



The SENATE

Safeguarding Devolution

Issue No. 0090

Weekly

Senate halts statutory deductions debt

Senators declare that persistent delays by counties in remitting statutory deductions constitutes serious material breach that calls for stoppage of funds to such entities.



A sitting of Senate during the 2025 Senate Mashinani in Busia County.

The Senate has instituted tough legislative measures that, if implemented, will improve the management of public finances and bolster accountability in county governments.

In an unprecedented move, Senators have amended the law to declare that persistent delay or outright failure by public entities to remit employee salaries, statutory deductions including taxes, pension, social health insurance or cooperative societies deductions shall hence constitute serious material breach or persistent material breach that call for the stoppage of funds to such an entity.

The amendment seeks to arrest the huge bill of unremitted statutory deductions that have soared to Sh100 billion in penalties and interests, subjecting public servants to a post-retirement life of penury.

On Thursday, February 26, the House unanimously approved amendment to Section 94 of the Public Finance Management Act to declare the delay by counties to remit employee salaries, statutory deductions including taxes, pension, social health insurance or cooperative societies deductions, will constitute a serious material breach or persistent material breach for purposes of stopping transfer of funds under Article 225(3) of the Constitution.

Section 93 of the Act provides that it shall constitute a serious material breach or persistent material breach for purposes of stopping transfer of funds under Article 225(3) of the Constitution if a county entity is unable to meet its financial commitments as set out in the Constitution.

It defines serious material breach or

persistent material breach where a public entity fails to make any payments as and when due, defaults on financial obligations for financial reasons, has an operating deficit in excess of a percentage of revenue in the most recent financial year for which financial information is available as prescribed in regulations or is more than 60 days late in submitting its annual financial statements to the Auditor-General in accordance with the law.

Where a county entity is in serious or persistent material breach of its obligations or financial commitments, the Cabinet Secretary shall, in accordance with Article 225 of the Constitution, immediately stop the transfer of funds.

Through the Public Finance Management (Amendment) Bill, 2024, the House approved amendments to Section 109 of the Act to compel public entities to re-

mit statutory deductions without fail.

The amendment introduces a new set of requirements and deductions that County entities with huge liabilities of unremitted statutory deductions will have to submit to the Controller of Budget as a prerequisite for accessing their budgetary allocations.

As part of the envisaged controls, county entities will be required to submit several documents to the Office of the Controller of Budget detailing their status in remitting statutory deductions before they are allowed to withdraw cash from the County Revenue Fund.

County Governments will be required to submit a statement detailing progress made in paying their outstanding statutory deductions, a certificate confirming payment of pending statutory deductions issued by the relevant statutory institutions and a statement detailing their plan for repaying the statutory deductions which shall be accompanied by an agreement signed by the relevant statutory institution accepting the repayment plan.

As of September 2025, the Controller of Budget reported that unremitted pension contributions alone by counties have accumulated to about Sh115.2 billion, including liabilities inherited from former local authorities.

The data indicates that the liability has worsened in the post devolution era. County Governments inherited a pension liability of Sh21 billion. But the burden has grown by about 450 per cent in the last 13 years to the current Sh115 billion.

These figures mainly relate to pension deductions owed to schemes such as LAPTRUST, LAPFUND, and the County Pension Fund. Nairobi County leads the log with an estimated unremitted amount of Sh40 billion, followed by Mombasa County (Sh9.44 billion), Ga-



Senator Ali Roba, the chair of the Committee on Finance, Senator Tabitha Mutinda, the vice chair, and a member of the Secretariat during a meeting of the Committee.

rissa County (Sh1.83 billion), Migori County (Sh1.73 billion), Kisii County (Sh1.28 billion), Homa Bay County (Sh1.10 billion), Wajir County (Sh1.09 billion), Meru County (Sh1.00 billion), Machakos County (Sh951 million) and Trans Nzoia County (Sh903 million).

The figure could be higher if PAYE, NHIF/SHIF, NSSF, and other mandatory

deductions taken from employees' salaries but not forwarded to the relevant bodies are taken into account.

Because of the delay in remitting deductions by the counties, interest and penalties have accumulated over the decade of devolution, penalties linked to non-remittance of statutory deductions have reached about Sh43.7 billion.

If pension liabilities and penalties are included, the total financial exposure linked to unremitted statutory deductions in counties exceeds Sh100 billion, making it one of the largest fiscal management problems in county governments.

Accounting Officers in public entities will now have two months after the end of each financial year to prepare annual financial statements and submit to the office of the Controller of Budget and the Auditor General for audit.

Currently, the law gives the officers three months to undertake the task, which usually runs from July 1 to September 31 of every year.

On Thursday, February 26, the Senate approved an amendment to the Public Finance Management Act, to reduce the period from three to two months. This

means that the financial statements must be prepared and submitted to the two independent offices by August 31 of every year.

The amendment was sponsored by the Committee on Finance and Budget. It was proposed by Senator Tabitha Mutinda, the vice chair of the Committee.

In the Proposal, the Committee successfully pushed for amendment to various sections of the Act: Section 23 (1), Section 24 (10), Section 68 of the Act.

Section 23 (1) mandates the National Treasury to prepare and submit to the Auditor-General financial statements for that year in respect of the Contingencies Fund not later than three months after the end of each financial year.

In the amendment, the Committee has reduced the time to two months.

Call for probe into Deputy Governors' working conditions



Senator Edwin Sifuna



Senator Wahome Wamatinga



Senator Mohamed Abbas and Senator Catherine Mumma

Senator Edwin Sifuna has decried the deplorable state of the Office of the Deputy Governor saying it has been rendered ineffective by Governors, urging the House to launch an inquiry into the welfare and working conditions of the holders of Office.

Deputy Governors have complained that their bosses have reduced them to reading newspapers with no meaningful duties. They complain of being denied official vehicles, arbitrary closure of their offices, withholding of budgetary allocations to facilitate the office and the Senator says this is a blatant disregard of the spirit of the Constitution in the administration of devolved units.

"The offices of the governor and deputy governor are meant to complement each other, while providing stability and continuity for the county," he said, noting that many deputy governors now operate merely at the mercy of governors, reduced to peripheral roles, deployed on a whim and shut out from access depending on gubernatorial moods.

"It is imperative that the Senate, in exercising its oversight mandate pursuant to Article 96 of the Constitution, launches an inquiry into the welfare and working conditions of deputy governors," he said in a Personal Statement to the House.

The Senator, who is also the Deputy Minority Whip, observed that there is

the possibility that many holders of the office may be suffering in silence, noting that such a situation sustains the negation of devolution and the shrinking of the democratic gains made in the country's long journey of constitutionalism.

"The practice of rendering the office of deputy governor nonfunctional should be treated as deliberate, not accidental. It amounts to impunity, particularly when one considers that deputy governors are ordinarily running mates of governors at election time."

He observed that many relationships deteriorate soon after elections, with adverse consequences for service delivery and county stability, arguing that the kind of power play is dangerous and must be arrested.

"It is unfortunate that 16 years after the promulgation of the Constitution, we still grapple with such critical issues of devolution as the functionality of the office of deputy governor. The abuse of power by some governors in their relationships with their deputies is a testament to the fact that a new Constitution does not, by itself, eradicate old regressive habits and attitudes."

The Senate has previously attempted to remedy the situation through the County Government Laws (Amendment) Bill, 2024, whose object is to amend the County Governments Act to provide for specific functions for the of-

fice of the deputy governor.

After scrutinising the Bill, the Committee on Devolution and Intergovernmental Relations proposed an amendment that will compel the Governor to allocate functions to their deputies.

He regretted that the House is yet to prioritise the Bill and accelerate its passage into law, so as to give clarity, protection and proper legitimacy to the office.

"Without clear statutory backing, we cannot entrench the office and move it from being a face of humiliation, dehumanisation and neglect, an outcome that reflects a glaring failure of our systems." He added: "Focused action on this matter would help bring to an end the current administrative ambiguity and strengthen executive coordination within county governments."

He urged the Senate to stand firm as the institution of last resort in safeguarding devolution, serving as vigilant watchmen of the Constitution, where other institutions have faltered.

"The plight of deputy governors may be one of many constraints to effective devolution, but while it is before us, we have no option but to resolve it in a manner that assures citizens that this House remains true to the ideals of the Constitution."

Senator Wahome Wamatinga supported the Statement and called for clarity in

the law to define their roles as principal assistants to the governors.

"They are just at the mercy of the governors. We need to define the roles of the people, so that when they get into the office, we know how we can allocate their duties, resources and most importantly, ensure that the work that they have been allocated to do is being done without being at the mercy of the governors."

Senator Tabitha Mutinda said many deputy Governors are suffering because as a House, the Senate has not finalised on the Bill and structures that need to be set as far as the issues of the deputy governors are concerned.

"When the deputy governor's office is set to standard, we will actually be having very minimal accountability issues in this country. I urge the House to speed up on the issue of the deputy governors."

Senator Abbas Mohamed, who also chairs the Devolution Committee, the solution lies in the enactment of the Bill.

"We have proposed that where it has been said that the governor allocates duties to the deputy governors, we have changed it to "shall." This makes it mandatory that the deputy governors must be given and have responsibility constitutionally and their office must be resourced. I hope that will solve the problem.

Committee hails Embu County for ECDE effort



Senator Betty Montet, chair Education Committee.



Senator Margret Kamar



Members of the Education Committee: from left, Senator Lenku ole Kanar, Senator John Methu, Senator John Kinyua and Senator Johnes Mwaruma.

The Committee on Education on Thursday, March 12, held a consultative meeting with the Embu County Executive Committee which was led by Governor Cecily Mbarire. The aim of the meeting was to deliberate on the current status of Early Childhood Development Education (ECDE) and Vocational Training Centres (VTCs) within the County.

The session forms part of the Committee's ongoing national assessment of ECDE and TVET implementation across all 47 counties, aimed at strengthening the delivery of foundational learning and skills development under devolved governance.

Governor Mbarire, accompanied by the CEC for Education Monica Mwikali, and senior county education officials, briefed the Committee on the progress made in expanding access to ECDE services and strengthening vocational training opportunities for youth across the county.

Embu County has 404 public ECDE centres and 142 private ECDE centres, serving a total enrolment of 27,718 learners. Of these, 19,209 learners are enrolled in public centres while 8,509 attend private ECDE institutions, demonstrating the complementary role played

by private providers in supporting early childhood education.

A total of 9,975 learners are enrolled in PP1 and 9,234 in PP2 within public ECDE centres, reflecting steady participation in early childhood education.

The Governor also highlighted the county's commitment to ensuring access to early childhood education.

"We do not charge any tuition fees in our ECDE centres. Our focus is to ensure that every child can access early learning regardless of their background," said Governor Mbarire, adding that the county had revised construction costs to reflect prevailing market conditions.

"Previously each ECDE classroom unit cost about Sh1.2 million to construct, but following a review of Bills of Quantities, the cost was revised to approximately Sh1.5 million per unit to align with current market rates," she explained.

The Committee further heard that approximately 95 per cent of ECDE centres in the county are located within existing primary schools, enabling a seamless transition from early childhood education to primary schooling. Additionally, 21 ECDE centres operate as feeder or stand-alone centres in remote areas, helping improve access to early

learning for children in hard-to-reach communities.

The Governor also outlined ongoing plans to strengthen the county's ECDE school feeding programme.

"We phased the Uji feeding programme earlier, but we will be launching the second phase in May 2026 to ensure that all learners in public ECDE centres benefit," she stated.

Senators raised several issues relating to infrastructure standards, teacher welfare, and learning environments for young children.

Senator Johannes Mwaruma sought clarification on the financing and implementation of quality assurance mechanisms in ECDE centres as well as teacher welfare.

"Quality assurance is critical in early childhood learning. We must ensure that proper systems are in place to monitor standards and support teachers delivering foundational education," said Senator Mwaruma.

Senator Margaret Kamar underscored the importance of providing child-friendly learning environments for ECDE learners.

"Young learners require spaces designed specifically for them. Facilities such as sanitation blocks and classroom

furniture should reflect the unique needs of ECDE pupils," she noted.

Senator John Methu commended the county for progress made in strengthening education financing and teacher support mechanisms.

"We are encouraged by the steps taken to implement the scheme of service for ECDE teachers and the increased investment in education development programmes," he said.

Senator Seki Lenku welcomed the county's efforts in supporting learner welfare through school feeding initiatives. "School feeding programmes play an important role in improving enrollment and retention among young learners," he observed.

Senator Betty Montet, the chairperson, commended the County for prioritising early childhood education while encouraging continued investment in quality learning environments.

"This function was previously underrated, but it is encouraging to see counties increasingly prioritising ECDE and vocational training. Our children deserve quality education from the earliest stages," she said.

Also present during the meeting was Senator James Murango and Senator Munyi Mundigi.

Committee wants health infrastructure in Lamu improved



Senator Mutinda leads the inspection of facilities around the King Fahd Referral Hospital in Lamu County.



Senator Richard Onyonka and members of the Public at the Hospital.



Senator Mutinda speaks to hospital staff at Mpeketoni Sub County Hospital.



The committee engages with staff at the record keeping section at King Fahd Referral Hospital.

The Committee on Health has raised concerns over gaps in healthcare infrastructure following an oversight visit to King Fahd Referral Hospital and Mpeketoni Sub-County Hospital in Lamu County.

The visit forms part of the Committee's constitutional mandate to assess the status of healthcare service delivery, infrastructure, and resource utilisation in public health facilities across the country.

During the inspection, the Committee noted several shortcomings at King Fahd Referral Hospital, including the absence of a mortuary. Senators expressed concern that the nearest mortuary facility is located approximately 50 kilometres

away at Mpeketoni Sub-County Hospital, forcing grieving families to transport the bodies of their loved ones over long distances.

"It is deeply painful that King Fahd Referral Hospital does not have a mortuary. When families lose their loved ones, they are forced to travel all the way to Mpeketoni. This is a matter that must be addressed urgently," said Tabitha Mutinda, the vice chair of the Committee.

Senator Joseph Githuku echoed the concern, noting that while the county respects religious diversity, the presence of a mortuary facility remains necessary to serve all residents.

"We must respect the religious diversity in Lamu, but we also have Christian

communities who require mortuary services. Establishing a mortuary at King Fahd Hospital is therefore essential," he stated.

Senator Mutinda also observed that the standard of maternity services in the two facilities remains low, a situation that may be discouraging women from seeking services in the health facilities within the county.

The facilities lack incinerators, inadequate staff welfare, shortages of hospital linen, and instances of conflict of interest that may negatively affect service delivery to residents.

The Vice chair commended Lamu County for promoting women's participation in the health workforce, urging

female staff to continue discharging their duties with professionalism and dedication.

Senator Richard Onyonkah called on the county government to urgently address the identified challenges, emphasising that county administrations have the capacity and responsibility to improve healthcare services for citizens.

Lamu Deputy Governor Mbarak Bhajaj informed the Committee that delays in reimbursement under the Social Health Authority (SHA) remains a major challenge affecting county health facilities. He assured the Senators that the county government has taken note of the gaps raised and will work towards addressing them.

Anger over 42 deaths in Nairobi floods

The House has expressed frustrations following the death of an estimated 42 people after Nairobi flooded as a result of heavy rains that pounded the capital on Friday, March 6, 2026.

Apart from the deaths, the rains caused widespread flooding across Nairobi City County, leading to road closures, damage to property, displacement and distress among the residents.

Emergency reports confirmed severe impact in areas such as Embakasi, Pipeline, Mukuru, Kibra, Mathare, Huruma, South B and C, Langata, Umoja, Njiru, Utawala, Roysambu, Githurai, Loresho and parts of Westlands. Major roads including sections of the Central Business District, Uhuru Highway, Mbagathi Way, Mombasa Road, Thika Superhighway, Jogoo Road, Lungalunga Road, Enterprise Road and Langata Road were also rendered impassible.

Senator Boni Khalwale said there is no excuse for the deaths and the suffering Nairobians were subjected to as a result of the rains.

“People have died, property has been destroyed and the reason is there for all to see. It is because of poor planning, failure to enforce the bylaws for construction and corruption,” said the Senator, even as he blamed Parliament for failing in its oversight mandate.

He observed that 90 per cent of the buildings that are being constructed on riparian land in Nairobi have come up in recent years.

“That is our oversight. Governor Johnson Sakaja should be told, if he does not know how to do it, he should pack up and go.”

Senator Khalwale was making comments on a request for a Statement by Senator Hamida Kibwana who wants the Committee on Transport and Housing to investigate the flooding and provide a detailed report to the House on the measures being taken to address recurrent flooding, drainage failures and poor urban planning in Nairobi City County.

She told the House that the recent flooding incidents have highlighted the inadequacy of Nairobi’s storm-water systems, the encroachment on riparian reserves and weak development control, which continue to expose residents, businesses and



Senator Beatrice Ogola



Senator Seki ole Kanar



Senator Hamida Kibwana



Senator Eddy Oketch.

critical infrastructure to avoidable risk during heavy rains.

She wants the on Committee on Roads, Transportation and Housing to state the immediate actions currently being undertaken by Nairobi City County Government and relevant national agencies to manage flooding, including rescue operations, drainage clearance, reopening of the roads and protection of residents and property.

“The Committee should point out the identified chronic flooding locations, drainage corridors and affected road sections with details of planned interventions and clear timelines of implementation,” she said.

She wants the Committee to explain the status of any audits conducted on Nairobi’s storm water drainage system, its findings on adequacy and carrying capacity and corrective measures being implemented.

Measures to remove illegal developments on riparian reserves, waterways, road reserves and drainage corridors as well as strategies to prevent continued encroachment. The planning, zoning and development control measures being enforced to ensure future infrastructure projects

incorporate adequate drainage, flood mitigation and climate resilient systems.

The interagency coordination framework for responding to rainfall advisories and mitigation, flood risks and long-term policy, legislative and budgetary measures to deliver and integrate drainage rehabilitation and climate resilient urban planning framework befitting Nairobi’s status as a capital city.

Senator Edwin Sifuna called for a proper audit and review of how the entire city drains. “As the leadership in Nairobi, together with the national government, there are a few things we believe we can do to assuage the situation and we will be doing it both at our individual and corporate capacities to try and extend help to those who have been affected.”

Senator Samson Cherarkey called for compensation to the families that lost their loved ones saying the tragedy was a result of criminal negligence.

Senator Beatrice Ogola linked the problem of flooding in the capital to poor planning and failure to upgrade facilities with the growing popula-

tion.

“The issue of flooding is not limited to Nairobi; nature respects nobody. With urbanisation coming - we are not going to stop it because in 35years to come, 50 per cent of the Kenyan population and any other place will be moving towards urban centres - it is then only prudent that as governments, we plan for those populations that are going to move to the urban centres,” she said.

Senator Godfrey Osotsi said one of the challenges is that the majority of the roads in Nairobi are still under the Kenya Urban Roads Authority (KURA) and the Kenya Rural Roads Authority (KeRRA) yet they are devolved. The roads are supposed to be managed by the Nairobi County Government.

The KURA and KeRRA are the ones who do the drainage systems.

Senator Lenku ole Kanar said Governor Johnson Sakaja has a responsibility to build stormwater drainages in Nairobi and inform the public about his budget on issues concerning stormwater drainages.

State reviewing judgement on intern teachers

The government is reviewing a court ruling that declared the internship programme for junior secondary school teachers unconstitutional.

The move could affect 44,000 teachers currently serving as interns with Education Cabinet Secretary Julius Migos Ogamba telling Senators that the Ministry of Education and the Teachers Service Commission (TSC) are studying the ruling before deciding on the next step.

The Court of Appeal ruled that the policy on internship for teachers is null, void and discriminatory because the teachers are trained and have TSC numbers. The CS explained that the government must first assess the legal and financial implications of implementing the judgment.

“There might be financial and budgetary implications on obeying it and once we determine the extent of the legal and financial implications, we will move as required to ensure that we obey that court ruling,” he said.

The disclosure came after Senators raised concerns about the status of the intern teachers.

Senator Enock Wambua wanted the ministry to clarify the measures being taken to absorb the interns into permanent and pensionable employment.

The CS confirmed that 44,000 teachers are currently affected by the ruling, signalling potentially significant financial implications for the government.

The CS also rejected a suggestion by Senator Dan Maanzo that CBC is unconstitutional on account of discrimination.

“Ninety percent of the schools already have sufficient facilities. The Ministry is undertaking the construction of 1,600 laboratories to ensure that the schools that do not have these laboratories have them. The ministry is doing everything possible to ensure that all schools have the necessary infrastructure to support the curriculum so that none of our students in any areas of our country is discriminated against,” he said.

Senator Maanzo had argued that the



Senator Enock Kibwana

Court of Appeal ruling suggested that JSS is unconstitutional in the sense that it has caused discrimination in the country in terms of the facilities needed to take a child through school.



Senator Dan Maanzo

He cited things like computers, availability of electricity and the extracurricular activities where many children in the rural schools are totally unable to match with the ones in the developed areas of the city schools.

CS Ogamba defends hosting JSS in Primary Schools

The government has defended the decision to host Junior Secondary Schools (JSS) within primary schools, citing logistical needs and the outcome of public participation on the matter.

Education Cabinet Secretary Julius Migosi Ogamba said the policy was informed by public submissions and cost considerations.

He told the Senate that 93 per cent of submissions to the Presidential Working Party on Education Reforms supported domiciling junior schools in primary schools, noting that only five per cent proposed placing them in secondary schools.

The CS said the arrangement was designed to ensure smooth transition for Grade Six learners, explaining that placing junior secondary schools in primary institutions would prevent younger learners from facing psychosocial challenges associated with mixing with older secondary students.

The decision was also driven by financial considerations.

“Standard Seven and Eight classrooms would otherwise remain unoccupied. The Government sought to maximise existing facilities instead of constructing new school complexes,” he said.

He spoke on the floor of the House on Wednesday when he responded to a question from Senator Edwin Sifuna who had wanted to know why JSS is not autonomous and distinct from primary schools, despite JSS Boards of Man-



Education Cabinet Secretary Julius Ogamba responds to Senators concerns on Wednesday.

agement operating separate accounts for JSS functions.

He also wanted to know why are heads of primary schools, who are neither trained nor legally mandated to supervise graduate JSS teachers, being tasked with managing JSS alongside their primary school duties, despite concerns over management conflicts and calls for administrative independence. “Could the Cabinet Secretary also explain the Career Progression Guidelines (CPGs) applicable to all teachers, including those serving in the Junior Secondary Schools?” asked Senator Sifuna.

Under the arrangement, both primary and junior secondary sections are managed by a single head teacher and board of management.

However, separate financial accounts are maintained because the two levels receive different capitation funding.

The CS said heads of institutions are regularly capacity built to discharge their administrative roles effectively.

Through the Teacher Service Commission (TSC), the Government continuously retools heads of institutions managing both primary and junior schools on key aspects of institutional administration, teacher management and the implementation of the junior school curriculum, he said.

“Support is also provided by TSC and the Ministry of Education to all field officers.”

He said teacher induction, mentorship and coaching programmes have also

been institutionalised across all public basic institutions, including junior schools, to strengthen professional practice, improve instructional leadership and ensure that newly deployed junior school teachers receive the necessary mentorship and support for effective curriculum delivery.

“In terms of career progression, guidelines were adopted between 2015 and 2016 by the TSC in consultation with the Salaries and Remuneration Commission (SRC) that conducted a job evaluation for all the teachers,” he explained, adding that based on the findings of the job evaluation report, the SRC rendered a formal advisory under Article 230 of the Constitution proposing a remuneration structure for teachers in the public service.

“The career progression guidelines have a comprehensive and definitive career progression framework for primary school teachers, secondary school teachers, teacher training college lecturers, and special needs education teachers.”

The CS said the guidelines outline the qualifications, skills, competencies and experience required for advancement in the profession by setting out the minimum requirements for selection, appointment and promotion of teachers at different grades.

“Under the competency-based education system, the curriculum content for the learners in junior school is of secondary school level, which can only be taught and implemented by graduates trained as secondary school teachers.”

Controversy over Government drought response



Senator Mwenda Gataya



Cabinet Secretary Beatrice Askul Moe

The Senate has expressed concern on the government's drought response after a Cabinet Secretary admitted that about 3.3 million people across 23 Arid and Semi-Arid Land (ASAL) counties are currently food insecure.

On Wednesday, the House was told that the number is projected to rise to 3.68 million by June 2026 if rains fail in the counties.

The Cabinet Secretary for East African Community Affairs, ASALs and Regional Development Beatrice Askul Moe, told lawmakers that drought conditions persist across many counties despite some off-season rainfall in February.

"The country has experienced successive below-average rainfall seasons and above-normal temperatures, depleting rangeland resources and increasing pressure on pastoral livelihoods," she told the House.

According to the ministry's drought classification, Mandera, Kilifi, Kwale and Wajir counties are currently in the alert phase.

This is indicating severe drought stress that requires urgent intervention.

A further 13 counties, among them Samburu, Baringo, Marsabit, Kitui, Kakajado, Turkana and Garissa, are in the

alert phase.

Laikipia and Narok remain in the pre-alert stage, the CS said.

The Cabinet Secretary revealed that 810,871 children aged between six and 59 months and 116,796 pregnant and lactating mothers are acutely malnourished.

She warned that the situation poses serious public health risks if interventions are not expanded.

The CS was responding to a question raised by Senator Enock Wambua on drought mitigation and long-term adaptation strategies.

The lawmaker wanted the Cabinet Secretary to provide an update on the drought situation in the country, and disclose the data used by the government to classify the affected areas, how the current budgetary allocation for drought mitigation and response across counties was distributed and whether the CS could provide details on the specific programmes that have so far been rolled out in each affected county to mitigate the adverse effects of drought.

The Senator also wanted to know the measures the Ministry put in place to ensure effective coordination of drought response efforts by the national Government, county governments, development partners, and humanitarian agencies and

When the Government expects the ongoing drought response programmes to stabilise the livelihoods of the most affected communities.

The Cabinet Secretary was also called upon to outline indicators that would be used to assess success, the long-term climate adaptation strategies the Government is implementing to enhance drought preparedness and resilience and a disclosure of the Government's current and planned investment in climate change agriculture initiatives.

To mitigate the crisis, the CS said the government has rolled out drought response interventions, including water trucking, fuel subsidies for water supply systems, borehole repairs and provision of livestock feed.

The interventions are funded through a Sh265.7 million budget.

Additionally, the CS said the government has been disbursing cash transfers to vulnerable households under the Hunger Safety Net Programme.

The move has seen at least Sh1.85 billion paid between November 2025 and February 2026.

Senators however criticised the responses as inadequate.

Senator Enock Wambua said the ministry had merely painted a grim picture without explaining how the government

would address malnutrition.

"I would have expected the CS to tell the House what the Government is doing about this situation and not just paint a sorry state of affairs," he said.

Senator Mwenda Gataya Mo Fire challenged the Ministry to state the specific measures being implemented to ensure transparency and accountability in the allocation of drought response funds in other areas.

Senator George Mbugua wanted to know the warning systems your Ministry has put in place and how effective they have been in mitigating this menace.

The CS said the drought early warning system monitors drought conditions on a monthly basis to track trends and emerging issues or risks.

"At the end of each rainfall season, a comprehensive food security assessment is conducted to evaluate the impact of seasonal performance on livelihoods," she said, adding that food security assessment adapts multi-hazard approach and considers national risk factors such as floods, pests and diseases, conflict and insecurity which may compound the effect of rainfall, deficits and further undermine household resilience.

Timelines introduced for County Finance Bills

County Governments will be forced to enact Finance Bills before the start of every financial year, according to a new Bill that has been approved by the Senate.

A Finance Act is the law that gives the government legal authority to raise revenue for a financial year. It operationalises the tax and revenue proposals that are usually presented in the budget.

The Act introduces new taxes, changes tax rates or removes taxes proposed during the budget.

Once passed by the legislature, the Act becomes the legal basis for revenue collection.

In the past, some counties have delayed enacting the law forcing them to collect revenue without legal authority. This has exposed them to court challenges and in some cases refund claims.

Nairobi, Kisumu, and Nakuru counties have at different times experienced delays in passing Finance Bills after the start of the financial year.

The Senate has stepped in and passed the Public Finance Management (Amendment) Bill, 2024, which provides strict timeliness for the enactment of county Finance Bills.

The decision aligns with previous decisions in which courts have ruled that the Finance Bill must be introduced, considered, and enacted before June 30 of every year because of the budget cycle



Senator Tabitha Mutinda

The amendment was proposed by the Committee on Finance and Budget.

The aim of the Bill, which originated from the National Assembly, was to clarify debt threshold compliance dates, introduce accrual accounting and strengthen risk management reporting for the National Treasury and Public Sector Accounting Standards Board.

But the Committee successfully introduced the amendments touching on the County Finance Bills which the House successfully approved.

However, during the consideration of the Bill, The Committee pushed for amendment to Section 131 of the Act which outlines the process of consideration of budget estimates by the county assemblies.

Sub section 2 provides that: “Before the county assembly considers the estimates of revenue and expenditure, the relevant committee of the county assembly shall discuss and review the estimates and make recommendations to the county assembly, and in finalising the recommendations to county assembly, the committee shall take into account the views of the County Executive Committee member for finance and the public on the proposed recommendations.”

The House deleted this provision and adopted the one brought by the Committee.

The new provision provides that the County Executive Committee member for finance shall submit to the County

Assembly a County Finance Bill on or before April 30 of every year, setting out the revenue measures for the County Government together with a policy statement expounding measures on those measures.

“This is a serious emphasis especially to all the 47 county assemblies, that they will have to consider and pass the County Finance Bill in time for each to be presented for assent by June 30 each year,” observed Senator Tabitha Mutinda, the vice chair of the Committee, when she moved the amendment.

Upon submission, the County Finance Bill will be committed to the relevant committee which shall introduce the Bill in the County Assembly. The recommendation of the County Executive Committee member for finance shall be included in a report of the Committee and tabled in the County Assembly.

The County Assembly shall consider and pass the County Finance Bill in time for it to be presented for assent by June 30 each year.

Similarly, If the Bill becomes law, the Cabinet Secretary for the National Treasury will have five years to develop measures that will ensure national government borrowing adheres to the debt threshold limitations, which is pegged at 55 per cent of the Gross Domestic Product.

This Week in History - On March 17, 2020

Senators debate adjournment Motion on Covid 19 Pandemic



Majority Leader Kipchumba Murkomen:

Majority Leader Kipchumba Murkomen sponsored a Motion for the House to adjourn its Plenary sittings from March 17, and to reconvene on Tuesday, April 14, 2020 and alter its Calendar accordingly. This is after the emergence of Coronavirus Disease (COVID-19). This is a new strain of Coronaviruses that was discovered in December 2019. It is an infectious disease known to cause respiratory infections ranging from common cold, fever, tiredness, aches and pains to more severe health complications. “This disease has scared the world in the manner in which it has been reported. It was initially thought that it was only in China. There were a lot of myths about its cause, which are still there. People thought that it only affected the Chinese and no other human race. This disease was discovered in December, and it has spread so fast. This is a clear definition of globalisation and interconnectedness of human race. If we do not contain this disease in Nairobi, the spread will be worse in other parts of the country. I hope that the County Government of Nairobi, the national Government and all actors, including ourselves, will contribute to block this disease from spreading fast. This is because if it affects people in a crowded place, for example, a slum, we will have a big problem.”



Senator Gertrude Musuruve said:

“It is at this time that our leadership is under test. Are we going to stand by what we swore? As Senators, we are on duty 24 hours and Kenyans are looking up to us. We are in a situation of hopelessness. Kenyans want to see hope in the eyes of their leaders. We as leaders must face this situation with courage. Kenyans are watching to see what their leaders are doing. Hand sanitisers are not easy to come by on the shelves of malls and supermarkets. Last week, I hoped from one supermarket to another looking for hand sanitisers but I was not able to get. Someone told me that they could get me a hand sanitiser from Kenya Medical Research Institute (KEMRI) at a cost of Sh2,400 but she never delivered. When I asked her why she had not delivered, she said that they were out of stock and that I needed to add her Sh800. I ended up paying Sh3,200 for a hand sanitiser that is yet to be delivered to me. We have the duty to provide leadership at this time, whereas, governors have their position on this issue. The Executive also has its position on this matter. What is the position of the Senate on this matter? We should come up with a policy that will help the country.”



Senator Cleophas Malalah said:

“I support this Motion not only because we want to adjourn this House, but also because this is a time of need for this country. We need to reflect on our level of preparedness as a country. I want to be more specific on our level of preparedness at the county level. As we adjourn this House, it is important that as Members of this House, who are mandated to represent counties, we retreat to our respective counties and ensure that we have high levels of preparedness at the county level. I had an opportunity to make an impromptu visit to the Kakamega County General Teaching and Referral Hospital just to ascertain their level of preparedness. We have seen county governments trying to come up with isolation centers. I want to confirm that Kakamega County General Teaching and Referral Hospital has an isolation center. However, the big question is: As we are focusing on county referral hospitals or Level 4 Hospitals, what about Level 3 and Level 2 Hospitals?”



Senator James Oremo said:

“There have been many pandemics in history. This pandemic may be confirming the saying that history repeats itself. You may be aware that sometime in the 14th Century, there was a pandemic known as the Black Death or the Bubonic Plague. What was unique about that pandemic in the 14th Century is that it started where the other one started and peaked where this one is likely to peak, that is, in Europe. At that time, when it peaked in the middle of the 14th Century, more than 75 million to 200 million people died in Europe. If you look at the figures of the reported cases now, the numbers that are being reported for European countries are very large. In fact, if you compare to African countries, one may suggest that ours is insignificant. The pandemic as it was then, and as it is now, knows no borders. In fact, some of the most powerful and the richest countries are recording the highest cases. There are cases reported in all the countries that belong to the five permanent members of the United Nations Security Council; the United Kingdom, United States of America (USA), China, Russia and France. Moreover, some of the richest countries that belong to the United Nations Security Council like Japan have also recorded cases.”

Senator wants Ministry to develop AI policy

A Senator has filed a Motion in the House, which if passed, will compel the Ministry of Information, Communication and Digital Economy to develop a policy to promote Artificial Intelligence and emerging technologies.

Senator Karung'o notes in his notice of the Motion notes that the Fourth Industrial Revolution is redefining economies globally through emerging technologies such as Artificial Intelligence (AI), blockchain and financial technology (Fintech).

While he admits that Kenya has made commendable strides in digital infrastructure and mobile innovation, positioning itself as a potential leader in Africa's tech-driven future, time has come for the Government to act.

He wants the Ministry to focus on promoting research and development of locally relevant Artificial Intelligence (AI) solutions, facilitating ethical guide-



Senator Karungo Thangwa

lines to ensure responsible and beneficial application of AI and creating innovation-friendly 'Sandboxes' for supervised testing of AI and emerging technologies.

He also wants the Government to focus on the strengthening of public-private partnerships to build digital skills and innovation ecosystems and integrating AI and coding into the education curriculum to prepare the next generation

for the digital economy.

To support his Motion, the lawmaker cites the African Union Executive Council which endorsed the Continental AI Strategy during its 45th Ordinary Session in Accra, Ghana, on July 18-19, 2024 which underscores Africa's commitment to an Africa-centric, development focused approach to AI, promoting ethical, responsible, and equitable prac-

tices.

"The Continental AI Strategy calls for unified national approaches among AU Member States to navigate the opportunities of AI-driven change, aiming to strengthen regional and global cooperation and position Africa as a leader in inclusive and responsible AI development," he said, while giving the notice of the Motion.

The Ministry has recently formulated and launched the Kenya National Artificial Intelligence (AI) Strategy 2025-2030 which recognizes the need to align Kenya's development with global standards in AI adoption while also safeguarding national values, inclusivity and employment.

"The absence of a comprehensive framework may hinder innovation among local start-ups and youth led tech enterprises and slow down Kenya's ability to harness AI for inclusive growth."

Lawmaker proposes gender analysis in law making

Senator Veronica Maina is urging Parliament, County Assemblies and their respective legislative committees to incorporate a gender analysis in the scrutiny of legislation, policies, programmes and budgets before them.

The lawmaker says the analysis should include the use of gender impact assessments and consultation with gender-focused stakeholders to ensure gender responsive governance.

In a Motion she has filed in the House, the lawmaker says mainstreaming gender perspectives in all aspects of governance is essential to achieving inclusive development and safeguarding the rights and welfare of all citizens, particularly women, girls and other marginalised groups.

She gave the notice of the Motion on Wednesday last week.

If the House adopts the Motion, the legislator recommends that the National Gender and Equality Commission and the State Department for Gender develop clear guidelines and tools to support the integration of gender perspectives in legislative, policy and budgetary analysis and ensure they are disseminated and adopted by relevant government and legislative bodies.

She also wants the National Gender and Equality Commission and State Department for Gender to collaborate with the Kenya Law Reform Commission, and County Assembly Service Boards to



Senator Veronica Maina

build capacity for gender analysis among technical and legislative staff.

The State Department for Gender will be required to submit to Parliament a comprehensive biannual report detailing actions taken by Ministries, Departments and Agencies to promote gender mainstreaming, key achievements, emerging challenges and proposed interventions.

She also wants Resolves the Committee on Labour and Social Welfare of the Senate to continuously monitor the implementation of the resolutions and tables biannual report on the status of implementation.

She notes that the integration of gender considerations remains inconsistent across the two levels of government and that legislative processes have often resulted in policies that do not adequately address gender-specific needs and realities.

Article 27 of the Constitution guarantees the right to equality and freedom from discrimination, with Article 27(3) providing that women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres.

"Article 27(8) obligates the State to take legislative and other measures to redress any disadvantage suffered by individuals or groups as a result of past discrimination, and to ensure that not more than two-thirds of members of elective or appointive bodies shall be of the same gender," she said.



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1. Teachers and learners from Chogoria Girls High School, Meru County, at the Senate.
2. Students and teachers from St Peter's School, Mumias, Kakamega County, during their tour of Parliament.
3. Senator Tabitha Mutinda, Beth Syengo and Betty Montet with EAC CS Beatrice Askul at the Senate.
4. Clerk Jeremiah Nyegenye and Planning PS Boniface Makokha speak to teachers and students from St Peter's Mumias who were at the Senate on a study tour.

5. Senator Edwin Sifuna and Senator Hamida Kibwana speak to students and teachers from State House Girls School, Nairobi County, at Parliament Buildings.
6. Vyulya Girls' Secondary School, Machakos County, pose for picture at the Senate.
7. Teachers and students from State House Girls, Nairobi County, during their tour of Parliament Buildings.
8. Narumoru Girls High School, Nyeri County, during their tour of Parliament.



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1. Learners and teachers from Kianyaga Boys, Kirinyaga County, pose for a picture with Kirinyaga Women Rep Jane Maina at the Senate during their tour of Parliament.

2. Senator Dan Maanzo speaks to learners from Kabare Girls who were in Parliament Buildings for a study tour.

3. Senator Maanzo, Hon Njeri Maina and teachers from Kianyaga Boys School and Kabare Girls in Kirinyaga County.

PSC welcomes 2026 Pupils and Interns as Clerk urges integrity



Secretary of the Parliamentary Service Commission Jeremiah Nyegenye and senior Parliamentary Staff pose for a picture with the Pupils and Interns during the retreat.

The Clerk of the Senate Jeremiah Nyegenye has called on the 2026 cohort of Pupils and Interns serving under the Parliamentary Service Commission (PSC) to uphold integrity and professionalism as they begin their training within Parliament.

Speaking during the opening of the induction and capacity building retreat, the Clerk congratulated the successful candidates, noting that their admission into the Parliamentary Pupillage and Internship Programmes reflects their academic merit and professional potential.

He encouraged the new cohort to ap-

proach the programme with curiosity, discipline and a strong commitment to public service.

The PSC plays a key role in supporting the work of the two Houses of Parliament by providing professional, administrative and technical services that enable Members of Parliament to effectively carry out their legislative, oversight and representative duties.

The retreat introduced the Pupils and Interns to the institutional structure of Parliament, the legislative process and the work carried out by professionals such as legal counsel, researchers and

committee clerks among others who support parliamentary business.

Mr Nyegenye reminded the participants that Parliament is a constitutional institution that handles matters of national importance and often deals with sensitive information.

He emphasised that officers serving within the institution, including those undergoing training, must therefore demonstrate integrity, professionalism, respect for institutional procedures and confidentiality in handling official information.

He further encouraged the pupils and interns to take full advantage of the programme by learning from experienced parliamentary staff, building professional networks and gaining practical insight into the workings of Parliament adding that the programme offers a valuable opportunity for young professionals to develop the skills, knowledge and values needed to contribute meaningfully to Kenya's democratic governance and public service.

Seneta ataka maelezo kuhusu malimbikizi ya madeni Bungoma

Seneta Wafula Wakoli ameomba ufafanuzi wa kina kuhusu hali ya malimbikizi ya madeni ambayo hayajalipwa na serikali ya Kaunti ya Bungoma, akitaka kufahamu hatua zinazochukuliwa kushughulikia suala hilo ambalo limekuwa likiwakumba wakandarasi na wafanyabiashara katika Kaunti hiyo.

Akiwasilisha ombi la kauli kwenye Kamati ya Fedha na Bajeti, Seneta Wakoli ameitaka Kamati hiyo kutoa maelezo kuhusu jumla ya kiasi cha madeni ya ambayo bado hayajalipwa na serikali ya Kaunti ya Bungoma kufikia tarehe 30 Juni 2025.

Katika ombi lake, Seneta huyo alitaka Kamati hiyo kueleza kiwango cha fedha kinachodaiwa na kila mkandarasi aliyeathiriwa na mwaka wa kifedha ambao madeni hayo yalirekodiwa. Aidha, alitaka kufahamu miradi iliyotekelezwa, bidhaa zilizounuliwa au huduma



Seneta Wafula Wakoli

zilizotolewa na wakandarasi hao lakini malipo yake bado hayajafanywa na serikali ya Kaunti.

Seneta Wakoli pia alitaka Kamati hiyo kubainisha iwapo kumewahi kufanyika zoezi la uhakiki na ukaguzi wa madeni hayo na ikiwa zoezi hilo lilifa-

nyika, matokeo yake yawekwe wazi ili kubaini ukweli wa madai hayo.

“Ni muhimu kwa Kamati kueleza wazi jumla ya madeni yaliyopo, wakandarasi wanaodai malipo na mwaka wa kifedha ambao madeni hayo yalitokea ili kuhakikisha uwazi na uwajibikaji katika

matumizi ya fedha za umma,” alisema Seneta Wakoli.

Vilevile, Seneta huyo aliitaka Kamati hiyo kufafanua mpango uliopo na ratiba inayotarajiwa kutumika kulipa madeni yote yaliyosalia ili kuwasaidia wakandarasi na wafanyabiashara ambao wamekuwa wakisubiri malipo yao kwa muda mrefu kufikia sasa.

Kadhalika, Kiranja huyo wa upande wa wengi kwenye Seneti alitaka kufahamu sababu zilizochangia kuongezeka kwa madeni hayo katika Kaunti ya Bungoma akiitaka Kamati husika kubaini iwapo kuna uchunguzi ulioanzishwa kutambua kama kuna maafisa wa serikali ya Kaunti waliohusika katika kusababisha hali hiyo.

Seneta Wakoli alisisitiza kuwa ni muhimu kuweka mikakati madhubuti ya usimamizi wa fedha na upangaji wa unuzi ili kuzuia malimbikizi ya madeni katika serikali za Kaunti siku zijazo.

Wataka ufafanuzi kuhusu maendeleo

Maseneta Julius Murgor na John Kinyua wamewasilisha maombi wakitaka Kamati husika kutoa taarifa ya kina kuhusu miradi ya maendeleo na hali ya barabara katika Kaunti za West Pokot na Laikipia. Kupitia maombi hayo, Maseneta hao wameweka msisitizo mkubwa kwenye uwajibikaji, usalama wa wananchi na mchango wa kampuni na serikali katika kukuza maendeleo endelevu.

Seneta Murgor ameitaka Kamati ya Biashara, Uwekezaji na Utalii kutoa taarifa kuhusu utekelezaji wa miradi ya uwajibikaji kwa jamii unaofanywa na kampuni nyingi zinazoendesha shughuli za viwanda na uchimbaji madini katika Kaunti ya Pokot Magharibi.

Kupitia ombi hilo rasmi, Seneta Murgor alieleza kuwa katika miaka ya hivi karibuni, kampuni nyingi zimeanzisha shughuli zao ndani ya Kaunti hiyo na kuchangia ukuaji wa uchumi wa eneo hilo. Hata hivyo, amesema kumekuwana wasiwasi miongoni mwa wakazi kwamba baadhi ya kampuni hizo hazijatekeleza kikamilifu wajibu wao wa kijamii licha ya kunufaika na rasilimali na mazingira ya Kaunti.

Alitaja hususan kampuni ya Chiromo Fertilizer Ltd ambayo imeanzisha kiwanda cha utengenezaji katika mji wa Chepareria, akisema kuwa wakazi wamekuwa wakitaka uwazi kuhusu mchango wake kwa jamii na hatua za kulinda mazingira na afya ya umma.

“Tunataka kufahamu mifumo ya ufuatiliaji, tathmini na utekelezaji iliyowekwa na serikali ya kitaifa na ile ya Kaunti kuhakikisha kuwa kampuni zote



Seneta Julius Murgor

zinazingatia viwango vya mazingira, kijamii na kiutawala na pia zinachangia kwa njia endelevu maendeleo ya kijamii na kiuchumi ya wananchi wa Pokot Magharibi,” alisema Seneta Murgor.

Aidha, ameiomba Kamati hiyo kueleza hatua za kinga za kimazingira, kijamii na kiafya zilizowekwa na kampuni zinazofanya kazi katika mji wa Chepareria na maeneo mengine ya Kaunti hiyo ili kupunguza athari hasi zinazoweza kusababishwa na shughuli zao na kiwango cha uzingatiaji wa sheria na kanuni za udhibiti.

Seneta huyo pia ametaka maelezo ya kina kuhusu miradi ya uwajibikaji kwa jamii iliyotekelezwa na kampuni hizo tangu zilipoanza shughuli zao, ikiwemo kiwango cha uwekezaji wa kila mwaka katika mipango za kijamii, maeneo ya kipaumbele kama elimu, afya na miundombinu, ushirikiano na serikali ya Kaunti na taasisi za kijamii na takwimu za ajira zinazoonesha idadi na uwiano

wa wafanyakazi waliotoka katika jamii za eneo hilo.

Kwingineko, Seneta Kinyua ameitaka Kamati ya Barabara, Uchukuzi na Makazi kutoa taarifa kuhusu uharibifu mkubwa wa Barabara ya Nyahururu-Rumuru-ti (A4) katika Kaunti ya Laikipia.

Kupitia ombi lililowasilishwa kwenye ukumbi wa Seneti, Seneta Kinyua alieleza kuwa barabara hiyo muhimu inayohudumia Kaunti ya Laikipia na eneo pana la Mlima Kenya imeharibika hadi kiwango kinachoweza kuhatarisha maisha ya madereva, watembea kwa miguu na wananchi kwa ujumla.

“Licha ya juhudi za ukarabati wa mara kwa mara unaofanywa na Mamlaika ya Barabara Kuu za Kitaifa (KeNHA), barabara hiyo bado ina mashimo makubwa, sehemu nyembamba, alama duni na kona hatari. Kasoro hizi zimechangia ajali nyingi na vifo vya dhahiri, ikiwemo ajali mbaya ya tarehe 21 Desemba 2025 ambapo Stephen Rubuya King’au na



Seneta John Kinyua

mwanawe Dennis King’au Rubuya wa Ol Jabet, Marmanet, walifariki,” alisema Seneta Kinyua.

Kamati inatarajiwa kuchunguza hali ya sasa ya barabara hiyo, kiwango cha uharibifu, hatari za usalama na athari zake kwa madereva, watembea kwa miguu na jamii kwa ujumla. Aidha, Kamati itafafanua utekelezaji na usimamizi wa kazi za ukarabati zilizofanywa, ikiwemo kandarasi iliyotolewa na KeNHA na iwapo masharti yote ya ubora, muda na usimamizi yamezingatiwa.

Zaidi ya hayo, Kamati itatoa mpango wa muda mfupi na muda mrefu wa kurekebisha barabara hiyo ili iwe salama na mikakati endelevu ya kuzuia uharibifu zaidi. Kamati hiyo vilevile imeagizwa kutoa ratiba ya ukarabati wa kudumu na ufafanuzi wa hatua za uwajibikaji, kuhakikisha utekelezaji, thamani ya fedha na usalama wa wananchi.



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Email: Senate.weekly@parliament.go.ke

Editor: Ibrahim Oruko

Team Leader: Lucianne Limo

Writers

- Otiato Andayi
- Njeri Manga
- Josphat Ngeno
- Derick Luvega
- Stanley Gikore
- Nandemu Barasa

- Juliet Masinde
- Violet Nalianya
- Lemeteki Lorinyu
- Kevin Lomenen

Hansard: Erick Kipkoech

Photographers:

- James Kimiti Nyambura
- Job Owaga
- Russells Kipngetich
- Alex Fondo

Designed by:

KENYA LITERATURE BUREAU

Publishers and Printers

Belle-Vue Area, KLB Road, Off Popo Road

P. O. Box 30022-00100, GPO Nairobi,

Telephone: +254 (20) 3541196/7,

Mobile: +254 711 318 188/ +254 732 344 599

Email: info@klb.co.ke

Website: www.klb.co.ke