



The SENATE

Safeguarding Devolution

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Levelling the ground

Through the Constitution of Kenya (Amendment) Bill, 2025, the Senate leadership unveils a robust plan to strengthen the House law-making function.



Minority Leader Stewart Madzayo and Senator Beth Syengo.



Majority Leader Aaron Cheruiyot.

The House leadership has unveiled perhaps the boldest move that seeks to tilt the balance of legislative power toward the Senate, making it the Upper House.

The Constitution of Kenya (Amendment) Bill, 2025, contains far-reaching proposals that if adopted, will strengthen the Senate's legislative, budgetary and oversight authority, placing it on equal or even stronger footing in key areas where the National Assembly has traditionally held sway.

The Bill, which is sponsored by Majority Leader Aaron Cheruiyot and Minority Leader Stewart Madzayo, was read the first-time last week is proposing to amend Article 94 of the Constitution to give both Houses explicit and equal legislative authority at the national level, ensuring that all laws respect the constitutional distribution of functions between the national and county governments.

The Bill is also proposing to give the Senate, express oversight powers over

all state organs, public entities and national revenue allocated to the national government, removing the long-standing ambiguity over the Senate's role in financial oversight.

The Bill further expands Article 96 so that besides representing the counties and special interests, the Senate will have the power to deliberate on national issues, legislate and oversee both county revenue and national revenue earmarked for counties.

The Senate would also gain direct participation in legislating for the removal of state officers at the national level, a function that has largely been the preserve of the National Assembly.

The two leaders are proposing to delete Article 95 (4) of the constitution, which if approved, could take away the National Assembly's exclusive role in determining allocations of revenue between the levels of government, which is done through the annual Division of Revenue Bill, appropriate funds for expenditure by the national government

and other national State organs and also exercise oversight over national revenue and its expenditure.

Currently, Article 95 vests the power to oversight the national revenue and expenditure to the National Assembly.

He is also seeking to amend Article 109 by deleting sub articles 2, 3, 4, and 5. The totality of the proposals is to give both Houses the power to consider all the Bills.

He argues that any Bill can originate from either House, except the Money Bill, which will, as is currently, originate from the National Assembly.

Once the Bill has passed by either House, the Speaker of that House shall refer it to the Speaker of the other House for introduction, consideration and passage.

"A Bill shall be referred to the President for assent only after it has been passed by both Houses of Parliament," says part of the amendments, adding that the Speaker of the originating House shall, within seven days after a Bill has

been passed by both Houses, submit to the President for assent and publication.

The two Speakers will have to submit a certificate signed by both of them, certifying that the Bill has been passed by both Houses in accordance.

The Bill further seeks to repeal Article 110, eliminating the "Bills concerning counties" clause, thereby allowing the Senate to handle any Bill except those that raise national revenue.

This change would give the Senate broader legislative reach and enable it to originate legislation without jurisdictional disputes.

Another amendment is the deletion of Article 111 to be replaced with a whole new one which deals with the procedure of enacting the County Allocation of Revenue Bill.

An allocation Bill may originate in the Senate, but the National Assembly may propose and pass amendments to the Bill. This means that Bills like Division of Revenue Bill, the County Governments Allocation Bill, County Allo-

cation of Revenue Bill could originate in the Senate. Currently, only the County Allocation of Revenue Bill originates from the Senate. The Bill also proposes that an appropriation Bill may originate in the National Assembly, but the Senate may propose and pass amendments to the Bill but there will be veto powers.

Allocation and appropriation Bills will bypass mediation to avoid delays that could disrupt budget implementation.

“Where a receiving House amends an

allocation or an appropriation Bill, the originating House may veto the amendments by a resolution supported by at least two thirds of all the county delegations in the Senate or two thirds of the membership in the National Assembly,” say the two lawmakers in the Bill.

On budget-making, the Bill proposes to amend Article 221 to require the Cabinet Secretary for Finance to submit budget estimates to both Houses, allowing Senate committees to co-review the national budget alongside the National

Assembly.

Both Houses would also jointly approve allocations to the Judiciary, Parliament and the national government.

The Bill moves to formally entrench the offices of Leader of Majority and Leader of Minority in the Senate by amending Article 108, creating a formal order of precedence similar to that in the National Assembly.

Several other amendments to Articles 157, 228, 229, 233, 250 and 251 would replace references to the “National As-

sembly” with “Parliament” in the vetting and removal of constitutional office holders, giving the Senate equal power in appointments such as the Director of Public Prosecutions, Auditor-General, Controller of Budget and members of independent commissions.

The same provisions would require both Houses to jointly handle petitions for the removal of commissioners and holders of independent offices.

One step to financial autonomy



Senator Kathuri Murungi, who is also the Deputy Speaker.

It is just a matter of time before the County Assemblies formally gain the long overdue financial independence.

And now the time depends on President William Ruto’s diary.

Last week, the National Assembly considered the County Public Finance Management (Amendment) Bill, 2023, and passed it without amendments on July 29, 2025, paving the way for the county parliaments to finally break free from executive control.

Article 110 (5) of the Constitution provides that once a Bill concerning counties has been passed by both Houses in the same form, the Speaker of the House in which the Bill originated shall refer the Bill to the President for assent.

“I am in the process of referring the County Public Finance Laws (Amendment) Bill, 2023 to the President for assent,” announced Speaker Amason Kingi, when he communicated the decision of the National Assembly to the House last week.

The Communication was delivered by Senator Wakili Sigei, who was on the

chair. The Bill is sponsored by Senator Kathuri Murungi, who is also the Deputy Speaker.

The Deputy Speaker has argued that Members of County Assemblies (MCAs) have found it difficult to execute their oversight role because of lack of resources, forcing them to depend on cash releases from the County Governors.

Oftentimes, there is no money in the county assemblies.

“When MCAs do requisition funds for their work, they don’t receive them as this all depends on the governors. Because of this, the county assemblies have failed to perform as they rely on the governors to give money for their oversight role.

“We want to treat the 47 county assemblies the way the national Government treats both Houses of Parliament. Money allocated to Parliament in the national budget is shared by the National Assembly and the Senate through the Parliamentary Service Commission (PSC),” he said during the debate.

“It is us who decide what to do and

when. It is only that sometimes the Exchequer releases delay, but we have that autonomy and power to decide on what to do with our programmes. Most of the assemblies also told me that their staffers undergo manipulation and intimidation.”

County Assemblies depend on county executives for their funding which oftentimes are susceptible to multiple delays. The first is occasioned by the National Treasury which delays releasing funds to the counties. The county executives further create a delay in releasing funds to MCAs which hampers the performance of the county assemblies.

Under the County Government Act, the budgets of the county assemblies should not be lower than 7 per cent of the county’s total revenue, or twice the personnel emolument, whichever is lower.

The primary objective of the Bill is to amend Section 109 of the Public Finance Management Act, to establish a County Assembly Service Fund for each of the 47 County Assemblies. This move aims to ensure that County Assemblies have the ability to manage their finances independently, free from executive control, and in line with their constitutional mandate.

The Fund will be established in each of the 47 county assemblies and is meant to separate funds for the running of county assemblies from those of county executives.

With the creation of a dedicated fund for every county assembly in place, MCAs will use the fund to support the operations and administrative functions of the assemblies without interference from county executives. Each fund will be administered by the Clerk of the County Assembly, who will serve as the accounting officer, ensuring financial integrity and accountability.

Making the Clerk the administrator of the Fund will further enhance the independence of the county assembly because currently he has no powers on

matters to do with finances at the county executive.

The Bill gives the clerk the powers and will be answerable to the County Assembly Service Board (CASB).

Clause 6(7) talks about the role of the administrator in seeking approvals from the Controller of Budget (COB) before withdrawing money from the fund.

Should the President assent to the Bill, the County Assemblies will receive funds directly, eliminating the current overreliance on county executives and enabling timely and uninterrupted access to resources.

Senator Murungi says the financial independence will allow County Assemblies to exercise effective oversight over the executive, a fundamental function in ensuring transparency, accountability, and prudent use of public resources.

“By clearly delineating financial responsibilities, the Bill is expected to reduce frequent conflicts between the legislative and executive arms in counties, paving the way for smoother, more focused governance,” he said, adding that the Bill aligns with the spirit of the Constitution by empowering County Assemblies to serve the public more effectively, address local needs promptly, and play a more prominent role in policy and service delivery.

As the Bill awaits Presidential Assent, Senator Murungi says the legislation will mark a turning point in Kenya’s devolved system, enhancing the institutional capacity and independence of County Assemblies.

His leadership in sponsoring the Bill underscores his commitment to strengthening institutions, upholding the Constitution, and promoting development through accountable and empowered local governance.

“The County Public Finance Laws (Amendment) Bill, 2023, is not just a legislative milestone, it is a firm step toward realising the full potential of devolution in Kenya,” he said.

Committee starts hearings for Thika City bid

The Committee on Devolution and Intergovernmental Relations has started considering the request to confer city status on Thika Municipality.

Last week it held a meeting with Kiambu Governor Kimani Wamatangi which could shape the future of one of Kenya's most storied municipalities. The meeting was a crucial step in a journey that has been meticulously planned by the county government's leadership.

Governor Wamatangi presented a compelling case, arguing that Thika has not only met but surpassed the legal and administrative benchmarks required for elevation under the Urban Areas and Cities Act.

Thika's bid is rooted in its rich history and strategic importance. The town, which once served as a thriving hub for agro-processing and manufacturing, has long been a key driver of economic growth in central Kenya.

The Governor explained that Thika's population now exceeds the legal threshold of 250,000 residents, that the municipality has a demonstrable capacity to generate enough revenue to sustain its operations and that essential services, from water and sanitation to healthcare and disaster management, are already being delivered at a city-level scale.

"It is good for the Committee to note that Kiambu County has already committed over Sh10 billion to ongoing and planned infrastructure projects to prepare Thika for its new role, including the rehabilitation of key roads, drainage systems, and street lighting within the Central Business District," Governor Wamatangi submitted.

Members of the Committee were quick to point out critical gaps in the documentation provided by the county. Specifically, the Committee flagged the "omission of governance structures and audit records" as a major issue that needed to be addressed for a comprehensive review of the city status application.

"This is a matter of national interest, and proper documentation is key. We shall request additional records for a comprehensive review," noted Senator Richard Onyonka.

Senator Catherine Mumma, the



Senator Karungo Thangwa and Senator Mohamed Chute during the Committee sitting.



Governor Kimani Wamatangi and members of his Executive Committee team at the Devolution Committee.

Vice Chairperson of the Committee, acknowledged the county's efforts but stressed the importance of proper documentation to ensure the process is thorough and transparent.

"As a committee, we appreciate your presentation and the work your county has done so far. We shall scrutinise the documents submitted and invite supplementary information where necessary before making a final determination," said Senator Mohamed Abbas, the Committee Chairperson.

This reflects the committee's mandate to act as a final gatekeeper, ensuring that any new city is not only

economically viable but also administratively sound.

Achieving city status is a transformative milestone for any municipality, and for Thika, it would mean a significant leap forward by boosting the town's international visibility, making it a more attractive destination for both local and foreign investors.

More importantly, it would unlock access to development grants and funding, potentially exceeding Sh5 billion, which could be channelled into further improving infrastructure, social services, and economic development programs, besides creating new job opportunities and uplifting

the quality of life for its residents.

The push for Thika's elevation is part of a national trend, with towns like Eldoret in Uasin Gishu recently undergoing the same process, which shows that devolution is not just about bringing services closer to the people but also about empowering urban centres to become economic powerhouses.

The Devolution Committee will conduct site visits to verify Thika's suitability before preparing a final report, which it will table on the floor of the House for a resolution.

Committee wary on workplace accidents

The Committee on Labour and Social Welfare has engaged with officials from the Directorate of Occupational Safety and Health Services (DOSHS) and the National Council for Occupational Safety and Health (NA-COSH) to assess the implementation of occupational safety laws and progress on pending legislation.

The meeting addressed seven core questions raised by the committee regarding institutional capacity, collaboration with counties, workplace accidents, corruption, gender inclusivity, and communication challenges. The guests were led by Dr Musa Nyandusi, Secretary of Occupational Safety and Health (OSH), Ministry of Labour.

Dr Nyandusi presented key highlights, noting that in the 2024/25 finan-



Senator Julius Murgor, chair Labour Committee, (right), Senator Crystal Asige, the vice chair, and Senator Beth Syengo.

cial year, DOSHS had registered 25,961 workplaces, conducted 12,819 inspections, and trained over 61,000 workers on occupational health and safety. He attributed the progress to the adoption of the Occupational Safety and Health Man-

agement Information System (OSHMIS) a digital platform enabling real-time reporting and compliance tracking.

Despite the strides, the Directorate raised red flags about increasing workplace accidents 9,952 cases, including

390 fatalities—and poor compliance in sectors such as construction and agriculture.

“We face significant constraints, including outdated laws, insufficient staffing, logistical gaps, and limited awareness among employers and workers,” Dr Nyandusi told the committee.

Senator Julius Murgor, the chair of the Committee, inquired about DOSHS’s working relationship with county governments, especially in decentralized enforcement. “How are counties involved in inspections and training at the grassroots level?” he asked.

Dr Nyandusi acknowledged the need for stronger collaboration and said the Directorate is ready to deepen its reach if equipped with more resources such as vehicles, internet, and field officers.

Committee warns Governors on oversight

The Committee on Education has warned that the continued trend of County Governors failing to honour Senate invitations undermines oversight and delays critical work.

Senator Betty Montet, the chair of the Committee, cited the no shows from Governors of Kirinyaga and Samburu noting that their repeated postponements for appearance was a worrying pattern of absenteeism. Members of the Committee suggested that certain Governors could be avoiding Senate scrutiny deliberately, especially in counties facing challenges such as delayed teacher payments.

To curb delays, the Committee proposed that responses to invitations be submitted at least seven days in advance, with clear consequences for non-compliance. The Committee also adopted Senator Montet’s recommendation that the meetings of the Committee be moved to Mondays to allow rescheduling for absent governors.

“This Committee must not be crippled by absence and avoidance. There must be seriousness in our engagements,” explained Senator Montet.

The session also examined the draft model pre-primary school feeding programme, with Senators highlighting major gaps. They accused County Governments of diverting the programme’s focus to primary school learners instead of the intended Early Childhood Development Education (ECDE) beneficiaries.



Senator Betty Montet

Senator Montet faulted the Council of Governors for presenting a document lacking clarity and failing to address ECDE needs.

“This programme has nothing to do with ECDE learners, and it has been

overtaken by a commercial approach designed for primary schools”.

Senator Margaret Kamar urged counties to avoid duplicating national programmes, stressing that the priority must remain on pre-primary children.

Other members present — Senator Catherine Mumma, Senator Seki Lenku and Senator Johnes Mwaruma who supported calls for a review of county submissions to realign the feeding initiative with its original purpose.

Lack of goodwill challenge to devolution, Senator Mumma

Senator Catherine Mumma has cited lack of goodwill from the national Government as the greatest challenge facing the implementation of devolution, 13 years since the advent of the county governments.

The lawmaker said halfhearted support from the national Government and delays in cash disbursements are some of the systemic and structural challenges that are slowing down the progress in the realisation of devolution.

“We have witnessed remarkable progress in the country, particularly in historically marginalised regions, because of devolution,” she said in an interview on NTV’s Fix the Nation that was a dress rehearsal for the 2025 Conference which will take this week in Homa Bay County.

The theme of the programme was: “The Devolution Roll-Out: Hidden Cracks”.

The show was a curtain raiser for the Devolution Conference which will held in Homa Bay County this week. The lawmaker offered insight on the hurdles that have sabotaged the implementation while pointing out reforms that may lead into the future.

Key among the issues that reflect the



Senator Mumma when she addressed the public during the Devolution sensitisation week in Homa Bay County.

lack of goodwill on the part of the national Government is the delay in disbursement of funds which is making it practically impossible for counties to follow through with their development plans. “When counties can’t access funding in time, service delivery suffers” she explained.

Besides financing issues, Senator Mumma identified the failure by national Government to let go devolved functions saying that a sizable devolved

functions are still being managed at the centre.

She called on the national government to transfer agencies and parastatals such as Kenya Medical Supplies Agency (KEMSA), the National Syndemic Diseases Control Council (NSDCC), Kenya Urban Roads Authority (KURA) and Kenya Rural Roads Authority (KERRA) to county governments to stop duplication or roles and bring services closer to the people.

Senator Mumma said there is a need to address the deficit in technical capacities in the counties to effectively manage resources, monitor projects and enforce accountability. Targeted capacity building, she insisted, would not only empower counties but also allow them to address and manage their unique needs.

On oversight, Senator Mumma assured the country of the Senate’s commitment to safeguard devolution and spelled out how further constitutional amendments would empower the House even further in their role to ensure counties are not only adequately funded but also held to account.

Acknowledging existing challenges at the counties including corruption and abuse of office, Senator Mumma urged the relevant authorities to sustain investigations and prosecute cases without fear or favour.

“Devolution is only as strong as the structures that support it,” Senator Mumma affirmed adding that it will take commitment by elected leaders, political goodwill and support from the executive for devolved units to thrive.

Devolution Conference on this week

Homa Bay County will be the theatre of action as it hosts the 2025 Devolution Conference this week.

The Conference is a biennial event in Kenya that brings together stakeholders to discuss the progress, challenges, and future of the country’s devolved governance structure.

It serves as a platform for county governments, the national government, development partners, civil society, and citizens to engage in dialogue and exchange ideas.

The conference is scheduled to take place from Tuesday, August 12 to Friday, August 15 at Homa Bay High School, setting the stage for discussions tailored towards enhancing the devolved governance and ensuring service delivery

The theme of this year conference is: “For the People, For Prosperity: Devolution as a Catalyst for Equity, Inclusion and Social Justice.” The biennial conference aims to address persistent socio-economic disparities and redefine the role of county governments in Kenya.

The conference, the ninth of its kind, marks a return to a biennial schedule after the previous event in Eldoret in 2023.



Senator Beatrice Ogola and Senator Catherine Mumma during the devolution sensitization week in Homa Bay County.

It is designed to be more than a series of discussions; it’s a call to action to “re-engineer county governments to accelerate development and close the socio-economic divide”.

Over the course of the three thematic days, delegates will engage in high-level plenary sessions, side events, and exhibitions to generate actionable solutions.

The programme is structured to provide a comprehensive look at the challenges and opportunities facing devolu-

tion. President William Ruto is slated to officially inaugurate the conference on Wednesday, August 13, in which discussions will focus on fostering transparency, accountability and public participation by covering key sub-sectors such as civil education, social accountability and rule of law.

Day two of the event, which is themed Human Rights and Social Justice, will delve into mainstreaming socio-economic, political, civil, and cultural rights into

subnational governance.

A highlight of the day will be a keynote address by Former Prime Minister Raila Amollo Odinga.

The Devolution Conference 2025 will close on Friday, August 15, under the theme “Financing Equity and Inclusion, and will tackle the critical issue of resource allocation, with a closing address from Deputy President Kithure Kindiki.

Discussions will explore strategies for ensuring fairness in revenue division and promoting access to finance for entrepreneurs, including Micro, Small and Medium Enterprises (MSMEs).

In addition to the main plenaries, the conference will feature pre-conference activities from August 9 to 12, including a marathon, cultural events, and a concert, allowing delegates to network and explore the host country’s tourist attractions.

The conference is also a platform for knowledge exchange, with pavilions and exhibition booths showcasing innovations and best practices from various counties and organisations.

The outcome of the biennial conference will be a joint communique, a tradition of the Devolution Conference that has historically shaped policy and legislative environments.

Senator wants clarity on TSC pay system

Senator Richard Onyonka is questioning the irregularities in the payroll system of the Teacher Service Commission (TSC), noting that it has significant flaws in the administration of teachers' pay.

In a Statement to the House, the lawmaker cited the Auditor-General's report for the financial year ending June 2024 which highlights the flaws. It states that TSC overpaid teachers by a total of Sh433.9 million, attributing the overpayments to inefficiencies associated with manual reporting and processing systems.

To date, only Sh222 million has been recovered, leaving an outstanding balance of Sh211 million unrecovered.

"These irregularities are further compounded by concurrent audit revelations by the Ministry of Education which disbursed funds to non-existing schools," said Senator Onyonka, adding that it points to a wider systemic issue of mismanagement and weak oversight within public education institutions.

"This could go from all our secondary schools, universities and Technical and Vocational Education and Training institutes (TVETs)."

The Senator wants the Committee on Education to provide the current number of employment status of individuals on the TSC payroll, including verification of the status of all the listed personnel, the root causes of the payroll anomalies and systemic weaknesses that have led to the overpayments and several payments without going through the system.

He also wants the total financial loss attributable to non-existence or unauthorised personnel (ghost workers) and the criteria used to identify who they are and the measures being undertaken by the TSC to recover all the outstanding amounts from the affected individuals and any other person who may owe TSC and the Government.

"The Committee should explain the reforms taking place in the TSC to prevent recurrences, including biometric registration of all the teachers."

Senator Godfrey Osotsi said the revelations were serious because teachers continue to suffer as a result of the TSC's inefficiency, especially in the management of the electronic payroll system.

"If we cannot apply technology properly, we are better off going manual rather than wasting taxpayers' money pretending to implement technology while doing nothing," he told the House, adding that there are many other systems



Senator Godfrey Osotsi



Senator Richard Onyonka

in Government which have problems, including the one for managing schools; the NEMIS, the e-Citizen platform and others, which have serious technical issues and security issues.

The Ministry of Education has recently changed from the National Education Management Information System (NEMIS) to the Kenya Education Management Information System (KEMIS). It was just a simple name change, nothing major, yet billions have been spent. The Integrated Financial Management Information System (IFMIS) has been debated for ages but it still has many

flaws, despite years of discussion. Then there is the Ministry of Health and the Social Health Authority (SHA) Management System.

"Nothing seems to work in terms of applying technology in the Government.

The legislator cited the Computer Misuse and Cybercrime Act which provides that such systems, which handle large volumes of population and are usually classified in law as critical information systems or information data, are supposed to be categorised in law and gazetted as such.

"This provision in law has not been

complied with. I do not know what the Ministry of ICT and the Ministry of Interior and National Coordination are doing about this. As we advance in technology and as we onboard many systems to manage our operation, we need to ensure that such systems are categorized and gazetted as such because they have a huge impact on our population and on our economy.

"One of them is the TSC payroll system. There are many other systems that we continue to develop as a country.

Ministry forms team to audit Sacco law – CS Oparanya

The Ministry of Cooperatives and Micro, Small and Medium Enterprises (MSMEs) Development has appointed a committee of experts to establish the weak links in the Saccos Act, 2008 and explore how to address them.

Cabinet Secretary Wycliffe Oparanya told the House on Wednesday last week that one of the issues is to grant SASRA more powers to supervise the sector by giving it capacity which under the current arrangements it lacks.

“We need to build capacity in that institution so that it is able to supervise all the SACCOs,” said the Cabinet Secretary during last week’s question time

“The Ministry has also issued a circular to all SACCOs to ensure that they do not invest in non-core business because all those that have come up with the construction of buildings have gone bust.”

The Ministry has also issued circulars to make sure that any borrowing must be approved by the Commission of Cooperatives. All SACCOs will have to make returns to ensure that they are audited every year. And while the Ministry has improved oversight by making sure that members work within delicate system so that there are fewer people during the Annual General Meeting (AGM) to transact their business.

Mr Oparanya was responding to questions from Senator Margret Kamar who wanted him to order a forensic audit on the liquidation account of Moi University Savings and Credit Society, (MUSCO), and disclose the findings of the audit, the steps the Ministry taken to facilitate involvement of the SACCO Societies Regulatory Authority (SASRA), County Government of Uasin Gishu, Intergovernmental Relations Technical Committee (IGRTC), Moi University Savings and Credit Society(MUSCO) members and other relevant stakeholders in the MUSCO liquidation process.

She also wanted the CS to explain why the Commissioner of Cooperatives



Cabinet Secretary Wycliffe Oparanya

has failed to reinstate certification for resumption of back-office operations by the MUSCO in line with the recommendation made by the Committee on Tourism, Trade and Industrialisation of the Senate in July 2021 following its consideration of the Petition regarding the liquidation of MUSCO.

She also wanted to know what the Government is doing to facilitate full implementation of the recommendations of the Taskforce appointed in December 2023 to review the status of the MUSCO in Liquidation.

The CS said the audit recommended

that the Cabinet Secretary should facilitate the immediate lifting of the liquidation, reinstatement of a certificate of registration and appoint the interim committee to oversee the revival of the SACCO. It also asked the Government to inject Sh500 million to revive the institution and the Directorate of Criminal Investigation (DCI) to investigate suspected theft and misappropriation of funds and prefer criminal charges against the person of interest if found culpable

The task force also urged the Ministry to investigate identified Government officers and external auditors for variety

and negligence of duty while Co-operative Bank, the secured creditor was to be requested to consider writing off all penalties and interest on MUSCO loans, offer a moratorium for three years and zero-rate all outstanding facilities.

The CS said the issues raised about Moi University SACCO are rampant everywhere within the SACCO movement, one of which is the failure by employers to remit deductions, adding that universities and county governments are the major culprits. Deductions are done by the employer of cooperative members.

“This has been a problem in the entire Savings and Credit Cooperative Organisation (SACCO) sector with major culprits being universities and county governments. This is one of the issues that we are tightening within the Cooperatives Bill that is before this particular House. The issue is being addressed in the Bill so that the Commissioner for Cooperatives is given more powers to follow up on these deductions that have contributed to the collapse of many SACCOs. Members are deducted but the affected institutions divert the money to other uses, which is actually irregular.

“This Bill is supposed to address some of the governance issues that arose in the Moi SACCO. The Ministry is also reviewing the SACCO Act.”

The CS said all the stakeholders were involved in the task force: Moi University representative was involved, so was the county government representative as well as the private sector; the quantity surveyor and architecture.

“The Co-operative Bank which is the main bank of the institution was involved as well as the representatives from the neighbouring university, Eldoret University. We picked on prominent lawyers within that community. SASRA, the supervisory authority within the Ministry, was involved. A member of the ministry was also involved,” he told the House.

House annuls regulations on environment

The House has agreed with the Committee on Delegated Legislation and annulled key environmental instruments for procedural shortcomings.

In a unanimous decision, the House annulled the Environmental Management and Co-ordination (Strategic and Integrated Environmental Assessments and Environmental Audits) Regulations, 2025, failure to meet statutory thresholds.

The annulled Regulations had sought to repeal the existing framework governing environmental impact assessments and audits, aligning them with the Environmental Management and Co-ordination Act. The regulations also sought to address emerging environmental concerns such as climate change, enhance strategic environmental assessment procedures and strengthen public participation mechanisms as well as monitoring processes. Additionally, the Regulations were intended to better reflect the evolving, integrated nature of environmental and social impact assessments.

In a report to the House, Senator Mwenda Gataya Mo Fire informed the House that the Regulations fell short of legal requirements, prompting the Committee's decision.

"Having heard from the Ministry and having considered the Petition from



Senator Mwenda Gataya Mo Fire, chair Committee on Delegated Legislation.

the Environment Institute of Kenya, the Committee observed that the Regulations did not meet the threshold under the Statutory Instruments Act," Senator Gataya told the House.

Although the Ministry submitted a regulatory impact statement, it failed to include a draft of the Regulations as required by section 7(1)(g) of the Statutory Instruments Act. The version published on NEMA's website also lacked a schedule of proposed fees, effectively denying the public an opportunity to provide feedback on the charges.

The Committee also criticised the



Senator Danson Mungatana, the vice chair.

Ministry for relying on outdated public participation reports.

"Whereas the regulation making authority indicated that it had conducted public participation on the Regulations, the said consultations were conducted in 2018 nearly seven years before the Regulations were published in 2025," Senator Gataya observed, adding that the 2018 process was not meaningful or adequate in respect of the Regulations published in 2025.

Senators raised concerns about the extended delay in publishing the Regula-

tions, noting that the framework was developed prior to 2018 but only gazetted in 2025. During debate, Senators questioned the motive behind the seven-year gap and called for accountability.

The Cabinet Secretary had acknowledged flaws in the public participation process and wrote to the Committee requesting to withdraw the Regulations to allow fresh consultations, but she did not formally revoke the published Regulations. This inaction, the Committee argued, necessitated its intervention.

Senator Samson Cherarkey, Senator Mohamed Faki, Senator William Kising, Senator Aaron Cheruiyot, Senator Okongo Mogeni, Senator Edwin Sifuna, Senator Tabitha Mutinda, Senator Moses Kajwang supported the Motion and commended the Committee for a job well done even as they warned the Executive against bypassing legal procedures.

Senator Bonny Khalwale echoed the sentiment, stating, "The decision by the Committee is constitutional. Any attempt by anybody to make laws other than Parliament must be resisted with all the zeal."

The Motion received unanimous support from 28 Senators during the Thursday afternoon sitting, sending a strong message on the importance of legislative oversight and meaningful public engagement in regulatory processes.

This week in History – August 15, 2014.

House rejects Machakos Deputy Governor impeachment



Senator Mutahi Kagwe

The House has voted to reject the report of the Special Committee that was formed to hear charges against Machakos Deputy Governor Benard Kiala. Mr Kiala was impeached by the County Assembly on two grounds, gross violation of the National Cohesion and Integration Act and abuse of office. The Committee was chaired by Senator Mutahi Kagwe. The majority of the Members of the Special Committee found that the Deputy Governor had blatantly violated the National Cohesion and Integration Act through utterances and statements that were intended at causing ethnic division and hatred.

"This matter cannot and ought not to be taken lightly," Senator Kagwe told the House when moving the report of the Committee. "The history of our country and the history of many countries the world over is replete with examples of the consequences of statements and utterances by those in leadership that are intended to cause division on grounds of ethnicity and other divisible ideas. Historical contexts force us to illustrate the risk and results of the use of negative or derogatory ethnic speech."

He gave an example of the Nazi holocaust which he said did not just begin as a holocaust and the Yugoslav wars. "The Senate must with one voice pronounce its displeasure on matters of incitement to ethnic division and hatred. Our threshold on matters of ethnic division must be one that communicates to Kenyans how seriously we take this issue. We must ask ourselves a critical question. At what point is this threshold met in matters of ethnic-based incitement and division?"



Senator Kennedy Okongo said:

"Each day before we begin our parliamentary proceedings, we start with a prayer and there are some words which always linger in my mind. If I may quote a portion of our daily prayer which says that: "We seek guidance to treat and consider all matters that shall come under our deliberation in so just and faithful a manner as to advance the peace, prosperity and welfare of our country and for those whose interests you have committed to our charge". This is a prayer which lingers in my mind as I serve this House even in committees. It is among those reasons that when I looked at the charge that we held; which was accepted by the majority as having met the threshold of impeachment, then the question which arose was what the threshold of impeachment was."



Senator Agnes Zani said:

"When devolution came to the counties, there was a real promise, especially from the common citizen, that there would be a difference about the way we do things; and that devolution will not be about power and power struggles between various people at various levels within the counties. It was expected as a result that social, economic and cultural development would actually take place. Therefore, we have to put into context this impeachment. For the other impeachments, the socio-cultural implications have not really been there. But for this particular impeachment, the subjective nature of the charges makes it very mandatory for us to relook at the scenario and the context of this particular impeachment."



Senator Kipchumba Murkomen said:

"This is another very sad afternoon in the Republic of Kenya and the history of devolution. The reason is that we are again, the fourth time, presiding over an impeachment of a public officer in the person of a Deputy Governor of Machakos. The first one was the Governor of Embu, then we dealt with the Deputy Governor of Embu, then we moved all the way from Mt. Kenya region to the land of tea to deal with the impeachment of the Governor of Kericho, then we are now back to the other end, the dry areas of Machakos to preside over the impeachment of a Deputy Governor. Perhaps because it is Machakos and Ukambani area is a little bit dry that tortoises become the subject of this impeachment."

Maseneta wataka uwajibikaji katika usimamizi wa fedha za umma

Seneta James Kamau Murango na Seneta Fatuma Dullo wametoa wito kwa kamati husika za Seneti, wakitaka uwazi na uwajibikaji kuhusu matumizi ya fedha za umma pamoja na usalama wa wananchi.

Seneta Murango ameitaka Kamati ya Kilimo, Mifugo na Uvuvi kuchunguza matumizi ya fedha zinazolipwa na wakulima wa mpango wa unyunyuziaji wa Mwea kama ada za oparesheni na ukarabati. Ameerza wasiwasi kuhusu matumizi ya fedha hizo ambayo hayaoneshi matokeo yanayofungamana na hali halisi mashinani.

“Wakulima wanalipa shilingi 7,000 kila mwaka kwa ajili ya oparesheni na ukarabati, lakini mifereji imejaa matope, barabara mashambani hazipitiki na maji hayawafikii wakulima kama inavyostahili,” alisema Seneta Murango. “Ni lazima tujue fedha hizi zinaenda wapi.”

Seneta Murango alisema kuwa ingawa ada hizo hulipwa kwa njia ya kidijitali kupitia mfumo wa eCitizen, changamoto za miundombinu katika eneo hilo bado ni kubwa, hali inayoibua maswali kuhusu ufanisi wa matumizi hayo.

Alirejelea ripoti ya Mdhambi na Mkaguzi Mkuu wa Hesabu za Serikali, iliyoonesha kuwa zaidi ya shilingi bilioni



Seneta Fatuma Dullo

44.8 zilizokusanywa na Hazina ya Taifa hazijabainishwa matumizi yake. Alionya kuwa huenda michango ya wakulima wa Mwea ni miongoni mwa fedha hizo zilizopotea.

“Tunahitaji kujua kiasi kamili kilichokusanywa katika kipindi cha miaka mitano, miradi iliyotekelezwa na iwapo ukaguzi wowote umefanywa,” aliongeza Seneta Murango.



Seneta James Murango

“Seneti lazima itetee wakulima wetu. Uwajibikaji si hiari.”

Kwa upande wake, Seneta Fatuma Dullo ameitaka Kamati ya Usalama wa Kitaifa, Ulinzi na Mahusiano ya Kigeni kuchunguza kwa kina tukio la kutekwa nyara na kushambuliwa kwa aliyekuwa Afisa Mkuu wa Huduma za Afya wa Kaunti ya Isiolo, Abdirahman Mohamed Ibrahim. Seneta Dullo ameelezea hofu

kuhusu ongezeko la visa vya ukatili dhidi ya watumishi wa umma nchini.

“Abdirahman alitekwa nyara tarehe 13 Juni 2025, saa nane usiku, katika eneo la Maanzoni, Kaunti ya Machakos. Alishikiliwa kwa takribani saa tano, kuteswa, na baadaye kupatikana akiwa hana fahamu karibu na dampo la Ruai saa kumi na moja jioni,” alisema Seneta Fatuma. “Alivunjika mkono na kulazwa hospitalini, huku mali yake binafsi kama bastola iliyosajiliwa, simu ya mkononi na pesa zikiporwa.”

Seneta huyo alisema kuwa licha ya tukio hilo kuripotiwa, hakuna maelezo ya kuridhisha yaliyotolewa na idara husika, huku juhudi za familia na viongozi wa eneo hilo za kutafuta haki ziki-onekana kupuuzwa. Aliongeza kuwa ucheleweshaji wa uchunguzi huenda ni ishara ya njama za kisiasa, akisisitiza umuhimu wa mamlaka kueleza hatua zinazochukuliwa.

“Tunahitaji kujua ukweli kamili, majina ya washukiwa, sababu ya kushambuliwa kwa Bw. Abdirahman na ikiwa kuna mikakati ya kuwalinda maafisa wa umma na raia wanaolengwa kwa misingi ya kisiasa au kikazi,” aliongeza Seneta huyo.

“Seneti haiwezi kukaa kimya. Usalama wa wananchi si suala la hiari.”

Maseneta wataka majibu kuhusu dosari kwenye mishahara ya walimu

Seneta Richard Onyonka ameitaka Kamati ya Elimu kushughulikia kwa haraka hitilafu katika mfumo wa malipo ya Tume ya Huduma kwa Walimu (TSC), kufuatia ufichuzi wa ripoti ya Mkaguzi Mkuu wa Hesabu za mwaka wa kifedha uliokamilika Juni 2024.

“Ripoti ya Mkaguzi Mkuu wa Hesabu za mwaka wa kifedha unaokamilika Juni 2024 inaangazia dosari kubwa katika usimamizi wa malipo ya mishahara katika Tume. Haswa, ripoti hiyo inafichua kuwa TSC iliwalipa walimu kupita kiasi kwa jumla ya shilingi milioni 433 nukta 9, ikihusisha malipo ya ziada na uzembe unaohusishwa na mifumo ya kuripoti na kushughulikia kwa mikono,” alifichua Seneta Onyonka.

“Hadi sasa ni shilingi milioni 222.3 zimepatikana na kuacha salio la shilingi milioni 211 nukta 6. Ukiukwaji huu unachangiwa zaidi na ufichuzi wa ukaguzi wa wakati mmoja unaohusisha Wizara ya Elimu, ambayo ilitoa fedha kwa shule zisizokuwapo ikionesha suala pana la kimfumo la usimamizi mbovu na usimamizi dhaifu ndani ya taasisi za elimu ya umma.”

Seneta huyo aidha anaitaka Kama-



Seneta Mohamed Faki

ti hiyo kutoa ufafanuzi kuhusu idadi ya sasa na hali ya ajira ya watu binafsi kwenye orodha ya malipo ya TSC, ikiwemo hali ya uhakiki wa watumishi wote walioorodheshwa na sababu za msingi za makosa ya mishahara na udhaifu wa kimfumo uliosababisha malipo hayo ya ziada.

Kamati hiyo inayoongozwa na Seneta Betty Montet inapaswa pia kutoa ripoti kuhusu hasara ya jumla ya fedha inayotokana na watumishi wasiokuwepo au

wasioidhinishwa, vigezo vilivyotumika kubaini kasoro hizo, hatua zinazochukuliwa na TSC kurejesha kiasi ambacho hakijalipwa kutoka kwa watu walioathirika na marekebisho yaliyowekwa ili kuzuia kutokea tena.

Kwingineko Seneta Mohamed Faki ameitaka Kamati ya Uwiano wa Kitaifa, Fursa Sawa na Utangamano wa Kimaeneo kushughulikia kwa dharura kutengwa kwa muda mrefu kwa jamii ya Wanganzija katika Kaunti ya Mombasa,

ambao, licha ya uwepo wao wa kihistoria na michango, bado hawajatambuliwa kama kabila na serikali ya Kenya.

“Wanganzija ni jamii inayozungumza Kiswahili wanaoishi pakubwa katika pwani ya Kenya, hasa katika Kaunti ya Mombasa. Licha ya mchango wao wa kitamaduni na kidini katika eneo hili, wanaendelea kuteseka kutokana na kutengwa kimfumo,” alisema Seneta Faki.

Kulingana na Seneta Faki, ukosefu huu wa kutambuliwa rasmi umewanyima Wanganzija kupata huduma muhimu za serikali, uwakilishi katika taasisi za umma na kujumuishwa katika mipango ya usawazishaji iliyoundwa kuinua vikundi vya wachache hivyo kukiuka dhamira ya Katiba ya usawa na ushirikishwaji.

Aidha ameitaka Kamati hiyo kufafanua hatua zinazochukuliwa haswa na mashirika ya serikali kuhakikisha Wanganzija wameandikishwa rasmi na kutambuliwa kisheria kuwa kabila ndogo. Pia anataka hakikisho kwamba jamii hiyo itajumuishwa katika sensa za kitaifa zijazo, uteuzi wa umma na mipango ya maendeleo inayoyalenga makundi yaliyotengwa.



1. Co-operatives Cabinet Secretary Wycliffe Oparanya is escorted to the Chamber by Senator John Kinyua when he arrived in Parliament to respond to questions from Senators.

2. A delegation from the Bunge Mashinani Institute of Governance after their familiarisation tour of the Senate last week.

3. Dr Johnson Okello, the Director Legal Services in the Senate, speaks during the one-day bonding retreat for the officers serving in the Directorate.

4. Health Cabinet Secretary Aden Duale speaks to Senators when he appeared before the Committee on Delegated Legislation. From left, Senator Danson Mungatana (vice chair), Senator Dan Maanzo, Senator Betty Montet and Senator Joyce Korir.

5. The Director, Legal Services in the Senate, Johnson Okello, with officers from the department during their bonding retreat that was held in Kiambu County last week.



1. Senator Allan Chesang with learners from Elimu Star Academy, Kitale, Trans-Nzoia County, at the Senate.

2. Senator Wahome Wamatinga interacts with teachers and students from Gitugi Comprehensive School, Othaya, Nyeri County, at the Senate.

3. Senator Wakili Sigei and Hon Victor Koech with learners from Chebunyo Girls, Bomet County who were in the Senate on a study tour.

4. Learners and teachers from Safa School Garissa County follow proceedings at the Senate

5. Senator William Kisang and Hon Timothy Toroitich welcome Learners and tutors from Kaptomot Comprehensive School after their visit to Parliament on an academic tour.



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