



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

19th February 2026

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THE HANSARD**Thursday, 19th February 2026**

The House met at 2.30 p.m.

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

Hon. Speaker: Serjeant-at-Arms, ring the Quorum Bell. Hon. Millie, where are your people.

(The Quorum Bell was rung)

Hon. Members, we now have quorum to transact business. Clerk-at-the-Table, I have a Communication, but I will come to it later. Go to the next Order.

Hon. Murugara, are you holding brief for the Leader of the Majority Party?

PAPERS

Hon. George Murugara (Tharaka, UDA): Yes, I am.

Hon. Speaker, on behalf of the Leader of the Majority Party, I beg to lay the following Papers on the Table:

1. Legal Notice No.7 of 2026 relating to the Public Finance Management (State Officers and Public Officers Motor Car Loan Scheme Fund) (Amendment) Regulations, 2025 from the National Treasury.
2. Legal Notice No.8 of 2026 relating to the Climate Change (Non-Market Approaches) Regulations, 2026 from the Ministry of Environment, Climate Change and Forestry.
3. Draft Intergovernmental Relations (Transfer and Delegation of Functions, Powers and Competencies) Regulations, 2025 from the Office of the President – State Department for Devolution.
4. Report of the Auditor-General and financial statements of the Commission on Administrative Justice for the year ended 30th June 2025 and the certificate therein.
5. The Defence Cooperation Agreement between the Government of the Republic of Kenya and the Government of the Czech Republic from the Ministry of Defence.
6. Annual Report of the Judicial Service Commission for the financial year 2024/2025 from the Judicial Service Commission.
7. County Governments Budget Implementation Review Report for the First Quarter of FY 2025/26 from the Office of the Controller of Budget.
8. The 35th Bi-Annual Report of the Monetary Policy Committee for October 2025 from the National Treasury.
9. Report of the Auditor-General and financial statements of the National Assembly for the year ended 30th June 2025 and the certificate therein.

10. Audit Reports on Office of the Auditor-General Staff Car Loan Scheme and Staff Mortgage Scheme for the financial year ended 30th June 2025.
11. Annual Report of Activities and financial statements of the Ethics and Anti-Corruption Commission for the financial year 2024/2025.
12. National Governments Budget Implementation Review Report for the First Three Months of FY 2025/26 from the Office of the Controller of Budget.
13. Annual Report and financial statements of the Salaries and Remuneration Commission for the financial year ended 30th June 2025.
14. The 14th Report on the status of compliance of the Public Service with the Values and Principles in Articles 10 and 232 of the Constitution from the Public Service.
15. Reports of the Auditor-General and Financial Statements of the National Governments Constituencies Development Fund (NG-CDF) for the year ended 30th June 2025 and the certificates therein in respect of the following Constituencies—
 - (a) Central Imenti;
 - (b) Igembe Central;
 - (c) Kaiti;
 - (d) Konoin;
 - (e) Lamu East; and,
 - (f) Lamu West.

Thank you very much, Hon. Speaker.

Hon. Speaker: Leader of the Delegation to New York, Hon. Wamuchomba.

Hon. Gathoni Wamuchomba (Githunguri, UDA): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Parliament of Kenya Delegation to the 67th Session of the Commission on the Status of Women held in New York, United States of America (USA) from 6th – 17th March 2023.

Thank you.

Hon. Speaker: Thank you, Hon. Wamuchomba. Hon. Rahab Mukami, Leader of the Delegation to the Pan-African Parliamentary (PAP).

Hon. Rahab Mukami (Nyeri County, UDA): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Kenya Delegation to the 3rd Ordinary Session of the Sixth Parliament of the Pan-African Parliament (PAP) held in Midrand, South Africa from 24th June to 5th July 2024.

Hon. Speaker: Hon. Peter Kihungi, Leader of Interfaith Delegation to Marrakech.

Hon. Peter Kihungi (Kangema, UDA): Hon. Speaker, give me some time. I have not been given the right report.

Hon. Speaker: You cannot be given the right report. You should have the report. Why is your report listed on the Order Paper?

Hon. Peter Kihungi (Kangema, UDA): Let me take it from the Table.

Hon. Speaker: Okay. Chairperson, Public Accounts Committee. Hon. Tindi Mwale.

Hon. Nicholas Mwale (Butere, ODM): Hon. Speaker, I beg to lay the following paper on the Table:

Report of the Public Accounts Committee on the Examination of Audited Financial Statements for the National Government Ministries, Departments and Agencies for the Financial Year 2022/2023.

Thank you.

Hon. Speaker: Chairperson, Departmental Committee on Transport and Infrastructure, Hon. GK.

Hon. Kibet Komingoi (Bureti, UDA): Hon. Speaker, I am here on behalf of the Chairman.

Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Transport and Infrastructure on its Consideration of Sessional Paper No.6 of 2024 on the National Aviation Policy.

Thank you.

Hon. Speaker: Thank you. Hon. Kihungi, are you ready now? We stay it to Tuesday. Put your house in order.

Next order.

NOTICES OF MOTIONS

Hon. Speaker: Hon. Millie Odhiambo, leader of the Delegation to the Inter-Parliamentary Union (IPU).

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Speaker. I request that I be allowed to lay the Paper next week on Tuesday.

Hon. Speaker: It is actually a notice of Motion. You will do it on Tuesday.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): I am sorry. It is a notice of Motion. I will do it on Tuesday next week.

Thank you.

Hon. Speaker: Hon. Wamaua.

FORMULATION OF AVOCADO WASTE MANAGEMENT AND VALORISATION POLICY

Hon. Mary Njoro (Maragwa, UDA): Hon. Speaker, I beg to give notice of the following Motion:

THAT, aware that avocado farming and processing activities have expanded rapidly in Kenya; noting that the Kenya National Bureau of Statistics (KNBS) economic survey, 2024 approximated the national avocado production at 848,100 tons in 2024, up from 633,000 tons in 2023, valued at Ksh29.5 billion; appreciating that, according to the survey, Murang'a County contributed about 200,991 tons of the total production, making it the leading avocado-producing county in the country; concerned that avocado processing generates large volumes of organic waste, including peels, seeds, pulp, and pomace, which, when improperly managed, cause environmental degradation, water contamination, and increased greenhouse gas emissions; further concerned that residents of Murang'a County and other major avocado-growing regions have raised serious concerns over the improper disposal of avocado waste which undermines the right to a clean and healthy environment as envisaged under Article 42 of the Constitution, thus posing significant public health and environmental risks; appreciating that studies by the Food and Agriculture Organisation (FAO) 2023 and global best practices from Mexico and Chile demonstrate that avocado waste can be converted into biofertiliser, biogas, animal feed, and other value-added products; recognizing that by embracing valorisation of avocado waste, Kenya stands a chance to reduce environmental pollution and public health risks, create employment opportunities, and support a circular economy in the avocado sector;

appreciating the role of the National Government in the formulation of policies and frameworks to guide and support effective waste management by county governments; now therefore, this House resolves that the National Government formulates an avocado waste management and valorisation policy to provide for—

- (a) Sustainable avocado waste management and valorisation, including research, training, and technology transfer to farmers and provision of processors on modern waste management and valorisation practices, with the aim of reducing pollution, improving public health, and creating jobs in the avocado-producing regions;
- (b) promotion of investment and innovation by providing subsidies, incentives, and technical support for waste-to-value initiatives such as biodigesters, biorefineries, and other circular economy solutions; and
- (c) Collaboration mechanisms for the national Government, county governments and private sector partners in sustainable avocado waste management and valorisation.

Thank you.

Hon. Speaker: Thank you, Hon. Wamaua. Next is the Chairman of the Public Accounts Committee.

ADOPTION OF REPORT ON AUDITED ACCOUNTS FOR
THE NATIONAL GOVERNMENT FOR FY 2022/2023

Hon. Nicholas Mwale (Butere, ODM): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Public Accounts Committee on its examination of the Report of the Auditor-General on the Financial Statements for the National Government Ministries, Departments and Agencies for the Financial Year 2022/2023, laid on the Table of the House on Thursday, 19th February 2026.

Thank you.

Hon. Speaker: Chairperson, Departmental Committee on Transport and Infrastructure, Hon. Komingoi.

APPROVAL OF THE NATIONAL AVIATION POLICY

Hon. Kibet Komingoi (Bureti, UDA): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Departmental Committee on Transport and Infrastructure on its consideration of Sessional Paper No. 6 of 2024 on the National Aviation Policy, laid on the Table of the House on Thursday, 19th February 2026 and approves Sessional Paper No. 6 of 2024 on the National Aviation Policy.

Thank you.

Hon. Speaker: Chairperson, Special Funds Accounts Committee.

Hon. Fatuma Mohammed (Migori County, Independent): Hon. Speaker, I beg to give notices of the following Motions:

ADOPTION OF 5TH REPORT OF THE
SPECIAL FUNDS ACCOUNTS COMMITTEE

THAT, this House adopts the Fifth Report of the Special Funds Accounts Committee on its consideration of the Report of the Audited Financial Statements for the Commodities Fund for the Financial Years 2018/2019, 2019/2020, 2020/2021 and 2021/2022, laid on the Table of the House on Thursday, 7th December 2023.

ADOPTION OF 6TH REPORT OF THE
SPECIAL FUNDS ACCOUNTS COMMITTEE

THAT, this House adopts the Sixth Report of the Special Funds Accounts Committee on its consideration of the Report of the audited Financial Statements for the Stores and Services Fund for Financial Years 2020/2021 and 2021/2022 and the Occupational Safety and Health Fund for the Financial Years 2020/2021 and 2021/2022, laid on the Table of the House on Thursday, 7th December 2023.

ADOPTION OF 7TH REPORT OF THE
SPECIAL FUNDS ACCOUNTS COMMITTEE

THAT, this House adopts the Seventh Report of the Special Funds Accounts Committee on its consideration of the Report of the Audited Financial Statements for the Land Settlements Fund for the Financial Years 2020/2021 and 2021/2022, and the Railway Development Fund (Holding Account) for the Financial Years 2017/2018, 2018/2019, 2019/2020, 2020/2021 and 2021/2022, laid on the Table of the House on Thursday, 7th December 2023.

ADOPTION OF 8TH REPORT OF THE
SPECIAL FUNDS ACCOUNTS COMMITTEE

THAT, this House adopts the Eighth Report of the Special Funds Accounts Committee on its consideration of the Report of the Auditor-General on the Financial Statements for Street Families Rehabilitation Trust Fund for the Financial Years 2017/2018, 2018/2019, 2019/2020, 2020/2021 and 2021/2022, laid on the Table of the House on Thursday, 7th December 2023.

ADOPTION OF 10TH REPORT OF THE
SPECIAL FUNDS ACCOUNTS COMMITTEE

THAT, this House adopts the Tenth Report of the Special Funds Accounts Committee on its consideration of the Report of the Audited Financial Statements for the Prisons Industries Revolving Fund and Prisons Farm Revolving Fund for Financial Years 2020/2021 and 2021/2022, laid on the Table of the House on Wednesday, 14th August 2024.

ADOPTION OF 11TH REPORT OF THE
SPECIAL FUNDS ACCOUNTS COMMITTEE

THAT, this House adopts the Eleventh Report of the Special Funds Accounts Committee on its consideration of the Report of the Auditor-General on the Financial Statements for the Tourism Fund and the Tourism Promotion Fund for the Financial Years 2020/2021 and 2021/2022, laid on the Table of the House on Wednesday, 14th August 2024.

ADOPTION OF 12TH REPORT OF THE
SPECIAL FUNDS ACCOUNTS COMMITTEE

THAT, this House adopts the Twelfth Report of the Special Funds Accounts Committee on its consideration of the Report of the Audited Financial Statements for the Agricultural Information Resource Centre Revolving Fund for the Financial Years 2020/2021 and 2021/2022, laid on the Table of the House on Wednesday, 14th August 2024.

ADOPTION OF 13TH REPORT OF THE
SPECIAL FUNDS ACCOUNTS COMMITTEE

THAT, this House adopts the Thirteenth Report of the Special Funds Accounts Committee on its consideration of Audited Financial Statements for the Agricultural Food Authority Car Loan and Mortgage Scheme Fund, Veterinary Services Development Fund and Government Press Fund for Financial Years 2020/2021 and 2021/2022, laid on the Table of the House on Wednesday, 14th August 2024.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. We can dispose of Orders No. 10 and 11.

PROCEDURAL MOTIONS

EXTENSION OF PERIOD FOR CONSIDERATION
OF THE 2026 BUDGET POLICY STATEMENT

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I beg to move the following Procedural Motion:

THAT, notwithstanding the provisions of Standing Order 232(7) relating to timelines for consideration of the Budget Policy Statement, this House resolves to extend the period for consideration of the 2026 Budget Policy Statement by a period of seven days from 25th February 2026.

Hon. Speaker, this is a Procedural Motion to allow ourselves at least another seven days to allow our Departmental Committees to conclude the work that they are currently doing in consideration of the Budget Policy Statement.

I request the Deputy Whip of the Majority Party, Hon. Naomi Waqo to second.

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Speaker, I second.

(Question proposed)

Hon. Speaker: Can I put the question?

Hon. Members: Yes.

(Question put and agreed to)

Next Order.

Hon. Speaker: Leader of the Majority Party, is Hon. Shurie in the House?

Hon. Kimani Ichung'wah (Kikuyu, UDA): No, but I am giving the notice on his behalf.

Hon. Speaker: Proceed.

EXTENSION OF PERIOD FOR CONSIDERATION OF
THE 2026 DEBT MANAGEMENT STRATEGY

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I beg to move the following Procedural Motion:

THAT, notwithstanding the provisions of Standing Order 232A(4) relating to timelines for consideration of Debt Management Strategy, this House resolves to extend the period for consideration of the 2026 Debt Management Strategy by a period of seven days from 21st February 2026.

Hon. Speaker, as I said about the BPS, this Procedural Motion is meant to allow our Departmental Committees another seven days to conclude this business, which has statutory timelines. We were to have just 14 days to complete it.

I request the Whip of the Minority Party to second.

Hon. Speaker: Hon. Millie.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Hon. Speaker, I second.

(Question proposed)

An Hon. Member: Put the question.

(Question put and agreed to)

Hon. Speaker: Hon. Members, while on my feet, allow me to acknowledge students seated in the galleries. In the Speaker's Gallery, we have students of Urafiki Carovana School from Ruiru Constituency, Kiambu County. In the Public Gallery, we have students from Kisii University. I believe they are students from Nyaribari Chache Constituency, Kisii County. We also have students of Nguviu Boys High School from Manyatta Constituency, Embu County; and BIRTHIA Girls from Othaya Constituency, Nyeri County.

On my behalf and on behalf of the House, we welcome the students, their teachers and those accompanying them to the House of Parliament.

(Applause)

Any Member who wants to welcome students from their constituency must have the courtesy to consult the Speaker in good time. Is that not the practice?

Hon. Members: Yes.

BILLS

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*Second Reading*THE NATIONAL COHESION AND INTEGRATION BILL
(National Assembly Bill No. 74 of 2023)

*(Moved by Hon. (Eng.) Paul Nzengu
on 18.2.2026 - Afternoon Sitting)*

*(Debate concluded on
18.2.2026 - Afternoon Sitting)*

(Several Members stood in their places)

Hon. Speaker: Hon. Members on your feet, resume your seats.

(Question put and agreed to)

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

*First Reading*THE DIVISION OF REVENUE BILL
(National Assembly Bill No. 2 of 2026)

*(The Bill was read a First Time and
referred to the relevant Committee)*

COMMUNICATION FROM THE CHAIR

RECOGNITION OF MRS FLORENCE ATENYO ABONYO

Hon. Speaker: Hon. Members, I wish to recognise and pay tribute to one of our distinguished members of staff, Mrs Florence Atenyo Abonyo, OGW, Director of the Audit, Appropriations and General-Purpose Committees of the House, who is retiring from public service. Mrs Abonyo began her public service career on 19th July 1991 during the 6th Parliament when she was posted to Parliament as a Third Clerk Assistant by the Public Service Commission. In those days, Parliament was a department under the Office of the President and parliamentary staff were employed, deployed and transferred by the Public Service Commission.

Between 1991 and 2012, she served both in Committee operations and as a Clerk-at-the-Table. During this period, she gained practical experience in parliamentary procedures and processes as well as in committee operations. Her dedication and commitment saw her rise through the ranks to become the Director of Committee Services.

As a Committee Clerk, Mrs Abonyo served diligently in the following Committees:

1. The Public Investments Committee under the chairmanship of the late George Anyona, Hon. (Prof.) Anyang' Nyong'o and the late Mwangi Githiomi.

2. The Departmental Committee on Finance, Planning, Tourism and Trade under the chairmanship of Hon. Simeon Mukala, the late Hon. Soita Shitanda, Hon. Mutahi Kagwe, and Hon. Chrisantus Okemo.
3. The Departmental Committee on Agriculture, Lands, and Natural Resources under the chairmanship of Hon. Franklin Bett.
4. The Select Committee on Equal Opportunity under the chairmanship of Mohamed Abdi Affey.

In October 2012, Mrs Abonyo was appointed as the pioneer Director of Committee Services in the National Assembly where she played a central role in establishing the committee structures following the re-introduction of bicameralism in the Parliament of Kenya. It was during this time that the inaugural vetting and approval hearings for Cabinet Secretaries and other State officers were conducted by Committees with their respective secretariats under her overall guidance. She has also served as a Member of the National Assembly Board of Management where she has made contributions to the development of policy proposals that have informed key institutional decisions in the administration of Parliament. In addition, she served on the Parliamentary Service Commission Staff Disciplinary Committee and the National Assembly Staff Training Committee where her insights and experience enriched staff governance, discipline and capacity building initiatives.

Her tenure in Parliament has seen her work alongside many prominent leaders in the country including the late President Daniel Arap Moi, the late President Mwai Kibaki, the late Hon. Jaramogi Oginga Odinga; the former Prime Minister, the late Hon. Raila Amolo Odinga, the late Hon. Martin Shikuku, among others. In the same vein, she has served under five Speakers of the National Assembly and eight Deputy Speakers. The Speakers under whom she has served are Hon. Jonathan Ng'eno, Hon. Francis Ole Kaparo, Hon. Kenneth Marende, Hon. Justin Muturi and yours truly. In recognition of her stellar...

(Hon. Robert Mbui spoke off the record)

Hon. Robert Mbui, are you the one asking what the term 'yours truly' means? Are you the only stranger in Jerusalem?

(Laughter)

In recognition of her stellar and distinguished service to Parliament and the nation, Mrs Abonyo was awarded the Order of the Grand Warrior of Kenya (OGW) by His Excellency the President in December 2023 on recommendation by yours truly.

Ms Abonyo will officially leave parliamentary service today, 19th February 2026 after 34-and-a-half years of service, covering eight Parliaments, from the 6th Parliament to the 13th Parliament. Today, being her last day in service as an officer of the House, her presence in the Speaker's Procession as well as at the Table carries profound parliamentary significance.

Permit me to challenge you, Florence, to take the time to document your reflections on Parliament and your remarkable journey within the legislative environment. Your experience and insights will be an invaluable contribution to this House's institutional memory and an inspiration to those who will come after us.

On behalf of the National Assembly, the Parliamentary Service Commission, and on my own behalf, I wish to extend our profound gratitude to Mrs Abonyo for her dedicated and diligent service to Parliament. We wish her every success in her future endeavours. May they be met with the same grace, purpose and excellence that have distinguished her service to this House. Congratulations, Florence. We wish you well.

I have worked with Florence in many Committees and I can tell you that there is not a single moment that she offended any Member, was admonished by any Chairman, caused anyone to frown or molested any visitors to the Committees. She has always acted with grace, distinction and commitment to service. As we see her off, we will continue using her services as a resource person as and when we have opportunities for her to do so. We encourage you to remain a patriotic Kenyan and to remain committed to the service of your country. We wish you well in future.

Hon. Members, I will now give opportunity to a few of you to speak to the distinguished career of Florence Abonyo for just two minutes each. I will dedicate 30 minutes to that endeavour, starting with the Leader of the Majority Party. On the Minority side, we will have Hon. Millie Odhiambo. I will then give a few of you an opportunity to contribute. Florence asked me to give an opportunity to one or two Members whom she worked with in Parliament, namely, Hon. Kamket, Hon. Nabulindo and Hon. Shakeel. I do not know if Hon. Nabulindo is present. Let us start with the Leader of the Majority Party, who will have two minutes to contribute. Hon. Millie will also have two minutes to contribute. The rest will have one minute each to contribute.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. I want to join you in congratulating Florence for her many stellar years of service to Parliament, particularly the National Assembly, and to Kenyans by serving their elected representatives. When I joined this House way back in 2013, I was fortunate to deputise Hon. Keynan, the father of the House, as his Vice-Chairperson in the Public Investments Committee. We worked very closely with Florence.

(Loud consultations)

Hon. Speaker: Order, Members! Order, Member for Nairobi City County. The least you can give Florence is to sit and listen in total silence. I order the Clerk that the proceedings relating to Florence be compiled and forwarded to her for her records.

Go on, Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. I had the opportunity to work with Florence when I served as the Vice-Chairperson of the Public Investments Committee in 2013.

I worked with her as a Vice Chair of the Public Investments Committee in 2013. Indeed, as you have said, Florence would never offend any Member in the Committee. We had a large Committee of 27 Members, and it was a difficult Committee to manage, considering the workload of the Public Investments Committee. We had a very efficient Chair in the name of Hon. Keynan, the Member for Eldas Constituency. As strict as Hon. Keynan was in the production of reports, the Clerk Assistant, Ms Susan Maritim, who was a Clerk Assistant to the Committee, often had to call for the support and assistance of Florence. She came to serve in the Committee as a Clerk Assistant, knowing that she was a bit more senior than clerking services. That speaks volumes of the humbleness with which Florence has been able to serve this country and this House.

Her stellar performance as a Legislative Assistant, working from the position you have said as a Committee Clerk Assistant III, rising all the way to become the first Director of Committee Services under the new Constitution, speaks to her commitment and dedication to duty as an officer of this House.

I want to say, Florence, you have done not just yourself proud, but served this country in a very patriotic manner. You have served all these Members and those that served before us. You have served at least seven Parliaments. You have seen very many Members transition through this House as Members of Parliament, served under four Presidents, and that speaks

volumes in terms of the experience that you have had over the years. I want to join the Speaker in appealing to you, please, in your quiet time, take time and put down your memoirs and notes to guide the younger members of staff who have been working under you, and those who will join this House as members of staff in the future. If there is anything I know of Florence, having served with her in the Public Investments Committee, if you speak about integrity, if you are looking for integrity in a member of staff, walk to Florence Abonyo and you will know what integrity means. It is not just about not offending Members or visitors or witnesses who appeared before Committees, but also in the way you conduct yourself as a member of staff.

We have had instances where members of staff approached witnesses at times for not very good things, even demanding favours here and there. That has never been the case for the time close to three terms of Parliament that I have served with Florence in this House. I want to encourage you and wish you all the best in all your future endeavours. As the Hon. Speaker has said, we look forward to seeing you as a resource person. We look forward to benefiting from your immense experience. I wish we had more time to learn from you, especially for those who joined us this term. This week you just sent out Hon. Kibagendi for things he said out of the House but I still see a number of us who are serving our first term saying very unpalatable things on television. This morning, I saw a clip forwarded to me of somebody who was saying on television again that he forced something to be done in this House. I was wondering who you are to force anything to be done in this House. I wish these first term Members can learn from seasoned officers like Florence, for House procedures are there for all of us to learn.

I wish later on, I will be speaking to you, Hon. Speaker, for it is a matter related to a Bill that I have brought to this House. I will not allow people to move around disparaging this House, seeking to get cheap credit on national television by claiming that you force people to do things. There is no one who is here to force anybody to do anything. Let us all learn the procedures of the House in terms of how Bills and Motions move in this House. Learn from good officers like Florence. Florence, we wish you all the best in your future endeavours. We wish you a long life post your working life. You have done 35 years of great service to the nation. We wish you twofold of those 35 years of service to your family, good time with your children, your husband and your family. We wish you all the best and good health in all the days of your life. May the Almighty God bless you immensely?

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Millie, you have two minutes.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Speaker. Let me join the House to also celebrate Florence Abonyo. I have known her for a long time. Just as Hon. Caroli is saying, she was a classmate. I am very young, but she was actually my classmate at the university. She was studying Political Science while I was studying Law. I know Florence within Parliament. She has been very diligent. She has been an excellent servant of this House. We served with her in the Departmental Committee on Social Protection, and we were stuck with her in Denmark when there was the Icelandic ash. Within the period we were stuck with her, I saw an excellent officer of this Parliament. I can tell you that this House would have lost a very good officer.

I wish there was a way in which we can infuse and impart some of the lessons from excellent officers like her, but I am happy that at least on 11th December 2023, she was awarded by His Excellency the President of the Republic of Kenya the Order of the Grand Warrior in recognition of stellar, distinguished and outstanding 32 years of service rendered to Parliament and the nation. If there is one service that deserved it, it is this lady. I want to challenge even the other staff of Parliament, that one time when you leave here, what will people say about you? There are some of us who do not flatter. If I thought you were doing nonsensical work, I would not stand here and praise you. If you are doing excellent work, I will stand here and praise you.

I know there are officers who are also doing very good work. I am looking forward, though unfortunately some will not retire during my time because they are younger. They are doing excellent work, and I hope we can keep that, for you are working with politicians, and you have to make sure that, regardless of what side a person is, whether they are in Opposition or on the Government side, your business is to serve all Members of Parliament equally. You have done that very well. I want to pray that even as you proceed, moving on and doing excellent work out there, for I know you are too young... Some people were enjoying you yesterday and telling you, you look like you are only 45. I also look like I am 30.

(Laughter)

Yes, but what do I say? You only look like you are 45. You are not yet, you know; you cannot quite retire from service. Some of us can go out with you, mentor girls, train them and do a lot of work that can build society. I conclude by saying, May the grace of the Lord.... Yes. Can you finish with me?

(Hon. Kimani Ichung'wah spoke off the record)

... and the fellowship of the Holy Spirit be with you now and forevermore. Amen.

I wanted to see if Hon. Ichung'wah knows. Instead, he is telling me you look 25. Do not focus on my looks. Focus on blessing Florence.

May God bless you.

Hon. Speaker: Next is Hon. Kamket. The rest of the Members will have one minute each.

Hon. Kassait Kamket (Tiaty, KANU): Thank you, Hon. Speaker. I want to join my colleagues in celebrating Mrs Florence Abonyo. Personally, I have had the privilege of working with her as a colleague. I want to attest to the fact that Florence, as has been described by you, is a very diligent public servant. Moving forward, I want to suggest that in order to make use of such great minds and such great personalities, the Centre for Parliamentary Studies and Training (CPST) should be the place where such very valuable Kenyans with this knowledge of Parliament can go and serve. The CPST is a good institution where we can make use of her immense knowledge of parliamentary activities.

Hon. Speaker, somebody was saying that Florence looks 25, but I think she actually looks 16. It is amazing how she has kept her body. I want to challenge all the ladies in this House to consult her privately in terms of what she has been consuming in order to keep a good body.

Finally, since she is now retired, and before you determine whether she goes to the CPST, I want to invite her to join Ms Millie in the *TUTAM* movement. Now that she is out of public service, she can join campaigns to ensure His Excellency the President gets a second term.

Hon. Speaker: Hon. Shakeel Shabbir, in one minute.

Hon. Shakeel Shabbir (Kisumu East, Independent): Thank you, Hon. Speaker.

I join my colleagues in honouring this great lady, Florence. I came to this House for the first time in 2007 and I was in the very powerful Departmental Committee on Finance and National Planning. We had the former Minister for Finance and several other people, including Hon. Kaloki. It was a very difficult Committee to handle.

We used to call madam Florence our prefect. She was very articulate, very honest, very humble, very polite, and very loyal. I also continued with her in the committees from 2013 to 2018. I was not with her in 2022. She is one of my constituents. We will take care of her when she comes back home. We will honour her and slaughter a couple of *mbuzis* for her so that the

people in Kisumu East know that she is an honoured and distinguished member who served Parliament for 34 years.

Hon. Speaker: Hon. Kangogo Bowen. One minute.

Hon. Kangogo Bowen (Marakwet East, UDA): Thank you for the opportunity to congratulate our senior staff, Abonyo, whom I have known for 13 years. I was placed in the Departmental Committee on Justice and Legal Affairs (JLAC) when I joined this House in 2013. Hon. Chepkonga headed it. I knew Florence during induction, even before Committees started working. Florence is a very dedicated officer. She served us well over the last 13 years that I have been in this House.

I just wish her well as she retires. I support what Hon. Kamket has said; that we have the likes of Florence who are very knowledgeable in parliamentary matters. If the CPST is ready, these are the officers who are supposed to be there so that we can still utilise their knowledge and expertise on issues parliament.

Otherwise, I wish her well.

Hon. Speaker: Hon (Dr) Makali Mulu, stick to one minute.

Hon (Dr) Makali Mulu (Kitui Central, WDM): I will actually do less than a minute, Hon. Speaker. Thank you for the opportunity. I have known Florence for many years. Actually, I confirm those saying she looks 18 years old. I saw her when she was around 20 years old because she was my classmate. We were in the same year at university. I also interacted with her during the Tenth Parliament. I worked with her very closely when I came here to train new parliamentary Committees as a consultant.

If there is an honest officer, I can confirm to this House that it is Florence. If there is an officer who is committed to her work, it is Florence. I wish her all the best as she retires. May the almighty God provide her with sufficient grace. May she now serve her family, Kenyans and God. Amen. Go well.

Hon. Speaker: Hon. Irene Mayaka, one minute.

Hon. Irene Mayaka (Nominated, ODM): Thank you for this opportunity. First of all, I also join my colleagues in thanking Director Florence for her guidance and the 34 years she served in Parliament.

For some of us, Director Florence has been our political mother in Parliament giving us much guidance, showing us the right way to do things, and how to be leaders as Chairs of Parliament. The other day in the Liaison Committee, Hon. Caroli mentioned that he was a classmate with Director Florence. I was very shocked because Hon. Caroli has lost all his hair but Florence still looks very young.

I wish Florence the very best and a lot of fun. This is the beginning of a new life. It is a life where you now have no rules. Please, go and have fun. We will still be looking out to you for guidance and mentorship.

Hon. Speaker: Hon. Chepkonga. One minute.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Thank you very much, Hon. Speaker.

I join you in congratulating madam Abonyo for the well-deserved retirement. I join Hon. Millie to confirm that I was shocked when I was told that she is retiring. For me as a Commissioner, I have always thought that she must be somewhere in the region of 45 years. I was shocked that she is heading to that age that I do not want to mention.

Nelson Mandela said that education is the most powerful weapon to use to change your world. Indeed, what madam Florence has done with education is a testament. For those she has worked with, she has not only changed our world but also the world of Parliament. I remember what Benjamin Franklin, one of the writers of the Constitution of the US said. He said education pays the best interest. When you see what madam Florence has earned, indeed, the interest that she has earned as a consequence of the education she attained at the university she attended is a testament to what education can do to a person.

The only sad thing she left me with when I was a commissioner was asking myself why she did not apply for a promotion to be a Deputy Clerk, you know. That is the only sad thing. We wanted to promote her but she never applied. I even called her.

Hon. Speaker: That is her modesty.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Oh, yes. I think so. She allowed others. You know she reads the Bible more than we do, where Jesus said be humble. Literally, she was humble. She allowed others to apply whenever someone said they wanted to apply. That is the humility in Florence. In fact, we had situations as Commissioners but she was one very calm person. You would not distract her by annoying her. I would easily walk her to her office.

Hon. Speaker: Your minute is over.

Hon. Samwel Chepkonga (Ainabkoi, UDA): I still have more.

(Laughter)

Hon. Speaker: Hon. Ochanda.

Hon. Gideon Ochanda (Bondo, ODM): Thank you, Hon. Speaker.

I have known Florence for an additional five years on top of the years she has been serving in Parliament. That is, I have known her for an additional five years on top of the 35 years. Her determination and resilience were witnessed when we were graduating as pre-university National Youth Service (NYS) graduates. We were going through NYS training before we went to university. It was a show of determination and resilience for a lady finishing that at that time.

Beyond that, it is also important to appreciate not just Florence but also the institution that has been her employer. Serving in one institution for 34 years does not just mean anything. For example, it would be very difficult for me serving in one institution for 34 years like Florence. It means Parliament is a competitive employer that we really need to see when our staff work through to the end.

I wish Florence well. Fare thee well, Flo. I believe that you still have some time to contribute to this nation. Thank you very much.

Hon. Speaker: Hon. Dido Raso.

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Speaker.

First of all, we must thank you. You sent off the Chief Serjeant-at-Arms in a most colourful ceremony last year. It is Director Florence Obonyo today. Hon. Speaker, you know human beings want to be appreciated. The more you appreciate them the more they are likely to work hard. It is a testament they are trailblazers in this House when I see Florence Obonyo and the galaxy of ladies who work in Parliament. They set a path for others to walk along.

I meet Florence Abonyo in our Committee. She sits, but she will never talk. She pushes notes to the clerks and indirectly she is building others. Her stellar performance is also because of the way she carries herself. We must thank you, Hon. Speaker, and also celebrate you. This is the best way to send off officers so that others who follow her path will also see that this is the send-off they are likely to get.

Hon. Speaker: Thank you.

Hon. Ali Raso (Saku, UDA): Finally, the OGW Award is normally not given. You earn it for working very hard. With those remarks, I think Florence...

Hon. Speaker: Hon. Rozaah Buyu. Hon. Ali Raso, your time is up. One minute is over.

Hon. Ali Raso (Saku, UDA): Thank you, Hon. Speaker.

Hon. Speaker: Use your one minute diligently.

Hon. Rozaah Buyu (Kisumu West, ODM): Hon. Speaker, I thank you for this opportunity to talk about *Nyar County*. *Nyar County* simply means the lady of the county, and

in this case the county is Kisumu County. The people who are going to be poorer for not having met...

Hon. Speaker: There is a song by Kenny Rogers called 'Coward of County'.

(Laughter)

Hon. Rozaah Buyu (Kisumu West, ODM): Hon. Speaker, the people who will be poorer for not having met Florence Abonyo are the future first-timers in this Parliament. When I first met Florence in 2017 when I was a first-timer, she reached out to me when I was looking confused as to what Committee I should request to be part of. I am sure she reached out to many first-timers too. She would guide you to let you know what was actually involved in each Committee. The lady who is leaving us today is a lady who has nurtured many of us. We might not be as decent as she is but she has tried to make us quite decent so that at least we can follow her path.

Hon. Speaker: I did not know that you know.

(Laughter)

Hon. Rozaah Buyu (Kisumu West, ODM): Hon. Speaker, I would just like to thank Florence on behalf of the first-timers that she nurtures, guides and makes them feel comfortable in their legislative work in this Parliament. As much as she is from our county, I would also like to ask her to spread her wings. You have worked well here and Kenya is waiting for you. Thank you and may God bless you.

Hon. Speaker: Good. Hon. Wamumbi.

Hon. Eric Wamumbi (Mathira, UDA): Thank you very much, Hon. Speaker, for according me this opportunity. Many of us may not have interacted with Director Florence, but following the praises she has received from colleagues, it tells that she is a good person. Director Florence joined service when I was only four years old and we can all testify that God has given her grace. Looking at her, I was actually searching for the Member for Murang'a County to take lessons from Director Florence so that when she will be retiring, she will be looking like Director Florence. We wish you God's blessings. We wish you well in your future endeavours.

(Laughter)

Yes, I was actually looking for the Member for Murang'a County so that she can link up with the Director to take lessons of what she has done to look all this good.

Hon. Speaker: You should be the one telling the House where she is.

(Laughter)

Hon. Eric Wamumbi (Mathira, UDA): We wish you well, Director Florence, and may God bless you.

Hon. Speaker: Member for Jomvu.

Hon. Bady Twalib (Jomvu, ODM): Asante sana, Mhe. Spika. Mimi nachukua fursa hii pia kumpongeza Mkurugenzi Florence. Nilimjua kipindi changu cha kwanza mwaka 2013 ambapo alikuwa katibu msaidizi wetu wa Kamati ya Utangamano wa Kikanda na aliweza kutusimamia vizuri sana. Mfano wa Mkurugenzi Florence ni mzuri na leo kila mmoja anamuomba kila la heri. Vilevile tusiwavunje nguvu wale ambao wako nyuma kwa sababu wale ambao hawajaweza kustaafu pia nao wanafanya kazi nzuri katika Bunge hili la Kenya. Kwa hivyo ni vizuri sana kuona kuwa ujuzi na taaluma ya Mkurugenzi Florence, hata kama

amestaafu leo, bado unahitajika na Bunge. Kwa wakati wake akipata nafasi anaweza kuja pia kuwashikilia wengine.

Kwa niaba yangu na kwa niaba ya watu wangu wa Jomvu, ambapo nimeweza kuhudumu kwa vipindi vitatu, namuomba kila la heri katika maisha na aendelee na maisha mazuri anapotoka hapa Bunge. Asante sana.

Hon. Speaker: Hon. Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Speaker. Let me take this opportunity to sincerely thank and congratulate Mama Florence for the good service she has offered to the Parliament of Kenya. I first met Florence when I came to Parliament in 2017 during the induction. I again met her when I went to the Public Accounts Committee in 2020. All along, it has been a wonderful experience working with her. Such gems or such good people only come from one university, the University of Nairobi. Go well and serve the people of Kenya.

Hon. Speaker: Hon. Ndindi Nyoro.

Hon. Ndindi Nyoro (Kiharu, UDA): Thank you very much, Hon. Speaker. I also rise to laud the service that Director Florence Abonyo has given to this Parliament and the Republic of Kenya. It is a testament that, number one, meritocracy is always the best way to recognise talent, because given her experience and knowledge, has manifested even in her service.

Secondly, we must continue to give the ladies of Kenya an opportunity to serve, because it seems they can do much more, given the service we have seen. I am sure we are all convinced, as men in this House, that more ladies need positions of influence because they have shown that they have all that it takes to serve in various positions.

Lastly, I have served with her in various Committees and I laud her for her dedication and, of course, her love for this country and for her patriotism. We wish her the best. By the way, I did not know that young people are retiring. She does not look like a person who is retiring. She needs something else to serve in this nation so that her experience and expertise can be of help to our country.

Thank you very much.

Hon. Speaker: Hon. Jayne Kihara.

Hon. Jayne Kihara (Naivasha, UDA): Thank you very much, Hon. Speaker, for giving me this chance to applaud Florence and congratulate her for her dedication to service. I think in this House, other than the Speaker for now, I am the one who has worked with Florence the longest. I was with her in the Ninth Parliament in the absence of Hon. Wanjala, who was here in the Eighth Parliament. I remember I was given a trip by the then Deputy Speaker, Hon. David Musila. Three ladies in the Liaison Committee were given the trip because there were no women chairpersons in any of the committees yet the places we were going needed women. So, Hon. Amina Abdallah, Hon. Christine Mango and I were picked and that is the time we were really nursed by Director Florence. She is kind and pleasant. She also knows how to balance her time because she is such a serious work-out person. She really works out and that is why she looks very young. Florence, I have worked with you, I loved you and you are a teacher to most of us in the procedures of this Parliament. So may you go well. May God take care of you and your family and I hope a chance comes that you will be able to serve this country even more. Thank you very much.

Hon. Speaker: Hon. Murugara.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Speaker. Allow me also to join you and the House in congratulating Madam Florence. I have worked with her for about eight years now and I remember very well when I came to Parliament in 2017, I was in the Justice and Legal Affairs Committee and the Committee on Delegated Legislation. She would actually visit us from time to time especially to guide us on how to do our work. The

three A's that apply to excellent employees apply to her. That is affability, amiability and availability.

Ms Florence is a very affable or amiable lady in that she loves everybody. She wears a smile whenever you approach her for anything. She emulates you, Hon. Speaker. I hardly see you frowning when we come to you. I hardly see Ms Florence frowning. She smiles all the time when serving people. We must emulate her and Hon. Speaker, even when dealing with the difficult cases and voters in the constituencies who irritate us sometimes. We must emulate her, wear a smile and give them the best of the service so that they also feel contented. We always feel this way when we are with Ms Florence when we are doing committee work and the rest of the work.

Thank you very much Ms Florence. May God bless you. Go well.

Hon. Speaker: Hon. Passaris.

Hon. Esther Passaris (Nairobi City County, ODM): Thank you, Hon. Speaker, for giving me this opportunity to wish and bid farewell to Ms Florence Atenyo Abonyo, OGW. I am honoured to share the same commendation as you. When I think of Ms Florence from the time I met her in 2017 to now, I feel that she could have gone higher than this in her career.

She was excellent in her performance. What went against her in rising to the highest office in Parliament was tribe and gender. However, she took her strides and worked diligently to serve Parliament that she was appointed to serve. I serve in the Public Investments Committee on Commercial Affairs and Energy. When she sent the Members of the Committee a message, she said it was a privilege serving.

I know that Ms Florence has what it takes to rise to be the Clerk of the National Assembly. This did not happen because at the time, she was probably not the right tribe or gender, but she served us well. We commend and celebrate you as a woman of service. It was a privilege to be served by you. God had a plan and purpose for you which you served well. We wish you and your family well.

Ms Florence joined Parliament in 1991. There was a general election in 1992. The presidential candidates were the late Hon. Jaramogi Odinga, the late Hon. Mwai Kibaki and the late Hon. Daniel Arap Moi.

Hon. Speaker: The late Hon. Kenneth Matiba was also a presidential candidate,

Hon. Esther Passaris (Nairobi City County, ODM): Yes, the late Hon. Kenneth Matiba was also a presidential candidate. From that time to today when we have President William Samoei Ruto, we are still fighting with the challenges of tribalism. We need to break that. The National Assembly needs to unite this country, so that a woman like Ms Florence, who has everything it takes, cannot miss an opportunity to be the Clerk of the National Assembly because she is a Luo. I wish you well. I celebrate you. May God give you the best life forward.

God bless you. Thank you, Hon. Speaker.

Hon. Speaker: Hon. Farah Maalim, contribute for half a minute.

Hon. Farah Maalim (Dadaab, WDM): Hon. Speaker and I remember Madam Abonyo in 1992 when we came to Parliament. She was one of the most beautiful young Kenyan ladies I had seen at that time. Strange enough, she has kept that shape all through. I do not know what the secret is. I keep asking her every time I run into her, but she does not tell me.

She is a fantastic and super professional lady. I am sure wherever she goes, because nobody will believe that she is 60 years old, she will do more with her old age. We wish you all the best. We love you so much. We would have loved you to stay a few more years with us, but that is in vain. This is how things happen. I wanted to retire with you five years from now. However, it is too bad because I am younger than you.

Hon. Speaker: Commissioner Faith Gitau is the Chair of the Parliamentary Service Commission Staff Welfare Committee.

(Applause)

Hon. Faith Gitau (Nyandarua County, UDA): Thank you very much. As the Chairperson of the Staff Welfare Committee, I have interacted with Ms Florence on many occasions. I can confidently say that she is an exemplar of excellence. In the discharge of her duties, she has clearly demonstrated keen knowledge, efficiency and profound administrative skills. She has also demonstrated to younger women that it is possible to shatter glass ceilings through courage and strong willpower. Kudos Madam Florence. You have served with honour. We honour you today. May the Lord go with you. May He bless you, give you favour and surround you with his presence. Congratulations.

(Several Members stood up in their places)

Hon. Speaker: Thank you. Members on their feet, take your seats. Mama Dago, take your seat. Hon. Oundo, take the nearest seat.

Hon. Members, thank you for all those kind words about Ms Florence Abonyo. I can tell you as a House that in the early 1990s, Ms Florence Abonyo, several Members and I travelled to Chile in South America. There was a young officer in our delegation who had a bad habit of consuming huge doses of alcohol.

(Laughter)

He consumed alcohol and became a nuisance during the trip. When we came back, Ms Florence called the young man and me. She told him: I want to talk to you as a lady. Stop consuming alcohol or it will consume you. The young man did not stop. He was eventually sacked, and he consumed alcohol until it killed him. Ms Florence is a mother with motherly instincts and advice.

(Applause)

In the last Parliament, when the Government became vindictive against some Members of staff, Ms Florence was maliciously singled out as having leaked information to undeserving individuals which was all false. Yours truly rendered her *pro bono* legal services.

(Applause)

I scared away those who were tormenting her. She continued working until today when she is retiring. Members, in honour of Ms Florence Abonyo, I ask you to be upstanding.

(Members stood up in their places)

She will have a procession, escorted by our members of staff who are here. You can go ahead and clap for her.

(Ms Florence Abonyo was escorted out of the Chamber by Clerks-at-the-Table)

(Applause)

Order, Members. Thank you, Hon. Rozaah. Hon. Members, many of you privileged to serve in this House, even if you are not members of staff, pick a leaf from Ms Florence Abonyo in humility, dedication, respect and commitment to Parliament and the country. Serve without expecting rewards.

Thank you.

Hon. Members: Amen.

Hon. Speaker: Hon. Members, before we go to the next Order, allow me to recognise, in the Speaker's Gallery, Kamacharia Girls High School, Mathioya Constituency, Murang'a County. We also have Tembo Girls High School from Sotik Constituency, Bomet County in the Public Gallery. On my behalf and that of the House, we welcome the students, their teachers and those accompanying them to the House of Parliament.

Next Order.

QUESTIONS AND STATEMENTS

REQUESTS FOR STATEMENTS

Hon. Speaker: Hon. Members, we now go to the Statement by Hon. Umulkher Harun.

ABDUCTION OF MR SAMBUR ABDULLAHI AND MR MOHAMED YARO

Hon. Umulkher Harun (Nominated, ODM): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the abduction of a resident in Hulugho Sub-County, Garissa County.

On the afternoon of 6th February 2026, two men, Mr Sambur Abdullahi Olu, a 75-year-old resident, and Mr Mohamed Yaro, were allegedly abducted from their locality by individuals using two motor vehicles, both Toyota Hilux, one black and the other white. The white vehicle reportedly bore registration number KCR, while the registration number of the other vehicle is yet to be established.

[The Speaker (Hon. Moses Wetangula) left the Chair]

*[The Deputy Speaker
(Hon. Gladys Boss) in the Chair]*

Hon. Deputy Speaker, Mr Sambur was forcibly taken from his compound, prompting his family to pursue the vehicles and successfully rescue him. However, Mr. Mohamed Yaro, who is believed to have been put in the second vehicle remains missing to date. His continued disappearance has caused immense anguish to his family and the community and raises grave constitutional and human rights concerns. It is unclear whether the two victims were apprehended by security personnel or a criminal group.

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

1. The whereabouts and status of Mr Mohamed Yaro, including an indication of whether he is in the custody of any state agency and the actions being taken to secure his immediate release.
2. The findings of investigations into the events of 6th February 2026, including the ownership of the indicated motor vehicle registration number, whether the

vehicle is associated with any security agency, and any disciplinary or criminal actions taken against those found culpable.

3. The safeguards in place to prevent abductions, arbitrary arrests, enforced disappearances, and the impersonation of security personnel.

This adds to the other statements addressed earlier regarding Mohamed Yaro and four other young men who are also missing from Garissa and are yet to be returned, and to which the Ministry has not provided a sufficient response.

Hon. Deputy Speaker: Chairperson for Departmental Committee on Administration and Internal Security.

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Deputy Speaker. We will attempt to respond in two weeks' time. With regard to what the Member alluded to concerning several other statements that were not responded to, the majority of them lapsed at the end of the Fourth Session. However, pursuant to our procedures and Standing Orders, if the person has not been found, she may re-submit the same statement.

Hon. Deputy Speaker: The next statement is requested by Hon. Walter Owino.

DELAYED SETTLEMENT OF DUES
OWED BY SONY SUGAR COMPANY

Hon. Walter Owino (Awendo, ODM): Hon. Deputy Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a statement from the Chairperson of the Departmental Committee on Agriculture and Livestock regarding the prolonged non-settlement of arrears owed to sugarcane farmers, sugar factory workers, and other service providers by Sony Sugar Company.

In May 2025, the Government finalised the leasing of five state-owned sugar factories. By then, Sony Sugar Company had accumulated unpaid salaries, gratuities, pension contributions, leave allowances, and other lawful monetary entitlements owed to workers. Additionally, the company owed sugarcane farmers, cane transporters, and suppliers who had delivered goods and services.

The Ministry of Agriculture and Livestock Development undertook to settle all outstanding accrued arrears as at the lease handover date by July 2025. Despite that undertaking, the farmers, suppliers, and employees who lost their jobs following the restructuring by the private investor are yet to be paid. They have persistently followed up with the relevant authorities, but neither have their dues been settled nor has a clear settlement plan and payment timeline been provided.

This situation has continued to erode confidence in the sugar sector reforms and has subjected livelihoods that rely on the sugarcane value chain to severe economic distress, including the inability to meet basic needs, service loans, pay school fees, and access medical care.

It is against this background that I seek a statement from the Chairperson of the Departmental Committee on Agriculture and Livestock on the following;

1. The reasons for the failure by the Ministry to settle arrears owed to workers, farmers, and suppliers of Sony Sugar Company by July 2025, as earlier indicated.
2. The total amount owed to workers and farmers, indicating the number of persons affected following the restructuring of Sony Sugar Company by the private investor, and the amounts due to each.
3. The measures put in place by the Ministry, including budgetary provisions, to ensure the immediate settlement of all pending arrears and the timeline for payment.

Hon. Jared Okello (Nyando, ODM): On a point of order, Hon. Deputy Speaker.

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

Hon. Jared Okello (Nyando, ODM): Hon. Deputy Speaker, thank you very much for the opportunity. Allow me to join my brother, Hon. Walter Owino of Awendo. This matter is not unique to Sony Sugar; it cuts across all four Government-owned sugar companies.

On 19th May 2025, to be specific, there was gazettelement of new lessees to the sugar companies. It had been promised that before the new investors took office, the Government of Kenya would pay all pending dues to workers and farmers alike. On top of that, there are outstanding payments for sugar that had been sold but not settled. There are people who paid for sugar to be delivered, transactions occurred, and money was lost. These are liabilities now accruing to these sugar companies.

Even as the Agriculture Committee sits to interrogate these issues around sugar and the sugar companies, it is important to collate all outstanding dues to workers in all these sugar companies together with those owed to farmers. If we do not do this, many people, nearly 70 per cent, who were offloaded from the former companies by the new investors cannot take their children to school or attend to their sick in hospitals. Some have reportedly died as a result of frustration. This is a matter we need to expedite and get to the bottom of so that it can be resolved once and for all.

Hon. Deputy Speaker: Chairperson, Departmental Committee on Agriculture and Livestock.

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Thank you, Hon. Deputy Speaker. Sugar matters are currently a burning issue, and there are many concerns surrounding payments. In two weeks, we will provide the Statement. We have been engaging with the State Department, and about a third of the time has been spent discussing sugar issues. I am sure the Ministry is alert to the issues and will provide a comprehensive report in two weeks.

Hon. Deputy Speaker: Thank you. Two weeks.

Next statement is by Hon. John Kaguchia, Member for Mukurweini. You changed spaces, okay.

NON-GRADING OF KENYA SIGN
LANGUAGE IN THE 2025 KCSE EXAMINATION

Hon. Kaguchia John (Mukurweini, UDA): Hon. Deputy Speaker, Pursuant to the Provisions of Standing Order 44(2)(c), I rise to request a Statement from the Chairperson of the Departmental Committee on Education regarding the non-grading of the Kenya Sign Language in the 2025 Kenya Certificate of Secondary Education (KCSE) Examination.

The Kenya Sign Language (KSL) was offered and administered as a subject to students without hearing impairment who were more than 12,000 candidates in the 2025 KCSE examinations. However, despite examining the non-deaf candidates whom we would refer as students without hearing impairment in the subject, the Kenya National Examination Council, (KNEC), excluded KSL grades in computing their final grades. This academically disadvantaged the students in the computation of aggregate grades causing them to miss the minimum university entry grades. Consideration of Kenya sign language in the final grading of students without hearing impairment in the 2024 examinations created a legitimate expectation among candidates, parents and educational institutions that a similar approach would be applied in the 2025 examination cycle. Notably, neither the Ministry of Education nor KNEC issued any circular, policy guideline or official communication to the effect that grading of the Kenya sign language would be restricted to learners with hearing impairment.

Despite the absence of such communication, KNEC proceeded to register candidates without hearing impairment for the subject, allowed them to sit for the examination, marked the scripts and thereafter declined to consider the results.

Hon. Deputy Speaker, it is against this background that I seek a statement from the Chairperson of the Departmental Committee on Education on the following:

1. Justification for exclusion of Kenya Sign Language from final grading for non-deaf candidates in the 2025 examinations despite the subject having been graded in 2024.
2. Reasons as to why the Ministry of Education and KNEC failed to issue any circular or communication on a change in the status of Kenya Sign Language as an examinable elective subject for candidates without hearing impairment, yet proceeded to register, examine and mark their scripts.
3. Immediate corrective measure that the Ministry intends to take to remedy the apparent procedural lapse to protect the academic outcomes and ensure equal treatment of the approximately 12,000 candidates affected nationwide.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you. Chairperson Departmental Committee on Education. As usual he is not there. The Leader of the Majority Party do you want to hold brief for him?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Yes Hon. Deputy Speaker. I will relay that to the Chairperson, Hon. Melly. He was here. He has stepped out. At least the Chairman, Departmental Committee on Education was seen in the House.

The Deputy Speaker: Do you want to undertake on his behalf?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Kaguchia could give us two weeks. Where is Hon. Kaguchia?

The Deputy Speaker: Hon. Kaguchia has crossed the Floor. Thank you. Hon. Mark Mwenje, Member for Embakasi West.

ALLEGED GRABBING OF PUBLIC LAND IN EMBAKASI WEST

Hon. Mark Mwenje (Embakasi West, JP): Hon. Deputy Speaker, pursuant to the provisions of Standing Order 44(2)(c), I wish to request for a Statement from the Chairperson of the Departmental Committee on Lands regarding the alleged grabbing of a public utility land in Umoja, Embakasi West Constituency.

The parcel of land, LR No. Nairobi/Block 1092380, situated along Moi Drive in Umoja area in Embakasi West Constituency was originally designated as a public utility intended for the benefit of residents. Despite the need for essential facilities including provision of a bus terminus to serve public service vehicles operating along the area, the land has allegedly been illegally occupied by a private individual. This alleged encroachment has raised concern among residents who rely on the facility for essential social services. Such encroachment, if not forestalled, could undermine public confidence in land administration and deny communities access to essential services.

Hon. Deputy Speaker, it is against this background that I request for a statement from the Chairperson of the Departmental Committee on Lands on the following:

1. A report on the current ownership status of LR No. Nairobi/Block 1092380 situated along Moi Drive in Umoja area, Embakasi West Constituency, including details of any allocation or change of user that may have been undertaken and the legality of such allocation or changes.
2. The steps being taken to investigate the alleged land grabbing and restore the land to its intended public purpose.
3. The immediate measures being taken to ensure that the residents regain access to the land for its intended public benefit.

4. The long-term measures in place to safeguard public utility lands from encroachment or misuse.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: The Chairperson of Departmental Committee on Lands. Leader of Majority Party it seems the Chairperson of the Departmental Committee on Lands is not here. You can hold their brief and give an undertaking on their behalf.

Hon. Kimani Ichung'wah (Kikuyu, UDA): I have not seen the Chairperson and the Vice-Chairperson of the Departmental Committee on Lands today. I will relay this request for a Statement to them. I ask Hon. Mwenje to give us two weeks.

Hon. Deputy Speaker: Thank you. The next is the Member for Loima, Hon. Protus Akujah.

UNAVAILABILITY OF NTSA SERVICES IN TURKANA COUNTY

Hon. Protus Akujah (Loima, UDA): Hon. Deputy Speaker, pursuant to the provisions of Standing Order 44(2)(c), I wish to request for a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding the unavailability of services by the National Transport and Safety Authority (NTSA) in Turkana County.

The NTSA is established under the National Transport and Safety Authority Act and its mandate is to regulate transport, safety, register licence, monitor vehicles, conduct inspections and certification, regulate public service vehicles and administer driver testing and licencing among other critical functions. In furtherance of this mandate, the Authority has established branches and county offices across the country to enhance provision of services. Despite Turkana County being the largest county by landmass covering an estimated 77,000 square kilometres, it does not have a functional NTSA branch. Due to this, residents are forced to travel long distances often to Eldoret Town in Uasin Gishu County to access essential services such as driving tests, insurance, collection of logbooks, number plates, motor vehicle inspections and other services. This imposes significant financial and logistical burden on residents including transport costs and other related expenses.

These circumstances undermine the constitutional principles set out under Article 232(1)(c) of the Constitution which requires public services to be provided promptly, effectively and equitably to all citizens.

Hon. Deputy Speaker, it is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure on the following:

1. The immediate plans by the Cabinet Secretary for Roads and Transport to provide NTSA services in Turkana County including specific timelines.
2. The long-term measures by the Ministry to ensure equitable decentralisation of NTSA services to underserved counties such as Turkana County across the country.

This will ensure that all of us reach Singapore at the same time as other Kenyans. Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Chairperson of the Departmental Committee on Transport and Infrastructure.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, perhaps Hon. Bady Twalib can speak on this matter. However, you should probably direct the Clerk to write to the Chairperson and Vice-Chairperson of the Departmental Committee on Transport and Infrastructure to inform them that the House resumed Business on 10th February and this is the second week of Sittings. They are never present. I have not seen them since we resumed.

Perhaps it skipped their diaries since they are very busy. They should be informed that the House resumed last week, Tuesday, 10th February.

Hon. Deputy Speaker: That has been noted. I shall inform the Committee.

Hon. Bady Twalib (Jomvu, ODM): Thank you, Hon. Deputy Speaker.

I wish to assure the Member for Loima that he will get a response in two weeks.

Hon. Deputy Speaker: At least Hon. Twalib has committed himself on behalf of the Committee. We shall hold you to it. Next is a request for a Statement by Hon. Omboko Milemba.

DELAYED PAYMENTS TO TEACHERS BY KNEC

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Deputy Speaker, pursuant to Standing Order 44(2)(c), I wish to request for a statement from the Chairperson of the Departmental Committee on Education regarding delays in payments to teachers and other examination personnel by KNEC.

In October 2025, KNEC engaged approximately 30,000 examiners for the Kenya Certificate of Secondary Education (KCSE) and 15,000 examiners for the Kenya Junior Secondary Education Assessment (KJSEA). The said teachers dedicated their time and rendered critical national service, often working under demanding conditions and away from their families. Regrettably, the Council is yet to disburse approximately Ksh2.7 billion owed to the teachers as remuneration for their services.

Further payments due to supervisors, invigilators, centre managers and marking centre personnel are also unpaid. This delay reflects a recurring pattern that adversely affects educators, disrupts their livelihoods, undermines morale within the education sector, while also raising concerns about the sustainability and integrity of the national examination process. It is imperative that KNEC upholds fair labour practices and promptly fulfils its financial obligations to examination personnel whose professional commitment should not be subjected to prolonged financial hardship.

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

1. Reasons for the delay in disbursement of funds to teachers who served as examiners for the KCSE examination and the KJSEA examination in October 2025.
2. The expected timeline for full disbursement of the outstanding payments to all affected personnel.
3. Measures being put in place to prevent recurrence of such delays in future examination cycles, including timely budgeting and establishment of clear payment timelines, to ensure prompt remuneration of examination personnel.

Hon. Deputy Speaker, you may recall that even invigilators, supervisors, centre managers and all other staff involved in these examinations in October 2025 are yet to be paid. This has caused a lot of pressure and unhappiness in the sector.

Hon. Deputy Speaker: This request is also directed to the Departmental Committee on Education. Give the microphone to the Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, as Hon. Omboko says, I will relay that request to the Chairperson of the Departmental Committee on Education for a response in one week. Good thing, Mwalimu is a member of the same Committee.

(Hon. Omboko Milemba spoke off the record)

He is no longer a member but he has deep interest in that Committee.

Hon. Deputy Speaker: He would have patent bias, so he cannot be a member of the Committee. Next is the Leader of the Majority Party with his usual Statement. Leader of the Majority Party, there is a point of order.

Hon. Charles Onchoke (Bonchari, UPA): Thank you, Hon. Deputy Speaker. Last week on Tuesday, 10th February 2026, I requested for a Statement from the Chairman of the Departmental Committee on Defence, Intelligence and Foreign Relations regarding two Kenyans who were reportedly coerced into military service in the Federal Republic of Russia. Mr Justus Ombati Mayienda is said to have been injured and is currently hospitalised while Mr Clinton Nyapara Mogesa is said to have been killed fighting for Russia. Their families are worried about how to repatriate their bodies back to Kenya.

The Speaker ordered the Chairman of the Committee to bring the Statement today. I have not seen the Chairman around and I do not know when the Statement will be laid in the House.

Hon. Deputy Speaker: Hon. Members, yesterday, the Leader of the Majority Party presented a Statement on Russia. Unless the factors in your matter are distinct from what was reported, the Statement must have covered your concerns. Explain, Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, it seems as though Hon. Onchoke has a specific request because I saw him raise his hand. However, I issued a Statement on the Russia matter yesterday afternoon as was directed by the Speaker. It covered many cases. It indicated that 39 Kenyans are hospitalised in Russia, several others were maimed and one was reported dead. Hon. Onchoke, have a look at that Statement in the Table Office. I can also give you a copy from my office so that you can see if it addresses your case.

Hon. Deputy Speaker: Hon. Onchoke, would you like to clarify so that we know if your request is different from what was reported? The Leader of the Majority Party can then take note of it. If it is similar, you are free to go to the Office of the Leader of the Majority Party to look at the Statement and determine if it was comprehensive enough.

Hon. Charles Onchoke (Bonchari, UPA): Thank you, Hon. Deputy Speaker. I have gone through the Statement from the National Intelligence Service (NIS) and the National Police Service (NPS) that was laid in the House yesterday by Hon. Ichung'wah. It was good but generic. My Request for a Statement was about Mr Clinton Nyapara, who was reported to have died in Russia, and Mr Justus Ombati, who is said to be in hospital in Russia. Neither of those names were covered in the Statement laid before the House yesterday by Hon. Ichung'wah.

Hon. Deputy Speaker: What direction would you give him Leader of the Majority Party?

Hon. Kimani Ichung'wah (Kikuyu, UDA): I request the Chairman of the Departmental Committee on Administration and Internal Security to check for the specific details. I strongly believe that the person he claims to be reported dead is among the ones in the Statement. The one who is alive could be among the 39 in hospital.

However, we should also understand that this is a war zone and the Embassy in Moscow has limited access to information. The flow of information is not as quick as you would expect. This is not Kenyatta National Hospital or another hospital within our jurisdiction. Nevertheless, I will relay the request for a Statement to the Chairman of the Departmental Committee on Administration and Internal Security to see if he can fish out any specific information on those two cases.

Hon. Deputy Speaker: Leader of the Majority Party, maybe you can report the names to the Directorate of Criminal Investigations (DCI) since the Director of Criminal Investigations is seized of the matter. That is so that it becomes part of their ongoing

investigation. They cited that there is an ongoing investigation. Is that satisfactory? Hon. Onchoke, one last shot.

Hon. Charles Onchoke (Bonchari, UPA): I understand you. Nevertheless, you can appreciate the limitation of the DCI or the Divisional Criminal Investigation Officer (DCIO). Can they go all the way to Russia to do their investigations? Probably, our Embassy in Russia can help us ascertain if the two cases happened and if the individuals are in Russia.

I thank you.

Hon. Deputy Speaker: The two reports that came to Parliament yesterday were from the NIS and the DCI. They work with our embassies. They use embassies and normally have security attachés there. We do not have to be specific on the way they conduct their investigation. They use all the available channels once you tell them to conduct investigations.

I think we are done now.

STATEMENT

BUSINESS FOR THE WEEK OF
23RD – 27TH FEBRUARY 2026

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Deputy Speaker. Pursuant to provisions of Standing Order 44(2)(a), I rise to give the following Statement on behalf of the House Business Committee that met on Tuesday, 17th February 2026, to prioritise business for consideration during the week.

Let me appreciate Members for settling down fast and enabling the House to embark on transaction of business of the House in earnest. Indeed, in just one week, the House has already concluded the Second Reading of five Bills. It is scheduled to vote on the Second Reading of the sixth Bill. We already did that earlier this afternoon.

Additionally, the House has so far passed three substantive Motions. Including a Motion on the appointment of the Director-General of the Financial Reporting Centre (FRC) and the petition on the regulation of TikTok in Kenya. The progress is a sign that the House is already on the right trajectory of achieving optimal performance this session.

With regard to business scheduled for next week, the House is expected to consider the following Bills at various stages. Some are listed in today's Order Paper.

1. Committee of the Whole House on the Judges' Retirement Benefits Bill of 2025.
2. Second Reading of the following Bills should they not be concluded today—
 - (a) The Miscellaneous Fees and Levies (Amendment) Bill of 2025.
 - (b) The National Infrastructure Fund Bill of 2026.
 - (c) The Energy (Amendment) Bill (Senate Bill No.42 of 2023).

Additionally, debate will be undertaken on the following Motions:

1. The Seventh Report on the audited accounts of the National Government Constituencies Development Fund Board for financial years 2016/2017 to 2021/2022.
2. The Eighth Report on the audited accounts of the National Government Affirmative Action Fund for the Financial Years 2016/2017 to 2021/2022.
3. A report on audited accounts for the Judiciary Mortgage Scheme Fund for the financial years 2011/2012 to 2021/2022.
4. Ninth Report on audited accounts of the National Government Constituencies Development Fund for constituencies in Nakuru County for Financial Years 2013/2014 to 2021/2022.

5. Consideration of the report of the delegation to the 150th Assembly of the Inter-Parliamentary Union (IPU).

The House will also prioritise consideration of the following Motions for which the relevant Committees are expected to admit their respective reports next week:

1. Consideration of a nominee for appointment as a Permanent Representative of United Nations Environment Programme (UNEP).
2. Consideration of a nominee for appointment as a chairperson of the Public Service Commission (PSC).
3. Sessional Paper No.3 of 2025 on the partial divestiture in Safaricom PLC by the Government of Kenya.
4. Sessional Paper No.6 of 2024 on the National Aviation Policy.

Further, the House Business Committee noted that various Bills referred to Mediation Committees are yet to be concluded. Instructively, Article 113 of the Constitution requires a Mediation Committee on a Bill to undertake the mediation process within 30 days. I urge Members representing the National Assembly in the respective Mediation Committees to take note of the constitutional provisions and engage our Senate counterparts with a view to prioritising pending mediation processes on Bills.

With respect to appearance of Cabinet Secretaries to answer Questions from Members, I wish to restate that Question Time will resume at an appropriate time after concluding the budget process. However, Members may recall that the House adjourned its business yesterday to discuss a matter of urgent national importance regarding the drought situation in Northern Kenya. Following that, I undertook to invite the relevant Cabinet Secretary to address the matter.

In this exceptional regard, I wish to convey something in accordance with provisions of Standing Order 42A(5) and (6). The Cabinet Secretary for Public Service, Human Capital Development and Special Programmes will appear before the House on the afternoon of Wednesday, 25th February 2026, to respond to Question 2 of 2026 by the Member for Wajir West, Hon. Yusuf Farah, regarding the current drought situation in Turkana, Marsabit, Mandera, Wajir, Garissa, Isiolo and Samburu counties.

In conclusion, the House Business Committee shall reconvene again on Tuesday, 24th February 2026, to schedule business for the rest of that week.

If you could indulge me, Hon. Deputy Speaker. Subject to the meeting of Tuesday next week, we go through these Statements every week to apprise Members on business likely to appear before the House in coming weeks. I say this because a number of Committee Chairs are absent when their reports are on the Floor of the House. We indicated last week as we began that we will prioritise a number of Committee reports and Private Members' Bills and Motions so that they do not lapse at the end of this Session.

I urge all our Chairs to make sure their Vice-Chairs are available if they are not present to move or process their business. If Vice-Chairs are absent, one of the other 13 Members in each Committee can do that work on your behalf so that we do not derail any work of the House because we do not have a Chair.

We have indulged one Committee this week. Hon. Chepkonga was called in abruptly for a meeting yesterday just before his business. We indulged him. His business has been rescheduled. From next week, we will not come back to your business if we skip it. That is it. I have also alluded to the fact that we will be considering the National Infrastructure Fund Bill of 2026 and the partial divestiture in Safaricom by the Government of Kenya as Sessional Paper No. 3 of 2025.

As I mentioned earlier, I got a clip this morning. The Member for Suba South, Hon. Caroli Omondi, was saying on TV that he forced 'them' to introduce the National

Infrastructure Fund Bill. I do not know who ‘them’ are. I am the sponsor of the Bill. The Hon. Caroli Omondi has no capacity to force me to do anything. He has zero capacity.

Two, he just does not understand the processes. He is the person I was alluding to when I said that new persons in this House must take time to learn the processes. A Bill has gone through many other processes by the time it is introduced here. This Bill was considered in Cabinet at the end of November or early December last year. The last Cabinet meeting or the second last Cabinet meeting last year in December announced. If you read their communique, they said they were going to establish a National Infrastructure Fund and a Sovereign Wealth Fund.

Hon. Deputy Speaker: The President raised it in his State of the Nation Address.

Hon. Kimani Ichung’wah (Kikuyu, UDA): The President had spoken to it before that then went to Cabinet and processed the Bills.

The Bills were sent to this House last year and we processed them. They were ready. I remember I never wanted to anticipate debate while speaking to the media or NTV in December. It is because I am a respecter of the Rules and Procedures of the House. Ibrahim Karanja of NTV asked me why we are not establishing a law. I told him Parliament is still sitting. Who tells you there will be no law when Parliament resumes? I knew the Bill was already in the House.

The Bill matured by the time we resumed. It was published and is now undergoing public participation. Therefore, for a First-Time Member to want to look intelligent or brave and say that I forced them to introduce a National Infrastructure Fund Bill is embarrassing. I said I must take it up. I wish Hon. Caroli Omondi was here because he shall not use this House to go and do cheap politics on national TV or on TikTok.

Hon. Omboko Milemba (Emuhaya, ANC): On a point of order, Hon. Deputy Speaker.

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

Hon. Kimani Ichung’wah (Kikuyu, UDA): If you are looking for bytes to do on TikTok, please look for other things and not the business I am sponsoring. This is because I take my work very seriously.

Hon. Deputy Speaker: There is a point of order. Yes, Hon. Omboko. You mentioned a point of order.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you. I have a lot of respect for the Leader of the Majority Party and I know he is executing his work.

Hon. Deputy Speaker: Is it a point of information or a point of order?

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Deputy Speaker, I want to ask the Leader of the Majority Party that the young Members of Parliament must also look for some easy, cheap credit and publicity out there for *bonga points*. When one of them picks something from you and pretends it is his own, I want to ask and beg you that you just treat them with a little bit of kindness because they must also survive.

Thank you, Hon. Deputy Speaker.

(Loud consultations)

Hon. Deputy Speaker: You have concurred with the Leader of the Majority Party.

(Laughter)

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Deputy Speaker, I take Hon. Omboko’s advice but he speaks about a young Member of Parliament. This Member is not young and he does not look young at all. He is a first-time Member of Parliament who should take time to learn the processes and procedures in the House. You cannot say that you

are forcing the House or ‘them’. In the clip I got, he said ‘them’. I do not know who ‘them’ are. He said that he forced ‘them’ to introduce the National Infrastructure Fund Bill. Hon. Omboko, I only said that because...

I will allow Hon. Chepkonga to inform me but just to respond to Hon. Omboko. I was saying that I only raised it because it may look like it is Hon. Caroli Omondi that forced me to introduce this Bill. If Hon. Caroli reads the Kenya Kwanza Manifesto, page 10 says that we shall establish a National Infrastructure Fund. Hon. Caroli had not even read the Kenya Kwanza Manifesto and so he cannot claim credit for what he has no idea of.

He should just be patient and wait for the Bill to come here. If he has anything substantive to say or an input to give to improve the Bill, then he should do so. If he has nothing, he should not use this House. That was the point I was raising when the substantive Speaker was there. Please do not use business in this House to go and do your cheap politics out there. I said it yesterday. Let us be kind enough to ourselves because it is this House that we portray badly out there when you go and say those things you are saying on TV because you want to look or sound intelligent. You may sound but not look intelligent. You may not be intelligent by sounding intelligent.

Hon. Deputy Speaker, let me allow Hon. Chepkonga to inform me as I finish.

Hon. Deputy Speaker: Okay Hon. Chepkonga. Proceed.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Hon. Deputy Speaker, I listened to Hon. Caroli Omondi. He is a good friend of mine. Unfortunately, as the Leader of the Majority Party has just said, he completely went off tangent.

In fact, I just wanted to inform the Leader of the Majority Party that one of the things he claimed is that he financed the Orange Democratic Movement (ODM) to the tune of over Ksh300 million. If you look at Hon. Caroli Omondi, does he look like Ksh300 million?

(Laughter)

I have even invited him for a fundraising in my Constituency but he has refused a number of times. I was shocked to hear his claims. I am also wondering why Hon. Milemba is sympathising with a person who has a lot of money. In fact, he said that he donated Chungwa House to ODM, and you know I was in ODM. For you to donate Chungwa House, do you require sympathy? I want to inform the Leader of the Majority Party that he said he is no longer a member of ODM and he wants to form his own party. So, I do not know in which capacity he was speaking against our good Senator, Hon Eddy Oketch, who spoke a lot of sense.

Hon. Deputy Speaker, I thank you.

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

The Deputy Speaker: Okay. We will have the last point of order from Hon. Millie.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Deputy Speaker. The Member is misleading the House. Hon. Caroli did not talk about Ksh300 million. He said he has supported ODM to the tune of Ksh700 million. So, when you say you need to say correct things, do so. Hon. Caroli is called ‘Dangote’ because he is very well moneyed. You know us Subas are a minority. So, when a minority takes on the Leader of the Majority Party, just be kind to him. We are minorities and as a minority, we are proud of our few minorities. I would request you next time, especially because Hon. Caroli, as you rightfully say, may not be young but he is a first-timer, to please bring a substantive Motion so that he also gets time to respond to you.

I think that is a better rule of debate. It will be nice for him to learn from you as you debate, as you raise points of orders against him and he responds so that even when you raise Ksh300 million, he can also tell us the source of Ksh700 million. I also want to be rich like Hon. Caroli.

(Laughter)

The Deputy Speaker: Yes, Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, it is true that Hon. Caroli Omondi is a Suba from Suba North like Hon. Millie.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): No, he is from Suba South.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Yes, from Suba South and Hon. Millie is from Suba North. The indomitable Cabinet Secretary for National Treasury and Economic Planning, Hon. John Mbadi, is a penultimate Suba from Suba South.

Hon. Millie is the Whip of the Minority Party. I also saw in that clip the Member claiming that he is being removed from a Committee and Hon. Millie, who is his neighbour, is the Whip of the Minority Party. I want to state here because I am the Chairperson of the Committee on Selections. The Whip of the Minority Party has not proposed anybody's removal from any committee. So, do not go seeking cheap publicity out there. I have engaged with Hon. Caroli Omondi and he knows he is chairing a committee that he should not be. Therefore, let me just say it here: He will leave the Chairmanship of that committee because it must be chaired by the majority side.

(Applause)

He knows it. I have engaged and advised him on what to do then he goes on national TV to say he is being removed, trying to portray that probably, it is Hon. Millie or the Leadership of the Minority Party that is removing him.

I state that he will leave the seat of the Chairmanship of the Constitutional Implementation and Oversight Committee (CIOC) because he was not to chair that Committee. It is a majority side committee and we are a House that respects political parties. We have a working arrangement under the Broad-based Government with ODM. That is why Hon. Nyikal is the Chairperson of the Departmental Committee on Health. Hon. Fatuma is also a very diligent Chairperson. You should see how much business she had this afternoon and how efficiently she was able to give all those notices. She will sit here throughout the afternoon sitting to see if any of her business will be arrived at.

Now, a Member who never sits here, and when he sits here it is only for two minutes, runs off to a TV station to say, "I am being removed from a committee. I have Ksh700 million, I donated this and that". Donate whatever you want to donate to your political party but do not disparage the work of the House. That was my point. I have nothing against the Hon. Caroli Omondi. It is just my simple advice to the not-so-young Members and the young Members who are serving their First Terms to take their time to learn the processes because they cannot force anybody to introduce a Bill here, even a private Member's Bill. Hon. Oundo has been here and has introduced very many Bills. For three years, this said Member has not introduced anything.

Thank you, Hon. Deputy Speaker.

The Deputy Speaker: Thank you. Before we proceed, I would like to recognise the Nyandarua National Polytechnic from Ol Jorok Constituency in Nyandarua County whose students are seated in the Public Gallery. On behalf of the substantive Speaker, the entire National Assembly and I, you are welcome to Parliament and I hope that you shall benefit from the deliberations.

Thank you. Next Order.

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

*[The Deputy Speaker
(Hon. Gladys Boss) left the Chair]*

IN THE COMMITTEE

*[The Temporary Chairman
(Hon. Omboko Milemba) in the Chair]*

THE JUDGES' RETIREMENT BENEFITS BILL
(National Assembly Bill No. 27 of 2025)

The Temporary Chairman (Hon. Omboko Milemba): Hon. Members, we are in the Committee of the Whole House to consider the Judges' Retirement Benefits Bill (National Assembly Bill No. 27 of 2025) which was sponsored by the Leader of the Majority Party. We shall rely on you for the many amendments. We ask you to take your seat so that we may proceed.

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

Clause 7

The Temporary Chairman (Hon. Omboko Milemba): Hon. Chairman.

Hon. George Murugara (Tharaka, UDA): Hon. Temporary Chairman, I beg to move: THAT, Clause 7 of the Bill be amended in subclause (5) by deleting the words "a public" appearing immediately after the words "Act was".

The amendment seeks to remove some words that found their way into the Bill, yet they are not necessary like 'a public'. They are misplaced. They should not be there.

Thank you.

(Question of amendment proposed)

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

(Clause 7 as amended agreed to)

(Clauses 8 and 9 agreed to)

Clause 10

The Temporary Chairman (Hon. Omboko Milemba): Mover.

Hon. George Murugara (Tharaka, UDA): Hon. Temporary Chairman, I beg to move: THAT, Clause 10 of the Bill be amended in subsection (1) by deleting the words "retirement age" appearing immediately after the words "has attained the".

This is purely a clean-up such that the words we are deleting are misplaced; they are not supposed to be there. This appears to be a typing error.

(Question of the amendment proposed)

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

(Clause 10 as amended agreed to)

(Clauses 11, 12, 13, 14, 15 and 16 agreed to)

Clause 17

The Temporary Chairman (Hon. Omboko Milemba): Mover.

Hon. George Murugara (Tharaka, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 17 of the Bill be amended in subclause (2) by deleting the word “being” appearing immediately after the words “retirement age or” and substituting therefor the word “been”.

The word that is misspelt there is ‘being’ instead of ‘been’. We want to delete the word ‘being’ and replace it with ‘been’. Thank you.

(Question of the amendment proposed)

(Hon. Millie Odhiambo-Mabona spoke off the record)

The Temporary Chairman (Hon. Omboko Milemba): Does Hon. Millie want to say something on this proposed amendment?

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Hon. Temporary Chairman, I support the amendment because it is not a substantive one.

The Temporary Chairman (Hon. Omboko Milemba): Very well.

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

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

(Clause 17 as amended agreed to)

(Clauses 18, 19, 20, 21 and 22 agreed to)

Clause 23

The Temporary Chairman (Hon. Omboko Milemba): Mover. I know there are two amendments, but let us first move the one by Hon. Chairman. There is an amendment by Hon. Chairman and the other one by Leader of the Majority Party.

Hon. George Murugara (Tharaka, UDA): The proposed amendments are the same.

The Temporary Chairman (Hon. Omboko Milemba): Order, Hon. Chairman. Let us give priority to Leader of the Majority Party. Let him move his amendment first.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, we have the same amendment.

Hon. Temporary Chairman, I beg to move:

THAT, Clause 23 of the Bill be amended by inserting the following new subclauses immediately after subclause (1)—

(2) A judge of the Supreme Court to whom this Part applies shall, upon retirement, be entitled to the additional benefits set out in the Schedule.

(3) A judge of the Supreme Court who leaves office before attaining the age of sixty-five years shall be entitled to access the non-pension benefits under subsection (1) and paragraphs (a) and (b) of the Schedule.

This amendment provides an enhanced non-pension benefit for the current five Supreme Court Judges who are neither the Chief Justice nor the Deputy Chief Justice. As you are aware, the Chief Justice and the Deputy Chief Justice have their retirement benefits under the Retirement Benefits (Deputy President and Designated State Officers) Act. We have other five judges. With the demise of Justice Ibrahim, they are four. They have other administrative duties that they do on behalf of the court. This involves a lot of other work that is administrative that they do on behalf of their colleagues in the Judiciary.

They take care of the judicial infrastructure and buildings. They look after the welfare of judges and staff of the Judiciary. They are involved in the development of rules and regulations of the courts. They are involved in the training of officers, both the bar and those on the bench. They also manage the bar and bench relationships between Hon. Millie, Hon. Murugara and other lawyers, and members of the Judiciary who serve them. They have a lot of additional responsibilities besides serving in the apex court. Therefore, to put the Supreme Court judges on the same pedestal as other judges is a bit unfair and not very appreciative of the other administrative work that they do.

They have their pension, but we seek to enhance other non-pension benefits. These Supreme Court Judges deal with most of the very heavy political issues. They are the ones who handle presidential petitions. Therefore, post-retirement, I may have run for presidency and then I think they made a decision that was unfair to me and target any one of them. Therefore, you need to assure them that they have non-pension benefits such as additional security, a car and some fuel allowance. That is all we are seeking to do. We want to give them that additional non-pension benefit. However, they will enjoy the same pension like others even as we give them additional non-pension benefits. I beg to move.

(Question of the amendment proposed)

The Temporary Chairman (Hon. Omboko Milemba): Hon. Chepkonga.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Hon. Temporary Chairman, I rise to agree with the Leader of the Majority Party that the time you reach the Apex Court which deals with only serious constitutional issues, you indeed deserve to be rewarded better than the other judges. You know, there are some of us who appeared severally at the Supreme Court during the Presidential petitions. I appeared twice. That is high octane politics. In fact, the judges had to sleep in a hotel. They did not go to their houses. It is was a very serious matter. So, you must reward such people. They are no longer lesser mortals like some of us who deal with issues that are earthly. They have been at least upgraded a little bit.

I have been praying that one-day serious people like Hon. Millie Odhiambo become judges of the Supreme Court. The only problem is that her brother went ahead of her. I do not know what we will have to do. One of these days, we will have to ask our own brother, the senior judge, of course...

(A Member spoke off the record)

No, he is not a Suba. I know he is a Luo. You must balance some of these things at the Supreme Court. So, I support the amendment.

The Temporary Chairman (Hon. Omboko Milemba): Very well. Hon. Okello, the Member for Nyando.

Hon. Jared Okello (Nyando, ODM): I thank you very much, Hon. Temporary Chairman. I am in line with the proposal as advanced by the Leader of the Majority. For one

to serve in the Supreme Court, for example in the United States of America, the rigorous process that they are taken through, the evaluation and re-evaluation, including that of their personal conduct and character is very deep that they have to be properly remunerated. I remember in 2013, when we presented the best petition in the world, the Supreme Court rejected our 800-paged evidence. I know to collect evidence of 800 pages within that short span of time is a sacrifice but they rejected it. So, it is true that some people may be holding all grudges in their hearts with an intention for rebuttal or retribution. Therefore, their security is important.

The only thing that we need to do is to cap the number of security personnel that they should be accorded. They should be two or three depending on the risks that they are subjected to. With the constricted security that we have in the country, if we leave it open-ended it may be susceptible to abuse. If it will be on application, there will be a review of the dangers that they are exposed to before such a decision is taken. In 2017, you know what transpired.

The Temporary Chairman (Hon. Omboko Milemba): No. Do not debate. You just need to make your comment. Take the next half a minute to do so.

Hon. Jared Okello (Nyando, ODM): I just wanted to say that the former President was very angry with the decision of the Supreme Court in 2017 that if he had powers to attack, nothing could have stopped him from doing so. Therefore, I agree that their security needs to be beefed up upon retirement.

The Temporary Chairman (Hon. Omboko Milemba): Great. On your concerns about security, the Leader of the Majority Party has proposed a schedule in which that will be dealt with.

Let us hear from Hon. Millie.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Chairman. I wish to support the amendment. Hon. Jared Okello has given the example of President Uhuru when he was very mad at the decision of the Supreme Court in 2017. I am a classmate of Hon. Justice Lenaola, who is the Chairman of our class group called the 'MV90'. I left the group as soon as they made that decision. Of course, being a politician, I have already rejoined the group. I was that angry that I left the group. After a while, of course, I healed. However, imagine if someone does not heal from such, he will blow the judges off.

I also want to indicate that the rationale for this proposal is not just in terms of security alone. The nature of the Kenyan Government is hierarchical. So, we do not need an excuse. The Supreme Court is the apex court. If they are there, they are the most senior judges. So, it just makes sense that they should get better benefits.

We also make a mistake as the Kenyan Parliament. Many times, I hear Hon. Ichung'wah and several senior Members referring to new Members as people serving their First Terms. Every time I am re-elected – I am now doing my fourth term – I get the same salary as new entrants. As a Parliament, we are the ones who set laws and systems for people and we discriminate against ourselves. We must also think about ourselves, even if it means that making that law to be applied after 10 years so that it does not benefit us. We must follow the system that applies to everybody in the country. The same salary that will be paid to say my dear sister here, Hon. Njeri, is the same one that will be paid to me who was not only in the House, but outside. I have told you I was a classmate of Hon. Lenaola who is in the Supreme Court. However, I am paid the same salary as a 20-year-old who has been elected in his constituency.

Finally, I know that I have been challenged here that I have my ethnic brother in the Supreme Court. I have really thought about it. There is no Suba in the Supreme Court and there has never been one. So, Subas still want to be in the Supreme Court. If indeed we get to a point where we negotiate for Deputy Presidency – I hear everybody making noise about it – it has to be a Suba. A Suba must be.

The Temporary Chairman (Hon. Omboko Milemba): Very well. This amendment has been overwhelmingly supported. Let us hear the Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, thank you. I want to agree with Hon. Millie that as a matter of hierarchy, it warrants the Supreme Court judges something extra. The other part that I forgot on this amendment is to take care of a Supreme Court Judge who leaves office before attaining the age of 65 years. We have proposed that any Supreme Court Judge who leaves office before attaining the age of 65 years for whatever reasons like health or early retirement will still be entitled to access their non-pension benefits under Subsection one and the schedule.

On what Hon. Jared was asking, if you look at the schedule on page 086, you will see that there is actually one driver, fuel allowance, two-armed security guards provided on request – If one feels they do not need them, they do not need to request – one housekeeper and a cook. Those are the non-pension benefits. So, my brother from my school, Hon. Isaac Lenaula is well taken care of here because he went to the school.

Thank you.

(Laughter)

The Temporary Chairman (Hon. Omboko Milemba): Leader of the Majority Party, Members were also very anticipatory that you will speak about the ranking Members and their salaries vis-a-vis the newly coming in Members.

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

(Clause 23 as amended agreed to)

(Clauses 24, 25, 26, 27 and 28 agreed to)

Clause 29

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Temporary Chairman. I beg to move:

THAT, Clause 29 of the Bill be amended in subclause (4) by deleting the expression “subsection (3)(b), (c), (d) and I” appearing immediately after the words “appointed under” and substituting therefor the expression “subsection (3)(b), (c), (d) and (e)”.

When we named subsections 3(b),(c) and (d) instead of having (e), we got an I. We want to correct this typo so that the subsection looks neat.

(Question of the amendment proposed)

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

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

(Clause 29 as amended agreed to)

Clause 30

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Temporary Chairman. I beg to move:

THAT, Clause 30 of the Bill be amended in the opening statement by deleting the expression “section 30” appearing immediately after the words “trustee under” and substituting therefor the expression “section 29”.

This is to correct a typo. The appointments for the trustees are under Section 29 and not 30. We replace Section 30 therein with 29.

(Question of the amendment proposed)

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

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

(Clause 30 as amended agreed to)

(Clauses 31, 32, 33, 34, 35 and 36 agreed to)

Clause 37

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Temporary Chairman. I beg to move:

THAT, Clause 37 of the Bill be amended by inserting the expression “, on the advice of the Salaries and Remuneration Commission,” immediately after the word “may”.

What we are doing here is purely to ensure that we comply with the law and the Constitution by introducing the fact that when the Cabinet Secretary determines what remuneration is to be paid to the trustees, it is on the advice of the Salaries and Remuneration Commission.

(Question of the amendment proposed)

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

(Clause 37 as amended agreed to)

(Clauses 38, 39, 40, 41, 42 and 43 agreed to)

Clause 44

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Temporary Chairman. I beg to move:

THAT, Clause 44 of the Bill be amended in subclause (2)(c) by inserting the word “after” immediately after the word “thereon”.

Here, we are simply adding the word after, to make sense in that the additional voluntary contributions, under the fund, together with the accrued interest thereon, are made after leaving employment for any reason.

(Question of the amendment proposed)

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

(Clause 44 as amended agreed to)

*(Clauses 45, 46, 47, 48, 49, 50,
51, 52, 53 and 54 agreed to)*

Clause 55

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Temporary Chairman. I beg to move:

THAT, Clause 55 of the Bill be amended by—

- (a) renumbering the existing provision as subclause (1);
- (b) inserting the following new subclauses immediately after the renumbered subclause (1)—
 - (2) A judge of the Supreme Court to whom this Part applies shall, during their retirement, be entitled to the additional benefits set out in the Schedule.
 - (3) A judge of the Supreme Court who leaves office before attaining the age of sixty-five years shall be entitled to access the non-pension benefits under subsection (1) and paragraphs (a) and (b) of the Schedule.

The rationale is to provide for enhanced non-pension benefits for a judge of the Supreme Court appointed to office after the commencement of the legislation. The Supreme Court has seven judges. We know for sure that the Chief Justice and the Deputy Chief Justice draw their pension from a different law. Therefore, we must make a provision for the rest of the judges.

The amendment also allows a Supreme Court Judge who leaves office before attaining the age of 65, for whatever reason, to access their non-pension benefits, including what has been set out in the Schedule, to include transport allowance, medical cover, diplomatic passport and access to Government lounges.

(Question of the amendment proposed)

Hon. Temporary Chairman (Omboko Milemba): If this one is taken, then the amendment by the Leader of the Majority Party will fall because they are the same.

Let us hear from Hon. Rindikiri.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Temporary Chairman. Today is going to be a history of the law process of this country because we are now taking full responsibility for ensuring that one arm of the Government is taken care of. Harmonisation is very critical because we have seen Supreme Court judges drawing from one kitty and the other judges are not. This Bill is harmonising and that is what we want. It has been practised everywhere in the world that there must be sequential harmonisation of all benefits that accrue to the members of the Judiciary.

I support this. This is the best thing that the Judiciary will enjoy this year.

The Temporary Chairman (Hon. Omboko Milemba): Very well.

*(Question, that the words to be inserted
be inserted, put and agreed to)*

(Clause 55 as amended agreed to)

*(Clauses 56, 57, 58, 59, 60, 61,
62, 63, 64 and 65 agreed to)*

Clause 66

The Temporary Chairman (Hon. Omboko Milemba): Chair.

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Temporary Chairman. I beg to move:

THAT, Clause 66 of the Bill be amended by—

(c) renumbering the existing provision as sub-clause (1);

(d) inserting the following new sub-clause immediately after the renumbered subclause (1)—

(2) A judge of the Supreme Court to whom this Part applies shall, during their retirement, be entitled to the additional benefits set out in the Schedule.

This amendment seeks to renumber the sub-clauses such that we have a Clause 1 in 66 and introduce a new sub-section 2. This is purely to provide for enhanced non-pension benefits for the two judges of the Supreme Court that were appointed under the new Constitution and have already retired. The two judges are not covered by the Retirement Benefits (Deputy President and Designated State Officers) Act (Cap. 197B) of the Laws of Kenya. This is the Second Schedule on additional non-money benefits, which we will discuss.

(Question of the amendment proposed)

The Temporary Chairman (Hon. Omboko Milemba): Hon. Members, of course, if this one is taken, the one by the Leader of the Majority Party falls.

*(Question, that the words to be inserted
be inserted, put and agreed to)*

(Clause 66 as amended agreed to)

Clause 67

The Temporary Chairman (Hon. Omboko Milemba): Chair.

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Temporary Chairman. I beg to move:

THAT, the Bill be amended by deleting Clause 67 and substituting therefor the following new Clause—

Administration of
Pension and non-
pension benefits

67. (1) The Cabinet Secretary shall be responsible for the payment of pensions and gratuities to judges under this Act.

(2) The Chief Registrar of the Judiciary shall administer the non-pension benefits under Sections 23, 55 and 66 of this Act and provide for them in the estimates of the Judiciary prepared pursuant to Article 173(3) of the Constitution.

(3) The Cabinet Secretary and the Chief Registrar of the Judiciary shall establish a liaison office to facilitate the timely payment of pensions gratuities and provision of non-pension benefits under this Act.

This amendment proposes to delete Clause 67 and introduce a New Clause 67. We must separate the pension monies from the National Treasury and the non-monetary benefits like motor vehicles, security and cooks being administered by the Chief Registrar of the Judiciary.

In sub-clause (3), we have combined the responsibility of the Cabinet Secretary and the Chief Registrar of the Judiciary who shall establish a liaison office to facilitate the timely payment of pensions, gratuities and the provision of non-pension benefits under this Act purely to facilitate pensions for the judges who are retiring. These are old men and women above 70 years old. We do not want to keep them out there moving from one office to the other. They need to know a one stop place to collect their pensions and other benefits, which is the liaison office.

(Question of the amendment proposed)

The Temporary Chairman (Hon. Omboko Milemba): Yes, Hon. Millie.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): I just want to correct the Chair who termed 70 years as old. They are advanced in age, not old.

The Temporary Chairman (Hon. Omboko Milemba): Okay, the Chair is corrected. Hon. Rindikiri, what do you want to say about this?

Hon. Mugambi Rindikiri (Buuri, UDA): I stand corrected but our judges are very isolated by virtue of their work. They rarely have many friends like Hon. Millie Odhiambo who is popular. Judges go back and forth between their offices and homes. They need to be taken care of. Otherwise, some of them might lapse immediately they retire. These are important benefits that need proper management. They should not retire and start wondering where to start. They need to continue the life they have been enjoying.

I, therefore, support this.

The Temporary Chairman (Hon. Omboko Milemba): Hon. Gichimu.

Hon. Gichimu Githinji (Gichugu, UDA): Thank you, Hon. Temporary Chairman. I support this amendment. Judges, especially Supreme Court judges, having served at the highest level in the judicial system require dignity. They require an office which can serve them, having sacrificed their minds, efforts and everything to serve justice in this country. This is a very good amendment which will make their lives easy after retirement.

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

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

(Clause 67 as amended agreed to)

(Clauses 68, 69 and 70 agreed to)

Clause 71

The Temporary Chairman (Hon. Omboko Milemba): Chair.

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Temporary Chairman. I beg to move:

THAT, Clause 71 of the Bill be amended by—

(a) deleting subclause (1) and substituting therefor the following new subclause—

(1) The Cabinet Secretary shall, within twelve months of the commencement of this Act, make regulations generally giving

effect to the Act and for prescribing anything required or necessary to be prescribed by or under the Act.

(b) inserting the following new subsection immediately after subsection (2)—

(2A) In making the Regulations under this Act, the Cabinet Secretary shall obtain the views of relevant stakeholders, including the Judicial Service Commission and the Chief Registrar of the Judiciary.

This amendment proposes to delete Sub-Clause 1 and substitute with the New Clause. The rationale is that within a given period of time, and this must be maximum 12 months, we should have regulations in place. This is because we do not want a lot of bureaucracy when these retired judges go for their pension. There may be forms to be filled and other processes and procedures to be followed. All these are contained in the regulations. This is why we are saying that within 12 months, these must be attended to. If there are any set forms and precedents, they must be done within a period of 12 months.

When making those regulations, the Cabinet Secretary cannot sit alone and decide for the retired judges what is good for them. He must take views from the relevant stakeholders, who include the Judicial Service Commission that pays them and the Chief Registrar of the Judiciary who administers the non-pension benefits.

I beg to move.

(Question of the amendment proposed)

The Temporary Chairman (Hon. Omboko Milemba): Hon. Chepkonga, you had a similar amendment. Therefore, if this one is carried, yours will fall. Could we hear from you?

Hon. Samwel Chepkonga (Ainabkoi, UDA): Thank you very much, Hon. Temporary Chairman. I totally agree that once the Chairperson's proposed amendment is carried, mine will automatically fall. I support this amendment. I had proposed a similar amendment because we want to provide certainty and clarity, and to remove doubt and equivocation regarding matters of the law. This is especially important with respect to the benefits for judges. We want to ensure that the Cabinet Secretary brings forth the regulations within 12 months of this law coming into operation. This will provide clarity to the judges who are retiring regarding what they can expect to receive, how much they are to receive, and when.

I thank you.

The Temporary Chairman (Hon. Omboko Milemba): Hon. Mutuse.

Hon. Mwengi Mutuse (Kibwezi West, MCCC): Thank you, Hon. Temporary Chairman. I stand in support of the proposed amendment to Clause 71. The original Section 71 is already prescriptive; it pre-empts the regulations, which is not ideal in legal drafting. Therefore, the amendment to shorten it so that the stakeholders, especially the Judicial Service Commission (JSC) and the Chief Registrar, in liaison with the Cabinet Secretary, can develop regulations that are not already prescribed in the Parent Act is necessary. I support the amendment by my Chairperson. It is timely and effective, making the operationalisation of the law easier.

The Temporary Chairman (Hon. Omboko Milemba): Hon. Githinji.

Hon. Gichimu Githinji (Gichugu, UDA): Thank you. While I support this amendment, I wonder whether I could persuade the Chairperson to consider removing amendment (b). It goes without saying that to make regulations, one must engage in public participation. This public participation must involve all the requisite stakeholders. In my view, subsection (b), which seeks to ensure consultation with other stakeholders during the regulations' formulation, is already addressed under the Constitution, which stipulates that any law, be it an Act of

Parliament or regulations, must involve public participation, encompassing all relevant stakeholders. I find this somewhat superfluous.

The Temporary Chairman (Hon. Omboko Milemba): We have heard you. I will now go straight to the Chairperson for an explanation. Hon. Murugara, could you clarify why the proposal states that the regulations must be established within 12 months? Why not a shorter time frame? Please proceed.

Hon. George Murugara (Tharaka, UDA): Thank you. A shorter time frame means it must be within 12 months, so we are adequately covered. What we do not want is for the Act to come into force two years down the line and there is still uncertainty about what to do. Twelve months provide sufficient time for us to conduct public participation and all that Hon. Gichimu mentioned.

Hon. Gichimu, regarding Sub-Section 2(b), this inclusion is not superfluous at all. It is important because we must consult all relevant stakeholders, particularly those affected. This affects judges, whose remuneration is set by the JSC, and the Chief Registrar of the Judiciary, who will administer their non-pension benefits. We make it almost mandatory to include them in the consultations, which does not negatively affect anything.

The Temporary Chairman (Hon. Omboko Milemba): Very well. Hon. Gichimu felt like you were over-legislating, but I will let the matter rest. Hon. Gikaria, what do you have to say?

Hon. David Gikaria (Nakuru Town East, UDA): Hon. Temporary Chairman, it is important to have this regulation. One of the reasons is that we have an Energy Act, for which, to date, since 2019, regulations have not been presented before the Floor of the House. We are currently finding it very difficult to operationalise some of the sections of the Act without the regulations. Therefore, I fully agree. However, I also concur with you, Hon. Temporary Chairman, that 12 months is quite a lengthy period.

The Temporary Chairman (Hon. Omboko Milemba): The Chairperson responded to that. Twelve months is on the higher side; it can be in a shorter period.

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

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

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

(Clause 71 as amended agreed to)

(Proposed amendment by Hon. Samwel Chepkonga withdrawn)

(Clause 72 agreed to)

New Schedule

THAT, the Bill be amended by inserting the following new Schedule immediately after section 72—

SCHEDULE [s. 23(2); 55(2);66(2)]
ADDITIONAL BENEFITS FOR A RETIRED JUDGE OF THE SUPREME COURT
(a) One driver;
(b) Fuel allowance;
(c) two-armed security guards, provided on request;
(d) One housekeeper; and
(e) One cook.

(The new schedule was read a First Time)

The Temporary Chairman (Hon. Omboko Milemba): Hon. Murugara, move Second Reading.

Hon. George Murugara (Tharaka, UDA): Hon. Temporary Chairman, I beg to move that the new Schedule be now read a Second Time.

The justification for this proposal can be found under proposed Sections 23(2), 55(2), and 66(2), which concern additional benefits for a retired judge of the Supreme Court. We have elaborated on the hierarchy of judges within the country and found it right to provide additional benefits for Supreme Court judges. These benefits include the following: one car, fuel allowance, two-armed security guards provided upon request—which means the judge can choose whether or not they want security—one housekeeper, and one cook.

It also outlines the enhanced non-pension benefits for all Supreme Court judges who are not covered by the Retirement Benefits, the Deputy President and Designated State Officers Act (Cap. 197B). These benefits are slightly higher than those for judges in other superior courts, but lower than those of the Chief Justice and the Deputy Chief Justice. We are positioning the judges of the Supreme Court between the Chief Justice and the Deputy Chief Justice on one side, and the judges of the High Court and Court of Appeal on the other. I beg to move and request Hon. Rindikiri to second.

The Temporary Chairman (Hon. Omboko Milemba): Does this really require seconding? Hon. Rindikiri will speak to it later.

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

Hon. Rindikiri, I will give you the first opportunity to make your comments.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Temporary Chairman. I have two comments. In my view, we should consider providing a driver as part of the package since they already have bodyguards in the schedule. I would also recommend outlining the capacity of the vehicle that the judges will be entitled to upon retirement. These two aspects have not been specified, and I urge the Chairperson to consider them as part of the proposed schedule.

The Temporary Chairman (Hon. Omboko Milemba): Very well, Hon. Chepkonga.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Thank you very much. I rise to support the proposed schedule by the Chairperson. In my opinion, the retirement benefits outlined are, in fact, very frugal. This is because, in the United States of America (USA), Supreme Court judges do not retire. They sit in the Supreme Court until they die, even if they die at 87. You can imagine how much money they draw for all that time. Our judges retire at 70, still very strong and useful. They have done great work for this nation. It is only right to reward them, since they are about six or seven.

I support.

The Temporary Chairman (Hon. Omboko Milemba): Let us hear Hon. Gichimu.

Hon. Gichimu Githinji (Gichugu, UDA): Thank you, Hon. Temporary Chairman. These are additional benefits for a retired Supreme Court Judge. The other benefits that touch on all the retired judges are already covered under the Bill, including the car that Hon. Rindikiri asked. That is already covered.

I support the matter on the fuel allowance, but we probably need that determined by the regulations in consultation with the Salaries and Remuneration Commission (SRC). They will come up with that bit of allowance.

These are just the bare minimum. Kenyans should note the heavy lifting that the Supreme Court judges usually do in matters of great national importance. They deserve these benefits. This House will be remembered as having done the best for the judges in this country on matters of retirement.

Thank you.

The Temporary Chairman (Hon. Omboko Milemba): Hon. Jematiah.

Hon. Jematiah Sergon (Baringo County, UDA): Thank you very much, Hon. Temporary Chairman. I want to reiterate and add my voice to the New Schedule. Apart from all this, is it possible for the Chairman of the Committee to add another benefit? When Hon. Chepkonga said...

*(Hon. George Murugara consulted
with Hon. Samwel Chepkonga)*

The Temporary Chairman (Hon. Omboko Milemba): Chairman, Hon. Murugara, you are being addressed.

Hon. Jematiah Sergon (Baringo County, UDA): Hon. Chepkonga has mentioned that judges in the US do not retire; this way, they protect the institutional memory. I do not know if the Chairman can add this to the Schedule, that judges who can serve even after they retire can be called time to time to give counsel. This is important. We cannot just wish them away. That proposal can be added to the Schedule. They are given an option of coming back and giving the best rulings and judgement.

Thank you, Hon. Temporary Chairman.

The Temporary Chairman (Hon. Omboko Milemba): Hon. Chairman, I will call you later. Let us first hear Hon. Onchoke and then come to you.

Hon. Charles Onchoke (Bonchari, UPA): Thank you, Hon. Temporary Chairman. I support these amendments and this Schedule for the additional benefits of the Supreme Court judges who are retired. In the regulations, it would be important to have regulations outline the specific amount of the proposed benefits, like the driver, fuel, armed security guards, one housekeeper, and one cook, to achieve uniformity. In my view, that would be very important.

The Temporary Chairman (Hon. Omboko Milemba): The two proposals still go to the Chairman. Let us hear from the Chairman.

Hon. George Murugara (Tharaka, UDA): Right, thank you very much, Hon. Temporary Chairman. Regulations will be coming; and most of the concerns we have

will be addressed through them. Regulations are actually the flesh of any Act of Parliament; they tell us exactly what Parliament meant when they made that provision.

In those regulations, including rendering some expertise when required, whether opinionated, provided it does not go against the Constitution, which provides that their retirement age is 70 years, and it cannot be renewed. However, if there is a way this is going to be looked at, there is absolutely nothing wrong.

As to what they will be getting in terms of fuel allowance, again, the regulations will make a provision. Additionally, the regulations will make provision for salaries of the helpers: the cooks, drivers, and others, they will be free to do all that. It is up to this Parliament to approve or disapprove.

Thank you, Hon. Temporary Chairman.

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

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

(Clause 2 agreed to)

(Title agreed to)

Clause 1

The Temporary Chairman (Hon. Omboko Milemba): There is an amendment by the Chairman.

Hon. George Murugara (Tharaka, UDA): Hon. Temporary Chairman, I beg to move: THAT, Clause 1 of the Bill be amended by inserting the words “and shall come into force upon publication in the *Gazette*” immediately after the expression “Judges Retirement Benefits Act, 2025”.

That is how the Act is referred to. We have made a provision as to when it shall come into effect, which is also a requirement of legislation that we know exactly when this Act is going to come into force. It will come into effect as soon as it is assented to, gazetted, and printed by the Government Printer.

Thank you.

(Question of the amendment proposed)

The Temporary Chairman (Hon. Omboko Milemba): Hon. Mutuse.

Hon. Mwengi Mutuse (Kibwezi West, MCCP): I stand in support. This is very important. You know, sometimes the judges’ benefits can be delayed if the law is not operationalised. This amendment provides a self-mechanism for the Act being effected. This is extremely important as the judges are certain that it will be implemented.

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

(Clause 1 as amended agreed to)

The Temporary Chairman (Hon. Omboko Milemba): Hon. Members, we have finished with this particular one. We ask the Mover to move reporting. Hon. Murugara, move reporting on behalf of the Leader of the Majority Party.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Temporary Chairman. On behalf of the Leader of the Majority Party, I beg to move that the Committee do report to the House its consideration of the Judges' Retirement Benefits Bill (National Assembly Bill No.27 of 2025) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

(The House resumed)

IN THE HOUSE

*[The Temporary Speaker
(Hon. David Ochieng') in the Chair]*

MOTIONS

CONSIDERATION OF REPORT ON THE JUDGES' RETIREMENT BENEFITS BILL

The Temporary Speaker (Hon. David Ochieng'): Chairperson, report.

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Temporary Speaker, I beg to report that the Committee of the whole House has considered the Judges' Retirement Benefits Bill (National Assembly Bill No. 27 of 2025) and approved the same with amendments.

The Temporary Speaker (Hon. David Ochieng'): Mover.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Temporary Speaker. I beg to move that the House do agree with the Committee in the said report. I also request Hon. Jematiah to second the Motion for agreement of the report of the Committee of the whole House.

Hon. Jematiah Sergon (Baringo County, UDA): Thank you, Hon. Temporary Speaker. I second the report of the Committee of the whole House.

The Temporary Speaker (Hon. David Ochieng'): Hon. Members, thank you very much for your patience on this.

(Question proposed)

I would be mindful to take any few interventions if there are any. If there are no interventions, then I would, for obvious reasons, Hon. Chepkonga, pend the putting of the question until we are properly prepared to do so.

(Putting the question deferred)

I, therefore, call for the next Order.

ADOPTION OF REPORT ON THE PRIVILEGES AND IMMUNITIES
(THE GLOBAL CENTRE FOR ADAPTATION) ORDER, 2025

The Temporary Speaker (Hon. David Ochieng’): Who is the Mover of this? This is the Hon. Chepkonga. Are you still the Chairperson of the Committee on Delegated Legislation? Hon. Gichimu. Is it true that he is still the Chairperson?

Hon. Gichimu Githinji (Gichugu, UDA): Hon. Temporary Speaker, he is the Chairman.

The Temporary Speaker (Hon. David Ochieng’): Are you the delegatee this afternoon?

Hon. Gichimu Githinji (Gichugu, UDA): Yes, I have leave to move.

The Temporary Speaker (Hon. David Ochieng’): What is on the Order Paper is that, this is moved by the Chairperson. Now it is on record that this Chairperson is Hon. Gichimu for this evening. Go ahead.

Hon. Gichimu Githinji (Gichugu, UDA): Hon. Temporary Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration on the Privileges and Immunities (the Global Centre for Adaptation) Order, published as Legal Notice No. 82 of 2025, laid on the Table of the House on Thursday, 4th December 2025, and declares that the Privileges and Immunities (the Global Centre for Adaptation) Order (Legal Notice No. 82 of 2025) a nullity for failing to comply with Section 17 of the Privileges and Immunities Act (Cap. 179) that requires the regulating making Authority to submit the draft Order for approval by Parliament before publication of the Order, and infringing Article 94(6) of the Constitution relating to the principles and Section 13(a) of the Statutory Instruments Act, (Cap 2A).

Hon. Temporary Speaker, the Privileges and Immunities (Global Centre for Adaptation) Order 2025, is a statutory instrument made by the Cabinet Secretary for Foreign and Diaspora Affairs, pursuant to Section 11 of the Privileges and Immunities Act (Cap. 179). The legal notice was published in the Kenya Gazette on 2nd May 2025, thereafter submitted to the Clerk of the National Assembly on 30th May 2025, and tabled before the House on 4th June 2025, whereupon it stood referred to the Committee on Delegated Legislation for scrutiny in accordance with Section 12.1 of the Statutory Instruments Act (Cap. 2A). The Committee considered the order in line with the Constitution, the Privileges and Immunities Act (Cap. 179), the Interpretation and General Provisions Act (Cap. 2) and the Statutory Instruments Act (Cap. 2A).

Hon. Temporary Speaker, the object and purpose of the Privileges and Immunities, the Global Centre for Adaptation, Order 2025, is to confer privileges and immunities upon the Global Centre for Adaptation (GCA), an international organisation with which the Government of Kenya has entered into a cooperation agreement to support climate adaptation initiative.

The order seeks to grant the organisation legal capacity as a body corporate and confer privileges and immunities specified under Part 1 of the 4th Schedule of the Act, which includes the immunity for suit and legal process, inviolability of premises and official archives, and exemptions from certain taxes and duties. The order further confers privileges and immunities upon a director, officials and staff of the organisation under Part 3 of the 4th Schedule of the Act, including immunity in respect of the acts performed in the course of official duties and certain physical exemptions.

Hon. Temporary Speaker, in its scrutiny of the order, the Committee made the following observations. That Section 17 of the Privileges and Immunities Act requires that any

order made under the Act must first be submitted to Parliament in draft form and approved by resolution before publication. This requirement gives effect to Article 94(6) of the Constitution, which provides that delegated legislation must be exercised strictly within the authority and standards set out by Parliament. In this case, that authority and standard have already been set out under the Privileges and Immunities Act.

Hon. Temporary Speaker, the Ministry of Foreign and Diaspora Affairs, did not prepare or submit a draft order to Parliament prior to consideration as required by the law, that is Section 17 of the Privileges and Immunities Act. The order was, therefore, published without the mandatory prior requirement that Parliament ought to approve it. Therefore, Hon. Temporary Speaker, pursuant to Section 16 of the Statutory Instruments Act, the Committee invited the Ministry of Foreign and Diaspora Affairs to hear their views on the matter. After consultations by the Committee from the National Treasury and Economic Planning, they confirmed that they were not aware whether the order had been submitted to Parliament in draft form as required.

Therefore, having examined the Privileges and Immunities (Global Centre for Adaptation) Order, 2025, the Constitution and the relevant statutes, the Committee found that failure to submit the draft order to Parliament before publication infringed Article 94(6) of the Constitution which provides that the delegated authority must be exercised strictly within the authority and standards set out by an embedded Act of Parliament. It also contravened Section 11 and 17 of the Privileges and Immunities Act (Cap. 179) and violated Section 13A of the Statutory Instruments Act (Cap. 2A), which requires that the statutory instruments conform to the enabling law.

Accordingly, the Committee had no option other than to recommend that this House declares the Privileges and Immunities (Global Centre for Adaptation) Order, 2025, Legal Notice No.82 of 2025 a nullity, for failure to comply with the Constitution and the applicable statutory requirements governing the delegated legislation. However, much as this order may have been well intentioned, it had to follow the requisite procedure provided under the Act under which it is made. I will be very clear while moving this and seeking the House to agree with the Committee on Delegated Legislation in annulling this order, that the Committee did not dwell into the nitty-gritties of this order. Having considered that the requisite procedure was not followed, it was not necessary to move into the other issues of whether public participation was conducted and all the other requisite conditions for regulations were met. We found that the law was not followed as I have already explained.

I beg to move. I now call upon the Hon. Member for Bonchari, Hon. Onchoke to second.

The Temporary Speaker (Hon. David Ochieng’): Go ahead.

Hon. Charles Onchoke (Bonchari, UPA): Thank you, Hon. Temporary Speaker. I am sitting here today. I have been promoted.

I rise to second the Motion that this House considers to nullify the order of the Privileges and Immunities (Global Centre for Adaptation) Order, 2025, Legal Notice No. 82 of 2025. On the face of it, about three or four laws were breached. They were never followed. The Committee did not even have to go into the merits and the purpose of this order. The Committee...

(Hon. Kuria Kimani walked in front of Hon. Charles Ochonke)

The Temporary Speaker (Hon. David Ochieng’): Order, Hon. Francis Kimani Kuria. You cannot do that and you know it.

(Laughter)

Hon. Charles Onchoke (Bonchari, UPA): Hon. Temporary Speaker, the Committee has noted that a number of these statutory instrument-making bodies have developed a habit of not following the law. They do not bring the orders and the instruments to the House for consideration and approval. I, therefore, stand here to second this Motion.

Thank you.

(Question proposed)

The Member for Molo, you want to contribute to this?

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Speaker, I applaud this nullification of this instrument. I think this is a call for this honourable House to be very careful about the laws that we enact, seeing some of the provisions that were contained in this Act. One of them was providing immunity from suits and legal processes for acts and omissions in official duties for these diplomats. They were being given exceptions from direct taxes on salary emoluments. They were being given immunity from national service. They were given immigration and registration exemptions and they were also being given exchange control privileges and repatriation facilities as well as being allowed duty free importation of furniture, personal effects and household goods on first arrival.

We accept that Kenya has become a hub of diplomatic missions globally. As we welcome the decision by the United Nations to set up a substantial office in Nairobi, it does not mean that we need to advantage foreigners over Kenyan citizens. Of late, we have seen foreigners end up abusing some of the privileges that are given to them.

Just the other day, a Russian guy came to the country and did all manner of things including breaching our data protection laws. We know about the allegations Hon. Jane Kagiri keeps talking about. She talks about the intricacies being done to the people of Nanyuki by the British Army that is training there. Therefore, it very important that, as much as we are very welcoming and we really welcome all foreigners to invest in our country, live here and set up their offices...

The Temporary Speaker (Hon. David Ochieng’): What is this Russian thing?

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Speaker, there is a Russian man, who came to the country *akashikanisha nchi* a few weeks ago. He was wearing sunglasses that have cameras. He picked up women all over the place and did all manner of unimaginable things with them. He recorded them and later released the recordings. Some of the recordings are very embarrassing and have really degraded the value of our women. Even though some of the actions by those women may not be upheld as good, recording them is wrong because some of them are mothers. That incident has broken a number of marriages because some of the women admitted that they are married but they were willing to do anything so that they can go with that Russian man.

We had this discussion with some of my friends. While growing up, all the soap operas that were shown to our children and girls have made them imagine that white and people who are not black are the only romantic men. Many women also believe that if they get acquainted with a white man, *wanasema utatoka* block, to mean you will get out of poverty. Therefore, they are willing to go out and do anything possible as a way of trying to safeguard their fortunes. That is the story of the Russian guy.

Last year again, we saw a Chinese employer slapping and beating up his employees. In as much as we welcome foreigners, they cannot operate outside the laws of our land, be it our employment laws and data protection laws or criminal laws. We must safeguard our interest selfishly. If any of us commits some of the crimes foreigners commit here in their countries, we will rot in jail in those countries. It is high time, as a country, we also took note of this. Foreigners that break the laws of our land should be repatriated back to this country to face the full force of the law and imprisoned here in Kamiti and not taken back to their countries for

imprisonment. When Kenyans commit crimes in other countries, they are thrown into jails. We have seen petitions brought to the House by Hon. Members saying that some of their constituents have been jailed in India and in others countries for very many years for committing very petty crimes. We should not allow foreigners to come from their countries to disrespect us, disrespect our women and the laws of our land. We should take stern action against foreigners just as much as they would take on us if we committed crimes in their respective countries.

For that, I support the Mover of the Motion, Hon. Gichimu, for the nullification. We must be selfish as a country. As much as we are opening doors to foreigners in our country, it does not mean they come and demean us or take us as their slaves. They must come and follow the laws of our land, the same way when we go to their land we strictly adhere to the laws of their land. The same way they are strict on us if you break the laws of their land when we visit there, is the same way we should be strict on them when they break the laws of our land here.

I support, Hon. Temporary Speaker.

The Temporary Speaker (Hon. David Ochieng’): Member for Jomvu, do you want to speak on this? This is your chance to contribute.

Hon. Bady Twalib (Jomvu, ODM): Ahsante, Mhe. Spika wa Muda. Mimi pia nataka kuunga mkono na kukubaliana na yale maneno ambayo Mhe. Kuria Kimani ameyasema. Ni kweli, hii hali ambayo *tunawatafadhali* hawa wanaokuja hapa kama mabalozi ama wageni katika nchi yetu. Baadaye wanatumia nafasi hiyo kufanya vitu ambavyo si sawa. Mfano wa hao wageni ama kwa Kiingereza *foreigners*, ni huyu ametajwa hapa kutoka Russia. Amekuja hapa, amewafikia wasichana wetu, amewafanyia makosa halafu amevunja nyumba zao na kila kitu!

Ni lazima sisi utu wetu tuuweke mbele. Wapo mabalozi pia ambao wanaishi humu nchini. Wao wanaruhusiwa kuagiza mali ama vitu vingine. Utapata mtu, mkora fulani, anaagiza makontena au magari kisha anasema ni *personal effects* za balozi fulani. Hivyo, halipi ushuru ambao ni wa nchi yetu.

Si sawa alichofanya huyo Mrusi. Aliwachezea watoto wetu sana. Nataka kukwambia, Mhe. Spika wa Muda, itakuwa sawa kabisa ahukumiwe jela. Yeye matatizo yake ni zile chengelele zake ambazo amezifunga kwenye suruali. Ni vizuri ziwe *castrated*. Yaani afinywe kwa hayo mambo ili asirudie mambo kama hayo.

Leo huyu mtu, mimi nashangaa, amemfikia mpaka mwalimu wangu mmoja, nasikia sijui wa Mikindani ama wa wapi. Aliulizwa, anadai eti mimi niko single, kwa sababu ya huyo Mrusi. Je, leo angekuwa amefika katika sehemu ambazo ameweza kueneza ugonjwa na mahali pengine, si tungekuwa kwa hasara? Kwa hivyo, nayaangalia mambo haya kwa nia njema, lakini tuyaangalie kwa tahadhari.

Ahsante kwa kunipa nafasi hii. Tunayalaani mambo haya ya Mrusi.

The Temporary Speaker (Hon. David Ochieng’): Hon. Chepkonga, you are all now confusing the House. There is definitely a difference between the Global Centre for Adaptation and the Russian. Please, go ahead and tell us the difference.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Hon. Temporary Speaker, sometimes, in a very hard topic like this one, you take leave to discuss other issues of national importance.

I rise to support the Committee on Delegated Legislation Report, which is very important. This Committee did not go into the merits of that particular Order. As you have just heard the Chairperson of the Departmental Committee on Finance and National Planning, Hon. Kuria Kimani, he has vividly stated that there are issues with regard to this Order. We should have gone to the National Treasury and Economic Planning, because it includes tax exemptions.

On the question of tax exemptions, it cannot be done by the Ministry of Foreign and Diaspora Affairs. This is a matter which can only be undertaken by the National Treasury and

Economic Planning in accordance with the Constitution. There is a plethora of decisions by the courts which have held that procedure as important as the substantive law itself. In this case, the procedure that was adopted in seeking to grant immunities and privileges to this organisation was completely in total breach. The law requires that the Order must be brought in draft form to this House for approval before it is gazetted. The Order was gazetted and came into force irregularly and completely out of procedure. Anything that does not adhere to established legal methods, rules, and regulations is of no effect. It is null and void. We have procedures because they prevent arbitrariness on the part of those who are given the power to make regulations. Procedures ensure that we avoid chaos in lawmaking. If procedures are not followed, everybody will just come up with their own regulations that are against the law.

Article 94 of the Constitution is very clear. It states that no person within the boundaries of this country has the power to make provisions having the force of law without the authority of Parliament. Anybody who attempts to grab the power that has been granted to this House exclusively by Kenyans will be frowned upon. The purpose of procedures is not to stifle law-making, but to ensure fairness and justice. The courts take a dim view of any person who fails to comply with procedures as laid down by this House. That will ensure that procedures regulate the rights and privileges that are enjoyed by Kenyans and any person who comes to this nation.

I will mention a few things that we noted, which we did not put in our Report, if we are to deal with the demerits of this matter. This organisation was established in the Netherlands and it came into this country having been deregistered in another country. We wanted to know why it was deregistered in that country. No public participation was undertaken as required by Articles 118 and 10 of the Constitution. Clearly, this Order was in total breach of the Constitution and is unconstitutional.

I support that the Order be declared null and void by the House. I support the Report of the Committee.

The Temporary Speaker (Hon. David Ochieng’): Member for Funyula.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker. I support the Report of the Committee on Delegated Legislation on the recommendation to nullify, in its entirety, the Privileges and Immunities (The Global Centre on Adaptation) Order (Legal Notice No. 82 of 2025) based on the facts that have been presented to us by my good friend, the Member for Gichugu, who happens to be a Member of the Committee. For the record, I was a Member of the Committee in the last term but I am not, in this term.

The Global Centre on Adaptation (GCA) is an international organisation that was established as part of the Paris Agreement on Climate Change Resilience and Climate Change Management. Its headquarters are in the Netherlands. The fundamental question that we need to ask is to what extent this Centre is a diplomatic mission. In the fullness of time, we will need to ascertain that legal notice.

The mere fact that the State Department for Foreign Affairs proceeded to publish and enforce the Order without the approval of Parliament is the highest level of impunity. It is the highest breach of the Constitution. Truth be told, whoever appended his or her signature in publishing the Order breached the Constitution, acted unconstitutionally and is liable for sanctions under various Articles of the Constitution of Kenya. You cannot purport to be a public servant who has sworn to uphold the Constitution yet you are the very first person to disregard the provisions of the Constitution in publishing and enforcing the Order.

I challenge the Committee, because I can see the Chair and the Vice-Chair are in an animated discussion. You need to ask whoever signed and published the order to come out and account for that unconstitutional edict. To be honest, we cannot allow that level of impunity to prevail unpunished. That is unacceptable in the modern day.

We tend to favour diplomatic missions even beyond what we do to our people who slug out day and night to get things moving. I commend the Committee for having stood up. I am sure there must have been much pressure to get it passed, from the Executive or other corners. At least, for the very first time, your side had the courage to say no and uphold constitutional provisions. We even ask Kenyans when we go out of this country. I have been to very many missions and I talk to diplomats there. They are very clear in their views. They say they have to comply with the laws of those countries. The diplomatic immunities they are accorded are only for mainstream diplomatic missions that are truly and purely accredited by those countries. Whichever way, some things are no go zones. Things about taxation and immunity against criminal action are beyond. They cannot be entertained in those countries.

Why does Kenya allow such kinds of things to happen then let the foreigners go scot-free? It is baffling. It is just a continuous act of dereliction of duty over the people charged with those offences. Foreigners commit offences very many times and are taken away at night so that they are no longer in the country by the time they have to answer the offences.

The man a Chinese national beat in Eldoret comes from my constituency. I asked a question here. I have never received an answer. The gentleman was badly injured. Nobody has ever bothered to attend to him. It is in this disguised view that we want foreigners to invest in our country. As *baba* Moi used to say, nobody from anywhere will come to develop this country. We have to do it ourselves. If we have to do it ourselves and get moving, we must be extremely hard on foreign investors who come with nothing important to invest.

As I conclude, Hon. Temporary Speaker, I urge the Committee to remain courageous in view of the intimidation you normally have to endure. Remain courageous and God will forever remember that you existed and probably saved this country from one of these funny, funny things that would have happened.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. David Ochieng’): The Member for Marsabit.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you for giving me opportunity to add my voice to this very important debate. From the outset, I support this Motion.

I support it because of the experience we are having in this country of late and even in the past. Many of our citizens have suffered in the hands of foreigners. I further support this because the Committee has made the right observation. I like what it has said.

Number four talks about examining the Privileges and Immunities (the Global Centre for Adaption) Order of 2025 (Legal Notice No.82 of 2025), in accordance with the Constitution, the Interpretation and General Provisions Act (Cap. 2A), the Statutory Instruments Act and the Privileges and Immunities Act. The Committee recommends that the House declare the Privileges and Immunities (the Global Centre for Adaption) Order of 2025 (Legal Notice No. 82 of 2025) a nullity for failure to adhere to Section 17 of the Privileges and Immunities Act. This is a serious gap that the Committee members have observed.

I want to congratulate members of this Committee for standing in the gap and salvaging the situation. If we cannot nullify this today, many Kenyans will suffer in the hands of foreigners who come in the pretence of investing in this country and starting companies that can employ our young people. At the end of the day, many Kenyans suffer in their hands.

The example that many Hon. Members have referred to is something that has moved the entire nation and the world. Just remembering the number of our young people who may have been infected by that particular Russian man is a story that will affect us for the rest of our lives. I know many families, young people, and women today may be depressed about this issue.

We know very well that many investors have come and have mistreated citizens of this country. Some have even taken and hidden very important documents from them, like identity cards and passports. They have mistreated them. They have used them as their social workers

without even paying them. Nullifying this will save this country and give us the pride that we need.

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

The Temporary Speaker (Hon. David Ochieng’): Member for Kesses.

Hon. Julius Rutto (Kesses, UDA): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity to also rise in support of the Report of the Delegated Legislation Committee on the Privileges and Immunities (Global Centre for Adaptation) Order, 2025. From the outset, I support the recommendation of the Committee to annul in totality this Order that was developed and published by the Executive in the absence of what the law has guided – that all the law-making procedures are vested in this House, and the instruments of power have guided the same.

This one is just troubleshooting. It could be inviting this House to extend its role in ensuring that we carry out an audit to establish all the instruments that are being used to run these organisations and ministries. This Order was done in silence in contravention of the law and it was already deemed to be giving out powers to a foreign person, in this case, the Global Centre for Adaptation, up to and including contravening the Tax Procedures Act. All powers on exemption of taxation, as per the Tax Procedures Act, are now in the Office of the Cabinet Secretary for the National Treasury, of course, in consultation with the relevant ministries when a matter arises. Looking at this Instrument, it was already subverting that power and giving out a privilege to a foreign entity.

Most of these issues are coming up because of the current occurrence in our nation, where we have seen friends who have been invited to the nation come in goodwill. Some of them have come to facilitate foreign direct investments and others to give services in support of what the Government is doing in addressing the social needs of the people. However, they end up abusing these privileges to carry on their interests, including exploiting our children in terms of peddling information that is not warranted to our young people. They also exploit our women and the population in terms of labour. Some of them have employed our people who work beyond lawful limits and without proper compensation, even to the extent of coercion. They subject them to stress and behaviours that our employment laws are totally against, merely by virtue of the cover they have been given.

If the House will annul the Privileges and Immunities (Global Centre for Adaptation) Order, 2025, we will have done the right thing. I thank the Committee on Delegated Legislation for doing the right thing and alerting this House to be keen. I can see the Vice-Chair is here. We must remember that this House was established to protect the interests of Kenyans against all odds.

For this reason, it is high time ministries, led by this particular one, do the right thing and involve this House. Guided by Article 118 of the Constitution, it is only this House that can undertake proper public participation, public sensitisation, and stakeholder engagement so that we balance and not cede the privileges of our people at the expense of foreigners.

I support this Motion which serves as an example. We need to go further beyond this point to safeguard the interests of Kenyans. Thank you very much, Hon. Temporary Speaker.

The Temporary Speaker (Hon. David Ochieng’): Member for Baringo County, what happened to your card? Go ahead.

Hon. Jematiah Sergon (Baringo County, UDA): Thank you, Hon. Temporary Speaker. I am sorry for not having my card ready at this time.

I also join my colleagues in supporting the work of the Committee, and specifically Hon. Gichimu for moving this Motion. I read the Report keenly. I am shocked that someone in the echelons of power within the Executive thinks that they can break the law by not even bringing this draft to Parliament.

I am keen on the Schedule in the Privileges and Immunities (The Global Centre for Adaptation) Order, 2025 which was rejected by the Committee. This is the exemption of certain taxes and duties, the inviolability of premises and official archives, and immunity from suit and legal process. This is a very dangerous organisation. Imagine someone seeking not to be subjected to any law of this country because they want to undertake activities that are unimaginable.

Africans should be proud of being Africans. We do not need to look forward to associate ourselves with foreigners and imagine that they can do better things than us. If you read history, you will realise that industrialisation and civilisation of the world actually started in Africa. I thank the Committee for refusing to be coerced and standing firm to protect Kenyans by rejecting this Order.

I come from Baringo County. There was a runaway acceptance of global climate solutions. During President Moi's tenure, I believe someone from Canada, Brazil or somewhere else decided to help the people of Baringo to mitigate desertification. They brought a wild plant called *mathenge*, which was accepted at that time. However, the adverse effects are being felt today by people who were not there and did not make that decision. When decisions are made today, they may not affect those in office immediately. When you leave office, they will affect innocent people. As Members of Parliament, it is very important for us to protect Kenyans and all things that can progress through the law.

I also thank the Committee because matters of privileges and immunities must pass through Parliament. This Order was not brought to Parliament for approval. Therefore, it should not be implemented. I hope the Executive is not going to sneak this Order in because of the privileges they have and because they feel their offices are important. Just like Members have been complaining about the Russian guy, I cannot imagine the impact that he left. The terror that is going through the houses of the people involved, the emotions that he caused the young women who were exposed, the problems such as judgement that they are now facing in the society, and all such kind of things just because we allowed someone to run around and take photos.

To this point, we have not seen proper action or someone take up the matter and give us reasons how this guy landed in Kenya and what he was doing so that we protect ourselves. If you look at the way Africans generally behave, we are so welcoming and we always attract such characters. This is one of the reasons I thank the Committee for standing firm and nullifying this Order.

I support the Committee. Thank you.

The Temporary Speaker (Hon. David Ochieng'): Member for Mwingi Central, do you want to contribute to this?

Hon. Gideon Mulyungi (Mwingi Central, WDM): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute to this Bill. I rise to support the Report by the Committee on Delegated Legislation on the Privileges and Immunities Regulations for Foreigners and Foreign Missions. I would like to support the annulment of these regulations because they are against the Constitution of Kenya, 2010, which provides that no one is above the law in Kenya and that anybody can sue and be sued, except the President while in office.

Further, the fact that the regulations allowed exemption of taxes, is contrary to the law and anybody earning a salary in Kenya must pay taxes in Kenya so that we can run our country effectively. This would have opened a Pandora's Box for others to join in, misuse their power and exploit other Kenyans on some of these exemptions. This House should set a good example for those in power and in the Executive, that you cannot wake up one morning and prepare regulations to suit yourself, your friends and cronies. In future, they should know that there is a House of Parliament which makes laws and approves regulations. To make such regulations

without consulting Parliament and the public is, indeed, usurping powers to circumvent the law.

Therefore, this was illegal and should be treated as such. Let this annulment by the Committee on Delegated Legislation set an example to those in the Executive to abide by the rule of law in Kenya.

The Temporary Speaker (Hon. David Ochieng’): There being no other interest on this, I call upon the Mover, Hon. Gichimu, to reply.

Hon. Gichimu Githinji (Gichugu, UDA): Thank you, Hon. Temporary Speaker. I also take this opportunity as I reply to thank all the Members of Parliament who have contributed and supported this Motion. Actually, there is no single Member who has opposed it.

I wish to indicate and clarify to Hon. (Dr) Oundo that the mandate of the Committee on Delegated Legislation is provided under Standing Order No.210(3) and (4). The best that this Committee can do, after scrutinising the statutory instruments, is to recommend approval where compliance with the law and the requisite procedures has been met or to recommend annulment by this House, which we have done, where the requisite law, the Constitution, and the Standing Orders have not been followed. That is the limit of our mandate and we have done what has been provided for under the Standing Orders.

I also thank the Committee for being the gatekeeper of Kenyan citizens through this Parliament. That, all regulations and statutory instruments brought before this House must follow the law.

As I finish, Hon. Temporary Speaker, it has also come to our knowledge as the Committee on Delegated Legislation that there are instances where the Executive and some regulatory-making bodies issue what they normally call internal directives and those directives have the force of law. We want to caution them that anything made that has the force of law, with consequences or penalties, is a statutory instrument and should be brought to Parliament for consideration as provided by the parent Act under which they are made.

Hon. Temporary Speaker, without much ado, I beg to reply.

The Temporary Speaker (Hon. David Ochieng’): Hon. Members, for obvious reasons, we defer putting of the Question on that particular Motion to the next time it is listed in the Order Paper.

(Putting the question deferred)

Next Order.

ADOPTION OF REPORT ON DISCRIMINATION
OF SPECIAL NEEDS EDUCATION TEACHERS

THAT, this House adopts the Report of the Public Petitions Committee on its consideration of Public Petition No. 76 of 2023 regarding discrimination by the Teachers Service Commission on career progression guidelines for special needs education teachers in Kenya, laid on the Table of the House on Wednesday, 19th November 2025.

*(Moved by Hon. Janet Sitienei on
18.2.2026 – Afternoon Sitting)*

*(Resumption of debate interrupted
on 18.2.2026 – Afternoon Sitting)*

The Temporary Speaker (Hon. David Ochieng’): Hon. Members, debate on this Motion started yesterday and if there is no Member with interest, I order that the next time it comes up, the Mover shall be called upon to reply.

Next Order.

ADOPTION OF REPORT ON AUDITED ACCOUNTS OF
NG-CDF BOARD FOR FY 2016/2017 to 2021/2022

THAT, this House adopts the Seventh Report of the Decentralised Funds Accounts Committee on its consideration of the audited accounts of the National Government Constituencies Development Fund Board for the financial years 2016/2017, 2017/2018, 2018/2019, 2019/2020, 2020/2021 and 2021/2022, laid on the Table of the House on Tuesday, 2nd December 2025.

The Temporary Speaker (Hon. David Ochieng’): Hon. Mulyungi, are you going to proceed with this? I see you have a number of them today.

Hon. Gideon Mulyungi (Mwingi Central, WDM): Thank you, Temporary Speaker. I request that you allow me to move this Motion next week because I am not fully prepared. Based on the Members present, I have one Member who can second me. We are not prepared to move the Motion today. We thought it was too far in the Order Paper.

The Temporary Speaker (Hon. David Ochieng’): I would imagine that you were informed about this. We stand down Order No. 15.

(Motion deferred)

Next Order.

ADOPTION OF REPORT ON AUDITED ACCOUNTS OF
NGAAF FOR FY 2016/2017 TO 2021/2022

THAT, this House adopts the Eighth Report of the Decentralized Funds Accounts Committee on its consideration of the audited accounts of the National Government Affirmative Action Fund for the financial years 2016/2017, 2017/2018, 2018/2019, 2019/2020, 2020/2021 and 2021/2022, laid on the Table of the House on Tuesday, 2nd December 2025.

The Temporary Speaker (Hon. David Ochieng’): Is this the same?

Hon. Gideon Mulyungi (Mwingi Central, WDM): It is the same, Hon. Temporary Speaker.

(Motion deferred)

The Temporary Speaker (Hon. David Ochieng’): For the convenience of the House, could you please call out Order No. 18 first.

ADOPTION OF REPORT ON AUDITED ACCOUNTS FOR
NG-CDF FOR CONSTITUENCIES IN NAKURU COUNTY
FY 2013/2014 TO 2021/2022

THAT, this House adopts the Ninth Report of the Decentralized Funds Accounts Committee on its consideration of the audited accounts of the National Government Constituencies Development Fund for Constituencies in Nakuru

County for the financial years 2013/2014, 2014/2015, 2015/2016, 2016/2017, 2017/2018, 2018/2019, 2019/2020, 2020/2021 and 2021/2022, laid on the Table of the House on Tuesday, 2nd December 2025.

The Temporary Speaker (Hon. David Ochieng’): Hon. Mulyungi.

Hon. Gideon Mulyungi (Mwingi Central, WDM): It is the same matter.

The Temporary Speaker (Hon. David Ochieng’): The Order is stood down until next time it is in the Order Paper.

(Motion deferred)

Let us go back to Order No. 17

ADOPTION OF REPORT ON AUDITED ACCOUNTS FOR
THE JUDICIARY MORTGAGE SCHEME FUND FROM
FY 2011/2012 TO 2021/2022

THAT, this House adopts the Report of the Special Funds Accounts Committee on its consideration of the audited accounts for the Judiciary Mortgage Scheme Fund for the financial years 2011/2012 to 2021/2022, laid on the Table of the House on Tuesday, 5th August 2025.

The Temporary Speaker (Hon. David Ochieng’): Is the Chairperson in the House? Who is the Chairperson? Hon. Fatuma had indicated that it is Ramadhan, so she will not be around. Next Order.

(Motion deferred)

BILL

Second Reading

THE ENERGY (AMENDMENT) BILL
(Senate Bill No. 42 of 2023)

The Temporary Speaker (Hon. David Ochieng’): Hon. Gikaria, you have 18 minutes. Will you be able to move in 18 minutes?

Hon. David Gikaria (Nakuru Town East, UDA): Hon. Temporary Speaker, I beg to move that the Energy (Amendment) Bill (Senate Bill No.42 of 2023) be now read a Second Time.

The Bill seeks to amend the Energy Act (Cap. 314) by introducing new Section 134A to regulate energy purchase agreement and power purchase agreements entered into between power producer and electricity buying entities, such as Kenya Power. The main objective of the Bill is to enhance transparency, accountability, and prudent financial management in the procurement of electric power and to protect consumers from inflated electricity costs arising from non-transparent contracts.

The Bill was published on 30th October 2023 and read for the First Time on 24th April 2025. It was thereafter committed to the Departmental Committee pursuant to Standing Order 127. In compliance with Article 118 of the Constitution, the Committee invited public participation and received submissions from the Ministry of Energy and Petroleum and stakeholders in the energy sector. In compliance with Article 118(1)(b) of the Constitution and Standing Order number 127(3) through the placement of adverts in the print media on 15th May

2025, the National Assembly invited the public and interested stakeholders to submit memoranda on the proposed amendment.

By close of business on Wednesday 28th May 2025 at 5 p.m. the Committee did not receive any memoranda on the Bill. Further, the Committee invited Ministry of Energy and Petroleum for a meeting on 29th July 2025 to give their comments and proposals on the Bill. In addition, the Committee invited other stakeholders, including Orpower 4, Kipeto Energy PLC, Sosian Energy Limited and Lake Turkana Wind Power Limited for a meeting to give their comments and proposals on the Bill. It is important to note that out of the stakeholders invited, apart from the Ministry, only Sosian Energy Limited appeared before the Committee.

The Committee carefully reviewed the Bill, clause by clause, and considered all views received. After considering the Bill, the Committee made the following key observations. The Bill refers only to energy purchase agreements. However, in practise, Kenya Power enters into both energy purchase agreements and power purchase agreements. The two are different. Power is measured in megawatts, while energy is measured in megawatts per hour. The law must, therefore, clearly cover both to avoid ambiguity.

Second, the proposed Section 134(A)(2) restates principles of public finance that are already provided for in the Constitution and other existing laws. The Committee found this to be an unnecessary duplication.

Third, the proposed Subsection 134(A)(3) introduces procurement and feasibility study requirements that are already covered under the existing frameworks such as the Least Cost Power Development Plan and the Public-Private Partnership Framework. The Committee noted that retaining those provisions may create legal conflicts and delay energy projects.

In view of those observations, the Committee recommended that the House approves the Bill with amendments. The key amendments proposed are:

1. To introduce a clear definition of Energy Purchase Agreements (EPAs) to include both Energy and Power Purchase Agreements (PPAs).
2. To delete Section 134A(2) to avoid duplication of constitutional principles.
3. To delete Section 134A(3) to avoid legal conflicts and unnecessary delays in procurement.
4. To provide a transitional clause requiring existing agreements to comply with the new law within six months of commitment.

Energy is the backbone of our economy. It affects industries, small businesses, households, and the overall cost of living. While transparency and accountability in energy contracts are essential, we must also ensure that our laws are clear, consistent, and workable.

The Committee believes that the proposed amendments strengthen the Bill to align it with existing law frameworks while protecting public interest. Therefore, I urge Members to support the Report of the Committee and approve the Bill with the proposed amendments. This is an Amendment Bill from the Senate proposed by Sen. Sifuna. The Bill is a repetition of already existing laws. With the exception of one clause that we propose to amend to include both Energy and Power Purchase Agreements, all the other proposals were a duplication, which may cause conflicts in future if approved.

I beg to move and ask my brother, *Mheshimiwa Wakili Gichimu*, to second.

The Temporary Speaker (Hon. David Ochieng’): I did not know he was your brother. Proceed, Hon. Gichimu.

Hon. Gichimu Githinji (Gichugu, UDA): Hon. Temporary Speaker, in our customs, men who are almost of the same age call each other brothers. I believe that that is where he is coming from.

I rise to second this Bill, which has been moved by Hon. Gikaria. The Committee has carefully considered the amendments by Sen. Sifuna and thought it wise not to approve them as they are in the Bill because that would amount to a duplication of existing laws.

The part that requires definition because it has been creating confusion and probably jeopardising and compromising the consumers in terms of the power which is billed is important. This debate has found its way into this House through various Members. I remember the Member for Laikipia County, Hon. Jane Kagiri, brought up this matter. It even went to the Departmental Committee on Energy. It was deliberated and the report was brought to this House. Hon. Gikaria has now picked it up through this amendment and that issue will now be resolved.

To be fair to existing agreements and parties to the agreements, the exit clause is very important because it ensures fairness. The law does not act retrospectively. There could be timelines that parties had already given themselves in the agreements. I do not need to go beyond that point since we only seek to amend just one main clause with sub-clauses.

I beg to second.

(Question proposed)

The Temporary Speaker (Hon. David Ochieng’): Hon. Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you. Let me join my colleague in supporting the Energy (Amendment) Bill (Senate Bill No. 42 of 2023) as moved with the proposed amendments. Let me also commend the Secretary-General of the biggest party, Edwin Sifuna, for thinking through it so that it comes through the Bill that has found its way here.

I was in engagement with the Cabinet Secretary in charge of Investment, Trade and Industry today. The cost of energy was one of the questions we raised and discussed with him. Hon. Gikaria, you need to educate the uneducated. I have never known the difference between energy and power. I thought the words could be used interchangeably. You have said the difference is only in units of measurement. I will ask engineers to explain the difference to me as I go to take a cup of uji as our beloved President Uhuru Kenyatta told us. I know you are not an engineer in that line. You are a Catholic like me.

The Temporary Speaker (Hon. David Ochieng’): Do we have Catholic engineers and non-Catholic engineers?

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Yes, you might not understand that we met somewhere and the environment was very tense in those good old days.

We, as a country, need to debate and resolve the matter of the cost of power. There are two limbs to this debate. First, is the amount of power adequate to power the country to achieve the status of the most industrialised country in Vision 2030. I am sure the Chairman will one day have to bring that debate to this House and convince Members. There have been debates elsewhere that Kenya has excess power and that scheduling is the problem. Everybody in this country operates within known defined hours. Households go to work in the morning and return in the evening hence creating an overload. All industries operate during the day. They do not operate at night. Load shedding becomes a big issue. We must have that debate.

Reliability and evacuation of power from the point of production to the point of consumption is second. Hon. Temporary Speaker, you are my neighbour. Probably, you do not suffer this problem because energy slips in Siaya County are not as in Busia. Power disappears and goes off even when it drizzles. It goes off for days. It can be off for three or four days continuously. We are told long stories such as the line is old or the power station was hit by lightning. I mean, such things! How to stabilise power supply is the second debate we must have. That is to ensure all parts of the country receive continuous power to power the economy of this country.

The third issue is the cost of power. If you do literature review and you google elsewhere, you will realise that the tariffs in Kenya are some of the highest in Africa yet we have invested in power generation for many years. For example, we have the Olkaria

Geothermal Power Stations. What baffles everybody is that the cost of power has never come down to a level that is affordable and can support the economy. Are they operating like the banking sector or the domestic debt in this country that is controlled by cartels who cannot allow it to run by the market forces of demand and supply?

As I stand here, I have a very interesting case in my constituency. I will ask the Chairman to get a progress report. There is a company called Kudura Power East Africa. It could be a Portuguese or a Spanish company. Let me shock you: their tariff is about Ksh80 per unit compared to the Kenya Power one of about Ksh2 per unit. It signed an exclusive contract with the Ministry of Energy that where it is established, the Kenya Power cannot take there its line. You can imagine that kind of exploitation. That is why I fully support the amendment moved by the super Senator, Edwin Sifuna to have these matters regulated in such a way that there is a dashboard view before these contracts are signed. I can tell you that whenever there is little sun, that Kudura programme does not run the whole day. The entire system goes off. Now that they deal with solar, we thought they would have big batteries to store power but that does not happen.

You can never develop a country if you do not have power. If you fly in Kenya at night, you will discover that Kenya is probably one of the least-lit countries in this part of the world. That is why we are not progressing. Nobody is going to invest in heavy manufacturing in this country where the cost of electricity will take almost 40 per cent of the operating costs. So, I leave that challenge with the Chairman. We have had this discussion with him and very many initiatives are ongoing. I remember the President made remarks on how his government intends to bring massive amount of power. However, when analysts sat down to review his remarks, they put him off and the story just died. I hope the story is not dead but still alive. I hope that at one point, these grandiose ideas that we keep on bandying around whenever we have a microphone in our hands come to fruition. They should not just become empty rhetorics to massage and excite the audience so that they just see how well we can speak in English. This country requires serious discussions so that we can move forward to the next level. We should avoid rhetorics and move forward to the next level.

Hon. Temporary Speaker and Hon. Chairman, I want your support here. Some years back in 2024, there was a last mile connectivity programme whose funding was renewed. Since 2024, none of the many schemes that were rolled out – the President himself came to launch some in Busia – has ever taken off. The long story is continuous. We have been branded liars. We are people who tell lies, yet we know very well nothing will happen. Can we get these programmes running so that people get power wherever they are.

With those very few remarks, because time has run out, I beg to support the Bill and the Committee's proposed recommendations for amendments. We will do it in the Committee of the whole House.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. David Ochieng'): Thank you, Hon. Members. Debate on this Bill will continue next time it is listed on the Order Paper.

Hon. David Gikaria (Nakuru Town East, UDA): On a point of order.

The Temporary Speaker (Hon. David Ochieng'): Order! What is out of order? Time has lapsed. Go ahead. What is out of order, Hon. Gikaria before we rise?

Hon. David Gikaria (Nakuru Town East, UDA): Hon. Temporary Speaker, to be honest, it is only that I know *Mhe*. Oundo is always permanently in the House, but how I wish I would be able to give him an update.

The Temporary Speaker (Hon. David Ochieng'): Of course, you know you will get a chance to reply.

Hon. David Gikaria (Nakuru Town East, UDA): I will do that because as he has said...

The Temporary Speaker (Hon. David Ochieng’): Order! You know very well that you will have a chance to reply. You are the Mover of the Bill. Ensure the day you are replying, your friend and brother Hon. Oundo is in the House to listen to your reply.

ADJOURNMENT

The Temporary Speaker (Hon. David Ochieng’): Hon. Members, the time now being 7.01 p.m., this House stands adjourned until Tuesday, 24th February 2026 at 2.30 p.m.

(The House rose at 7.01 p.m.)

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