



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

6th October 2026

Vol. V No. 87

THE HANSARD**Tuesday, 6th October 2026***(The House met at 2.30 p.m.)**[The Speaker (Hon. Moses Wetang'ula) in the Chair]***PRAYERS****QUORUM****Hon. Speaker:** Serjeant-at-Arms, ring the Quorum Bell.*(The Quorum Bell was rung)*

Hon. Members, we now have quorum to transact business. Clerk-at-the-Table, you may proceed. Members on their feet, take your seats.

(Hon. Mark Nyamita walked into the chamber)

Hon. Nyamita, take the nearest seat.

MESSAGE**APPROVAL OF A FEMALE NON-MEMBER OF PARLIAMENT
AS A COMMISSIONER OF THE PSC**

Hon. Speaker: Hon. Members, pursuant to the provisions of Standing Order 41(4) relating to Messages from the Senate, I wish to report to the House that I received a Message from the Senate regarding the approval of a nominee for appointment as a Member of the Parliamentary Service Commission under Article 127(2)(d) of the Constitution.

Article 127(2)(d) of the Constitution provides that the Commission shall consist of, among others, one man and one woman appointed by Parliament from among persons who are experienced in public affairs, but are not Members of Parliament. To this end, the Message from the Senate conveys that, on Thursday, 1st October 2026, the Senate considered the Report of the Standing Committee on Justice, Legal Affairs and Human Rights on the proposed appointment of Hon. Fatuma Ibrahim Ali as the female member of the Parliamentary Service Commission under Article 127(2)(d) of the Constitution.

Consequently, pursuant to Article 127(2)(d) of the Constitution, Section 9(2) of the Parliamentary Service Act and Standing Order 77(3) of the Senate, and by a resolution, the Senate approved the appointment of Hon. Fatuma Ibrahim Ali, the former Woman Representative for Wajir County in the 11th Parliament, and a former Member of the East African Legislative Assembly (EALA), as a Commissioner of the Parliamentary Service Commission. The approval was done following the conclusion of a competitive recruitment process by the Commission.

In line with the provisions of Article 127(2)(c) of the Constitution, the Senate's decision requires this House's concurrence to complete the nominee's appointment process. As you will recall, on Tuesday, 29th September 2026, Hon. Patrick Makau, CBS, MP, Chairman of the

Security and Development Committee of the Commission and Member for Mavoko Constituency, tabled the Report of the Commission on the said recruitment and gave notice of a Special Motion for consideration of the nominee by the House. In this regard, to conclude the bi-cameral appointment process of the nominee, the House Business Committee, which I chair, has scheduled the Special Motion for consideration of the nominee by the House on Wednesday, 7th October 2026 during the Afternoon Sitting.

The House is accordingly guided.

COMMUNICATION FROM THE CHAIR

DELEGATION FROM THE NATIONAL ASSEMBLY OF THE KINGDOM OF LESOTHO

(Several Members walked into the chamber)

Hon. Speaker: Members at the Bar, take the nearest seats.

Hon. Members, I wish to introduce to you a delegation from the National Assembly of the Kingdom of Lesotho, who are seated in the Speaker's Row. The delegation comprises Members of the Portfolio Committee on the Prime Minister's Ministries and Departments, Governance, International Relations and Information Cluster and the Sustainable Development Goals (SDGs) Monitoring Committee. They are:

- | | | |
|---------------------------------|---|--------------------------|
| 1. Hon. Itumeleng Rantsho, MP | - | Leader of the delegation |
| 2. Hon. Lekhotsa Mafethe, MP | - | Member |
| 3. Hon. Tseliso Nkoefoshe, MP | - | Member |
| 4. Hon. Sekhele Mosebetsane, MP | - | Member |
| 5. Hon. Malelaka Malakane, MP | - | Member |
| 6. Hon. Peiso Kelane, MP | - | Member |
| 7. Hon. Letsekang Moloi, MP | - | Member |

The delegation is accompanied by two members of staff.

The Prime Minister's Cluster Committee seeks to learn from the Kenyan Parliament's experience in addressing legislative and policy issues relating to cybersecurity and cybercrime, as well as parliamentary oversight of budget allocation and implementation. The Sustainable Development Goals (SDGs) Monitoring Committee on the other hand, seeks to exchange experiences on parliamentary oversight and monitoring of the implementation of the 2030 Agenda for Sustainable Development, with a particular focus on SDG 7 on Affordable and Clean Energy and SDG 13 on Climate Action.

On my behalf and that of the House, I welcome the Members to Parliament and wish them fruitful engagements during their stay in our beautiful country. Thank you.

Next Order.

PAPERS

Hon. Speaker: Leader of the Majority Party.

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Speaker. I was wondering how you were able to read those names.

Hon. Speaker: They are Bantu names.

Hon. Owen Baya (Kilifi North, UDA): Hon. Speaker, I beg to lay the following Papers on the Table:

1. The following Legal Notices, Explanatory Memoranda, Evidence of Stakeholder Consultation, Regulatory Impact Statement (RIS), Certificates of

Compliance and Public Participation Report of Stakeholders on the Regulations from the Ministry of Agriculture and Livestock Development—

- (a) Legal Notice No.150 of 2026 relating to the Tea (Levy) (Amendment) Regulations, 2026.
- (b) Legal Notice No.190 of 2026 relating to the Crop (Fibre Crops) Regulations, 2026.
2. Legal Notice of 2026 relating to the Public Service Commission (Affirmative Action) Regulations, 2026 from the Public Service Commission.
3. Annual Public Debt Management Report for the Financial Year 2025/2026 from the National Treasury.
4. Annual Report and Financial Statements of the National Police Service Commission for the Financial Year 2025/2026.
5. Reports of the Auditor-General and Financial Statements for the Financial Years ended 30th June 2021 and 30th June 2022 and the certificates therein in respect of—
 - (a) Koiwa Boys High School.
 - (b) Bungoma High School.
6. Report of the Auditor-General and Financial Statements of Kangeta Girls Secondary School for the Financial Year ended 30th June 2022 and the certificate therein.
7. Reports of the Auditor-General and Financial Statements for the Financial Year ended 30th June 2024 and the certificates therein in respect of:
 - (a) Sericho Secondary School.
 - (b) Elsa Secondary School – Isiolo.
 - (c) Our Lady of Victory Girls High School- Kapnyeberai.
 - (d) Kenyena Secondary School.
8. Reports of the Auditor-General and Financial Statements of Lenkiseem Mixed Secondary School for the Financial Years ended 30th June 2021, 30th June 2022, 30th June 2023, 30th June 2024 and 30th June 2025 and the certificates therein.

Thank you.

Hon. Speaker: Thank you. Chairperson of the Departmental Committee on Justice and Legal Affairs, Hon. George Best, proceed.

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

Report of the Departmental Committee on Justice and Legal Affairs on its consideration of the Sexual Offences (Amendment) Bill (National Assembly Bill, No. 50 of 2025).

Hon. Speaker: Chairperson of the Decentralised Funds Accounts Committee. I cannot see Hon. Mulyungi? Is there any Member to step in? Let us have Hon. Muthoni Ikiara. So far so good. I suppose you are holding brief to table those documents. Do you have them?

Hon. Dorothy Muthoni (Nominated, UDA): No, Hon. Speaker, but my Chairperson is coming shortly.

Hon. Speaker: Hon. Dorothy, do you have the documents now? Order No.6 must come in succession to Order No.5. Are you ready to table the documents? Give her the microphone.

Hon. Dorothy Muthoni (Nominated, UDA): Hon. Speaker, let me contact my Chairperson. I cannot read the documents now because I left my reading glasses at home.

Hon. Speaker: Give the documents to the Deputy Leader of the Majority Party to assist you. Hon. Owen Baya, can you take the responsibility and table those documents?

Hon. Dorothy Muthoni (Nominated, UDA): Thank you, Hon. Speaker. Age is catching up with me.

Hon. Speaker: No problem. Thereafter, you will give the notice of Motion. We are now back to Order No.5(C). The Chairperson of the Decentralised Funds Accounts Committee. Hon. Owen Baya.

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Speaker. Hon. Speaker, I beg to lay the following Paper on the Table:

Reports of the Decentralised Funds Accounts Committee on its consideration of Reports of the Auditor-General as follows—

- (a) 16th Report on the examination of Audited Financial Statements of the National Government Constituencies Development Fund Board and the National Government Constituencies Development Fund (NG-CDF) Account for the Financial Years 2022/2023 to 2024/2025.
- (b) 17th Report on the Examination of Audited Financial Statements of the National Government Constituencies Development Fund (NG-CDF) for Isiolo North, Isiolo South, Kaiti, Mbeere North and Mbeere South Constituencies for the Financial Years 2013/2014 to 2022/2023.
- (c) 18th Report on the Examination of Audited Financial Statements of the National Government Constituencies Development Fund (NG-CDF) for Constituencies in Narok and Kericho Counties for the Financial Years 2013/2014 to 2022/2023.
- (d) 19th Report on the examination of Audited Financial Statements of the National Government Constituencies Development Fund (NG-CDF) for Constituencies in Nairobi and Kajiado Counties for the Financial Years 2013/2014 to 2022/2023.

NOTICES OF MOTIONS

ADOPTION OF THE 16TH REPORT OF AUDITED FINANCIAL STATEMENTS OF NG-CDF BOARD AND NG-CDF

Hon. Speaker: Since the Order has already been called out, please, proceed and give notice of the Motion.

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Speaker. I beg to give notice of the following Motion:

THAT, this House adopts the 16th Report of the Decentralised Funds Accounts Committee on its consideration of the Audited Financial Statements of the National Government Constituencies Development Fund Board and the National Government Constituencies Development Fund (NG-CDF) Account for the Financial Years 2022/2023, 2023/2024 and 2024/2025 laid on the Table of the House on Tuesday, 6th October 2026.

Hon. Speaker: You have several notices of Motions. Go ahead.

Hon. Owen Baya (Kilifi North, UDA): Yes.

ADOPTION OF THE 17TH REPORT OF AUDITED FINANCIAL STATEMENTS OF NG-CDF FOR FIVE CONSTITUENCIES

Hon. Owen Baya (Kilifi North, UDA): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the 17th Report of the Decentralised Funds Accounts Committee on its consideration of the Audited Financial Statements of the National Government Constituencies Development Fund (NG-CDF) for five Constituencies for

the Financial Years 2013/2014, 2014/2015, 2015/2016, 2016/2017, 2017/2018, 2018/2019, 2019/2020, 2020/2021, 2021/2022 and 2022/2023, laid on the Table of the House on Tuesday, 6th October 2026.

ADOPTION OF THE 18TH REPORT ON EXAMINATION OF
AUDITED FINANCIAL STATEMENTS OF NG-CDF IN
NAROK AND KERICHO COUNTIES

Hon. Owen Baya (Kilifi North, UDA): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the 18th Report of the Decentralised Funds Accounts Committee on its consideration of the Audited Financial Statements of the National Government Constituencies Development Fund (NG-CDF) for Constituencies in Narok and Kericho Counties for the Financial Years 2013/2014, 2014/2015, 2015/2016, 2016/2017, 2017/2018, 2018/2019, 2019/2020, 2020/2021, 2021/2022 and 2022/2023, laid on the Table of the House on Tuesday, 6th October 2026.

ADOPTION OF THE 19TH REPORT ON EXAMINATION OF
AUDITED FINANCIAL STATEMENTS OF NG-CDF IN
NAIROBI AND KAJIADO COUNTIES

Hon. Owen Baya (Kilifi North, UDA): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the 19th Report of the Decentralised Funds Accounts Committee on its consideration of the Audited Financial Statements of the National Government Constituencies Development Fund (NG-CDF) for Constituencies in Nairobi and Kajiado Counties for the Financial Years 2013/2014, 2014/2015, 2015/2016, 2016/2017, 2017/2018, 2018/2019, 2019/2020, 2020/2021, 2021/2022 and 2022/2023, laid on the Table of the House on Tuesday, 6th October 2026.

Hon. Speaker: Next Order!

QUESTIONS AND STATEMENTS

STATEMENTS

STATUS OF CONSIDERATION OF SIX EDUCATION SECTOR BILLS

Hon. Speaker: Thank you. Hon. Melly, is your Statement in relation to a progress report?

Hon. Julius Melly (Tinderet, UDA): Yes, Hon. Speaker.

Hon. Speaker: Go ahead.

Hon. Julius Melly (Tinderet, UDA): Thank you, Hon. Speaker.

Pursuant to Standing Order 44(2)(b), I rise to make a Statement on the status of consideration of six education sector Bills committed to the Departmental Committee on Education. The Bills are as follows:

1. The Tertiary Education, Placement and Funding Bill (National Assembly Bill No.49 of 2026).
2. The Basic Education Bill (National Assembly Bill No.50 of 2026).
3. The Kenya National Educational Assessments Council Bill (National Assembly Bill No.51 of 2026).

4. The Pre-Service Education and In-Service Training Bill (National Assembly Bill No.52 of 2026).
5. The Kenya National Qualifications Framework (Amendment) Bill (National Assembly Bill No.53 of 2026)
6. The Kenya Institute of Curriculum Development (Amendment) Bill (National Assembly Bill No.54 of 2026).

Hon. Speaker, the six Bills were published in the Kenya Gazette Supplement on 24th July 2026 and were read a First Time in the House on Tuesday, 11th August 2026. Upon First Reading, the Bills were committed to the Departmental Committee on Education pursuant to Standing Order 127(1) for consideration and reporting to the House.

In fulfilment of Article 118(1)(b) of the Constitution and Standing Order 127(3), the Clerk of the National Assembly, through a public notice dated 18th August 2026 and placed in the print media, invited members of the public and stakeholders to submit written memoranda on the six Bills.

The Committee thereafter published its programme of countrywide public hearings, covering 31 counties between Monday, 14th September and Friday, 25th September 2026, with written memoranda to be submitted by 5.00 p.m. on Thursday, 24th September 2026.

In order to give all Kenyans an opportunity to be heard, in addition to the initial advertisement, the Committee published another advertisement on Friday, 18th September 2026, extending the public hearings to the 16 counties not covered in the initial programme. Earlier on, the Committee had covered 31 counties, but due to the need to cover the whole country, the Committee did an addendum for the remaining 16 counties that had not been covered. The counties include: West Pokot, Marsabit, Mandera, Nandi, Bungoma, Garissa, Busia, Lamu, Vihiga, Kitui, Siaya, Migori, Tharaka Nithi, Nyamira, Bomet and Samburu, between Monday, 28th September 2026 and Friday, 2nd October 2026. The addendum further extended the deadline for submission of written memoranda to Friday, 2nd October 2026 at 5.00 p.m.

I wish to report that the Committee has held public hearings in all the 47 counties, with the exercise concluding in Bomet and Samburu counties on Friday, 2nd October 2026. The Committee has also received written memoranda from members of the public and stakeholders within the stated period.

Hon. Speaker, the Committee is now analysing the oral and written submissions received from members of the public and stakeholders. To build on these submissions, the Committee will meet major stakeholders in Nairobi from Monday, 12th October to Friday, 16th October 2026 for a clause-by-clause interrogation of the Bills.

Upon conclusion of the stakeholder engagements, the Committee will finalise its report on the six Bills, taking into account the views received from the public and stakeholders and table it in the House to facilitate the Second Reading of the Bills.

Hon. Speaker, on behalf of the Committee, I thank the members of the public, education stakeholders and county governments who participated in the exercise, and the offices of the Speaker and the Clerk for according the Committee the requisite support. That is the end of my Statement.

Thank you so much, Hon. Speaker.

Hon. Speaker: Last week, Hon. Milemba requested the House and the Speaker to accede to an extension of your Committee's work for two weeks, which I acceded to. Does your Statement fall within that realm?

Hon. Julius Melly (Tinderet, UDA): Hon. Speaker, two weeks from which date?

Hon. Speaker: Starting yesterday.

Hon. Julius Melly (Tinderet, UDA): Yes, meaning that we will have to postpone our sitting for one clause-by-clause interrogation with major stakeholders.

Hon. Speaker: I will give you the time you require. I consider this a very important exercise.

Hon. Julius Melly (Tinderet, UDA): It is.

Hon. Speaker: You can be done by 16th October?

Hon. Julius Melly (Tinderet, UDA): Yes. We can push by one week so that we can come back and sit from the week after 16th October when we will have met any other smaller stakeholders. We shall then sit to analyse and prepare a very concrete report to table before the House.

Hon. Speaker: That gives you three weeks from today. I direct that you try and conclude your work and table the reports. Will you finish the hearings in three weeks.

Hon. Julius Melly (Tinderet, UDA): Yes

Hon. Speaker: How long will you need to write your report?

Hon. Julius Melly (Tinderet, UDA): One week is enough.

Hon. Speaker: So, in a month's time, we will have a product in the House?

Hon. Julius Melly (Tinderet, UDA): We will have a very well-done product and we will thereafter take it through the necessary process.

Hon. Speaker: Excellent.

Hon. Julius Melly (Tinderet, UDA): Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Melly. Member for Kiminini, Hon. Kakai Bisau.

GOVERNANCE DISPUTES WITHIN THE FOOTBALL KENYA FEDERATION

Hon. Bisau Kakai (Kiminini, DAP-K): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Sports and Culture regarding the governance disputes within the Football Kenya Federation (FKF) and outstanding payments to Harambee Stars.

The FKF is mandated to manage, promote and develop football in Kenya. However, reported disputes relating to leadership, budgets, governance and league regulations have disrupted its operations and reportedly delayed the commencement of the 2026-2027 Football Kenya Federation Premier League (FKFPL) sessions. These disputes have also raised concerns regarding the ability of the FKF to shepherd the preparedness of the country's national team, Harambee Stars, to compete in the 2027 African Cup of Nations (AFCON).

Further, concerns have arisen regarding outstanding payments to Harambee Stars' players and allegations that the work permits for the team head coach, Mr Benni McCarthy and his technical staff, are yet to be approved. The situation risks undermining players' welfare and morale, disrupting football development and affecting the country's preparations for the upcoming international competitions.

Taking the lead in promoting sports in Kenya has been His Excellency President William Ruto's forte. From innovative fundraising mechanisms to improving infrastructure through construction of sports academies now nearing completion, and not to forget stadiums, notably, the iconic Raila Odinga International Stadium in Nairobi. The governance disputes have affected the commencement of football leagues as club owners continue to suffer heavy financial responsibility including my own club, Kiminini Combined Football Club, popularly known as the Bazuu Boys, where I am the patron. The cost of players' upkeep, salaries and preparation for the league continues to be incurred without definite league commencement date.

Notably, according to the Fédération Internationale de Football Association (FIFA) rules, while Government interference is prohibited, a normalisation committee can be formed to address the current and destructive tendencies.

Hon. Speaker, it is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Sports and Culture on the following:

1. Nature and cost of the governance disputes within the Football Kenya Federation and measures being taken to resolve them.
2. Status of the football leagues in the country, including timelines for commencement.
3. Amount owed to Harambee Stars players, the nature of the outstanding payments, the reasons for the delays and the timelines for settlement of the dues.
4. Status of the work permit for Harambee Stars head coach, Mr Benni McCarthy, and his technical team and measures being taken to resolve the outstanding issues.
5. Measures being taken to ensure that these disputes do not undermine the country's preparedness to co-host and compete in the 2027 AFCON, including forming a normalisation committee in accordance with the FIFA rules to address the disputes.
6. Clarifications on whether the football leagues will be governed by the FKF 2019 or 2025 Rules and Regulations.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Let us have the Chairman of the Departmental Committee on Sports and Culture. Hon. Justice Kemei, are you a Member of the Committee?

Hon. Justice Kemei (Sigowet/Soin, UDA): No, Hon. Speaker.

Hon. Speaker: Do you want to joyride on that request for Statement? Go ahead.

Hon. Justice Kemei (Sigowet/Soin, UDA): Hon. Speaker, the Statement sought by Hon. Bisau, who is my good friend, has come at the right time. During the international break, when national teams are playing in Europe and Africa, I have been watching the Harambee Stars and was quite concerned by their performance. This is not the Harambee Stars we have always known.

Key players like Ogam are not playing to their usual standards. The coach appears unable to get out of the box to advise the players or give instructions. I felt that something was amiss, especially when I watched the match between Kenya and Eritrea. We cannot say that Eritrea cannot beat us, but we should not have drawn with them, given the positions that Kenya and Eritrea occupy on the international stage. It is for this reason that I hope we can get a very concise answer to the Statement sought by my colleague.

Hon. Speaker: Chairman of the Departmental Committee on Sports and Culture. Leader of the Majority Party, this request for a Statement by Hon. Kakai Bisau is very important. We are hosting AFCON next year, but the drums and trumpets coming from the football corner are not sounding good. They are not encouraging. Like Justice Kemei, I also watched Harambee Stars versus Eritrea match and I was embarrassed by the poor quality of play by our team, given how well we played during the African Nations Championships (CHAN). Something is not adding up. If I were you, and I direct you to do so, I would have the Cabinet Secretary come to this House to be interrogated on Kenya's level of preparedness, not only to host AFCON, but also to participate competitively in the tournament and win it for us. Therefore, have the Cabinet Secretary come to this House next Wednesday to respond to this request in plenary, not to Hon. Kakai.

Yes, Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I am most obliged. I will endeavour to have the Cabinet Secretary appear before the House either next Wednesday or the following Wednesday to respond. I agree with you that it was rather discouraging to see us draw with Eritrea at home.

Hon. Speaker: We did not just draw; we struggled to draw.

Hon. Kimani Ichung'wah (Kikuyu, UDA): What was most discouraging was that we were playing at home.

Hon. Speaker: Yes.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I know we have had some problems, particularly between the FKF President and his deputy. They had small tussles, which I am aware the Ministry has intervened to create some peace in that space. However, it shows that the infighting within the FKF affects even the morale of the players. We have done exceptionally well in the development of infrastructure. With the Talanta Sports Stadium coming to completion, we must do better in talent development and make sure that our nation shines through Harambee Stars at AFCON.

I commit that next week or the following week, I will have the Cabinet Secretary come to the House and respond to the request for a Statement by Hon. Kakai Bisau, a very diligent Member from Trans Nzoia and a future governor.

Hon. Speaker: Thank you. Hon. Robert Mbui.

Hon. Robert Mbui (Kathiani, WDM): Thank you, Hon. Speaker. I agree with the Leader of the Majority Party. However, it is important to note that during CHAN, these players were highly motivated. I understand they have recently been complaining about their allowances. Their problems could also be financial, particularly given that several promises were made during CHAN. They were given a lot of money and promised houses. I do not know whether they have received the affordable houses. Perhaps that could also be part of the problem. If you promise something, you have to deliver for the players to continue playing. I do not know whether those promises were fulfilled. The Leader of the Majority Party needs to find out whether they got the houses promised by the President. It might be the reason they are no longer playing as well as they did before.

Hon. Speaker: Yes, Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I can confirm to Hon. Robert Mbui that His Excellency the President, delivered on all his commitments to our team, Harambee Stars. I must also take this opportunity to thank Hon. Kalonzo Musyoka because, on one occasion, he spent Ksh50,000 to sponsor a watch party for a Harambee Stars match.

Therefore, I encourage all of us, as leaders, to emulate the President's example because these players have also come from our backyards. If there is a player you can motivate, please, do so. Even that small effort by Hon. Kalonzo Musyoka to sponsor about 250 people buying each a ticket worth Ksh200 was a good effort. The President, however, fulfilled all his commitments to the players. I can also tell you that even for AFCON, he has engaged the Football Kenya Federation. He will be motivating the team for AFCON and other games.

Last week, the President encouraged young Kenyans to take up other sports like basketball. This followed his recent visit to watch the Atlanta Dream play, a team that features Madina Okot, a young talent from Kakamega County.

Hon. Speaker, Members from Kakamega County, specifically from the Kenya Kwanza brigade, questioned me as to why we did not involve them in the United Nations General Assembly (UNGA) trip, so that they could accompany the President to watch Madina Okot play. Hon. Speaker, Beatrice Elachi is a good supporter of women in sports. I have seen her in Dagoretti North supporting young girls playing football, some of whom have even been selected to play for the Harambee Starlets. This is how we should encourage our people. Let us not just look to the President; let us also, individually, as Kenyan leaders, inspire and support the sportsmen and women in our respective backyards.

Madina Okot hails from Kakamega. She is now playing in the Women's National Basketball Association (WNBA). She is the first Kenyan to play there and she is doing exceptionally well.

The President committed then that he will also participate fully in the growth of basketball because we have very talented basketball players in this country.

The development of the upcoming arenas at Nairobi Railway City, Talanta Sports City, and the Bomas of Kenya, alongside the refurbishment of the Kasarani Indoor Arena, will go a long way in driving the growth of indoor games like basketball and other indoor sports.

Hon. Speaker: Hon. Elachi.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Speaker. I would like to inform the House that the Harambee Stars players have, indeed, been allocated their housing units, specifically within the Ziwani/Kariokor project. While the President fulfilled his pledge to cover his portion of the cost, the players will still follow the standard due process, just like all other Kenyans acquiring affordable housing."

ESCALATING INSECURITY WITHIN
SAMBURU NORTH CONSTITUENCY

Hon. Letipila Eli (Samburu North, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I wish to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding escalating banditry and insecurity within Nachola, Elbarta, Angata Nanyekie and Nyiro wards in Samburu North Constituency.

Hon. Speaker, on 29th August 2026, an unsuccessful attempted raid by suspected Pokot bandits happened near Lorian Village, Samburu North Sub-county resulting in the loss of the lives of two young men namely, Liaky Lentipo who was a National Police Reservist (NPR), and Ntaii Lekarangwa who was a herder. This incident was reported under OB No.05/28/28/2026 at Marti Police Station. Further, on 29th September 2026 at Nakweei village within Kawap Location, Nyiro Ward, over 1,000 goats belonging to Mzee Lorikot Egiron, Napoori Kadicho and Seyia Lemandibe were stolen without recovery by suspected Samburu bandits. This incident was reported under OB No.08/30/9/2026 at Baragoi Police Station. There was also another reported case of a raid on the same day at Sengenge Village, Suguta Location which sits on the border of Turkana East and Samburu North constituencies where over 500 herd of cattle were raided by suspected Pokot bandits.

There was a further reported raid that occurred on 1st October 2026 at Sarima village which sits on the border of Samburu North and Laisamis constituencies, where over 400 goats were raided by suspected Samburu bandits and one person reportedly killed. Further, on 3rd October, 2026, a 13-year-old Grade Six student, Lbalunye Lesuyai, was gunned down in cold blood at Morijo Centre by suspected Pokot bandits, and over 300 goats he and his friends were herding, were stolen without recovery. Two young men, Francis Loitudung Lentumunai who was an NPR and Saitoti Lekirisae, were killed while pursuing the goats. The incident was reported under OB No.15/3/10/2026 at Marti Police Station. There was yet another unsuccessful attempted raid reported on the same day at Bendera Village within Baragoi on goats belonging to Mzee Ltaitin Lenadonger, where a suspected bandit was killed, and another incident on the same day at Natiti Village within Baragoi where 10 goats were stolen, with eight being recovered through local community efforts.

These brazen and escalating acts of banditry without notable government and security services intervention pose a grave threat to the lives of our people and their property and are greatly undermining the fragile peace we have painstakingly built in Baragoi and the greater Samburu North over the past few years.

Hon. Speaker, it is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security on the following:

1. A comprehensive report on the security situation in Samburu North Constituency, with emphasis on Kawap, Morijo, Baragoi and Marti locations of Nachola, Angata Nanyekie, Elbarta and Nyiro wards of Samburu North Constituency.
2. Actions being taken by the Government through the Ministry of Interior and National Administration to de-escalate the security situations in the above areas, specifically the immediate measures the Ministry and the National Police Service are undertaking to ensure the recovery of stolen livestock, and the mitigation measures being implemented including re-introduction of intelligence-led operations to actively pursue criminal elements who lead, sponsor and offer support to the alleged bandits.
3. Immediate measures put in place by the Ministry of Interior and National Administration to ensure that the national Government administration and security apparatus across all the sub-locations, villages, security installations and camps in the named wards are held to account for active peace and security in the area and are closely monitored for efficiency in de-escalating the ongoing conflict and actively promoting peace among the antagonist communities.
4. Immediate plans put in place by the Ministry to facilitate peace and cohesion amongst the Samburu and Turkana communities who live alongside each other in the four wards specified, and in Samburu North Constituency in general.

Hon. Speaker: Chairperson, Departmental Committee on Administration and Internal Security, is the Cabinet Secretary still appearing before you tomorrow?

Hon. Naisula Lesuuda (Samburu West, KANU): On a point of order, Hon. Speaker.

Hon. Speaker: Hon. Naisula, what is your point of order? Hold on, Chairman.

Hon. Naisula Lesuuda (Samburu West, KANU): Thank you, Speaker. I want to ride on the request for Statement by Hon. Eli Letipila.

The issue of insecurity in the north is actually a big concern to all of us. There is a meeting scheduled for tomorrow with the Cabinet Secretary, Ministry of Interior and National Administration, together with the Inspector-General of the National Police Service.

Hon. Speaker, I note that leaders from Samburu County have been invited to that meeting, as have our counterparts from Meru and Isiolo counties. I wish to seek confirmation from the Chairperson of the Departmental Committee on Administration and Internal Security as to whether their attendance has been confirmed. This meeting will provide a vital avenue for Parliament to obtain answers to the numerous questions that have been tabled before this House.

There was a request for Statement by Hon. Pauline Lenguris that was debated here. There is now another request for Statement by Hon. Eli Letipila. I am sure our colleagues from the other counties have questions. I really hope that tomorrow, that meeting will happen and we will get answers from the people who are responsible for security in this country.

Hon. Speaker: Hon. (Dr) Mutunga, you want to joyride as well?

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Yes, Hon. Speaker, I would like to joyride on that request for a Statement. When I look at the letter that the Member is referring to, I think it is out of context. It talks about Meru and Samburu, livestock grazing on our land, whether compensation has been considered and whether quantification has been done, which is out of context. I have already called the Director of Committees to tell him that there is a problem with that particular communication and that the meeting might not yield the expected results. He promised to get back to me, although he has not. We need better communication so that we can deal with issues as they arise.

Hon. Speaker: Hon. Pauline Lenguris.

Hon. Pauline Lenguris (Samburu County, UDA): Thank you, Hon. Speaker. On the same issue, for tomorrow's meeting, we were also asking ourselves: If you look at the invitation, they are inviting Members of Parliament, Senators and governors. Will it be a Parliamentary committee, or a joint meeting of both Houses, or what kind of meeting is that? Or is it a baraza, for that matter?

Hon. Speaker: Hon. Rindikiri Mugambi.

Hon. Mugambi Rindikiri (Buuri, UDA): Hon. Speaker, I join my colleagues because I have just seen this letter here, which is very general. It does not really address specific issues. It is kind of a general issue that can be handled anywhere. We need to schedule this meeting. The Chairperson of the Departmental Committee on Administration and Internal Security is here, and the office is there. We have seen that it has come from the Director of Departmental Committees. Please, I do not think this is the right forum for us to discuss those serious matters.

Hon. Speaker: Yes, Hon. Lekumontare, give him the microphone.

Hon. Jackson Lekumontare (Samburu East, KANU): Thank you, Hon. Speaker. Given the issues on the ground and the happenings now and then, we need the Cabinet Secretary tomorrow so he can address what he can, instead of postponing. At the same time, there are many issues on the ground. It might be general, but I think the Members of the National Assembly who are affected really need answers from the Cabinet Secretary. They wrote a general letter inviting the governors, which is not correct because Members raise issues here. Issues raised by other quarters should be addressed in other quarters.

Hon. Speaker: Yes, Hon. Gabriel Tongoyo.

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Speaker.

Hon. Speaker: Hold on, Hon. Gabriel Tongoyo; a Member wishes to speak. Is that Hon. Emathe? Yes, Hon. Protus.

Hon. Protus Akujah (Loima, UDA): Thank you, Hon. Speaker. The matter under discussion is important. I request that Members of Parliament from Turkana County be invited to that meeting because the issue affects Turkana East and Turkana South. We must attend that meeting so we can deliberate widely.

Hon. Speaker: Yes, Hon. Tongoyo. When Hon. Mumina requested for a Statement last week, and then Hon. Letipila and Hon. Lekumontare joined in, Hon. Lenguris also asked for a similar Statement. Your commitment to the House is that the Cabinet Secretary appears before your Committee, on your invitation or summons, as the case may be, and that those Members who asked questions should come and prosecute their issues before the Committee. Is that correct?

Hon. Gabriel Tongoyo (Narok West, UDA): Yes, very correct, Hon. Speaker.

Hon. Speaker: Now what I am hearing is that you have not only invited the Cabinet Secretary to appear before the Committee, but also governors, Members from Meru and Isiolo, Senators and I do not know who else. Is that still a meeting of the Departmental Committee on Administration and Internal Security?

Hon. Gabriel Tongoyo (Narok West, UDA): First and foremost, Hon. Speaker, I want to confirm that the meeting, as communicated and approved by this House, is still on tomorrow at 10.00 a.m.

Hon. Speaker: The Cabinet Secretary appearing before you?

Hon. Gabriel Tongoyo (Narok West, UDA): The Cabinet Secretary with the Inspector General of Police and the security agencies. I want to say this: We picked Wednesday specifically because, normally, on Tuesday, there is often a Cabinet sitting. We sought approval from the Clerk because of the overriding public interest in the issue of banditry, not just in Samburu, but in Isiolo and even Meru.

The question came from the Member of Parliament from Samburu, but given the events of the last two weeks, we saw it as necessary and important to do an addendum. So, Meru and

Isiolo also became part of the meetings and proceedings so that we can address this conclusively.

On the issue, when we say Parliament, the Senate is part of Parliament. I am talking, Hon. Speaker, protect me from these Members from Samburu. Parliament and proceedings of Parliament, I need your indulgence; we have not invited the governor. But for the record, I am aware, and they did reach out to me, that a few Members from Samburu, due to public interest, had expressed interest and wished to follow the proceedings. This is not the first time people of interest have followed the proceedings of Parliament before a committee. Our Constitution and Standing Orders provide for this. It is not unique, and it is not strange.

For the record, let me say this: I want to appreciate Members from Samburu County because the leader of DCP is on record, having said that he is going to represent and speak for the Samburu people because their leaders had failed to do so.

(Loud consultations)

Hon. Speaker, protect me from these Members.

Hon. Speaker: Let him finish; I will give you an opportunity.

Hon. Gabriel Tongoyo (Narok West, UDA): I have done the needful, and it is within the mandate and the Constitution. Why are they worried about any other person following the proceedings? They are not going, of course, to contribute in any way. The Constitution allows them to observe. It is not the first time; it has happened before.

Hon. Speaker: Yes, Hon. Letipila.

Hon. Letipila Eli (Samburu North, UDA): Thank you, Hon. Speaker. The Chairman is being cheeky and introducing politics into very grave matters. He should separate politics from these grave matters. The matters which Hon. Pauline raised...

Hon. Speaker: He is on a point of order.

(Hon. Gabriel Tongoyo spoke off the record)

Order, Hon. Letipila. What did you say? I was consulting; I did not hear you. Is that what you said?

Hon. Letipila Eli (Samburu North, UDA): Yes, Hon. Speaker.

Hon. Speaker: Please, withdraw that.

Hon. Letipila Eli (Samburu North, UDA): Hon. Speaker, I withdraw, Hon. Speaker. But the matters to be discussed by that Committee tomorrow are grave. I believe that when a matter is to be prosecuted, it should be prosecuted properly until the end. Those who raised that matter are capable of prosecuting it. I have the invitation here in front of me, and the governor, Senator, and other governors are copied on the invitation. The Chairman cannot say that they have not been invited. Perhaps he needs to clarify that issue, because, as you can see, this matter is raising...

Hon. Speaker: Point made. Hon. Emathe. I have given the floor to the Member for Turkana Central.

Hon. Joseph Emathe (Turkana Central, UDA): Thank you, Hon. Speaker. I think the Hon. Chairperson of the Departmental Committee on Administration and National Security needs to be well advised that this is a very emotive matter.

Hon. Speaker: Hon. Tongoyo, you are being addressed. You had better listen before you consult with your leader.

Hon. Joseph Emathe (Turkana Central, UDA): This is a very emotive matter. When the President took office, he said, " *Sio tafadhali*. I advise the Chairperson not to bring all the warring parties together. He may choose to hold the jukwaa la usalama and listen to what the

most affected people are saying, then generate his way forward from there. Otherwise, he is inviting another fight amongst leaders.

Hon. Speaker: Yes, Hon. Naisula.

Hon. Naisula Lesuuda (Samburu West, KANU): Thank you, Hon. Speaker, for your indulgence on this matter. We must discuss it on this Floor of the House before tomorrow's meeting.

Listening to the Chairperson of the Departmental Committee on Administration and National Security, it is unfortunate that he brought political matters from outside into this House. I will not name some of the leaders, even from our counties, who have branded some of us as DCP members whenever we raise issues that affect our community. My community comes first: politics come later. So, that is unfortunate. We will deal with the politics out there, but we will deal with issues of Parliament here, in front of the Committee.

Secondly, Hon. Speaker, differences between governors and Members of Parliament in counties will not be played out in this House. People disagree not only in Samburu County. Even in Narok County, where he comes from, they disagree, even with their governor.

Hon. Speaker: Keep him out. He is not inviting anyone based on Narok politics. I will not allow that here.

Hon. Naisula Lesuuda (Samburu West, KANU): Thank you, Hon. Speaker, I will leave that.

The Council of Governors (CoGs) have their own avenues to look for the Cabinet Secretary and the Inspector General of Police and deal with those matters outside. But Members of Parliament will deal with matters of Parliament, as people in constituencies and counties rightly elect them to do. That will not happen here. So, branding any Member who raises matters of their constituents as opposition or DCP will not happen in this House.

On the issue of the questions we have not framed, we ride on the questions the Committee has raised. A Member can raise issues that affect their community, and a Member does not have to follow the committee's questions. The Cabinet Secretary and the Inspector General of Police should give short answers so we can ask the questions that affect our people.

Hon. Speaker: Thank you.

Hon. Naisula Lesuuda (Samburu West, KANU): Lastly, Hon. Speaker, we cannot be told to have *jukwaa la usalama* again. We already had it in our counties and constituencies. We need a forum as part of the responsibilities of Members of Parliament. We can have a *jukwaa* where every Member raises their issues. Maybe that is what will solve issues of banditry in this country. No one is protecting any criminal or bandit, but we must be told why our cows were killed, and whether they did anything or nothing. Everyone else can raise their questions tomorrow.

Hon. Speaker: Hon. Lenguris

Hon. Pauline Lenguris (Samburu County, UDA): Thank you, Hon. Speaker. I want to emphasise what Hon. Lesuuda has said.

Parliament must deal with parliamentary issues in Parliament. Clear procedures govern how county matters are handled and how parliamentary matters are dealt with. When we read the invitation letter, we are confused about whether it is a joint parliamentary meeting or a public *baraza*. One cannot invite Members of Parliament, Senators and some governors, and governors also invite community members. So, we are unsure whether the meeting will be productive or a forum for making noise.

The insecurity issues we are dealing with here are very serious, and we need to handle them with clear procedures. Let us not mix issues. Every county has its own issues. If someone wants to involve everyone here, there are other avenues to do that. Let us do parliamentary issues the parliamentary way.

Hon. Speaker: Thank you. Hon. Tongoyo, in the interest of time, you informed the House that you had invited the Cabinet Secretary to appear tomorrow.

(Several stood along the gangway)

Order. Members standing in the walkway, take your seats or go and discuss in the lounge out there. We are discussing something very serious: Security for our people, the people who elected you. There is an additional dimension of livestock being shelled to the ground, thereby destroying people's wealth. In some of those areas, livestock is the only wealth people have.

So, I direct the Chairperson of the Committee to ensure that the Cabinet Secretary appears before us tomorrow. All Members of this House are free to attend and prosecute the issue with the Cabinet Secretary. We cannot stop Members from the other House from attending if they want to come to the Committee as observers, but not as participants. I will not allow you to bring governors to polarise the proceedings of this House. If you want to deal with governors, do so elsewhere. Tell the Cabinet Secretary that he can call a *baraza*, meet governors, and invite Members who represent wananchi as well. But for parliamentary order and proceedings in your Committee, it will be a committee of Parliament.

We are open. If a governor comes, they will come only as private observers and will not participate. I advise that keeping them quiet in that meeting will be quite difficult. So, keep them out and have all Members. I can see the epicentre of this matter is Samburu, Isiolo, Marsabit, Meru, Turkana, and, to some extent, Baringo and Laikipia. If Members who feel aggrieved and affected meet, I will allow you to use the Mini-Chamber in County Hall, so you have enough space for people who want to come and participate, including your colleagues here.

Hon. Gabriel Tongoyo (Narok West, UDA): Hon. Speaker, thank you for the guidance. I do not want to overrule you because I do not have the mandate. I want to make it clear that from the very start, I indicated that we moved quickly on matters of public interest. I personally had to see the Cabinet Secretary so he could confirm attendance.

Hon. Speaker: Very good.

Hon. Gabriel Tongoyo (Narok West, UDA): There is even a National Security Council (NSC) meeting that was supposed to take place. The Inspector General of Police was to attend, but he deferred because of its importance. On this issue, Hon. Speaker, I know it is creating a lot of jitters here, of course, I am a politician. We have the politics of Samburu, which I understand, and I respect my colleagues.

Hon. Speaker, I really need your guidance here. I want to be on record that the issue here is that the Governor of Samburu is not attending. What I am aware of, and what they had written to me, and what I wrote to the Clerk, is that the former governor and five or so very important members of the public had asked me, as, of course, the Standing Orders allow, to be a participant and follow the proceedings. In my judgement, I considered that there was no problem in that because this is Parliament, a public institution. Of course, here, we always have members of the public following the proceedings of Parliament. Hon. Speaker, I ask for your indulgence because we are not hiding anything.

Hon. Speaker: Which governors? Which former governor?

(Several Members spoke off the record)

I am talking, Hon. Speaker.

Hon. Speaker: Order, Members.

Hon. Gabriel Tongoyo (Narok West, UDA): Hon. Speaker, we should not set a precedent. We are neither hiding anything nor having any ulterior motives on this. We will

follow the proceedings only. They will not participate in any way. I had already communicated with the Clerk of the National Assembly. I have been informed that a few people have travelled from Samburu and are in town to follow the proceedings.

Hon. Speaker: Hon. Pauline, do you want to say something again? Let us hear Leader of the Majority Party first, Hon. Pauline.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I have listened to Hon. Tongoyo. He has asserted that the current Governor of Samburu County will not attend the Committee's proceedings. He has granted permission for the former Governor of Samburu County to attend and follow the proceedings.

Hon. Speaker: Is it Hon. Lenolkulal?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Yes, it is, and he is now a member of the public. In my view, I do not see any harm in a member of the public, irrespective of the office one ever held, appearing before a committee and following proceedings.

Hon. Speaker: They are open proceedings.

Hon. Kimani Ichung'wah (Kikuyu, UDA): There is no harm in that.

Hon. Speaker: Hon. Tongoyo will not allow sectarian politics in our committees and will keep sitting governors out. If Senators want to attend the meeting, they are observers, not participants. They should not sit there to interrogate the Cabinet Secretary. It is not their forum.

Other people like former governors are members of the public. They can come and sit either in the gallery or in seats you reserve for them. They are not participants in interrogating the Cabinet Secretary. These are the county members I mentioned, and any other members of the public with an interest. Any Member of Parliament can, with the permission of the Speaker and Hon. Chairman, participate in some committee proceedings, but they cannot vote if a vote is required. Therefore, you can proceed that way.

Hon. Rindikiri, what is it? You look agitated.

Hon. Mugambi Rindikiri (Buuri, UDA): Hon. Speaker, I have a copy of the letter which is copied to two governors.

Hon. Speaker: My direction overrules the contents of that letter.

(Hon. Mugambi Rindikiri spoke off the record)

Hon. Speaker: Order, Hon. Rindikiri. Whether the letters are copied to them or not, they are disinvited with this communication.

Hon. Gabriel Tongoyo (Narok West, UDA): I am well guided, Hon. Speaker.

Hon. Speaker: Therefore, I wish you well. I was in Marsabit and Samburu this weekend, and the noise is not very pleasant. Therefore, it is good that you are addressing these issues. I encourage Members from this region to promote peace. We want peace for our people and protection of their property. We want every Kenyan to enjoy the tranquillity in our country. Therefore, be contributors to peace efforts, not agitators of insecurity. Hon. Elachi.

Hon. Beatrice Elachi (Dagoretti North, ODM): Hon. Speaker, I have a Statement.

Hon. Speaker: I will come to you later.

Hon. (Dr) Robert Pukose (Endebess, UDA): On a point of order, Hon. Speaker.

Hon. Speaker: Hon. Pukose.

Hon. (Dr) Robert Pukose (Endebess, UDA): Hon. Speaker, I have listened to Hon. Letipila's Statement. He mentioned the Pokot bandits. However, in your direction, you did not mention whether the Members who represent those areas are invited.

Hon. Speaker: I did not hear that. Hon. Letipila, did you also talk about Pokot bandits? Was it in reference to your colleagues from Pokot?

Hon. Letipila Eli (Samburu North, UDA): No, Hon. Speaker. I did not mention Members; if the Member who has risen on a point of order avers that Members are bandits, that is not what I meant.

Hon. Speaker: Members from Pokot County may attend the meeting. We want peace and parliamentary proceedings in the plenary and committees' sittings.

Hon. Members, before I call the next Statement, allow me to introduce Isinya Township Secondary School from Kajiado East, Kajiado County, who are in the Public Gallery. In the Speaker's Row, we have a delegation from the Parliament of Ghana.

COMMUNICATION FROM THE CHAIR

DELEGATION FROM THE PARLIAMENT OF GHANA

Hon. Speaker: Hon. Members, I wish to introduce a delegation of Members of the Committee of Public Administration and State Interest from the Parliament of Ghana, seated in the Speaker's Row. They are:

- | | | |
|------------------------------|---|---|
| 1. Hon. Kwaku Asante-Boateng | – | Committee Chairperson and
Leader of the Delegation |
| 2. Hon. Samuel Awuku | – | Vice-Chairman |
| 3. Hon. Kwame Ampofo Twumasi | – | Ranking Member |
| 4. Hon. Theresa Lardy Awuni | – | Debut Ranking Member |

Hon. Members, the delegation, accompanied by one member of staff, is on a benchmarking visit with their counterparts in the Public Accounts Committee and Special Funds Accounts Committee in the Senate and the National Assembly. On my behalf and that of the National Assembly, I extend a warm welcome to our colleagues from Ghana. I wish them a fruitful stay in our Parliament. In Ghana, they say “Akwaaba”.

Hon. Kaluma has asked me to give Hon. (Bishop) Kosgei a minute to welcome his colleagues. I have been informed he visited Ghana and met with these good Members. Hon. (Bishop) Kosgei.

Hon. (Dr) Jackson Kosgei (Nominated, UDA): Thank you, Hon. Speaker. With your blessings, the Kenyan delegation and I represented you at the 4th African Regional Inter-Parliamentary Conference on Family Values and Sovereignty. Our counterparts in Ghana gave us a warm welcome. We enjoyed great hospitality. I take this opportunity to welcome you to our country and this Parliament. We appreciate the treatment that you gave us and our delegation. We enjoyed it. We do not mind coming again. In that meeting, we launched a charter for family, reflecting our African aspirations and what we want future generations to inherit from us.

Hon. Speaker: Next is Hon. Naisula Lesuuda.

(Hon. Naisula Lesuuda walked along the gangways)

Hon. Naisula, you have become nomadic. Can you present your Statement quickly?

REQUEST FOR STATEMENT

STATE PREPAREDNESS FOR EL NIÑO RAINS

Hon. Naisula Lesuuda (Samburu West, KANU): Thank you, Hon. Speaker. I am nomadic by birth. I apologise.

Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Regional Development regarding the state of preparedness for the anticipated *El Niño* rains in the country. The Kenya Meteorological Department has highlighted the possibility of *El Niño*, a phenomenon characterised by heavy rainfall during the months of October, November and December 2026. While enhanced rainfall may provide opportunities for improved water availability and agricultural production, inadequate preparedness can expose communities to loss of life, property, displacement, and destruction of infrastructure, transport and markets; crop and livestock losses; and food insecurity.

Notably, during the *El Niño* phenomenon, the country is also likely to experience flooding, landslides and associated disruption in vulnerable areas. The extreme rainfall events are also likely to cause disruptive risks to infrastructure, agriculture, livestock, public health and livelihoods. It is, therefore, necessary that the Government puts in place measures to mitigate the devastating effects of *El Niño* and maximise the benefits, particularly water harvesting.

It is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Regional Development on the following:

1. A report on the state of preparedness by the Government for the *El Niño* rains, including public awareness, mapping and risk assessment, multi-agency response plan, budget allocation, and mechanisms for timely and reliable information on rainfall forecasts, flood risks, evacuation procedures and emergency contacts.
2. Steps taken to inspect, reinforce and maintain infrastructure such as roads, bridges, culverts, drainage, dams, water and other public infrastructure before the anticipated *El Niño* rains.
3. Measures put in place to ensure food security and protect livelihoods, including any plans for the offtake of livestock before *El Niño* to avert loss of livestock already affected by drought.
4. The steps taken to establish an intergovernmental coordination mechanism between the national Government and county governments for coordinated *El Niño* response and recovery; and,
5. The framework, if any, established by the Government for coordinating participation of development partners, humanitarian agencies, Non-Governmental Organisations, the private sector and other non-State actors in *El Niño* preparedness, response and recovery activities.

I thank you, Hon. Speaker.

(Hon. Julius Sunkuli spoke off the record)

Hon. Speaker: Where is the Chairperson, Departmental Committee on Regional Development, Hon. Lochakapong? Hon. Pukose, do you want to joyride on this?

Hon. (Dr) Robert Pukose (Endebess, UDA): Yes, Hon. Speaker. On this issue about the *El Niño* rains, many farmers, especially in the North Rift, have tilled their land in expectation of the rains in October. We would like to know from the Chairperson how the rainfall has been mapped.

Can the Chairman also inform us which areas are expected to be heavily affected and what we should expect? Farmers in some areas have tilled their land in preparation for the rains, only for the *El Niño* rains not to happen, resulting in losses. We therefore need proper mapping showing the expected amount of rainfall in specific counties. Can we get data showing whether rainfall is expected to be high, moderate, or low? We would also like to know when

the rains are expected to begin and end. We are being told that they will begin in October, yet we are already in the first week of October, and there are no signs of *El Niño*. This matter needs to be handled carefully, and the public properly informed.

Hon. Speaker: Hon. Julius Sunkuli.

Hon. Julius Sunkuli (Kilgoris, KANU): Hon. Speaker, the Statement is important, but I also want to follow the same road Hon. Pukose has travelled. Where we come from, people wish there were *El Niño* rains because, unfortunately, the Meteorological Department did not tell us that a drought would precede the *El Niño* rains. Our areas are dry, and our cows cannot find water because the short rains have not arrived as usual. The situation is as bad as it can be during a drought. Can the Meteorological Department give us both scenarios? They did not tell us it would be this dry, and now that they say it will be wet, let them tell us when this is likely to happen. Will there be another time that we can prepare for the effects of the drought, given the difficult situation we are going through?

Hon. Speaker: Thank you. Yes, Hon. Wangwe.

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Speaker. I want to joyride on that issue. I listened very keenly to the terms of reference, but the issue of relocation was not mentioned. The Government is asking the public to move from the vulnerable areas to other places. However, the Cabinet Secretary should tell us how he is planning to accommodate people who will have to relocate from the lowlands to where they are expected to settle.

Hon. Speaker: Is Hon. Lochakapong in the House? Leader of the Majority Party, inform Hon. Lochakapong to bring a response next week on Thursday.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Okay.

Hon. Speaker: Yes, Hon. Patrick Makau.

Hon. Patrick Makau (Mavoko, WDM): Thank you, Hon. Speaker. I rise on Standing Order 44(2)(c). On 26th August this year, I requested for a Statement regarding the disappearance of Mr Jimmy Mutava Mwanzia. Fortunately, the Chairperson tabled the Report while I was away on another assignment known to you. I request that the Report be tabled again, so that I can conduct some interrogation because it is a matter of importance.

Hon. Speaker: The Report was tabled.

Hon. Patrick Makau (Mavoko, WDM): That is what I am told.

Hon. Speaker: You should look at the Report. I will give you three minutes tomorrow afternoon to fire a question or two to the Chairperson.

Hon. Patrick Makau (Mavoko, WDM): I thank you, Hon. Speaker.

Hon. Speaker: Tomorrow afternoon. Let us have Hon. Elachi.

CORPORATE SOCIAL RESPONSIBILITY PROGRAMMES
BY NAIROBI NATIONAL PARK

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Speaker. Pursuant to the provisions of Standing Order 44(2)(c), I wish to request for a Statement from the Chairperson of the Departmental Committee on Tourism and Wildlife regarding the implementation of Corporate Social Responsibility (CSR) programmes by the management of the Nairobi National Park.

The Nairobi National Park is a unique national asset, the only one of its kind in the world located within a capital city. It is an important conservation, tourism and revenue-generating asset for the country. According to the Kenya Wildlife Service (KWS) financial reports, Nairobi National Park generated Ksh1.268 billion in revenue in the Financial Year 2024/2025, making it the second-highest revenue-generating KWS park, after Amboseli National Park.

The Park is surrounded by densely populated neighbourhoods, including informal settlements occupied by a significant number of vulnerable households. The KWS acknowledges partnership and human-wildlife coexistence with such communities as integral components of wildlife management. However, despite the significant revenue generated by the Park, there appears to be limited visible and structured investment by the Park in improving the welfare and livelihoods of the communities around it through CSR programmes.

It is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Tourism and Wildlife on the following:

1. Clarification on whether the KWS has a policy or framework governing CSR interventions around national parks and if so, details of the policy, including the institutional framework for its implementation.
2. A report on the CSR activities, if any, undertaken by the management of the Nairobi National Park within Nairobi City County for the benefit of communities surrounding the Park during the last five financial years, specifying the nature of programmes, resources expended, targeted beneficiaries and distribution of the programmes per constituency.
3. The measures being put in place by KWS to strengthen the relationship between Nairobi National Park and its neighbouring communities, including the establishment of a structured and measurable CSR programme that ensures communities living alongside the Park derive tangible social and economic benefits from it.

I thank you, Hon. Speaker.

Hon. Speaker: Thank you. Chairperson, Departmental Committee on Tourism and Wildlife. Leader of the Majority Party, where is your Chairperson of the Departmental Committee on Tourism and Wildlife?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Kareke...

Hon. Speaker: Direct him to bring a response in the next two weeks.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Okay.

Hon. Speaker: Yes, Hon. Zamzam.

Hon. Zamzam Mohammed (Mombasa County, ODM): Asante sana, Mhe. Spika. Leo nimesimama katika Bunge hili na huzuni kubwa sana. Mombasa tumepoteza wapendwa wetu kumi na saba, ambao ni waumini wa Katoliki waliokuwa wanaenda kufanya hija yao huko Nakuru. Walipoteza maisha yao katika ajali pale Salama. Nimesimama kutoa rambirambi za pole kwa familia zao wakati huu mgumu. Mwenyezi Mungu azidi kuwapa subira. Wale madereva barabarani waangalie barabara.

Napenda pia kutoa pole kwa familia iliyopoteza wapendwa wao wawili, mama na watoto wake wawili, huko Nyali. Baba aliamua kuchukua kisu na kuwakatakata mama na mtoto. Mtoto mwingine, ambaye alikuwa anafanya mtihamu, yuko katika hali mbaya na yuko hospitalini. Ukeketaji wa kijinsia umekuwa tishio kubwa kwenye jamii. Nawapa pole walioathirika na familia zao. Mwenyezi Mungu yuko pamoja nao.

Mwisho, natoa rambirambi zangu za pole kwa jamii ya mtoto wa miaka kumi na tatu pale Kikoani. Jana alipigwa na stima alipokuwa akicheza kwenye *balcony*. Inshaallah, statement kama hii nitaweza kuja kuhoji wale ambao wanashughulikia mambo ya stima, Kenya Power. Waseme kwa nini waya imepita karibu na nyumba kabisa mpaka mtoto ameshika na kupoteza maisha.

Kwa hiyo, ni siku ambayo Mombasa ina huzuni kubwa. Poleni sana St. Mathias Lumumba Catholic Church, Mikindani. Mwenyezi Mungu awape subira. Tuko pamoja kwa msiba huu. Asante sana, Mhe. Spika.

Hon. Speaker: Thank you, Mama Zamzam. *Inaitwa* St. Mathias Mulumba Catholic Church, not Mathias Lumumba. We join you in condoling those families. As a community, we

wish to stand together. Losing 17 people in one incident is not an easy matter to contemplate. Thank you, Mama.

(Hon. (Dr.) Ojiambo Oundo raised his hand)

On the same issue? Yes, Hon. Oundo.

Hon. (Dr.) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Speaker. On my behalf and that of St. Stephen's Sio Port Parish, I join all Catholics all over the country, the world and across the globe, in sending my condolences to our brethren who perished in that grisly road accident. They were on their way to special prayers at the Subukia Shrine. It was indeed, shocking. I also commend all those who did their best to save lives and rescue the injured.

The question of road accidents and the carnage on our roads is one that, as a country, we must urgently address. I commend Citizen Television for dedicating most of its evening programming yesterday to bringing this issue to light. I hope all the concerned parties will do everything possible to reduce the carnage on our roads.

The loss of almost 4,000 people since January is unprecedented. We cannot simply wish it away. We ought to work hard to stop this carnage. I extend my condolences to the Catholic community and all affected families.

Hon. Speaker: Hon. Ng'elechei.

Hon. Caroline Ng'elechei (Elgeyo Marakwet County, Independent): Thank you so much, Hon. Speaker. I want to join my colleagues in condoling the families of the 17 pilgrims who lost their lives while travelling to the Subukia Shrine. Additionally, lately, we have been experiencing many road accidents especially at night and along the ongoing Rironi–Mau Summit Highway construction project. I think this is due to some diversions and other changes along the road.

The roadside areas where most vehicles used to divert have been changed. Many drivers are new to the route. I urge drivers, especially public service vehicle drivers, to avoid travelling overnight, if possible. This is important when travelling to unfamiliar places. For instance, when there was a passing-out ceremony for recruits at the Administration Police Training College (APTC), a family lost four members. The accident happened slightly past midnight. When we inquired, we were told that the driver was new to that road. He was not familiar with the road construction or the stalled motor vehicles.

There is also negligence in this country. You find many truck drivers whose trucks stall at night, failing to put up road signs or reflectors. These should warn other motorists of the stalled vehicles. Many drivers are, therefore, caught by surprise when they come upon a stalled truck.

The Leader of the Majority Party is having a meeting here, and I find it very hard to...

(Hon. Kimani Ichung'wah consulted loudly)

Hon. Speaker: You have disbanded them. Go on.

Hon. Caroline Ng'elechei (Elgeyo Marakwet County, Independent): Thank you, Hon. Speaker. I was explaining a very serious issue. I wanted the attention of the Leader of the Majority Party. We find that the institutions responsible for this matter are not taking it seriously. For instance, you find a trailer with a stalled truck that has been there for three or four days, with no clear road sign. There is no effort to tow that trailer to a safe place. As a result, people leave the trailers there. You will also find new drivers unfamiliar with some of the unclear road corners.

I urge the Kenya National Highways Authority (KeNHA), or whoever is mandated to deal with road safety, including the National Transport and Safety Authority (NTSA), to ensure that every stalled motor vehicle has a clear reflector. This should warn oncoming vehicles that there is a problem on the road. I also urge drivers, if possible, not to travel at night or undertake long journeys. This is especially important when travelling to unfamiliar places. I encourage those people who have lost their loved ones that all is not lost. They should take heart and have hope in the Lord Jesus Christ.

Hon. Speaker: Thank you. Hon. Elachi.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Speaker. I also send my condolences to all the women and families of St. Mathias Mulumba Catholic Church, Mikindani. Indeed, it was a very sad accident. We need to pray for those families. Losing 17 people from one parish is very sad.

On behalf of the Holy Trinity Catholic Church, Kileleshwa, and all of us Church Women United (CWU) women, we want to say *pole sana* to them. May perpetual light shine upon all their souls. May they rest in eternal peace. Amen.

Hon. Speaker: Hon. Makali. On the same issue?

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you very much, Hon. Speaker. Let me also join my colleagues in conveying my sincere condolences to the families. However, even as we do that, I think what is important for the country is the lessons we are learning from some of these accidents. We have a lot of black spots in this country. They are well known.

The problem is that the Ministry of Public Works and the relevant road authorities do not seem to be doing enough to make it clear that these are black spots. If we have the right signage around those areas, it can really help. They could also consider having a dual carriageway or a divided section in these black spots to save lives. This would ensure that vehicles are not moving in the same lane, otherwise, if you look at some of the countries, they have very low numbers of people who die as a result of accidents. I do not know why we do not learn from some of those good countries so that we reduce our numbers. The numbers are worrying. We need to act.

Hon. Speaker: Yes, Hon. Wangwe.

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Speaker. On behalf of St. Joseph's Lusumu Parish, my own behalf and that of my family, allow me to pass my condolences to the families of the Catholic Pilgrims from St. Matthias Mulumba who were going for prayer for their future, current lives and lost their lives on the way. However, as leaders of this country, let us look at our culture. The other week, you sent me out of this place to Rwanda and what we observed in Kigali was very clear that respect for the users of the road is very paramount. Even a motorcyclist cannot cross where there is a zebra crossing. They obey the security lights.

Let us also embrace the culture of respect of what has been designed such that the road users can also make sure they respect what has been designed for them. However, KENHA should take cognisance of the fact that when lives are lost on their roads, it is their duty to protect us in terms of design, making sure they give us the signages to protect the users of the roads.

Thank you, Hon. Speaker and may the souls of those who departed rest in eternity.

Hon. Speaker: Yes, Hon. Julius, Member for Kesses.

Hon. Julius Rutto (Kesses, UDA): Thank you. Allow me to join my colleagues in expressing deep condolences to the family of those who lost their loved ones during that incident that happened. It is, indeed, devastating to lose such a number of persons totalling 17 plus. Therefore, I join the Christians to say *pole* and to wish God gives them strength as they grapple with the reality of the lost ones. As a country, it is high time, even as we plan our infrastructure, we appreciated the fact that the traffic population has grown over time especially

along the corridor from Mombasa to Nairobi and Nairobi all the way to Malaba. It is time for us as a country to live to the reality that we need to invest more resources on expanding these roads.

We appreciate the President for initiating expansion of the road from Rironi to Mau Summit, but that is not enough. We also need to encourage that the road is done from Mau Summit all the way to Malaba. We need to have a clear discussion on how to expand our road from Mombasa to Nairobi and to other linkages across the country because Kenyans have grown the ability to hold motor vehicles beside the business transporters that are helping us move goods from one place to the other. We must appreciate that the roads that we are using date back more than 40 years since they were built when population and the traffic of that time was lean. Traffic has grown and, therefore, we need to think ahead. As much as we want to call upon road users to be careful, let us also appreciate that we have a challenge on our existing infrastructure. Thank you and *pole* to them.

Hon. Speaker: Thank you, Hon. Members. We join Hon. Mama Zamzam in condoling the families of the 17 pilgrims who were travelling to Subukia. Incidentally, the area Member of Parliament, Hon. Gachobe, had invited yours truly to go and join the pilgrims in those prayers. As patriotic leaders, I request you to be upstanding for a minute of silence in honour of those 17 souls that we tragically lost due to road negligence.

(Members stood in their places and observed a moment of silence)

May their souls rest in eternal peace.

Hon. Maimai, is your school still in the Gallery? Sorry it took too long to come to you. Is your school still up in the Public Gallery?

Hon. Kakuta Maimai (Kajiado East, ODM): Yeah, I still see it up there. Thank you, Hon. Speaker, for giving me an opportunity to welcome one of my schools, Isinya Day Secondary School to Parliament; *karibu sana*. This is where the laws and policies are made. I am so grateful for the teachers who brought them here. This is a fairly new school that we started two years ago to help the residents of Isinya Town especially the township, so that their children can have an opportunity to go to school. I think the school has close to 500 students and I am very happy to see that what we started last year has grown. So far, the numbers have gone up drastically. I want the students to know that they are leaders of tomorrow and it is also possible one day to have one of them become a Member of Parliament. Let them know that the sky is the limit. I appreciate, once again, a team of teachers who have brought them to Parliament. I am very delighted to see them here at Parliament. *Karibuni sana*.

Thank you, for giving me a chance to welcome our students.

Hon. Speaker: Thank you, Hon. Maimai. Hon. Members, as we move to Order No.8, on the request of the Leader of the Majority Party, the Committee of the whole House at Order No.10 will be stayed to tomorrow. Clerk, put it on the Order Paper of tomorrow afternoon.

On the request of Hon. Nyikal, Order No.17 on Tobacco Control (Amendment) Bill, will be stayed. He says it requires about two weeks. Hon. (Dr) Nyikal, did you say two weeks?

Hon. (Dr) Nyikal (Seme, ODM): Yes.

Hon. Speaker: He requires about two weeks to prepare for the Bill, so it will be stayed for two weeks. Let us go to Order No.8.

BILL

Second Reading

THE PUBLIC SERVICE SUPERANNUATION SCHEME

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified copy of this Report can be obtained from the Hansard Editor.*

(AMENDMENT) BILL
(National Assembly Bill No.33 of 2025)

Hon. Speaker: The Leader of Majority Party, this is your Bill.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I beg to move that the Public Service Superannuation Scheme (Amendment) Bill (National Assembly Bill No.33 of 2025) be now read a Second Time.

Allow me to first thank the Departmental Committee on Social Protection. The Members of this Committee tabled the Committee's Report the other week on their consideration of this Bill and did a splendid job. This Bill is critical in amending the Public Service Superannuation Scheme Act in order to comprehensively streamline the governance and administration of the scheme.

From the outset, you will see that part of what the Bill intends to do is not only to streamline, but also to change even the name of the scheme to a fund, so that the Public Service Superannuation Scheme changes its name to the Public Service Superannuation Fund and this will emphasise its role as an active professionally managed pool of assets and aligns it with the regional terminology just like that of the National Social Security Fund.

The primary objectives of this Bill are:

One, to restructure the Board of Trustees for greater professionalism, autonomy and inclusive stakeholder representation including that of our disciplined forces who historically have not been represented in their scheme as it were before. They are all professionals within the Public Service and they had no representation in the scheme, but under the rebranded or renamed Fund, even our disciplined forces will have representation.

Clause 11 of this Bill explicitly creates a rotating seat for nominees representing the National Police Service, the Kenya Prison Service and the National Youth Service, so that we resolve that historical exclusion of the disciplined forces within the scheme. The other objective is to strengthen and secure the explicit statutory rights of public servants regarding immediate ownership and portability of their savings.

Hon. Speaker, the Bill aims to clarify the direct financial obligations of Government employers and grant the Fund operational independence from crippling bureaucratic regulations. Members who have bothered to go through the Bill will see that, in an endeavour to ensure that we do away with the bureaucracy that comes around with State corporations, there are provisions that address that issue.

For instance, Clause 40 of the Bill formally excludes the Fund from the definition of a State corporation, so that the Fund will not be seen as one. This provides operational agility and frees the Fund from restrictive public procurement and bureaucratic budgetary controls. Therefore, they will not need to go through the Public Procurement Regulations to transact their business. Therefore, creating agility within the operations of the Fund unlike before when a public investment scheme was restricted by bureaucracy that governs State corporations.

One of the co-governance amendments that is also in this Bill, as I mentioned, is the institution of the board under Clause 11. It repeals Section 10, expanding the Board of Trustees to bring into the new board inclusion of nominees from key trade unions like the Kenya National Union of Teachers (KNUT), Kenya Union of Post Primary Education Teachers (KUPPET), and the Union of Kenya Civil Servants (UKCS). The scheme is basically a public servants' superannuation fund.

There is also the inclusion, as I have mentioned, of the National Police Service or the disciplined forces, who have largely been historically excluded. Under this clause, there are also amendments to ensure that the institutional nominees from the Teachers Service Commission, the Public Service Commission and the National Police Service Commission are

corporate appointments made by the commissions themselves, rather than the individual secretaries of these commissions or institutions being the ones representing them.

Therefore, the National Police Service Commission, the Public Service Commission and the Teachers Service Commission will nominate people to represent them, not necessarily the secretaries of those commissions automatically being the ones being appointed or nominated to represent them on the Fund's board. The Teachers Service Commission will weigh options and see who among the commissioners or their staff best suits that position to be nominated to represent them in the Fund. They will look at the skills that are within their commissions, people who have experience in matters of law, accounting or the management of retirement benefits, and therefore, appoint people who will offer value to the board.

The other issue is on stature and accountability. These amendments elevate the appointment of the board chairperson to the President requiring 20 years of experience. The chairperson of the board will be appointed by the President. What obtains today in the scheme is that the chairperson is not required to be appointed by the President. But when we elevate the position of chairperson of the Fund to be appointed by the President, it means that the stature of that office also creates a level of accountability that is at a much higher level rather than what is there today under the scheme.

On operational autonomy, as I mentioned, in the financial reforms, there are amendments touching on this. One is to transition from being a scheme to a Fund. Therefore, the level of professionalising assets management aligns with what happens in other pension funds, like the National Social Security Fund (NSSF).

As I mentioned, Clause 40 also provides for exclusion of the Fund from operational bureaucracy, budgetary bureaucracy and controls. If they are getting money from the exchequer, again, Clause 40 excludes the Fund from the definition of the State Corporations Act. It also introduces critical amendments in terms of financial autonomy. Members should bear in mind that many of our pension schemes and funds have suffered over the years when fund managers or those who are managing them utilise funds to give work to, not necessarily busybodies, but fund managers who are basically businesspeople. Therefore, they end up eroding members' contributions and savings because of the amount of money that is paid to fund managers.

One of the things that we have sought to do here is to create a fiscal cap on administrative expenses, limiting them to only 1 per cent of total Fund assets, to protect members' savings from erosion. Clause 28 of the Bill has put the capping at not more than 1 per cent of the total Fund assets that can be utilised in administrative expenses or even Fund management. Basically, this protects contributors' money, so that the Fund managers do not spend anything beyond 1 per cent of the value of the Fund in administrative expenses.

Under Clause 25 of the Bill, we are amending Section 36 of the principal Act to permit trustees to internally manage up to 15 per cent of the Fund's assets. This, again, reduces reliance on external Fund managers and lowers fees. As I mentioned, it happened right at time of Eurobank and some other small banks and some small fund managers. This was very prevalent with the NSSF in the past. A lot of members' funds were spent in briefcase fund management companies. We are giving the Fund a leeway, under these amendments, to manage up to 15 per cent internally. If they have assets of Ksh100 billion, up to Ksh15 billion can be managed internally. They do not need to go to a fund manager. This is to protect members' funds from being eroded because many fund managers, and we know what happens, collude. They take all manner of small investments through fund managers in the interest of pursuing small commissions, which the fund managers then give back to the people managing these funds. We are capping that internally, so that they should not necessarily take everything to the fund managers.

On that note, Hon. Speaker, I can see Hon. Zamzam is here representing the Chairperson of the Departmental Committee on Social Protection. The Committee must ensure that the NSSF that today collects much more money than they did before is limited in the amount of money it spends in their oversight role. The Committee needs to invite NSSF to appear before them to show how much they are spending with fund managers today. The NSSF is doing a good job in terms of investing back into the economy from the money that is being raised. But we must limit how much of that money is going through fund managers. There are stories about corrupt practices with fund management. The NSSF has been the biggest culprit.

Therefore, with the increment in member contributions to the NSSF, there must also be increased vigilance by the Departmental Committee on Social Protection, our Public Investments Committees and the Public Accounts Committee. They must exercise better oversight to ensure that even for the NSSF, as we are doing for the Public Service Superannuation Fund (PSSF), can manage its investments internally.

We also employ very diligent professionals in these funds. We have very good actuarial managers in NSSF. I am certain that PSSF also has very good actuarial managers, accountants and legal minds who can help them to invest internally without necessarily going through fund managers, who are driven by the commissions they are paid. There are other key amendments, Hon. Speaker, in this Bill. As Parliament, we have led the way and shown others, through your leadership.

You know, when you introduced the post-retirement medical scheme for Members of Parliament, its ripple effect went even into our funds. Part of what we have proposed in this Bill is to create a post-retirement medical fund, a mortgage facility and other retirement products subject to the Retirement Benefits Authority (RBA) approval. The Fund can also create a post-retirement medical fund and a mortgage facility for their staff, so that it retains its best staff and not lose them. As I said, the Fund employs very good accountants, legal minds and actuaries. These are well taken care of professionals in other places. Therefore, if you do not give them things that can hold them in their offices, they will be poached elsewhere. When the Fund loses professionals, it will lose the benefits that we are trying to protect by trying to manage the Fund internally. Therefore, we are trying to see – subject to RBA approval – that the Fund is allowed to have a post-retirement medical scheme fund and a mortgage facility so that it can take care of its people well.

Old-age poverty is largely driven by medical bills. So, we need to start taking care of people post-retirement. That is why I said that Parliament started a post-retirement medical scheme for Members of Parliament courtesy of your leadership under the Parliamentary Service Commission. Now, others in the public service have begun copying that. It is a good thing because governments with such funds are usually the largest employers. Since this is a Fund that is taking care of public servants, the more many of them are taken care of post-retirement, the bigger we will lower the burden for SHA and other medical schemes for people who are retired.

The other critical amendment that I have mentioned is elevating members' rights and benefits. As I said, Clause 16 introduces a new section stating unequivocally that all retirement savings will be vested immediately to members, replacing the previously 10-year period of staggered vesting under the schedule. Therefore, members will have their savings vested into them immediately and not in the staggered manner that was there.

Clause 5 amends Section 7 that allows members to instruct employers to deduct additional voluntary contributions to remit them directly to the Fund via diverse channels. Therefore, if a public servant feels that they can contribute more, the Bill under that amended Section 7 is opening that opportunity – be it through M-PESA or direct deductions – to make additional voluntary contributions. A member may feel that he wants to make additional voluntary contributions to enhance his savings. The law will, therefore, allow him to do so.

Lastly, the Bill makes clear employer obligations and legacy benefits to include one that forces employers to remit deductions within 10 working days and if an employer defaults, they will be penalised at the actual rate of return of the Fund for the previous financial Year. This will ensure that members do not lose investment growth. That is a problem that many of these funds and schemes have suffered in the past, especially funds that are managing public servants or civil servant funds. For instance, you may find that a county government deducts money from its employees, but it never remits that money to the fund. So, the Bill is making it mandatory that within 10 days after an employer deducts money from employees' payslips, the money must be remitted to the fund. If the employer fails to remit that money, he will be obligated to pay it with a penalty that is equivalent to the return that the fund would have earned had he invested that money. Whether it will be a State corporation, the Teachers Service Commission or the Public Service Commission, when they deduct money from employees, they must remit that money within 10 days after deducting.

The other thing is to clarify the two-port system that explicitly obligates the National Treasury to conduct an actuarial valuation of past service, revalue those benefits at a minimum of 5 per cent per year, issue formal recognition letters and grant Treasury the power to transfer those consolidated assets directly into the Public Service Superannuation Scheme Fund as the case may be. There are many issues that were raised with the Committee when they engaged members of the public. I do not want to belabour many of those things because they are well captured in the good Report that was tabled by the Committee. They will inform many amendments that will be proposed in the Committee of the whole House and in the Third Reading of the Bill. For instance, when the National Social Security Fund was invited, it had an issue with Clause 41 of the Bill which is a consequential amendment to the NSSF Act, exempting the scheme from tier 1 and tier 2 under the NSSF Act. I know when the NSSF appeared before the Committee, it expressed its reservations. Therefore, part of what the Committee has recommended will be considered in the Committee of the whole House. Members can go through the Committee's Report that has captured many of those things so that we can incorporate many of the things that stakeholders and members of the public have indicated they would want to see in the Bill.

Let me not belabour anything beyond that because I will just be repeating what probably my seconder, Hon. Zamzam, would want to say in her notes since she sat in the Committee. She is a good Member of the Social Protection Committee. I am sure that having sat through the Committee, she has much more to say and that is why I want to avoid going through all the issues that they have raised in their Committee recommendations.

This is a very good Bill that is progressive. It restructures the Public Service Superannuation Scheme and it is creating a Fund that will rival other funds like the NSSF in many ways. Therefore, as much as we will consider many of the other stakeholders' views, we are also cognisant as legislators that there are people who are also protecting their tuff. When you hear that the NSSF has issues, they are probably also just protecting their tuff and the contributions they are getting. Therefore, we will seek to balance. We will be engaging with both the NSSF and the PSSF or the scheme as it is today, to strike a balance, so that we do not disadvantage any public servant in terms of the savings they want to do for their later use in old age and post-retirement.

This is a very good Bill and I want to urge all of us to support it in the best interest of many of our public servants who give the most productive years of their productive life cycle to public service to steer the development of our country in moving it forward.

With those many remarks, I beg to move and request Hon. Zamzam, the indomitable Woman Representative for Mombasa County, to second the Bill.

Hon. Speaker: Hon. Zamzam.

Hon. Zamzam Mohammed (Mombasa County, ODM): Ahsante, Mhe. Spika. Kiongozi wa Chama cha walio Wengi amezungumzia marekebisho katika Mswada huu wa leo. Nasimama kuafiki Mswada huu kama Mwanakamati wa Kamati ya *Social Protection*. Kamati yetu huangalia sana maswala ya usalama wa jamii na kuhakikisha kuwa rasilimali za wakenya hazipotei kwa kutumika ovyo ovyo. Ni wazi kuwa malipo ya uzeeni ya NSSF yalikuwa na mapengo makubwa ya kisheria ndio maana tukaketi kama Kamati pamoja na wawekezaji na Idara za Serikali kuhakikisha kuwa tunaziba hizi pengo za kisheria na kuhakikisha kuwa rasilimali na amana za Wakenya zinaangaliwa vizuri.

Wakati mmoja nilikuwa nimeajiriwa Kisumu na nikawa nakatwa kabisa haya malipo ya uzeeni lakini ajabu ni kwamba wakati nilienda kwa mwajiri wa pili, ikienda kuangaliwa kwenye zile *records*, ikawa hakuna kitu kiliwahi pelekwa kule. Hili lilinitendekea mimi Zamzam. Wakenya wengi sana wamepoteza haki yao na uwekezaji wao kwa sababu kulikuwa na sintofahamu haswa kutoka kwa hawa ambao tunawaita *fund managers*. Walikuwa wanafanya mchezo sana wa kirba goji, goji kirba. Ndio maana tukaona katika sheria kuna mapengo mengi sana ambayo yanafaa kuzibwa. Tukakaa Kamati yangu pamoja na hawa NSSF kuhakikisha kuwa tunaafikiana kuweza kuziba haya mapengo yote.

Juzi na jana toka Rais ameingia kwenye kiti, nakumbuka miaka 60 toka ukoloni, ilikuwa hizi pesa za NSSF ziko chini sana, karibu Ksh300 bilioni. Lakini ndani ya miaka miwili mitatu, tumeona idadi imeongezeka maradufu, imeingia mara mbili. Nafikiri karibu tutafika kwenye trillioni. Kwa hivyo, haya mapeni lazima yaangaliwe vizuri kwa sababu ni kitu ambacho kinaweza kusaidia taifa lisiweze kwenda kukopa mikopo nje likawa linawekeza na ile faida kidogo inarudi kwa mwananchi.

Wazee wengi ambao wamestaafu walikuwa wakizunguka ofisi baada ya ofisi wakitafuta kupewa haki zao. Wengine hata wamekufa bila kupata zile haki zao. Tukaona pia kuna pengo kubwa. Niweze kumpongeza Rais William Samoei Ruto. Ametoa *order* akasema kuwa sasa watu watakuwa wanalipwa katika siku kumi. Mtu atakuwa ashapata haki yake. Wengi watazungumza, nami nataka kuambia Wakenya kuwa sijaona rais ambaye amewafikiria kama huyu Mheshimiwa. Haya maneno yote ambayo anatufanyia, anatufanyia yeye leo ni rais, kesho hatakuwa rais lakini ataliwacha taifa kwenye mikono dhabiti.

Nikisupport huu Mswada, nasema kuwa mambo yanaenda vizuri. Wazee kule nyumbani mjue haki zenu na akiba zenu ambazo mnaweka ziko kwenye mikono salama na sheria sasa tunairekebisha ili hizi amana zenu zikae vizuri.

Kama Mama Kaunti wa Mombasa, namshukuru Rais, nashukuru Kamati yangu na wale wahusika wote kwa kuwakumbuka hawa wazee. Hata sisi siku moja tutakuwa wazee maanake tunakatwa. Tunahitaji pia wakati ule ukifika, kuwa na mambo ya kuangalia kama hospitali, *Social Health Authority* (SHA) ituangalie kwa upande wa *medical cover*. Haya yote yameangaliwa katika marekebisho haya, kuhakikisha kuwa hata mtu akizeeka, asiende hospitali akakosa matibabu. Asiweze kukosa zile amana zake ambazo alikuwa anaziwekeza miaka nenda miaka rudi, aanze kusumbuliwa tena. Ni siku kumi tu, *working days*, ambazo *President* amesema wanaweza kupata amana zao.

Kwa hayo machache, naunga mkono Mswada huu. Asante sana.

Hon. Speaker: Thank you, Mama Zamzam.

(Several Hon. Members entered the chamber)

Members on their feet, take your seats.

(Question proposed)

Hon. Rindikiri.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Speaker. I grew up in an industry called insurance. For a long time, we struggled to sell pension schemes until the Retirement Benefits Authority was established and people began seeing the matter differently. For a long time, a major concern has been that pensions are essentially the future investment for, or on behalf of, retirees.

One of the biggest challenges that we used to experience in those days was the collection of contributions. The way it was structured, in many cases, many people did not want to make voluntary contributions. There were some contributions which were made as a forced saving. But now, with the new thinking on pensions, it was easier to attract employees by the employer adding more contributions to the employee's contribution. That is why contributory pension schemes started coming up.

From the latest statistics, we have about 245,000 public servants, and out of that, we have only about 60,000 who are in the superannuation schemes. This is a matter that the public really needs to understand, namely, the importance of savings. It is not a culture in this country because if you go to countries like Tanzania, savings is a very serious matter. You go to countries like South Africa, which is a case study of pensions in the world, and it is a very serious matter.

Here in Kenya, it is like we are struggling to tell people that you are going to retire and you need an income. I am so happy today because all the loopholes and the key issues that members of the public have been asking about, which have been discouraging them from joining the schemes, are being addressed. In those days, the question was: Were the investment returns adequate? You contribute your money, but what are the returns after 20 years? This question is being answered by this Bill.

The other matter is the remittance of the contributions in good time. I want to thank the proponents of the Bill because we know many people have been prosecuted and many organisations have been challenged. Every time, you hear that this county or ministry has not remitted. The bad thing is that once you delay the remittance, the investment is lost. This Bill has addressed a very fundamental matter, namely, the cost of administration and the cost of investment. These are very important things because, really, if you are running a pension scheme, and that is where the RBA becomes very important, you go and get an administrator who is charging so much, yet the returns are very limited.

The issue of mismanagement of pension funds is a known thing in this country. Therefore, today is a new dawn on how best to capitalise on pensions because you do not need to belabour so much that pensions are retirement incomes. The key issue that you really need to address is: Do we have a culture of savings in this country? How I wish that even the private sector encouraged savings. It is only this administration under William Samoei Ruto that has made people realise that we have a retirement to go.

The majority of us Members here always think that we will continue being in this Parliament. So, when we are being told to save, it is like it is a burden. It is better to work like a donkey, but live like a king thereafter. We need to enjoy our retirement. Kenyans need to enjoy their retirement.

This fund can be used as a source of funds for infrastructure development. We do not have to continue relying on foreign debt. If we grow our funds locally, we will have a pool that we can go and discuss and take up. The NSSF has been a monopoly, and I am happy because we will now create competition through this Bill.

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

[The Temporary Speaker (Hon. Farah Maalim) took the Chair]

Hon. Temporary Speaker, I am happy that you can now migrate your scheme from one company or institution to another. This was not possible before. Due to the lack of education about the benefit of pensions, many Kenyans have not adopted the culture of savings. I do not want to belabour, but I think every Kenyan should be educated. If possible, we should increase our savings. People disagree when the President says how much our contribution should be. It is better for us to take care of tomorrow today. That is what is lacking among majority of our people. For example, majority of retirees, like civil servants, worked for 30 years then and went home with only Ksh96,000 yet there is an option to increase and create wealth for themselves and their dependents in the future.

I, therefore, support this Bill. This is another milestone in implementing or encouraging the culture of savings among our people.

The Temporary Speaker (Hon. Farah Maalim): Hon. Mbui.

Hon. Robert Mbui (Kathiani, WDM): Thank you, Hon. Temporary Speaker, for this opportunity to contribute to this Public Service Superannuation Scheme Bill, which is being amended from the Act.

From the get-go, I must say that there are some very positive amendments that have been proposed here, starting with Section 17, which proposes to amend Section 26 of the Act. This is basically repealing the existing section and replacing it with one that gives access to accrued retirement savings upon leaving employment and before retirement. I think this is somewhat positive. But even as I agree with it, I have a lot of questions that came up from going through this at face value. As we move to the Committee of the whole House, it will be important to address some of them either through amendments or getting clear answers. The first one is in the definition of ‘employer’. If you look at the definition of ‘employer’ in Section 2(d), it states that any other employer that the cabinet secretary may determine to be a public service for the purposes of this Act. It is a little strange. At what point will this be done? How will it be done? How will it be communicated? It is important to know who fits within this scheme. The definition has to be clear because, if it will be determined, we have to know exactly where we will get this information.

My other question is on Section 4 which proposes to amend the principal Act in Section 6. My concern is that the amendment in Subsection 1 proposes to insert the words ‘not less than’ immediately after the words ‘rate of’. If you go to the actual Section 6 of the Act, you realise it is talking about the rate that is deductible from the employees every month. I think the rate is given at 7.5 per cent. When you remove the rate of 7.5 per cent and substitute it with ‘not less than’ 7.5 per cent, that means this rate can increase. You will also note that there is another proposed amendment that the cabinet secretary may, by notice in the Gazette, vary the rates in Subsection 1. Previously, the law has fixed the contribution at 7.5 per cent, but with this amendment, the cabinet secretary has been given authority to vary that contribution to above 7.5 per cent. I want to understand why the cabinet secretary would be given that power. Why not allow that power to belong to the House, which should set such limits? Who protects employees from having to pay a higher percentage? It is important for that to be clarified.

Hon. Temporary Speaker, the next issue is in Section 11 that talks about amendment to Section 10 to amend the establishment of the Public Service Superannuation Scheme Board of Trustees. I should clarify that in the whole list, the organs of Government that are supposed to participate, like the Teachers Service Commission (TSC), the Public Service Commission and the National Police Service Commission (NPSC), are clearly defined. My concern is (k). Every one of these is being given a slot in the Board of Trustees, and at the same time, the unions are also being given an opportunity because they represent employees' interests. For instance, TSC will sit with representatives of the Kenya National Union of Teachers (KNUT) and the Kenya Union of Post Primary Education Teachers (KUPPET) while the Public Service Commission will have a representative from the Union of Kenya Civil Servants. Basically, you can see that

every employer will have a representative from the union. My concern is (k) which talks about one person nominated by employees of any other employers recognised in this Act. Remember, I talked about the definition being unclear. Who is this person? How will they be identified? At what point will they be identified? This has to be clear on which State organs or agencies fit within this Bill. That way, they can identify the people that can represent the employer in the board, and at the same time, somebody to represent the employees. There cannot be double standards where TSC will have two people representing the teachers' unions while other people identified for providing a public service are not given a slot. At what point do we then identify their representatives in the Board of Trustees. I think that needs to be made a little clear.

Section 29 proposes to repeal Section 40 which deals with the investment of surplus funds from the Fund. If you repeal the proposals that dealt with the investment of surplus funds, what happens to any surplus funds? Is there a proposal within the same Bill on how to handle the surplus funds? I need that clarity because if you are making an amendment, it has to be clear. Yes, you repeal, but what is the alternative? What is the option given?

Hon. Temporary Speaker, Section 31 of this Bill proposes to amend Section 43 of the principal Act. Part two of that says that annual estimates shall be prepared three months before commencement of the financial year and submitted to the board for approval. The previous Act stated that, but went ahead and stated that any changes must be brought back for approval by the cabinet secretary. This Bill has now gone silent on what happens if there are any proposed changes. It has to be clear. Is it that we cannot have any proposed changes? Even the nation's budget is brought here in Appropriation Bills and thereafter altered, but the House approves those changes. How come it is silent? How come that part has been removed? It has to be clear. Why do you remove the possibility of a change in the estimates that will require approval? There is no provision for approval and any possible changes. Things can change within a whole year's budget. I want to understand why that was changed.

Section 31 also proposes to amend Section 43 by deleting Subsection 4. This states that no expenditure shall be incurred except in accordance with the annual estimates. Previously, it stated that any changes made would require approval before any spending could occur. However, that requirement has now been removed. What will happen if someone wants to suggest any modifications if we repeal this guiding section?

Section 32 proposes to amend Section 44 of the Bill, and they are proposing to delete Subsection 2 and replace it with one that discusses annual audits. It states:

“The Board shall cause accounts of the Scheme to be prepared and submitted for auditing and reporting annually by the Auditor-General or an auditor appointed by the Board.”

Previously, it stated that those audit reports would be submitted to the Auditor-General in accordance with the audit laws of this country. Now it is the Auditor-General or an internal auditor. How can you substitute the Auditor-General with an internal auditor? When this law passes like this, it means that the Auditor-General is not necessary. It is not mandatory for them to go through the accounts of this superannuation scheme. Therefore, I am uncertain why this change is being proposed. You cannot substitute the Auditor-General with an internal auditor; after all, you appoint the internal auditors.

The Temporary Speaker (Hon. Farah Maalim): Add him one more minute.

Hon. Robert Mbui (Kathiani, WDM): Thank you, Hon. Temporary Speaker, for the indulgence.

Finally, the last point is on Section 33, which repeals Section 45. Section 45 proposed an actuarial valuation of that Fund every five years. Why would we delete that? Every organisation would want to know their value every year, not even every five years. In law, it was mandated that an actuarial valuation be done every five years. Now that has been removed. How do we then value and understand the worth of this Scheme as we proceed? If those issues

are addressed, I think the whole idea is not a bad one, but we must be careful not to take away from the House the power to make a law that can support this country and help us move forward.

Thank you. I submit.

Hon. (Dr) Lillian Gogo (Rangwe, ODM): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity to contribute on behalf of the people of Rangwe regarding this matter on the Floor of the House.

Allow me to digress a bit and thank the President of the Republic of Kenya for issuing a presidential decree stating that public servants, or those working in Civil Service or otherwise, should receive their retirement benefits within a certain time frame. We have seen retirees suffer in this country. I applaud President (Dr) Samoei Ruto for coming to the rescue of Kenyans who have worked so hard only to be frustrated upon their retirement.

Having said that, I rise to support this Bill. A superannuation scheme is important for posterity. It is good to have a system that looks forward to retirement, supports individuals after service, and provides hope after many years of dedication.

On this note, I want to address, without prejudice, the “*boscors*” of this country. Some individuals, particularly men, work very hard throughout their lives. However, upon retirement, they can become overly generous, allowing others to take their hard-earned savings and squander it. As a result, they often find themselves in a state of misery during their retirement years. We should also include a clause indicating that, upon retirement, squanderers of money should be kept away from these individuals, so that they can enjoy their retirement in peace without disturbing their families and without being disturbed by those who do not mean well.

We require a superannuation scheme to support the National Social Security Fund (NSSF). If one person or entity manages a matter, it can lead to monopolistic abuse. Developing an alternative through my committee would be a positive step.

Another point I would like to address, which has already been mentioned by one of my colleagues, is that proper auditing must be done. We cannot have a system that solely relies on internal audits. It is possible that internal audit systems can be compromised. However, when the Office of the Auditor-General audits this particular Fund, I believe it would be beneficial for the contributors.

I want to address Kenyans regarding the importance of praying for a long life. If God grants them a long life, particularly beyond the age of 70, the Bible indicates that such a life comes with its own challenges and problems. When this life presents those challenges and problems, having some form of savings can help extend one's life. I appreciate the Parliament of the Republic of Kenya for considering a post-service scheme, especially a medical scheme for serving Members. This has always been the biggest problem. If we can alleviate the financial needs of senior citizens in this country, particularly after years of dedicated service, I believe it would be a positive step for our nation.

Additionally, some families are blessed with children late, even after retirement. If these particular parents or beneficiaries of this Fund or scheme could access some form of resources, it would create stability for that family. We recognise that the family is the foundation of the nation. If we can safeguard the interests and the wisdom of those who have retired, we would be moving in the right direction as a nation.

Furthermore, I want to emphasise that it is not solely about policies, Acts of Parliament, or the Constitution of Kenya. What destroys us as a nation is that while we have many good ideas and numerous Bills presented to this House, which are debated and even passed into law, corruption often undermines these efforts. After the passage of these Bills into law, the Acts that govern our country are tainted by corruption. You find that the people meant to run such schemes would not run them for the benefit of the contributors. You find a corrupt system that would fall low in these kinds of engagements.

I want to implore that, as a nation, we confer with ourselves as individuals of goodwill. We should look at ourselves as lawmakers and as leaders. We should also look at ourselves as people who serve others, guided by our moral values, particularly in terms of our service to humanity and to God, so that we can reduce corruption. In this way, we would come up with very good ideas and encourage Members to serve in this particular scheme. Unfortunately, you find that the very people entrusted with managing such schemes end up running down the systems.

I pray and implore Kenyans that, in whichever area of service they find themselves, even if they are serving in a Government office at whatever level, please, they do it as unto God. Woe unto those who dip their hands into the savings of all people. They are going to steal this money, and fortunately or unfortunately, it is going to run up to their fourth generation through a system that will fail their own line.

I support the amendments. I pray that we do this for posterity and for the benefit of those who save.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Member of Parliament for Busia.

Hon. Catherine Omany (Busia County, ODM): Thank you, Hon. Temporary Speaker. I support this Bill to the end. We have relatives and friends who have been sent into depression while trying to claim what they used to be deducted while actively employed.

I applaud the President for coming in at this moment to restore Kenyans' dignity by giving a directive that, within 10 days, if people apply to receive their dues, then they should get them on time without delays.

As a country, if we want to protect our people, then we should also prevent some things from happening. If people retired and they want to get their *marupurupu*, why should they be taken in rounds? Why should they be forced to go through long bureaucracy, yet during deductions, it was mandatory, and it could be deducted right away without delays?

I fully support this and hope that the structures that have been delaying, or whoever has been delaying in those corridors, the lengthy bureaucracy, the hurdles and the impediments that have been there, have been uprooted so that in future, we do not hear of people dying prematurely due to depression. Previously, if one did not have connections, then they would die without ever getting their rights.

We also used to have these two public institutions and especially county governments, as the biggest offenders. They deduct, but they do not remit or delay remitting, and even when they remit, maybe they do not even remit a lumpsum for everybody they deducted from.

I support this and also encourage employers not to run away from public institutions because most of them have been running away to private companies or insurance companies to save for their future. We just want to bring back trust in public institutions, so that we can also build our public institutions. If we bring back trust and hope, our institutions will do better in future.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Hon. Naomi Waqo.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to add my voice to this very important amendment Bill that intends to take care of our senior citizens. As a country, we need to think about the savings that every working person in this country makes. They save in order to help themselves and enjoy their retirement benefits once they retire, stay at home or engage in their own businesses after retirement. On the contrary, many retirees have suffered because even getting their retirement benefits has been a challenge.

I know of teachers who have travelled from far places such as Marsabit and even beyond, coming to the city to claim their retirement benefits. They keep coming for months,

spending a lot of money, and even then, they do not succeed at the end of the day. By the time they eventually get their benefits, the amount of money they have spent may be close to what they are receiving.

This Bill is timely. I support it because it seeks to amend the Public Service Superannuation Scheme Act in order to comprehensively streamline the governance and administration of the scheme. This, as I have said, will help people so much.

Again, the scheme was operationalised five years ago, and they have had some administrative gaps that impede efficiency and responsiveness. These amendments will help us overcome those challenges and also take care of the gaps that have been there.

The Bill also introduces 41 timely amendments that can help transition and modernise the institution. It is also a member-centric Fund. When one looks at this Bill, he will realise that, for many years, we have not given the attention that retirees need in this country.

Additionally, the objectives of the Bill are, number one, to restructure the Board of Trustees for greater professionalism, autonomy and inclusive stakeholder representation. Again, it is going to strengthen and secure explicit statutory rights for public servants regarding immediate ownership and portability of their savings.

Many times, even proper records are not kept. We blame the institution for corruption and other shortcomings, but once this amendment is enacted, we will address these issues.

Regarding institutional nominees, institutions such as the Teachers Service Commission, the Public Service Commission and the National Police Service Commission will appoint their representatives, ensuring that they are fully represented. The issue of accountability is also taken care of, and we thank God that our President is concerned about these things.

Hon. Temporary Speaker, I also like the fact that it also introduces a strict fiscal cap on administrative expenses, limiting them to only 1 per cent of the total funds. This will guide and guard them, ensuring they will not go beyond the 1 per cent on administration. This will protect the interests of the people who have saved their money and worked very hard.

The amendment also mandates the board to convene an annual meeting for members within six months of the end of each financial year. It is a must for them to convene an annual general meeting (AGM), where all members will be updated, receive their reports, and know what their investments are doing. That is why, I support this. The fact that employees will also receive their benefits within 10 working days is a great relief to every beneficiary. We should ensure that this happens without interference. I support this and pray that very soon, the President will assent to it, so that it can help retirees.

The Temporary Speaker (Hon. Farah Maalim): Hon. Basil Robert.

Hon. Robert Basil (Yatta, WDM): Thank you, Hon. Temporary Speaker, for allowing me to add my voice to this particular Bill. Before I say anything to it, allow me to thank the President. He made a very solid declaration that retirees who leave service should be paid their retirement benefits within 10 days. This is very positive. If I look at the teachers in my constituency of Yatta, some left service around 2020 to 2023 and are yet to receive their final dues. Some of these retirees are on medication by virtue of their age. Most of them are compelled to pay bribes. Imagine having to bribe to earn what is yours - to be paid what you have worked for.

When I heard His Excellency the President, Dr. William Samoei Ruto, make that declaration, I said that the time had come for the proper redemption of the retirees. What we refer to as *ukombozi*. These retirees have waited for so long, and many are selling their assets to bribe institutions so that they can be paid. Therefore, I applaud the President for that.

Now to my contribution to this particular Bill. I begin by supporting it. There are many reasons why I support this amendment to the Public Service Superannuation Scheme Act, Cap. 189A. One of the things this amendment will cure is the uncertainty about responsibilities for

pension contributors. Clauses 4 to 7 clarify the employer's role and how much they are supposed to contribute, as well as the contribution from the employee. It clears the ambiguity over who must deduct, remit, and account for contributions made to the scheme.

Importantly, this legislation will cure weaknesses in the management of the scheme fund. I make reference to Clause 8 which establishes the board that will govern the scheme. This is important for strengthening governance.

Clause 3 clears the ambiguity over who belongs to the scheme. It explains the public servants who have transitioned from previous employment and clarifies who the scheme's members are. Additionally, Clauses 10 to 15 establish a governance structure. This is important because it ensures that the trustees managing the scheme are competent. This legislation will promote transparency and good governance in the pension scheme, as well as boost its administration.

The Bill also proposes a post-retirement medical fund. This is important for retirees. As a House, we should support this amendment because, as I mentioned, many retirees are surviving on medication by virtue of their age. A provision for a post-retirement medical fund in this legislation is, therefore, important. In summary, this legislation will cure poor governance and strengthen governance of pension schemes and protect members' savings. The Leader of the Majority Party mentioned that retirees' savings are being eroded. This amendment will protect those savings and ensure that retirees do not lose what they have worked for over the years.

Additionally, Clause 21 of the Bill addresses issues concerning the death of retirees. It makes clear provision for the payment of benefits to the beneficiaries of a deceased or retired member who dies. This is important because heirs will access what their loved one left behind through this amendment.

Finally, before I submit, I have some proposals I would like to make which will perhaps come later in the Committee of the whole House. We need a clear separation between members' retirement savings, investment income, administrative expenses, and reserve funds. This should be clarified explicitly in the Bill. That is one of the few proposals I will make in the Committee of the whole House.

As we move to the Committee of the whole House, we should also ensure that the law provides clear timelines, particularly on penalties and responsibility in cases of delayed remittance of contributions. This is very clear under Clause 4 of this legislation. We need to make it watertight, so that employers who delay remittances after deductions are penalised. There must be a timeline for this. Those are some of the few proposals I will put forward in the Committee of the whole House.

With those few remarks, I beg to submit, and support the legislation.

The Temporary Speaker (Hon. Farah Maalim): Esther Passaris.

Hon. Esther Passaris (Nairobi City County, ODM): Thank you, Hon. Temporary Speaker. I rise to support the Public Service Superannuation Scheme (Amendment) Bill. I also welcome the President's directive that public servants' retirement benefits should be ready and paid within 10 days of retirement. Retirement dates are known in advance and institutions should prepare the records and calculations early so that workers receive their benefits promptly after years of service. Although this Bill concerns public servants, the need for transparent and accessible pension services extends to the private sector workers who save through the NSSF and other pension institutions. Members should also securely access their contribution statements and benefit information online. When a member dies, verified beneficiaries should also receive clear explanations of what is payable and how to claim it.

My cousin in Mombasa is facing this very difficult problem. When she tried to claim the NSSF benefits of her late husband who worked and lived in Mombasa, she was told that because his identity card says Siaya, because his mother came from Siaya, she should travel all

the way to Siaya, yet she is struggling to establish what is due to the family. She tells me that she is being directed to Siaya because his documents show Siaya where his mother came from. Why should a widow in Mombasa have to travel to Siaya to pursue benefits arising from her husband's working life? People move, work and build their families across the country. Access to their savings should follow them. Pension institutions should coordinate verification across offices and enable claims to be processed wherever members and their families live. In addition, I urge that we have accessible online statements and assistance at the nearest office. We have Huduma Centres all over the country. They should be incorporated into helping various beneficiaries access timely statements and know what exactly is in their claims.

In the past, we used to look at the NSSF and say that these savings are mismanaged, and investment is not done well. I think there needs to be real transparency. What is the amount of money that is collected? It should be in the public domain because access to information is a right. What is the value of our pension? How strong it is? Who have we paid this year? With this directive of 10 days, I think they have a backlog. Right now, the Government has onboarded over 22,000 services onto eCitizen. Why is it that the NSSF or the pension schemes are not able to actually capitalise on that eCitizen platform and make things easy? The old way of doing things has to end. I believe our President is in touch with the things that affect our citizens. This is one of the things that we need to deliver on. We need to make sure that if a man or a woman has worked all her life and contributed to the NSSF every single month, they should access their benefits. Take the Boma Yangu, for example. When I log in, I can see my contributions in real time and what my total savings are. This is the same thing with the savings that the President has created for various Kenyans. I feel they need to style up, make sure they move with the times and get to the efficient level.

We have many Gen Zs out there who are so illiterate. We are spending a lot of money on information and communication technology (ICT). There is no excuse as to why families of people who have died cannot access their money in 10 days. I will go to the NSSF to try and follow up this case, and find out what why my cousin is facing all these hurdles. One should be in a position to know these things in real time. They should also be updating data because people might have put their wives as their beneficiaries, but then the wives die before them so they change it. There needs to be civic education. They need to incorporate us as representatives of the people. Maybe it is time we have a *kamukunji* with them here, so that they can give us the real information before we even go into the Committee of the whole House. We need to be well informed as representatives of the people, so that they can use us and our various budgets on civic education to go out and explain to the people.

However, this is something that nobody seems to care or understand. The people at the helm have made investments like buying land at overpriced amounts, or sold assets at ridiculous prices. We know there has been a lot of corruption. But now with the President's directive and the pressure to ensure that they pay within 10 days, their liquidity has to be kept and their long-term investments have to be sound. The bodies and committees that are overseeing them in the House have to understand something. Money for all the people that we represent and civil servants that are saving with these bodies for retirement need to be protected. Their dignity is being restored. I really like the fact that the President thinks about the dignity of a family or an employee beyond retirement. If you have served the Government for the last 30 to 40 years and you have saved, why should you have to wait? When you come out of employment and go into retirement, if you get your cheque in 10 days, you can plan.

In the next 10 days, I would like the NSSF Nairobi to call us and tell us that they are having an open day where they are calling 20,000 people who have retired and giving them their cheques. Do it in the open. Let people have confidence in the institution. That as we are being deducted, we shall actually get our money. I challenge the people on the board, the Chairperson and the Chief Executive Officer (CEO) to have an open forum. To go across the

county to all the 47 counties and give out the cheques in public. Call the people and show that you are an institution that is investing their money well, getting good returns, and adhering to the directive. In 10 days, we need to see cheques being issued.

Thank you. I support.

The Temporary Speaker (Hon. Farah Maalim): Hon. Wangwe Emmanuel.

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Temporary Speaker. Allow me to appreciate the Leader of the Majority Party for moving these amendments to the Public Service Superannuation Scheme (Amendment) Bill. Kenyans have lived in this country and have witnessed challenges that have befallen our elders and senior citizens when they retire from service. Many times the existing scheme did not realise the difference between a public servant and a civil servant. It only picked one as a civil servant, but left out that anyone who is also working for the Government of the day is also a public servant. I thank the Leader of the Majority Party for considering it fit to make it a bigger scheme, and invite all of us to look into the existing scheme and analyse and see where we can make amendments.

There are things that have caught my eye in these amendments. I begin with the composition of the board. The proposal by the Leader of the Majority Party in this amendment on the appointment of the chairperson is a good thing, but it has come in two lots. The first 10 years have been left unclearly defined to understand who this person that is having the 20 years is. The last 10 years have been defined as being a person who has been in the field at a senior level. I propose that we do not hang all those 20 years. We would rather say that it should be for somebody who has been in the field at that high level, but give it a range of maybe 15 years. This will ensure that the separation of the 10 years from the earlier 10 years to the second 10 years in phases, will be consistent. I will propose in the Committee of the whole House that we consider aligning that scheme in that angle.

Allow me to thank the President. He pronounced himself earlier than even in this Bill, that he would want that when Kenyans retire and submit applications for their benefits, they get it within 10 days. To those who might not have understood the President, it was difficult for us from the sugar cane zone to be paid money seven days after harvesting cane. It has been very difficult. You supply sugarcane, but the factory demands money instead of paying you. I tell those who doubt this statement that the President of the day means what he says. Therefore, the 10-day time-frame should be expedited.

Several teachers from my constituency report to me that they apply for their retirement benefits immediately after they retire, but they do not get it on time. Some have not received it for one to two years, while those who are lucky get it after three months. However, let us come down to the law and mean it. Let our people who have retired and registered for the Public Service Superannuation Scheme be paid within 10 days. Therefore, I applaud the President for considering it fit to that extent.

There is something that the Leader of the Majority Party picked in Chapter 12 of the Constitution. It ranges from Articles 201 to 231 on public finance management and administration. In Clause 32 of the Bill, the Leader of the Majority Party has proposed to amend Section 44 of the principal Act to give a doubtful choice: The Auditor-General or a private auditor can be appointed to audit. Let it be a very clear mandate of the Auditor-General. Within the reading of Article 226 of the Constitution, one of the cardinal functions of the Auditor-General is to appoint a private auditor. A private auditor can only audit public funds with the appointment of the Auditor-General. Delegation does not mean you relent to do something. The authority remains with the Auditor-General, so that we do not interfere with matters of our Constitution.

Hon. Temporary Speaker, I applaud the Leader of the Majority Party for considering the issue of defining the contributors of this scheme. He is very clear that they include the Teachers Service Commission, the National Police Service Commission, the Public Service

Commission employees and any other employer whom the cabinet secretary may determine to be a public servant for the purpose of this Act. It is good that there is clarity as per the establishing memorandum and clauses of this Bill, so that we bring all Kenyans on board.

Upon establishment of an administration, there are various people whom you bring on board for three or five years. They need to participate in the management of their pension. It is good they can participate in their pension and eventually end up being pensioners for that purpose. Where are we in terms of the pension and why should we look for a pension fund? We travelled many miles from Nairobi to Beijing and even to New York looking for funds for pensioners. When you look at most of the funding by many bodies in the world, you realise that it comes from pension funds.

It is, therefore, high time that Kenyans also entrust themselves. We must pool resources, out of which various national development agenda can be pegged. An example of such funds is the National Social Security Fund which we oversee through my committee. We have seen what they have done with the little resources that they have raised, after they raised their rates. It is marvellous. It is good to consolidate resources. Nobody will board an aircraft to travel all the way to the Far East to look for money. Let the money be in Nairobi with us. Let the money be with the superannuation fund, so that there can be a circulation of resources within ourselves.

Looking at this Bill and its proposal, especially the proposal to do with funding, when it comes to the various programmes that it will be undertaking, vis-à-vis the amendment that they would want to give the cabinet secretary to lift or shift the contribution rate, I want to be conservative on that issue. Let the cabinet secretary not be solely in charge of regulating the rate. Let that rate also be cross-checked through the National Assembly.

The proposal to amend the rate touches on the mass of Kenyans. Let them be protected by this House as this is the only House where all Kenyans meet, through their representatives. We do not have to let the cabinet secretary make a unilateral decision, put the rate at any number he wants, and then gazette it himself. He can gazette it, but let it be checked by either the Departmental Committee on Finance and National Planning or any committee of this House before the gazettment is done, so that all of us are involved, and Kenyans can be protected in terms of how much they are going to pay.

I see there is something good at the end of the tunnel. What we see in this amendment Bill is very good. With those remarks, I support.

The Temporary Speaker (Hon. Farah Maalim): Next is Hon. (Dr) Mutunga.

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Thank you very much, Hon. Temporary Speaker, for giving me an opportunity to also add my voice to the debate on the Public Service Superannuation Scheme (Amendment) Bill (National Assembly Bill No.33 of 2025). This is a very important Bill as it concerns a lot more the people who are not able to help themselves out, and the people who may be discriminated against because probably they lived through a life that did not see them, or they did not properly know that they were going to be here.

I wish to thank the Government and especially the President, for pronouncing himself on this particular provision. I also thank the Leader of Majority for coming up with this particular Bill, so that we can streamline the retirement benefits. Through a lot of experience, people have lived through problems and, therefore, this amendment will ease the pressure that people have experienced over time. This is a Bill which this House should support. I am pleased to note that all the Members who have spoken support this particular amendment.

This Bill comes in to comprehensively streamline the governance and the scheme administration. Governance is necessary to be streamlined for purposes of aligning it to the constitutional provisions, and for purposes of making sure that the misdeeds, the problems and the challenges of managing resources are dealt with. That is why this Bill is very important.

The Bill is key because it introduces critical amendments to support and cushion the retirees and the membership in the improvement of their welfare. The amendment also seeks to improve on issues of autonomy and the representation of the beneficiaries in various fora that make decisions.

I specifically note that the matter of timeliness is of essence, especially for somebody who has retired. People who have retired may have many problems. First of all, they are old. They are not as fast as they probably used to be at the beginning of their careers. Then they need money. They have lived through greater demand over time and, therefore, may need money within a short time.

They probably have plans to even invest and do other things and, therefore, they need redressing as quickly as they appear to demand. Therefore, it makes it clear that contributors of the retirement fund benefit from it.

Hon. Temporary Speaker, this Bill looks clearly at the representation of the major groups or bodies in the management body or in management of the Fund. It recognises key institutions like the TSC, NPSC, PSC and others which are principal owners of the Fund. In other words, they represent major groups of public servants in this country.

It is important to note that this Bill introduces very limited amount of resources allocated to expenses as management fee or what will be used in management. It is not more than 1 per cent. Therefore, it leaves 99 per cent to the beneficiaries. This dissuades people who might be interested in a position within this institution to make money. Some people look for positions to make money, which is wrong. Therefore, that limited provision makes it very possible for people to basically work and have a limited number of meetings and consultations. In most cases, in this country, some institutions convene many meetings when money supply is high. Even if the schedule talks about a meeting per quarter or after every three months, some of them meet up to 50 times a year. Therefore, they consume money through sitting allowances. This is curtailed in this Bill, which is important.

This Bill also makes it mandatory for the membership to have an AGM. This will help the members to get feedback on the issues they believe are important in running their business. Therefore, the AGMs, which I believe will be open, transparent and sufficiently inform the members, are key as feedback sessions where members can know exactly what is happening or take precautionary measures, if they learn that there is something that is not right about their Fund. This opportunity is important for correcting any mistakes or providing members with an opportunity to intervene.

The payment within 10 days is spectacular. It is notable because if you speak to any Member of this House, you will realise that they have 10 or 15 cases of retirees looking for their benefits. They believe that Members of Parliament can assist them in getting through those offices where retirement benefits are processed. Retirees believe that Members of Parliament can fast-track the processing of their benefits. If this particular provision is adhered to, it means that Members of Parliament will not carry such baggage. I believe it will relieve us from excessive duties of going to offices to look for the right person to address the delays in processing post-retirement benefits.

There is also the provision of the post-retirement medical scheme. Retirees are old and vulnerable to infections and infestations. Retirees are also very susceptible to diseases and infections. A post-retirement medical scheme is not very common in this country. Therefore, putting it there will deliberately secure the retirees from eventualities that may be unfavourable in their time. Therefore, this is a very important amendment.

The Bill also brings in the issue of the beneficiaries posthumously or after the retirees leave this world. It tries to clarify the process through which beneficiaries can get their benefits. This is important in the sense that there are many people who look for the benefits of their departed significant others, which takes quite a bit of time. Besides that, they are troubled

because they may not even know which offices to go to, whom to address some of those issues to, and even the conditions that they need to meet in order to access those resources. They end up taking a lot of time and suffering, in the eventuality that they are confronted with challenges. Therefore, they might face more problems than they would have, if the process was clear, short and enabling.

With those remarks, I support the amendments and call upon the House to pass this Bill.

The Temporary Speaker (Hon. Farah Maalim): Next is the Member for Nyeri Town.

Hon. Duncan Mathenge (Nyeri Town, UDA): Thank you, Hon. Temporary Speaker. I rise to support the Public Service Superannuation Scheme (Amendment) Bill (National Assembly Bill No.33 of 2025). However, it fails to address the current reality and challenge facing pension schemes in this country. Staff retirement today is an institutional financing crisis. We cannot amend the situation moving forward while failing to rectify the failures and challenges that current pensioners and pension schemes are experiencing.

When a pension contribution is deducted from an employee's salary, it ceases being the property of either the Government or the institution that employed them. It is a retirement entitlement within the time-frame stipulated in the law. That is not the case today. To demonstrate this, I will use the health sector because I serve in the Departmental Committee on Health. The pensions sector has three major problems. First is unlimited contributions. Second is accumulated pension deficits. Third is delayed payment of retirement benefits. Even as this law wants to put an end to the failure to remit and tries to comply with the presidential directive, that is not possible until we address the deficits that are already in place.

All five national referral hospitals have funding deficits. Funding deficits in personnel emoluments (PE) provisions result in Semi-Autonomous Government Agencies (SAGAs) relying on own revenue to pay salaries. As a result, the first casualty is remittances to pension funds. The Moi Teaching and Referral Hospital (MTRH) has a pension debt of Ksh595.2 million owed to the pension scheme for workers within MTRH. Kenyatta National Hospital (KNH), our premier health provision institution, has a deficit of Ksh10.2 billion. Currently, the staff and retirees of KNH have been told that they will only be paid 29 per cent of their pensions entitlement because 71 per cent of the funds have never been remitted to the pension scheme. The Kenya Medical Research Institute (KEMRI) has a pension deficit of Ksh597 million.

The Retirement Benefits Authority (RBA), in its latest release, indicated that cumulatively, as of 2025, pension schemes nationally were owed Ksh65 billion. Unless the Government and this House provides funding to cover the shortfall in pension contributions, this law, as good as it is, will not address the problem and the challenge that we have. Therefore, I agree that this law is very good and progressive, but unless we address the historical challenges in the transition provisions of this amendment, we will just have bandaged the wound and it is just a matter of time before the same scenario repeats itself.

When pensions obligations are due and you have people who have retired and retreated to the villages, the Members of Parliament become their next point of call. I have a widow by the name of Mary Mathenge in my village, whose husband was a serving police officer. Their daughter has dropped out of university because the pension for the husband has not been remitted. So, even as we cure, moving forward, historically, we have a lot of Kenyans who are suffering. Therefore, if this Bill has to really benefit every pensioner, then the historical shortages and deficits have to be addressed.

With those remarks, I support.

The Temporary Speaker (Hon. Farah Maalim): Next is Hon. Mogaka. Please, proceed.

Hon. Stephen Mogaka (West Mugirango, JP): Thank you, Hon. Temporary Speaker for giving me an opportunity to also support the Public Service Superannuation Scheme (Amendment) Bill (National Assembly Bill No.33 of 2025) whose core business is to address

the pension problems that we have in this country. I wish to remind the House that I have a Question that is yet to be responded to regarding the pensions for Kenya Prison Service officers as well as other members of the Kenya Defence Forces, who have expressed their concern and sent me to raise that Question in this House because of their delayed pension payments. I am happy today that perhaps it is in response to that Request for Statement. This Bill seeks to address the entire landscape of pensions for public servants. Elsewhere, people who have served in the public sector so faithfully are referred to as senior citizens. It is, therefore, painful that in Kenya, those who are considered senior citizens elsewhere are treated in the manner they are treated. They languish in poverty and squalor when their hard-earned pension, some of it contributory, is not paid to them in time or at all until some of them meet their creator before they get their pension. This is a very progressive Bill that seeks to address the problem of unpaid and delayed pension payments once and for all.

I cannot stop to celebrate His Excellency the President for providing leadership and proclaiming that all pensioners must receive their dues within 10 days after retirement. That is the most progressive solution that we have. As a House, we must work on this Bill to enable the presidential proclamation seeking to address the menace and cancer that have afflicted the pension scheme for public officers in this country is implemented. This will ensure that the problem is resolved once and for all.

In particular, I want to apologise to the pensioners that this House has not risen to the occasion to provide a solution. At the same time, I want to thank the Leader of the Majority Party for bringing this Bill before the 13th Parliament of the Republic of Kenya. I urge the entire membership of this House that, if there is a Bill that will address the serious concerns of pensioners, this is the moment. These are people who have given their all to this republic and have little to show for it. Let us all rise to the occasion and resolve the challenges facing our pensioners once and for all.

My literature lecturer taught me that we are children twice in our lives and adults only once. We start by being cared for as children. Ultimately, at the tail end of life, we become like children again and require as much attention as infants. For that reason, we do not want our elderly public officers to become helpless because their children will be eking out a living elsewhere. Therefore, it is important that their pensions are released to them in a timely manner. This will enable them to manage their old age without their children and grandchildren.

When the time comes, I will propose amendments to ensure that wherever pension funds are owed, a solution is found and the money is made available. It is one thing to make a law or issue a proclamation requiring payment within 10 days. It is another when pension schemes say that they are not adequately funded. Therefore, as we propose these amendments and pass this Bill, we should consider instituting penalties against those who deduct pension contributions and fail to remit them to the pension schemes.

Employers deduct co-operative contributions from members but fail to remit them. Similarly, pension deductions from employees are not remitted to their pension schemes. At the end of the day, when a pensioner retires and expects to receive their pension, the employer may have misapplied the pension deductions, let alone failed to make the employer's contribution to the retirement fund. The paralysis of the pension programme leaves our pensioners languishing without any recourse.

I urge this House to rise to the occasion and address the challenges facing our pensioners. Let us put a smile on their faces and enable them to live with dignity. Our Constitution requires that everyone be treated with dignity, yet this is how we treat pensioners.

We, Members of Parliament, are fortunate. We have sorted out our pension matters at the Parliamentary Service Commission. The public service sector is looking upon us to streamline their pension issues. Let us sort out their problems so that when they retire, deputy county commissioners (DCs) and regional commissioners (RCs) who have served us so

faithfully can also enjoy retirement filled with dignity and peace. They should look back and say, “It was well when I was serving.” The welfare of former civil servants must be equally well management in their retirement.

With those remarks, I support.

The Temporary Speaker (Hon. Farah Maalim): Next is the Member for Kiharu.

Hon. Ndindi Nyoro (Kiharu, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute. At the outset, it is important to note that there is a clear correlation between a country’s savings rate and the growth of its Gross Domestic Product (GDP). Savings are closely linked to investment. Ultimately, what is saved is largely what is borrowed and invested through the banking and financial system. At the household level and across the economy, savings translate into investment. It is, therefore, important for a country to cultivate a culture of high savings because they ultimately become investments.

There is also a clear correlation between employment, unemployment and savings. People save what they have. They cannot save what they have not earned. Therefore, the debate on savings must go alongside the creation of opportunities for our people in both the public and private sectors. As leaders, it is important for us to advance policies that expand our economy and create as many opportunities as possible for Kenyans. Consequently, the higher the employment rate in a country, the more opportunities created and the lower the dependency ratio. As it stands, the dependency rate is high. Those who have employment opportunities often have to carry many others who do not have such opportunities on their shoulders. Therefore, the debate about the Superannuation Fund being a savings scheme must extend to the many Kenyans who are seeking opportunities. We must continue doing our best to create opportunities in manufacturing, hospitality and modern sectors such as ICT, so that we can continue to offer opportunities for both skilled and unskilled labour, which we have in abundance in our country.

Retirement benefits are never by whims. They are rights that should be guaranteed to people who have worked and are retired. In our areas, we encounter people who previously worked, particularly in the public sector, getting it rough in accessing their retirement benefits. The laws we make in this House are not for people to choose whether to obey or not to obey. The responsible organisations must ensure that the rights of the senior citizens of Kenya are upheld. A majority of the beneficiaries are senior citizens, and the benefits they receive are rights they earned while working. These benefits are neither stipends nor privileges granted to them by the Government. They already worked for this money.

Hon. Temporary Speaker, I want us to examine how we invest the money we save in the various pension schemes, including the Public Service Superannuation Fund, the National Social Security Fund and other private-sector schemes. In many instances, the obvious way for these organisations to invest their funds has been to lend to the Government through the purchase of Treasury Bonds and Treasury Bills. There has been the notion that the Government cannot default and is, therefore, a safe haven. We have also seen an over-concentration of resources within the pension sector on this particular segment. In an economy where inflation is around 6.8 per cent, interest is earning you single-digit returns, and many sovereigns are defaulting. It is time for the handlers of pension schemes to become a bit more modern so that we diversify where we invest this money. The funds are supposed to grow, and the security of this money being there is hinged on the fact that it is not only invested in areas that are solid, but also in areas where it can grow rather than its value depreciating.

Hon. Temporary Speaker, with the kind of borrowing we are witnessing in our country, it is important that the pension sector, and especially the organisations concerned, expand their horizons beyond the very obvious Treasury Bonds and Treasury Bills. I want to open up their minds. In a thriving economy, and in a growing economy like Kenya, there is a lot of money we can earn. As we earn that money, we also grow our economy, especially in areas like private

equity, where we can take part by investing in companies that are private and take stakes in those companies because they have the muscle. After investing, within the same muscle, they scale these companies and consequently exit either through initial public offerings (IPOs) or by offloading to other private equity companies.

This is a semi-modern area within the finance industry, which has been booming in other economies, including in Kenya. The beauty of it is that it deals mostly with modern sectors. In many companies that are currently valued at over a trillion US Dollars, for example in the United States, there is an over-concentration of newer companies, meaning that the new sectors are creating much more value in terms of market capitalisation.

The most valuable company in the world, like NVIDIA, is a company that is modern, and whose founders, like its CEO, are still alive. Many companies that invested in such a company, and companies like Microsoft and Meta, invested when they were nascent. They got stakes when the company was valued very low. To cite an example, there is a private equity fund run by a gentleman called Peter Thiel that invested only US\$500,000 when Facebook was starting. Today, they have a 10 per cent stake in Meta. That would translate to hundreds of billions of shillings in terms of its current worth. Beyond that, such nascent companies also advance the growth of the economy. Therefore, that is the reason for opening up the investment horizon of these pension funds, so that many who could have invested in fintech, for example, through private equity, could invest in companies like M-PESA or others domiciled within fintech. As these sectors grow, the money for pensioners grows in tandem.

There are areas like venture capital, where we have many brilliant Kenyans with very brilliant ideas. What they lack between the ideas and being in business is the money that is needed to invest at the nascent level. So, venture capital is also another area, as is seed capital. I also want to caution against any advancement by the Government to direct investments from superannuation funds and NSSF. It is very wrong. You recently heard about an IPO of Kenya Pipeline, where pension money was inadvertently invested in the IPO, ostensibly following calls from a high office. Superannuation Funds of institutions like NSSF and the Kenya Reinsurance Corporation (Kenya Re) were forced to invest their money in Kenya Pipeline. Their share price has stagnated at Kshs9. I was saying that it is very wrong for the CEOs of the Superannuation Fund, the NSSF and Kenya Re to be called by the high office to invest money in areas that are sub-commercial like Kenya Pipeline Company.

Hon. Naomi Wako (Marsabit County, UDA): On a point of order, Hon. Temporary Speaker.

Hon. Ndindi Nyoro (Kiharu, UDA): They are now crying. It is important that these companies...

The Temporary Speaker (Hon. Farah Maalim): Order! Order, Member for Kiharu! You know the rules of the House very well. When somebody rises on a point of order, you sit down and wait for the point of order. I was telling you order and you kept on contributing. That is not fair.

What is your point of order, Hon. Naomi Wako?

Hon. Naomi Waqo (Marsabit County, UDA): Thank you very much, Hon. Temporary Speaker. I have much respect for Hon. Ndindi Nyoro. However, is it right for him to say that the CEOs received calls from a high office? Which high office? Can he tell us the high office and confirm...

The Temporary Speaker (Hon. Farah Maalim): So, you are seeking a substantiation?

Hon. Naomi Waqo (Marsabit County, UDA): Yes.

The Temporary Speaker (Hon. Farah Maalim): For the factuality?

Hon. Naomi Waqo (Marsabit County, UDA): Yes.

The Temporary Speaker (Hon. Farah Maalim): Hon. Ndindi Nyoro, you know, the rules are very clear. You either substantiate or you withdraw and continue.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Speaker, the CEO of the Superannuation Fund, the CEO of NSSF and the CEO of Kenya Re were called by the President of Kenya and directed to invest their money into the Kenya Pipeline Corporation. I am not a person who talks...

The Temporary Speaker (Hon. Farah Maalim): Order! Order! Hon... Yes, Hon. Tarus?

Hon. Bernard Kitur (Nandi Hills, UDA): Hon. Temporary Speaker, I also stand to seek confirmation. Can Hon. Ndindi Nyoro substantiate to this House when exactly the CEOs were called and what the conversation was about? Does he have anything to table other than making haphazard statements in this House for political expediency?

The Temporary Speaker (Hon. Farah Maalim): Hon. Ndindi Nyoro, substantiation means you prove the factuality of your claim - that, from what you are saying, you were there and this is where the proof is. Substantiate and if you do not have sufficient proof, you know the rules of the house.

Proceed.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Speaker, the investment advisories that were given to these companies are in the public domain. They had been advised not to invest pensioners' money into the Kenya Pipeline Corporation IPO. They were called on a Tuesday afternoon. Actually, the CEO of the Superannuation Fund was at the airport headed to Mombasa for a seminar to address the Members of this House.

The Temporary Speaker (Hon. Farah Maalim): Order! Order! Hon. Ndindi Nyoro, I respect you and you are a senior Member. You know the rules of the House. Substantiation means, for example, you were sitting there and you show us the proof of the call. You prove the claims beyond anything. Proving has got to be proving not by saying that somebody called somebody else at such and such place at such and such time. Prove it. If you cannot...

Proceed. Go ahead and prove.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Speaker, I have proven, but because the proof admissible in this House is the call logs, I may need time to ask for the call logs from the relevant organisations.

The Temporary Speaker (Hon. Farah Maalim): Order! Order! The rules are very clear. You have been told to prove it instantaneously. Substantiation means you substantiate then, or ask for a specific timeline in which you are going to bring a proof to the Floor of the House. If you do not do that, you realise that there will be consequences. The other option is you withdraw and apologise to the House.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Speaker, I request that you give me eight weeks.

The Temporary Speaker (Hon. Farah Maalim): Order! Order! Order! Hon. Ndindi Nyoro, the Chairperson determines how much time you need. Ordinarily, you are given two days. Next time the House sits, you will be expected to substantiate. Today is Tuesday, so at the very latest, on Thursday afternoon. Otherwise, tomorrow afternoon. So, when can you bring that substantiation, or are you willing to withdraw and apologise to the House? You realise that the House is not a campaign platform.

(Loud consultations)

Order! Order, Hon. Members! Proceedings in the House are not a campaign platform. You can say what you want out there in the campaigns, and anybody who feels aggrieved will take you to court and seek damages. You enjoy certain privileges and immunities on the Floor of the House, but that cannot be abused. The rules are very clear. Will you withdraw and apologise, or are you going to bring the proof tomorrow afternoon?

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Speaker, I am certain of what I have stated. Kindly give me time to substantiate tomorrow.

The Temporary Speaker (Hon. Farah Maalim): Order! Order! Order! Order, Hon. Member! Hon. Ndindi Nyoro, tomorrow, what time are you going to bring the proof? When are you going to bring this? You know the rules of the House.

Hon. Ndindi Nyoro (Kiharu, UDA): As you may direct, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Yes?

Hon. Ndindi Nyoro (Kiharu, UDA): As you may direct. You are on the Chair.

The Temporary Speaker (Hon. Farah Maalim): I will give you until tomorrow afternoon. You bring the proof. It is so directed.

Hon. (Dr) Lilian Gogo (Rangwe, ODM): On a point of information.

The Temporary Speaker (Hon. Farah Maalim): You are informing whom?

(Hon. (Dr) Lilian Gogo spoke off the record)

Does he need your information? Do you need to be informed by Hon. Lilian Gogo?

Hon. Ndindi Nyoro (Kiharu, UDA): Not at the moment.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. I think you have less than 20 seconds. Just finish. Then, tomorrow afternoon, the Chair expects you to bring the proof of your claims.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Speaker, I was just stressing the point that where we invest this money is as important as the money itself, because there are areas that can be sinkholes in terms of us putting money that can never come back as expected. Therefore, it is important for these organisations to always follow professional investment advice from the relevant competent teams that they have. No political patronage should direct how they invest the money.

I submit.

The Temporary Speaker (Hon. Farah Maalim): The Hon. Zamzam.

Hon. Zamzam Mohammed (Mombasa County, ODM): Mhe. Spika wa Muda, niko kwenye Kamati ya Kiidara ya *Social Protection*. Tumekaa na idara, wawekezaji, na Wakenya kusikiza matakwa yao, ndiposa tukaja na hii sheria. Mahali ambapo kulikuwa na mwanya tutaweza kupaziba.

Kuna watu walikaa kwa uongozi miaka mingi sana wakafikiri Wakenya wengine wote hawana akili ya kuweza kuchukua uongozi na kupeleka taifa mbele. Saa hii wanaona ni ndoto kwamba Mhe. Rais ana mambo mazuri ambayo yanaelekeza Kenya kupata usawa katika kila sehemu.

Ningependa kusema, hasa mgombea urais ambaye yuko katika Bunge hili...

The Temporary Speaker (Hon. Farah Maalim): Order! Order! Order! Did you contribute to this?

(Hon. Zamzam Mohammed spoke off the record)

Order! Order! Order! You are out of order! You are out of order, Hon. Zamzam! Hon. Kwenya.

Hon. Kwenya Thuku (Kinangop, JP): Thank you, Hon. Temporary Speaker, for the opportunity to speak on this very important Bill. You know it is only in Kenya that we do not have proud pensioners. I am saying "proud" because of the amount of money that we pay to, or save in our pension schemes. If you look at pensioners in Kenya, and of course, we benchmark with the best in the world, you realise that at the point of retirement, they struggle a lot. Their savings cannot keep up with the lifestyle they were used to when they were working. Any attempt to keep improving our legislations to give pensioners the best of their benefits

when they retire is not something we can understate. At times, I am so saddened when we perceive every form of legislation that comes to this House from a political point of view. That it is in order to serve the interest of the people watching us out there and excite them with lies and misinformation like we have just witnessed today. This is an important piece of legislation that any responsible legislator should take into consideration and give their input to improve the same for the benefit of the people we represent.

I am happy with what the Government has been doing that it has not been doing in the past. It has made sure that money is invested in areas where the yield is high and assured. It is unlike when money received from employees of the Republic of Kenya was either meagre or minimal. By the time they retired, whatever they got in return to keep them going was not something to talk about.

The President of the Republic of Kenya, by dint of him being the leader of this country, looked into the affairs of the NSSF. We increased that saving so that by the time a Kenyan retires, they can make a plan with the money they will take home. In the past, many pensioners did not even have the imagination that they would claim their NSSF contributions. There was nothing much to write home about. You can imagine Ksh200 savings every month, of course, being matched by an employer at the same rate. This is something we need to look into deeper. I am happy with the partnership between the Government and pension schemes to invest money in income generating ventures, for example, what is happening with the Mau Summit-Rironi Road.

Hon. Temporary Speaker, I sit in the Public Debt and Privatisation Committee. The Committee has looked into some of these ventures that the Government is getting itself into. The Mau Summit-Rironi Road, through tollage, will be an income generating venture. The return on that investment, the NSSF contributions, is safe and assured as opposed to the traditional savings in bonds and real estate. It is high time we explored more areas where we can invest pensioners money, with an assurance of returns for decades and many years to come.

I wish to support this Bill and urge Members to desist this habit of playing to the gallery just to impress for politics. We have a country to take care of. The last time I contributed here, I had the ambition that anybody aspiring to be a leader in this country must go through some level of training on national interest, which must come before personal interest. I also want to be a leader and President of this country, but I do not want to lead a country where people are so misled and misinformed. What you sow, you shall reap. As leaders of this country, we must rise up to the occasion. Not every Bill that comes to this House needs to be criticised. In fact, if it has to be criticised, let us have positive criticism that will enhance and harness the knowledge we have. We should give the best to Kenyans because they are waiting on our leadership. Elections will come and go.

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

The Temporary Speaker (Hon. Farah Maalim): Do you wish to be informed by the Leader of the Majority Party?

Hon. Kwenya Thuku (Kinangop, JP): Indeed. This is a brilliant leader. He takes decisions and leadership when he is called upon.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Temporary Speaker. Hon. Kwenya is a diligent legislator and seasoned leader who serves the people of Kinangop well. I have listened to him advise those seeking leadership positions. I wish to inform Hon. Kwenya that all the Members of Parliament who have contributed this afternoon have supported this Bill because they know it serves the best interests of all our public servants without exception. The few you hear playing to the gallery... I thank the presiding Speaker for directing that there are platforms for playing politics, such as rallies, funerals, and marketplaces, where one can say anything without being held to account. However, when it

comes to the National Assembly, whatever one says must be substantiated, and they must be held to account. These are the same people who, during the Finance Bill, said so many things that were not in the Finance Bill, and when challenged, they took off.

There are things one can only say in lecture halls or in small hotels around town, where you can deceive a few people. However, you cannot lie to everyone all the time. Kenyans are too intelligent; they will see through it, and they will read you. Therefore, the advice by Hon. Kwenya to those who aspire to be in positions of leadership—whether they are pretending to aspire to be party leaders or are working hard to convince Kenyans of their legitimacy—should be taken seriously. They know they are not what they claim to be, and Kenyans are aware of this.

All those wet dreams and castles in the air are allowed, but out there and not in this chamber.

(Laughter)

Hon. Kwenya, I just want to inform you that all the Members who have contributed without playing to the gallery have articulated issues in the Bill. Those you see playing to the gallery have not read the Bill; they do not know what is in the Bill. That is why they are picking things from marketplaces and bar gossip and bringing them to the chamber.

Thank you, Hon. Temporary Speaker, for the directions you have given. I will be here tomorrow afternoon to ensure that it is either done or that consequences are followed.

The Temporary Speaker (Hon. Farah Maalim): Hon. Kwenya, proceed. You still have three minutes.

Hon. Kwenya Thuku (Kinangop, JP): I must thank the Leader of the Majority Party for his wisdom, which I ride on every day. He is one leader that I look up to, and every time he advises me, I take his advice seriously because he is known for taking the bull by the horns and leading by example. He has never engaged in this kind of populist politics that serves no purpose, that does not help people grow or move forward.

Still on this note, I wonder at the speed with which some Members rush to embarrass their colleagues. When called to rise to the occasion, they feel so belittled that they cannot own their words. Therefore, I wish to support this Bill and ask that the leadership and every Member of this House consider every letter and word that is in this Bill, as it is designed to move this country forward.

The Temporary Speaker (Hon. Farah Maalim): Hon. (Dr) Wilberforce Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker.

(Loud consultations)

Why are people getting jittery?

The Temporary Speaker (Hon. Farah Maalim): Proceed, Hon. Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you. Allow me to give my comments and remarks on the Public Service Superannuation Scheme (Amendment) Bill. The overarching objective is to transform it from an ordinary fee to a proper fund, akin to what is expected under the Retirement Benefits Authority Act.

Many Kenyans work in the public service diligently and passionately, hoping that at the end of their tenure, they will retire and lead a peaceful life. They are patriotic enough to forego many opportunities in the private sector, opting instead to serve the public in order to advance this country to the next level. Therefore, the amendments proposed here by the Leader of the Majority Party are forward-looking. They seek to address gaps that have existed all

along. Before I make any specific comments about this Bill, I sit in the Public Accounts Committee. When the deductions began, I think it must have been around 2015 or thereabouts, the new taxes were imposed during this regime, and now you add the deductions that are being made for the Public Service Superannuation Scheme (PSSS). This has resulted in many employees in the Public Service having their net salary fall below the two-thirds requirement under the law. They need to save for retirement, yet they have been subjected to other taxes that have eroded their pay slips.

As we debate this Bill, we just hope that as they continue suffering during their working days, they will have some relief in retirement. We also hope that, as we transition from a scheme to a fund, there will be prudent investment of the funds contributed by both the employer and the employee. This will ensure that the Fund grows, and that whatever payment they receive upon retirement is sufficient to allow them to live in dignity. It should make them feel proud that they served the people of Kenya as public servants and public officers.

I have been fortunate enough to advise very many pension schemes on investments in real estate before I came to this House. One area that we have always found to be a challenge in many investment and retirement schemes is that the returns are very low. By the time members retire and start getting their annual amount, it has been eroded by the high rate of inflation. As we stand today, the non-core inflation rate, which is a derivative of food, energy and transport, now stands at above 10 per cent. With the small amount that retirees get, they are unable to live a life of dignity as we move forward.

That is why it is a must for the Fund to have managers or administrators, meaning the persons appointed through a written instrument by the Board under Section 35 to manage the administrative affairs of the scheme. We have a Board of Trustees, probably, in line with the requirements of the Retirement Benefits Authority (RBA). The question is: How do we intend, and what latitude has been provided for the contributions to be invested? If you invest pension funds in long-maturing instruments, what happens if there is massive retirement at any given time? That is the question we need to ask.

I think that is the question Hon. Ndindi Nyoro was trying to pursue on the Floor. He wanted to know whether it is prudent to invest in some kind of investment schemes, in view of the actuarial analysis to understand when many people are going to retire. At any given time, we might have to restructure the Government, and just like days of redundancy, there are those who will be forced to be laid off and rely on the pension schemes or pension funds.

The point we must consider, and I want to urge the Leader of the Majority Party, is that as we go to the Committee of the whole House, we need to apply our minds to this. Because if we do not set limits, like the limits set by the RBA, then you will find that the administrator of the Fund will be at liberty to invest in long-term investment schemes or securities that might jeopardise the growth of that pension scheme.

For example, and we want to pursue this argument, it might look unpalatable and make some people uncomfortable...

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, on a point of information.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Fine, I would wish to be informed.

The Temporary Speaker (Hon. Farah Maalim): By the Leader of the Majority Party?

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Yes. By virtue of the office he holds, I may not agree with what he informs me, but let me give him the respect because of the office he holds.

The Temporary Speaker (Hon. Farah Maalim): Proceed, Hon. Ichung'wah.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Temporary Speaker. Thank you, Hon. Oundo, for allowing me to inform you. If you read part of the amendments that we have proposed, in fact, it is to put ceilings on even administrative expenses, and I

mentioned that when I was moving the Bill. This will also allow the Public Service Superannuation Scheme Fund (PSSSF) to invest up to 15 per cent of the fund's assets internally, to avoid what you are saying. I thank you because those are very good thoughts.

I like it when Hon. Oundo stands up to contribute. He deals with the substance of the Bill, unlike the people he is mentioning who are just playing to the gallery and mentioning things that have no relation to what is in the Bill. Thank you, Hon. Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker. I am not a party leader; I am a principal of Linda Mwananchi, so I must take care of wananchi wherever I am. I totally agree with the Leader of the Majority Party. Section 28 sets out the limits for purposes of administrative costs. We shall look through that bit to comb it and to find out if there are any limits for each investment avenues that are put into place. However, my point of caution is: We must pool and invest members' funds in schemes or investment schemes that allow them to grow faster, so that they can get higher returns compared to what is just left there.

I draw your attention to the Bible parable, somewhere in the Book of Matthew, where a master left talents to various people. Some invested, some kept under their mattress, while some did nothing. At the end, the master came back and asked, "What are the returns?"

Hon. Bernard Kitur (Nandi Hills, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): What is your point of order, Hon. Kitur?

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): We just hope this pension will not...

The Temporary Speaker (Hon. Farah Maalim): Order! Hon. Oundo.

Hon. Bernard Kitur (Nandi Hills, UDA): Hon. Temporary Speaker, I rise on Standing Order 95. I beg to move that the Mover be called upon to reply after Hon. Oundo finishes his contribution.

(Question, that the Mover be now called upon to reply, put and agreed to)

(Hon. Kimani Ichung'wah spoke off the record)

The Temporary Speaker (Hon. Farah Maalim): Order! Hon. Oundo is not replying. You are the one who is replying.

(Hon. Kimani Ichung'wah spoke off the record)

No. That is not the way the rules work. You cut him short.

(Hon. (Dr) Ojiambo Oundo spoke off the record)

No. Order! Leader of the Majority Party, reply.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, the Mover of the Motion had proposed that you propose the Question after Hon. Oundo finishes.

The Temporary Speaker (Hon. Farah Maalim): Order! No! The rules do not work like that.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Because we were benefiting a lot...

The Temporary Speaker (Hon. Farah Maalim): You should have waited before you moved on.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Am I allowed to donate two minutes to Hon. Oundo?

The Temporary Speaker (Hon. Farah Maalim): When you are replying, no. Proceed and reply.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Under the old rules before this Constitution came to...

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Temporary Speaker, for that guidance. As I said, Hon. Oundo, is a very good debater and dwells on the substance of Bills. I must begin by thanking him, together with all the other Members who I said have contributed and supported this Bill. They all know this is a Bill that is in a big way restructuring the superannuation scheme, and moving it to be a fund, with very proper governance structures and very good fiscal measures being put in place to ensure that pensioners' savings are safeguarded.

I must thank all the Members that have contributed. Many of the issues, including what Hon. Oundo was saying, those raised by Hon. Passaris, Hon. (Dr) Mutunga, and Hon. Emmanuel Wangwe also had very important issues on the importance of this Fund and its relation to money that was previously coming from the Consolidated Fund.

We shall bear into mind all these things as we go to the Committee of the whole House. I look forward to tomorrow afternoon for the Member for Kiharu to substantiate the frivolous allegations he made on the Floor of Parliament, speaking to the gallery out there. I hope that you will hold him to account. That will stop Members from using the Floor of this Parliament to make all manner of weird and frivolous allegations without substantiating.

With that, I beg to reply.

The Temporary Speaker (Hon. Farah Maalim): Order.

(Question put and agreed to)

*(The Bill was read a Second Time and
Committed to Committee of the whole House)*

The Temporary Speaker (Hon. Farah Maalim): Next Order.

BILL

Second Reading

THE SACCO SOCIETIES (AMENDMENT) BILL (National Assembly Bill No.32 of 2025)

The Temporary Speaker (Hon. Farah Maalim): Leader of the Majority Party, you want to say something?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, the Speaker had guided that the Chair had sought time to work on that Bill until after the recess because their last meeting was on 27th. We will, therefore, proceed with it after the short recess. They have not finalised on it.

(Hon. (Dr) Ojiambo Oundo) spoke off the record)

The Temporary Speaker (Hon. Farah Maalim): Fair enough. Hon. Oundo, what are you saying?

Hon. (Dr) Ojjambo Oundo (Funyula, ODM): I actually wanted to raise that matter, but thank God the Leader of the Majority Party has raised it. I sit in the Departmental Committee on Trade, Industry and Cooperatives. By the time we went for recess, we had not completed the consideration of the Bill. We had asked our Chairperson to seek the indulgence of the Speaker that they allow us to get submission from the State Department of Cooperatives, Sacco Societies Regulatory Authority (SASRA) and other stakeholders, so that our Committee report can guide the debate as has been the tradition in this House. I thank the Leader of the Majority Party for noting that and acceding to our request. If we have that bipartisan approach, we will take this House far.

The Temporary Speaker (Hon. Farah Maalim): Fair enough.

(Loud consultations)

Order! Order! I direct that this matter be put on the Order Paper at an appropriate time after the recess. I am sure the House Business Committee will make sure that you will be ready by then.

(Bill deferred)

Next Order.

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

THE KENYA REVENUE AUTHORITY
(AMENDMENT) BILL
(National Assembly Bill No.28 of 2026)

The Temporary Speaker (Hon. Farah Maalim): Leader of the Majority Party, I also understand that this matter has also been deferred to an appropriate time in the future. It will be listed on the Order Paper at that appropriate time.

(Committee of whole House deferred)

Next Order.

MOTION

ADOPTION OF REPORT ON INSPECTION VISIT TO
SPECIAL NEEDS SCHOOLS

The Temporary Speaker (Hon. Farah Maalim): Hon. Chairperson, Select Committee on National Cohesion and Equal Opportunity. Proceed. Give Hon. Adan Yusuf the microphone.

Hon. Yusuf Adan (Mandera West, UDM): Hon. Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Committee on the National Cohesion...

The Temporary Speaker (Hon. Farah Maalim): Order! You read it verbatim.

Hon. Yusuf Adan (Mandera West, UDM): Yes, that is what I am doing.

The Temporary Speaker (Hon. Farah Maalim): You are not reading verbatim. Go back and read it verbatim.

Hon. Yusuf Adan (Mandera West, UDM): Hon. Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Committee on the National Cohesion...

The Temporary Speaker (Hon. Farah Maalim): Select Committee.

Hon. Yusuf Adan (Mandera West, UDM): Oh, the Report of the Select Committee on National Cohesion and Equal Opportunity on the inspection visit to special needs schools...

The Temporary Speaker (Hon. Farah Maalim): Fourteen special needs schools. Do you need some kind of glasses?

Hon. Yusuf Adan (Mandera West, UDM): I do not have that. I have a small different one.

The Temporary Speaker (Hon. Farah Maalim): Give him the right Order Paper.

Hon. Yusuf Adan (Mandera West, UDM): Hon. Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Select Committee on National Cohesion and Equal Opportunity on the inspection visit to fourteen special needs schools in specified counties, laid on the Table of the House on Tuesday, 30th July 2024.

This Report is firmly grounded in the constitutional and statutory framework that guarantees the right to education for all persons, including learners with disabilities, as provided under Articles 43(1)(f), 53(1)(b) and 54(1)(b) of the Constitution, as well as the provisions of the Basic Education Act, Cap. 211, which obligate the State to ensure that special needs institutions are adequately resourced with trained personnel, appropriate infrastructure, learning materials and support services.

In line with its mandate under Standing Order 212C, the Committee undertook this audit to monitor and promote equalisation of opportunities, investigate discrimination, and assess the extent to which State interventions support the welfare of persons with disabilities, particularly in the education sector.

The Committee conducted inspection visits to 14 public special needs schools across Mombasa, Nyeri, Nakuru, Baringo, Homa Bay, Busia, Nyamira and Kakamega counties, covering institutions for learners with physical, visual, hearing and mental disabilities, with the objective of evaluating compliance with legal provisions, assessing accessibility and inclusivity, and identifying systemic gaps affecting learners.

From these engagements, the Committee established that while efforts have been made to support special needs education, the sector continues to face deep-rooted structural challenges that undermine the realisation of the right to education. Foremost, among these is chronic underfunding characterised by low budgetary allocation and persistent delays in exchequer releases, which has significantly disrupted school operations, limited infrastructure development and negatively affected the welfare of learners. The Committee observed an acute shortage of both teaching and non-teaching staff, including specialised personnel such as therapists, caregivers, and nurses, leading to an unsustainable teacher-to-learner ratio that does not meet policy standards and compromises the quality of care and instruction provided to learners with special needs.

In addition, many institutions lack adequate and disability-friendly infrastructure with insufficient classrooms, dormitories and sanitation facilities, and in some cases, learners are forced to share overcrowded spaces or use facilities that are not adapted to their needs, thereby undermining their dignity, safety and learning outcomes.

The Committee also noted a widespread shortage of specialised learning materials and assistive devices, including braille equipment, adaptive ICT tools, and tailored instructional materials, coupled with the use of standardised textbooks and assessment methods that do not adequately cater to the unique learning requirements of special needs learners.

Further, the absence of adequate healthcare support systems within schools, including lack of nurses, therapists, and medical facilities, as well as the discontinuation of key support programmes such as Edu Afya, has exposed learners to heightened vulnerability.

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Members.

*(Hon. Duncan Mathenge and Hon. David Ndakwa
consulted loudly)*

Order, Hon. Mathenge and Hon. Athman. He does not use that name that much.

ADJOURNMENT

The Temporary Speaker (Hon. Farah Maalim): Hon. Members, the time being 7.00 p.m., this House stands adjourned until Wednesday, 7th October 2026 at 9.30 a.m.

(The House rose at 7.00 p.m.)

Prepared by:

*Directorate of Hansard and Audio Services
National Assembly
Parliament of Kenya.*

* * * * *

Published by:

*Clerk of the National Assembly
Parliament Buildings
Nairobi, Kenya.*