembly of Kisumu, internal audit committees, and county budget and economic forum to ensure fair distribution and accountability to ward-level development planning.

Mr. Temporary Speaker, Sir, I would like to proceed to my second Statement.

#### STATUS OF DIGITIZATION AND ACCOUNTABILITY OF OWN-SOURCE REVENUE IN KISUMU COUNTY

Mr. Temporary Speaker, Sir, I rise pursuant on to Standing Order No.53(1), to seek a Statement from the Standing Committee on Finance and Budget on the matter of county-wide concern regarding the digitization, collection, efficiency and financial accountability mechanisms governing own-source revenue in Kisumu County.

Mr. Temporary Speaker, Sir, the County Government of Kisumu generates substantial own-source revenue through markets, parking fees, liquor and trade licensing, building permits, property rates and sales on agricultural produce and transportation. Despite public projections estimating annual collection at Kshs1.2 billion, audit concerns persist regarding irregularities in revenue collection, leakage through cash-based transactions, and underreporting across wards and sub-counties.

There is limited clarity on whether the county has fully transitioned to G-Pay digital revenue collection platforms, integrated with the National Treasury's Integrated Financial Management Information System (IFMIS) and the e-Citizen Framework as required by the Public Finance Management (PFM) Regulations 2015, and in line with the Presidential Directive on Unified National Payment Gateways.

Moreover, Mr. Temporary Speaker, Sir, market vendors and small-scale traders continue to report challenges, including multiple levies and unreceipted collections by unauthorized agents, particularly in informal trade and transport sectors.

In the Statement, the Committee should address the following-

(1) The total amount of own-source revenue collected by Kisumu County Government in each of the last three financial years, disaggregated by revenue source and sub-counties.



(2) The extent to which Kisumu County has transitioned to fully cashless, digitized, own-source revenue collection systems integrated with IFMIS and e-Citizen platforms.

(3) The safeguards in place to detect and eliminate revenue leakages, the use of parallel receipt books, and the operations of unauthorized revenue collection agents, especially in markets, *boda boda* stages, bus parks, and urban sales points.

(4) The internal audit mechanisms governing daily, weekly and monthly revenue reconciliation and whether such audits are made public, and are subject to external verification.

(5) The steps taken to promote equity, transparency, predictability in the assessment and enforcement of county taxes, rates, levies applicable to small traders, vendors and transport sectors.

My third Statement is on Status of Youth Engagement Programmes and Delayed Payments to Community Contractors in Kisumu County

#### STATUS OF YOUTH ENGAGEMENT PROGRAMMES AND DELAYED PAYMENTS TO COMMUNITY CONTRACTORS IN KISUMU COUNTY

Mr. Temporary Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Labor and Social Welfare on a matter of country-wide concern, regarding the status of youth engagement programmes and delayed payments to community contractors in the county.

Kisumu County has, over the years, implemented temporary employment initiatives targeting youth empowerment (*Kazi kwa Vijana*). These include urban clean-up exercises, solid waste management, drainage maintenance, urban greening, particularly in Manyatta, Nyalenda, Kondele and Market Milimani wards.

While these programmes have created short-term job opportunities and basic service contracts for hundreds of young people, many of these groups remain unpaid for work completed as back as Financial Year 2022/2023.

In the Statement, the Committee should-

(1) Address the total number of youth-led and community-based groups engaged by Kisumu County under urban cleanup, greening and labor-based public work programs from Financial Year 2022/2023 to date;

(2) The reasons behind the delays in disbursing payments and the total amount owed to these groups or individuals, including a breakdown of payments that are pending, delayed or under dispute;

(3) Whether the County Government of Kisumu has established clear and transparent frameworks for engaging and compensating youth inside public work programmes, including the use of written contracts, defined payment timelines and grievance redress mechanisms; and,

(4) The measures put in place by the Ministry of Labor and Social Protection, and the Ministry of Youth Affairs, Creative Economy and Sports in coordination with the county government to resolve delayed payments and ensure sustainability of youth economic empowerment initiatives in the county.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

Mr. Speaker, my second last Statement is on the Status of Conservation and sustainable utilization of the Dunga Wetland and Lake Victoria Shoreline.

STATUS OF CONSERVATION AND SUSTAINABLE UTILISATION  
OF DUNGA WETLAND AND LAKE VICTORIA SHORELINE

Mr. Speaker, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources on a matter of country-wide concern regarding the Statement of the status of conservation, land use regulation and sustainable utilisation of Dunga Wetland and the adjoining Lake Victoria shoreline with the Kisumu County.

The Dunga Wetland, which is part of the broader Lake Victoria Basin ecosystem, is a vital environmental and economic asset situated along the Kisumu Port Corridor. It plays a critical role in flood regulation, biodiversity support and community livelihoods, especially through small-scale fishing, boat tourism and informal trade. However, recent developments point to worsening degradation of the wetland caused by unregulated waste dumping, uncontrolled land use and environmental encroachment. These issues threaten the wetland's ecological balance and the sustainability of Kisumu's blue economy.

In the Statement, the Committee should—

(1) Address the current status of conservation planning for the Dunga Wetland and the Lake Victoria shoreline, including the existence and the legal status of any gazetted land use or zoning frameworks approved by NEMA;

(2) The interventions undertaken by Kisumu County Government, in collaboration with relevant national agencies to regulate waste disposal, sanitation, and structural development along Dunga waterfront and wetland areas;

(3) Any ongoing or planned public education campaigns or livelihood support programs aimed at assisting informal traders and small-scale service providers to transition to more sustainable and environmentally compliant operations;

(4) The role of the Kenya Ports Authority and the Ministry of Environment, Climate Change and Forestry in protecting ecologically sensitive areas adjacent to the Kisumu Port in alignment with Kenya's commitment under the East African Blue Economy Strategy; and,

(5) The existence and implementation status of any long-term ecological monitoring or wetland restoration program and the extent to which local communities, including beach management units, BMUs and environmental youth groups, have been involved in its design and execution.

Mr. Speaker, my last Statement is on the Status and Utilisation of Donor Funded Medical Equipment in Kisumu County Hospitals

UTILISATION OF DONOR FUNDED MEDICAL EQUIPMENT  
IN KISUMU COUNTY HOSPITALS

Mr. Speaker, Sir, I rise pursuant to Standing Orders No.53(1) to seek a Statement from the Standing Committee on Health on a matter of country-wide concern regarding

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

the status and operational utilisation of donor-funded medical equipment and related infrastructure in public hostels in Kisumu County.

Over the past several years, Kisumu County has benefited from significant investment in health infrastructure through support from the national Government and development partners. These include the Managed Equipment Services (MES) Programme, the Global Fund, and the Gavi Alliance.

Through this programme, critical medical equipment has been supplied to health centres across the county. Despite these efforts, however, the Auditor-General's Report of September, 2024 flagged major under-utilisation of equipment in several facilities. For instance, Chulaimbo Sub-County Hospital reportedly remains under-utilised despite the Kshs10.8 million having been spent on the maternity and rehabilitation programme.

At the Jaramogi Oginga Odinga Teaching and Referral Hospital (JTRH), highly specialised equipment such as endoscopy machines, mammography units, cryotherapy units and chemotherapy beds remain largely idle due to human resource shortages with critical services reportedly reliant on a single oncologist.

In the Statement, the Committee should address the following-

(1) The type and total number of medical equipment and infrastructure supplied to public hospital in Kisumu County under the MES Programme, the Global Fund and Gavi Programme since 2022, including the recipient facilities;

(2) The current operational status of which equipment and facility, whether functional, idle, out of service, or in need of repair;

(3) The availability and deployment of trained personnel, particularly medical specialists to operate the equipment in each facility;

(4) The existing frameworks for maintenance, insurance and technical support for the equipment, including information on any standing service contracts; and,

(5) Measures being undertaken by the Ministry of Health in collaboration with the county government to ensure the full and effective utilisation of donor-funded medical equipment and infrastructure.

Thank you, Mr. Temporary Speaker, Sir.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. (Prof.) Tom Ojienda.

Hon. Members, I had directed that I am not going to allow any additional comments on the Statements read out. However, I know there are so many Members who have made requests. We are out of time for comments on Statements and we will not comment on them. We will proceed to the Order Paper.

I will defer Order No.8, that is, the Technopolis Bill (National Assembly Bills No.6 of 2024), and Order No.9, the Tobacco Control (Amendment) Bill, (Senate Bills No.35 of 2024).

**BILL***Second Reading*

THE TECHNOLIS BILL (NATIONAL  
ASSEMBLY BILL NO.6 OF 2024)

*(Bill deferred)*

**BILL***Second Reading*

THE TOBACCO CONTROL (AMENDMENT) BILL  
(SENATE BILLS NO.35 OF 2024)

*(Bill deferred)*

**The Temporary Speaker** (Sen. Wakili Sigei): Clerk, call the next Order.

**MOTION**

ADOPTION OF REPORT ON STATE OF MARKETS IN  
VIHIGA AND BUNGOMA COUNTIES

THAT, the Senate adopts Reports of the Standing Committee on Devolution and Intergovernmental Relations on its inquiry into the state of markets in Vihiga and Bungoma counties arising from Statements sought by Sen. Godfrey Osotsi, MP and Sen. David Wafula Wakoli, MP laid on the Table of the Senate on Tuesday, 1<sup>st</sup> October, 2024.

*(Sen. Mumma on 30.07.2025)*

*(Resumption of debate interrupted on 30.07.2025 – Afternoon Sitting)*

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Members, this is a resumption of debate on a Motion that was adjourned in our last sitting and when the House rose, Sen. Okong'o Omogeni had 17 minutes remaining for him to conclude.

Sen. Omogeni, you may conclude, but you need not do the 17 minutes.

**Sen. Omogeni:** Thank you, Mr. Temporary Speaker, Sir. My time ran out when I was giving an example of what the situation looks like in one of my markets in Nyansiongo.

Just to recap, the Committee that was tasked with the Statement that was sought by the two Senators was looking at the functionality and availability of services for residents in our counties.

The situation is deplorable in virtually all our markets in the country. I was giving you the case of Nyansiongo Market, which is on a major highway. Before my time ran out. I had just pointed out the fact that we do not have water, there is no electricity connected in that market and there are no toilets.

Mr. Temporary Speaker, Sir, we do not understand on what basis our counties collect rates from traders. If I am paying rates, it is because some service is being provided to me. I have been told, though I do not have the statistics, that even in Nairobi City County, the highest revenue comes from Gikomba and Eastleigh. However, have you tried going to Eastleigh and looked at the state of the roads there? My good friend, Sen. Cherarkey, blamed the Kenya Urban Roads Authority (KURA). What is the work of the Governor of Nairobi City County? The traders in Gikomba and Eastleigh pay rates to the Governor of Nairobi.

The Sixth Schedule of the Constitution contains a paragraph stating that one of the devolved functions includes county roads. I am happy Sen. Mandago is here since he is a former governor. If you say that the roads in Eastleigh and Gikomba should be done by KURA, what is the work of the Governor of Nairobi City County?

The misfortune we face as counties is that our governors believe that fixing a road means murraming it. They have never been ambitious enough to consider tarmacking roads like our national Government. In the run-up to the 2022/2023 elections, and I say this with great sadness, a road from Ting'a in Nyamira to a hospital in Igena Itambe was murramed at a cost of Kshs50 million. If you go there today, 31<sup>st</sup> July, 2025, another contractor has again been brought to murram the same road. Surely, does it mean we do not have brains in this country? Every two financial years, we spend Kshs50 million to murram a road, yet we could tarmac two kilometers per financial year at a cost of Kshs35 million.

We need something drastic from the National Environment Management Authority (NEMA). Let NEMA inspect our markets. I challenge them to visit a few in my county. Let them go to the market at Ikonge. There is no water connectivity. There is no piped water connected to toilets. If waterborne diseases emerge in some of these towns, many people would be wiped out.

In Kebirigo, we sell cows along the Kisii-Nyamira-Ikongé Highway. There is no designated market. On Tuesdays at Kebirigo Market, cows are sold on the roadside. Imagine if a truck lost control and rammed into traders there, it would be disastrous.

At Ikonge, our last market before connecting with our neighbors in Kericho, cows are sold on the roadside. What is my good friend, the Governor of Nyamira County, doing? He has been in office for 13 years since the birth of devolution. Governor Amos has been the face of devolution in Nyamira County. However, there is no designated market for selling cows in Kebirigo and Ikonge.

Regarding garbage collection, I do not know where the money being given to us by the Financially Locally-Led Climate Action (FLoCCA) Programme is going. It is high time we commissioned committees across all the 47 counties; different committees, not

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

just the County Public Accounts Committee (CPAC) or the one chaired by my good friend, Sen. Ososti. We also need the Standing Committee on Land, Environment and Natural Resources to visit counties and audit sanitation conditions.

Keroka is a famed market. Three-quarters of it lies within Nyamira. However, if you go there, garbage is everywhere, yet FLoCCA provides funds to improve sanitation in our counties. Can you imagine the shame we carry as the people of Nyamira, Sen. Cherarkey? Nyamira is one of the three counties in the entire Republic of Kenya that have not connected piped water to a single household.

**Sen. Cherarkey:** It is such a shame!

**Sen. Omogeni:** Mr. Speaker, Sir, can you imagine that in Nyamira County, not one citizen has walked into the County Government office, applied and paid for a piped water connection? Meanwhile, in Nairobi City, Kiambu and Murang'a counties, citizens apply, pay and get connected. We must have a serious conversation. Why did the Constitution devolve the function of water if we cannot connect our people with piped water?

The other day, I was at home and met a delegation from one of the wards; Nyansiongo Ward. They gave an example that the county government came, drilled a borehole and then disappeared. There was no electricity, no tank, no water pump, yet the most critical aspect was to connect the water. Sen. Cherarkey, you have piped water in your house in Nairobi.

**Sen. Cherarkey:** Yes, I have.

**Sen. Omogeni:** Sen. (Dr.) Murango, you do too. That is what we want for our people. When you drill a borehole, you should connect pipes to homes, meters installed and challenge consumers to pay you for the water they use. However, if you just drill a borehole and leave it there and the wananchi receive no service, what value does devolution bring to our people then?

I am asking the Committee, if you want to see for yourselves, I will propose a visit to a place called Nyandoche Ibere in Nyansiongo Ward. A borehole was drilled, but there is no value. The auditor says, "No value for money because the water has not been connected to homes." You go to another borehole in Kitutu Masaba, it is drilled, but still no connection to homes.

Mr. Temporary Speaker, the Committee visited several markets and confirmed that there is no lighting. That is the norm in some of our counties. Take the market at Isanta in North Mugirango Constituency, the constituency of my good friend, Governor Nyaribo. Streetlights were installed, but the County Government of Nyamira has not paid the electricity bills. So, street lights are installed, but bring no benefit to the people. Electricity only brings value when it is actually used, especially in our markets during late hours. Traders should be able to continue operating until 9 p.m. However, we are not getting these benefits.

I appeal to our governors; please, do not shame the spirit of devolution. Kenyans believed in devolving power, resources and services. The only way we can make Kenyans proud of devolution is by providing services to our people, especially to the poor traders in our markets.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

In conclusion, I hope this Committee can pick three counties, do a visit to our market, write a report and then name and shame those not performing. I wish Nyamira to be one of them. Let the people we represent know the performance of some of these governors. We bring facts here and we send Senators who are impartial; who come from counties not where some of us come from, but they do a report. However, it is a shame to speak of a situation in the 21<sup>st</sup> century where we have markets that have no toilets. We have markets that are not connected to any sewer system. We have markets where there is no arrangement on garbage collection.

The other day, somebody was giving me an example of what happens in most of the European countries. If you go to a town in Europe, you walk in the streets and you find points where you can drink water free. It is clean and safe water. Can any---

*(An hon. Senator spoke off record)*

Yes, he is telling me of Zurich. There is clean water in the streets. Tell me any county in this beautiful country of ours called Kenya, where a governor has put clean drinking water available to traders who are paying rates to our county government. There is none. If it can be done out there, why not in our 47 counties?

I hope our governors, as we go to the Devolution Conference in Homa Bay, they can reflect on what impact devolution has had on the people who reside in our counties. Otherwise, if we do not do so, we would have killed the dream of devolution.

I support this Report by the Committee on Devolution and Intergovernmental Relations. I hope that we can take some decisive action going forward, so that we can have a situation where traders, when they close their businesses, their garbage is collected by the county government. There must be deliberate efforts to fix toilets for traders and connect piped water to our markets for traders. Our citizens in our counties must see the value for the rates they pay to our governors. Otherwise, there should never be taxation without representation.

Mr. Temporary Speaker, Sir, I thank you.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Wakoli Wafula.

**Sen. Wafula:** Thank you, Mr. Temporary Speaker, Sir, for this opportunity to discuss the matter of markets as indicated in the Order Paper.

I happened to join the Committee of Devolution and Intergovernmental Relations at that time. I was an active member of that Committee which was headed by Sen. Abbas. We were with Sen. Catherine Mumma in that tour of the Western Belt. We had Sen. Osotsi and we equally had young youthful leader, Sen. (Dr.) Oburu Odinga.

The situation in these counties of keen interest was not in order. I want to delve in Bungoma County, as the host Senator at that time. We visited Chepkube Market in Bungoma. At that time, the facility did not have clean and sustained water supply. The traders at that time indicated that the cost of water was very high compared to the water they were consuming. It reached a situation where they had to stop using water meter because of the high cost of water.

Mr. Temporary Speaker, Sir, from there we went to Bukembe Market. The market did not have a fence, the drainage was poor, the toilet facilities were pathetic and the

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

storage area was not conducive for the business people of Bukembe. As I speak, the Government of the day, promised our good people of Bukembe that it will put little resources to ensure that they also enjoy benefits like other Kenyans. So far, the scenario has not changed. Our people expect that the County Government of Bungoma ups its game based on the taxes they pay and the support from the national Government.

The situation is not any different if you go to a markets like Mayanja, Myanga or Kapkateny. Kapkateny market serves people of Mt. Elgon, Sirisia and Kabuchai. That market has many traders, but the toilet facilities are pathetic. The water supply in Kapkateny is not enough. The environment within which the market operates is not conducive for the taxpayer to do their business. The recommendation of the committee is that these places up their game and the county government do the best they can.

A market in Kanduyi called Dorof is equally in dire need of attention. What we are simply saying is that the Committee on Devolution and Intergovernmental Relations in itself has the desire to see change. However, this change can equally be seen if this whole House takes a drastic measure to ensure that when governors come to committees, for example, County Public Accounts Committee (CPAC) and County Public Investments and Special Funds Committee (CPISFC) and line committees should stop playing games. This is because when you look at the taxes that these towns give versus the services the markets receive, it is immoral for us as a Senate to say that the county governments are doing justice to the traders of the counties we come from.

Moving forward, I beseech Hon. Senators, when your governors come to visit specific committees, even if you are not a member of those committees, kindly create time and attend yourself. Raise concerns that other members will not do so, because of their comfort or they have not been pinched by the suffering of our people.

Mr. Temporary Speaker, Sir, some of the markets have no lights. The solar lights have been vandalised, the electricity lights are not working. Those of the electricity lights, the bills are so high and county governments cannot support. Mateka has electricity lights and solar lights. Some of them are not working. When you go to Maini their solar lights are working, others are not working. Kibingei, Kamukuywa and Maliki markets, the same.

We need to audit markets and to ensure that if county governments cannot call a place a market, then they should not levy residents and forcing them to pay taxes for services they are not receiving. Traders in Nalondo market literally refuse to pay taxes because there is no sanitation, water, and light. Therefore, for a few months, they have not been paying taxes.

We have to up our game and push force our county governments to plough back what they receive from the taxpayers' money. We want to see Kenyans concentrating in doing business and investing knowing that the markets will definitely be improved by county governments that appreciate their toil and moil.

As I conclude, a matter has been mentioned in various towns and markets of this country that there are people who wake up in the morning, issue a circular in the evening and the following day, structures of small traders are razed down. These small traders have been paying taxes to the county governments of this Republic. They must be sensitive to the lives of these traders.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*



Some of these people have taken loans from merry-go-rounds. Therefore, it is not in order for county governments to raze their businesses down, they are not even giving them grants and loans. They are not providing them with safe and clean drinking water or ensuring there is security. We have county government officials who are very insensitive to these traders.

It is high time that the Senate of the Republic of Kenya relooked very keenly the management of markets in this country. As at now, we have emerging zones or areas known as municipalities. Now, if county government are not able to manage markets and trading centres, will they manage municipalities? Getting billions from World Bank, how are people participating in ensuring that the municipalities and the markets within them are up to standard?

I look at municipalities and markets as a cash cow of a few people in this country. We must rise to the occasion and fight for the common trader, *mama mboga*, *boda boda* and the common retailer in our markets. This is the only way we can ensure they enjoy doing business and paying taxes to county governments.

I also encourage Sen. Osotsi to tell Kenyans what we saw in Vihiga. Our people are suffering and they are pleading with the Senate to help them because they believe in the Senate. We assured them that we will walk with them to make our counties great again.

Thank you and I support the Report.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. Wafula. I hope your last comment was not bordering on influencing the comments that Sen. Osotsi will say as regards to the report on the county that you referred to. We will wait and hear.

Sen. Olekina, it is your turn to comment.

**Sen. Olekina:** Mr. Temporary Speaker, Sir, I rise to support the Report by the Standing Committee on Devolution and Intergovernmental Relations in as far as their reaction to the two Statements sought by two distinguished Senators in this Senate, that is, Sen. Wakoli and Senator of Vihiga County.

It is embarrassing and I have to begin by saying it is absolutely ludicrous when it comes to a point where the people we fight so much for, the county governments; to be able to get money, end up collecting own-source revenue.

When they collect own-source revenue, they do not convert it into services leading to boycotts by traders because of lack of basic services like sanitation, water or security in their markets. It really begs the question, why are we here then? Why are we fighting for these traders? Why are we fighting for these county governments to get more money?

Every so often, when we have business in the Order Paper that revolves around division of revenue, all of us are here and we are diligent in making sure that we fight for our counties to get money. I do not know when we will teach these governors how to run counties as if they are businesses. They need to get business 101. When you talk about business, you have to look for profit. The only way you can make profit is by ensuring conducive environment for business and have after-sales services. In this case, you expect traders to be able to collect money to pay taxes, but you do not give a hoot about their toilets or their security. Where are we going?

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

Sometimes I wonder whether we just do things for the sake of doing them or to appear as if we are doing them. One of my biggest pet peeves has to do with constructions of markets by the Ministry of Housing and Urban Development with this programme funded by the national Government. Those markets are neither utilized nor completed.

A couple of days ago, I raised a serious concern with the powers that be, including also the Ministry of Housing, that in Narok County, we spend Kshs1.3 billion from the national Government putting up markets that are not utilized. Two markets were built; one, in a place called Suswa. I am sure you know Suswa. The next one was built in Ntulele. We went there with the President and launched those markets. However, up today, those markets have not been operational.

When I sit here and I listen to the problems of Luanda or Bungoma, I say we have different problems. The problems that I have now for Narok County are that the markets were completed and are good, but they are not operational. Our people are being stalls to trade in good conditions, but they are not interested. It is like we are cursed. We like to operate in very shoddy environments. On Tuesday, Wednesday and Saturday if you take the road to Narok, you will be shocked. In Suswa, it is littered with a bunch of people and traders on the road. Yet there is a beautiful market which is just a white elephant project there. It is embarrassing. I am livid and I want to see things change.

You call, you make noise, you raise concerns, but sometimes you just wonder what we are doing. You see a toilet being constructed and two financial years pass by. The county needs to pull up its socks when it comes to the issue of completing projects. The national Government also must do the same. Why do we spent Kshs1.3 billion to put up two beautiful markets and then there is a wrangle between a few people on who will be a trader there? Then why did we build them in the first place? These are the kinds of things that we need to investigate.

Mr. Temporary Speaker, Sir, I appreciate the work done by this Committee, but does it stop here? Does it become a Motion where we sit down? When I came here to this Senate, I was told that Parliament pronounces itself through Motions and Bills. We must pronounce ourselves and follow through this Motion. I really would have loved to see us having an implementation committee so that when we move a Motion like this one trying to make life easy for our citizens, that committee will run with it.

We are now left with a situation whereby the committee itself has to implement. I want to beseech the Committee on Devolution and Intergovernmental Relations to take the resolution of this Senate and run with it. Please come to Narok. Go to the Ministry of Lands, Housing and Urban Development, ask Principal Secretary (PS) Hinga what is happening and why we are not completing these two markets in Narok.

Move from there, go to Bomet County and see the conditions. Whatever resolution we come up with--- Go to Vihiga and Busia counties, sit down, let us consult. The moment we consult we can move forward. If the problem is selecting traders, let those ones who were there first. When it comes to the issue of Narok, go in and then the rest can follow suit. This is a matter that determines legacies and tells us whether this Government is working or not.

I want to drum up support for projects that are completed, but I do not want to do things halfway. When I heard that this committee was investigating this issue because of the Statements by my two colleagues, I wish I had also raised my Statement. However, I chose to call the Ministry and say: "Please leave that Ministry, go to that place and make sure those markets are working and finish those toilets."

The consequences of not doing so is that today traders in Luanda have boycotted. They are saying they will not pay taxes. Tomorrow, it will be traders in Kirinyaga saying they will not pay taxes. Even if in Uasin Gishu they bought a beautiful Asphalt Concrete (AC) plant to be able to fix their roads. I think the first person who bought that one was the chairperson of health. I do not know whether it was him, but I just saw a new one coming up the other day. We want to see those kinds of services where we are fixing our roads. Why do we have to still behave as if we are living in the 19<sup>th</sup> century?

Today, we had a session with the ambassador of South Korea. One of the things that he said, which really struck so deep, is that South Korea is such a small country. You can take South Korea and fit it into Kenya five times. They have the same population as we have here, around 56 million people. Guess what? They are doing much better than we are. He was telling us with the Speaker that our country is good. If we had a few foreign direct investors here, we could bypass them because we do not have external threats. In South Korea, North Korea is threatening them on the border. The other side is China and the other side, Japan. They are still struggling.

If I look around, you will see every Senator here having a phone from South Korea because they care about their surroundings and their environment. We need to start caring about our towns. We need to start working. So often, we talk about not having jobs. We talk about these markets, but you can give these youths here some little money.

Let me go back to the Hustler Fund. If you buy a crusher and a cabro making machine and give them to the youth and tell them to fix Luanda market. Then give others metal and tell them, these are welding machines, make stalls. You will not have Gen Zs on the street saying, we are jobless because everyone will be busy working.

Mr. Temporary Speaker, Sir, I want us to start thinking like entrepreneurs. I want when we sit here, the younger generation will want to emulate us. They will want to say that; when I grow up, I want to be like Sen. Cherarkey because he is not only a legislator, but he is also a farmer.

*(Applause)*

One of the facts that many people do not know about Sen. Cherarkey and they need to know, is that he was a milk trader. He was a hawker. He used to move from one home to another selling milk. However, look at him now, he is the Senator for Nandi County.

If we do not fix our markets today, is it the next generation who will be jobless? Are they the ones who will find money to come and fix those markets? Sen. Osotsi, our good friend from Vihiga and Sen. Wakoli from Bungoma, say something which I want to repeat here. When these governors come to these oversight committees, can we please take them to task? I plead with the Senator from Vihiga to stop entertaining those

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

governors here. Let us go to our counties so that when we are carrying out the oversight, we can walk around and go to those markets and shame them. Every day, we keep on fighting about how much should go to counties, but we only tick a box.

Mr. Temporary Speaker, Sir, I appreciate the sentiments of Sen. Wakoli by saying that we need to take these governors to task when we read these reports. It was the day before yesterday that the Senate Majority Leader laid before the Senate all the Auditor General reports of all our counties. Take them. Go up there.

With this Committee, you need to start thinking outside the box. Do things completely unorthodox. Do not follow the script. Go and ask; how much money was given to you to do these markets and what have you done with them? Let us now start thinking on how we can scrutinize the budgets. Project-based budgets are software now. You can go and say; this is your budget, let us pull this budget out. Let us follow the suppliers, every one of them. Did you supply these things? Yes. If they did, they pay taxes. We can follow through. You follow the money trail.

By doing so, we will bring change to this country. However, today, we will not bring change because as long as there is a budget and even before that budget has been implemented, some other people will go and sit down and say they need a supplementary. Therefore, you negate the importance of your annual development plan and your account integrated development plan. You come up from nowhere and start saying you need to do this or that and that you need a supplementary budget.

I would rather you say we budgeted for this, but we did not have the funds to develop this market. However, in the next financial year, we will follow through and what we did not finish, we will complete. I would rather you sit down, carry out public participation and engage the citizens on the importance of planning. By doing so, we will change our country.

I would like to beseech my brothers and sisters from both sides of the aisle that it is about time we started looking at how to change our economy. Every so often, we talk about bills here. Yesterday, we were talking about the economy versus health. Earlier today, we were talking about the issue of Thange.

I am happy that the Cabinet Secretary for Health has decided that he will not play any politics anymore; that enough is enough. He will make sure that under Section 118 of the Public Health Act, he issues an order to make sure that KPC fixes those problems. The last time Section 118 of the Public Health Act was implemented was during the Covid-19 pandemic. If you read the law properly, you will see that that section of the law defines what a public nuisance is. Markets being dilapidated, being dirty with no toilets, that is a health nuisance.

We just need to be holistic in our approach to solving problems and we will see this country going further. However, if we do not do so, these young people who are watching us here deliberate on issues and on the problems we have as a country, will come back here. They will be here. If you read the HANSARD in 10 years' time when I will no longer be in this Senate and a young man who is watching me here is sitting here, he will be saying the same things that Sen. Ledama Olekina was saying.

Mr. Temporary Speaker, Sir, let us have a way of not just ticking boxes, but making sure that we follow through. I do hope that the Senator for Vihiga and the Senator

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

for Bungoma will not just raise a statement and end it here. Let us go and implement. Let us all go there and join those traders because there is no sense in you charging traders taxes and you do not even bring them simple things as water.

Mr. Temporary Speaker, Sir, I support.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. James Murango.

**Sen. (Dr.) Murango:** Asante, Bw. Spika wa Muda. Kwanza ningetaka kuhusishwa na kunga mkono Ripoti iliyoletwa na Kamati ya Ugatuzi. Soko ni kiungo muhimu sana wakati tunapofikiria kuendeleza na kufanya maendeleo nchini. Pia mahali nimetoka Kirinyaga kuna changamoto ya soko inayoitwa Soko la Kutus, ambapo wale wakala wanaouza ng'ombe na kuku walitolewa mahali walikua wanauzia kuku wao na wakapelekwa mahali kwingine shambani. Hamna choo au maji masafi ya kunywa. Ni kama shamba tu.

Tukizingatia sana, mahali wanauzia wale ng'ombe, kumepakana na Chuo Kikuu cha Kirinyaga. Swali ninalojiuliza, ni kwa nini wale wakala wanaouza ng'ombe katika hilo soko, wanaendelea kutozwa kodi na gatuji la Kirinyaga na huduma wanafaa kupata, hawapati?

Wakati magavana wanachaguliwa, moja wapo ya kigezo ni kwamba, ni lazima uwe na shahada. Lakini nimekuja kugundua kuna wale wanashindwa na mambo ambayo hawafai kushindwa nayo. Pia nimegundua kwamba hata vyuo vikuu vina wajinga na ndio maana kuna mtihani. Hii ni kwa sababu, ni jambo ndogo sana kama kujenga choo. Unapata gavana mzima amekuwa pale kwa miaka si haba na bado wafanyibiashara wanaumia. Wakati wa kuzunguka wakitafuta kura, wanaahidi wakazi hao mambo mengi sana ili wachaguliwe.

Bw. Spika wa Muda, ningependa kuunga mkono mambo yaliyosemwa na Sen. Olekina---

**Sen. Mandago:** On a point of order, Mr. Temporary Speaker, Sir.

**The Temporary Speaker** (Sen. Wakili Sigei): What is your point of order, Sen. Mandago? Take your seat, Sen. Murango.

*(Sen. (Dr.) Murango resumed his seat)*

**Sen. Mandago:** Bw. Spika wa Muda, nasimama kulingana na Kanuni ya Kudumu 105 ya Kanuni zetu za Kudumu. Je, ni vyema Seneta wa Kirinyaga, Sen. Murango, kusema kuwa mtihani unapewa wanafunzi katika vyuo vikuu kwa sababu kuna wajinga huko?

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Murango, you need to expound on that point of order. Give him the microphone. Sen. Murango, move to the Dispatch Box. Now you have the microphone. You may proceed.

**Sen. (Dr.) Murango:** Bw. Spika wa Muda, kuna nahau katika lugha ya Kiswahili ambazo hutumika wakati unataka kusema kitu kwa njia isiyo ya moja kwa moja. Sikumaanisha kwamba wanafunzi wanapewa mtihani ili kupimwa ujinga. Kwa mfano, unaweza kusema pepeta ipoe ama pepeta iwake. Kulingana nami, namaaniisha kupepeta iwake. Akitaka kujua zaidi, tutaonana kando ili nimfunze kidogo.

Nilikuwa nasema kuwa kuna wafanyibiashara wanaoumia ilhali wanatozwa kodi katika soko ambalo hakuna huduma. Sisi hapa hatufai kuwa walalamishi kila wakati. Kwa sababu kesi ya nyani huishia shambani, magavana hao bado watakuja hapa katika Seneti. Kwa hivyo, tunafaa kukata kauli na kwenda kuangalia kazi inayofanywa na pesa wanazopewa magavana.

Katika Kamati ya Mashamba, Mazingira na Maliasili, siku moja tulienda kule Busia kuangazia tetesi ambayo ilikuwa imeletwa hapa na Seneta wa Busia, Sen. Omtatah. Kuna bwawa lililokuwa limechimbwa kutumia takriban Shilingi milioni 24.

Ukiangalia stakabadhi tulizokuwa tumeletea katika kamati kisha uende kuangalie kazi iliyosemekana kufanyika, vilikuwa vitu viwili tofauti sana. Kile tulichona, hata shilingi milioni tano hazingeisha kwa sababu lilikuwa tu shimo wala si bwawa. Hata hivyo, stakabadhi tulizoletwa zilikuwa zinametameta na kuvutia kuzisoma. Ilisemekana kuwa walikuwa wametumia shilingi milioni 24. Kwa hivyo, tunachopata hapa na kilicho kule mashinani ni vitu viwili tofauti.

Ningependa kuwaambia magavana hivi. Wakati tunapoomba kura, ni vizuri kutimiza ahadi tunazowapa wananchi. Kwa kawaida, wananchi ndio wanaotupandisha ngazi.

Tunajua kuwa anayempandisha mwenzake ngazi ndiye hupigwa mateke menoni kwa sabu huwa yuko chini mwingine anapopanda. Wakati mwingi wakifika kule juu, wanakula matunda huku wananchi wanapata maganda. Sioni haja ya kwenda kule unalipia huduma ambazo hupati.

Kwa kumalizia, Bw. Spika wa Muda, shida tulizonazo zinatupa taswira ya kufikiria sana wananchi wakati wa uchaguzi kwa sababu ukiweka chui zizini, hakuna siku utaishi na majuto. Pengine tunachagua watu kwa sababu ya sura. Kwa sababu tumedanganywa. Tunakuja kupatwa na mambo kama haya.

Lile soko limekuwepo sasa kwa zaidi ya miaka 10. Ninaona ya kwamba tutafika mwaka 2027 wale wafanyikazi na wakala wa ng'ombe pale bado watakuwa wanataabika.

Mstahiki Spika wa Muda, shida tunayopata katika kamati tunazokaa tunapojaribu kufanya kazi ni gani? Ni kwa sababu kila wakati tunapoita magavana waweze kujibu, tunapata sababu. Atasema ni mgonjwa au amesafiri na sisi tunakaa kama hatuna majibu.

Leo tulikaa katika Kamati ya Mazingira na Maliasili kuwa na Gavana wa Bungoma. Yeye ndiye alitoa tarehe ya kuhudhuria kamati leo. Ameleta barua ingine kwamba hangeweza kufika.

Hatungeweza kupata majibu kwa maswali kuhusu fedha za Financing Locally-Led Climate Action Programme (FLLoCA). Kazi inaendelea kuzidi lakini hatusingi mbele kwa sababu magavana hawaji. Maseneta tumekuwa kama tingatinga. Kazi yetu ni kulima na kubomoa milima. Tukimaliza tunawekwa juu ya lori na kuambiwa tutaharibu barabara.

Uhitaji wetu kwa magavana tu ni wakati wa kugawa fedha ziende mashinani. Tunapomaliza maswali huwa ni kama dharau, unajibiwa visivyo. Unaangaliwa kwa jicho lingine kana kwamba wewe ni shetani. Ukionekana kama unajaribu kuangalia kazi inavyofanywa, unakuwa adui

Tunafaa kuponya haya kwa kupitisha sheria. Iwapo gavana haji katika kamati, mgao unapofika hebu kwanza aje aelezee kabla hajapewa pesa. Hilo ndilo litatufanya tuheshimike.

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Senators, before I allow the next Member to contribute to the Motion, I have a communication to make.

*(Interruption of debate on Motion)*

### COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM ORERO BOYS  
HIGH SCHOOL, HOMA BAY COUNTY

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Senators, I would like to acknowledge the presence in the public gallery this afternoon, of visiting teachers and students from Orero Boys High School in Rangwe Constituency, Homa Bay County. The delegation comprises five teachers and 45 students who are in the Senate for a one-day academic exposition.

Hon. Senators, in our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them. On behalf of the Senate and my own behalf, I wish them a fruitful visit.

I thank you.

The hon. Senator for Homa Bay County, Sen. M. Kajwang is in the House. I will give you under one minute to welcome this delegation.

**Sen. M. Kajwang'**: Thank you, Mr. Temporary Speaker, Sir. I join you in welcoming the boys from Orero Boys. This is the best school in my county. In the last exams, they posted the best performance. It was not just for one year. It has been consistent over the years.

I joined the boys during their prize-giving day and I am extremely proud of them. When we were there, we encouraged them to continue working hard, and made it clear that leadership is not only about being a Senator, Member of County Assembly (MCA) or Member of Parliament (MP). You can be a leader in the medical or legal profession and in the other professions. Many of Orero old boys are doing extremely well in diverse professions.

I encourage and congratulate them. When you go back, please pass my regards to your Principal, my friend, Mr. Dickens Bula, the entire teaching fraternity, especially the boys, the ones that we danced with that song of slashing people. I have just forgotten its name.

*(Sen. Nyamu spoke off record)*

*Mapangale.* You can trust Sen. Nyamu to remember. We danced *Mapangale* with the boys. We had a nice time.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

We shall continue supporting you. We pray that you will continue leading Homa Bay County, leading Nyanza in posting good results.

*(Resumption of debate on Motion)*

**Sen. Oketch Gicheru:** Thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity. May I take this opportunity also to thank amazing Senators for their industry in the visit that they had, most of it in the western Kenya region.

Mr. Temporary Speaker, Sir, you might not know, but I studied in the western Kenya region. I am an alumnus of Friends School, Kamusinga, which I am very proud of, having been educated and nurtured by the waters of Farming Systems Kenya (FSK), under the leadership of Ambassador Simon Nabukwesi, who taught us a lot of things.

Mr. Temporary Speaker, Sir, it is always inspiring when you see a report capturing places like Kamukuywa, Kimilili and Kanduyi areas. I went to these places through sports. The Senator of Bungoma County will tell you that some of the top ten fresh agricultural produce that you see in the country come from that region. Certainly, that region is the hub that feeds the nation. That trickles down all the way to Nyanza, Homa Bay County and Migori County regions, not negating other places that are also feeding the country.

This is a good report in the sense that it touches the core of our economic strength. Strategic transformation of market infrastructure is indeed the only way you can revitalize the economy. Any kind of produce that we are consuming in the country must find itself across our markets.

In Migori County, where I come from, the smaller markets which we call *aswekra* in Migori, but from where the Senator of Homa Bay County comes from, they are called *chumbo*, where women go to and sell by sitting on the stones by the roadsides, might not count, but they also comprise these traders who do contribute to our economy.

Mr. Temporary Speaker, Sir, if you look at the larger market economy where you have bigger markets in Migori County, for instance, Mabera, Kehancha in Kuria West, Masaba, Getonganya, all the way to Intimaru in Kuria East, Marindi Market in Suna West Constituency in Migori County, Wath Onger in Nyatike, Sori Market in Karungu, Muhuru Bay, where all the fish and best omena that you eat come from, Matoso Market, Awendo Market, Rongo Market, Rapogi and Oria markets in Uriri.

These major markets, collectively they bring about 1,500 serious traders that build the economy of Migori County, with the top 10 fresh market produce that I talked about that come from western. So, we cannot thank this committee enough to go and look at these markets in the western region that are not dissimilar to other markets that are across the country.

I have seen some of the recommendations from these wonderful committees and I am happy that my brother, Sen. Wafula of Bungoma County, together with Sen. Abass and Sen. Oburu had the chance to visit these markets. The recommendations that they have made here are magical, because they give us insights that are sometimes removed from our day-to-day operations in our own counties.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*



In my view, those recommendations should not just end at a point of simply being a wish for the county government to take action on. I wish that these recommendations can be transferred or translated into pieces of legislation when you think about standard of markets.

Mr. Temporary Speaker, Sir, I encourage the Members of these committees that they should perhaps consider sponsoring a Bill that can talk about standardization of the market infrastructure in county governments. That will be the baptism by fire to the governors that we have. That you do not just develop markets randomly. There needs to be some standards of how these markets should look like.

If you go to countries that have made strides, across the globe, whether you go to Singapore or the United States of America, or any country in Europe, whether in the UK, or even smaller countries within the region---

Mr. Temporary Speaker, Sir, if, for instance, you compared the economy of South Africa to that of the United States, South Africa would be a smaller economy, but it is a good economy in the continent. If you go to these countries that have made strides, there is a clarity in terms of standards that must be there in a market. You cannot build a market without some standards. For instance, if you have a market that has the capacity that we are being shown here, places like Kanduyi and Kamukuywa and Webuye East that have been mentioned, you will not find disaster readiness and preparedness strategy and infrastructure.

What do you do in a market such as Kamukuywa or Kimilili or even in Bungoma Town for this matter, where there is a fire hazard in that market? How do you evacuate people in a congested market and how do you make sure that you protect property of people who might not have the power to actually restock their goods or to reconstruct their infrastructure, like a small kiosk or a small stall that a Mama Mboga might have been able to save for three years to put in place?

Mr. Temporary Speaker, Sir, the first standard that must be in a market should be fire or any disaster readiness and preparedness that can ensure that that market is dealt with. If you go to some of our counties, the firefighting instrument is lacking in all these markets.

If there is a firefighting instrument within that county, then it is so much spread that maybe there is one fire engine in one corner of the county, and the other part of it is in the other corner of the county. By the time a response is given to this kind of disaster, our people have lost a lot of things.

Recently in Migori County, we had a fire hazard right in the middle of town at a place called Osaka. My heart bleeds because the people in Osaka, a place within Migori Town, right inside the market, lost a lot of things. Yet, Migori Town and where this fire happened, is the mainstay of market economy in Migori County. There was no proper response and people I grew up with, ended up losing a lot of resources there.

Secondly, I cannot imagine a market without proper waste management and sanitation. Why can we not pass a Bill in this House that the money that we are sending to counties, if a governor chooses to build any facet of a market, then it cannot lack an infrastructure for waste management and proper sanitation?

We cannot go to markets where when you leave your house, because most of these counties tend to be rural counties and in rural counties--- if you visit my brother, Sen. M. Kajwang', you will find that he stays in a very serene place, facing the lake. It is a very nice place, very green, very lush and has a very nice community living.

You can imagine people from his village, when they leave that lush place without any form of disease, or any form of infection, just to go and buy their produce in a market, anywhere within the Homa Bay County, then you go to a congested place where the waste management is not proper. There are no toilets or proper sanitation mechanisms then somebody comes back home when they are sick and they just went to fetch food. Why can it not be a standard that our markets must then have proper sanitation? This is a Bill we can pass in this House, just by putting up standards to these markets.

In most of these markets that have been mentioned here, the vast markets that we have seen, coming from Western Kenya, lack proper drainage when there is rain. How can rain stand between our mothers, our sisters and our daughters who are in these marketplaces selling and making money? That a simple rain of about 30 minutes stops a market operation for the entire day and that day people go home without resources? We must be able to figure out these drainage issues.

The issue of drainage goes with the larger issues of the vagaries of nature that make it difficult for women, especially those who tend to spend most of their time trying to sell and make a living in these markets. Adverse weather conditions often make it impossible for them to conduct business. In Migori County, for example, I can barely mention three markets with proper shelter or shades that allow women to visit as early as 2.00 p.m. Some women and the youth prefer going to the market as late as 4.00 p.m. when the sun begins to set because they cannot endure the scorching heat.

This severely limits their productivity, despite their willingness to trade and contribute to the economy. The same challenge arises during heavy rains. When it pours, people cannot trade in these markets because most of them lack adequate shade infrastructure.

That should be a standard. At this point, especially after devolving several government functions, there is no reason why market hours must end at 6 p.m. Many hardworking men and women in our communities are forced to leave the market early due to poor lighting, which contributes to insecurity and safety concerns. These should be established standards in our markets. I cannot overstate the issue of how our markets are planned. They are built against a congested population. The connectivity of our roads is poor and walkways are limited. Sometimes *boda boda* riders, motorbikes and bicycles cannot access markets easily. They cannot move goods among populations.

I do not know why county governments ignore market planning as an important facet of their own source revenue. At the moment, a *boda boda* rider cannot access market infrastructure. A bicycle rider carrying vegetables from the farm cannot access the market. It is congested and poorly planned. As a result, many resort to selling along the road. When they do so, many problems emerge in our counties. Selling along the road instead of the market space meant for selling becomes a health hazard due to traffic problems. I have seen this many times and you have seen the headlines too. In Migori County, lives were lost when roadside traders in the middle of town, unable to access

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

proper markets, were struck by trucks that had lost control. Their only solution was to sell by the roadside. I have not even touch on the lost productive time due to traffic in these areas.

This is why I urge the House to consider standardising markets. Informal selling points, which arise from poor planning, must be addressed in our counties. There is a direct link between orderly commerce and revenue for both the government and the traders. It also helps stabilise prices. When people sell on the roadside, they offer lower prices. These prices are not driven by the market economy. That distortion makes it hard for county governments to collect the maximum revenues they should.

I want to emphasise the issue of making sure that we can come up with a Bill on standardisation of markets. As soon as I finish my contribution today on this particular report, I want to perhaps mention by passing that we cannot talk about the issue of markets without looking into the issue of municipalities. This is because if you look at the Urban Areas and Cities Act, it sought to help county governments to be able to create municipalities that can work as agencies for revenue collection for particular functions that they will have delegated to those municipalities. These municipalities are a big part of market economy and arrangement in terms of planning. This has been dwindling because county governments are not willing to cede these responsibilities to the municipalities. They are not willing to allow that autonomy of municipalities to take shape.

In this Report, you will find that if you look at the allocation of money that were given to municipalities across Western Kenya, they end up with money that are limited mostly to the current budget. They do not allow these municipalities to take root and be able to affect the entire market economy. Up until when these counties will understand the agency relationship that they can have with the municipalities, it will be very difficult to maximise the element of own-source revenue. This is because if municipalities are given that power to plan markets, to arrange markets, to be able to even think about revenue collection processes that are automated.

I hope that in that Bill, if it comes through my brother, perhaps Sen. Wafula, it should also look at automation in terms of revenue collection. This is because you find that things like cess and those ropes that governors put across markets and taking money from *boda boda* operators they are taken without any order. There is no automation of them. You cannot have a collection mechanism where money comes from the person you want to take it from, whether it is a *boda boda* operators or whether it is a taxi rider and then it is put in the pocket. Then you are hoping that from the pocket, it will go to the county revenue fund. It is not possible. The leakage is humongous. This must stop. There should be an intersection between the law that this House can pass and the autonomy of municipalities to be able to check and enable this markets' planning to take root and enable revenue to be perfect.

With that, I appreciate and equally support this Report. I thank you, Mr. Temporary Speaker, Sir.

(Applause)

*(Interruption of debate on Motion)*

### COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM KIMOGORO  
ADVENTIST SCHOOLS, BOMET COUNTY

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Members, before I allow the next contributor to this Motion, I have a communication to make on visiting teachers and students from Kimogoro Adventist Schools in Bomet County.

Hon. Senators, I would like to acknowledge the presence in the public gallery this afternoon, of visiting teachers and students from Kimogoro Adventist Schools in Bomet County. The delegation comprises 10 teachers and 90 students who are in the Senate for a one-day academic exposition.

In our usual tradition of receiving and welcoming visitors to Parliament, I extend my warm welcome to them. On behalf of the Senate and my own behalf, I wish them a fruitful visit.

I thank you.

I will allow Sen. Cherarkey, before he contributes to this Motion, in under one minute, to welcome that team on behalf of the Chair.

**Sen. Cherarkey:** Mr. Temporary Speaker, Sir, I join you in extending a warm welcome to Kimogoro Adventist Schools in Bomet County. They are privileged that they are attending a session where you are presiding over as our Speaker. This is a rare opportunity for Kimogoro Adventist School in Bomet. You should be very proud of your Senator, because apart from being your Senator, he is one of the key pillars that ensure this House runs well.

For your benefit, as you go back to school, write an essay and make sure you give it to your Senator. Your Senator is also the Chairperson of the Committee on Justice, Legal Affairs and Human Rights. He sits in Speaker's Panel and he is also a member of Senate Business Committee.

As you go back, greet your parents and let them continue supporting the work that the Senator is doing. I do not know whether he will be going for two-terms or he will be going for governorship. I am happy it is an Adventist school. I think Sen. M. Kajwang' is a practising Adventist. Since he is also an Adventist, maybe you can give him only one minute, with your indulgence, kindly, or he will say it later.

*(Loud consultations)*

I was just requesting under Standing Order No.1. I have not appropriated myself powers.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Cherarkey, you are aware of the powers of the Chair.

**Sen. Cherarkey:** Under Standing Order No.1, with your indulgence, would you allow?

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

*(Sen. Oketch Gicheru spoke off record)*

**The Temporary Speaker** (Sen. Wakili Sigei): Order, Sen. Eddy! Sen. Cherarkey, I will not allow. Your request is declined. Proceed to comment.

**Sen. Cherarkey:** Okay. The students from your county feel most welcome to be in the Senate.

*(Resumption of debate on Motion)*

As I contribute on the issue of this Motion, I want to pick from where Sen. Eddy Oketch left. I want to request Sen. Eddy to be very humble because when seniors speak, he must listen. There is no school of experience. I am now speaking from experience. I am happy with this report on the issue of markets.

As I exit, I want to inform the visitors that the issue of affordable, quality and free education will continue being in this country. They need just to work hard. I have noted from the latest news that the Ministry of Education has lowered university fees starting from 1<sup>st</sup> September. I want to thank His Excellency the President for listening to the cry of many students and parents by lowering school fees or fees that will be paid for courses in the university. I believe this is significant.

This is the Memorandum of Understanding (MoU) between the Orange Democratic Movement (ODM) and United Democratic Alliance (UDA) that we are now seeing and we raised it on the Floor of the House. The Deputy Party Leader of ODM, Sen. Osotsi and also Sen. Eddy, I know this is the MoU we have been talking between UDA and ODM to give a prosperous country. Today, the Ministry of Education has said fees for courses will come down from 1<sup>st</sup> September as they join first year.

Secondly, I want to leave where my brother Eddy left off on the issue of markets. I feel bad. They say there can be no taxation without representation. That is the point.

I do not know where the governors and county governments get the courage to go and tax *mama mboga* in Bomet Town, who are selling by the roadside yet they do not provide toilets, any amenities like breastfeeding areas, electricity or even sanitary facilities. Where do they get the courage?

In Kapsabet Town where I come, there are no sanitary facilities or toilets. The new market in Kapsabet Town, where the new traders moved in, there no toilet facility. That market was designed like a *kiosk*. When it rains, our mothers have to move their wares from it. I visited that market earlier this year in Kapsabet Town. Too much sunlight can destroy groceries.

There is no proper toilet or structure for Persons with Disabilities (PwDs). In the new market that was done by the Governor in Kapsabet, there is no proper access of offloading area when they bring groceries. There is no proper place for PWDs to access the market.

Another factor, I remember during the Karega Mutahi era, although some of us were still in school, maybe Sen. Karen Nyamu is aware of this; most of the economic stimulus programme markets are still unutilized and unoccupied up to today. I do not know the story about Bomet ESP markets. Whenever the Government designs markets,

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

they do not go and ask the traders whether that market should be constructed. When they try to relocate Kapsabet Town central market to behind, how will one access customers? For example, in Mosoriot township, they have hidden the market next to the polytechnic and yet, the market is along the road. They are being rained on.

The county levy traders Kshs100. It is shameful that counties take taxes from the *mama mbogas* and the *boda boda* riders. The *boda boda* riders are unlucky. When it rains, there is no cover and even when the sun is there. There are no toilets as well. Our *mama mbogas* are the most resilient people in our counties, including Vihiga. Imagine them sitting by the roadside the whole day and there are no toilets. From the morning to the evening and they are human. If you look at our Chamber, we have been provided with the necessary comfort, including sanitary facilities. Imagine a woman in Migori town, sitting the whole day without washrooms. Sometimes, some of them have health problems.

In Busia where the presidential aspirant who has declared the interest to vie, but he is yet to give us the vehicle he will be using. I am happy he has done a forensic audit and I know the governor will not have peace. The way this gentleman is doing it, he will have a rough time. These women who stay the whole day without accessing toilets, where do they go to and yet, some of them have health problems?

Mr. Temporary Speaker, Sir, the county government does not have shame. The Migori County Government goes ahead to tell them to pay. Vihiga, Busia, Bomet and Nairobi counties too and *Manzi wa Nairobi* is here, Sen. Karen Nyamu. How do those women survive? I am happy I saw her in Roysambu, trying to look for votes.

*(Sen. Nyamu spoke off record)*

Sen. Osotsi might want to see her after this.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Cherarkey, address the subject matter that is before us.

**Sen. Cherarkey:** Mr. Temporary Speaker, Sir, I was tying it up because where she was in Roysambu on the interface of Kasarani, there are small markets. Some of us know this town well.

*(Sen. Oketch Gicheru spoke off record)*

Why is the Senator shouting?

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Eddy is trying to catch your eye that Sen. Osotsi needs to contribute and time is running.

**Sen. Cherarkey:** They know the Standing Orders. You limit debate. Has it been limited?

**The Temporary Speaker** (Sen. Wakili Sigei): That was my choice of words.

**Sen. Cherarkey:** I thought he was telling me something else. I will try to condense, and thank you for that guidance.

Another danger to our markets is the Kenya National Highways Authority (KeNHA), Kenya Rural Roads Authority (KeRRA) and Kenya Urban Roads Authority

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

(KURA). I saw them destroying markets in Khayega in Kakamega County. Why would you allow our people to do two markets and then destroy them? These agencies must be called to order.

What we are seeing in this country is infrastructural evictees. We no longer have forest evictees. In Kawangware, they go and destroy property that belongs to the *mama mbogas* and *boda boda* riders. What I saw in Khayega was unfortunate. The County Government of Nandi destroyed Namgoi where we used to have traders. It was at the junction of going to Nandi Hills and town.

I have heard the argument given by Sen. Ledama that markets are a devolved function. I agree, but which market has his governor done for the last 10 years? Which market has Governor Otichillo done? The Governor for Nairobi City County who says that money is generated in addition to the shareable revenue, then people of Vihiga will have sufficient money for capital development. He says *ita-work* but *hai-work*.

I want to thank the President because we have new markets at Mosoriot and Kobuchai. A new one is coming up at Kaptumo. There is also another one at Chepsonoi, which borders Vihiga. Sen. Osotsi, I hope you have seen a new market at Chepsonoi. There are also new markets at Maraba, Kaiboi and Lessos. I do not know whether you have used that road where women sell maize around Kingwal. There is also another one at Chepterit where we sell our livestock. That property belongs to a private individual.

As I conclude, we must agree that governors must be called to order. Markets must be accessible to PwDs and they must be clean. There must be water, toilets and electricity. There must also be areas for breastfeeding women. We have *mama mbogas* who nurse their children. They must have places for breastfeeding.

I am happy about the design that President approved through the Ministry of Lands, Public Works, Housing and Urban Development. There are areas where women can meet. There are also lactating and sanitation areas where you can find toilets and what have you.

Mr. Temporary Speaker, Sir, in order to allow my colleague Sen. Osotsi to contribute, the incoming governor of Vihiga whom I have tremendous respect for, allow me to wind up by saying that we are proud of what the Committee has done, the support by your office and the secretariat for the splendid job they are doing. When Sen. Osotsi finishes, I would like to listen to what Sen. Nyamu will say because we have many problems of markets not working here in Nairobi.

I thank you and support.

**The Temporary Speaker** (Sen. Wakili Sigei): Proceed, Sen. Osotsi.

**Sen. Osotsi:** Mr. Temporary Speaker, Sir, I want to start by thanking the Committee on Devolution and Intergovernmental Relations for taking time not just to respond to my Statement and that of Sen. Wakoli, but also visiting those two counties. They visited my county on 22<sup>nd</sup> June, 2024, which is about a year ago and now we are discussing the report today.

What precipitated this Statement was because traders at Luanda Market had gone on a tax boycott. Luanda Market is the largest in Vihiga in terms of not just the size, but also revenue generation. Traders had gone on a boycott and that will affect the revenue of the county and also services provided by the market.

---

**Disclaimer:** *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Director, Hansard and Audio Services, Senate.*

Vihiga is among the 12 small counties with limited avenues or streams of own source revenue. In fact, the only major own source revenue are markets and we have quite a number of them.

This report focused on Mbale, Majengo, Luanda, Serem, Chavakali Cheptulu, Shamakhokho, Esibuye and Mudete markets. Those are the key markets in Vihiga County. There are other smaller markets in Vihiga County like Banja, Mwicho and others. It is my belief that if those markets are properly resourced in terms of infrastructure and service provision, then it will be the first major step of addressing the issue of low own source revenue.

Vihiga County generates about Kshs300 million every year as own source revenue. However, they have the potential of generating up to Kshs1.5 billion as own-source revenue. If that money is generated in addition to the sharable revenue, then people of Vihiga will have sufficient money for capital development. If that money is generated in addition to the shareable revenue, then people of the Vihiga will have sufficient money for capital development.

Mr. Temporary Speaker, Sir, you know one of the reasons this House decided to change the revenue sharing formula, so that they can help small counties was because they were looking for avenues of making smaller counties access development because of the low revenues, these counties are unable to access sustainable development.

Mr. Temporary Speaker, Sir, even as we talk about that, we must also focus on own-source revenue that is generated in this county and one important area of own-source revenue generation is markets. I am disturbed by the contents of this report and I wish to alert the Committee to give special attention to the submission by the County Government of Vihiga, particularly on the issue of own-source revenue because the figures are not adding up.

Mr. Temporary Speaker, Sir, there is a table there that shows the amount of own-source revenue from markets, all the markets in Vihiga County, from financial years 2018/2019 to 2023/2024. Those are six years. You look at that table, it tells you that the county generated between Kshs13 million to Kshs14 million per financial year overall from all the markets. However, under that table, there is another table indicating the revenue generated by Luanda alone. It displays how much was generated every month from July, 2023 to May, 2024.

If you look at that figure, it comes to around Kshs40 million, which now begs the question that if one market can generate Kshs40 million in a year, then why did the county government give us figures which indicates that overall each year they were generating between Kshs13 to Kshs14 million? I think the Committee needs to interrogate that bit because even if you look at Luanda market in FY2023/2024, the report shows they generated Kshs13.9 million, but the same period, the entire county generated 14 million.

What are they saying? These figures are not making sense. I think these figures were just put in there to provide a response. They are not justified. This is misleading the committee and the House. Therefore, I want to ask the Committee to go back and interrogate these figures. We cannot pass a report which has misleading information. I



will be talking to the Committee to ensure that the county provides correct information. This is because the information that is here is misleading.

Let me now talk about challenges that we have in the county in terms of markets. A lot of issues were identified in the reports such as lack of water or adequate supply of water in some markets. Issues of sanitation, lack of toilets or functioning toilets. Toilets which have been constructed. For one reason or another, they are not functioning.

Mr. Temporary Speaker, Sir, on the issue of drainage---

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Osotsi, unfortunately, time has run out. However, you have got a balance of 12 minutes to conclude on your contribution when the House resumes.

### ADJOURNMENT

Hon. Senators, it is now 6.30 p.m., time to adjourn the Senate. The Senate, therefore, stands adjourned until Tuesday, 5<sup>th</sup> August, 2025 at 2.30 p.m.

The Senate rose at 6.30 p.m.