



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT**

**NATIONAL ASSEMBLY**

**THE HANSARD**

**7<sup>th</sup> April 2026**

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# THE HANSARD

Tuesday, 7<sup>th</sup> April 2026

*(The House met at 2.30 p.m.)*

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

## PRAYERS

## QUORUM

**Hon. Speaker:** Hon. Members, there is no quorum. Serjeant-at-Arms, ring the Quorum Bell.

*(The Quorum Bell was rung)*

Hon. Members, we now have quorum to transact business.

## PAPERS

The Hon. Leader of the Majority Party.

**Hon. Samuel Chepkong'a** (Ainabkoi, UDA): Hon. Speaker, on behalf of the Hon. Leader of the Majority Party, I beg to lay the following Papers on the Table:

1. The following Legal Notices, Explanatory Memoranda, Evidence of stakeholder consultation and public participation Report of Stakeholders on the Regulations from the Ministry of Roads and Transport—
  - (a) Legal Notice No. 45 of 2026 relating to the Civil Aviation (Aeronautical Information Service) Regulations, 2025.
  - (b) Legal Notice No. 46 of 2026 relating to the Civil Aviation (Aeronautical Radio Frequency Spectrum Utilization) Regulations, 2025.
  - (c) Legal Notice No. 47 of 2026 relating to the Civil Aviation (Operation of Aircraft-General Aviation -Aeroplanes) Regulations, 2025.
  - (d) Legal Notice No. 48 of 2026 relating to the Civil Aviation (Rules of the Air) Regulations, 2025.
  - (e) Legal Notice No. 49 of 2026 relating to the Civil Aviation (Instruments, Equipment's and Flight Documents) Regulations, 2025.
  - (f) Legal Notice No. 50 of 2026 relating to the Civil Aviation (Personnel Licensing) Regulations, 2025.
  - (g) Legal Notice No. 51 of 2026 relating to the Civil Aviation (Safe Transport of Dangerous Goods by Air) Regulations, 2025.
  - (h) Legal Notice No. 52 of 2026 relating to the Civil Aviation (Heliports) Regulations, 2025.

Further instruments that are being laid this afternoon include:

2. Legal Notice No. 53 of 2026 relating to the Conflict-of-Interest Regulations, Evidence of Public Participation and Explanatory Memorandum from the Office of the Attorney-General.

3. Sessional Paper No. 4 of 2026 on the National Petroleum Policy from the Ministry of Energy and Petroleum.
4. Reports of the Auditor-General and Financial Statements of Butere Technical and Vocational College for the years ended 30<sup>th</sup> June 2018 and 30<sup>th</sup> June 2019, and the certificates therein.
5. Reports of the Auditor-General and Financial Statements of Kenya Electricity Transmission Company (KETRACO) Limited Staff Car Loan and Mortgage Scheme Fund for the years ended 30<sup>th</sup> June 2015, 30<sup>th</sup> June 2016, 30<sup>th</sup> June 2017, 30<sup>th</sup> June 2018, 30<sup>th</sup> June 2019, 30<sup>th</sup> June 2020, 30<sup>th</sup> June 2021, 30<sup>th</sup> June 2022, 30<sup>th</sup> June 2023, 30<sup>th</sup> June 2024 and 30<sup>th</sup> June 2025, and the certificates therein.
6. Auditor-General's Report on Implementation of the National Adaptation Plan for the years ended 2015-2030.
7. Reports of the Auditor-General and Financial Statements for the years ended 30<sup>th</sup> June 2022, 30<sup>th</sup> June 2023, 30<sup>th</sup> June 2024 and 30<sup>th</sup> June 2025, and the certificates therein in respect of—
  - (a) Bunyore Teachers Training College.
  - (b) Galana Teachers Training College.
  - (c) Seme Teachers Training College.
8. Reports of the Auditor-General and Financial Statements for the years ended 30<sup>th</sup> June 2023, 30<sup>th</sup> June 2024 and 30<sup>th</sup> June 2025, and the certificates therein in respect of—
  - (a) Kaimosi Teachers Training College.
  - (b) Ugenya Teachers Training College.
9. Reports of the Auditor-General and Financial Statements for the year ended 30<sup>th</sup> June, 2025 and the certificates therein in respect of the following constituencies—
  - (a) Baringo South.
  - (b) Cherangany.
  - (c) Emurua Dikirr.
  - (d) Kajiado North.
  - (e) Kapenguria.
  - (f) Kibwezi West.
  - (g) Msambweni.
  - (h) Mwingi Central.
  - (i) Mwingi West.
  - (j) Ruaraka.
  - (k) Turkana North.

I thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Chepkong'a. The Chairperson, Departmental Committee on Justice and Legal Affairs:

**Hon. George Murugara** (Tharaka, UDA): Thank you very much, Hon. Speaker. I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Justice and Legal Affairs on its consideration of the Public Participation Bill, (National Assembly Bill No. 44 of 2025).

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. The Chairperson, Departmental Committee on Trade, Industry and Co-operatives, Hon. Shinali.

**Hon. Bernard Shinali** (Ikolomani, ODM): Thank you, Hon. Speaker. I beg to lay the following Papers on the Table:

Reports of the Departmental Committee on Trade, Industry and Co-operatives on its consideration of—

- (a) The Special Economic Zones (Amendment) Bill (National Assembly Bill No. 8 of 2026).
- (b) Senate Amendments to the Co-operatives Bill (National Assembly Bill No. 7 of 2024).

Thank you, Hon. Speaker.

**Hon. Speaker:** The Chairperson, Committee on Delegated Legislation, Hon. Chepkonga.

**Hon. Samuel Chepkong'a** (Ainabkoi, UDA): Hon. Speaker, I beg to lay the following Papers on the Table:

Reports of the Committee on Delegated Legislation on its consideration of—

- (a) The Draft Charter for the Establishment of the Kenya Advanced Institute of Science and Technology.
- (b) The Draft Charter for the establishment of the Kenya Medical Research Institute.

I thank you, Hon. Speaker.

**Hon. Speaker:** The Chairperson, Public Debt and Privatization Committee:

**Hon. Abdi Shurie** (Balambala, JP): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Public Debt and Privatization Committee on its consideration of the Consolidated Fund Services under the Supplementary Estimates for the Financial Year 2025/2026.

I thank you, Hon. Speaker.

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

**Hon. Speaker:** Thank you. The Chairperson, Departmental Committee on Communication, Information and Innovation.

**Hon. John Kiarie** (Dagoretti South, UDA): Hon. Speaker, I thank you. I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Communication, Information and Innovation on its consideration of Senate amendments to the Technopolis Bill, (National Assembly Bill No. 6 of 2024).

Thank you very much, Hon. Speaker.

**Hon. Speaker:** Thank you. Before the next Order, Hon. Members, allow me to acknowledge, in the Public Gallery, Nyakeore Secondary School from West Mugirango in Nyamira County. On my behalf and on behalf of the House, we welcome the students, their teachers and those accompanying them to the House of Parliament.

*(Applause)*

Next Order by the Chairperson of the Committee on Delegated Legislation, Hon. Chepkonga.

## NOTICES OF MOTIONS

APPROVAL OF DRAFT CHARTER FOR ESTABLISHMENT OF  
KENYA ADVANCED INSTITUTE OF SCIENCE AND TECHNOLOGY

**Hon. Samuel Chepkong'a** (Ainabkoi, UDA): Thank you very much, Hon. Speaker. I have two notices of motions to give.

I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the draft charter for the establishment of the Kenya Advanced Institute of Science and Technology, laid on the Table of the House on Tuesday, 7<sup>th</sup> April 2026 and, pursuant to the provisions of Section 24(1) of the Universities Act Chapter 210, this House approves the draft charter for the establishment of the Kenya Advanced Institute of Science and Technology.

Hon. Speaker, I beg to move the second one.

**Hon. Speaker:** Go ahead.

APPROVAL OF DRAFT CHARTER FOR ESTABLISHMENT  
OF KENYA MEDICAL RESEARCH INSTITUTE

**Hon. Samuel Chepkong'a** (Ainabkoi, UDA): I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the draft charter for the establishment of the Kenya Medical Research Institute, laid on the Table of the House on Tuesday, 7<sup>th</sup> April 2026 and, pursuant to the provisions of Section 24(1) of the Universities Act, Chapter 210, this House approves the draft charter for the establishment of the Kenya Medical Research Institute.

I thank you, Hon. Speaker.

**Hon. Speaker:** The Chairperson of the Public Debts and Privatization Committee, Hon. Shurie.

ADOPTION OF REPORT ON CONSOLIDATED FUND SERVICES  
UNDER SUPPLEMENTARY ESTIMATES FOR FY 2025/2026

**Hon. Abdi Shurie** (Balambala, JP): Thank you. I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Public Debt and Privatization Committee on its consideration of the Consolidated Fund Services under the Supplementary Estimates for the Financial Year 2025/2026, laid on the Table of the House on Tuesday, 7<sup>th</sup> April 2026.

I thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. Next Order by Hon. Machua Waithaka.

## QUESTIONS AND STATEMENTS

## REQUEST FOR STATEMENT

EFFECTS OF USA/ISRAEL-IRAN CONFLICT ON  
PETROLEUM PRODUCTS IN THE COUNTRY

**Hon. John Waithaka** (Kiambu, UDA): Thank you, Hon. Speaker. Pursuant to the provisions of Standing Order 44(2)(c), I request for a statement from the Chairperson of the Departmental Committee on Energy regarding the potential effects of the ongoing United States/Israel-Iran conflict on the supply and distribution of petroleum products in the country.

The ongoing conflict in the Middle East has significantly disrupted global oil markets and maritime transport routes and consequently raised concerns regarding its effects on oil distribution in the country. Of particular concern is the instability around the Strait of Hormuz, a critical point through which approximately 20 per cent of the world's oil supply passes daily. Disruptions in that corridor has already slowed shipping traffic and led to increased traffic costs for vessels transporting petroleum products.

Noting that the country relies on imported petroleum products, the situation poses risks to the energy sector—potential fuel shortages, increased fuel prices, and inflammatory pressure on essential goods and services. Additionally, prolonged disruptions in global oil supply chains are likely to have far-reaching economic consequences for the country.

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

1. A report on the current status and capacity of the country's strategic petroleum reserves, including the duration for which those reserves can sustain national demand.
2. Contingency measures that are being put in place by the Government to ensure continuous supply and effective distribution of petroleum products, including coordination with the Energy and Petroleum Regulatory Authority (EPRA) and oil marketing companies to prevent hoarding, artificial shortages or marked distortions.
3. Steps taken by the Government to diversify core sources and routes of petroleum inputs.

I thank you, Hon. Speaker.

**Hon. Speaker:** Chairperson of the Departmental Committee Energy. Hon. Elisha, are you a member of the Committee.

**Hon. Elisha Odhiambo** (Gem, ODM): On behalf of the Chairman who is indisposed, we will address that question within two weeks. Given your directive, the Cabinet Secretary in charge of Petroleum and Energy will be before the Committee this Thursday. We can address the issues more comprehensively there and get back to the House.

Thank you.

**Hon. Speaker:** Hon. Machua, can you attend to the proceedings of the Committee? That, notwithstanding, a comprehensive response must be brought to the House.

**Hon. John Waithaka** (Kiambu, UDA): Yes, Hon. Speaker.

**Hon. Speaker:** Thank you. Next Order.

**MOTIONS****APPROVAL OF DRAFT SRC (REMUNERATION AND BENEFITS  
OF STATE AND OTHER PUBLIC OFFICERS) REGULATIONS**

*(Moved by Hon. Samuel Chepkong'a on 2.4.2026)*

*(Debate concluded on 2.4.2026)*

*(Question put and agreed to)*

**Hon. Speaker:** The next Order is by the Chairperson of the Committee on Delegated Legislation, Hon. Chepkong'a. Are you ready?

**APPROVAL OF PUBLIC FINANCE MANAGEMENT  
(STATE OFFICERS AND PUBLIC OFFICERS MOTOR CAR  
LOAN SCHEME FUND) (AMENDMENT) REGULATIONS**

**Hon. Samuel Chepkong'a** (Ainabkoi, UDA): Thank you very much. We were consulting with Hon. Pukose. He wanted to be sure that the Fund being established will not be misused. I have assured him that, indeed, it will not be misused.

I beg to move the following Motion:

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Public Finance Management (State Officers and Public Officers Motor Car Loan Scheme Fund (Amendment) Regulations of 2025, laid on the Table of the House on Tuesday, 31<sup>st</sup> March 2026 and, pursuant to the provisions of Section 24(4) of the Public Finance Management Act, Cap 112A, approves the Public Finance Management (State Officers and Public Officers Motor Car Loan Scheme Fund) (Amendment) Regulations of 2025, published as Legal Notice No. 7 of 2026.

The House previously approved the Regulations in 2015 to assist public servants who are serving in Government to access loans for purchasing vehicles to enable them come and go to their offices with ease. These are just amendments to the approved Regulations. A problem arose. There was a very low uptake of the loans because of a number of factors that are enumerated by the regulation-making authority or Hon. Mbadi. Amongst others, they include the requirement of a loan advance to be paid within a period of 60 months or five years because of a low headroom.

The second restriction was that the vehicle to be purchased was not supposed to be more than eight years old. That was found to be impractical. Public servants who do not earn much could not afford vehicles based on that year of manufacture.

The other restriction was the vehicle usage and the low loan threshold vis-à-vis the increasing cost of vehicles. The low uptake of loans has been a subject of audit queries. The issue has come to this House and the responsible departmental committee has queried why there is low uptake of loans by public servants. As a consequence, a review was undertaken and these regulations were amended and brought to the National Assembly. They were laid on the Table of the House on 19<sup>th</sup> February 2026 and referred to the Committee on Delegated Legislation for consideration.

The Committee considered the amended regulations and was satisfied that they comply with the Constitution, the enabling statute, and the Statutory Instruments Act. The Committee then recommended the regulations to the House for approval. These regulations are an

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amendment of the regulations that were passed by the House in 2015. Their aim is to loosen the tight conditions that prevent public officers from accessing car loans. As I mentioned, one of the restrictions was the maximum age of eight years for the vehicles to be purchased. Public servants could not afford to purchase vehicles that were less than eight years old.

The second restriction was the fact that public servants were expected to repay the loans within five years. That repayment term has been increased because most public servants still have many years to serve before retirement. To restrict the repayment term to five years when one has 20 years to serve until retirement is unfair. Their situation is unlike that of Members of Parliament. The reason our loans are restricted to a five-year repayment term is because we have to subject ourselves to the electorate to seek re-election after every five years. Sometimes, some of us do not succeed, as it happened to me in 2017. Therefore, we are expected to have completed repaying the loan advanced to us within five years. Those loans are public funds that are used for the benefit of the staff of the Public Service Commission.

With those remarks, I beg to move the Motion and request Hon. Gichimu, the Vice-Chairman of the Committee, to second.

**Hon. Speaker:** Who is seconding? Hon. Gichimu.

**Hon. Gichimu Githinji** (Gichugu, UDA): Thank you, Hon. Speaker. I rise to second the Motion.

As the Chairman of the Committee on Delegated Legislation has well elaborated, this is a minor amendment seeking to facilitate car loans for public officers. Laws should be facilitative, not prohibitive; and they are not made in vain. In this case, they are meant to enable State officers to access car loans. The previous regulations were prohibitive. The Committee found that these amended regulations met all the requisite conditions for the House to consider and approve.

I do not want to belabour the point. This is just an amendment to the existing regulations. I beg to second the Motion.

*(Hon. Musa Sirma walked into the Chamber)*

**Hon. Speaker:** Hon. Musa Sirma, take the nearest seat.

*(Question proposed)*

**Hon. Members:** Put the Question.

**Hon. Speaker:** Should I put the Question?

**Hon. Members:** Yes.

**Hon. Speaker:** Are the Members whose names appear on the screen interested in contributing to this Motion? Hon. Didmus, do you want to contribute to this?

*(Hon. Didmus Barasa spoke off the record)*

Hon. Rindikiri, do you want to contribute to this?

*(Hon. Mugambi Rindikiri spoke off the record)*

You do not. I will then put the Question.

*(Several Members stood up in their places)*

Order, Hon. Members. Members on your feet, take your seats.

*(Several Members consulted loudly)*

*(Question put and agreed to)*

Next Order. Hon. Chepkong'a.

APPROVAL OF PUBLIC FINANCE MANAGEMENT  
(WILDLIFE CONSERVATION TRUST FUND) REGULATIONS

**Hon. Samuel Chepkong'a** (Ainabkoi, UDA): Hon. Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Public Finance Management (Wildlife Conservation Trust Fund) Regulations, 2025, laid on the Table of the House on Tuesday, 31<sup>st</sup> March 2026 and, pursuant to the provisions of Section 24(4) of the Public Finance Management Act, Cap 412A, approves the Public Finance Management (Wildlife Conservation Trust Fund) Regulations, 2025, published as Legal Notice No.190 of 2025.

This is another fund being established for purposes of collecting revenue within the wildlife conservation and management sector. These regulations have been made by the Cabinet Secretary for the National Treasury and Economic Planning, Hon. John Mbadi, pursuant to the Public Finance Management Act, which gives him the authority to establish funds to be operationalised in various institutions.

The Committee on Delegated Legislation considered the regulations in line with the Constitution, the Public Finance Management Act, the Interpretation and General Provisions Act, Cap 2, and the Statutory Instruments Act, Cap 2A. Pursuant to Section 16 of the Statutory Instruments Act, the Committee held consultative meetings with the Cabinet Secretary on Thursday, 12<sup>th</sup> March 2026, before making its final recommendation after considering the regulations.

Wildlife resources contribute a substantial proportion of our country's earnings through tourism. Kenya's wildlife, particularly the Big Five, is a unique selling point for the tourism sector. Government intervention in wildlife conservation and management dates back to 1898, when the British East Africa Protectorate enacted laws to control hunting and trade in wildlife and wildlife products.

In 1945, the Royal National Parks of Kenya Ordinance was promulgated to provide for the establishment of national parks. The first post-colonial wildlife policy in Kenya was Sessional Paper No.3 of 1975, a statement on future wildlife management policy in Kenya. By the mid-1980s, it had become clear that further policy adjustments were necessary to help address the chronic challenges in the sector such as: Increased human-wildlife conflict, increased poaching, failure to achieve integrated wildlife management approaches and loss of wildlife population within and outside the protected areas.

In 1989, the Wildlife Act Chapter 376 and later the Wildlife Conservation and Management Act of 2013 were enacted to create a legal framework for the establishment of various conservation institutions, including the Kenya Wildlife Services, the Wildlife Research and Training Institute, the Community Wildlife Conservation Committee, the Wildlife Compensation Scheme and the Wildlife Conservation Trust. Those are some of the institutions that have been charged with the responsibility of managing our wildlife in this country.

In June 2020, the National Government, through the Ministry responsible for Wildlife, developed Sessional Paper No.01 of 2020 on wildlife policy that committed the Government

to firstly, designate wildlife as a strategic national resource and allocate adequate funding from the national budget, including the economic value of wildlife in the national income, accounting, planning, budgeting, promote retention of the benefits generated from the wildlife and their habitats to develop and manage wildlife conservation areas.

Secondly, it was charged with the responsibility of establishing a Fund to promote wildlife conservation and management and to promote access to innovative and sustainable utilisation of wildlife as an economic incentive and mainstream wildlife resources into the framework of the blue and green economies.

The Ministry of Tourism constituted a multi-agency taskforce comprising of the National Treasury and the Ministry of Wildlife and Tourism to undertake stakeholder consultations. The two ministries undertook public participation as required under Articles 10 and 118 of the Constitution. The public participation memorandum was submitted to this House and we were satisfied that public participation was undertaken as required by the Constitution. As you may know, there is a Bill that is ongoing at the moment to guide on public participation. I am happy to report that various Members of this House have gone to several regions to undertake public participation on the Public Participation Bill.

The National Treasury prepared the Regulatory Impact Assessment in line with Part 2 of the Structural Instruments Act. Having examined the Public Finance Management Wildlife Conservation Trust Fund Regulations 2025, we are satisfied that all the necessary parameters of these regulations have been met with regard to the Constitution, the enabling statute and the Statutory Instruments Act. We are happy to recommend to this House that it approves and adopts our Report that was tabled in the House on 26<sup>th</sup> March, 2026.

I, therefore, beg to move and request Hon. Gichimu, the Vice-Chairman of the Committee to second.

**Hon. Speaker:** Hon. Gichimu. Go ahead *Wakili*.

**Hon. Gichimu Githinji** (Gichugu, UDA): Hon. Speaker, as I second the Motion, I want to abide with the comments that have been made by the Chair. I also take this opportunity to thank the very able members of the Committee. Some Members are like permanent features in the Committee, like Hon. Sunkuli who is there, Hon. Mbui, Hon. Onchoke and many other Members who are really committed to the Committee. They are always there to give the Committee quorum and peruse and scrutinize all the documents to ensure that the Committee fulfills its mandate of ensuring that regulations abide with the relevant statutes, the Constitution, the Regulatory Impact Assessment Report and public participation.

There is nothing much to add save to say that sometimes as a country, through this Parliament, we work within a very constrained fiscal space in terms of budgeting. That creates an avenue for such an agency to wean itself from the budgetary allocation of Parliament, for it to do conservation and management matters of wildlife. I believe that Fund will make the work of the agency for wildlife conservation and management very easy going by Sessional Paper No.01 of 2020, which committed the Government to designate wildlife as a strategic national resource and allocate it adequate funding from the budget. Because of the limited fiscal space, I believe this is the way to go. We should give some independence to the agency to discharge its obligations. I beg to second.

*(Several Members remained upstanding)*

**Hon. Speaker:** Hon. Members on their feet, take your seats.

*(Question proposed)*

**Hon. Members:** Put the question!

**Hon. Speaker:** Is it the desire of the House that I put the question?

**Hon. Members:** Yes!

**Hon. Speaker:** Very well.

*(Question put and agreed to)*

**Hon. Speaker:** Next Order.

## MOTIONS

### APPROVAL OF MEDIATED VERSION OF THE FOOD AND FEED SAFETY CONTROL COORDINATION BILL (National Assembly Bill No. 21 of 2023)

**Hon. Speaker:** Who is the Co-Chair of that Committee? Hon. Mutunga, is that you?

**Hon. (Dr) John Mutunga Kanyuithia** (Tigania West, UDA): Yes, Hon. Speaker.

**Hon. Speaker:** Are you ready?

**Hon. (Dr) John Mutunga Kanyuithia** (Tigania West, UDA): Yes, I am ready. Hon. Speaker, we have finished the mediation process.

**Hon. Speaker:** Hon. Mutunga, if you are ready, move the Motion. You know how to move the Motion.

**Hon. (Dr) John Mutunga Kanyuithia** (Tigania West, UDA): It is okay. I have it. Thank you, Hon. Speaker. I beg to move the following Motion:

THAT, pursuant to the provisions of Article 113(2) of the Constitution and Standing Order 150(3), this House adopts the Report of the Mediation Committee on the Food and Feed Safety Control Coordination Bill (National Assembly Bill No. 21 of 2023), laid on the Table of the House on Thursday, 2<sup>nd</sup> April 2026, and approves the Mediated version of the Food and Feed Safety Control Coordination Bill (National Assembly Bill No. 21 of 2023).

We met as a Mediation Committee comprising Members from this House and Members from the Senate and discussed only one contentious issue, which was one clause. This clause sought to include county institutions among the competent agencies.

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

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

Upon discussion with the Senate, we agreed that, in view of the international trading system, it is not feasible to have multiple competent authorities across counties. Other nations do not engage with Kenya at a county level. They recognise Kenya as a single country. In matters of trade, particularly food, there must be one recognised competent authority. Matters relating to food must comply with the standards set under the Codex Alimentarius. In that regard, we agreed to exclude counties from the Schedule, as they would not be recognised as competent authorities under international frameworks such as the World Trade Organisation and the Codex Alimentarius system. It is not practicable to recognise multiple institutions handling the same function within one country. There must be one competent authority per country, recognized globally. That is why we agreed to exclude counties, which remain devolved units within the Republic of Kenya.

I beg to move. I cannot see Hon. Sabina Chege. I am not sure who else is available to second.

**Hon. Deputy Speaker:** Who will second?

**Hon. (Dr) John Mutunga Kanyuithia** (Tigania West, UDA): I call upon Hon. Justice Kemei to second.

**Hon. Justice Kemei** (Sigowet/Soin, UDA): Thank you, Hon. Deputy Speaker. Although I was not a Member of the Mediation Committee, we considered this Bill at the Departmental Committee on Agriculture and Livestock, and I have full understanding of it. I second the Motion.

Thank you.

*(Question proposed)*

**Hon. Deputy Speaker:** Hon. Members who wish to contribute may indicate by pressing the intervention button. Hon. Didmus.

**Hon. Didmus Barasa** (Kimilili, UDA): Thank you, Hon. Deputy Speaker. I rise to support this Motion. This is a very important matter for the country. It is one of the Bills that proceeded to mediation, and I urge Members serving in other mediation committees with pending matters to expedite their work so that the country can benefit from those laws.

I also commend the Committee for processing this matter within a short period. Often, Bills that go for mediation stall and take too long. I appreciate the Committee for working diligently to ensure that the mediated version was ready so that progress could be made and the country could benefit from its provisions.

I support.

**Hon. Deputy Speaker:** Member for Buuri, do you wish to contribute?

*(Hon. Mugambi Rindikiri responded in the negative)*

Hon. (Dr) Makali Mulu, I can see you have pressed the button.

*(Hon. (Dr) Makali Mulu responded in the negative)*

Hon. Nyenze, do you wish to contribute?

*(Hon. Edith Nyenze responded in the negative)*

Hon. Kirima?

*(Hon. Moses Kirima responded in the negative)*

If there are no further contributions, I will put the question.

*(Hon. Kimani Ichung'wah interjected)*

Leader of the Majority Party.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Deputy Speaker, I rise to support this mediated version and to thank the Mediation Committee, co-chaired by Hon. Sabina Chege and Senator David Wakoli. This is National Assembly Bill No.21 of 2023. The back-and-forth between the two Houses can sometimes delay critical legislation that is beneficial to the people of Kenya.

The Government has taken measures to ensure that Kenyans have access to affordable and safe animal feed. This is important because animal feed ultimately affects the safety of the food that is consumed by humans. When such Bills are amended in either House, mediation committees must act expeditiously. When this Bill was published in 2023, there were critical concerns, including the levels of aflatoxin in animal feeds that are consumed by poultry, pigs and cattle. There has also been a proliferation of animal feed products from various sources, including imports.

It is, therefore, essential to have a clear legal framework to regulate the quality of animal feeds that are produced in this country. Many new feed mills have been established across the country, including along the Garissa Highway, towards Naivasha, and along the Nairobi - Namanga Road. We did not have a clear legal framework to determine the quality of our animal feeds and to ascertain that the feeds that the animals consume are fit for human consumption. As it is said in Hon. John Kiarie's (KJ) ICT sector, garbage in, garbage out. The same pertains in biology. If we feed our animals "garbage", we produce garbage. It is important for us to have a legal framework which ensures that the quality of the animal feeds we are selling to people is good for animal consumption and, in turn, their output is fit for human consumption. People are just milling maize germ.

Hon. Deputy Speaker, as a dairy farmer, you know there are certain minerals that an animal needs to produce good quality milk. Being a pork and beef farmer, we do not want to spend money on feedlots to feed the animals but get no output. My beef cattle and pigs will not gain weight as they ought to because of the poor quality of animal feeds. This Bill comes to address that question. It will ensure that animal feeds are not just quantitative in weight, but are also of good quality. Besides the quality output through mineral enrichment of the animal feeds, the feeds should support weight gain in animals that are reared for meat production.

If Hon. Members remember, during the Second Reading of the Bill, there was a big debate on whether this was an agriculture or a health matter. It cuts across the health and agricultural production sectors. That is why we chose Hon. Sabina, who was the Chair of the Departmental Committee on Health in the last Parliament and is currently a member of the Departmental Committee on Agriculture and Livestock, to co-chair the Mediation Committee.

This Bill has cross-cutting issues in both human and animal health. I hope that professionals in both the animal production and public health sectors will take keen interest and bring amendments that will enrich this Bill during the Committee of the whole House and the Third Reading to ensure that we produce quality and beneficial animal products and feeds.

Hon. Deputy Speaker, you can produce triple the amount of milk from one cow over the years depending on what you are feeding it. I thought it is important to mention this again so that we are apprised of what we are doing.

Many of us represent farmers who buy products that are not beneficial to their animals at all. Unfortunately, some producers of animal feeds just mill maize germ and mix it with a bit of *omena* and call it animal feed. They know those feeds need to be enriched with certain minerals that will help animals grow, but many of them do not do that. The authority must ensure proper inspection of the feeds that are being sold in outlets. There has also been contention about the role of county governments. Animal feeds are not just produced for consumption in our small counties. We also produce animal feeds that will be sold to our neighbouring countries. We also receive inputs from other countries. That is why the National Assembly took this position. I am happy it has been resolved.

Section 16 of this Food and Feed Safety Control Coordination Act outlines detailed functions of county governments. It sufficiently covers their role. Additionally, the institutions that are listed as competent authorities under the First Schedule of this Bill to the Act are recognised internationally. Therefore, we should not have any small politicking issues regarding inter-county and national Government roles. There are specific departments within

our county governments which might have a challenge with international recognition. For instance, we may argue that Kiambu County Government has a department that authorises the quality of animal feeds, but that department may not be recognised outside that county. I say this because I know many manufacturers are setting up plants in Thika, along Garissa Road, towards Naivasha, in Narok and in Kajiado. We do not want to belittle the regulation of this sector to small inter-county issues. We want to leave it at the national and international levels so that awarded certifications are recognised globally and nationally.

With those remarks, I support the amendments on the Report by the Mediation Committee and urge the House to support.

**Hon. Deputy Speaker:** Hon. Members, is it the mood of the House that I put the Question?

**Hon. Members:** Yes.

*(Question put and agreed to)*

**Hon. Deputy Speaker:** Hon. Members, with your agreement, allow me to amend the Order Paper. We will skip Order No.12 and move to Order No.13.

## BILL

### *Second Reading*

#### FISHERIES MANAGEMENT AND DEVELOPMENT BILL (National Assembly Bill No. 29 of 2023)

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Deputy Speaker, I beg to move that the Fisheries Management and Development Bill, (National Assembly Bill No.29 of 2023), be now read a Second Time.

I first thank the Chair of the Departmental Committee on Blue Economy, Water and Irrigation and its Members, who dedicated a lot of time to consider this Bill. The Committee conducted effective public participation, both qualitative and quantitative in, at least, ten counties across the country. The counties are Mombasa, Turkana, Kwale, Kilifi, Lamu, Kisumu, Siaya, Homa Bay, Migori and Baringo. This demonstrates the Committee's intention to ensure that the views of as many Kenyans as possible are heard concerning this Bill. This was important because this Bill is being enacted to give effect to constitutional provisions under Articles 42 and 69 of the Constitution.

The Committee was also cognisant of the existence of the Fisheries Management and Development Act, Cap. 378, that was enacted in 2016. However, as you all know, that Act was challenged in court. A court in Malindi, under High Court Constitutional Petition No.13B of 2021, by Mahmoud Shalima Mohammed versus the Ministry of Agriculture, Livestock and Fisheries and others, nullified the 2016 Act due to purported lack of public participation by the National Assembly.

I re-emphasise that in order to surmount that challenge by the courts, the Committee conducted public participation in, at least, ten counties. They made deliberate efforts to involve those counties that have a significant number of fisherfolk. That is Mombasa, Turkana, Kwale, Kilifi, Lamu, Kisumu, Homa Bay, Siaya, Baringo and Migori. They are all counties that are either around our lakes or along the ocean belt, down at the Coast.

Hon. Deputy Speaker, the National Assembly filed an appeal against the impugned judgment and obtained orders on 23<sup>rd</sup> April 2023, staying the judgment, save for Section 42(1)(a) to (k), (m), and Section 42(2). Therefore, even as the orders of the court

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allowed the Act to remain operational, pending the hearing and determination of the appeal, some sections remain suspended, causing significant challenges in the sector, and hence the need to repeal and replace this Act.

This Bill, therefore, seeks to repeal and replace the Act by providing a comprehensive legal framework for the management, conservation, development and regulation of fisheries and agriculture in Kenya. This, as I said, is intended to promote the sustainable utilisation of fisheries resources, enhance food security and nutrition, and support livelihoods. As you are aware, many of our fishermen and many other Kenyans around the country depend on the fishery as a means of livelihood. This also aligns our fishery sector with international best practices and obligations.

As I mentioned, Articles 42 and 69 of the Constitution establish principles of sustainable resource management and fisheries. The fisherfolk in our country possess a resource in fish that is a natural resource requiring management and, therefore, we are actualising the provisions of those two sections of our Constitution.

The key provisions of this Bill include the establishment of an advisory council that will advise the national Government on matters related to fisheries. Equally, the Bill establishes the Kenya Fisheries Service (KFS)—referred to as a service in the Bill—to conserve, manage and develop Kenya's fisheries resources. To ensure the effective functioning of this Service, the Bill establishes a board of directors that will provide general control of the service and be accountable to the Cabinet Secretary in charge of the Blue Economy and Fisheries State Department. Additionally, the Bill seeks to establish the office of the Director General as the Chief Executive Officer of the KFS. The Chief Executive Officer will be responsible to the board for the day-to-day management of the affairs of the KFS.

On accountability and transparency regarding the Service, this remains a key cornerstone of this Bill and a national priority for us. This Bill has ensured that there are proper mechanisms within its provisions, establishing very robust accountability and transparency in the conduct of the Kenya Fisheries Service (KFS), ensuring that the Service falls under the Public Audit Act, Cap. 412B. Therefore, this Service will be audited by the Office of the Auditor-General. To ensure proper accountability, this House of Parliament will review the books of accounts of the KFS, enabling Members, such as the Honourable Millie Odhiambo—who has been very keen on this Bill—to oversee the KFS and ensure that the funds appropriated to this Service are properly utilised for the benefit of the fisherfolk that we represent, or that you represent.

Hon. Deputy Speaker, the Bill also establishes a key component under clause 20: A Monitoring, Control and Surveillance Unit, referred to as the MCS. This unit will monitor, control, survey and include enforcement and compliance with the Bill, or the Act, should the House support this Bill, and co-operate and coordinate with performing relevant functions within the broader systems of monitoring, control and surveillance. We must ensure that we have a proper MCS. Those who have reviewed the Bill will see that Clause 20 ensures that there is a proper mechanism for monitoring, control and surveillance.

One of the challenges we have faced as a nation and, indeed, many African countries, particularly in the coastal areas, is that many fishermen from other countries, especially from Asia and the Far East, come to fish along our coastal belt, principally because we have failed to monitor and provide proper surveillance of our fish stocks. You cannot manage any resource without knowing what you have. Therefore, it is important that we establish a system that monitors and offers proper surveillance within our lakes, rivers and along our coastline to ensure that we know what fish exist beneath the surface of the water. This will prevent us from fishing blindly and enable us to supplement the species of fish that are not present in adequate numbers. We can grow fingerlings and supplement the population of any species of fish that are lacking.

If you may recall, some time ago, measures were taken to protect tilapia fish in the country. This was also done to safeguard tilapia farmers and local fishermen who produce tilapia against imports of tilapia fish and fillets from outside the country. This Bill provides for adequate surveillance to determine if we are depleting a particular species of fish from our lakes, oceans, rivers, fish ponds and other aquaculture areas. It is essential to have sufficient surveillance to know if the stocks of a particular species are declining, and to consider how we can produce more of that species to ensure that we do not deplete our stocks and rely on imports from other countries.

As I mentioned, it is important to have proper mechanisms that ensure we are aware of certain species of fish that are very valuable. Those who partake of fish understand this, such as salmon and tuna, and we might not have adequate stock in the market. We must know the level of consumption of those species in the country, whether in our schools, hotels or hospitals. This will help us monitor who imports the fish and where they import it from.

Additionally, as I mentioned in the Quality Healthcare and Patient Safety Bill, we will also ensure that fish farmers feed those fish with feeds that are safe and secure for human consumption.

This Bill also establishes the Fish Marketing Authority, which will be managed by a board of directors. The authority will be charged with marketing our fish and fisheries products from Kenya. That way, we will not leave it to the business people. We will have an authority that specifically deals with marketing our very delicious tilapia. I am told our tilapia is very delicious, but I do not know that since I have never eaten it! Though I never doubt anything Millie Odhiambo tells me. She told me she is an expert not just in growing fish, but also in consuming them. Therefore, when she tells me that our tilapia is far more delicious than those imported from China, I want to believe that it is the truth

We cannot depend on businesspeople to market our fish. We must have an authority that helps us to market not just our fish, but also other fishery products, including the cod liver oil that we all took as young ones to help us boost our immunity. I still have a very nostalgic remembrance of the taste of that cod liver oil, and I see my children taking it today. Those are some of the products we extract from fish, which are very beneficial in boosting our immunity, and ensuring we are safe.

The Bill also seeks to establish two funds. The first fund is the Fisheries Research and Development Fund, that is meant to provide supplementary funding for research that is intended to further the development of fisheries management, capacity building, scholarship grants and support for the observer programmes. It will be administered by a director-general. The Bill further proposes that the fund shall receive its funding from parliamentary allocations, donations made to the service from any source for purposes of the fund, and royalties that are paid to the service. As I had mentioned, this House will also play a critical role in superintending over the utilisation of those funds to ensure that the money goes towards the provision of research services. It will fund research that will inform the growth of our blue economy sector and the fisherfolk in Lake Victoria to understand fish species that grow faster and survive in the cages.

In the recent past, we have had challenges where fisherfolk and those engaged in cage fish farming in the Lake Victoria belt woke up and found all their fish were dead. Research into the quality of the water around the lake, including the right depth at which to place the cages, would help our rural fisherfolk know where to position them. The fund will be a critical element in providing timely research to educate our fisherfolk. Additionally, the fund will ensure that the scientists carrying out the research are properly funded. It will also offer scholarship grants to scientists and university students to advance their studies in marine education and the fisheries sector. Since this House will be responsible for allocating money to the fund, it must play its oversight role.

The second fund this Bill seeks to establish is the Fish Levy Trust Fund, which will provide additional funding for activities that are related to the management, development and capacity building, awards and urgent mitigation to ensure sustainability of the fisheries resource, and will be managed by a board of trustees. Primarily, it will be funded by the levy imposed by the Cabinet Secretary on persons engaged in fishing, farming or fishing activities, combined with donations made to the service from any source for purposes of the fund, and such other sums of money or other assets as may be specifically designated to the Fish Levy Trust Fund by the service out of that general fund.

Fish farmers and those engaged in fishing activities will pay a levy, which will go to the levy trust fund for the purposes I have pointed out. Again, we will ensure that that money will go to proper use. The Bill differentiates the two funds based on management, purpose and their respective sources of funds. As I had outlined, one will get direct appropriations while the other will get the money from that levy and donations.

I do not want to belabour many other issues. I will allow the Seconder, who is also the Chair of the Committee, to touch on other issues and to also allow other Members who are interested to contribute. However, I urge all Members to support this Bill. It is a very important Bill in terms of the management and development of our natural resources in fisheries and the marine world. The blue economy sector is a very rich resource area in our country. When we talk about natural resources, people imagine that we just talk about minerals. It is good that the State Department for Fisheries and the State Department for Mining fall under the same Ministry.

Our natural resources go beyond the gold, cobalt and copper that are mined in our country. We also need to look at the very rich resource beneath the surface of the water in our water masses, be it from Lake Victoria, Lake Turkana, the Indian Ocean, and even for those who do aquaculture farming in ponds to grow our fish. I know Members from Nyeri County know this because there was a very rich culture in Othaya of fish growing. I also know many farmers in Kikuyu, especially around Ondiri, who engage in fish farming. This Bill not only seeks to address the fisher folks around our lakes, rivers and oceans, but also our farmers who engage in aquaculture farming.

I encourage Kenyans to engage in fish farming. As I mentioned earlier when I contributed to the mediated version of the Feed and Food Safety Bill, the fish business is very lucrative. Even those who partake of fish know how expensive it is. It is not cheap. Growing it, producing it, selling it, and making a profit out of it are critical for the growth of our economy and the blue economy sector.

We must ensure that this Bill helps our farmers and fisherfolk to have a sector with a proper legal framework that supports them not just in the trade and marketing of their produce, but also in the growth of the sector in terms of research and development. This is one sector that had been ignored for a long time. I was with Hon. Nyikal at a place called Asat on the border of Seme and Kisumu Town West constituencies. The investment that this Government has put in the development of the Beach Management Units (BMUs), which this Bill also is touching on, is to establish how to help the fisherfolk to come together in the BMUs so that they can develop and grow themselves around our lakes.

Hon. Nyikal is a witness that the development of fish landing sites around the Lake Victoria region, which is an investment of over Ksh5 billion, is changing lives. There is much more along our ocean, on the coastal belt, right from Kiunga in Lamu at the North Coast all the way down to Vanga in South Coast. This can only be done through such deliberate efforts to make sure that we put together the fisherfolk around our water masses under those BMUs and help them to form SACCOs that will help them grow and develop the fish landing sites.

I recall a constituent of Hon. Nyikal, very beautiful young lady, telling me that they were suffering. The middlemen who used to buy fish from them would wait until 6.30 p.m. to

come to the beaches to buy their fish at throwaway prices. However, with the development of those BMUs and fish landing sites, what the Government has done in changing the lives of the fisherfolk along our water bodies is to ensure they have cold rooms in the landing sites. If they go early in the morning to fish and come back to the beach at lunch time with their fish and the middlemen who wait to buy the fish at throw away price come in the evening, they have no fear that their fish will get spoilt. They can keep their fish in the cold room and do the basic rudimentary processing of the fish like removing the intestines and the inner things that reduces their shelf life and store that fish overnight or even for two or three days in a cold room as they look for a proper market with proper pricing.

Therefore, the lives of our fisherfolk along our lakes from Lake Turkana to Lake Victoria to Lake Naivasha to the coastal belt have been impacted in a very significant manner. That is why the President has been challenging his competitors on the political front to get an agenda and to get a purpose not just for their political lives, but also to speak to issues. I often identify myself with those sentiments because this administration is not just about talk. It is about impacting and transforming the lives of the people significantly.

I was in Kilifi yesterday afternoon for the funeral service of our brother, Hon. Owen Baya's mother. I passed by a site where the President opened a fish landing site a year ago. I listened to the people narrate stories of how their lives have been transformed by an investment of a fish landing site where they now can get a cold room to store their fish and they are able to sell their fish at better prices. You have heard of stories along the shores of Lake Victoria of how vulnerable women who are fishing or selling fish along the shores are taken advantage of sexually. The same goes for the shores of Lake Turkana, Lake Naivasha and even Lake Victoria. These will soon be things of the past with such investments in this sector. That is why I support the growth of aquaculture, the blue economy sector and this Bill will go a long way in helping us to manage our resources in our lakes, rivers and oceans.

Allow me to conclude by telling those who have been despising this administration that we are opening fish landing sites. I heard one of them asking why the President would go to commission or do ground-breaking of a fish landing site in a small village called Asat on the border of Seme and Kisumu Town West constituencies. Hon. Deputy Speaker, those are people who do not value the livelihoods of people who depend on the fish that they are getting from the lake. They are told to get an agenda, but all they can do is move around the country insulting people. We need to pray for them, particularly that confused man who is threatening everybody.

Today, he has purported to issue threats to Hon. Kimani Ichung'wah. Let me tell Wamunyoro, from the Floor of this House... This Gachietha man must know there are people you can threaten or intimidate, but not Hon. Kimani Ichung'wah. I have heard him saying that I am intimidating him. He is saying that he cannot come to Kikuyu. Kikuyu is part and parcel of Kenya just like I go to Karatina and I will be in Karatina even this weekend.

So, whether you are Hon. Kalonzo Musyoka or Matiang'i, you cannot threaten me. Recently, the former Chief Justice was in Kikuyu with a handful of people and had a very peaceful engagement with the people of Kikuyu because the people of Kikuyu are a peace-loving people. That is why, within our community in Kikuyu, we have Kenyans from all walks of life. We welcome visitors to come and engage with us but we want people to engage with us on issues. I have told Gachietha that he can insult Hon. Kimani Ichung'wah all you want. That will not change anything in Kikuyu Constituency by the way. I have told Mr. Gachietha that he can go to Kikuyu and shout all he wants, but leave the people of Kikuyu in peace.

On two occasions, Gachietha has mobilised goons. The first time was in 2024 and it was to burn the National Government Constituencies Development Fund (NG-CDF) Office in Kikuyu and left the people of Kikuyu suffering.

**Hon. Members:** Shame!

**Hon. Kimani Ichung’wah** (Kikuyu, UDA): Last year, the same Gachietha mobilised goons to burn our law courts, our county government offices and even attempted to burn my house and threaten my late father. Recently, I heard him saying that I had mobilised goons. I want to ask Gachietha to tell us how I mobilised goons to burn my own house. How do I mobilise goons to burn my own office? I know this man. We all know him. When you hear Gachietha saying that this is happening, he is saying exactly what he is planning. I know his plans and I have information he has already mobilised goons from Githurai and as far as Nyeri to come and loot in Kikuyu.

I would like to tell him that we will not allow him to loot businesses of the people of Kikuyu. If he wants to politic in Kikuyu, he can come and do so the whole day. The people of Kikuyu do not eat politics. The people of Kikuyu eat what they work hard for. Do not disrupt their businesses. The people of Kikuyu value work. That is why they have elected their Member of Parliament for three consecutive terms and hopefully, they will give him a fourth term, irrespective of what Gachietha says.

*(Applause)*

Allow me to use the Floor of this House to tell that warmonger and tribalist: My friend, you are welcome to Kikuyu Constituency and you can come with your whole brigade of the other disunited and confused Opposition. Please, when you engage with the people of Kikuyu, talk to them about their roads. Tell them why you mobilised goons to come and burn their offices and loot their businesses. Do not bring us those goons that I hear you have been mobilising from Githurai and Majengo. He thinks that we do not know. He came to Wangige the other day and mobilised a whole brigade of goons from Limuru and went with them to Hon. Wamacukuru’s constituency just to insult him and shout *wantam*. How does that change the lives of the people of Kenya? The people of Kikuyu are keen on the development of the fisheries resource in this country. We know that we have no rivers or lakes in Kikuyu, but we have a rich resource in terms of our strategic position, close to the capital city. Therefore, when we get involved in aquaculture farming, we know that Serena, Kempinski and JW Marriott will buy the fish that we grow. They will also buy the poultry, pig and beef products from farmers like myself and Hon. Kangogo. We will also create employment.

When we tell those people that when they speak to the people of Kenya, they should give them their agenda, it is free advice that they are being given. They are being told to stop sleeping at rallies during the day. Honestly, if you sleep at a political rally during the day, what would happen to you if we gave you a big office? *Si* you will put a bed in that office and do all manner of things in those offices, especially where there is very strict security around you? What will you be doing behind those closed doors?

I just diverted to that Gachietha man because in the last two weeks, he woke up thinking of Kimani Ichung’wah. He slept thinking Kimani Ichung’wah. When he slept or scratched his swinging stomach, he talked about Kimani Ichung’wah. My friend, speak about your wife or children. Stop talking about me. If you want the name Kimani Ichung’wah, I can donate it so that when you do that business, you can get another son and give them that name. I still say, in Kiswahili, “*Wachana na mimi wewe.*” End of quote.

Hon. Deputy Speaker, as I said, this Bill is very important to the people of Kenya. It will be critical in enhancing the reforms that will come in our blue economy space. It will also ensure that we adhere to regional and international obligations in terms of our marine and natural resources management in the blue economy sector. In a big way, it will provide a pathway towards sustainability and economic growth of our fisherfolk families and communities and improve the livelihoods of millions of Kenyans who depend on the fish resource in our country and elsewhere around our borders.

With those remarks, I beg to move and request Hon. Kangogo Bowen, the indomitable Chair of the Departmental Committee on Blue Economy, Water and Irrigation, to second this Bill. I also urge the House to support this Bill so that we may secure a legal framework that will protect, promote the growth of the sector, and ensure that there is sustainability in how we manage our fish resources, as a natural resource in this country, and also generate economic growth not just for our country, but for millions of people who depend on that sector for livelihood.

I beg to move.

**Hon. Deputy Speaker:** Hon. Kangogo Bowen.

**Hon. Kangogo Bowen** (Marakwet East, UDA): Hon. Deputy Speaker, I beg to second this Bill. Before I proceed, I would like to congratulate His Excellency the President for creating the Ministry of Mining, Blue Economy and Maritime Affairs. For the first time, the blue economy in this country has a Ministry led by Hon. Ali Hassan Joho. Previously, the blue economy and fisheries was under the Ministry of Agriculture. At one point, it was in the Ministry of Water. It was placed everywhere, thus affecting its visibility. I appreciate the President because, for the first time, we are talking about the blue economy as a country because we now have a Ministry which has given the blue economy sector very good visibility.

This Bill came up as a result of a court case in Kilifi where some fishermen went to court and said that the Fisheries Management and Development Bill, 2016 was passed in this House without public participation. There were some clauses which they felt were restrictive to fishing, especially without nets.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): On a point of information, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Leader of the Majority Party, what is your point of information?

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Deputy Speaker, there might have been a slip of the tongue when the Seconder said that the 2016 Act was passed without public participation. That was not the case. It was said to be inadequate public participation. It should not go on record that there was no public participation. There was public participation, but the people who went to court claimed that it was not enough. I said that it must have been a slip of the tongue because the Chair knows that he went to 10 counties.

**Hon. Kangogo Bowen** (Marakwet East, UDA): Yes. That is it, Hon. Deputy Speaker. The fishermen said that they were not involved. The other time, the public did not even know that there was public participation. The issue which came out strongly was about fishing nets. The fishermen said that the specifications of the fishing nets that was allowed by the Act was punitive to them, and that they needed to be involved or be given alternatives if the chance was there. The court listened to them and that is how the Fisheries Management and Development Act was nullified. That is why we have come up with a new Fisheries Bill.

When we got the draft from the Attorney-General, in compliance with Article 118(1) of the Constitution, the Committee went out and conducted extensive public participation. We went to the entire coastal region and the lake regions, including Turkana, Baringo and Nakuru counties.

Hon. Deputy Speaker, when we visited all those places, the fishermen's grievances were almost similar. Firstly, there was the issue of licensing. They said that fishermen are required to have multiple licences, including fishing licence, Kenya Coast Guard Service (KCGS) licence, Kenya Wildlife Service (KWS) licence, Kenya Fisheries Service (KeFS) licence, county government licence and Kenya Marine and Fisheries Research Institute (KMFRI) license. There were seven or eight licences. They told us to come up with a way to have one licence which is acceptable across all Government institutions and counties. This is because they get fish from one county and sell them in a different one.

Secondly, there was the issue of fishing nets. They told us that they were banned by KeFS but no alternative was provided. The same banned nets are still being sold in the Kenyan market. Why are they being victimised, as fishermen, while those selling to them are not being punished? We also realised that some illegal fishermen use mosquito nets, which are not prescribed for fishing. Once this Bill is passed by this House, it will streamline all the issues that were raised by the fishermen, so that we can have a legal framework to guide fishing, conservation, management and development of fisheries resources in the country.

The Committee received memoranda from many stakeholders. We engaged the State Department for the Blue Economy and Fisheries, which gave us their memorandum. We also engaged the Council of Governors, as stakeholders. We had extensive engagement with them. We consulted them on every section of the Bill, led by their Chairman, Hon. Otuoma, the Governor of Busia County. We agreed on many clauses, which is why we do not have many contentious clauses with the Council of Governors.

Clause 4 of the Bill outlines the objectives, which the Leader of the Majority Party has elaborated very well. There are institutions like KeFS and KMFRI, which handle the research aspect of fisheries. We also have the Fisheries Fund, which will help small-scale farmers to access cheap loans. The Fund will also help in conducting research. That forms the structured financing framework for the fisheries sector.

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

*[The Temporary Speaker  
(Hon. Peter Kaluma) in the Chair]*

Hon. Temporary Speaker, the Bill also provides for stock assessment. There is no way we can attract investors, both locally and internationally, if we do not have information on the stock of fish in our waters. The Bill provides for periodic stock assessments. The information will be stored in the Fisheries Repository Management System (FRMS). This will enable investors, including those who are outside the country, to check and know the stock of tuna fish or tilapia that is available.

As a country, we are suffering from unregulated and illegal practices, including over-fishing and un-reported fishing across our waters. This has been a problem for many years, affecting both the State Department and our security sector. This Bill introduces surveillance control to be undertaken by a multi-agency team comprising of KCGS, KeFS and Kenya Maritime Authority (KMA). They will work together to ensure that our fish and ocean resources are protected from illegal fishing.

This Bill concerns county governments. It clearly defines the role the county governments will play in licensing and management of the sector. There are clear roles on their responsibilities, including the responsibilities of members of county executive committees (CEC) in charge of fisheries, and how they will relate with the role of the Principal Secretary for the Blue Economy and Fisheries. For example, a fisherman or trader transporting fish from one county to another may be issued with a permit lasting for several days instead of the current licence that is issued by KeFS. The Bill clearly states the role of county governments in terms of aquaculture, its management and revenue collection. The conflict between the county governments and the national Government is on revenue collection and how revenues should be shared. This Bill clearly outlines the revenue which goes to the county governments and the national Government. The Committee further noted concerns on double-licensing, which I have already explained, which the Bill will address.

There are governance issues, including recognition of Beach Management Units (BMUs), which were not recognised in the previous Bill. This Bill recognises them, and defines their roles and procedures for electing their officials under the county governments. The member of the CEC in charge of fisheries, upon election of the BMUs officials, will then gazette them under the county government. The BMUs will oversee environmental safeguards. Additionally, in their elections, they will include PWDs, so that they form part of the management.

The Committee, having considered the Fisheries Management and Development Bill, (National Assembly Bill No. 29 of 2023), recommends that the House approves the Bill with amendments. I am saying with amendments because when we received the draft Bill, there were submissions from the Council of Governors, the Ministry, and from public participation. We harmonised all of them in this Report. The Bill seeks to strengthen the governance of the fisheries sector, enhance the enforcement mechanisms, promote aquaculture development, and support the livelihoods of fishing communities. The Committee is, therefore, satisfied that the Bill will contribute to sustainable utilisation of fishery resources, and unlock the opportunities within the blue economy sector. If this honourable House passes this Bill, the blue economy sector, which has been ignored for many years, will not only benefit our fishermen, but it will also unlock the potential of the sector and increase our revenue as a country.

Lastly, when we visited Namibia during the last Parliament, we found out that almost half of the Gross Domestic Product (GDP) of Namibia was supported by blue economy. Namibia is a very small country. I am sure that, as a country, if we put sufficient resources into the blue economy sector, now that we are going to have a very good regulatory framework, we shall benefit.

With those many remarks, I beg to second.

*(Question proposed)*

**The Temporary Speaker** (Hon. Peter Kaluma): Next is Hon. (Dr) James Njikal.

**Hon. (Dr) James Nyikal** (Seme, ODM): Thank you, Hon. Temporary Speaker. I rise to support this Bill. This is because the fisheries industry is a major sector, particularly for some of the areas that we represent. The Act that we had was nullified by the court. We do not want to go into the reasons as to why the court nullified it. That means we now have a vacuum in the face of very serious problems in the fishing industry. If you take the case of Lake Victoria, where some of us come from, the stock of fish is dwindling. There is over-fishing. You cannot blame the fishermen because even the regulation is not proper. People use wrong fishing gear. As a Member has just said, some of the wrong gears have been banned and yet, they are available in shops everywhere. The fishermen, therefore, ask this correct question: "If these are banned gear, why are they in the market?"

There is also destruction of breeding sites. You know that the Gulf is actually the main breeding site for the whole of Lake Victoria, but farming is ongoing. People are cutting the vegetation that is associated with the lake. The breeding sites are, therefore, being depleted by over-fishing and destruction. This leads to conflict amongst the fishermen because there is little fish in the lake against very many people who are going into fishing. Fishing is a major industry. It is a major life-sustaining industry. People fight and die in the lake because of those conflicts.

There is also conflict with the law. Even the law itself has not been proper. We had cases of double-licencing from the county government and the national Government. The fishermen themselves were not quite sure on who should regulate the fishing industry. Although the BMUs were recognised by law, they had very little support. Because of that, they were not doing what they were supposed to do. As the Mover has said, there were poor

marketing outlets and no cooling equipment. The fish was actually being sold at throwaway prices. We have heard a lot on this. There were no organised marketing strategies for the fishermen. The fish landing areas are not very well developed. In international trade, if the fish landing sites are not properly maintained, then you cannot access the market in some areas. This is, therefore, a very major issue for us.

This Bill has proposed very many structures. I like structures because they make things work with ease. They have proposed the Kenya Fisheries Service, Kenya Fisheries Advisory Board, Kenya Fish Marketing Authority, Fisheries Research and Development Fund and the Fish Levy Trust Fund. If we were to implement this properly, we can stabilise, develop and expand the fishing industry. The Kenya Fisheries Service will definitely be important in monitoring and regulating the fishing industry. It will also support the fishermen when they are changing from just catching wild fish to going into aquaculture, which can either be in cages or ponds. It is, therefore, a major unit if we set it up.

You cannot change a whole industry if you do not have a constant policy monitoring mechanism – which I believe will be the mandate of the Kenya Fisheries Advisory Board. That is what is in the Act. Additionally, sometimes, when the fishermen get fish and there is no proper outlet, the fish go bad or they are forced to sell to middlemen. Hon. Temporary Speaker, you come from the lake region and you know that the people who go to the lake go by foot. The middlemen who come to get the fish from the lake come in cars. They do not go to the lake but they drive, courtesy of the products of the fishermen. So, if we have a proper marketing authority that will support the fishermen, we will go a long way.

If we are to move into aquaculture, particularly cage farming in the lake, this must go together with serious research because we are going to change the environment of the lake. What will the numerous cages in the lake do? The lake is not just for fish. The lake is also a transport mechanism. To some small extent, within the international roles, the lake is used a lot for small-scale irrigation. Therefore, we know that when we started fishing in the last few years, we had the problem of welling up, where the fish would die in big numbers. We need constant research to know what we need to do and how to deal with massive aquaculture in the lake. We also know that around the lake, there is agriculture that is being practiced. We, therefore, want to know the kind of fertilizers that are to be used in major aquaculture areas. Look at what is happening in Lake Naivasha. A lot of fish that is caught by young men has been declared unfit for human consumption because of the agriculture that is being practised around Lake Naivasha.

Hon. Temporary Speaker, looking at all the provisions that are contained in the Bill, and the programme we have now, we need this Bill to be enacted into law to replace what the court nullified.

With those remarks, I support.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Nyikal, before you are done, there is the cage you referred to. What did you call it?

**Hon. (Dr) James Nyikal** (Seme, ODM): Cage farming.

**The Temporary Speaker** (Hon. Peter Kaluma): Under what arrangement is cage farming practised within the Lake now that the same space where you practise cage farming could conflict with other people who also want to put transport lines and where fellow fishermen also want to do cage fishing? Do the entrepreneurs lease or pay some taxes to the national Government or to the county governments?

**Hon. (Dr) James Nyikal** (Seme, ODM): Up to now, it has not been very clear on who should license them. It is not clear whether it is the national Government or the county government. As you have said, if we go in, in a massive way, we will then start interfering with the transport services by the lakeside. Where will the small people who use canoes dock them by the lakeside? Another thing is this: At least, we now know that where you have cage

farming, it becomes a sub-secondary breeding area because the young fish are safe under the water. Fishermen who are not owners of cages may now want to fish around those areas. That causes conflict. They must hire watchmen who are on those floating huts to guard the cages. Again, if cage farming is practised on a massive scale, it will have an impact on the flow of currents and what vegetation grows in the lake.

Therefore, the fisheries research unit must now get into gear and say we are changing the environment. Do we always monitor how this is changing and what other impacts it will have? So, this Bill is extremely important.

With those remarks, I support.

**The Temporary Speaker** (Hon. Peter Kaluma): Thank you, Hon. Nyikal. Next is Hon. Rindikiri Mugambi. Let us hear what coffee and tea farmers have to say on the Bill.

**Hon. Mugambi Rindikiri** (Buuri, UDA): Thank you, Hon. Temporary Speaker. The first disciples of Jesus were fishermen. I have also done some research and discovered that most of the professors from the Nyanza region were fed on fish and educated through fish mongering. This is a sector that almost went to zero, but it has a lot of potential for growth. I have looked at some statistics and discovered that we consume a very small percentage of fish and yet, it has a very high nutritional value. The fishing industry is big the world over, including in American and Asian countries.

Fishing is a sector that has a lot of potential for various reasons. Firstly, it is a source of income. Those mothers and fathers who are focused on fishing can harvest fish for food and sell others to earn an income. I have just done some quick mathematics and found out that the fishing industry in Kenya today employs an average of about 90,000 people directly, with millions of Kenyans indirectly engaged in one aspect of fishing or the other.

There is potential for earning foreign exchange through the fishing sector. If we can expand the sector, we should be able to create more economic potential for certain regions which are disadvantaged. I will not belabour the point because the issue of blue economy has been spoken about a lot. There is also the issue of value addition, which the Leader of the Majority Party has spoken about, particularly on the issue of medicine.

Fishing has some linkages to transport, tourism and manufacturing. Therefore, we are dealing with a sector that is very important to the economy of this country. That is why I agree that this Bill has come at the right time and captured the key things that will start positioning the sector as one of the key sectors of the economy in this country.

Hon. Temporary Speaker, my old friend Hon. (Eng.) Nyamunga, had a very big fish factory in Kisumu. However, because of the importation of cheap fish, it died. We are talking about a very big potential for employment. What has been lacking is a structured framework through which that sector can be managed and taken care of in terms of funding, management and conservation.

This year, in the first week of January, I was in Uganda. I discovered that the Government of Uganda has protected certain regions. You cannot fish there because of potential and because that is where the fingerlings are raised. That is the opposite in Kenya. We fish where the fingerlings are supposed to grow. I totally agree that we now need people to sit down and deal with this issue.

When I looked at the Bill, I found a proposal on an advisory team that will be made up of prominent persons and ministries. It will be focusing on the management of the fishing sector. I have looked again at the Bill and discovered that there are fisheries services because conservation is key. Tilapia is a very sweet fish, but it is almost becoming extinct in the Kenyan market. It is very expensive to get. It is plenty on the Ugandan side, but scarce on the Kenyan side. We must now start dealing with the issue of conservation and development of the sector.

I know of three schools in my constituency that have constructed fishponds. With that, children can taste the delicacy of fish. It is easier to manage the ponds since the leftover food

from the kitchen is thrown to the pond to feed the fish. The recycling cycle also goes on. I have discovered the reason as to why we have an issue with fish farming. We have cash crop funds like the Miraa Fund, the Coffee Cherry Fund, the Tea Fund and the Milk Stabilization Fund. Why can we not have a Fish Fund? That is exactly what this Bill addresses. There are those who really want to join that sector. It is important to acknowledge that fish farmers are affected like anybody else. When floods come, seasons go down and fish migrate, thus affecting fishing activities. Therefore, we need a Fund to address those challenges.

Imports and exports are another issue that I have seen. We must be very selfish in safeguarding our exports because of earning foreign exchange. We will promote our industry if we protect our local fisheries sector against importation of cheap fish. We will then increase our fish exports and earn more foreign exchange.

For a long time, fish has been known around the lake only. No problem. Looking at the consumption statistics now, there is an increase in consumption away from the lake region. The average fish consumption across the territory in Kenya is now between 3 kilogrammes and 4.5 kilogrammes per person per year. It is still very low compared to other parts of Africa's that has 10 kilogrammes per year per person. Globally, it is 20 kilogrammes per person per year.

We need to continue encouraging people to consume more fish because we need to take care of the economies around Lake Victoria, Lake Turkana and the Indian Ocean. We are guaranteed to have some fish and meat to consume even if there is drought. This is a very important sector. This very important Bill has come here in the right way. We have spoken about agriculture, which is very important. Let us re-introduce the 4K clubs in schools and encourage schools to start small fish farms and increase fish species.

Finally, this Bill has brought territorial protection. The Bill now wants to play an international game. We need to have territorial protection of our fishing areas that the Bill brings. We must be seen from a global perspective. We cannot afford people coming from far to fish in our territory. The Bill is addressing exactly that.

We always manage a sector through having information and data. This Bill is bringing that aspect to life. I am satisfied with the amendments that the Chairman of the Departmental Committee on Blue Economy, Water and Irrigation has talked about. This Bill has come in handy. That is why we need to support the Government. His Excellency the President is thinking on what can improve the economy of this country and increase employment.

We refuse the culture of insult and focus on development. I thank the Leader of the Majority Party and the Chairman for making sure that the Bill comes in handy as part of the better programme of transforming the economy of this country. Let us forget about this Wamunyoro man. He is obsessed with negativity. He cannot see anything positive.

**The Temporary Speaker** (Hon. Peter Kaluma): Add Hon. Rindikiri one minute to conclude. He is only beginning to debate.

**Hon. Mugambi Rindikiri** (Buuri, UDA): We need now to speak positives. We cannot have one man speaking negatives every day. The other day, he said SHA is going to end in June. Now, I am sure he is going to tell us that the fisheries industry is going to crumble within the next one month. Shame on him!

Kenya is now on the platform of cruising, thanks to the broad-based Government. This is a very important sector. It needs to be nurtured, funded and regulated for its importance. We thank the broad-based Government because this is one of the things that had been left out for many years. I saw the former President coming out. He should have started this a long time ago. Do not be jealous of William Samoei Ruto for bringing good things. Do not be jealous of a man who is trying to take us to Singapore. He has started it practically. It is happening, and nobody is going to prevent it from happening because God is with the President and us. God is with the broad-based Government.

I thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Peter Kaluma): Well said, Hon. Rindikiri Mugambi. The Member for Chepalungu, Victor Koech Mandazi, is next.

**Hon. Victor Koech** (Chepalungu, CCM): Thank you very much, Hon. Temporary Speaker.

Where I come from, it is widely believed that the nutritional value of fish makes our brothers and sisters from the lake region clever and able to speak fluent English.

**The Temporary Speaker** (Hon. Peter Kaluma): It is true.

**Hon. Victor Koech** (Chepalungu, CCM): When I was growing up, my parents and elder brothers and sisters used to tell us that we should eat fish, including its head. That is the only reason as to why our minds, souls, bodies and wisdom grow. Today, I am very happy to participate not as a person from the Rift Valley, but as a person who is an equal Kenyan.

It is a fact that an institution or entity that is not governed by rules is disorganised. The annulment of the Act led to destruction of the fisheries industry. Today, we are trying to perform our role under the Constitution to enact a new law to govern the fisheries industry. As it has been said, the fisheries industry can be a pillar of our country's economic growth, if we can manage it properly.

The destruction of the breeding sites has led to the tilapia that is loved by everyone to become an almost endangered species. That is the sole reason why we are sitting here today to debate this Bill. We want to have rules and regulations in place to govern the fisheries industry in its entirety. This Bill seeks to address those issues and introduce clarity where there were conflicts regarding revenue-sharing and other issues between the national Government and the county governments. Once this Bill is enacted, a transporter from, say, Kisumu crossing over to Narok through Bomet and eventually landing in Nairobi markets, will not be charged separately.

Hon. Temporary Speaker, I support and affirm my position on this Bill, as a Kenyan. Some leaders can simply wake up one morning and want to portray other people as non-Kenyans. Of course, I am a Kalenjin by birth but I am a Kenyan citizen. It does not mean that we can be discriminated against because of where we were born. It is bad for a leader to wake up one morning and demean or portray one community badly. The other day, I very annoyed when one very unknowledgeable person who served in this House, stood up on a podium and said: “*Sisi hatutaki mambo ya Wakalenjin.*” He does not mean well for the Kalenji people. We are all Kenyans.

We stand here today, courtesy of a President who believes in unity and inclusivity. Would you imagine a situation where we have a sitting President who gave clarity through a Manifesto? Today, we are talking about fish farming, which is clearly in the Manifesto of our President.

With those many remarks, I beg to support.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. (Dr) John Mutunga.

**Hon. (Dr) John Mutunga Kanyuithia** (Tigania West, UDA): Thank you, Hon. Temporary Speaker, for giving me the opportunity to add my voice to the Motion. The fisheries industry, or what we generally call the blue economy, is one industry that has taken time to take off. Although it was started and a lot of effort has gone into that direction, it has probably not been as organised as it should be. It has taken a while, but it is an industry that is extremely important for this economy and for Kenya as a country, both as a source of nutrition and as a source of commodities for trade.

The fisheries sector is crucial in many parts of this country. While it initially gained importance in areas with water bodies, it has since become significant nationwide due to various innovative methods of fish farming. I hope this report has effectively highlighted the importance of protection through the institutions that are being established to safeguard fish.

By 'protection,' I mean we are fully aware that fish breed in freshwater. Since fish need clean, fresh water to breed, we must ensure that water entering water bodies remains unpolluted. This is essential so that whatever flows into the main water bodies is clean enough to allow fish to spawn, mate, or breed at their entrances.

We need intensive and extensive marine research that involves the entire marine ecosystem. Everything within it must be understood, specifically regarding fish. We have a wide variety of fish, small and large, long and short. Those varieties are also adapted to different ecological zones, including high and low-altitude environments and so, research is key. I am happy to realise that this Bill provides for the establishment of a Fisheries Research and Development Fund. That Fund will go a long way toward shaping the sector by contributing to the body of knowledge on fish.

Fishing and post-fishing management are important. Caught fish need to be managed. We have seen significant investment, though I do not know to what extent those investments are coordinated. There are many investments in landing sites and in the subsequent off-taking of fish from those sites to processing units. That needs to be properly managed. We need a proper integration of the entire process so that whatever fish is caught is not wasted through spoilage, so that we can use all the fish. I believe this legislation has addressed that issue.

We have invested in projects such as the Liwatoni Fish Landing Site. It is a magnificent, several-billion-shilling investment in the coastal region of Mombasa to enable the catch from the sea to be properly processed and managed for internal consumption and export. That, along with other efforts, needs to be lauded and coordinated to help us benefit from this industry.

We have also seen the development of dryland fishing, which means fishing in ponds, dams and rivers. Regarding ponds and dams, I would like to note that every part of this country can actually produce fish. We can all grow fish. We need an inlet and an outlet, or a mechanism to clean the water, because it needs to be aerated. Fish need oxygen or air in the water and, therefore, a process of getting water in and out is important. I believe this legislative proposal has addressed that.

When I turn to the large water bodies, the lakes and the seas, we have this particular legislation coming in specifically to align the fishing industry with the best practices in the world. We know many countries have invested in fishing and fish products and have come a long way. They have developed various products to domesticate many fish, ensuring that fish is eaten across those countries and around the world. They have generated significant revenue and foreign exchange from those interventions. Therefore, protecting those areas is very important.

Particularly in our seas, Kenya is endowed with a long coastline that extends for 12 nautical miles, about 22 kilometres of water under the country's total sovereignty. Nobody should enter that part without our express permission as a country. If we look at the Exclusive Economic Zone, which is around 200 nautical miles, or about 367 kilometres, of sea where we also have significant control, I pose a question: How much of this do we actually control, who catches fish in our seas, and how much control do we have? When those people catch fish, do they actually report this to us, or do they take the fish? That, I believe, is one of the aspects that this particular legislation has come in to control.

I recognise the need to establish the institution, as fisheries is an authority. We need an authority that can organise this industry and, through different facets and approaches, drive fish development. Those approaches must include the catch-fish, fish production in the countryside, and fish production within the water bodies. They also involve promoting fish consumption, marketing the fish itself, and promoting fish production in various areas. I believe the promotional aspect will be housed at this particular institution.

I also believe that the issues of regulating fishing, the equipment used to transport fish, and the requirements for complying with international standards for perishables have been

effectively addressed in this legislation. There is the issue of marketing within Kenya and marketing outside Kenya. Kenya has the potential to market fish worldwide.

The other institution that I have realised this particular legislation is proposing is the Fisheries Levy Trust Fund. If we want anything in this country to grow, especially in sectors that are not well-funded, such as agriculture, we must act. I believe fisheries, which was originally part of agriculture, is not well-funded. That being the case, initiating a levy in this sector will help its development, as the genetic resources can then be ploughed back into it.

I said at the beginning that every part of this country can be a community that consumes fish. I have in mind what we have done in Tigania West, where we have established the Nguthiru Laing'o Dam. We have asked the county government to use the water to put in fingerlings. Those fingerlings have multiplied, and the community around that particular dam has completely turned into a fishing community, and they are also selling the fish. This community has found an extra source of income, and we have also improved the nutritional value of the food that they eat.

When it comes to lake fishing, we need to be careful to distinguish between the fingerlings, or the young fish, and the stunted fish, which we sometimes call Omena. I believe the legislation and the research will be careful to enable us to make that distinction. In this case, I believe we will have a stronger sector and a stronger community as a country, with greater income and more livelihoods that will be nourished by this industry.

Hon. Temporary Speaker, I support.

**The Temporary Speaker** (Hon. Peter Kaluma): Let us have Hon. Makilap, Member for Baringo Central. Is it Baringo Central?

**Hon. Joseph Makilap** (Baringo North, UDA): Hon. Temporary Speaker, I am the Member of Parliament for Baringo North.

**The Temporary Speaker** (Hon. Peter Kaluma): I have delayed your contribution to confirm with Hon. Millie that you are ready to go. You seem to be keen to contribute to this. I wanted your signal that you are ready to go.

**Hon. Joseph Makilap** (Baringo North, UDA): Thank you, Hon. Temporary Speaker. It seems you are wondering whether this pastoralist is conversant with issues related to fish. I rise to support this Bill because it will change the way we fish in our country. It will help us to develop the fishing industry, which contributes greatly to the Bottom-Up Economic Transformation Agenda (BETA). Kenyans who rely on fishing will grow their incomes and build our country's economy. This Bill will put the fishing industry in order.

Even those of us who do not come from areas where fishing is a key industry, eat fish. It is an opportunity to move away from other meat products. One of the things that impressed me about this Bill is that it recognises fishing and fisheries development as a sector that will grow our economy. This Bill seeks to develop a methodology to help us invest in research in the fishing industry. If we do not do research, we will not be able to develop that sector. Every sector in the country, including the fishing industry, requires scientific knowledge to grow.

We have had many funds, namely the National Government Constituencies Development Fund (NG-CDF), the Coffee Cherry Advance Revolving Fund (CCARF), the Kenya Tea Fund, among others. But for the first time, we will have the Fisheries Development Fund, which will provide the necessary resources and plans for carrying out fishing in Kenya, from small-scale to large-scale, and in international waters. It will provide resources for fishing right from the fish ponds to the rivers, lakes, dams and the ocean. The Bill will impress many Kenyans who rely on this industry.

There is also the issue of marketing. Fishmongers are usually abused because of this trade, as if it were a lesser trade than other businesses that we engage in in Kenya. When we aggressively market various species of fish both locally and internationally, we will give our

mothers and youths in our country an opportunity to engage in business. That will generate a lot of revenue for our country.

The Bill provides that if a fishmonger obtains fish from Lake Baringo and is given a permit, why should he be required to obtain another permit in Nakuru, Kiambu and Nairobi? Once you have obtained a permit at the fishing point, you should not be charged any other levies until the fish gets to the market. An excessive number of permits increases the cost of fish. That provision alone is a plus for the fishing industry.

We should incentivise county governments to introduce fingerlings into every dam and pond so that every community in Kenya has a source of livelihood. If dry areas like the North East had fish dams, residents would not have to worry about whether their livestock have died. One would get two or three fish, make wonderful *ugali*, and enjoy their meal. In fact, those of us who looked after cows and goats in our youth would carry a fishing hook. When we got back home in the evening, our mothers would see us bringing a lot of immature and mature fish. They would be sure to enjoy a good protein-filled meal. That is what we believed the people of Nyanza were eating, which made them knowledgeable and skilled. If every child in Kenya had the opportunity to eat fish, their immunity would improve.

The Kenya Kwanza Administration developed programmes to grow rural economies under the BETA. One thing that can grow our rural economies, regardless of where you come from, is the fishing industry. One does not need to live around the big lakes like Lake Victoria or Lake Baringo, or near the ocean in Mombasa. You need a fish pond or a dam, put in fingerlings, and develop a sustainable food source for your community.

Even in international waters, we have had cases of foreigners harvesting fish without being taxed. The Bill deals with fish bandits. Remember the wrangles between Uganda and Kenya regarding Migingo Island. Fish move around the waters of Lake Victoria without anyone's control; therefore, we sometimes clash about the fish in Migingo. That is fish banditry, if you did not know. Those of us, like Hon. Kangogo, who deal with livestock banditry should know that we also have fish banditry. The Bill will ensure that fish banditry is dealt with.

As other parts of Kenya receive subsidised fertiliser and seeds and benefit from the CCARF and loan waivers, it is also time we allocated resources to the fishing and livestock sectors, as the majority of Kenyans rely on them for their livelihoods. I strongly support the Bill, which is a game-changer for the BETA under His Excellency President William Ruto.

**The Temporary Speaker** (Hon. Peter Kaluma): Let us have Hon. Dorothy Ikiara, Nominated Member.

**Hon. Dorothy Muthoni** (Nominated, UDA): Thank you, Hon. Temporary Speaker. I want to add my voice to this very important Bill, the Fisheries Management and Development Bill, (National Assembly Bill No. 29 of 2023), and join my Chair, who has midwived it to where it is today.

Fish farming is one industry that has remained untapped for quite some time. This is why I want to really thank His Excellency the President of the Republic of Kenya, Dr William Samoei Ruto, for placing great emphasis on and supporting this industry. The Bill underwent thorough scrutiny. We moved around this country and visited almost all the major fishing areas. We visited Kilifi, Lamu, Mombasa, Turkana, Naivasha and Nakuru. We listened to the real fishermen, the Beach Management Units (BMU), county governments and all other relevant stakeholders in the fishing industry.

This Bill aims to ensure that the fish sector aligns with international best practices. It is time for us not only to fish within our borders, but also to market our fish across our borders. That is why we have strongly recommended that the Fish Marketing Authority be established. Licensing bothers fish farmers because they are required to have multiple licenses. They also

face a lot of harassment when they go to fish. This Bill seeks to consolidate the licenses so that fish farmers can fish without any harassment.

It is also important to note that, as we fish in our deep-sea waters, we lack a mechanism for identifying the types of fish we catch or where to fish, because we do not know what is there. The Bill establishes mechanisms to ensure thorough stock-taking and assessment, to be conducted from time to time, to determine which types of fish to catch and where to fish.

On top of that, it is important to note that many unauthorised people fish in our waters using large vessels from other countries. We have no mechanism for knowing where they come from. With this Bill in place, the vessels will be monitored and licensed, thus ensuring our waters are safe. The Bill also provides for thorough scrutiny at the point of entry of the industry's products. Through proper accountability mechanisms, we will ensure this industry is run professionally and that all levies that are collected are well managed for the benefit of fish farmers.

The Government, through this Bill, will ensure that fish farmers are not disadvantaged. Our fishermen go fishing but, sometimes, they are unable to sell their catch at fair prices because they fear the fish may spoil. However, as we speak, the Government has constructed many landing sites. An example is the ultra-modern Liwatoni Landing Site, which is properly equipped with modern machines. It is a facility that will ensure our farmers' fish are sold even when the market is weak. They can store the fish there and sell them later. On top of all that, many people are employed at the landing sites.

This industry should be supported just like any other, as fish farming is a major economic activity in this country. To unlock the potential of our economy, we should support the fishing industry because it is the only economic activity that cannot be disrupted by drought. Food security for the country is crucial. Time and again, we plant crops but, sometimes, when the rains fail, we do not harvest anything. If the Government massively invests in the aquaculture industry and it is well managed, we will be sure that even during times of drought, since fish have no season, we will make money and ensure that all our communities across this country are food secure.

Hon. Temporary Speaker, every country looks at the pillar of its economy. Fish farming will be a pillar of our economy if it is properly managed. I want to end by saying that I support this Bill. I urge Members of this House to support it as well, so that we can leverage it to make our country economically stable.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Peter Kaluma): The Whip of the Minority Party, because of rank and deep knowledge on the subject matter.

**Hon. Millie Odhiambo-Mabona** (Suba North, ODM): Thank you, Hon. Temporary Speaker, for acknowledging my expertise in this area as a representative of probably the biggest chunk of Lake Victoria, which is the third largest freshwater lake in the world and the largest in Africa.

I was actually wondering when this Bill was brought to Parliament, because in my lifetime in Parliament, we actually passed a very comprehensive Fisheries Management and Development Bill. But I want to thank the Seconder for explaining that, actually, there is a court matter that ensured that the Bill is brought back.

When I looked at the Bill, because I contributed very largely to it, I discovered a lot of the issues that were there then are still here. However, I have made some notable issues. One is on fish in exchange for sex with women, which is exploitation. This is not provided for very strongly. There are some minor amendments that I will be proposing. However, I want to note that fish have significant potential to transform this country's economy. Actually, if we invest heavily in the blue economy, even young people without jobs can get opportunities. But we need a mindset and a paradigm shift, because most people think that fishing is ignoble.

However, fishing has a lot of potential. Many times, when my mother could not pay my school fees, I would go to my uncle, a fisherman, and he would pay them. So, I am also a product of the fishing industry. My mother was a widow and had eight children. Other than bursaries that would support us, she was not able to support us many times. So, that is why I am very passionate about issues related to fishing. It supported not only me, but also some members of my family.

Because fishing is open-access, it is very different from other kinds of businesses that people get into. You cannot walk into anybody's land and start farming. Still, open access to fishing, especially the lake as a natural resource, means that one day I can come from Busia and fish at Kiumba Beach on Rusinga Island. It has come with many problems. I am sorry to say that I do not see this Bill addressing some of the issues that have arisen due to its open nature.

In the last Bill, I proposed exit wings for fishing, including cage fishing and aquaculture, but they have also raised issues. When we were proposing in-situ fishing or cage fishing, the presumption was that it would improve the standards of our local people. But what is happening? It is actually many industrial entities outside the country that have covered the entire Lake Victoria. Now, if you go around my constituency, you have to find your way. I heard Hon. Nyikal talking about it. There is no rule, law or regulation about artisanal fishers. How much space is there? Sometimes when I am here, I receive calls about people fighting in the lake. Lake fights are worse than shore fights because they can drown. People do drown. Sometimes, the National Government Constituency Development Fund (NG-CDF) in my Constituency provides security boats for surveillance. Sometimes during the fights, the boats are destroyed because the fights get completely violent.

One issue I want to mention very quickly is the decline in fish stocks. We have always presumed that fish are an infinite stock. They are no longer an infinite stock. There is a declining fish stock. Other issues, such as overfishing and population growth, were not factored in. There is also unemployment. People who would actually be involved in other ventures are now also coming into fishing. There is also a *quasi*-nomadic nature of fishing. As I have indicated, it means that virtually every person from every part of Nyanza, including Migori and Siaya, is in my constituency, which is rural but very cosmopolitan because of fishing and the *quasi*-nomadic nature.

There are also transboundary conflicts that you heard our party leader, Hon. Oburu, raising with the President of Uganda when he came here. Our fishermen are harassed by Ugandan fisherfolk and the Ugandan security forces. Sometimes, they are forced to eat raw fish when they are arrested. The issue is that we do not have clear boundaries. Kenya and Uganda have set up that in the past. We have not sorted it out. When we do not sort out the issue of boundaries, we end up fighting over water, not the land. For instance, people do not fight over Migingo Island. They fight over the waters. People say: 'We are not interested in the waters but the fish.' The fishermen will follow the fish wherever they go. Sometimes, the fish takes them up to Uganda. It calls for co-operation between Kenya and Uganda. I am not seeing emphasis on this in this Bill.

There is an East African convention that calls for the establishment of committees. I do not see that set-up very clearly in this Bill. There is also the issue of environmental degradation. We can see the water hyacinth and other invasive species that have now invaded the lake, thus causing a decline in fish stocks.

There are weak governance and institutional structures, including bribery. I have shared here on the Floor that once, when I was at the Rusinga Island Lodge, we saw commotion at Litare Beach, the largest beach on Rusinga Island. Fortunately, I was there. I sent my security team to go and find out. We were told that the Ugandans had arrested our fishermen. When I went there, the public, fortunately, effected a citizens' arrest. When we reached there, we

realised they were not actually Ugandan security, but the Kenyan Police masquerading as Ugandan security. They were taking money from the local people. They would have been lynched if we had not intervened. So, there is also corruption and harassment of fishermen. All those things need to be here as well.

There is also the issue of gender inequality and social dynamics, where women are actually involved in post-capture processing. Because of that, unless they pay money or pay with their body, they are not able to get fish. So, there must be a very express provision. I think when the Committee that was dealing with this heard me speak, they thought I did so because I speak a lot about gender issues. No! Women are really mistreated in the fishing sector.

There is also the issue of Illegal, Unreported and Unregulated (IUU) fishing. Kenya has actually ratified some of the conventions. Last week, I was with Parliamentarians for Global Action in Mexico, where we reviewed the treaty that Kenya has also ratified. It argues that, on the one hand, we must protect our natural, marine, and aquatic resources, but not at the expense of local livelihoods. I am glad that, if you actually look at the Long Title of this Bill, it protects the livelihoods of fisherfolk while also addressing management and pollution issues.

Another issue we have identified is inequity in licensing, where you find that most counties focus very heavily on the bigger industrial setups and people doing fish caging and all that. What about our locals? There is one practice that I am still looking at in the law.

Hon. Temporary Speaker, you are a younger lawyer and probably might be better placed to do this. This is the issue of investors coming and leasing land at throwaway prices. You find that somebody who has never held Ksh5,000 in his life is given Ksh200,000 to lease their land for 20 years. If you divide KSh200,000 by 20 years, what does it become? Those are things that must be here.

We want and welcome investors, but we do not want them to exploit our local fishermen. We must protect our fishermen. We must ensure that even as we expand fishing, it benefits artisanal fishers, and not just outsiders making money. We want partnerships, not only building schools and all that. We want partnerships that will help our communities and change our livelihoods.

Hon. Temporary Speaker, I see my time is up, but I will ask you...

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Millie, how much more time do you need?

**Hon. Millie Odhiambo-Mabona** (Suba North, ODM): Maybe just two minutes to wind up.

**The Temporary Speaker** (Hon. Peter Kaluma): Will the two minutes enable you to also touch on something on the exclusive economic zone? This is because I have heard you speak a lot about fisheries in inland waters.

**Hon. Millie Odhiambo-Mabona** (Suba North, ODM): Yes. I can actually talk about exclusive economic zones. We met with a group of experts and investors from out of the country who were introduced to Homa Bay County. They wanted to introduce concepts for fishing that would ensure our fishermen actually get cheap boats and fishing gear. So, I thank Homa Bay County, through the Governor, Hon. Gladys Wanga, for their willingness to partner. I will follow up. I do not know how far they have gone. I introduced them to the county. When you have those exclusive economic zones... I can tell you right now that if you do it on a simple boat, it costs about Ksh1.3 million. The NG-CDF Office in the constituency has actually been doing that.

Hon. Temporary Speaker, a simple boat costs about Ksh1.3 million. We have 64 beaches in my constituency. If you provide one boat for each beach, you will not build any classroom because they serve as security boats. However, establishing exclusive economic zones will support many other activities, including fingerling processing, especially in large-scale capture and commercialised fishing.

The other issue is that we have many fights over rich fishing areas because there is depletion now. When fish run out of those areas, there are many fights. For instance, many people do not understand we have people who fish during the day and others do it at night. The people who fish during the day leave their nets and everything else in the lake. The ones who come at night take advantage because we have the *mbuta*, *Omena* and tilapia fishers who operate very differently and so, there is a lot of conflict. I am always called upon to have meetings. That is part of the reason I have become an expert. I have been forced to learn and understand the challenges that the fisherfolk go through.

Above that, one of the things that we need to look at is the protection of the fishermen. Sometimes when I am late and coming from Mfangano, Takawiri and Remba Islands back to the mainland, it becomes extremely stormy to the extent that you think you are about to capsize. By the way, my father died in a boat accident. There are real concerns. You worry because of the stormy water and yet, you still find fishermen there. Most of them are young people. They tell you they have to take drugs for them to survive in that water. They do not have to do that in order to survive in stormy water and so, we need to enable them to get good equipment that can withstand that. There are a lot of things that need to be done to make fishing safe, lucrative and an attractive employment option for the young people.

Many a times, people say that someone went to the university, but has come back to fish with us. It should be a choice that I have gone to the university to study fisheries, so that I can go back to the lake and fish. But we have not invested in it right now. I will bring an amendment on the Fund which is being established in the Bill. I know you will raise a constitutional issue on it. I want the Fund to get resources for fishermen. It will not only be for management and reviving the ecosystem, but also about reviving livelihoods, and supporting small fishers and local people so that young people can get boats.

We love our Somali brothers. You cannot believe that they are the predominant owners of the boats in my constituency because we do not have resources. As much as I want to help, I am not so rich that I can afford Ksh1.3 million for every person in my constituency. But the Government is rich, and it can do that. It can enable women and men to own boats so that we are not only employed. As I have said, we love our Somali brothers who have invested very heavily. The Chinese have also invested very heavily, but they are the boat owners. We, as local people, want to be boat owners. It will be good if the Government allocates money to make us boat owners. I have very many specific proposals for amendments, but I will bring them at the Committee of the whole House.

With those remarks, I wish to support the Bill with proposed amendments.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Members, the last time we had a boat rowing competition in Homa Bay County, a boat called Amilo Bad Gal won. That was the second time it won. That is why I gave Hon. Millie a lot of time. She has a lot of expertise. I hope her views will be integrated when we move the amendments.

Hon. Charity Kathambi Chepkwony.

**Hon. Charity Chepkwony** (Njoro, UDA): Hon. Temporary Speaker, thank you very much for giving me the opportunity to contribute to the Fisheries Management and Development Bill, which I support. When I went through it, I found out that the main issue is coming up with good governance, in relation to all matters of fisheries and conservation. What comes to my mind when I think of good governance in fisheries in this country is good processes and production, which most of the time lead to economic growth.

I hustled in Mombasa many years back. Most of my friends and their parents were fishers. Today, I stand here to support the Fisheries Management and Development Bill because it will solve many problems that we currently see in the Indian Ocean in Mombasa. There is so much illegal fishing and pollution. This Bill will address that.

Having sat in this Committee for some time, I have also realised that this is one of the major things that will ensure we have food security, which is also part of the Kenya Kwanza Government's agenda that is led by the President. On fisheries management, I would like to congratulate His Excellency the President for the wisdom to support and initiate this. As a country, we have a docket which purely deals with fisheries.

Another thing I like about the Bill is the penalties for people who pollute the oceans and those who destroy fisheries resources. They affect our poor farmers who struggle to get their daily bread, income, personal development and national development. When we talk about emphasising and strengthening governance in fisheries matters, it is also good to note that most of the complaints in our large water bodies involve illegal fishing by foreigners. Therefore, this Bill will address those matters.

Another thing I like about the Bill is that it introduces different funds, including the Fisheries Research and Development Fund. When we have money for professionals to conduct research, assess the country and identify the many special and different species of fish, it will give us another platform through which the Government can assist our farmers. Once they are assisted according to the different species that are available in different parts of this country, I foresee development in individuals and economic growth in our country.

Another thing I like about this Bill is the entire process and the creation of the board of directors who will ensure that whatever is proposed is followed to the letter. It has taken a long time for fisheries matters to be addressed in this country. This is the right time for it to happen. Once it is actualised, I foresee that it will enhance growth in our counties. Once this is actualised, many counties will grow, including Nakuru. We have many rivers, including the Njoro River, which makes Lake Naivasha what it is today. Whenever I pass by, I sometimes visit and observe the challenges raised by the Committee. Those are challenges that farmers across the entire country have raised. I foresee this Bill becoming the medicine to ensure proper processes are followed and, at the end of the day, Hon. Temporary Speaker, I expect improved governance, good processes and a stronger fight against pollution and illegal fishing. That will lead to growth, increased fish production and a stronger fish market in the country. It will also give the Government a good platform to explore and source for different markets.

The good thing about Kenya, having interacted with people from different countries, is that we have special fish varieties that many countries would like to import. What we have been lacking to date is exactly what this Bill seeks to address. Therefore, I stand to sincerely support the Fisheries Management and Development Bill. This Bill is going to transform the country. It will support farmers who have suffered for a long time, and it will also boost food security. I expect that once it is passed, there will be many good results.

For those reasons, thank you and I strongly support the Bill.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Julius Sunkuli, Member of Parliament for Kilgoris.

**Hon. Julius Sunkuli** (Kilgoris, KANU): Thank you, Hon. Temporary Speaker. I stand to support this Bill. As is quite clear, the aim is to replace Cap. 378, a colonial law that did not and no longer addresses Kenya's current ambitions in the blue economy. This Bill comes against a background of declining fish stocks and massive supply deficit. It also addresses issues such as illegal fishing and failure to unlock our aquaculture and commercial potential. Those are the key motivations that are behind the Bill. This Bill has both strengths and weaknesses. I see this in our current ways of making laws.

One strength of this Bill lies on its emphasis on institution building. A significant portion of the Bill establishes the Kenya Fisheries Service (KeFS) as the primary body that is responsible for conservation and management of fisheries.

It also introduces a licensing system to ensure that, at both national and county levels, we clearly identify our fish farmers. That is actually what I consider as the main emphasis of

this Bill. Although that has been the main thing, Kenya's major problem today is the increase in the people who are consuming fish. In the past, in Kilgoris Constituency, which is largely a pastoralist region, fish consumption was very low. In fact, it was quite difficult to convince people to eat fish because most guys who were professors in the universities used to come from Luo Nyanza. Whenever you asked them what the secret was, they would say they eat the head of the fish. We have since started eating the fish. People who found it difficult to eat the head of the fish are now eating the whole fish, including the tail. This increase in consumption is not only due to population growth, but also due to rising demand.

Most of the fish that is consumed in Kilgoris Constituency comes from Lake Victoria. We have a high stake in how fishing goes on around Lake Victoria. If you ask any trader from Luo land who is in Kilgoris where they come from, they say they come from Homa Bay. They have a huge Homa Bay Association in Kilgoris and their main business, apart from the industrial part, is selling fish. We are quite concerned that fishing in Lake Victoria has become increasingly industrialized. The introduction of cage fish farming is rapidly depleting the lake's resources. This is a critical issue that the Bill should address. If Kenya's total fish consumption stands at 600,000 tonnes, yet we only produce 168 metric tonnes, how will we raise the deficit? The Government introduced a 10 per cent excise duty on all fish imports in 2023 and 2024, which was good for protecting our local farmers. However, how will we address and where will we get the fish that is needed to meet the deficit?

Apart from institutional and governance issues, this Bill should recognize that fish has become a very important commodity in our market. Currently, our annual per capita fish consumption is 4.3 kilograms, which is less than the African average of 10 kilograms. This indicates that the nutritional value of fish is not being satisfied. As I said, Lake Victoria, which provides 70 per cent of Kenya's inland fish, experienced a decline of 18.8 per cent in just one year — 2022 to 2023. If this trajectory is not reversed, the supply crisis will become very big in our food security. This Bill will pass because we require it to pass but, we must be prepared to make the necessary amendments at the Committee Stage. One of the problems is public participation. I am surprised that our Minority Whip did not participate in the public participation.

There was a round-table meeting held in Kisumu in April 2025 involving about 40 experts and stakeholders who unanimously rejected the contents of the Bill. Their comments should be taken into account so that we understand what they did not like and address them at the Committee Stage.

*(A Member spoke off the record)*

I did not hear that. The Lake Victoria Aquaculture Association formally wrote to the Clerk of the National Assembly on 7<sup>th</sup> April 2025, urging Parliament to suspend the Bill. However, the matter has something to do with the courts. The concerns raised by those organizations should be understood so that we correct them at the appropriate stage. There are quite a number of institutions who were approached. In future, when engaging stakeholders in the fishing industry, we must also approach consumers. We are part of the consumers' table and we would like to give our input. Fish no longer belongs only to Nyanza; it belongs to all of us.

Lastly, Kilgoris is "landlocked," if I may use that word, and we will be compelled to turn to fish farming by all means, rather than depending on the ocean. We require resources to monitor and understand how it is done. I hope that you, Hon. Temporary Speaker, being our neighbour from Homa Bay, will send some of the experts to help the people of Kilgoris understand how fish farming is done. I wish to make one comment, regarding the institutions that have been created. The Monitoring, Control and Surveillance (MCS) Unit is a step in the right direction, but it must be properly funded. It must have adequate staff and be well equipped. An enforcement unit, only on paper, without patrol boats or surveillance technology,

will not be effective. The requirement for Vessel Monitoring Systems (VMS) on all licensed vessels is welcome. However, enforcement in offshore waters requires dedicated maritime patrol capacity, which the country currently lacks. The Bill must, therefore, explicitly provide for adequate budgetary allocation towards those functions.

With those remarks, I beg to support.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Rozaah Akinyi Buyu.

**Hon. Rozaah Buyu** (Kisumu West, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity. I have seen Hon. Caroli Omondi. He is saying that I have taken his seat. He has accepted to sit right behind me, and I appreciate that.

First, I wish to state that I am a member of this Committee and I strongly support this Bill. The work of this Committee was conducted in line with the requirements of Article 118 of the Constitution regarding public participation. The Committee undertook extensive public participation and divided itself into three groups. One group visited the Nyanza region. Another visited Baringo and the Rift Valley, and the third visited the Coast. I had the opportunity to be part of the group that visited Nyanza. We visited not only Kisumu, but travelled to Migori to engage with consumers and fisherfolk. Therefore, the views that have come up are not only from major stakeholders, but also from consumers and small-scale fishermen. I wish to give the House that confidence.

In Nyanza, the Coast and Baringo, there was one cry. The fisherfolk are not getting the full potential they ought to from the fish industry in this country. A lot of work has been put into the fishing trade, but the returns are poor. You would feel sorry for the people who came to talk to us. Despite having such a high-potential economic activity, they looked like they had nothing to their name.

The major issue raised during public participation was the regulation of fishing nets by the fisheries authority. There was no clarity on the required net sizes and yet, there was a high rate of confiscation of nets that are deemed to be wrong. This was in total disregard of the economic capabilities of the fishermen. Fishermen were told to have the right nets and whatever else they were found using was confiscated. This meant that, at times, they would go without fishing and, therefore, have no food on their tables.

There was also a cry regarding double licensing. Fishermen were required to obtain licences from county governments, but this did not give them access to fishing. They were still apprehended by national Government agencies for lacking a second licence. The question that the fishermen posed was: What is what? When you go to get a licence from the county government, it gives you authority and permission to fish. But when you go to fish, you are apprehended and fined because you do not have a licence from the national Government. There was a lot of conflict in the minds of the fisherfolk.

Another issue that was raised was the lack of clarity on institutional roles. Who is who in terms of licensing. Who is in charge of what? Like any other activity, you ought to know whom to report to in case of a problem. However, in this case, fishermen did not know whether to report to the county or national Government authorities. This conflict is causing a lot of apprehension among the fisherfolk.

Another matter that came up was that the Government is paying so much attention to the coffee and tea industry. We hear of a Coffee Cherry Advance Revolving Fund. Fish may not be a crop, but it is also a mainstay. Are they also part of Kenya?

I felt angry listening to all those. The children of most of those people were not going to school because nets had been confiscated and they could not pay school fees. I support this Bill and I am happy about what has come out of it.

The Bill provides for regulation of the fishing gear. And this should be made public so that when you want to go to fish, you know the type of net that you ought to use. If it is more than what fishermen can afford, they will have time to save and be able to buy the right net.

After investing in the purchase of the net, you know that you can continue with your fishing and you will not be apprehended or have your net confiscated.

This Bill provides for the regulation of licensing. If you have one licence, it will enable you to fish. That will be an advantage to our fishermen.

Further, this Bill demarcates the authority of national Government and county governments. For example, while the national Government may construct landing sites, their management will be the responsibility of county governments. The national Government should not meddle in the management of fish landing sites. The county government may not have sufficient finances; and thus, the national Government can assist in the construction. But the management is solely for the county governments.

The Bill also provides for the gazettment of Beach Management Units (BMUs), which is the lowest level of fisheries management structures. The units have been instrumental in bringing regulation and keeping the fisherfolk together, but the law has not recognised them up to now. This Bill gives them an opportunity to now be gazetted and recognised for the work they do with fisherfolk in our small units.

The insecurity of our fisherfolk is another thing that came up, and Hon. Millie has talked about it. The Misingo issue is the biggest example. You will leave home to go and fish, but you are not sure whether you will come back. Not just the fish you have collected, but also you as a person who is being waited. You might not come back. The surveillance group that is made up of a multi-agency team including the Kenya Coast Guard Service (KCGS) and the Kenya Maritime Authority (KMA) gives our fishermen confidence when they go out to fish. Fishermen go out to fish having a relative sense of safety and security. That is a plus in the Bill.

**The Temporary Speaker** (Hon. Peter Kaluma): Do you need more time, Hon. Rozaah Buyu?

**Hon. Rozaah Buyu** (Kisumu West, ODM): I may need two minutes, please.

**The Temporary Speaker** (Hon. Peter Kaluma): Okay. You are given two minutes more.

**Hon. Rozaah Buyu** (Kisumu West, ODM): We also know we think about mbuta and tilapia when we talk about fisheries by our common fishermen. The Bill goes beyond mbuta and tilapia. It looks at bigger fish and international vessels in our lakes that make much more money than the local fishermen can imagine. The Bill attempts to enforce or regulate whatever fish is fished from our waters. It must land, be regulated and paid for. That is a plus—something we currently do not have.

Somebody was telling me that we have some of those big boys in Kenya. They have economic zones that are just for themselves in our waters. They come with big vessels, fish, take the fish away, and make money without the Government of Kenya or Kenyans partaking any of that profit or enjoying any of the proceeds of the fishing and yet, it is in our waters.

What I like about the Bill is that they will also have to pay. They can fish under regulation or under our laws and will have to pay. In case they think that they are still clever, they will be charged if they are caught. Both the master and the man who operates the fishing will be charged, not peanuts, but at least Ksh50 million.

What I like most in all this is that, as much as the Bill is taking care of our small fisher folk, it is also protecting them and giving them an opportunity to realise something bigger from the fishing activity. I like the idea of the Fisheries Fund because it can actually be used to enhance the fish we have in our lakes. It can also be used to promote the activities of our fishermen. This way, the fisher folk do not have to feel neglected. They do not have to feel that much of Kenya's money is going behind tea and coffee.

With the fish we have in our waters, even them can also make a living. The Government is putting in some money to ensure that there is research and money to protect and enhance their activities. For that reason, I support the Bill.

Thank you.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Joshua Kimilu.

**Hon. Joshua Kimilu** (Kaiti, WDM): Thank you for giving me the opportunity. I thank the sponsor of this timely Bill. We cannot separate the fishing industry from the blue economy because they are one and the same. Kenya has a good opportunity to engage in serious fish farming.

Some time back in my constituency, a Non-Governmental Organisation (NGO) was supporting some farmers in fish farming. The NGO withdrew because there was no proper framework. The Bill will solve some of those problems and strengthen our farmers' activities. I used to support farmers in my constituency. Although I come from the lower Eastern area where many people think that there is no water, the farmers in my constituency had fish ponds and were supported by some organisations to engage in fish farming. They were making money, but this poor framework caused the NGO to withdraw. The Bill will solve some of those problems, especially in Kisumu, Mombasa, and other areas that majorly engage in fish farming.

Our farmers face challenges like lack of chemicals and insecurity. The Bill will solve the problem of insecurity in some areas. As my colleague has said, some fishermen go out in the evening to fish in insecure areas and are not sure whether they will come back home. We need a law to protect our fishermen. Our fishermen should be assured of security and compensation in case of any accidents.

There is also the issue of county and national licensing conflicts. The Bill will solve that problem because we need proper regulations. Our counties should be confident that they have a clear mandate to support our fishermen. We also need to ensure that there is no conflict between the national Government and the county governments. We will need to amend the Bill during the Committee of the whole House stage to polish it and ensure that we give Kenyans one of the best pieces of legislation they have ever had.

The Bill will also improve the farming sector in our country because Kenya is an agricultural country. We need to export our fish to other countries. Due to lack of a proper framework, we only consume our fish. We also need to improve on technology use. We should use new technology like nets to help our farmers enjoy good harvests and also give them the right chemicals. I remember that sometime last year, I saw some farmers engaging in cage farming in Lake Victoria and they suffered big losses after their fish were affected by chemicals. We need to protect our farmers. In such cases, farmers need to be compensated, get the right chemicals, and use proper fish farming methods. I support this Bill because it also takes care of the common *mwananchi*. We have those small-scale farmers who also need to be protected as they become large-scale. When I was going through the Bill, it protects those small-scale farmers. That is why I am joining hands with my colleagues to make sure that this Bill goes through so that it can benefit our farmers and also improve the economy of our country.

Thank you, Hon. Speaker. I support.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Jared Okello is next. He will be followed by Hon. Beatrice Elachi and then Hon. Caroli Omondi. If there is no more interest to contribute to the Bill, the Mover will reply.

**Hon. Jared Okello** (Nyando, ODM): I thank you very much, Hon. Temporary Speaker for giving me the opportunity. On the same breath, allow me to also support the Fisheries Management and Development, (National Assembly Bill No.29 of 2025).

Everything in Nyanza was designed to fail. That is why sugar-cane, for example, has always been known as a poverty crop in the sense that the inputs outweigh the output. You inject a lot of capital investment, but you get nothing in return. There have been attempts to bring in a new cane seed that only takes nine months to mature and also responds very

positively to the adversity of weather. But this is only found at the Coast, in Kwale. It has taken more than 10 years for that cane variety to be brought to our areas because poverty in our place was designed by successive regimes that have always been put in place.

Look at fish farming, for example, again...

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Jared Okello, do you know Prof. Ouma Muga?

**Hon. Jared Okello** (Nyando, ODM): Yes, I know the late Prof.

**The Temporary Speaker** (Hon. Peter Kaluma): He used to call it *chan mo chan* - plant poverty.

(Laughter)

**Hon. Jared Okello** (Nyando, ODM): Yes, *chan mo chan*. That is what we are going through as a community. You take your cane to the factory, even though you have waited for two years for the cane to be cut, you still have to contend with three or four months before you get your payment. This is just because the factory trades with your money and is reluctant to give you back your money. Even when the Government has put in a lot of time and energy to revamp the sugar sector by inviting private developers or investors, the problems persist to this very day.

Fish farming or rather fishing in its entirety is also a poverty exercise. Fishermen go into the lake bidding farewell to their family members because they are venturing into an unknown territory. By God's grace, they show up the following day in the morning at around 10.00 O'clock and you have people who are sitting pretty in very prestigious hotels, enjoying air con rooms, coming to buy those fish for a song, put them into refrigerated trucks, and take them away to Nairobi and hence get the biggest proceeds out of them. The person who had to contend with the poor weather in the night...

**The Temporary Speaker** (Hon. Peter Kaluma): They do not take them to Nairobi. The factory is in Thika.

**Hon. Jared Okello** (Nyando, ODM): Yes.

**The Temporary Speaker** (Hon. Peter Kaluma): For reasons I hope this Bill is addressing.

**Hon. Jared Okello** (Nyando, ODM): So, they are taken to Thika, can them, remove bones and call them fillets and then export some of them to Japan and other countries out there. You can imagine the amount of profit they are making out of it. Yet, the person who moved into the lake in the dead of the night with a lot of uncertainties, is left languishing in abject poverty back there at home. He has to sleep during the day just quite a bit and in the evening, go back again to the lake and carry out the same exercise.

Ask yourself, why is the factory in Thika? Because really, factories by nature are built next to raw materials. The only factory that is built away from raw materials is the fishing industry here in Thika, and yet no fish nor lake exists within Thika. There are many problems that I hope this Bill will address.

It has always been said - and I heard my friend Hon. Sunkuli allude to it - that fish, in their own nature, have Omega-3. Omega-3 is a component that helps in brain development. I have tested this. In my constituency, at the tip of Lake Victoria, there is a school called Nyamrundu Primary School. It is a modest school with limited facilities to boot and yet, year-in, year-out, when results come out, they post the best results in my entire constituency. The reason is simple. They feed on fish and Omena. That is just their delicacy. Unlike beef, which you cannot eat consistently for a week because you lose your appetite, fish is the only flesh you can eat year-in, year-out, without losing appetite. The taste is good and the aroma is so intense that you do not have to run away from it.

Fish must be protected. There was an attempt to establish the Kabonyo-Kanyagwal Aquaculture and Fisheries Centre of Excellence in my constituency at a cost of Ksh2.5 billion. However, this has been a moving target. When the President comes, it is Ksh2.5 billion and when other Government officials speak, it goes down to Ksh1 billion. We do not know which is which. The President launched that project about two years ago. To date, the foundation has not taken off. This was not a Government of Kenya-funded project. It was a Hungarian Government project. When I question, I am told there is a problem with paperwork between the Ministry of Fisheries, Mining and Blue Economy and the National Treasury, to put a request to the Hungarian Government to release the funds.

When we say *chan mo chan*, taking a tangent from your words, we were designed to be poor. We have professors and technocrats. For example, we recently donated Hon. Mbadi from this House to the Government. Many a times, the President has come out to say that Hon. Mbadi has saved this Government from imminent collapse. There were six countries that were earmarked for failure to repay loans that were owed to Bretton Woods institutions, and only Kenya survived the purge. Why? This is because we donated an expert. That is just one of them. If, at a particular time, we have a Government that responds to our aspirations and absorbs people from our regions into running the affairs of the Government, I can assure you that we shall have a rapid flight towards growth and development. So, fishing as an industry must be addressed if the lives of our people matter to the government of the day.

I unequivocally support this Bill. I thank the Chairperson of the Departmental Committee on Blue Economy, Water and Irrigation, Hon. Kangogo Bowen. I visited him a fortnight ago in his constituency, and he is doing a splendid job for his people. The people there told me he will remain in office for as long as he wishes. Together with my colleagues, including Hon. Rozaah Buyu, Hon. Kathambi and the entire Committee, we have done a splendid job for putting this Bill together. There will be some minor amendments that we will pursue to enrich - and not castigate - the Bill so that all the issues that are not responding to the wishes of our people can ultimately be addressed.

My sister, Hon. Buyu, alluded to one fundamental issue—that our people get licences to do fish farming from the county governments because agriculture is devolved. However, once they have this important document, they are told that it does not work and that they need one from the National Government. Why create this confusion? We, therefore, need to address those kinds of gaps.

I want to thank my party leader, the indomitable Hon. Oburu Odinga, who in his wisdom, approached the Ugandan President and told him to his face that Lake Victoria should be a common user facility and, therefore, he cannot abrogate himself the role of fishing from the lake and sideline the Republic of Kenya that has six per cent share of Lake Victoria in its entirety. Fish by its very nature, is migratory. So, one cannot tell me that fish that was in Kenya in the morning, but by dint of...

**The Temporary Speaker** (Hon. Peter Kaluma): A minute for him to conclude.

**Hon. Jared Okello** (Nyando, ODM): So, when you say fish belongs to Uganda, what about the times that the Ugandan fish is in our side of the lake? We need – even as people move to echelons of power – to also realise that the lake is being shared by three countries, disseminating its waters into River Nile which cuts across more countries as it ends up in Egypt. We must also share the proceeds that come with the lake. Fish is just one of them. Now, our country exports tuna fish and cod fish from the coastal region and they bring in a lot of revenue to our economy. That must also be properly addressed so that we run away from the normal agriculture of intense labour and move to things like fishing that can bring dollars into this country.

I thank you for the opportunity.

**The Temporary Speaker** (Hon. Peter Kaluma): Well spoken, Hon. Jared Okello. Hon. Beatrice Elachi.

**Hon. Beatrice Elachi** (Dagoretti North, ODM): Thank you, Hon. Temporary Speaker.

I also rise to support the Fisheries Management and Development Bill, (National Assembly Bill No. 29 of 2023). I thank the Chair of the Departmental Committee on Blue Economy, Water and Irrigation, Hon. Kangogo. I hope the Bill will help us transit ourselves from what has been happening. Imagine, before and after devolution, we have been using the colonial era Fisheries Act (Cap 378) for all those years. Really? When we say that we have factories in Thika, it is because of the colonial Fisheries Act (Cap 378) that we have been using. I am hoping that the Bill will change the old arrangement to a state where we will manage our fishing industry effectively by focusing on its sustainability, enforcement, modernisation and community involvement. That is where we have been lacking.

I have looked at the Bill and it proposes to establish a Board of Directors to govern the Kenya Fisheries Service (KeFS) with a policy oversight which we need for financial accountability, transparency and staff recruitment. More importantly, it has to strengthen the sustainability I have talked of fishing practice to protect breeding areas through the fish sanctuaries. Foreigners have come into the industry and many Kenyans are complaining. Kenyans will tell you that we have fish from China and yet that is not the case. The fish that they talk about is just our tilapia in Lake Victoria. The Chinese have erected cages in Lake Victoria and they know how to use modern technology to breed and harvest fish. Locals wonder because they are used to using their fishing nets at night. The Chinese are more advanced. Their fish comes into the cages and in the morning, they pick them. So, there are things that we need to do to effect change. I am hoping that the Bill provides for training of our farmers, especially in fingerlings and affordable feeds.

Let us expand Government initiatives. Have economic stimulus packages to support our fishermen at the grassroots. Today, you will realise that women are the ones who are driving this industry. When you go to Gikomba, for example, early in the morning at around 3.00 a.m., you will find a whole truck arriving from Homa Bay, Uyoma or wherever with fish. It arrives in Nairobi and is taken to a cooler, from where women buy. We need to open up this space so that any *mama* who knows Uyoma or Homa Bay where the fish comes from, is able to go there and bring them to markets such as Kenyatta Market. There are traders like Anyango, who has sold fish, employed many women and today, drives a car because of that business. She is not alone. Many such traders in Gikomba have operated for years.

This Easter, a lady came to my house and explained that she used to sell fish in Makongeni. Because of the Affordable Housing programme, she was displaced and asked to relocate. She was given time to remove her container, freezer and equipment, but she had to restock her business. I decided to support her because, from her account of how she has sustained her entire family in the Western Region through the fish business, I realised that if women are given such opportunities, we will have many empowered women.

We must ensure that this Bill introduces the use of technology such as GPS tracking, so that we can strengthen the enforcement. Part II of the Bill addresses licensing and access, and we must consider creating a third licensing system to cater for *mama mbogas*, semi-industrial operators and industrial fishing entities. Let us open up the space.

This Government has opened up opportunities that some elites would never have allowed, and although that has brought challenges, we now need to go further and expand those opportunities. The blue economy is not receiving sufficient attention. This is because it is not seen as a sector with immediate returns, unlike others that focus on recurrent expenditure. However, this is a project-based sector that can support many Kenyans. That sector, together with minerals, has the potential to transform livelihoods if fully unlocked. Many Kenyans

would employ themselves and generate income. I urge young people to take advantage of those sectors.

Looking at Part III on fisheries management and conservation, one critical proposal is the deployment of observers on fishing vessels for surveillance purposes. All landings should occur in the presence of an inspector or an observer. This is where Migingo comes into focus, where now the Ugandan President, who is my good father and friend, comes in. That, Migingo, just the way the party leader Oburu Odinga is saying, is not just for you. It is for everyone.

**Hon. Rozaah Buyu** (Kisumu West, ODM): On a point of information, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Beatrice Elachi, do you want to be informed?

**Hon. Beatrice Elachi** (Dagoretti North, ODM): Yes.

**The Temporary Speaker** (Hon. Peter Kaluma): Give the information, Hon. Rozaah Buyu.

**Hon. Rozaah Buyu** (Kisumu West, ODM): Thank you, Hon. Temporary Speaker.

I would like to inform my good friend Hon. Elachi that the correct title of the party leader of the Orange Democratic Movement (ODM) is Dr Oburu Oginga, not just Oburu Oginga! Sometimes back, Hon. Millie pointed out that there is a difference when she was referring to Members of Parliament from Homa Bay. She categorically stated that when you mention female Members of Parliament from Homa Bay County, you address them as “Doctor”. However, when addressing Hon. Kaluma who is the Chair currently, you address him as Kaluma. I would like to correct my friend.

**The Temporary Speaker** (Hon. Peter Kaluma): Are you, by any chance, undermining the Temporary Speaker?

*(Laughter)*

**Hon. Rozaah Buyu** (Kisumu West, ODM): I apologise, Hon. Temporary Speaker. I encourage Hon. Elachi to take a cue from the female Members of Parliament from Homa Bay County and go to school to ensure she refers to the ODM Party Leader as Hon. (Dr) Oburu Odinga but not just Oburu Odinga.

Thank you, Hon. Temporary Speaker.

**Hon. Beatrice Elachi** (Dagoretti North, ODM): Hon. Temporary Speaker, I withdraw, even though I was doing it with respect. I am also a doctor. When I was the Speaker of Nairobi City County, I was honoured and given a doctorate, but I need to finish some studies to complete it.

**The Temporary Speaker** (Hon. Peter Kaluma): Dr Beatrice Elachi was interrupted when we were dealing with a very serious subject. 200 nautical miles from the shores of Lake Victoria to the Indian Ocean is Kenya's exclusive economic zone. You can imagine the amount of fish stock and the blue economy resources that are there and yet, you still find our people along the ocean, from Kilifi to Lamu, dying of starvation. Make your point firmly.

**Hon. Beatrice Elachi** (Dagoretti North, ODM): For purposes of correcting myself, my party leader is Dr Oburu Oginga, Senator for Siaya. You realise that no other President had the wisdom to speak with our good neighbour, President Yoweri Museveni. But it is something we have to do. This is part of what we need when we pass this Bill. There is serious need for harmony among the East African countries along the shores of Lake Victoria. I agree with him.

Part VIII of the Bill talks about aquaculture. Let us allow international collaboration on disease management in cross-border aquaculture zones. This is one thing we need to really enforce. Regarding the offences, penalties and enforcement outlined in Part V of the Bill, I support the fine of Ksh500,000 and cancellation of the licence, which is key.

Finally, Hon. Temporary Speaker, as we talk about this Bill, whom do we want to benefit? It is that person who resides and hustles around the lake. But like every sector in Kenya, we have cartels who are the owners. This has been happening for many years. That is why when you try to penetrate into any sector, you will encounter a lot of challenges and barriers. People fight, and they hate and call you names because there is something you are closing or opening up for many to benefit. You become an enemy.

**The Temporary Speaker** (Hon. Peter Kaluma): Add Hon. Beatrice Elachi a minute to conclude.

**Hon. Beatrice Elachi** (Dagoretti North, ODM): Hon. Temporary Speaker, we must ask ourselves how we are going to solve all those challenges that we face in every sector. Since 1963, some people have believed those are their sectors. In fact, there was a time when you would visit the Ministry of Health or the Ministry of Agriculture and Livestock Development, and you would find people - and I say this in a very sad way - who would tell you: "We are praying for drought, so that we can bring in either hay or other supplies." This illustrates how some of us struggle to understand why one side of the country is extremely angry while another side is comfortable and feels that the status quo must remain.

In the fishing sector, it is as if the waters come from where God decided they would be, and that is where tilapia will come from. If you go online, you will find very young Kenyans from Homa Bay County, whom I salute; they export fish, and they are doing very well. Therefore, as I support this, let it be a Bill that will help our young women who have been in this sector for many years.

I beg to support.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Caroli Omondi.

**Hon. Caroli Omondi** (Suba South, ODM): Thank you very much, Hon. Temporary Speaker.

I actually rise to support this Bill. I think it is a far better improvement on what existed before, and there has been a lot of public participation. However, I have some concerns that I would like to raise.

Firstly, in terms of the institutional structure, I am not quite convinced that we need an independent Kenya Fish Marketing Authority separate from the Kenya Fisheries Service. My understanding is that fisheries is both a function of conservation management and of marketing. If you separate the two institutions, one may lack the necessary data to understand where the fish stocks are. One organisation will be issuing licences and authorising fishing, but will not be responsible for maintaining the biomass of the fish or the stocks, which will be the responsibility of the other organisation.

I would prefer to see a marketing department within the fisheries service, but an independent fish development fund that would spur investments in the sector. I am not very sure whether this will work in the long run. I think there will be a problem, because one organisation will be more focused on marketing without the necessary information regarding the stocks. Globally, fish is sold by quotas and fishing licences to manage the biomass.

That said, I want to discuss inland fisheries as well as marine fisheries. Let me start with inland fisheries, the fresh water fisheries, because that is what concerns most of my constituents. Fish has moved from being an affordable staple food to something that is now a preserve of the rich. Not many people around Lake Victoria or Lake Baringo can still afford to eat fish. We are experiencing a very serious loss of species, habitats, and breeding grounds due to pollution, the introduction of exotic species, and climate change. But there is also a bigger problem. The way we handle our fish inland excludes us from ever being able to sell it to European markets. Not that we even have enough to sell, but it becomes very difficult to sell it.

If you go to Uganda, a typical tilapia is three to four times the size of the ones you will find in Kenya, because they have better breeding grounds, better conservation mechanisms, and they are protected from invasive species that interfere with the growth of the small fish. However, here, we have a very serious problem. Phytosanitary standards are an issue, and the Government should focus on establishing solar-powered cold storage at every single Beach Maintenance Unit (BMU). It is not very expensive, and currently, not one fish landing beach in a constituency has good roads. How will you transport the fish there? Simple solar-powered cold storage units can be set up at every BMU.

We also need clear Government support in terms of a development fund to help the private sector invest in the fishing sector, whether by way of getting boats, by way of getting small processing plants, and even making use of the other resources other than the flesh of the fish, so that we can turn the skin and the bones into other things by way of value addition.

Right now, there is a lot of cage fishing within the fresh water lakes. We need to investigate the environmental impact of fish-caging on the long-term sustainability of the natural systems of the fresh water lakes in this country. Those are some of the issues that I think we need to deal with, for inland fisheries.

For marine fisheries, the most important thing we need first is the onshore processing. We have a habit of issuing licences to large vessels that go into our international waters, fish and never come back onshore. Namibia does it the other way around. They have to come and process onshore so that jobs are created, and there is value addition. I have not seen strong emphasis on joint ventures and local content requirements in the Bill. We need to improve on that so that anybody who is coming to fish in our marine waters must be required to come back and process onshore.

We also need very strong revenue-raising mechanisms for marine fishing. Licence fees, taxes to be paid, Value Added Tax (VAT), clear record keeping, there is the resource rent and the environmental conservation fee in case things go wrong. We need all those. We need a very robust public register that is open to inspection of all the fishing rights and the quotas that have been allocated to anybody who is engaging in marine fishing in our waters.

This is a good Bill, but the test will be in the pudding. If we do not address the issues I am raising, we will have a good Bill, but the social and economic impact on the people will not be great.

Another matter with inland fishing right now around Lake Victoria is the mining activities for gold and other minerals that are taking place along the main rivers that flow into Lake Victoria. There is a lot of mercury that is flowing into Lake Victoria. There is gold mining in parts of Kakamega; Gem in Siaya where there is River Nzoia and River Yala; and around Migori where we have River Kuja. Considering that 60 per cent of Lake Victoria's fresh inflows come from the Kenyan side, there is a big environmental problem that is happening down there because of those mining activities, and we need to pay attention.

With those few remarks, Hon. Temporary Speaker, I support. However, there is still some work to be done.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Eve Obara, you have less than five minutes.

**Hon. Eve Obara** (Kabondo Kasipul, ODM): Thank you very much, Hon. Temporary Speaker, for giving me the opportunity.

I stand to support the Bill. However, I have a few issues. The first one is on sustainability and livelihoods. Balancing the needs for conservation and the economic needs of fishing communities may be challenging. The stricter regulations that are being recommended may limit fishing opportunities for small-scale fisherfolk, particularly those from my area in Homa Bay County.

Secondly, there are enforcement challenges of ensuring compliance with licensing and anti-illegal; unreported, and unregulated measures, which require substantial resources and an effective enforcement mechanism, which may also be a problem for our people.

There is also coordination with counties. I realise that on this, aligning national policies with county-level priorities and ensuring seamless collaboration could be complex.

Thirdly, funding and promoting the aquaculture development may require significant financial and technical investment. This, again, could be a problem. Market access in Homabay County where I come from, which has a lot of water mass, could also be a challenge to the small-scale fish folk. They may struggle to access high-value markets without support for infrastructure and logistics.

I have noted the key highlights of the Bill, but those are the main challenges that may need to be addressed in this Bill.

Thank you and once again, I support.

**The Temporary Speaker** (Hon. Peter Kaluma): Mover to now reply.

**Hon. Kangogo Bowen** (Marakwet East, UDA): Thank you, Hon. Temporary Speaker. I appreciate all my colleagues. I appreciate the Leader of the Majority Party who moved the Bill, Members of the Committee who are here like Hon. Rozaah Buyu, Hon. Muthoni and all Members who contributed to the Bill. Let me assure the House that if we pass the Bill, it will be a better law than the current Act.

As we move to the Third Reading of this Bill, I assure Members, including Hon. Eve Obara and Hon. Caroli Omondi who have raised some issues that, we are now moving to the critical stage of amending the law. The Report we are debating in this House is as a result of public participation. We have the reports from the Council of Governors (CoGs) and other stakeholders. It will be okay if the Members bring in more amendments and put them together with the amendments in the Report.

Hon. Temporary Speaker, I request that you defer the putting of the Question pursuant to Standing Order No.53(3). If Members have any other amendments, the Committee is ready to work together with you in the Third Reading so that we can have a good Bill for fishermen and for posterity of Kenyans. What we have is not cast on stone. It can be amended.

With those many remarks, Hon. Temporary Speaker, I beg to reply.

*(Putting of the Question deferred)*

**The Temporary Speaker** (Hon. Peter Kaluma): Next Order.

## HOJA

UKAGUZI WA ASASI ZA JUMUIYA YA AFRIKA MASHARIKI

*(Hoja iliyotolewa na Mhe. Irene Mayaka 31.3.2026)*

*(Uendelezaji wa mjadala uliositishwa 31.3.2026)*

**The Temporary Speaker** (Hon. Peter Kaluma): Thank you. Go back to Order No. 12. There being no noted interest, the Mover will reply.

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

**The Temporary Speaker** (Hon. Peter Kaluma): Do you have interest in this Order? You may proceed.

**Hon. Millie Odhiambo-Mabona** (Suba North, ODM): Ahsante sana, Mhe. Spika wa Muda. Nimesimama kwa heshima kusupport hii *Motion*. Kwa vile tunaongea kuhusu *East Africa*, ni vyema tuwe na *benchmarking* kule Tanzania ili tujifunze Kiswahili. Watu wengi hupenda kuenda *benchmarking* mbali. Ikiwa tunataka uhusiano mzuri kati ya Kenya, Uganda na Tanzania, tunahitaji kufanya *benchmarking* Tanzania, kwa sababu wanaelewa Kiswahili kutuliko. Kila mara kukiwa na Hoja ya Kiswahili katika hili Bunge, ingawa Kiswahili si ‘mdomo changu’, lazima nijaribu kuchangia ili wakati nitatoka hapa, niwe *expert* wa Kiswahili. Kuna wengine wanacheka hapa lakini hawawezi hata kusema chochote. Angalau mimi naweza kuongea.

Kwa mfano, nime *encourage* Mhe. Rozaah Buyu kwa sababu alikuwa anahepa. Nimesikia akisema kwamba anataka *pawa*. Lakini hawezi kupata *pawa* kama hajui Kiswahili. Ni lazima kwanza ajifunze Kiswahili. Ukitembea sehemu nyingine humu nchini, kuna mahali watu hawazungumzi Kiingereza sana. Ukitumia lugha ya Kiingereza, wanaona kama unawasumbua. Wanongea tu Kiswahili. Na sio hapa Kenya tu, ila katika nchi zingine kwa vile tunaongea kuhusu *East African Community*. Vile nimesema, najua Tanzania wako mbele kwa Kiswahili, wakifuatwa na Kenya. *At least*, tunashinda Uganda kwa sababu wanafikiria kwamba Kiswahili ni lugha ya majambazi. Watu kama sisi tulienda shule wakati Kiingereza, French na Spanish ndizo lugha tulikuwa tukijifunza. Huwa naongea Spanish. Kama sasa nimetoka Mexico. Ninasema: *Hola como estas? Estoy bien*. Kiswahili ni shida kidogo, ila najifunza. Kuna watu wanajitokeza wanataka kuwa *president*. Wakuje hapa waongee Kiswahili kwanza. Kufikia *next year*, nita *declare* kwamba nataka *presidency* kwa sababu nitakuwa nimejua Kiswahili. Mkiniona nimenyamaza, mjue kwamba nasumbuliwa na lugha ya Kiswahili.

Ahsante, Mhe. Spika wa Muda.

**The Temporary Speaker** (Hon. Peter Kaluma): Kwa wakati huu, mtoa Hoja atahitimisha.

*(Several Members spoke off the record)*

Naona bado kuna *interest* katika hii Hoja. Mhe. Beatrice Elachi.

**Hon. Beatrice Elachi** (Dagoretti North, ODM): Ahsante, Mhe. Spika wa Muda. Ninapendekeza kwamba hii Ripoti iwe yetu sote. Tukubaliane na Ripoti kwamba ni vyema kama Wakenya tusimame na tusikize maswala ya Jumuiya ya Afrika Mashariki. Katika hii Ripoti, Wakenya wametoa changamoto kwa maswala yanayofanyika haswa, wanapofanya kazi katika nchi ya Tanzania. Kenya pia yafaa kuangalia sheria zake kuona ni vipi tutasaidia wale Wakenya wanaoishi nchini Tanzania. Wakati wa uchaguzi kule Tanzania, tulikuwa na tumbo joto kwa sababu ya jinsi watu wetu walivyopitia magumu.

Pia, tunawashukuru Watanzania kwa sababu tumekuwa na uhusiano wa kusaidiana haswa kufanya biashara pamoja. Hii Ripoti inatusaidia ili tuweze kujuliza ni vipi tutatekeleza miradi na mipango mbali mbali, lengo likiwa kutathmini maendeleo na kubaini hatua za kuingilia kati ili kukuza ajenda ya utangamano katika Jumuiya ya Afrika Mashariki. Hivi juzi, Mhe. Rais alienda kule Arusha akasema kwamba Wabunge wa Jumuiya ya Afrika Mashariki watakuwa wanalipwa kama Wabunge wa Bunge la Kenya, Uganda, Tanzania ama Burundi. Kuna matatizo mengi kwa sababu nchi kama Burundi na South Sudan wamekuwa na matatizo mbali mbali. Kwa hivi sasa, ni Kenya, Uganda na Tanzania wanaoshikilia sana Jumuiya ya Afrika Mashariki. Kila wakati huwa tunaimba wimbo wa taifa na ule wa Jumuiya ya Afrika Mashariki. Tungekuwa tunatekeleza yale maadili katika huo wimbo, Jumuiya yetu ingeendelea. Nakubaliana na hii Ripoti.

Ahsante kwa Kamati na Mwenyekiti.

**The Temporary Speaker** (Hon. Peter Kaluma): Wabunge, wakati wa kutamatisha Kikao cha Bunge umewadia.

**ADJOURNMENT**

**Hon. Temporary Speaker** (Hon. Peter Kaluma): Hon. Members, the time being 7.02 p.m., the House stands adjourned until Wednesday, 8<sup>th</sup> April 2026 at 9.30 a.m.

*(The House rose at 7.02 p.m.)*

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