



THIRTEENTH PARLIAMENT
THE SENATE
OFFICIAL REPORT



Fifth Session

Wednesday, 25th February, 2026 at 2.30 p.m.

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 25th February, 2026

Afternoon Sitting

*The House met at the Senate Chamber,
Parliament Buildings at 2.33 p.m.*

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

PRAYER

DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

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

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

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

(The Quorum Bell was rung)

Order, hon. Senators. I am informed that we now have quorum.
Clerk, you may proceed to call the first Order.

(Sen. Munyi Mundigi stood in his place)

Sen. Mundigi, please, take your seat.

(Sen. Munyi Mundigi sat in his place)

COMMUNICATIONS FROM THE CHAIR**THE SENATE ASSESSMENT AND PLANNING
RETREAT FOR THE FIFTH SESSION**

The Speaker (Hon. Kingi): Hon. Senators, as you are aware, the Senate has established a tradition of holding a retreat at the beginning of each session to review its performance in the preceding session, and to plan for the forthcoming session.

Consistent with this tradition, the Senate has organised an assessment and planning retreat for the Fifth Session, 2026 under the theme “*Advancing the Senate's Agenda: Review, Strategy and Sustainable Progress*”.

The event will provide a platform for reflection on the Senate's performance in the Fourth Session and for strategic planning to ensure focused and impactful delivery in the penultimate session of the 13th Parliament.

The areas of discussion will include, *inter alia*-

(1) Devolution and intergovernmental relations: Key issues and priority areas for the Senate's intervention.

(2) Implementation of the Universal Health Coverage (UHC): Successes, challenges and interventions.

(3) Agriculture and food security: Successes, challenges and legislative intervention.

(4) Implementation of climate action in counties: Overview of the Financing Locally-Led Climate Action (FLLoCA).

(5) The state of education in Kenya: Management of education policy and standards.

(6) The Draft Referendum Bill: Context and alignment with the constitutional amendment process.

(7) The Constitution of Kenya (Amendment) Bill (No.2) (Senate Bill No.16 of 2025): Actualising the two-thirds gender principle; and,

(8) Members' welfare.

Hon. Senators, I take this opportunity to invite you to the event, which is scheduled to take place from Thursday, 26th February to Sunday, 1st March, 2026 at the Sawela Lodges, Naivasha, Nakuru County. Further details pertaining to the event, including travel and logistical arrangements, will be communicated through the Office of the Clerk. I urge all Senators to purpose to attend and participate actively in this important event.

I thank you.

**STATUS OF THE NEWLY INSTALLED MULTIMEDIA DIGITAL
CONGRESS SYSTEM IN THE SENATE CHAMBER**

Hon. Senators, I have a further Communication to make. You will further recall that at the sitting of the Senate held on Tuesday, 10th February, 2026, I issued a Communication regarding the installation of the new multimedia digital congress system

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to manage the various aspects of the Senate proceedings in plenary. The installation of the new system was necessitated by the persistent challenges with the previous, outdated Braehler Congress System, which were particularly evident during voting.

Hon. Senators, over the past two weeks, you have had an opportunity to interact with the new system and may have noticed that not all functionalities of the system have been rolled out. This is because the installation process is not yet complete. The contractors are still on-site to finalise the process and undertake the necessary systems configurations. In addition, they have been monitoring the system's operation during this pilot phase, to identify and promptly address any emerging challenges.

Hon. Senators, once fully configured and commissioned, the Taiden Conference Management System will integrate all the essential functionalities of a congress management system and offer the following features-

- (1) Dual microphone requesting mode to cater for interventions.
- (2) Biometric authentication for sign-in and attendance taking, which is more secure and convenient.
- (3) Fourteen inch high definition touchscreen offering a clear reading experience for documents and high-definition video viewing.
- (4) Dynamic voting management module to manage the voting aspect of Senate proceedings.
- (5) Digital file management allowing distribution and access to documents, including the Order Paper, Bills, reports and Statements.
- (6) Video on demand (VOD), allowing delegates to review video content on the delegate unit, which will particularly be useful during impeachments, where a Senator may wish to independently control the playback of video evidence.
- (7) Service request engine, allowing delegates to request for specific support.
- (8) Auto-trunking camera capabilities, allowing for real-time, accurate and efficient tracking without manual operation.
- (9) Request and speaking list access by all delegate units, which allows each Senator to monitor their own speaking time, countdown and also see the list of other senators interested in speaking to a matter.

Now, hon. Senators, even as the installation is being finalised, the basic functionalities have already been activated. These include the request and speaking list access, digital file management and the voting management module, which we are yet to utilise.

The request and speaking list can be accessed through the mic icon on the touchscreen interface, where relevant documents relating to a sitting can be accessed through the paperless icon.

Hon. Senators, for the avoidance of doubt, the request list displayed in the delegate unit is a pool from which the Speaker picks a Senator to speak from among those who have shown interest. The list is not a queue to speak. The Speaker, as has been the case and pursuant to Standing Order No.94, retains the powers to allow a Senator to contribute to a matter before the Senate.

Should any Senator encounter any challenges operating the system, the Clerks-at-the-Table and the Serjeant-at-Arms are available to assist.

I thank you.

Next Order.

Now, Hon. Senators, pursuant to Standing Order No.45, allow me to rearrange today's Order Paper. We will start with Order No.8, all the way to Order No.12 and, thereafter, we will resume the normal flow as contained in the Order Paper.

Clerk, kindly proceed to call Order No.8.

MOTION

CONSIDERATION OF NATIONAL ASSEMBLY AMENDMENTS
TO THE ELECTION OFFENCES (AMENDMENT) (NO.2) BILL
(SENATE BILLS NO.28 OF 2024)

THAT, the National Assembly amendments to the Election Offences (Amendment) (No. 2) Bill (Senate Bills No. 28 of 2024) be now considered.

(Sen. Veronica Maina on 24.02.2026)

(Resumption of debate interrupted on 24.02.2026)

Clerk, do we have quorum?

Sen. Olekina, kindly take your seat.

Hon. Senators, I will now put the question.

(Question put and agreed to)

Next Order.

MOTION

ADOPTION OF REPORT ON OVERSIGHT AND NETWORKING
ENGAGEMENTS IN MANDERA, WAJIR AND MARSABIT COUNTIES

THAT, the Senate adopts the Report of the Standing Committee on Health regarding the County Oversight and Networking engagements to Mandera, Wajir and Marsabit counties, laid on the Table of the Senate on Thursday, 2nd October, 2025.

(Sen. Mariam Omar on 24.02.2026)

(Resumption of debate interrupted on 24.02.2026)

Clerk, do we have quorum?

Senator for Kilifi County, take your seat, please.

Hon. Senators, I now put the question

(Question put and agreed to)

Next Order.

The Chairperson Standing Committee on Finance and Budget, proceed.

MOTION

ADOPTION OF REPORT ON THE 2026 BUDGET POLICY STATEMENT

Sen. Faki: Thank you, Mr. Speaker, Sir. I stand before you and the House, on behalf of our Chairperson, who is unwell and has a problem with his voice.

I beg to move the following Motion:

THAT, the Senate, adopts the Report of the Standing Committee on Finance and Budget on the 2026 Budget Policy Statement (BPS), laid on the Table of the Senate on Tuesday, 24th February, 2026, and pursuant to Section 25(7) of the Public Finance Management (PFM) Act and Standing Order No.186(8), the Senate approves the 2026 Budget Policy Statement.

Mr. Speaker, Sir, Section 25(2) of the PFM Act provides that the National Treasury shall submit to Parliament the BPS on or before the 15th February of each year. Pursuant to this provision, the National Treasury and Economic Planning submitted the 2026 BPS to Parliament on 11th February, 2026.

Subsequently, the 2026 BPS was tabled in the Senate at its plenary sitting held on 12th February, 2026. Thereafter, pursuant to Standing Order No.186(4) of the Senate Standing Orders, the BPS was committed to its Standing Committee for consideration and subsequent submission recommendations.

Mr. Speaker, Sir, pursuant to the provisions of Standing Order No.186(6), the Senate Standing Committee held consultative meetings with various stakeholders. The Committee received memorandum and written and oral submissions on the BPS from about 18 stakeholders; I do not need to mention their names.

The theme of this year's BPS is “*accelerating gains under the Bottom-up Economic Transformation Agenda (BETA) for inclusive and sustainable growth*”. The BPS envisions the global economic growth to perform at 3.3 per cent in 2026, with projections of 3.2 per cent for 2027. Emerging markets and developing economic growth is projected to slow at 4.2 per cent in 2026, from 4.4 per cent in 2025, supported by continued policy stimulus, increased bank lending and lower effective United States (US) tariffs.

Mr. Speaker, Sir, by the end of December, 2025, total revenue collected, including Appropriations-in-Aid (A-in-A), amounted to Kshs1.525 billion, against a target of Kshs1.636 billion. The revenue collection was below target by Kshs111 million, largely from ordinary revenue. The underperformance is attributed to slower-than-

projected tax receipts, largely due to compliance gaps, administration challenges and the impact of revenue-reducing measures in the Finance Bill, 2025.

The projected expenditure and net lending for the Financial Year 2026/2027 is at Kshs4.735 billion. This comprises of Kshs2.02 billion in ministerial recurring expenditure and Kshs846 billion in ministerial development expenditure. Additionally, interest payments on public debt are estimated at Kshs1.23 billion.

The fiscal deficit in grants is projected at Kshs1.14 billion in Financial Year 2026/2027. This will be financed through Kshs2.5 billion borrowed from foreign sources and Kshs924 billion from domestic sources.

Mr. Speaker, Sir, the total shareable revenue for the Financial Year 2026/2027 is estimated at Kshs2.9 billion, of which Kshs2.472 billion is due to be allocated to the national Government and Kshs420 billion for county governments. The shareable revenue is projected to increase by Kshs147.2 billion, a 5.3 per cent increase from the approved revenue of Kshs2.754 billion for the Financial Year 2025/2026. The proposed county equitable share will be shared among the counties using the basis for revenue sharing approved by Parliament in June, 2025, according to the provision of Article 217 of the Constitution.

The BPS proposes allocating Kshs9.6 billion to the Equalisation Fund in the Financial Year 2026/2027. This amount is equivalent to 0.5 per cent of the most recent audited and approved revenues of Kshs1.92 billion for the Financial Year 2021/2022, pursuant to the provisions of Article 204(1) of the Constitution.

Further, the BPS proposes additional Kshs5.6 billion as partial payment for the Equalisation Fund arrears, making the total allocation to Kshs15.2 billion for the Financial Year 2026/2027.

The BPS identifies debt resurfacing costs and revenue underperformance as the primary reasons for allocating Kshs420 billion to counties. Public debt-related expenditures are expected to hit Kshs1.542 billion for the Financial Year 2026/2027, accounting to 53.1 per cent of the projected shareable revenue.

Mr. Speaker, Sir, the BPS proposes to allocate Kshs75.69 billion as additional allocations to county governments for the Financial Year 2025/2026, pursuant to Article 202(2) and Article 190(1) of the Constitution. These proposed additional allocations are categorised as follows-

Unconditional additional allocations statutory amounting to Kshs1.198 billion, unconditional additional allocations of Kshs16.3 billion from national Government share of revenue, and Kshs57.4 billion in loans and grants from development partners.

Mr. Speaker, Sir, I will not look at the observations. I will just go straight to recommendations, in order to save time. Having considered the BPS and the stakeholders' submission, the Committee recommends that, among others, that the national Government's Equitable Share for the Financial Year 2026/2027 be Kshs2,437,529,429,840. The County Equitable Share for the Financial Year 2026/2027 is Kshs454,743,157,897. This comprises of the baseline of Kshs415 billion and five per cent inflation upward adjustment, then inclusion of Kshs84.9 billion for transition of UHC workers to permanent and pensionable, and Kshs20.75 billion for implementation of SRC third and fourth review cycle and remuneration for county staff. The Equalisation

Fund be allocated Kshs15.163 billion and the additional allocations to counties be Kshs66,755,175,182.

Finally, I appreciate all stakeholders who appeared before the Committee and submitted memorandum on the 2026 BPS. I also appreciate the Members of the Committee on Finance and Budget for their commitment and dedication to completing the task. I also thank the Office of the Clerk for facilitating the Committee in executing its mandate.

Mr. Speaker, Sir, I beg to move and request the Majority Leader to second.

Thank you.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Sen. Faki.

Mr. Speaker, Sir, I will be very brief in the light of the fact of earlier discussions that we had at the Senate Business Committee (SBC) on how we transact business this afternoon, given that we have very serious legislative work this session, and I appreciate that it is not an easy time.

This morning, we had the Cabinet Secretary for the National Treasury and Economic Planning. He was before this House. In my final submissions to him, I made a presentation on behalf of the House that the National Treasury must, by obligation of law, respond to the recommendations of the BPS from the Senate and not just consider those from the National Assembly alone. Over the years, this has been the practice. We do not get any feedback on our recommendations despite the fact that every committee of the Senate gives their views on this very topic.

He promised that in furtherance of the good work that he has been doing, he will ensure that is done. I was only concerned a bit later when he called me minutes after 1.00 p.m. when he left here and informed me that for last year, part of the reason - because I asked why it is that the National Treasury continues to ignore, year-in, year-out, our recommendations to the BPS - he informed me that last year, we actually filed out of time. Of course, everybody appreciates and you know the challenges that we had.

I was quick to remind him that is just a single exception. All the other years, we have always complied and even today, should colleagues agree with us and we conclude on this business in good time, I believe by the end of business today, all our recommendations will be at the National Treasury.

Therefore, I want to commend the Committee on Finance and Budget for their industry. I hope that, as colleagues, we can quickly conclude on this particular matter together with that of the Medium-Term Debt Management Strategy because these are key financial instruments that, as a House, we must always make sure that our voice is heard on that particular topic.

Mr. Speaker, Sir, finally, because I mentioned that I will be extremely brief, we consulted as a leadership yesterday at SBC and requested that colleagues, you bear with us for this afternoon, so that we dedicate as much time as possible into progressing many businesses that are stuck either at division stage or Committee of the Whole. That is why we have started business the way we have done.

Mr. Speaker, Sir, we thank you most sincerely for bearing with us and agreeing to the proposal. Therefore, I request colleagues that we put in some good work this afternoon. There is a lot of business if you check your Order Paper from Order Nos. 10,

11, 12, 13, 14 and 15. Should Members have the stamina, we have also business that is at the Committee of the Whole and the various chairpersons of those committees, including sponsors of the Bills - sometimes I am shocked that you have sponsors of Bills whose Bill gets stuck at Committee of the Whole because we simply cannot get the sponsor to come and speak to the amendments that are being proposed on that particular Bill.

Therefore, I really want to plead with colleagues this afternoon that we be at our sharpest. We have decided to dedicate and try and pull the House together, so that we conclude on all this business. I want to really beg your indulgence, colleagues, so that we transact this business and move with as much speed as we can. It is in that regard that I have also made my comments to be extremely brief despite the fact that I have even spoken to issues that over and above the BPS statement as well, and hoping that we can move with the same speed in considering the rest of the business that is before us this afternoon.

With those many remarks, I beg to second this Motion.

I thank you.

(Sen. Korir stood at her place)

The Speaker (Hon. Kingi): Sen. Korir, take your seat please.

Hon. Senators, I will now propose the question.

(Question proposed)

Now, the Floor is open for debate, but going by the sentiments from the Majority Leader, if you look at your Order Paper for the day, it is pretty heavy. We have to go through divisions and, thereafter, we go to the Committee of the Whole. I can see we have three honourable Senators wishing to contribute. Now, if we spend lots of time on this particular Order, get to know we may overrun the runway in terms of time to handle the--- Can the Majority Leader and the Minority side consult on this? I give you one minute to consult. In the meantime, I am going to give the opportunity to Sen. Maanzo.

Sen. Maanzo: Thank you Mr. Speaker, Sir. I will be very brief. The Budget Policy Statement (BPS) is very important for both Houses. Over the years, budgeting looks like an affair of the National Assembly. The fact that we end up doing appropriation also for the counties, I think it is better this time around and, in the future, our Budget Policy Statement and the ideas in there also be considered.

I support.

The Speaker (Hon. Kingi): Having consulted the leadership of the House, we have agreed that we will take two Senators across the aisle. Now that Sen. Maanzo has already set the pace, we move to Sen. Boni.

Sen. (Dr.) Khalwale: Thank you, Mr. Speaker, Sir. I rise to support this Motion and I cannot help noting the fact that we have come a long way. I remember when I came to this Parliament in the year 2002, the total revenue collection by Kenya Revenue Authority (KRA) was Kshs201 billion only. Last year, it had risen to Kshs2.571 trillion.

With this level of growth, it must concern the Parliament of Kenya that we must see more development.

The development we are seeing from the counties leaves a lot to be desired. The development that we see from the national Government, much more is expected of it. I have seen that in the beginning of this year, a number of contractors have started coming back on the roads. This is something that is laudable. We would like contractors to be paid out of this Kshs2.571 trillion, so that our country can change. In 1981, the level of poverty in China was 80 percent, but today, there is zero poverty. How? They have managed their resources. We must urge the Executive and county governors to manage resources.

My second and last point, I congratulate the Committee on Health. When I read through your report, you spoke to the real issue. Many people in this country, when we speak to the issue of the Social Health Authority (SHA), think we are against it. The quick reaction from the Cabinet Secretary, especially, is to tell you, “no, SHA is fantastic because 29 million Kenyans have registered.” Fine. He says it compares favourably with eight million who had registered in the National Health Insurance Fund (NHIF). Unfortunately, the Committee on Health was able to demonstrate that despite 29 million Kenyans registering into SHA, it is only four million who are actively contributing. It, therefore, means, purely on figures, that SHA is only 50 per cent as effective as NHIF, because eight million were contributing to the NHIF.

So, what is the solution? The solution is that the National Assembly and the Senate must push, so that there is Exchequer support to SHA. We cannot reverse the SHA because it is the route to universal healthcare, but without support from the Exchequer, it will never succeed. It cannot rely on those little contributions by members who are subscribers. For this BPS let our recommendation be that the Exchequer must release money to SHA.

Finally, the issue of the Committee on Health, again, you are raising the number of Community Health Promoters (CHPs) from 107,000 to 120,000, but you are not following it with the resources. So, when we shall tell governors to employ more CHPs, and then they are unable to pay, that is how you make the government to look bad and failing. We must, as Parliament, be able to push this to point out these things, so that the necessary money is included in the budget.

I support.

Sen. Sifuna: Thank you, Hon. Speaker. Every time this document comes before this House, my attention as a Senator is always drawn to what has been provided for in terms of the shareable revenue for county governments.

The Committee observations are telling us here that they have noted that the county equitable share, the increase that is proposed in the BPS, is only Kshs5 billion. If I understand that correctly, it means they are proposing to give us Kshs420 billion.

I am sure you know where I am going with this because in under two weeks, on the 7th March, 2026, we are expecting a final report on the implementation of the Memorandum of Understanding (MoU) between hon. Raila Amolo Odinga and his Excellency, the President, William Ruto. You will recall that I am the drafter, author and underwriter of that agreement. It is quite disheartening that even weeks to the expiry of

that agreement, we are being told that the Kshs450 billion that was promised to Baba Raila Amolo Odinga is not going to be met as a promise.

I can see that in the Committee on Finance and Budget recommendations---

Sen. (Dr.) Khalwale: On a point of order.

The Speaker (Hon. Kingi): What is your point of order? What is so disorderly about Sen. Sifuna?

Sen. (Dr.) Khalwale: Mr. Speaker, Sir, under Standing Order No.105, the Senator of Nairobi City is referring to a document called MoU. That document has never been tabled in this House. Is it in order to refer serious agenda such as the BPS on some dog-eared document called MoU between the United Democratic Alliance (UDA) and Orange Democratic Movement (ODM), where this Parliament was never informed of?

The Speaker (Hon. Kingi): Sen. Sifuna, proceed with your thoughts.

Sen. Sifuna: Thank you, Hon. Speaker, for continuing to protect me from old men. I have been under siege.

The point that I am making is this; we agreed that the government that is led by UDA would at least show this goodwill by providing for Kshs450 billion in terms of shareable revenue for our counties.

I am happy to see that the Committee has recommended that the equitable share for Financial Year 2026/2027 be Kshs454 billion. That recommendation by the Committee of this House would be in accordance with that agreement that I have referenced, and it is a public document.

Secondly, the Committee has also pointed out that we need to limit the recurrent expenditure that the counties are incurring and try and push more money to development. We were convinced by our colleagues from the so-called smaller counties here to introduce an affirmative action tool for them to be able to receive some substantial amount in terms of shareable revenue.

I remember these Senator colleagues tried to persuade us by saying that they would ring-fence that money for development. I have only heard from one Governor of Nyandarua, who appeared before the Senate County Public Accounts Committee (CPAC). He told us that in the next audit cycle, we will see, as a House, that the money we added to Nyandarua County, about Kshs300 million, will be demonstrated by showing which projects it went to.

Hon. Speaker, we need to do more. My argument against the much publicised cooperation agreement is that this House has been able to channel money that can be ring-fenced to specific purposes. These include the County Aggregated Industrial Parks (CAIPS) and construction of county headquarters. It was not necessary to enter into that misadventure. This House can recognise the special needs of Nairobi. For instance, when it comes to street lighting, we can give money specifically through the additional allocation. This allows us to take care of the special need for street lights in Nairobi.

Lastly, I can see the committee has addressed the question of non-remittance of pensions, which now stands at over Kshs115 billion. The Motion sponsored by the Senator for Narok County required county governments to clear their obligations within a certain period. We would want to see the level of implementation of that Motion.

Even today, I continue to receive delegations from pensioners from Nairobi Water and Sewerage Company and Nairobi City County. They say they are unable to access their pension because the County Government of Nairobi City cannot meet its obligations. We hold the highest pending bill when it comes to pension funds. I can see the committee has recommended measures to address this issue.

I thank you and support the report.

The Speaker (Hon. Kingi): Sen. Mandago.

Sen. Mandago: Thank you very much, Mr. Speaker, Sir. I want to address three things mentioned in the Budget Policy Statement (BPS). From the Standing Committee on Health, we noted an increase of community health workers to the tune of 12,000 additional Community Health Promoters (CHPs). In that BPS, there were no accompanying resources for payment of the new CHPs. Resources must also be provided.

As we onboard new CHPs, there is a need to resource them with kits to enable them to work. County governments have failed to pay stipends for CHPs on time. Some counties have delayed payments for seven or eight months. We ask the Cabinet Secretary for Health and the Cabinet Secretary for the National Treasury and Economic Planning to consider a payroll payment system. When other workers receive their monthly pay, CHPs should also receive their monthly stipend.

The Kenya Medical Supplies Authority (KEMSA), being the most critical logistical institution in terms of supply of drugs, non-pharmaceuticals and small medical equipment, is owed a total of Kshs6 billion. That debt is not only in counties, but also in national government institutions. The national government owes KEMSA Kshs3.5 billion. Counties owe KEMSA in excess of Kshs4 billion.

In the BPS, a mechanism should be established where the Social Health Authority (SHA) reimburses both national and county government facilities net of their dues to KEMSA. This will ensure our facilities have drugs supplied on time by KEMSA. It will also ensure that the fill rate for KEMSA moves from around 65-70 per cent to 90-95 percent, therefore availing necessary drugs and commodities to facilities. SHA must also address reimbursements to facilities, particularly giving priority to public facilities.

Finally, the BPS did not provide funds for operationalisation of the Emergency and Critical Care Fund. This fund is meant to address the most difficult and expensive diseases, such as cancer and emergency services. We expect the National Treasury to consider resourcing that fund, so that full implementation of SHA can be realised in the coming financial year.

I submit.

The Speaker (Hon. Kingi): I now call upon the mover to reply.

Sen. Faki.

Sen. Faki: Mr. Speaker, Sir, I thank Sen. Cheruiyot for seconding the Motion and everyone who has contributed to it.

I request that pursuant to Standing Order No.66 (3), the putting of the question be deferred to a later time this afternoon.

The Speaker (Hon. Kingi): It is so deferred.

(Putting of question on the Motion deferred)

Next Order, Clerk.

MOTION

ADOPTION OF REPORT ON 2026 MEDIUM TERM DEBT MANAGEMENT STRATEGY

The Speaker (Hon. Kingi): Chairperson, Standing Committee on Finance and Budget.

Sen. Faki: Thank you, Mr. Speaker, Sir. I stand before the House on behalf of Sen. Ali Roba, who is the Chairman of the Finance and Budget Committee, who is unwell. I beg to move the following Motion:

THAT, the Senate, adopts the Report of the Standing Committee on Finance and Budget on the 2026 Medium Term Debt Management Strategy, laid on the Table of the Senate on Tuesday, 24th February, 2026 and approves the 2026 Medium Term Debt Management Strategy.

The Medium-Term Debt Management Strategy (MTDS) provides a framework for informed decision-making on public borrowing and debt management. It guides the national government in structuring the public debt portfolio to minimise costs and risks, while ensuring sustainability and supporting the development of the domestic debt market.

The 2026 MTDS has been prepared and submitted pursuant to Section 33 of the Public Finance Management Act, Cap. 412, which mandates the Cabinet Secretary responsible for Finance to submit to Parliament a statement outlining the national government debt management strategy. Section 33 of the Act encompasses the following key elements-

- (1) The stock of public debt as at the date of tabling of the statement.
- (2) The sources of loans acquired by the national government and the nature of guarantees issued by the national government.
- (3) The principal risk associated with these loans and guarantees.
- (4) The assumptions underpinning the debt management strategy.
- (5) An analysis of the sustainability of both the actual and potential public debt.

The resolution of the House on the Report on the MTDS serves as the foundation for determining the appropriate limits on proposed domestic and external borrowing. Additionally, it informs the approval of the BPS which was spoken to earlier.

Mr. Speaker, Sir, I do not wish to go into the major details of the Report. I just want to go through the recommendations, which are-

- (1) That the fiscal deficit target for the medium term be approved at 5.3 per cent of the GDP for the Financial Year 2026/2027. That is 3.6 per cent of the GDP for the Financial Year 2027/2028 and 3.3 per cent of the GDP for the Financial Year 2028/2029, in line with the fiscal consolidation path.

(2) That the borrowing strategy be approved at 22 per cent for net external borrowing and 78 per cent for the domestic borrowing, as contained in the 2026 Medium-Term Debt Management Strategy.

Finally, I appreciate all stakeholders who appeared before the committee and submitted memoranda on the 2026 Medium Term Debt Management Strategy.

I also appreciate the members of the Committee on Finance and Budget for their commitment and dedication to completing the task. I also thank the Office of the Speaker and the Office of the Clerk for facilitating the committee in executing its mandate.

Mr. Speaker, Sir, I ask Sen. Cheruiyot, the Senate Majority Leader, to second this Motion.

Thank you.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, I will be brief on this matter.

This is an important paper that the Senate has had an opportunity to put its voice to. Our debt management strategy continues to be an exercise that any administration, for the foreseeable future, will have to grapple with. As Parliament, we must continue to speak on these issues.

I have never forgotten how in the last Parliament, when we debated the debt ceiling, certain unpleasant things were said. In fact, to the best of my recollection, the most unpleasant things ever said to me on the Floor of Parliament were on that particular day. This was because I held the view that it was not possible to keep the country on the debt trajectory we were taking at that time.

I know that we have since shifted our debt measurement metrics by moving it from measuring it by a ceiling to now as a percentage of the GDP. Even from the anchor that we put here because we passed the law in 2023 that we need to put it at 55 per cent by 2028, which is barely two years away, if I hear what Sen. Faki is saying, we are still at 68 per cent. I do not know what miracle we will perform to get it to 55 per cent by 2028. However, I am proud that, as a House, we have continued to make it clear of where we stand on this issue of debt.

Mr. Speaker, Sir, it is not just about us, but about future generations. Therefore, I urge colleagues that we must remain and continue to be vigilant the way this Committee has been and share our concerns and thoughts.

With those remarks, I beg to second.

The Speaker (Hon. Kingi): Sen. Shakila, kindly be orderly.

(Sen. Shakila spoke off record)

(Question proposed)

The Speaker (Hon. Kingi): Sen. Omtatah.

Sen. Okiya Omtatah: Mr. Speaker, Sir, I thank you for the opportunity to address this House on the Debt Management Strategy which is also linked to the Budget Policy Statement (BPS).

If you look at Section 49 of the Public Finance Management (PFM) Act, it makes the Budget Policy Statement an open cheque, which the Cabinet Secretary can and has periodically abused to side-step Parliament and incur loans that we do not know where their destination is. Therefore, when we make BPSs that are far in excess of what the Kenya Revenue Authority (KRA) is able to raise, we must realise that we are handing the Executive a blank cheque with which they are going to raise odious debt that is going to burden us. I therefore would have expected that in passing this BPS, we should have looked at the capacity of KRA to raise taxes to finance this figure that we have.

Ideally, it lays out a broad framework within which the government should make its budget, but Section 49 of the PFM Act turns this BPS into a law yet, the Budget Policy Statement does not come to this House as a Bill and it has got no force of law to be applied as a law. It is only an advisory tool at the very best. Therefore, unless we do something about Section 49, then we must trim our BPSs to be tied strictly to whatever tax revenues that we can raise. Otherwise, we are responsible for the odious debt that is burdening this country and that is pushing us to junk status.

I pray that in the Debt Management Strategy, this House considers repealing Section 49 of the PFM Act, so that the BPS cannot be used to open a back door on the Appropriations Act through which the Executive can go on a loan-borrowing spree, purporting to be implementing the BPS which is not a law but a piece of advice on how the government should raise revenue or which sets the broad parameters within which the government's budget should be set.

With those few remarks, I say that as matters stand, the Debt Management Strategy amounts to nothing. There is no strategy, there is no plan, there is nothing that we are trying to do other than trying to talk to ourselves in a language we do not understand. That, for me, is a very sad day for this country. Therefore, there is no strategy on the table.

The Speaker (Hon. Kingi): Sen. Cherarkey.

Sen. Cherarkey: Thank you, Mr. Speaker, Sir. I will make brief comments. I commend the committee for this report. The issue of public debt management strategy is key. It is a reality that as at 2026, public debt was at Kshs12.3 trillion. It is also a reality that for some time now, Kenya has had a deficit budget, where we are projecting to have a budget of Kshs4.7 trillion. The input or the extrapolation of that is that we will keep borrowing to finance our obligations under the public budget of Kshs4.7 trillion.

I am, therefore, happy that the committee has noted that, but it has not given us a way out because public debt is at 68 per cent of the GDP, going beyond the legal limit of 55 per cent. We hope the obligations will stabilise and I am happy that the Cabinet Secretary for the National Treasury and Economic Planning was with us in the morning. However, I believe that these issues must be resolved once and for all. The Constitution has provided in Article 214 on the issue of public debt on how it should be managed and guarantees. You have to remember that there are many guarantees that we give for the obligations or loans we get as a country.

Mr. Speaker Sir, my third point is on Article 202 which says that revenue raised nationally shall be shared equitably between the national and county governments. The question is, even as we discuss the BPS and allocation to counties as protectors of

devolution under Article 96, what will be the implication to the funding of county governments? This is because, Article 202 is clear that it should be equitable.

I wish the Committee on Finance and Budget, Sen. Faki, should have given us a way out because these guarantees are done by the national Government. There is no consultation between the national Government and county governments to ensure that the county governments are aware of the public debt obligations but the Debt Management Strategy should have put that in place.

The other point that I wanted to make is on an issue which many Kenyans should agree with. The fact that the public debt is Kshs12.3 trillion, there are many projects. I am also happy the Senator for Kakamega has noted that road contractors are on site. There is the one for Rironi-Mau Summit where someone had alluded that there was not even a wheelbarrow.

However, I can confirm as a user of those roads, a number of them, even the ones going to Kisii were using the same road that is being constructed and there are many machines. I am happy that the Senator for Nakuru has just told me that she drove from Naivasha and machines are on site.

We are happy with that fact that money is being released. This is the wisdom of the President, where we are now establishing a National Infrastructure Fund (NIF) that will take Kshs5 trillion. That is why that money is being raised through the sale of Safaricom shares which every right-thinking Kenyan must and should support because we need development across the country to be equitable and shareable.

Mr. Speaker, Sir, even for the Initial Public Offer (IPO) for the Kenya Pipeline Corporation (KPC), this money shall be raised to the NIF. We want at least Kshs5 trillion so that the road coming all the way from Wajir-Isiolo-Nairobi can be a reality. The airport that is being constructed in Narok will be a reality. The one that we are doing from Thika to Nairobi, the expressway, will be a reality.

I am, therefore, happy with the Committee on Finance and Budget that the issue of NIF of Kshs5 trillion is a reality. I hope that as we debate public debt management, we will ensure that the funds are available.

With those many remarks, I support this report of the Standing Committee on Finance and Budget on the Medium-Term Debt Management Strategy.

I yield.

The Speaker (Hon. Kingi): I will now call upon the Mover to reply.

Sen. Faki: Mr. Speaker, Sir, I want to thank the seconder and those who have contributed to the Motion, especially Sen. Cherarkey. The views or the issues that you have expressed were within our thinking when we came up with this report. In fact, it has been our insistence that the debt levels are unsustainable. Maybe in the next Budget Policy Statement and Medium-Term Debt Management Strategy, the National Treasury will address these concerns, especially on the issue of borrowing more from the domestic market, which is set at 78 per cent

Mr. Speaker, Sir, I beg to reply and under Standing Order No.66(3) request that the putting of the question be deferred to a later time this afternoon.

I thank you, Mr. Speaker, Sir,

The Speaker (Hon. Kingi): It is so deferred.

(Putting of the Question on the Motion deferred)

Next Order, Clerk.

MOTION

ADOPTION OF JOINT REPORT ON CONSIDERATION OF FIELD DEVELOPMENT PLAN AND PRODUCTION SHARING CONTRACTS IN TURKANA COUNTY

The Speaker (Hon. Kingi): Chairperson, Standing Committee on Energy, you have the Floor. You may proceed, Sen. Kisang.

Sen. Kisang: Thank you, Mr. Speaker Sir. On behalf of the Chairperson, Senate Standing Committee on Energy, Sen. (Dr.) Oburu, I beg to move the following Motion:

THAT, the Senate adopts the Report of the Joint Sitting of the National Assembly Departmental Committee on Energy and the Senate Standing Committee on Energy on the consideration of the Field Development Plan (FDP) and the Production Sharing Contracts (PSCs) for Blocks T6 and T7 in the South Lokichar Basin, Turkana County, laid on the Table of the Senate on Tuesday, 24th February, 2026 and pursuant to Article 71 (1) of the Constitution and Section 31 (1) and (2) of the Petroleum Act, the Senate ratifies the Field Development Plan and the Production Sharing Contracts for Blocks T6 and T7 in the South Lokichar Basin, Turkana County.

Mr. Speaker, Sir, the South Lokichar Basin Field Development Plan together with the associated production sharing contracts for Blocks T6 and T7 was tabled in the Senate on Thursday, 27th November 2025, pursuant to Article 71 of the Constitution.

The Article requires that any grant of a right or concession for the exploitation of natural resources by or on behalf of the national Government be ratified by Parliament. Upon tabling, the FDP and PSCs were committed to the Committee on Energy for detailed consideration in accordance with Article 118 of the Constitution, which provides for public participation in the parliamentary process.

In a communication dated 4th December, 2025, the Speaker of the National Assembly encouraged the Departmental Committee on Energy of the National Assembly and the Standing Committee on Energy of the Senate to convene joint sittings for the examination of the contracts and conduct public participation. This was aimed at ensuring consistency, eliminating duplication, promoting a bicameral approach and expediting the consideration process.

Consequently, on 29th December, 2025, the Speaker of the Senate approved the formation of a joint committee comprising the two committees brought from the National Assembly and the Senate. The mandate of the joint committee was to consider the production sharing contracts and the field development plan in accordance with Article 71 of the Constitution and Section 31 of the Petroleum Act 2019, as I had said.

The PSCs and FDP outlined the proposed commercial development of six oil discoveries within South Lokichar Basin, Turkana County, and detailed the strategy for

the development of the discoveries and additional appraisal and exploration activities aimed at maximizing resource recovery within the designated development area.

The FDP proposes a phased approach. Phase One covers the period of 2026 to 2031 and phase two is the period spanning 2032 to 2050. In a peak period, crude oil production is projected at approximately 20,000 barrels per day during phase one and 50,000 barrels per day during phase two.

The estimated oil in place within the blocks ranges between 1.9 and 3.5 billion stock tank barrels, with an estimated recoverable resource of 326 million stock tank barrels over the life of the project, subject to upside potential and alternative development scenarios.

To achieve the projected production volumes and realise fast oil for export later in this year, 2026, around December, the contractor intends to deploy early production facilities within the Lokichar Basin, that is Ngamia and Amosing oil fields, within the current year 2026, and subsequently a central processing facility in 2032 to support increased production in phase two.

Pursuant to Article 118 of the Constitution of Kenya and Section 131(3) of the Petroleum Act, the joint committee undertook extensive public participation, and when we met the stakeholders, everybody lauded that this was very extensive public participation that has not been undertaken in the past.

The Committee also undertook public participation in Turkana County, Uasin Gishu County, Trans Nzoia County, West Pokot, Lamu, and Mombasa between the dates of 12th January and 6th February, 2026. The committee also received several written memoranda, following advertisements that were put in the dailies from several ministries, and we met several Cabinet Secretaries and stakeholders, oil and gas experts and the contractor; Gulf Energy E&P B.V., including the County Assembly of Turkana and the County Executive of Turkana County.

Mr. Speaker, Sir, the Committee considered a wide range of issues raised during the hearings, including but not limited to the need for meaningful public participation, transparency of the agreements and disclosure of the ownership of the companies. The committee addressed these concerns by ensuring that all hearings were conducted in affected counties, as I had mentioned.

On local community issues, the committee had concerns regarding land compensation, revenue sharing, employment opportunities---

The Speaker (Hon. Kingo): Hon. Senator, summarise.

Sen. Kisang: Yes, Mr. Speaker, Sir, I am summarising, do not worry.

The committee observed that the project is expected to generate over 3,000 direct and indirect jobs, and include the jobs over the life cycle of the project. The local content plan targets 100 per cent Kenyan, but special in unskilled labor and skilled works, and at least 50 per cent Kenyan, but special in specialised upstream operations.

The committee also noted the commitment by the contractor to reserve a portion of trucking contracts for enterprises based in Turkana. Out of about 600 trucks that will be moving daily, they have reserved 400 of them, basically close to 70 per cent, for the locals.

To save time, I just wanted to ask Members to support this particular report because it will unlock oil by December this year. With the ratification of this particular report, it will unlock Kenya's first commercial oil production, targeted for December this year, ending a 13-year delay since the discovery. The discovery was made in 2012, and up to now, we have not been able to exploit this particular resource.

In conclusion, as I urge Members to support this particular report, this is the time when our colleagues and our countrymen and women from Turkana will benefit and join the rest of Kenyans in development. Last year, the Committee on Energy travelled to Saudi Arabia. We were told that in the 1960s, Saudi Arabia was a desert and they were just herding camels, but when you go to Saudi Arabia now, it is still a desert, but a different country.

It is a First World, where education is free there, medical is free and people are given stipend daily. This is the way that we need to go, so that those who have been marginalised for a long time may benefit from the resources that God gave us.

There are some places of Kenya that are very dry. We believe there is nothing there. However, when God gave others rain, God gave us also natural and mineral resources under the soil. This is the opportunity for Turkana County and the rest of Kenya also to benefit from this oil. This is where we are going to stabilise our currency and where the exchange rate between the Kenya Shillings and the Dollar will come below 100.

After careful consideration of all submissions and a thorough analysis of the legal, fiscal, environmental, social and economic implications, the Joint Committee recommends that the House adopts this report and approves the ratification of the production sharing contracts and field development plan for Blocks T6 and T7 in South Lokichar basin in Turkana County.

I beg to move and request the House to adopt this report. I request Sen. Beatrice Ogola to second.

Sen. Ogola: Hon. Speaker, I rise as a very confident member of the Joint Committee to second the Motion for the adoption of the report of the Joint Committee of the Standing Committee of Energy of the Senate and the Departmental Committee on Energy of the National Assembly on the consideration of the field development plan for the South Lokichar Basin and the production sharing contract for block T6 and T7.

I want to start by commending the Joint Committee that was led by two ranking members of the two Houses; Sen. Dr. Oburu, who is the Chair of the Senate Committee on Energy and Hon. Gikaria, who is the Chair of the National Assembly Committee on Energy.

As we started on this assignment, there were concerns that were very generalised and that arose from the development plan and the contract that was before us. Two issues came up, the issue of tax exemptions and the recovery cost of 85 per cent. That concerned all of us, even as the Joint Committee. However, we held a robust public participation that took us across all the counties of Uasin Gishu, West Pokot, Trans Nzoia, Lamu and Mombasa. Finally, we were able to have a very robust public participation in Turkana County.

A number of issues came up in the public participation. Two of them were members of the public getting concerned about environmental measures that were going to be taken into consideration. A number of them talked about infrastructure along the corridor. Issues of land compensation and land resettlement also came up and the issue of water. Most importantly, while we were in Turkana as a Joint Committee, the issue of insecurity also came up.

The people of Turkana were very clear. They stated that if the issue of insecurity is not solved, then the exploration would not take place. As we continue with the public participation, we had a lot of engagement even with the technical experts. We received written memoranda. We were able to have presentations from the government sector heads like the Ministry of Water, Sanitation and Irrigation, the Ministry of Energy, of course, the National Treasury, Interior and National Administration, the National Land Commission (NLC), the Auditor-General, the Controller of Budget (CoB), the Attorney General and the Kenya Revenue Authority (KRA).

All the issues that were of concern to the members of the public were thrashed out in our stakeholders' meeting. As I second this Motion, I want---

The Speaker (Hon. Kingi): Senator, you have five minutes. Can you conclude your thoughts?

Sen. Ogola: Hon. Speaker, as I conclude my thoughts, I would like to urge Kenyans that we were to meet professionals and of particular interest were tax experts led by one Dr. Bruce Ogaga that thrashed a number of our concerns that we picked from the public.

As I wind up, I also want to say that the county governments along all the exploration rights have a role to play in this project. This is because the counties must also be able to plan themselves in advance for the urban issues that are going to emerge; issues of planning and traffic.

As I wind up my presentation, the benefits that this country and Turkana County will get from the exploration are massive.

I beg to second the Motion.

(Question proposed)

The Speaker (Hon. Kingi): With the leadership intervention, we are going to have two Senators across the aisle, starting with the Senator for Turkana County.

Sen. Lomenen: Thank you for this opportunity. First and foremost, I want to support this report from the Joint Committee of the National Assembly and the Senate. I first want to thank God for this opportunity that made oil to be discovered in Turkana. The discovery of oil in Turkana has mitigated the historical injustices that were there in Sectional Paper of 1965, where people were claiming that that land in Turkana should not develop.

The benefits of the oil will develop Turkana County in the form of one, provision of transport; that is, roads. There will be provision of water. Water will be connected from the Turkwel Gorge right all the way to Turkana, and even the oil fields.

The local content contains the issue of employment and training. This discovery of oil will offer the local communities employment. In addition to employment, the discovery will also ensure that scholarships and other opportunities will be enjoyed by the local community.

The business community will have an opportunity of making profits through the Organization of the Petroleum Exporting Countries (OPEC). The cost of the oil will be more than Kshs1 trillion. During public participation, we agreed that the community will participate in oil businesses in order to change their lives.

Another thing I would like to talk about is the recovery cost, which is 85 per cent. During public participation, they were very clear about the recovery cost. What participants from the community said is that there must be transparency and accountability in the recovery of 85 per cent of the cost of oil.

We pondered about transparency in the recovery cost. The community and other stakeholders expect the 85 per cent to be recovered in a transparent way. The balance, which is 15 per cent, will be shared between the national, county government and the community. That 15 per cent will be considered if there will be a profit.

If the cost of producing oil is high, the profit that the community will get will be low. The only way to deal with that is to come up with legislation to make sure that the five per cent and 25 per cent from the county is put in the Sovereign Wealth Fund (SWF), so that in case of problems, those funds are used to cater for the needs of the community.

Finally, there is a problem in the denominator. That is the issue of insecurity. If insecurity is not taken care of, even the staff who will be working with the investor will be challenged. The problem of water shortage---

The Speaker (Hon. Kingi): Proceed, Sen. Murgor.

Sen. Murgor: Thank you so much, Mr. Speaker, Sir, for giving me this opportunity. I support the report as moved by the Chairperson of the Committee on Energy.

We were there during the last public participation and the people from West Pokot agree with the report. The plan is to get water from Turkwel Dam in West Pokot to be used for cleaning the oil in Turkana.

While we are in agreement since we see it as a source of development for Turkana and West Pokot because the two counties border each other, water that is going to help in cleaning the crude oil is from West Pokot. However, according to the report that went to the Ministry of Water and Irrigation and aired later, the Pokot side is silent because there is nothing mentioned about it.

What the people of West Pokot expect mainly is irrigation as promised for many years, educational enhancement, roads for accessibility and health. Therefore, I am seeing a hitch from the Pokot side which is expected to provide the water. They will not allow water to be taken unless there is consideration of what they have expressed as being part of development that needs attention, as much as Turkana expects a lot in terms of education, health, roads and so on and so forth.

Mr. Speaker, Sir, when it comes to implementation, this report will probably face some hitches both from Turkana and West Pokot because Turkanas are expecting a lot and it is the same case with the Pokots. Otherwise, I support.

I thank you.

The Speaker (Hon. Kingi): Next is Sen. Edwin Sifuna.

Sen. Sifuna: Mr. Speaker, Sir, in the life of this Parliament, today will be remembered as perhaps the most historic afternoon. It actually breaks my heart that we are rushing through this matter that is one of the most important matters this Parliament will handle in its lifetime. I wish we had given Members enough time to read, internalise and understand what we are about to do this afternoon.

The Joint Committees on Energy of the National Assembly and the Senate have produced a report that is over 170 pages. How I wish this House, before giving consideration to this matter, allowed Members to go through what this report talks about.

I am surprised that the committee in which I sit in has recommended that we approve the Field Development Plan (FDP). I have certain challenges and I think history will be very unkind on me if I do not bring this to the attention of the country.

When the FDP was tabled here and brought before our committee, we identified four red flags that we thought would first have to be addressed by the contractor; that is, Gulf Energy, before we could give a stamp of approval on this particular FDP. In very simple terms, an FDP sets out the obligations of the oil exploration company, what they are expected to do and the entire plan of bringing oil out of the ground.

Kenya has adopted a mechanism of oil production where we have something called a production sharing contract. What that essentially means is that the person who is given the contract to develop oil fields will put in their money in the initial stages or early days. Whatever comes out of the ground, there is a percentage that goes to the government and a percentage that goes to the contractor themselves.

The first red flag is that the initial FDP that we signed had set a capping of the recovery rate for what they call recoverable cost. The cost cannot be recovered at 100 per cent because it is recovered at a certain rate. The initial FDP had capped it at 55 per cent. Therefore, the contractor was going to recover 55 per cent from whatever oil that is produced in the first year and 45 per cent is what would be available for splitting between the Government and the contractor.

Mr. Speaker, Sir, on 24th November, 2025, that 55 per cent was moved to 85 per cent. What that tells you is that when the oil comes out, the contractor first of all takes 85 per cent of their costs from whatever is produced, leaving a paltry 15 per cent available for sharing between the national Government and the contractor.

Secondly, the definition of recoverable cost covers largely what I call capital expenditure. The definition of capital expenditure was altered in the initial FDP to include what we call recurrent expenditure where we have things like labour that are essentially not capital expenditure. That was the second red flag.

I want to talk about this question of recoverable cost a bit. There was a submission by the Office of the Auditor-General (OAG) dated 11th February, 2026. The Auditor-General addresses this question of audit of recoverable cost because recoverable cost cannot be left to the contractor to say, by the way, this is what I have spent this particular time. There has to be an objective way of ascertaining what those recoverable costs are.

The Auditor-General noted that this responsibility of auditing had been placed on the Energy and Petroleum Regulatory Authority (EPRA), limiting the scope and ability of the Office of the Auditor-General to determine these costs, and that even in the period that exploration has been going there, no approved costs had ever been submitted for audit. In the words of the Auditor-General-

“Therefore, the lack of audit has denied us opportunity to determine ineligible costs, which ultimately reduces government share of revenue from the exploration.”

Mr. Speaker, Sir, the next red flag was the amendment of the original production contract to exempt the oil company from any taxes. We had hoped that these matters would be addressed before we would be asked to approve this particular field development plan.

We went on a circuit across the country. I was happy that I was in Changamwe during the public participation. The people of Changamwe told us in no uncertain terms that what they expect in Changamwe is not crude oil being tracked and stored at the facility in Kenya Petroleum Refineries Limited (KPRL), awaiting shipment, but they wanted a revival of the refinery in Changamwe. That is what they told the committee and that is what they are expecting---

The Speaker (Hon. Kingi): Sen. Cherarkey, please, proceed.

(Sen. Sifuna spoke off record)

You knew you had five minutes, Hon. Senator.

Sen. Cherarkey: Thank you, Mr. Speaker, Sir. I rise to support this report, under the able leadership of the Orange Democratic Movement (ODM) Party leader and the Chairperson, Sen. Oburu Odinga, who is our Gen Z leader. The other day, he was saying, “*Weka mawe*”. It is good to have him midwife his own report.

(Applause)

Mr. Speaker, Sir, I have read this report, and want to dissuade what the Senate Deputy Minority Whip, for the time being, has just said. I have gone through the report. Under Article 71 of the Constitution, we are doing what Parliament is obligated to do. We must be part of the process, and I believe in the ability and capacity of all the Members.

On the issue of local content, I agree we have passed the law, 70 per cent to the national government, 20 per cent to county and 10 per cent--- This report is anchored, because most of the issues that have been raised and captured under the law. For instance, on compulsory acquisition, Article 40 is clear. In terms of community registration, the report of the Oburu Odinga-led committee has captured.

In reference to the issue of environment, under Article 69, the sustainable exploitation and utilisation of equitable and accruing of benefits has been captured. This is very important.

The decommissioning of the sites in that area, especially now that the concession and the field development plan and production sharing contract for Blocks T6 and T7 is

critical because Article 39 of the Petroleum Act has captured ably on decommissioning. So, there should be no worry about the violation of Article 69 of the Constitution.

So, the issue of dispute resolution, if it arises, that it goes outside the county, as an exit clause in terms of any dispute between the government and regulators should not be a worry. I have heard some people expressing that there might not be access in terms of accountability and openness of engagement. Article 35 of the Constitution states that access to information is a basic human right.

Mr. Speaker, Sir, on the issue of community land administration, I am happy the area Senator has talked about it. Section 108 of the Petroleum Act recognises the issues of land laws. There is the issue of land valuation, beneficial sharing, and all this has been captured under the Petroleum Act.

So, in summary, we need to support this work that has been done by the Senator Oburu Odinga-led committee. Article 71 gives us the opportunity. Let us allow Turkana County to develop. Let us give opportunity to the people of Turkana. They have been marginalised. Let them exploit their resources. When this resource will be exploited, water scarcity will be a thing of the past. The issue of security will be sorted once and for all. Let us ensure that we give the necessary support.

I would like to thank the committee. All the committee Members signed, except the Senator of Nairobi City County. The procedure of the House is, if you disagree with a report, you are supposed to generate a Minority Report and table before the House. However, just speaking for the sake of the public gallery and to look good in public rallies is very unfortunate. Let us give Kenyans the opportunity so that we can pass this once and for all. As a Senate and Parliament, we will still oversight this report and the investor who will come to Turkana.

Mr. Speaker, Sir, with those many remarks, I beg to support and yield back the microphone. I thank you.

The Speaker (Hon. Kingi): I will now call upon the Mover to reply.

Sen. Kisang: Thank you, Mr. Speaker, Sir. For the benefit of the Senate and the people of West Pokot and Turkana counties, as I reply, I would like to assure them that the Cabinet Secretary (CS) and Principal Secretary (PS) of the Ministry of Water, Sanitation and Irrigation promised us they are going to put resources in the budget, so that we will have three lines. There will be three lines from Turkwel. One line going all the way to---

(Sen. Cheruiyot consulted loudly)

The Speaker (Hon. Kingi): Senate Majority Leader, surely, you cannot run a rally parallel to these proceedings.

Sen. Kisang: Mr. Speaker, Sir, there will be three lines from Turkwel Dam. One going all the way to the oil fields, and then there will be one for clean water to both West Pokot and Turkana counties. Then there will be a line to do irrigation on both sides of the two counties. They said they will start initially at a minimum of 1,000 acres, going upwards to 10,000 acres, under irrigation. So, it is good for Sen. Murgor to note that.

Mr. Speaker, Sir, the Auditor-General (AG) also came to the committee and gave a clean bill on all the legalities. The recoverable cost was moved from 55 per cent to 85 per cent to make it bankable. Tullow Oil could not proceed because it was not attractive. They could not get an investor. That is why it was raised. There is nothing that stops the Auditor-General from auditing the recoverable cost because it is in law.

She is the Auditor-General and has that mandate. It is unfortunate that Sen. Sifuna, who is a Member of the committee, has left these Chambers. He is asking all those queries because he only attended two meetings and left. All the issues and concerns were answered by the stakeholders. So, he should have sat in the meeting, so that he does not have to raise these queries in the House. He is the only one out of the nine Members who did not sign the report. All the other eight members signed and agreed with the report.

Thank you, Mr. Speaker, Sir. I beg to reply.

The Speaker (Hon. Kingi): We will now go for Division. However, the Division will be for Order No.10 all the way to Order No.16. So, we will do Division for all those orders.

So, Serjeant-at-Arms, kindly ring that the Division Bell for five minutes.

(The Division Bell was rung)

The Speaker (Hon. Kingi): Serjeant-at-Arms, you may now close the door and draw the bar.

(The Bars were drawn and the Doors closed)

Hon. Senators, voting shall be done electronically. Therefore, I will ask you to log out by pulling out all the delegate units.

Serjeant-at-Arms, kindly walk around and pick up any unattended delegate cards that are still held in the unit. Stay logged out as the Serjeant-at-Arms picks all the unattended cards.

Serjeant-at-Arms, are you done with that exercise?

(The Serjeant-at-Arms nodded in the affirmative)

Good!

Hon. Senators, you may log back in as I put the question. We are on Order No.10. So, the question I will put relates to Order No.10. Sen. Haji, kindly take your seat. Has your card been collected?

(Sen. Haji spoke off record)

Can you give Sen. Haji his card?

I will now proceed to put the question on Order No.10, which is-

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the 2026 Budget Policy Statement, laid on the Table of the Senate on Tuesday, 24th February, 2026, and pursuant to Section 25(7) of the Public Finance Management Act and Standing Order No.186(8), the Senate, approves the 2026 Budget Policy Statement.

You may now proceed to vote.

(Voting in progress)

Sen. Beatrice Ogola, Sen. Joyce Korir and Sen. George Mbugua, you are supposed to vote on behalf of your delegations. You have been authorised to do that.

MOTION

ADOPTION OF REPORT ON THE 2026
BUDGET POLICY STATEMENT

DIVISION

ELECTRONIC VOTING

(Question, that the Senate, adopts the Report of the Standing Committee on Finance and Budget on the 2026 Budget Policy Statement, laid on the Table of the Senate on Tuesday, 24th February, 2026, and pursuant to Section 25 (7) of the Public Finance Management Act and Standing Order No.186(8), the Senate, approves the 2026 Budget Policy Statement, put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo-Marakwet County; Sen. Korir, Bomet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita-Taveta County; Sen. Tabitha Keroche, Nakuru County; Sen. (Dr.) Oburu, Siaya County; Sen. Ogola, Homa Bay County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Omogeni, Nyamira County; Sen. Omtatah, Busia County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Wafula, Bungoma County; and, Sen. Wambua, Kitui County.

The Speaker (Hon. Kingi): Now, Hon. Senators, you might have noticed that in attendance, there were 36 delegates when the voting was taking place. That was as a

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result of a card that had not been collected; a card belonging to Sen. Daniel Maanzo. The number that is in the House when the voting was taking place was actually 35 not 36.

I will now proceed to give you the results of the Division.

AYES: 35

NOES: Nil

ABSTENTIONS: Nil

The “Ayes” have it.

(Question carried by 35 votes to Nil)

Next Order.

MOTION

ADOPTION OF REPORT ON 2026 MEDIUM TERM DEBT MANAGEMENT STRATEGY

DIVISION

ELECTRONIC VOTING

(Question, that, the Senate adopts the Report of the Standing Committee on Finance and Budget on the 2026 Medium Term Debt Management Strategy, laid on the Table of the Senate on Tuesday, 24th February, 2026 and approves the 2026 Medium Term Debt Management Strategy, put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang’a County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo-Marakwet County; Sen. Korir, Bomet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana county; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita-Taveta County; Sen. Tabitha Keroche, Nakuru County; Sen. (Dr.) Oburu, Siaya County; Sen. Ogola, Homa Bay County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Omogeni, Nyamira County; Sen. Okiya Omtatah, Busia County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Wafula, Bungoma County; and, Sen. Wambua, Kitui County.

The Speaker (Hon. Kingi): Hon. Senators, the results of the Division on Order No.11 is as follows-

AYES: 35

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NOES: Nil
ABSTENTION: Nil
The “Ayes” have it.

(Question carried by 35 votes to nil)

Next Order.

(Voting in progress)

The Speaker (Hon. Kingi): Sen. Osotsi, can you proceed to the Dipatch Box and vote?

MOTION

ADOPTION OF REPORT ON THE FIELD DEVELOPMENT PLAN AND
PRODUCTION SHARING CONTRACTS FOR BLOCKS T6
AND T7 IN TURKANA COUNTY

DIVISION

ELECTRONIC VOTING

(Question THAT, the Senate adopts the Report of the Joint Sitting of the National Assembly Departmental Committee on Energy and the Senate Standing Committee on Energy on the consideration of the Field Development Plan and the Production Sharing Contracts for Blocks T6 and T7 in the South Lokichar Basin, Turkana County laid on the Table of the Senate on Tuesday, 24th February, 2026 and pursuant to Article 71(1) of the Constitution and Section 31 (1) and (2) of the Petroleum Act, the Senate ratifies the Field Development Plan and the Production Sharing Contracts for Blocks T6 and T7 in the South Lokichar Basin, Turkana County put, and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba , Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang’a County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo Marakwet County; Sen. Korir, Bomet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. Ogola, Homa Bay County; Sen. Oketch Gicheru, Migori County; Sen. Okiya

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Omtatah, Busia County; Sen. Olekina , Narok County; Sen. Omogeni, Nyamira County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Tabitha Keroche, Nakuru County; Sen. Wafula, Bungoma County; and, Sen. Wambua, Kitui County.

Hon. Senators, the result of the division on Order No.12 is as follows-

AYES: 35

NOES: Nil

ABSTENTION: Nil

The “Ayes” have it.

(Question carried by 35 votes to nil)

Next Order.

BILL

Second Reading

THE KENYA NATIONAL COUNCIL FOR POPULATION AND
DEVELOPMENT BILL (NATIONAL ASSEMBLY BILLS NO. 72 OF 2023)

The Speaker (Hon. Kingi): Hon. Senators, I will now put the Question, which is-
THAT, The Kenya National Council for Population and Development Bill
(National Assembly Bills No.72 of 2023) be now read a second time.

You may proceed to vote.

Sen. Githuku, proceed to the Dispatch Box and cast your vote.

DIVISION

ELECTRONIC VOTING

*Question, that the Kenya National Council for Population and Development Bill
(National Assembly Bills No.72 of 2023) be now read a second time put and the Senate
proceeded to vote by county delegations)*

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba , Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka-Nithi County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang’a County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo Marakwet County; Sen. Korir, Bomet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita-Taveta County; Sen. (Dr.) Oburu, Siaya County;

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Sen. Ogola, Homa Bay County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Olekina, Narok County; Sen. Omogeni, Nyamira County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Tabitha Keroche, Nakuru County; Sen. Wafula, Bungoma County; and, Sen. Wambua, Kitui County.

NOES: Nil.

Hon. Senators, the result of the division on Order No. 13 is as follows-

AYES: 35

NOES: Nil

ABSTENTION: Nil

The “Ayes” have it.

(Question carried by 35 votes to nil)

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

Next Order.

MOTION

ADOPTION OF REPORT ON THE COFFEE BILL (SENATE BILLS NO. 10 OF 2023)

The Speaker (Hon. Kingi): Hon. Senators, I will put the Question, which is- THAT, the Senate adopts the report of the Mediation Committee on the Coffee Bill (Senate Bills No.10 of 2023), laid on the table of the Senate on Thursday, 4th December, 2025, and that pursuant to Article 113(2) of the Constitution and Standing Order No.167(3) of the Senate, approves the mediated version of the Bill.

You may proceed to vote.

DIVISION

ELECTRONIC VOTING

(Question, that, the Senate adopts the report of the Mediation Committee on the Coffee Bill (Senate Bills No.10 of 2023), laid on the table of the Senate on Thursday, 4th December, 2025, and that pursuant to Article 113(2) of the Constitution and Standing Order No.167(3) of the Senate, approves the mediated version of the Bill put and the Senate proceeded to vote by county delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County;

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Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo Marakwet County; Sen. Korir, Bomet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita-Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. Ogola, Homa Bay County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Olekina, Narok County; Sen. Omogeni, Nyamira County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Tabitha Keroche, Nakuru County; Sen. Wafula, Bungoma County; and Sen. Wambua, Kitui County.

NOES: Nil.

Hon. Senators, the result of the division on Order No.14 is as follows-

AYES: 35

NOES: Nil

ABSTENTION: Nil

The "Ayes" have it.

(Question carried by 35 votes to nil)

Next Order.

BILL

Second Reading

THE ELECTRONIC EQUIPMENT DISPOSAL RECYCLING AND REUSE BILL (SENATE BILLS NO. 5 OF 2025)

The Speaker (Hon. Kingi): Hon. Senators, I will put the Question, which is- That, The Electronic Equipment Disposal, Recycling and Reuse Bill (Senate Bills No.5 of 2025), be now read a second time.

You may proceed to vote.

DIVISION

ELECTRONIC VOTING

(Question, that the Electronic Equipment Disposal, Recycling and Reuse Bill (Senate Bills No.5 of 2025) be now read a second time put and the Senate proceeded to vote by county delegations)

Ayes: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo Marakwet County; Sen. Korir, Bomet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. Ogola, Homa Bay County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Olekina, Narok County; Sen. Omogeni, Nyamira County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Tabitha Keroche, Nakuru County; Sen. Wafula, Bungoma County; and Sen. Wambua, Kitui County.

NOES: Nil.

The Speaker (Hon. Kingi): Hon. Senators, the results of the division on Order No.15 are as follows-

AYES: 35

NOES: Nil

ABSTENTION: Nil

The ayes have it.

(Question carried by 35 votes to nil)

(The Bill was read a second time and committed to a Committee of the Whole tomorrow)

The Speaker (Hon. Kingi): Sen. Korir, this is the seventh time I am asking you to take your seat.

BILL

Second Reading

THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT)
BILL (NATIONAL ASSEMBLY BILLS NO.48 OF 2024)

DIVISION

ELECTRONIC VOTING

(Question, that the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No.48 of 2024 be now read a second time, put and the Senate

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proceeded to vote by county delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo Marakwet County; Sen. Korir, Bomet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita-Taveta County; Sen. (Dr.) Oburu Odinga, Siaya County; Sen. Ogola, Homa Bay County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Olekina, Narok County; Sen. Omogeni, Nyamira County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Tabitha Keroche, Nakuru County; Sen. Wafula, Bungoma County; and Sen. Wambua, Kitui County.

NOES: Nil.

The Speaker (Hon. Kingi): Hon. Senators, the results of the Division on Order No.15 are as follows-

AYES: 35

NOES: Nil

ABSTENTION: Nil

The ayes have it.

(Question carried by 35 votes to nil)

(The Bill was read a second time and committed to a Committee of the Whole tomorrow)

Serjeant-at-Arms, you may now withdraw the bars and open the door.

(The bars were drawn and door opened)

Hon. Senators, we are going to a Committee of the Whole. We still need you to be present.

COMMITTEE OF THE WHOLE

(Order for the Committee read)

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

IN THE COMMITTEE

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[The Temporary Chairperson (Sen. Haji Abdul) in the Chair]

THE COUNTY LIBRARY SERVICES BILL
(SENATE BILLS NO.40 OF 2024)

The Temporary Chairperson (Sen. Haji Abdul): Hon. Senators, please, resume your seats. Clerk, ascertain that we have quorum.

(The Clerk-at-the-Table consulted with the Temporary Chairperson)

Hon. Senators, we are going to Division on the Bill. Serjeant-at-Arms close the door and draw and the bars.

(The Door was closed and bars drawn)

(Question, that Clauses 5, 8, 9, 12 and the Schedule be deleted, put and the Senate proceeded to vote by County Delegations)

The Temporary Chairperson (Sen. Abdul Haji): Please, vote. Sen. Maanzo, approach the Dispatch Desk. Sen. Eddy Oketch, approach the desk.

(Sen. Maanzo and Sen. Oketch Gicheru walked to the Dispatch Box and voted)

(Sen. Maanzo consulted with the Temporary Chairperson)

Did you ask the Serjeant-at-Arms if they have your card? Serjeant-at-Arms, do you have the card for Sen. Maanzo?

Let us proceed to the next Division, which is-

THAT, Clause 3, Clause 4, Clause 6, Clause 7, Clause 11, Clause 13, Clause 2 and the Title be amended as proposed.

You may now vote, Hon. Senators.

(Voting in progress)

Sen. Eddy, please, vote. Sen. Maanzo, come and vote. Sen. (Dr.) Lelegwe and Sen. Wafula, come and vote.

(Sen. Oketch Gicheru, Sen. Maanzo, Sen. (Dr.) Lelegwe Ltumbesi and Sen. Wafula walked to the Dispatch Box and voted)

The Temporary Chairperson (Sen. Abdul Haji): Hon. Senators, I put the question, which is-

THAT, Clause 3 (as amended), Clause 4 (as amended), Clause 6 (as amended), Clause 7 (as amended), Clause 10, Clause 11 (as amended), Clause 13 (as amended), the Title (as amended) and Clause 1 be part of the Bill.

You may now proceed to vote.

(Voting in progress)

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, we are compiling the results and we will get back to you shortly.

THE COUNTY LIBRARY SERVICES BILL
(SENATE BILLS NO.40 OF 2024)

DIVISION

ELECTRONIC VOTING

(Question, that Clause 5, Clause 8, Clause 9, Clause 12 and the Schedule be deleted put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Boy, Kwale County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Gataya Mo Fire, Tharaka-Nithi County; Sen. Githuku, Lamu County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang', Elgeyo Marakwet County; Sen. Korir; Bomet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua; Nyandarua County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Ogola, Homa Bay County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Olekina, Narok County; Sen. Omogeni, Nyamira County; Sen. Seki, Kajiado County and Sen. Wafula, Bungoma County.

NOES: Nil

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, these are the results on deletion of clauses-

AYES: 26

NOES: Nil

ABSENTIONS: Nil

The "Ayes" have it.

(Question carried by 26 votes to Nil)

(Question, that Clause 3, Clause 4, Clause 6, Clause 7, Clause 11, Clause 13, Clause 2 and the Title be amended as proposed put and the Senate proceeded to vote by County Delegations)

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AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murangá County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang', Elgeyo Marakwet County; Sen. Korir; Bomet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua; Nyandarua County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Ogola, Homa Bay County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Olekina, Narok County; Sen. Omogeni, Nyamira County; Sen. Seki, Kajiado County; and Sen. Wafula, Bungoma County.

NOES: Nil

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, these are the results on clauses with amendments-

AYES: 29

NOES: Nil

ABSENTIONS: Nil

The "Ayes" have it.

(Question carried by 29 votes to Nil)

(Question, that Clause 3(as amended), Clause 4(as amended), Clause 6(as amended), Clause 7(as amended), Clause 10, Clause 11(as amended), Clause 13(as amended), the Title (as amended) and Clause 1 be part of the Bill put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murangá County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang', Elgeyo Marakwet County; Sen. Korir; Bomet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua; Nyandarua County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Ogola, Homa Bay County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Olekina, Narok County; Sen. Omogeni, Nyamira County; Sen. Thang'wa, Kiambu County and Sen. Wafula, Bungoma County.

NOES: Nil

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, these are the results on deletion clauses.

AYES: 30

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NOES: Nil

ABSENTIONS: Nil

The “Ayes” have it.

(Question carried by 30 votes to Nil)

The Temporary Speaker (Sen. Abdul Haji): Sen. Joyce Korir, I am calling you to report.

Sen. Joyce Korir: Mr. Temporary Chairperson, Sir, I beg to move that the Committee do report its consideration of the County Library Services Bill (Senate Bills No.40 of 2024 and its approval thereof with amendments.

I request hon. Chute to second.

The Temporary Speaker (Sen. Abdul Haji): It is okay. It does not need a seconder.

(Question put and agreed to)

(The House resumed)

[The Temporary Speaker (Sen. Veronica Maina) in the Chair]

CONSIDERATION OF REPORT

THE COUNTY LIBRARY SERVICES BILL (SENATE BILLS NO.40 OF 2024)

The Temporary Speaker (Sen. Veronica Maina): Hon. Senators, the session has resumed. I want to invite the Chairperson to report. Sen. Abdul Haji, you may proceed.

Sen. Abdul Haji: Thank you, Madam Temporary Speaker. I beg to report that the Committee of the Whole has considered the County Library Services Bill (Senate Bills No.40 of 2024) and its approval thereof with amendments.

I thank you.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Abdul. Now, I want to call the Mover of this Bill to proceed.

Sen. Korir: Madam Temporary Speaker, I beg to move that the House do agree with the Committee on the said report.

The Temporary Speaker (Sen. Veronica Maina): Who is the seconder, Sen. Joyce?

Sen. Korir: I request Sen. Chute to second.

Sen. Chute: Madam Temporary Speaker, I beg to second.

(Question proposed)

(Question put agreed to)

Now, I want to invite the Mover to move.

Sen. Korir: Madam Temporary Speaker. I beg to move that the County Library Services Bill (Senate Bills No.40 of 2024) be now read a Third Time

The Temporary Speaker (Sen. Veronica Maina): Who is the seconder?

Sen. Korir: Madam Temporary Speaker, I want to request Sen. Kinyua to second.

Sen. Kinyua: Madam Temporary Speaker, I second.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Kinyua.

(Question proposed)

The Temporary Speaker (Sen. Veronica Maina): Hon. Senators, we are now proceeding to division. I request you to log out and log back in readiness to move to the division part. We are voting electronically.

(Question put and the Senate proceeded to vote)

(Voting in progress)

The Temporary Speaker (Sen. Veronica Maina): Sen. Joyce Korir, can you approach the Clerk's desk for assistance in voting? You are an assisted voter for Bomet County.

(Sen. Korir approached the Dispatch Desk to vote)

(Voting in progress)

THIRD READING

THE COUNTY LIBRARY SERVICES
(SENATE BILLS NO.40 OF 2024)

DIVISION

ELECTRONIC VOTING

(Question, that The County Library Services (Senate Bills No.40 of 2024) be read a Third Time put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Boy, Kwale County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka-Nithi County; Sen. Githuku, Lamu County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang', Elgeyo Marakwet County; Sen. Kinyua, Laikipia County; Sen. Korir, Bomet

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County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita-Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Olekina, Narok County; Sen. Omogeni, Nyamira County; Sen. Ogola; Sen. Seki, Kajiado County; Sen. Thang'wa, Kiambu County; and Sen. Wafula, Bungoma County;

NOES: Nil

The Temporary Chairperson (Sen. Veronica Maina): Hon. Senators, the results of the second charge are as follows:

YES: 29

NOES: Nil

ABSTENTIONS: Nil

The "Ayes" have it.

(Question carried by 29 votes to Nil)

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

The Temporary Chairperson (Sen. Veronica Maina): That is the end of that division. So, you can draw the bars and open the doors.

(The Bars were drawn and Doors opened)

We can go back to the normal sequencing of the Order Paper. I will request the Clerk to call out Order No. 5 on Papers, Majority Leader.

PAPERS LAID

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir,..... Sorry.

The Temporary Speaker (Sen. Veronica Maina): I hope I do not look like a "sir".

The Senate Majority Leader (Sen. Cheruiyot): No, you are too beautiful.

The Temporary Speaker (Sen. Veronica Maina): Thank you for the compliment.

The Senate Majority Leader (Sen. Cheruiyot): Madam Temporary Speaker, I beg to lay the following papers on the Table of the Senate today, Wednesday, 25th February, 2026-

REPORT OF THE CONTROLLER OF BUDGET ON THE NATIONAL GOVERNMENT BUDGET IMPLEMENTATION REVIEW

Report of the office of the Controller of Budget (CoB) on the National Government Budget Implementation Review for the first three months for the financial year 2025/2026.

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REPORTS OF THE AUDITOR-GENERAL ON FINANCIAL
STATEMENTS OF VARIOUS ENTITIES

(Reports of the Auditor-General to be laid pursuant to the Senate Resolution of Tuesday, 11th November, 2025, on the Referral of Statutory Instruments and Papers submitted during recess for the year ended 30th June, 2025)

Report of the Auditor-General on financial statements of BWASCO Water and Sewerage Public Limited Company for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Laisamis Sub-County Level 4 Hospital, County Government of Marsabit, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Isiolo Water and Sewerage Company Limited for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Isiolo Municipality, County Government of Isiolo, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Gatundu Level 5 Hospital, County Government of Kiambu, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Kianda 42 Level 4 Hospital, County Government of Nairobi City, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Kayole II Sub-County Level 4 Hospital, County Government of Nairobi City, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Makadara Level 4 Hospital for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Mama Lucy Kibaki Level 5 Hospital, County Government of Nairobi City, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Bahati Level 4 Hospital, County Government of Nairobi City, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Bumala B Sub-County Hospital, County Government of Busia, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Nambale Sub-County Hospital, County Government of Busia, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Cheptais Sub-County Hospital, County Government of Bungoma, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Moyale Sub-County Level 4 Hospital, County Government of Marsabit, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Equalisation Fund, County Government of Marsabit, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Rumuruti Sub-County Level 4 Hospital, County Government of Laikipia, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Ndindika Level Four Hospital, County Government of Laikipia, for the year ended 30th June, 2025.

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Report of the Auditor-General on financial statements on Isiolo County Assembly Mortgage and Car Loan Scheme Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Equalisation Fund, County Government of Samburu, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Bumula Sub-County Hospital, County Government of Bungoma, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements Nyeri County Climate Change Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Turkana County Rural Water Services Public Limited Company for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Lokitaung Sub-County Level 4 Hospital, County Government of Turkana, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements on Kitale County Referral Level 4 Hospital, County Government of Trans Nzoia, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Magutuni Sub-County Hospital - County Government of Tharaka Nithi, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kericho County Executive Staff Car Loan Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Meru County Climate Change Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kyeni Water and Sewerage Company Limited for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Ndanai Level 4 Hospital - County Government of Bomet, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Ishiara Sub -County Hospital - County Government of Embu, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kericho County Agricultural Development Fund, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kapkatet Level 4 Hospital - County Government of Kericho, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kericho County Emergency Fund, for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kericho County Bursary Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kajiado County Equalization Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kilifi County Assembly Staff Mortgage Scheme Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of financial statements of Mavoko Water and Sanitation Company Limited for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Nakuru Water and Sanitation Services Company Limited for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Municipal Council of Machakos Water and Sewerage Company Limited for the year ended 30th June, 2025.

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Report of the Auditor-General on financial statements of Homabay County Teaching and Referral Hospital - County Government of Homa Bay for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Wajir County Revolving Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Mandera Municipality - County Government of Mandera for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kirinyaga County Climate Change Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kirinyaga County Education Bursary Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Karatina Sub- County Hospital - County Government of Nyeri for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kirinyaga County Emergency Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Trans-Nzoia County Nawiri Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Mtito Andei Level 4 Hospital - County Government of Makueni for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Dadaab Sub- County Hospital - County Government of Garissa for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Elwak Water and Sewerage Company Limited for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Habaswein Sub-County Level 4 Hospital - County Government of Wajir for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Equalisation Fund- County Government of Mandera for the year ended 30th June, 2025.

Report of the Auditor-General on Baringo County Youth and Women for the year ended 30th June, 2025.

Report of the Auditor-General on demonstration farm fund Kisii for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Wajir Water and Sewerage Company Limited for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Tabaka Sub-County Referral Hospital - County Government of Mandera for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Gusii Water and Sanitation Company Limited for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kwale Water and Sewerage Company Limited for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kenya Medical Research Institute for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Siboi Water and Sanitation Company Limited for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kilifi County Assembly Members Mortgage and Car Loan Scheme Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Baringo County Micro and Small Enterprises Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kitui County Executive Car Loan and Mortgage Fund for fifteen months period ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kathiani Water and Sanitation Company Limited for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Nakuru County Enterprise Fund for the year ended 30th June, 2025.

Report of the Auditor-General on Mama Rachel Ruto Maternity Hospital, county government of Uasin Gishu, for the year ended 30th June, 2025.

Report of the Auditor-General on Wamba Sub-County Hospital, County government of Samburu for the year ended 30th June, 2025.

Report of the Auditor-General on Elgeyo Marakwet County Assembly Revolving Fund for the year ended 30th June, 2025.

Report of the Auditor-General on Ongata Rongai Sub-County Hospital County government of Kajiado for the year ended 30th June, 2025.

Report of the Auditor-General on Nanyuki Water and Sanitization Company Limited for the year ended 30th June, 2025.

Report of the Auditor-General on Kakamega County Assembly Loans and Mortgages Fund for the year ended 30th June, 2025.

Report of the Auditor-General on Iten Tambach Water and Sewerage Company Limited for the year ended 30th June, 2025.

Report of the Auditor-General on Tanathi Water Works Development Agency, for the year ended 30th June, 2025.

Report of the Auditor-General on Ndithini Level 4 Hospital, Machakos County Government for the year ended 30th June, 2025.

Report of the Auditor-General on Cherang'any Marakwet Water and Sanitation Company Limited for the year ended 30th June, 2025.

Report of the Auditor-General on Nandi County Assembly Scheme Fund, for the year ended 30th June, 2025.

Report of the Auditor-General on Uasin Gishu District Hospital, County Government of Uasin Gishu for the year ended 30th June, 2025.

Report of the Auditor-General on Nanyuki Teaching and Referral Hospital, Laikipia County Government, for the year ended 30th June, 2025.

Report of the Auditor-General on Equalisation Fund, Laikipia county Government, for the year ended 30th June, 2025.

Report of the Auditor-General on Kapsabet Municipality, Nandi county Government for the year ended 30th June, 2025.

Report of the Auditor-General on Kapsabet Nandi Water and Sanitation Company Limited for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Rukanga Water and Sanitation Company Limited for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kirinyaga County Agricultural Institutions Revolving Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Nyandarua County Emergency Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Nyeri County Executive Car Loan and Mortgage (Staff) Scheme Fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Matungulu Kangundo Water and Sewerage Company Limited for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Ololaiser Water and Sewerage Company Limited for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Kirinyaga County alcoholic drinks and substance abuse control fund for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Murang'a Level 5 Hospital-County Government of Murang'a for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Mukurweini Sub-County Level 4 Hospital- County Government of Nyeri for the year ended 30th June, 2025.

Report of the Auditor-General on financial statements of Naromoru Water and Sanitation Company Ltd for the year ended 30th June, 2025.

I thank you.

(Sen. Cheruiyot laid the documents on the Table)

The Temporary Speaker (Sen. Veronica Maina): Thank you, Majority Leader. Next Order.

QUESTIONS AND STATEMENTS

STATEMENTS

The Temporary Speaker (Sen. Veronica Maina): Hon. Senators, I am reorganising the Order Paper. All the Statements are deferred to come up again tomorrow in the afternoon session.

SECRET RECORDING AND ONLINE DISTRIBUTION
OF KENYAN WOMEN'S INTIMATE ENCOUNTERS
BY FOREIGN NATIONAL

FATAL SHOOTING OF MR. VINCENT AYOMO
BY POLICE IN KITENGELA

IMPLEMENTATION STATUS OF WIPO
PERFORMANCE TREATY

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INDEFINITE CLOSURE OF OLLESSOS
NATIONAL POLYTECHNIC

OPERATIONS OF NWSC AND WELFARE OF
NAIROBI CITIZENS

UNLAWFUL CLOSURE OF TRANS NZOIA CPSB
AND STAFF TRANSFER

ALLOCATION OF KISIMA LAND TO CIVIL SERVANTS
IN NAKURU COUNTY

PROCUREMENT AND CONCESSION IRREGULARITIES IN THE
RIRONI-NAKURU-MAU SUMMIT ROAD PROJECT

GOVERNANCE, REGULATORY COMPLIANCE AND
ACCOUNTABILITY AT CIC GROUP

PROPOSED CONSTRUCTION OF
NAIROBI-THIKA EXPRESSWAY

MASS LAYOFF AT MUHORONI SUGAR COMPANY

(Statements deferred)

I ask the Clerk to call Order No.25.

BILL

Second Reading

THE CULTURE BILL (NATIONAL ASSEMBLY
BILLS NO.12 OF 2024)

(Sen. Cheruiyot on 24.02.2026)

(Resumption of debate interrupted on 24.02.2026)

The Temporary Speaker (Sen. Veronica Maina): Senate Majority Leader, you had a remainder of 52 minutes. I hope you do not intend to use all of them. You can share them with the Seconder.

The Senate Majority Leader (Sen. Cheruiyot): Madam Temporary Speaker, I had actually finished making my comments on this particular Bill. I said that any society

that cannot trace its roots is lost. Many of the challenges we face, including in the first world countries--- By the way, you will find some people struggle with identity crisis.

Madam Temporary Speaker, I know that besides being a lawyer, you are a psychologist as well and you understand some of these issues. It shows in people who struggle with culture despite the level of education and wealth. If you meet and interact with most of them, you can see that there is a longing to connect with somewhere.

That is the beauty of culture. That is why the drafter of our Constitution included culture and cultural rights as part of the social rights under Article 11, which is part of the Bill of Rights in our Constitution. This piece of legislation is intended to ensure that we find ways of giving life to those provisions of our Constitution by ensuring that we guide appropriately on what needs to be done in that regard.

Therefore, Madam Temporary Speaker, I want to appreciate this opportunity to move this Bill. I know many Members will have an opportunity to say something. If they do not, nonetheless, they will have done their bit.

With those many remarks, Madam Temporary Speaker, I beg to move and request the Senator for Nandi, the indefatigable warrior, Sen. Samson Kiprotich Cherarkey, to second.

The Temporary Speaker (Sen. Veronica Maina): Sen. Samson Cherarkey, you have earned yourself the title of indefatigable warrior. I hope it is warrior in a good sense.

Sen. Cherarkey: I am the devolution warrior. As you can see, coming from the Senate Majority Leader, I might also be the Majority Leader or a bigger person in future.

Madam Temporary Speaker, as I second this Bill, there is no legal framework on culture that has been put in place. This is a straightforward Bill. We have an identity which is our culture. The culture defines who we are. It is a set of moral values. According to the definition, it includes, our lifestyle, social interactions, social groups, value systems, traditions, beliefs, language, ideas, customs, institutions, rituals and ceremonies.

I am happy that the distinguished Senator for Kakamega is here with us. When I was thinking of how I will second this Bill, I remembered that we lost the former MP for Lugari Constituency, the late Hon. Cyrus Jirongo.

I followed it online and saw the distinguished Senator for Kakamega performing a serious ritual when he went to view the body of the late Hon. Cyrus Jirongo. I was amazed by the unique culture of the Luhya or *Mulembe* nation. I saw him taking bulls there and celebrating. I was amazed by how Sen. (Dr.) Khalwale did it.

Madam Temporary Speaker, I do not know whether you had an opportunity to watch. I had to watch the whole event. This is a doctor, but because of cultural beliefs, he was proud of it. There are people who when they become professors, they wear suits and nice clothes and behave like Europeans. I am happy that the culture that Sen. (Dr.) Khalwale displayed was very unique. It taught some of us the value and role of culture.

Under the Fourth Schedule of the Constitution, one of the roles of county governments is cultural activities. I hope when Sen. (Dr.) Khalwale becomes the Governor of Kakamega, he will anchor cultural activities in *Mulembe* nation because we do not want to see people---

The culture of our people is dependent on handouts and politics. When there is bullfighting in Malinya in Kakamega County, that should be funded by taxpayers' money because it is our identity. Why should it depend on the goodwill of individuals? We have also seen those ceremonies being conducted in Vihiga. When we lost Hon. Kijana Wamalwa and in many other occasions, you could see. I think funeral ceremonies show more.

We also lost the former Prime Minister Raila Amolo Odinga. We still condole with the family. We know that was a leader of our time. Many people, including us visited Kang'o Ka Jaramogi. As a community, we had to take cows there to mourn with the family. I met people from Mulembe nation there. Sen. (Dr.) Khalwale came after to also condole with the family.

When we took cows there to go and mourn, we were supposed to go chanting "Jowi". There was some regalia and we were told that was *tero buru* or something. I know Sen. (Dr.) Khalwale is an expert.

I know it is possible to amend our Standing Orders. Instead of debating, we can have a show or dramatise it. This Bill can be better explained by the Senator for Kakamega. We should allow him to show us what he performed a few months ago so that we understand. Even in my culture, whenever young people go for initiation---

The Temporary Speaker (Sen. Veronica Maina): Are you sure you want that torch he was holding to come to the Senate?

(Laughter)

Anyway, proceed.

Sen. Cherarkey: Madam Temporary Speaker, I never knew that there are indigenous people who had known a torch. That is the only thing I wanted to ask Sen. (Dr.) Khalwale only that I have not had time to sit with him. I thought that torch should be off by now.

Has it gone off with some individuals? Maybe he will tell us when he will be supporting the Bill because he carried the torch and said it will expose the killers or is it still on? I am told that by the time it goes off, it does so with individuals who might have committed that offence.

In my culture, we also have initiation ceremonies, weddings and other rituals. Whenever something is stolen or a person is killed, there are rituals that are performed. We also have an elaborate culture. I think all African cultures are elaborate. In my culture, to be a man, you must have gone to the "ceremony of the home" or traditional initiation ceremony. There are stages in the life of a man or woman. After being born, you are given a name and there are rituals that are performed. That is identity which is recognised by the Constitution.

We have mixed religion with culture. For example, my name Kiprotich means that I was born in the evening, like now, when cows were being returned home. The name Cherop, who is one of the Clerks there, means she was born when it was a rainy season like now. Therefore, a name has a particular meaning. All names have meaning, including House of Mumbi, the famous Mount Kenya where you come from,

although yours is a more matriarchal society. However, in the West, they have elaborate ways.

Madam Temporary Speaker, as I go to the fourth point, in my opinion, the African values and cultures were very good. When you go through initiation ceremony, you are taught how to be responsible. For instance, in my culture, you are taught how to be a man and take care of a home, cows, behave decently and be respectful. In fact, in my culture, respect is equated to many things- “Respect is equated to a cow” because it symbolises life. We say, “*Konyiit ko ten tany ak muren*” which loosely translates to, “respect is equal to a cow”, which is a symbol of respect and life.

We are now being told we are westernised. For instance, the Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) issues were never in our culture, because we respect sanctity of life. I am happy that our Constitution states that family is between a man and a woman.

The degeneration of societal values is courtesy of importing too much of the Western culture, beliefs, ideas and values, and thrown ours away. That is why you are seeing issues that we have never seen. I agree with President Museveni who said, if you are gay and there is a proof that you can come up with life, then he would allow LGBTQ in Uganda. Similarly, Senegal has now introduced 10 years imprisonment for same sex relations. These are alien values that were never there. How can a man leave beautiful ladies and girls and go for another man? It is not part of the culture that we are talking about.

I have read the books, for instance *Facing Mount Kenya*, and *It's Our Turn to Eat* by John Githongo. It would be good that when the House of Mumbi wants to meet, there is a legal framework that they can engage and ensure the values are protected.

I hope one day, we will have a library where the children of the House of Mumbi can go and study about the Agikuyu. In Nandi Hills, Nandi County, we have Koitalel Museum. The people of Nandi County can go and study the values, beliefs, ceremonies and rituals that the people of Nandi believed in. Similarly, other Kalenjin sub-tribes, the Mulembe nation or the Luhyas, should study what they believe in. When you look clearly at the value system of our communities, you will be surprised that they were more orderly. There were orderly age groups. For instance, in my culture, we have age sets. My age set is Kipnyigei, while the President’s age set is called Kaplelach, which initiated some of us. My father’s age group is called Kaplelach. The age sets ensure that there is respect, and that is why whenever we engage, you cannot go beyond your elder in terms of the age set.

We also need to recognise the role of the custodians of our cultural values. The Meru have a very elaborate *Nchuri Ncheke*. Similarly, the Agikuyu, *andu a nyumba itu* have people who are custodians of their traditions. In Western Kenya, the Mulembe nation also have their leaders. In northern Kenya, it is interesting. They are the ones who decide who becomes a leader in that particular community. In my culture, we have Miot Council of Elders. The law recognises them. They are called cultural practitioners. Some of these people are professionals. They participate in circumcision and rituals.

There should be protection of manuscripts, buildings, architectural designs, products of archival and archaeological excavations. There is a place in Nandi Hills

called Sheu Morobi, where, when you become too old, cannot move or eat because you no longer have teeth, and you think death has forgotten you, you could request to be taken, and thrown over the cliff, and then you die. Those are some of the places that you needed to protect for historical purposes, archaeological excavations, artistic and historical monuments, buildings and architectural designs.

Madam Temporary Speaker, I am concerned that some people are bringing down an old building, not knowing the historical value of the building. For instance, the Archives is a structural monument within Nairobi. There is a bad habit where Kenyans want to destroy something that belongs to their past, yet, it can be part of our heritage, cultural and historical sites. So, we need to preserve these buildings.

I would want to go to Kakamega today, where Sen. Boni Khalwale comes from, and see how the Mulembe nation used to live in the 1930s and 1940s. Westernization will make us lose the aspects of who we are.

Madam Temporary Speaker, I am rushing through because our culture is quite elaborate. There is the issue of articles of furniture and musical instruments, like nyatiti, the ones we use while singing, as well as blowing of horn. You have been a Secretary General of many political successful parties, some of which have gone ahead to form the Government. The United Republican Party (URP) had a horn as the symbol of the political party.

On the issue of management of culture, the Ministry of Gender, Culture, the Arts and Heritage, should develop national policy, promotion of diverse cultures, cultural heritage and cultural property, including protection, safeguarding, preservation and conservation. For instance, the Kimalel Goat Auction should be gazetted as something historical by the Kenya Museums Society . Thank God we have the Ministry of Gender, Culture, the Arts and Heritage.

For the Members who are following, I am on Clause 5. In reference to standards and regulations and cultural management of national heritage, need to have a collection and study on how some of these issues can be done.

Madam Temporary Speaker, you are a senior lawyer. I do not know when you will be conferred to be Senior Counsel. In my opinion, by now you should have been conferred as Senior Counsel. We also need to ensure the supremacy of the Constitution that, this Bill does not excuse repugnant moral injustice. For example, the female genital mutilation (FGM) cannot be part of our culture because they are repugnant, and they undermine human rights and rule of law. So, I want to bring an exception that this Bill will not recognise cultural values or practices that are repugnant to moral justice like the FGM.

I would like to comment on the issue of export and import of inventory cultural property. There was a time that when Koitalel Samoei was killed and the British took his regalia. It was after President Kibaki came into power, in 2003, that the regalia and artefacts of the late Koitalel Samoei were brought back. So, we need any artefacts and regalia that were illegally taken by the British Government to the United Kingdom to be returned back. Why would you go to London to look for artefacts that belong to some of the communities? We need to bring the artefacts, so that we can preserve them in the museums.

Finally, members, there is the issue of import and export of artefacts that belong to our cultures. I am happy the law has ensured that there cannot be a transfer of cultural property without the approval of the Government. That is another exemption I wanted committees to look at.

There is the issue of research. The cabinet secretary must develop a database to ensure that we research extensively on cultural issues. There is the issue of licensing. I am happy the offense penalty is at Kshs1 million on violation, fraud, exporting, transfer or selling of a cultural property. It can also be five years in prison or both, which is very important.

On using images without consent, we have seen people writing books without seeking consent. Also on finding licensing research for doing the research. We have seen documentaries on television on the National Geographic. I normally see them running stories about Samburu without even telling us whether they have permission to research, broadcast and film some of those issues. So, this has been captured in a nutshell.

The Culture Bill (National Assembly Bills No.12 of 2024) is very important. It is part of the Constitution. It is recognised in the role of the Constitution in Article one and also in the Fourth Schedule that cultural practices is a devolved function. As much as this is a National Assembly Bill, we are ready to pass it, so that we can create a legal framework.

I am happy. I hope that during report writing, they invite different groups of *Wazee* from every community, so that they can share. I am happy Sen. Mundigi is in the House. He might also share with us on Embu County.

Madam Temporary Speaker, can we also allow Sen. Boni Khalwale to give us one to two minutes demonstration on what he was doing and how to celebrate the heroes and the issue of death in their community. If possible, the secretariat can provide him with a torch, then he can demonstrate and show us what needs to be done.

With those many remarks, I beg to second this Culture Bill (National Assembly Bills No.12 of 2024).

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Cherarkey.

(Question proposed)

Hon. Senator, you can resume your seat. I am not sure we can grant that request of the torch being introduced into the Senate as it could quickly turn into a weapon of serious destruction within the Senate. Let me now take this chance to give Sen. Boni Khalwale to make his contribution on this Bill.

Sen. (Dr.) Khalwale: Madam Temporary Speaker, I take this to be a very big privilege, that the records of Parliament, the HANSARD, will show that when this Bill was being enacted into law, I made a contribution. I believe in culture and in the diversity of the cultures of the people of Kenya and because of that belief, many times I disagree with fellow professional colleagues and people of letters on how they become experts of explaining the culture of other communities.

Madam Temporary Speaker, you can see that for the 30 minutes that the Senator of Nandi has contributed, he has spent probably one third of that time only for his culture.

The rest of the time he has spent is on Kikuyu, Luhya - the areas in which he is not an expert at all. I cannot start by, first of all, failing to make a personal disclosure. As somebody who practices medicine and who understands circumcision of men, I take a lot of offense when I see people berate the Kuria, my cousins, the Kisii, my cousins, the Kikuyu, my distant cousins, and the Kamba, my distant cousins, for the practice of circumcision of their girls. We should be asking them why and how do they do it. Why I take this offense is because if you came to Kakamega and told a Luhya man not to circumcise his son, he will tell you: "Take him, then he is not my son."

I have listened to the people who understand the culture of the circumcising communities of Kenya. Do we really know the prescribed method of that circumcision? We must think about these things because when we do not, we allow people who do not know us to define us. Imagine you going to Bungoma and telling a Luhya father that his son is a homosexual and, therefore, he should be tolerant. You are saying this because of the many things you people call under this Constitution of the rights of choice, the rights of blah, blah, blah.

Madam Temporary Speaker, we have to be firm as Africans, so that even if it is easy for you to fundraise or defend something that offends your community, you should be called to order through this law. We would like the people who fundraise for advocacy of practices that are foreign to our communities to exercise that advocacy outside our communities. Like somebody wants to make advocacy for Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ). People who want to do those kinds of primitive things should never be allowed to do it in the Luhya nation. It is completely foreign. Culture defines that it cannot be admissible.

Madam Temporary Speaker, you cannot expect a boy who practices bullfighting in Khayega, Malinya, Esolio, Mahira, Malaba, Indangalasia in Mutsotso - you cannot manage to convince him that having never witnessed a bull climb a fellow bull, he can climb a fellow boy. However, we force them because we bring them to the universities and the children have grown away from home. They are confused. The parents do not understand culture very well.

They are under pressure of the so-called the modern life. They feel if they talk about it, they are not modern parents and so on. We need to make proper legislation and we shall be coming in the Committee Stage of this Bill with firm amendments to speak to those things until this House firmly pronounces itself in assent or in defeating.

Madam Temporary Speaker, I want to thank the Senator of Nandi for all the compliments he has given me. You never offended me or the community in any way. It was positive. Let me tell you, our community has documented its culture through oral literature. Now, we are attempting to put it on paper. We want to tell our children this is how women give birth and after giving birth, this is how they name their children. My mother was a traditional birth attendant, which part of the reason why our profession went in that direction. She was very clear that if a woman was finding it difficult to give birth, she had to refer her to a caesarean section in hospital. She would ask the girl who the father of the child was. If the girl refused to answer, she would ask for the name of the father. The moment the girl said the father's name, the birth canal

would open and the child would be born because our culture is against single parents. Our culture demands that every Luhya child must have a father.

Madam Temporary Speaker, it was at that spot that children born offending our culture, which does not allow sex among relatives, would be fired out. There would be a special ceremony for that child who then would be accommodated. In adult life, there were certain privileges that child would not attend to or would attend with special restrictions, including; if a girl born within the extended family got married, a pot would be placed on the roof of her hut, where she lived with her husband. This was to signal whoever cares to know that she was born under these circumstances and a curse would follow anyone who married any offspring from that home. I mean; a beautiful culture.

Madam Temporary Speaker, when I look back, I see the problem children of the so-called single mothers are going through because of the lack of a father figure. Our ancestors understood science. The communities which are slowly starting to allow the so-called single mother -I know it offends you just like it offends me - are now having serious challenges---

The Temporary Speaker (Sen. Veronica Maina): Sen. Boni, when you are referring to the single mothers, it would be fair to just refer to them as single mothers, not as the “so-called”.

Sen. (Dr.) Khalwale: Apologies, I withdraw that word.

The Temporary Speaker (Sen. Veronica Maina): Let us protect them because they are with us in the community. Let us use dignified language with them.

Sen. (Dr.) Khalwale: I was using the word “so-called” with reference to the Luhya community which does not have single parents.

Sen. Munyi Mundigi: On a point of order, Madam Temporary Speaker.

The Temporary Speaker (Sen. Veronica Maina): What is your point of order, Sen. Mundigi?

Sen. Munyi Mundigi: Bi Spika wa Muda, namfahamisha Sen. Khwalale kwamba ni vizuri tuunge huu Mswada mkono kwa sababu utasaidia mtoto hata kama ni wa *single mother*, *single father* au yule ambaye ana wazazi wote wawili. Hii ni kwa sababu, wale watoto ambao wako na wazazi wawili ndio wabaya kuliko watoto wa *single father and mother*.

The Temporary Speaker (Sen. Veronica Maina): Sen. Mundigi, that would have been better as a point of information or intervention.

Proceed, Sen. Khalwale.

Sen. (Dr.) Khalwale: Thank you, Madam Temporary Speaker. Indeed, that is information and I know, the information my distinguished Senator from Embu County is giving me is in the meaning of the Embu and Mbeere community; it is not in the meaning of the Luhya community. We do not have those things amongst the Abaluhya at all.

I support this Bill very strongly because after birth, our culture then provides for how a child will grow through teenage hood until they come of age to start their own families. They provide for how the boy will be circumcised, who will circumcise him and the circumstances. If he is circumcised in the hospital, he is taken back home to be given an opportunity to receive herbal treatment of children who are circumcised in

hospital and missed the power of herbal medicine in a man becoming a man enough to be the head of a family.

I support this Bill very strongly because it is the same one that allows some of us to have more than one wife. In certain communities, if you ask a man if they have a second wife, they say no yet, in practise, when I meet him, where we meet them, I see him with another lady with a child. You ask, who is this? No, this is my *gachungwa*. In our place, we do not have *gachungwas*. We actually have the second and third wife. But, Madam Speaker, these people are suffocating. They are suffocating. They then create a lot of problems for nothing.

Let me give you the case of, for example, my late brother, may his soul rest in eternal peace. Henry Khalwale had two wives. My immediate elder brother, flight captain, Guy Ashiono Khalwale had three wives. When they passed on - it is 10, 15 years later - nobody has ever taken anybody to court because of their property. Both of them did not leave a will. They did not even have an administrator. Culture just defined it because they were gone and I am the only surviving uncle of these children; what I say passes for now. So, I told this one; plot number so and so will be yours. This one will be yours. Wife number one, you will get the car. Wife number two, you will get the motorbike and that is it because of the power of culture.

These days, people are wasting time in courts for 30 years because they are fighting over family land. These issues can be very well sorted out through cultural practices. I am glad that the Constitution is very clear. It says that cultural practices and provisions of the culture must be recognised when family property is being divided. This is something very positive and because my brother, young Chimera from Kwale would like to contribute and I can see that time has gone, I want to stop there and go and work on my amendments to make the Bill even better.

I support. Over to you, Chimera.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Boni. You do not have powers to assign Sen. Chimera an opportunity to speak, but I now invite Sen. Raphael Chimera to make his contribution to this Bill.

Sen. Chimera: Thank you, Madam Temporary Speaker for this opportunity. I listened to my good friend, he is like a father to me, Sen. Boni Khalwale from Kakamega, the bullfighter himself. I did not know this character of him, of having more than one wife is in the family, so to speak. Now, I am afraid I will not be sitting next to him. I might end up suffering from that habitual deficiency.

I rise in support of this Bill, being Bill No.12 of 2024, from the National Assembly. Let me begin by first appreciating and commending the National Assembly, most particularly the Mover and the sponsor of this Bill at the National Assembly level. That must be Hon. Kimani Ichung'wa. To my brother, may history judge you fairly. This is a very important Bill. I am very proud that I am alive and in the Senate when such a Bill came to the Floor of the House. It basically seeks our support as legislators.

Madam Temporary Speaker, the Maasai community is well-known for their rich and very deep-rooted cultural practices, beliefs and traditions. Every foreigner who seeks to come to this country, you will realise that the first port of call will be visiting the Maasai region. I wish Sen. Ledama Olekina from Narok was here and my good friend

Sen. Ole Seki from Kajiado. I understand that Senator is perhaps busy propagating some other form of politics out there. That is why he has no time to be here, but I know when he gets a chance, when the two of them get a chance, they will speak deeply about their culture and their community. Any foreigner who gets to the country would want to visit the Maasai, not necessarily to see the big five under the Maasai Mara Conservancy, but also to appreciate and interact with the Maa. This culture has basically put the country on a global perspective.

Madam Temporary Speaker, perhaps the Mover of this Bill here, Sen. Cheruiyot, might say that the Kalenjins as well, have put this country on a global perspective because of their prowess in athletics, but this is culture. He might not want to go that way.

This Bill essentially seeks to speak to Article 11 of the Constitution, and more specifically Sub-Article 3A, that speaks on the compensation and royalties owing and due to communities who practice culture.

Sometimes when I come from a very hectic schedule in Kwale, I take time to interact with my voters at night in Diani, in places such as Tandoori, Kokobongo, Manyata and Terminal 2. When in those places that I have just mentioned, one will see young men and women dressed in particular attires, more specifically in the Maasai attire at night, purposely because Diani is a beach destination, just to attract the attention of the foreigners who are there.

When one further continues engaging with these young men and women who are dressed at night as Maasais, one is shocked to find they are not even Maasais. Most of them are usually people from “Murima.” That speaks to the need to ensure that certain cultural beliefs have been placed in a way that they can receive commercial earnings.

Madam Temporary Speaker, if one visits the great County of Kwale, where I come from, there is a small tribe at a place called Kilibasi called the Waata community. This is a community that is practicing very rich cultural traditions. They have very deep cultural dances and a lot of artifacts that speak to their culture. Many foreigners nowadays find their way to Kilibasi just to go and get to know this community, understand and appreciate the cultural practice they practice in Kinango.

If you listen to the Digo community in Kwale County, that have for many years danced to Zigidigi, Mdundiko and Sengenya dance, as well as the Duruma community with their Gozi dance from Vigurungani, Puma Ward in Kinango Constituency, you will realise there is now a need to have and make sure that all these communities are able to benefit from these royalties.

I am happy now, for the first time, we are working towards making sure there is a proper legal framework within which communities that practice and believe in their culture, out there are showcasing it. They should be able to benefit in terms of receiving compensation and royalties from what they do on a daily-to-daily basis as part of promoting their culture.

I am happy that we are not just speaking about policy and ministerial directives, but a legal framework within which these communities are able to benefit from the practice of their culture.

Madam Temporary Speaker, I urge my colleagues to equally weigh in and support this Bill. We hope it becomes law, so that our communities are able to access compensation and these material benefits, and for the first time, enjoy their true identity and their true cultural heritage in this country.

I support.

The Temporary Speaker (Sen. Veronica Maina): Sen. Dan Maanzo.

Sen. Maanzo: Thank you, Madam Temporary Speaker. I am pleased to contribute to this important Bill. In fact, I have waited for it for a long time. Culture is in the Constitution under Article 11. There is a misprint. They have written Article 11(3)(a), but it should be 11(2)(a). This Article promotes all forms of national and cultural expression. It includes literature, the arts, traditions, celebrations, science, communication, information, mass media, publications, libraries and other cultural heritage.

The cultural heritage of any nation is very important. When we went for the Olympics in China in 2008, the President of China addressed all foreigners in Chinese. You had to ask someone near you to interpret if you did not follow the speech. From China to Arabia, Israel, Europe and America, there are different cultures everywhere. Communities remain cultural. In South Africa, the Zulu are very cultural and have never abandoned their traditions. The Swahili saying goes, “*Muacha mila ni mtumwa*”. Therefore, this is very important.

I come from the Kamba community. We have the Kamba customary law. Almost every community has ways of dealing with many things. They have ways of dealing with marriage. There are cultural activities and laws associated with marriage and divorce.

In Kamba culture, when you marry, you go with three goats, two male and one female. On that day, you slaughter one male. You leave one male and one female. When you want to divorce, the goat you are supposed to return is impossible to find. This means marriage is presumed permanent. You may take such trouble looking for this goat that you give up and reconcile with your wife and in-laws. Marriage is communal. You belong to the clan you marry into and culture protects you. When asked to look for a black goat with a white patch on the stomach, you may search for years. That culture protects the community. The Kamba have many artefacts, traditional dances and guards. Protection of property in culture is important.

The Maasai culture is also amazing. People feed on meat. A few days ago, we went to Kamwaro’s home to visit him on his inauguration day as a politician. The Maasai eat meat, but the young men who danced there were not fat. Their culture allows them to eat meat and also other boiled foods. The Maasai interact with snakes as much as the Kamba do, but when Maasais get a snake bite, they have a way of treating it, which is amazing. Hardly do they die of snake bites. This culture has been kept alive and it exists.

Therefore, Madam Temporary Speaker, this Bill is very important. Just as Hon. Khalwale has said, I would have loved to contribute full time, but I can see my colleagues want it differently. This law should have been enacted in 2013. There are many cultures in the world. When you go to West Africa, you will find a different culture and religion. There were many practises that kept the society together and the morals of many African communities.

My community originated from Congo forest and when you go to Congo, you will find part of the Kamba community that was left there. There were some who did not travel with the rest. There are also many languages in Congo Forest, even the Kikuyu community came from there. You will find that when colonialists came to Congo, King Leopold II said that Africans were very honest. In the African culture, you never stole because you feared what would follow. If you did; the evil spirits would bring you misfortunes and you would never rest until you returned what you had stolen. In fact, hardly does a Mkamba steal your things because they do not know what treatment has been given to those things. The moment you take them, the goats follow you and you will never rest. Therefore, people do not steal. That is why King Leopold described the communities as honest. As part of colonisation, they came up with a strategy to corrupt---

The Temporary Speaker (Sen. Veronica Maina): What is your point of order, Sen. John Nderitu?

Sen. Kinyua: Bi. Spika wa Muda, nimesikia akisema kuhusu mbuzi walioibiwa na vile wangerudishwa. Ningetaka kujua sababu kuna kisiwa kilicho Ukambani ambapo kuna jambo hua nasikia na Wakamba. Pengine ataelezea mambo ya *kamuti* na *kiveti ndikaeke*. Sijui hiyo inamaanisha nini.

The Temporary Speaker (Sen. Veronica Maina): Was it a point of information?

Sen. Kinyua: It was a point of clarification.

Sen. Maanzo: Let me say that the Kamba culture had its own of dealing with evil people. If you had killed someone, you would be excommunicated and that is common in many African cultures and you could not go back. You get to learn some of these things when you read Things Fall Apart.

There were many other practices which were feared. You never stole someone's wife because there was the likelihood of getting stuck until the owner came although I have never verified that. However, I have heard that it has happened even in modern times and you have to pay a lot of money to be unlocked.

Madam Temporary Speaker, there are many other cultures, but I do not know whether that is what you call *kamuti* which was a way of prevention. It is something that was feared; that someone has protected their things, wives, animals and anything you would take from that home. They would call someone who would come and give threats by saying they were giving you two days to return what you had stolen, otherwise you would start eating grass. It has happened because some people have eaten grass, but I will elaborate the next time.

The Temporary Speaker (Sen. Veronica Maina): Sen. Maanzo, you will have a balance of 11 minutes when we resume this interesting debate on culture.

ADJOURNMENT

The Temporary Speaker (Sen. Veronica Maina): Hon. Senators, it is now 6.30 p.m. time to adjourn the Senate. The Senate, therefore, stands adjourned until tomorrow, Thursday, 26th February, 2026 at 2.30 p.m.

The Senate adjourned at 6.30 p.m.