



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – FIFTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, FEBRUARY 10, 2026 AT 2.30 P.M.

1. The House assembled at Thirty Minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Honourable Deputy Speaker
4. **QUORUM AT COMMENCEMENT OF THE HOUSE**

There being no Quorum present at the commencement of the House; the Speaker ordered the Quorum Bell to be rung for ten minutes;

And Quorum having been attained within the ten minutes, business commenced.

5. COMMUNICATION FROM THE CHAIR

The Honourable Speaker issued the following Communication –

RESUMPTION OF Sittings FOR THE FIFTH SESSION

“Honourable Members, I wish to welcome you back to the House for the Fifth Session of the Thirteenth Parliament. I trust you had a restful holiday break with your families and friends, and that you also took the opportunity to engage with constituents on key development matters. I am confident that you are well rejuvenated and ready to embark on the business that is ahead of us this Session.

From the onset, I wish to thank you, **Honourable Members**, for availing yourselves for the Legislative Retreat held in Nakuru County from 26th to 30th January 2026. A high turnout of over ninety percent of the House was in attendance. I extend my gratitude to all of you for your active participation, which made the legislative programme a success.

As you recall, during the Retreat, we reviewed the National Assembly's performance, reflected on lessons learned, set priorities for the Fifth Session, and held candid discussions on key national issues that are of concern to the people. The key resolutions and strategic approaches adopted to ensure the effective and timely processing of legislative business for the remainder of this Session and the parliamentary term will be communicated to Members in due course.

Further, the retreat agreed on several sector-specific resolutions, including matters relating to National Security. Accordingly, it was agreed that the Cabinet Secretary for Interior and National Administration shall appear before the House in a Speaker's *Kamukunji* on Thursday, 12th February 2026, at 10.00 a.m. to brief Members on the state of security.

With respect to the Education Sector, you will recall that we agreed that the Departmental Committee on Education shall undertake continuous oversight of the implementation of the agreed measures on financing, infrastructure, staffing, enforcement, and equity in the education sector. The Committee will also be required to obtain periodic progress reports from the Ministry of Education to ensure sustained accountability and follow-through.

Having said that, **Honourable Members**, as the Fifth Session gets underway, I wish to remind the House that in accordance with the provisions of the Standing Orders, business that was not concluded at the end of the Fourth Session has lapsed.

This includes any pending Motions, Statements, Questions, and certain Bills. As such, any Committee or individual Member wishing to re-introduce any lapsed business is advised to do so in accordance with the procedures laid down in the Standing Orders and our parliamentary practice. Members who may not be clear on the procedure are advised to visit the Table Office for assistance.

Honourable Members, with regard to the lapsing of Bills, you will recall that on Tuesday, 2nd December 2025, the House passed a procedural Motion exempting twenty-two (22) Bills from lapsing during the period of the Fourth and Fifth Sessions. The Bills that were saved are—

- i. The Political Parties (Amendment) Bill (National Assembly Bill No. 35 of 2022);
- ii. The Petitions to Parliament (Procedure)(Amendment) Bill (National Assembly Bill No. 51 of 2022);
- iii. The Cancer Prevention and Control (Amendment) Bill (National Assembly Bill No. 19 of 2023);
- iv. The Fisheries Management and Development Bill (National Assembly Bill No. 29 of 2023);
- v. The Kenya Roads (Amendment) Bill (National Assembly Bill No. 34 of 2023);
- vi. The National Transport and Safety Authority (Amendment) Bill (National Assembly Bill No. 36 of 2023);
- vii. The Meteorology Bill (National Assembly Bill No. 37 of 2023);
- viii. The Universities (Amendment) Bill (National Assembly Bill No. 38 of 2023);
- ix. The Mining (Amendment) Bill (National Assembly Bill No. 51 of 2023);
- x. The Employment (Amendment) Bill (National Assembly Bill No. 62 of 2023);
- xi. The Universities (Amendment) (No. 3) Bill (National Assembly Bill No. 64 of 2023);
- xii. The National Cohesion and Integration Bill (National Assembly Bill No. 74 of 2023);
- xiii. The Sexual Offences (Amendment) Bill (National Assembly Bill No. 78 of 2023);
- xiv. The Universities (Amendment) (No.5) Bill (National Assembly Bill No. 79 of 2023);
- xv. The Kenya Sign Language Bill (National Assembly Bill No. 1 of 2024);
- xvi. The Public Finance Management (Amendment) Bill (National Assembly Bill No. 2 of 2024);
- xvii. The Universities (Amendment) Bill (National Assembly Bill No. 16 of 2024);
- xviii. The Public Relations and Communication Management Bill (National Assembly Bill No. 17 of 2024);
- xix. The Kenya Roads Board (No.2) (Amendment) Bill (National Assembly Bill No. 20 of 2024);
- xx. The National Transport and Safety Authority (Amendment) Bill (National Assembly Bill No. 24 of 2024);
- xxi. The Pensions (Amendment) Bill (National Assembly Bill No. 25 of 2024); and
- xxii. The Environmental Professionals Institute of Kenya Bill (National Assembly Bill No. 36 of 2024).

Honourable Members, with regard to Questions, any Questions that had been transmitted to the respective Ministries and not received a response by the end of the Session have lapsed.

However, if any Member still wishes to obtain a formal response, the Member is advised to visit the Questions Office to formally indicate their interest in obtaining a response.

This must be done by close of business on Thursday, 19th February 2026 to enable the Leader of the Majority Party to prioritise Questions when scheduling the appearance of Cabinet Secretaries before the House. Any Questions that had not yet been transmitted to the Ministries, Constitutional Commissions, and Independent Offices have also lapsed. Members are, however, still at liberty to file them afresh, if they so wish.

Honourable Members, as we commence this Session, I wish to remind the House of the need to reconstitute the Powers and Privileges Committee and the Members' Services and Facilities Committee, whose terms lapse at the end of every Session.

I urge the leadership to expedite this process to ensure these committees are promptly reconstituted and able to continue overseeing matters relating to Members' privileges, welfare, and services. Additionally, the Committee on Selection is reminded to hasten the process of placing our new Members into the various Committees, to enable their full participation in matters of representation, legislation, and oversight. As we settle into this new Session, I urge all Members to update their biodata with the Office of the Clerk at their earliest convenience, in order for it to be accurately captured in the records of the House and on the website.

Honourable Members, on a related note, allow me to mention an important development that occurred during the recess period. Several Members of this House were conferred State honours by His Excellency the President during the 62nd Jamhuri Day Celebrations. These national honours were awarded in recognition of their distinguished service to the nation in various capacities. The following Members were conferred the honour of the Chief of **the Order of the Burning Spear (CBS)**—

1. The Hon. Mark Mwenje, MP;
2. The Hon. (Dr.) Otiende Amollo, SC, MP;
3. The Hon. Fabian Muli, MP;
4. The Hon. John Waluke, MP;
5. The Hon. John Kiragu, MP;
6. The Hon. Eve Obara, MP;
7. The Hon. Benard Shinali, MP;
8. The Hon. Marwa Kitayama, MP;
9. The Hon. Rindikiri Murwithania, MP;
10. The Hon. Samuel Atandi, MP;
11. The Hon. William Kamket, MP;
12. The Hon. James Wamacukuru, MP;
13. The Hon. Gertrude Mbeyu, MP;
14. The Hon. Didmus Barasa, MP;
15. The Hon. Jackson Kosgei, MP;
16. The Hon. Charles Kamuren, MP;
17. The Hon. Tindi Mwale, MP;
18. The Hon. Rozaah Buyu, MP;
19. The Hon. Kassim Tandaza, MP;
20. The Hon. Dido Rasso, MP;
21. The Hon. Brighton Yegon, MP;
22. The Hon. Simon King'ara, MP;
23. The Hon. Major (Rtd) Bashir Sheikh, MP;
24. The Hon. Sarah Korere, MP;

25. The Hon. Ferdinand Wanyonyi, MP;
26. The Hon. Liza Chelule, MP;
27. The Hon. Patrick Munene, MP;;
28. The Hon. Hilary Kosgei, MP;
29. The Hon. Rahim Dawood, MP;
30. The Hon. Robert Gichimu, MP;
31. The Hon. Alfah Miruka, MP;
32. The Hon. Naisula Lesuuda, MP;
33. The Hon. Christine Ombaka, MP;
34. The Hon. Lemanken Aramat, MP; and
35. The Hon. Fred Kapondi, MP.

Let us take a moment to congratulate them on this well-deserved recognition, alongside several members of staff, including our Directors of Legislative & Procedural Services (Mr. Kipkemoi arap Kirui), Legal Services (Ms. Vane Akama) and Departmental Committee Services (Mr. Peter Chemweno), who were awarded the Order of the Grand Warrior of Kenya (OGW) for their commendable service to the nation.

Honourable Members, before I conclude, it is with profound sorrow that I remind the House of the untimely demise of our esteemed colleague, the late Hon. Joseph Hamisi Denar, MP, a Nominated Member of the National Assembly under the Amani National Congress (ANC) Party, who passed away on Saturday, 6th December 2025, only two days after commencement of the long recess. Indeed, I notified Members of this sad development on the same day. The late Hon. Hamisi Denar was interred on Saturday, 13th December, 2025, in Kwale County.

The late Hon. Denar served this House with diligence and commitment, contributing significantly as a member of the Departmental Committee on Sports & Culture; and the Select Committee on National Cohesion & Equal Opportunities. In recognition of his dedicated service to the House and the nation, I request that we observe a minute of silence as a mark of respect and remembrance.

With respect to the NGCDF, as Hon. Members are now aware, the Court of Appeal delivered judgment on the constitutionality of the NGCDF Act, 2015 on Friday last week. In its decision, the Court upheld all the provisions of the Act except one sub-section which ties the term of the NGCDF Manager to the term of Parliament. We celebrate the decision of the three-judges of the Court of Appeal to side with the people and their representatives.

As I have reiterated time and again, NGCDF remains the most impactful national intervention on the lives of the common mwananchi since independence.

I commend the work of the House Legislative Caucus that is ably co-chaired by the Hon. Otiende Amollo, SC and the Hon. Samuel Chepkong'a. With the support of our Directorate of Litigation and Compliance, the team painted the true picture of the NGCDF to the Court and faithfully told our story. We are grateful for your selfless service to the House.

I am informed that Notice of Appeal has now been lodged in the matter. As it proceeds to the Supreme Court, I remain confident that our Litigation Team shall steadfastly defend this second Appeal and again persuade the bench on the constitutionality of the Fund. In the meantime, I urge Members to be measured in their comments as the matter pends final resolution. Avoid engaging in any rhetoric that casts the NGCDF as a competition or supremacy battle with other bodies or groups.

Conscious that the Fund is a national government entity domiciled in the State Department for Economic Planning and managed by a Statutory Board, I advise that we focus our energies on allowing the Fund to continue delivering its tangible benefits to the people of Kenya.

Finally, **Honourable Members**, as we embark on the Fifth Session, I am confident that the House will continue to build on its commendable performance in consideration of key legislative business and other crucial committee business.

Let us remain committed to serving people with diligence, integrity, and efficiency. I once again welcome you back to the House and look forward to a productive Fifth Session. **I thank you!**"

6. MESSAGES

The Honourable Speaker conveyed the following Message –

Nomination of Persons for Appointment to State Offices

Honourable Members, pursuant to the provisions of Standing Order 42(1), I wish to report to the House that I have received **two (2) Messages** from His Excellency the President, seeking approval of persons nominated for appointment to specific State Offices.

In the First Message, His Excellency the President conveys that, in exercise of the powers conferred on him by the provisions of Article 132(2)(e) of the Constitution as read together with section 20(2) and 22(2)(a) of the Foreign Service Act, Cap. 185E, he has nominated **Canon (Dr.) Ida Betty Odinga, EGH**, for appointment as **Permanent Representative of the Republic of Kenya to the United Nations Environment Programme (UNEP)**.

Honourable Members, in the second Message, His Excellency the President notifies that, in exercise of the powers conferred on him by the provisions of Article 233(2) and 250(2)(b) of the Constitution as read together with section 5 of the Public Appointment (Parliamentary Approval) Act, Cap. 7F, he has nominated **Mr. Francis Meja** for appointment as **Chairperson of the Public Service Commission (PSC)**.

Honourable Members, the President now seeks the approval of the National Assembly on the appointment of the two (2) distinguished nominees to the respective offices.

Honourable Members, Standing Order 45 provides that, upon receipt of notification of nomination for appointment, such nomination shall stand committed to the relevant Departmental Committee for consideration.

In this regard, with respect to the nomination of the Permanent Representative to the United Nations Environment Programme (UNEP), the name of the nominee, together with her curriculum vitae and other testimonials, is hereby referred to the **Departmental Committee on Defence, Intelligence and Foreign Relations** for consideration.

With respect to the nominee for appointment as the **Chairperson of the Public Service Commission**, the name of the nominee, together with his curriculum vitae and other testimonials, is hereby referred to the **Departmental Committee on Labour** for consideration.

Honourable Members, it is important to note that the First Schedule to the Public Service Commission Act, Cap. 185 requires the National Assembly to consider the nominee for appointment to the Commission within fourteen days, while the Foreign Service Act, Cap. 185E does not provide any timelines. However, section 8 of the Public Appointments (Parliamentary Approval) Act, Cap. 7F provides that the Committee to which such nomination is referred shall consider the matter and table a report in the House within **twenty-eight (28) days**. Accordingly, the approval processes shall proceed in accordance with the provisions of the Public Appointments (Parliamentary Approval) Act to afford the two Committees sufficient time to undertake the exercise.

Honourable Members, in this regard, the two (2) Departmental Committees are expected to immediately commence the approval processes, notify the nominees and the general public of the time and place for holding the approval hearings, and thereafter, upon conclusion, table their respective reports, within set timelines to enable the House to consider the matters. **I thank you!**

7. PAPERS

The following Papers were laid on the Table of the House –

- i. Legal Notice No. 166 of 2025 relating to the Military Veterans (General) Regulations, 2025 and the Explanatory Memorandum from the Ministry of Defence;
- ii. Legal Notice No. 190 of 2025 relating to the Public Finance Management (Wildlife Conservation Trust Fund) Regulations, 2025 from the National Treasury and Economic Planning;
- iii. Legal Notice No. 191 of 2025 relating to Amendment of Legal Notice 15 of 2021 on Income Tax Exemption for the Project on Strengthening Research Capacity of Kenya Medical Research Institute (KEMRI) and the Explanatory Memorandum from the National Treasury;
- iv. Legal Notice No. 199 of 2025 relating to Energy (Biofuels) Regulations, 2025, Regulatory Impact Statement, Public Notices inviting comments on the Regulations and the Explanatory Memorandum from the Ministry of Energy and Petroleum;
- v. Legal Notice No. 200 of 2025 relating to the Tourism (Tourism Enterprises) Regulations, 2025, Report on Public Participation undertaken during the development of the Regulations, Regulatory Impact Statement and Explanatory Memorandum from the Ministry of Tourism and Wildlife;
- vi. Draft Public Service Commission (Affirmative Action) Regulations, 2025 from the Public Service Commission;
- vii. The Agreement between the Government of the Republic of Kenya and the Government of the Federal Democratic Republic of Ethiopia on the Defence Cooperation from the Ministry of Defence;
- viii. The Agreement between the Government of the Republic of Kenya and the Government of the Government of the Republic of Zimbabwe on Cooperation in Defence and Training from the Ministry of Defence;
- ix. Draft Charter for the Kenya Advanced Institute of Science and Technology from the Ministry of Education;
- x. Intergovernmental Partnership agreement between National Government through the Ministry of Education and the County Government of Nakuru;
- xi. Recommendation on sharing of Nationally raised Revenue between the National and County Governments for the financial year 2026/27 from the Commission on Revenue Allocation;
- xii. Performance Audit Report on Implementation of the Kenya Urban Support Program Phase 1 from the Auditor-General;
- xiii. Auditor-General's Report on the status of implementation of recommendations of the First Report of the Special Funds Accounts Committee on consideration of the Report of the Auditor-General on the Financial Statements of Nine Funds;
- xiv. Approval of additional funding under Article 223 of the Constitution relating to the FY 2025/26 from the National Treasury and Economic Planning;
- xv. National Governments Constituencies Development Fund Board Report for the Second Quarter of 2025/26 Financial Year.
(The Deputy Majority Whip)
- xvi. Status update on the disbursement of funds and submission of project proposals for the National Government Constituency Development Fund (NG-CDF) for the Financial Year 2025/2026.
(The Hon. Beatrice Elachi)

8. MOTION – APPOINTMENT OF MEMBERS TO THE HOUSE BUSINESS COMMITTEE

Motion made and Question proposed –

THAT, pursuant to the provisions of Standing Order 171(1)(f), this House approves the appointment of the following Members to the House Business Committee in addition to those specified under paragraphs (a), (b), (c), (d) and (e) –

- i. The Hon. Robert Mbui, CBS, MP
- ii. The Hon. Adan Wehliye Keynan, CBS, MP
- iii. The Hon. Omboko Milemba, CBS, MP
- iv. The Hon. Faith Wairimu Gitau, CBS, MP
- v. The Hon. Samuel K. Chepkonga, CBS, MP
- vi. The Hon. Tom Joseph Francis Kajwang', CBS, MP
- vii. The Hon. Sarah Paulata Korere, CBS, MP
- viii. The Hon. Joshua Mbiti Mwalyo, MP
- ix. The Hon. Umul Ker Kassim Sheikh, MP

(The Leader of the Majority Party)

There being no debate arising;

Question put and agreed to.

And the time being Five Minutes to Four O'clock, the Honourable Speaker adjourned the House without Question put pursuant to the Standing Orders.

9. HOUSE ROSE - at Five Minutes to four O'clock.

M E M O R A N D U M

The Speaker will take the Chair on
Wednesday, 11th February 2026 at 9.30 a.m.

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