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(The House met at 2.30 p.m.)

*[The Temporary Speaker
(Hon. Omboko Milemba) in the Chair]*

PRAYERS

QUORUM

The Temporary Speaker (Hon. Omboko Milemba): Serjeant-at-Arms, ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

The Temporary Speaker (Hon. Omboko Milemba): Hon. Members, we now have quorum. Serjeant-at-Arms, stop the Quorum Bell. Let us proceed with the business of the day. Clerk-at-the-Table, you may proceed.

PAPERS

The Temporary Speaker (Hon. Omboko Milemba): The Chairperson of the Public Investments Committee on Social Services Administration and Agriculture.

Hon. Emmanuel Wangwe (Navakholo, ANC): Thank you, Hon. Temporary Speaker. I beg to lay the following Paper on the Table:

Eleventh Report of the Public Investments Committee on Social Services Administration and Agriculture on its examination of:

- (a) Audited Financial Statements of National Industrial Training Authority for the Financial Years 2014/2015 to 2024/2025.
- (b) Audited Financial Statements of Sacco Societies Regulatory Authority for the Financial Years 2020/2021 to 2024/2025.
- (c) Audited Financial Statements of Office of the Data Protection Commissioner for the Financial Years 2021/2022 to 2024/2025.
- (d) Audited Financial Statements of Pharmacy and Poisons Board for the Financial Years 2018/2019 to 2024/2025.
- (e) Audited Financial Statements of Kenya Medical Supplies Authority for the Financial Years 2023/2024 to 2024/2025.
- (f) Audited Financial Statements of Sports Kenya for the Financial Years 2014/2015 to 2024/2025.
- (g) Audited Financial Statements of Kenya School of Government for the Financial Years 2014/2015 to 2024/2025.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): The Chairperson of the Departmental Committee on Agriculture and Livestock.

Hon. Sabina Chege (Nominated, JP): Hon. Temporary Speaker, on behalf of my Chairperson, I beg to lay the following Papers on the Table:

Reports of the Departmental Committee on Agriculture and Livestock on—

(a) Its Consideration of the Pest Control Products Bill (National Assembly Bill No. 48 of 2025).

(b) Its Participation in the International Wheat Congress held from 25th to 29th May 2026 in Bologna, Italy.

Thank you, Hon. Temporary Speaker

The Temporary Speaker (Hon. Omboko Milemba): The Chairperson of the Departmental Committee on Finance and National Planning.

Hon. Kuria Kimani (Molo, UDA): Thank you, Hon. Temporary Speaker. I beg to lay the following Paper:

Report of the Departmental Committee on Finance and National Planning on its Consideration of the Tax Laws (Amendment) Bill (National Assembly Bill No. 65 of 2026).

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Thank you.

Next Order.

NOTICE OF MOTION

The Temporary Speaker (Hon. Omboko Milemba): The Chairperson of the Public Investments Committee on Social Services Administration and Agriculture.

ELEVENTH REPORT OF THE PUBLIC INVESTMENTS COMMITTEE ON SOCIAL SERVICES ADMINISTRATION AND AGRICULTURE

Hon. Emmanuel Wangwe (Navakholo, ANC): Thank you, Hon. Temporary Speaker. I beg to give notice of the following Motion:

THAT, this House adopts the Eleventh Report of the Public Investments Committee on Social Services Administration and Agriculture on its examination of:

- (a) Audited Financial Statements of National Industrial Training Authority for the Financial Years 2014/2015 to 2024/2025.
- (b) Audited Financial Statements of Sacco Societies Regulatory Authority for the Financial Years 2020/2021 to 2024/2025.
- (c) Audited Financial Statements of Office of the Data Protection Commissioner for the Financial Years 2021/2022 to 2024/2025.
- (d) Audited Financial Statements of Pharmacy and Poisons Board for the Financial Years 2018/2019 to 2024/2025.
- (e) Audited Financial Statements of Kenya Medical Supplies Authority for the Financial Years 2023/2024 to 2024/2025.
- (f) Audited Financial Statements of Sports Kenya for the Financial Years 2014/2015 To 2024/2025.
- (g) Audited Financial Statements of Kenya School of Government for the Financial Years 2014/2015 to 2024/2025.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Next Order.

QUESTIONS AND STATEMENTS

REQUEST FOR STATEMENT

NON-PAYMENT OF RENT BY
POLICE OFFICERS IN NAIVASHA

The Temporary Speaker (Hon. Omboko Milemba): Is Hon. Jayne Kihara in the House? Very well, Hon. Jayne Kihara, proceed.

Hon. Jayne Kihara (Naivasha, UDA): Thank you, Hon. Temporary Speaker for this chance. I rise to request for a statement regarding the non-payment of rent for plots in Naivasha Constituency occupied by Kenya Police.

Hon. Temporary 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 the non-payment of rent for plot numbers 12 and 212 in Naivasha Constituency occupied by the police.

Hon. Temporary Speaker, following the 2007/2008 post-election violence, the National Task Force on Post-Election Violence, in collaboration with the Peace and Reconciliation Committee, recommended establishing police posts in estates within Naivasha Constituency that had been severely affected by the violence. Consequently, police set up patrol bases on Plot No.12 in Kabati Estate and Plot No. 212 in Sight and Service Estate. The Naivasha police, the National Police Service, and the respective property owners entered into an agreement for the police to occupy the premises and pay rent.

However, despite the police's continued occupation and use of the premises, the property owners have not received rent since 2010. The outstanding rent arrears for Plot No. 12 are currently estimated at Ksh.1,241,100 without adjustment to reflect prevailing market rental rates, while arrears for Plot No. 212 have accumulated to approximately Ksh6,480,000. Numerous attempts to follow up with the government on settling their outstanding rent or acquiring their properties have not yielded any resolution. For plot 212, no agreement was entered into and the owner found that the police had taken up the property when she went to collect rent from the previous tenants.

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

1. Reason for non-payment of the rent of Plot No. 12, Kabati Estate and Plot No. 212, Site and Service Estate since 2010, despite their continued occupation and use by the police.
2. Report on the actual rent arrears currently owed in respect of each of the properties, including any applicable adjustments arising from changes in prevailing market rental rates and an indication of when the outstanding amounts will be settled.
3. Measures being taken by the Ministry to permanently resolve the matter, including acquiring the two properties at the prevailing market rate to fairly compensate the property owners while ensuring continuity of the security services provided by the police patrol bases in the area.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Very well. The Statement is referred to the Departmental Committee on Administration and Internal Security. Is the Chairperson on the Vice-Chair in the House?

(Hon. Gabriel Tongoyo entered the Chamber)

Yes, Chair. Take the closest seat and tell us how long it will take for you to bring a response to this Statement.

Hon. Gabriel Tongoyo (Narok West, UDA): Repeat it, sorry I did not hear.

The Temporary Speaker (Hon. Omboko Milemba): You must apologise first.

Hon. Gabriel Tongoyo (Narok West, UDA): Hon. Temporary Speaker, I am sorry for coming in late.

The Temporary Speaker (Hon. Omboko Milemba): How long will you take to bring the response to this statement by Hon. Jayne Kihara

Give the Chairperson a copy of the statement so that he can comment on how long it will take him to bring a response. It is not a complex matter; it is a matter of police officers occupying premises in Naivasha without paying rent.

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

Again, sorry for coming late. This request is an issue of PE. I request to bring the response next week. It is not a complex matter.

The Temporary Speaker (Hon. Omboko Milemba): Thank you, so next week. Let us have Hon. Nabwera.

GENERAL STATEMENT

DEMISE OF HON. BURUDI NABWERA
FORMER MEMBER FOR LUGARI CONSTITUENCY

Hon. Nabii Nabwera (Lugari, ODM): Thank you, Hon. Temporary Speaker. Pursuant to Standing Order 43, I wish to bring to the House's attention the passing of Hon. (Amb.) Burudi Nabwera, a veteran politician, distinguished diplomat and former Member of Parliament for Lurambi North and Lugari Constituencies for 10 and five years respectively, who passed away on 9th October 2026 at the age of 99, barely two months before turning 100.

Hon. Temporary Speaker, the late Hon. (Amb.) Burudi Nabwera was born in 1927 in Shivagala village, Malava, in present-day Kakamega County. He began his education in 1935 at Shivagala School for Sector A, Samitsi School for Sector B and Kaimosi for his O-Level. Thereafter, he proceeded to Maseno High School for A-Level education and later joined Makerere University, then the University College of London, where he graduated as a teacher in December 1952. Upon returning to Kenya, he taught in various schools, including the Alliance Girls and Maseno School. He proudly taught the Late Mama Lucy Kibaki, Pamela Mboya and Dr Julia Ojiambo.

Hon. Temporary Speaker, in 1957, the Late Hon. (Amb.) Nabwera resigned from teaching and joined the Ministry of African Affairs, beginning an illustrious career in public service. A man of many firsts, the Late Hon. Nabwera built an illustrious career in public service, administration, international relations, and politics. He served as the Kenya African National Union (KANU) Leader for Kakamega region.

When Kenya gained Independence in 1963, he was appointed as a Member of the East African Legislative Assembly (EALA) in June 1963. That same year, he was recalled and appointed Kenya's first Ambassador to the United States of America and Permanent Representative to the United Nations (UN) from 1963 to 1970. That meant he was both in Washington, D.C. and New York. He played an important role in establishing Kenya's diplomatic presence, shaping Kenya's diplomatic policy and advancing its relations with the international community.

Hon. Temporary Speaker, upon returning to Kenya, the late Hon. Nabwera continued his public service through national politics and government. He served as Secretary-General of the Kenya African National Union (KANU), Member of Parliament for Lurambi North and a Minister of State in the Office of the President under the late President Daniel Arap Moi. His career placed him at the centre of the country's political and administrative affairs during a formative period in Kenya's post-Independence history.

Hon. Temporary Speaker, in 1988, following the creation of Lugari Constituency, the late Hon. Nabwera was elected its first Member of Parliament under KANU, becoming the constituency's pioneer representative in the National Assembly, where he served until 1992. During that period, he was appointed the Minister of State in the Office of the President in charge of Provincial Administration. During the 1969/1974 tenure, he was serving during a tumultuous political period, his leadership earned him the appointment to the Select Committee to investigate the Murder of the Late Hon. J. M. Kariuki, a parliamentary role he discharged diligently.

Beyond politics and diplomacy, the late Hon. Nabwera continued to contribute to public and economic affairs, including serving as Chairman of the Board of Chemelil Sugar Company from 1983 to 1987 and Nzoia Sugar Company from 2007 to 2010. He also served as Founding Council Chairman of Moi University in Eldoret from 1984, contributing to the University's establishment and rise as an academic giant.

Hon. Temporary Speaker, the late Hon. Nabwera's long career in public service reflected a lifetime of engagement in diplomacy, governance, political leadership and institutional management. The passing of Hon. Burudi Nabwera is a loss to his family, the people of Lugari and the nation at large. His contributions to Kenya's early diplomatic service and his place in Lugari Constituency's history will remain part of the country's public record.

He is also known to be a large-scale farmer in both crop and animal husbandry. I wish to state that the Late Hon. Burudi Nabwera was my mentor. He cared for me since my father, his elder brother, passed away when I was very young. I owe my position to him and many others do too.

Hon. Temporary Speaker, I wish to extend my condolences to my siblings and friends of the late Hon. Burudi Nabwera. He is also known for doing the impossible: being friends with both the late Jaramogi Oginga and Jomo Kenyatta at the same time.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Before I give a few Members a chance to eulogise the late Hon. Burudi Nabwera, allow me to acknowledge and recognise the presence of students from Oldubei Primary School, Gilgil Constituency, Nakuru County who are seated in the Public Gallery. You are welcome to observe the Proceedings in the National Assembly.

Hon. Member for Luanda.

Hon. Dick Oyugi (Luanda, ANC): Thank you very much, Hon. Temporary Speaker. I take this opportunity to join my brother, Hon. Nabii Nabwera and the entire family in mourning the loss of a great man.

As a young man growing up, these were the names we used to hear about; men of substance, men of focus, and leaders whom we all admired. The statement and condolences by Hon. Nabii Nabwera have taken me back many years to when I was a small boy. We used to hear about the late Hon. Burudi Nabwera's good works, his achievements, and the many challenges he conquered. Many of us deeply admired him. I say *pole* to the great people of Lugari and Lurambi North, where he once represented and the community at large.

The late Hon. Burudi Nabwera was an eminent person and as Mulembe nation, we mourn a giant, leader and a diplomat in our region. The country has lost.

As a fellow teacher, I have heard that many people went through his hands. He was a career diplomat and we have heard how he conquered many fronts so as to put the face and name of Kenya at a high level. He was involved in many strategic key achievements as a Minister that we all remember. He also served this House with great exception and calling. We therefore join the family and the great people of Lugari and Lurambi North, where he once represented, and of course Kenya at large, in mourning a giant who has died.

May his soul rest in eternal peace. *Asante sana.*

The Temporary Speaker (Hon. Omboko Milemba): Hon. Elsie Muhanda. You can make the comments short, because I can see a little more interest in this.

Hon. Elsie Muhanda (Kakamega County, ODM): Thank you, Hon. Temporary Speaker.

I extend my heartfelt condolences to the family and the people of Kenya following the passing on of Mzee Burudi Nabwera. His contribution to society, especially to the advancement of women's rights, will be remembered.

In 1952, Hon. Burudi Nabwera together with Dr Masinde Muliro, were trusted by the missionaries to teach in African Girls High School, now Alliance Girls High School. He helped shape the lives of young African women at a time when their opportunities were limited. He believed in educating the girl child and encouraged women to stand up for their rights with confidence.

Among his students then, in 1952, were Prof. Julia Ojiambo and Prof. Eddah Gachukia. Also, as a former Member of Parliament for Lugari, he pushed for the girls to stay in school by using his bursary and harambee networks in the late 80s to keep girls in school. His legacy lives on in the women he taught, in his constituents, in the people he inspired and empowered. May his soul rest in peace.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Julius Sunkuli.

Hon. Julius Sunkuli (Kilgoris, KANU): Hon. Temporary Speaker, I also want to send my condolences to the people of Lugari for the loss of Hon. Burudi Nabwera. He was the first Member of Parliament for Lugari Constituency when it was created in 1988. He served as one of those pioneer Kenyans during the decolonisation of Kenya in 1963. He later on joined diplomacy in the United States and his career was quite colourful. He also served in the Office of the President as a Minister of State and he was a very influential person at that time. Wherever Hon. Burudi Nabwera went, he left a permanent mark.

He was also the Secretary-General of the Ruling Party then, Kenya African National Union (KANU), during the good days when President Moi was in power. In fact, he was one of the pillars of Kenyan politics, both in Western province and in the Republic of Kenya. Today, we mourn him. He has seen the rainbow. He has lived a very colourful life. He has lived it to fruition and may God rest his soul in peace.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Adagala. You have the microphone near you.

Hon. Adagala Beatrice (Vihiga County, ANC): Thank you, Hon. Temporary Speaker for this opportunity to mourn with my colleagues, especially Hon. Nabii, who has lost an uncle. We, the people of Western Region, are mourning a son of the soil. On behalf of myself and the people of Vihiga County, I wish to send condolences to the family of the bereaved. We are praying to God to give them strength at this time of grief. I knew Hon. Burudi Nabwera because I am a farmer.

Apart from the diplomatic work and the politician that he was, Hon. Burudi Nabwera was a great farmer too. Most of the upcoming farmers get animals from his farm. I also benefitted. I got heifers from his farm and they are doing quite well. Some of them have matured and are producing two offsprings each. I feel I have lost a great person of importance.

The Western Region are in mourning and Kenya as a whole. We mourn the great man of the Western Region.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Emmanuel Wangwe.

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Temporary Speaker. On behalf of the great people of Navakholo and those of Lugari, allow me to pass my condolences to my very good friend, Hon. Nabii Nabwera, for the loss of his uncle. The old man who has passed on, Hon. Burudi Nabwera, was not a normal human being per se. He was an exemplary person during his days. Somebody who was trusted to sit in the Office of the President as a Minister. He is not a very simple person. When you look at the governance of the late President Moi, we had Mzee Nabwera in the central of Kakamega, Hon. Elijah Mwangale in Bungoma, Hon. Mudamba Mudavadi in Vihiga, Hon. Osogo and the team from Busia and Dr. Masinde Muliro.

The entire Western was represented in the administration of Mzee Moi and it was all coordinated by Mzee Burudi Nabwera. Luhyas have lost. People of Western have lost. Kenyans have lost. I want to give him two distinctions as a founder of the Kenyan mission in the United States of America. It is what it is because he founded it well.

*(Hon. Rahab Mukami crossed the aisle
without bowing to the Chair)*

The Temporary Speaker (Hon. Omboko Milemba): Order, Hon. Rahab. You are holding a *kamukunji* there. You are getting it wrong yet you are a seasoned Member. Just go back and do the correct thing. Proceed, Hon. Wangwe.

*(Hon. Rahab Mukami bowed to the Chair
before crossing the aisle)*

Hon. Emmanuel Wangwe (Navakholo, ODM): Allow me to give Hon. Burudi Nabwera a distinction. Having founded the Kenyan mission in the United States of America and the stability that we enjoy in our relationship with the United States of America.

The second distinction I do give Hon. Nabwera is how he created and came up with Lugari as a Constituency today, later on having Likuyani that came out of Lugari. This is a foundation that Hon. Nabwera laid. May his soul rest in eternity.

The Temporary Speaker (Hon. Omboko Milemba): Make it very short, Hon. David Ndakwa, and then Hon. Makali to finalise.

Hon. David Ndakwa (Malava, UDA): Thank you, Hon. Temporary Speaker. As a Member of Parliament for Malava Constituency, I rise to share the grief and honour the demise of Hon. Burudi Nabwera, given that he was the first Member of Parliament for Lurambi North, before the extinction of Malava Constituency, when he subsequently went to be the Member of Parliament for Lugari Constituency. This is a distinction of the soil, coming from Mulembe nation, whereby we feel we have his history that we should cherish in the future generation.

I applaud him as a diplomat, a pioneer in international relations and also as a Permanent Representative of the United Nations. We adore him as one of the greatest sons of the Mulembe Nation.

Hon. Temporary Speaker, as a servant of the people of Malava Constituency, that is where some of us felt his touch and leadership in the community. Personally, I am attached to Hon. Burudi Nabwera because when he became the Secretary-General of Kenya African National Union (KANU) Party, he took my father as his driver. My father drove him when he was the Secretary-General of KANU and Minister of State in the Office of the President in charge of Administration, until he became the Chairman of Chemilil Sugar Company. When

age caught up with both of them, my father retired. I am who I am today because of the salary Hon. Burudi Nabwera paid my father to take me to school.

I have a personal attachment to his family. The legacy he has left behind is for the future generations to learn and feel his leadership. At one time, he told me that he saw me as a sober son of the old man and I could take the mantle in future. I am in Parliament by his word. I grieve with the family. Hon. Nabii Nabwera, be strong. It has happened. Let Mzee rest in peace, as you lead this legacy forward. We are together in this.

Thank you very much.

The Temporary Speaker (Hon. Omboko Milemba): Finally, I will give a chance to Hon. Makali.

Hon. John Makali (Kanduyi, FORD-K): Thank you, Hon. Temporary Speaker. On my behalf and that of the great people of Kanduyi who sent me to this House, I wish to also express my sincere condolences to the family, friends and relatives of the late Hon. Burudi Nabwera. As indicated, he was a pioneer teacher, a great diplomat, a politician, and a farmer. We shall all miss him dearly.

As the Member for Kanduyi, I remember Hon. Burudi Nabwera when Nzoia Sugar Company was on the brink of collapse. The Government of Kenya appointed him as the Chairman of Nzoia Sugar Company to help it get back on its feet. The company remembers him fondly as a leader who steered the Board to unmatched levels.

Upon completing his public service, Hon. Burudi Nabwera became a revered Luhya statesman and elder. Many of us in this House have benefited from his wisdom and advice on how to conduct our politics. I remember having a session with him in 2022, during which he offered me invaluable political guidance. We shall miss him dearly. Our solace lies in the fact that he has left his footprints on the sands of time. He has immortalised himself through the children he taught and the politicians he nurtured, including my very good friend here, Hon. Nabii Nabwera. He has also immortalised himself through his dedicated service in our diplomatic missions and the public sector.

May his soul rest in eternal peace, and may his family find comfort during this difficult time. Rest in peace, Hon. Burudi Nabwera.

The Temporary Speaker (Hon. Omboko Milemba): Very well, Hon. Members. He was a veteran politician who served with great distinction as the KANU Chairman during his time. Hon. Members, let us all stand to observe one minute of silence.

(Hon. Members stood and observed a minute of silence)

Thank you, Hon. Members. May his soul rest in peace.

Next in this Order, is Hon. Mumina Bonaya.

REQUEST FOR STATEMENT

INTIMIDATION AND HARASSMENT OF CITIZENS BY SECURITY AGENCIES IN ISIOLO COUNTY

Hon. Mumina Bonaya (Isiolo County, JP): Hon. Temporary 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 alleged intimidation and harassment of citizens by security agencies in Isiolo County.

There are allegations of political intimidation and harassment of citizens in Isiolo County. For instance, on the night of 13th October 2026, security officers reportedly forcibly entered the residence of Ms Halima Golo Bonaya, that is my mother, in Kiwanjani, Isiolo

County late at night and conducted a search under unclear circumstances. The matter was reported at Isiolo Police Station, under OB No.22/14/10/2026. The incident caused considerable distress to my 80-year-old mother, resulting in her urgent transfer to hospital for medical attention.

Earlier this year, Mr Juma Haro Sime and Mr Suleiman Haro Sime were reportedly arrested and allegedly pressured to confess to an offence they maintained they had not committed. During the same period, officers who claimed to be from the Directorate of Criminal Investigations (DCI) reportedly arrested eight other individuals related to Mr Juma Sime and Mr Suleiman Sime under unclear circumstances. There are also allegations that bloggers were summoned by the DCI. These incidents warrant independent investigation to establish the facts as they raise concerns regarding the conduct of officers and possible interference in security operations by a political figure.

Hon. Temporary 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. Circumstances surrounding the raid on the residence of Ms Halima Golo Bonaya in Kiwanjani, Isiolo County, reported at Isiolo Police Station under OB No. 22/14/10/2026, including the identity of the officers involved, the purpose of the operation and the legal authority under which the search was conducted, with allegations of interference by a political figure.
2. Circumstances surrounding the reported arrests of other individuals, including the reasons for their arrest and allegations that some were pressured to confess to an offence they did not commit by a political figure.
3. Clarification on whether any public official influenced or issued instruction concerning these operations and the safeguards in place to prevent political interference in security operations in Isiolo County.
4. A report on whether public funds were used in the alleged intimidation and harassment of citizens, and if so, the amounts and measures taken to ensure accountability.

I thank you.

The Temporary Speaker (Hon. Omboko Milemba): The Chairperson of the Departmental Committee on Administration and Internal Security. Hon. Dido Raso.

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Temporary Speaker. I have listened to Hon. Mumina Bonaya. This statement casts serious aspersions on the conduct of our uniformed police officers. They are our first point of contact whenever there is a problem. If they conduct themselves in an unprofessional manner that resembles criminal behaviour, it is something we must not accept as a country and as leaders.

The Temporary Speaker (Hon. Omboko Milemba): Order, Hon. Dido Raso. I gave you the chance to represent the Chairperson of the Departmental Committee on Administration and Internal Security to tell the House how long you will take to bring a reply to this statement. I did not give you a chance to participate in the debate. There is no debate on the Floor of the House.

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Temporary Speaker. I would like to state that no person is above the law. We will respond to the Member within two weeks.

The Temporary Speaker (Hon. Omboko Milemba): Very well. You will have a chance to speak further on the matter. I request that you bring a reply even sooner. When a Member states that her mother was harassed, we must take it seriously for the safety of our Members.

Thank you.

The next Statement is by Hon. Makali.

RISING CASES OF INSECURITY IN KANDUYI CONSTITUENCY

Hon. John Makali (Kanduyi, FORD-K): Thank you, Hon. Temporary Speaker for the opportunity. 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 Administration and Internal Security regarding the rising cases of insecurity at the Kibabii University area in Kanduyi Constituency.

There has been a worrying increase in incidents of insecurity in Kanduyi Constituency, including attacks by criminal gangs targeting students of Kibabii University.

On 5th October 2026, at approximately 10.00 p.m., near the Dominion area at Kibabii University, a gang of armed robbers attacked and killed a student, Mr Griffins Jumbe Wanjala, registration number BCO/0059/24, who was pursuing a Bachelor of Business and Commerce at the University.

Additionally, three other students of Kibabii University, namely Mr Wilberforce Maloba, Mr Bravin Juma and Ms Regina Mutua, are reportedly recuperating in hospital following similar gang attacks. The incident was reported at Tuuti Police Station under O.B. No. 10/06/10/2026. There are other similar reports of students from Kibabii University and Bungoma National Polytechnic being attacked while returning to their hostels from classes.

It is concerning that, despite the rise in crime in the area, there appears to be a lack of action by security agencies, with no arrests made in connection with these incidents. We only receive reports indicating that investigations are ongoing.

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 report on the status of investigations into insecurity incidents around Kibabii University and Bungoma National Polytechnic in Kanduyi Constituency, particularly the killing of Mr Griffins Wanjala, indicating any identified, apprehended or charged suspects in connection with the incident.
2. The specific measures being implemented to curb this alarming spate of killings of students, including deployment of additional officers in the populated areas of Kibabii and Sang'alo.
3. Coordination mechanisms between the National Police Service, Kibabii University and Bungoma National Polytechnic to facilitate the timely reporting of security incidents.
4. Long-term strategies the Government plans to employ, taking into account the previous *Jukwaa la Usalama* Forums to restore security in Kanduyi Constituency and protect students and residents in the area, particularly at night, including the status of police patrols in the area.
5. Support being provided to the students and the families of the victims injured in the attacks, and the entire university community, including medical assistance, psychosocial support and any other compensation mechanisms arising from these incidents that have become rampant to students who are actually undergoing studies at the universities.

I thank you.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Dido Raso.

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Temporary Speaker. I will respond in two weeks.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Bring the response in two weeks.

(Hon. John Makali spoke off the record)

Hon. Makali, what is the matter?

Hon. John Makali (Kanduyi, FORD-K): We will be going on a short recess. I have suffered the fate of going on recess without receiving responses to statements. Could we have the response next week, with your kind indulgence, Hon. Temporary Speaker? As we speak, arrangements for the burial of these students are underway, and their families want answers.

The Temporary Speaker (Hon. Omboko Milemba): I appreciate your appeal. Let us hear from Hon. Raso.

Hon. Ali Raso (Saku, UDA): Hon. Temporary Speaker, I do not wish to speak on behalf of the authorities charged with this responsibility. However, I can confirm that action is being taken. We will make every effort to provide a prompt response, even if it is a preliminary one. Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Hon. Makali, please bear with us. The response will be forthcoming. Let us have a thorough response.

STATEMENTS

The Temporary Speaker (Hon. Omboko Milemba): Let us now proceed to responses to Statements.

The first item is a response to a Statement requested by Hon Geoffrey Wandeto, to be given by the Chairperson of the Departmental Committee on Administration and Internal Security.

Is Hon. Wandeto in the House? He seems not to be in. The Committee may arrange to provide the written response to the Member. Next is a response to a statement requested by Hon. Benjamin Gathiru. Is he in the House? It seems he is also absent. However, since I saw the Hon. Member earlier, the statement is stepped down.

(Statement by Hon. Benjamin Gathiru stepped down)

The next item is a response to a statement requested by Hon. John Makali, to be delivered by the Chair of the Departmental Committee on Agriculture and Livestock. Is the Chair in the House? Very well. Please give the Chairperson the microphone. Proceed, Chair.

MANAGEMENT OF SUGAR IMPORTS

Hon. Brighton Yegon (Konoin, UDA): Thank you very much, Hon. Temporary Speaker.

I am responding to a statement regarding the management of sugar imports to protect the domestic sugar industry.

The first issue concerns a report on the current national sugar balance sheet, which indicates the quantities of sugar produced domestically, consumed, and imported over the last two years. Over the years, sugar consumption has outpaced domestic production. Kenya's annual demand for sugar is approximately 1.2 million metric tonnes, comprising one million metric tonnes of brown table sugar and 200,000 metric tonnes of white refined sugar for industrial use.

However, local production has increased significantly in 2026 due to ongoing sector-specific reforms, resulting in a reduction in the importation of mill white and brown sugar. The accompanying table presents the national sugar consumption, local production, and imports for 2025 and 2026, a copy of which I have already shared with Hon. Makali. Total imports last

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year amounted to 477,651 metric tonnes, while imports from January to August 2026 stood at 239,340 metric tonnes, as detailed in the table.

ITEM	2025	Jan–Aug 2026	TOTAL
Sugar consumption	1,216,131	1,200,000	2,416,131
Local sugar production	611,576	612,495	1,224,071
Sugar imports			
Mill white/brown	287,141	65,315	352,456
White refined	190,510	146,186	336,696
Raw sugar	Nil	27,839	27,839
TOTAL IMPORT	477,651	239,340	716,991

The second issue concerns the persons and entities, if any, licensed to import sugar into the country over the last two years, including the specific quantities imported and the financial amounts involved. Several companies were licensed to import sugar to address the domestic deficit. We have tabled a comprehensive list of these entities, a copy of which I have also shared with Hon. Makali.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Millie, what is your point of order?

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker.

I just wanted to know whether there was a memo for women Members of Parliament to wear black polka dots or black and red. I did not receive the memo. I notice that many women Members of Parliament are wearing polka dots in red and white today. Is there something happening that we do not know about?

Order, Hon. Millie. You can consult the Hon. ladies around you to determine the same. You may proceed, Hon. Member.

Hon. Brighton Yegon (Konoin, UDA): Thank you, Hon. Temporary Speaker. I was responding to Request for Statement B, which sought details of the persons or entities, if any, licensed to import sugar into the country over the last two years, including the quantities and amounts involved.

Several companies were licensed to import sugar to cover the sugar deficits. Table 3 shows the quantities, in metric tonnes, of white refined sugar imported by various companies in 2025 and from January to August 2026. It also shows mill white and brown sugar imports, while Table 4 shows raw sugar imports and the companies that imported it.

Request for Statement C sought the criteria used by the Ministry and the Kenya Sugar Board to determine sugar import quantities and how the current sugar supply management complies with the provisions and objectives of the Sugar Act, 2024, particularly the promotion of domestic sugar production.

The Kenya Sugar Board determines sugar import requirements based on assessed national supply deficits, in accordance with Sections 25 and 26 of the Sugar Act No. 11 of 2024. Section 26(2)(a) requires sugar to be imported where a deficit exists and for a specific tonnage, while Section 25(3)(a) requires evidence that the sugar proposed for importation is unavailable in the local market.

In determining the deficit and the quantity to be imported, the Board analyses domestic and projected sugar production, national consumption, available stocks, cane availability and maturity, mill ration performance, operational schedules, imports already approved and domestic market requirements regarding the type of sugar. It also considers applicable regional and international trade obligations.

The import requirement is therefore the difference between projected national sugar requirements and available domestic supply, taking into account existing stocks. Import quantities are reviewed against prevailing market and production conditions to minimise the risk of shortages or excessive imports.

This approach is consistent with the objectives of the Sugar Act No. 11 of 2024, which mandates the Board to regulate, develop and promote the sugar industry, collect and analyse industry statistics, and facilitate sugar imports and exports. Importation is therefore intended to address supply gaps rather than substitute domestic production.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Chair, I do not know how far you are, but you may have to paraphrase some of the statements because you cannot read a whole piece of literature here. I believe the statement is also with Hon. Makali already.

Hon. Brighton Yegon (Konoin, UDA): In addition, importers are required under Section 26(2)(b) of the Sugar Act No. 11 of 2024 to submit returns on their sales and stocks to the Board. These returns, together with production and stock data from millers, enable the Board to monitor sugar availability and inform subsequent import decisions.

This approach is intended to ensure adequate sugar availability while supporting the long-term objective of developing a competitive and increasingly self-sufficient domestic sugar industry.

The last response concerns the measures being undertaken by the Ministry to protect local sugar farmers and promote the long-term sustainability of the sugar industry.

The Ministry of Agriculture and Livestock Development, through the Kenya Sugar Board, has put in place the following measures:

1. The Ministry suspended the importation of mill white and brown sugar in June 2026 following a record of high domestic production, which led to a sharp drop in imports. This measure was intended to protect the local sugar industry, despite regional trade obligations that require the admission of sugar from the East African Community (EAC) and the Common Market for Eastern and Southern Africa (COMESA).
2. The Ministry is enforcing strict import regulations and licensing mechanisms under the Sugar Act, 2024.
3. It promotes local production by providing farmers with quality seed cane and subsidised fertilisers.
4. The Ministry supports the modernisation of sugar factories.
5. The Government is leasing out public mills to attract private capital, improve operational efficiency and boost value-added investments, such as ethanol production and cogeneration.
6. Through the Finance Act, 2026, the Government has increased the excise duty on imported sugar from Ksh7.50 per kilogramme to Kshs40 per kilogramme.

This is intended to discourage imports and promote the local sugar industry.

This regulatory and modernisation framework aims to enhance the competitiveness, profitability and long-term viability of Kenya's domestic sugar industry.

The Temporary Speaker (Hon. Omboko Milemba): Very well, Hon. Members. Let me acknowledge the visitors in the Public Gallery this afternoon. They are guests of Hon. Alpha Miruka from Bomachoge Chache Constituency in Kisii County. Is the Member in the House? Very well, let us first hear a rebuttal from Hon. Makali.

Hon. John Makali (Kanduyi, FORD-K): Thank you, Hon. Temporary Speaker. I acknowledge that I have been given the 13-page response from the Cabinet Secretary for Agriculture and Livestock Development. However, with profound respect and deference to both the Cabinet Secretary and my colleague, the Vice-Chairperson of the Committee, the answer is unsatisfactory.

First, we require a balance sheet showing the actual sugar deficit in the country that would justify importation, as provided for under Section 26 of the Sugar Act. The response bandies figure around but fails to establish the actual shortfall that would necessitate importation. Secondly, we asked for details of the companies that imported sugar into the country. Those companies have been listed, and we will interrogate them. However, we also asked how much revenue was collected through taxation arising from these sugar imports. Those figures have not been provided.

Thirdly, we all know that the Kenya Sugar Board is not duly constituted. Elections for directors have not been conducted, and the Board currently has only three directors. Therefore, it does not have a quorum. The authority to oversee sugar importation is vested in the Board. If sugar was imported as recently as August this year, who authorised those imports?

We visited Nzoia Sugar Company with the Committee on Trade and found that its warehouse held 300,000 bags of sugar that could not be sold. The company cannot sell this sugar to pay farmers and employees because cheap imported sugar is available in the country.

The Departmental Committee on Trade, Industry and Cooperatives was investigating the issue of cheap imported sugar. Who, therefore, is licensing sugar imports in the absence of a duly constituted Kenya Sugar Board?

Fourth, regarding the measures being undertaken, the House needs to be told the exact shortfall. This shortfall must be officially declared, yet it is completely absent from this report. Furthermore, regarding the measures indicated to stop cheap imports, I question whether the Cabinet Secretary for Agriculture even has the legal authority to halt sugar importation, given that it is explicitly provided for in the Act. Therefore, I believe this statement is merely being issued for political purposes and needs to be interrogated further.

Hon. Temporary Speaker, we will take up this matter with the Committee because the unrestricted importation of sugar is killing our local industry. Our farmers are left unpaid because local factories cannot sell the sugar they mill. Consequently, employees are demoralised and frequently go on strike due to non-payment of salaries. This is a massive issue affecting the Western Kenya region, where sugarcane farming is the economic mainstay. This statement requires further interrogation. We request that the Cabinet Secretary appear before this House so that we can address sugar importation for the benefit of our suffering farmers.

In the interest of time, I will leave it there. However, there is a lot that needs to be dealt with in terms of importation of sugar into the country. Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Riding on this, is that Hon. Omondi?

Hon. Caroli Omondi (Suba South, ODM): Thank you very much, Hon. Temporary Speaker. I associate myself with Hon. Makali on some of the issues raised.

Clearly, there is no functional Kenya Sugar Board. In fact, there is not even a substantive CEO, and they cannot even raise a quorum, yet, we are being told that a statutory body established by this House to regulate the industry is authorising imports, when it is practically non-existent. This means that someone, somewhere, is exercising powers they do not legally possess. Whether it is the National Treasury or the Ministry of Agriculture and Livestock Development, nobody knows. We must be told very clearly who is authorising the importation of sugar in the absence of a fully established and functioning Kenya Sugar Board.

Secondly, even the refined sugar for industrial purpose that they lie is imported, the report does not tabulate who its off takers are. We should know. If they say they imported

industrial sugar, they should explain to us that when the sugar arrived, it was taken to Coca-Cola for bottling of soda, it went to a confectionary for purposes of biscuits or whatever. That is never said. They do not import industrial sugar; they import table sugar which they repackage and sell. To make matters worse, farmers have been duped through the leasing programme.

Last year, I asked that the Cabinet Secretary for National Treasury comes here and explains to the country how they leased the sugar mills. I asked if valuation was done, contracts be tabled here and we be told how much they paid for the nucleus and whether farmers were compensated. The leadership of this House has deliberately refused to bring the Cabinet Secretary for the National Treasury here to answer those questions. That again compounds the problem because we get unsatisfactory answers when we know for sure farmers are not getting paid, the price of cane per tonne has gone down, farmers are being evicted from their homes in the sugar industries, but nobody cares. Yet every day we hear that free fertiliser was given and that there is a bumper harvest of sugar. We all know that is not the truth.

Hon. Temporary Speaker, please, the Leadership of this House should take this matter seriously. We should not be party to the lies being peddled to Kenyans. Let them answer the questions that we have posed on the leasing.

Thank you very much.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Okello.

Hon. Jared Okello (Nyando, ODM): Thank you very much, Hon. Temporary Speaker. First, I belong to the Departmental Committee on Agriculture and Livestock alongside the Vice-Chair, who is here present, and Hon. Makali, the originator of the Question.

I want to clarify one thing. Information was brought to our Committee's attention that a consignment of sugar had been imported into the country, which my very dear brother and friend, Hon. Caroli, has alluded to as being table sugar. Consequently, it behooved the Committee to send Members to Mombasa to ascertain, first, the quantity that was brought in, and secondly, the purpose of that importation.

The sugar was imported by Kibos Sugar and Allied Industries Limited based in Kisumu. We inspected the consignment; however, we lacked the technical machinery and capability to determine the specific destination or type of sugar, because at face value, sugar is simply sugar.

On appearance alone, you can never differentiate between industrial sugar, table sugar, or sugar meant for alternative uses like confectioneries, sweets, and beverage manufacturing. Therefore, we had to visit Kibos Sugar and Allied Industries to ascertain whether they have the refinement capacity for imported sugar. The machinery we found there was remarkably new.

The machinery had just been installed, and the installation was timed specifically for the consignment that was being awaited. When the cargo arrived in Mombasa, we tracked the consignment all the way to Kisumu, where it was transported by truck to Kibos Sugar. We saw firsthand how the refining process was being conducted at the factory. We spent one week in Kisumu to verify that the sugar was not being diverted for any purpose other than refinement.

During our week-long oversight visit in Kisumu, we observed the raw sugar undergoing the full refining process. It was refined specifically for use by other manufacturers such as Coca-Cola, various commercial bakeries that had placed orders, and many other small industries that rely on refined sugar. Therefore, regarding that specific consignment, I can state as a matter of fact and with great certainty that it was imported solely for refinement purposes and was not diverted for any alternative use. Thank you

The Temporary Speaker (Hon. Omboko Milemba): Thank you for enriching the knowledge of the House. I believe the Committee is performing its duties very well. What has come out clearly, Chair, as you make your concluding remarks, is that Hon. Makali and the three Members who have spoken fundamentally want to know the exact shortfall or deficit. They also require clear confirmation on whether the requisite taxes were paid. Finally, there is

the critical issue of legal authority, given the current absence of a functional Kenya Sugar Board. Therefore, please address these core concerns as you wind up.

Hon. Brighton Yegon (Konoin, UDA): Hon. Temporary Speaker, regarding the further interventions, substantive questions, and supplementary queries that have been raised on this Statement, the Committee will take up these matters. We shall invite the relevant regulatory authorities, including the transition mechanisms or ministry officials handling the functions of the Kenya Sugar Board, to appear before us and shed light on the issues raised by Hon. Caroli Omondi, Hon. Makali and any other Member who remains unsatisfied with the current response. Thank you.

The Temporary Speaker (Hon. Omboko Milemba): I echo that you get the authorities before your Committee and let Hon. Makali be invited.

Hon. Brighton Yegon (Konoin, UDA): He is a Member.

The Temporary Speaker (Hon. Omboko Milemba): That is great. You will be able to clear that rumour that was all over. I am happy about the response by Hon. Okello because it sheds some light on that so that we may iron out those issues.

Let us go to the next Response to Request for a Statement by the Chair, Hon. Dido Raso. You are dealing with two Requests for Statements. One is by Hon. Wandeto. Which one are you beginning with?

The Temporary Speaker (Hon. Omboko Milemba): We will begin with the response to the request for statement from the Member for Embakasi. Hon. Benjamin is in the House.

STATUS OF OPERATIONALISATION OF ADMINISTRATIVE UNITS IN NAIROBI CITY COUNTY

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Temporary Speaker. This is a request for statement was from the Member for Embakasi Central Constituency, Hon. Benjamin Gathiru, alias Mejjadonk. I think that is the right person. The Member requested to be apprised of the following:

1. The status of operationalisation of the 17 sub-counties in Nairobi.
2. The minimum resource package prescribed by the Ministry.
3. The status of proposals submitted to the Ministry for the creation and gazettement of new administrative units.
4. The status of all proposals for creation of new locations and sub-locations.
5. The criteria, timelines and implementation plan for gazetting the proposed new locations.
6. The measures being taken to ensure that all gazetted administrative units are fully operational.

The response is that on the status of operationalisation of the 17 sub-counties in Nairobi, the Government has established 18 sub-counties in Nairobi County as national Government administrative service delivery co-ordination units. These administrative units provide a framework through which national Government functions are co-ordinated and services are brought closer to residents. All the 18 sub-counties in Nairobi have been fully operationalised and substantive Deputy County Commissioners have been posted to the respective sub-counties, together with their respective Sub-County Security and Intelligence Committees.

On the minimum resource package prescribed by the Ministry, the minimum operational requirements for the operationalisation of a sub-county include appropriate and accessible office accommodation, office furniture, information and communication technology (ICT) facilities, and appropriate transport arrangements to facilitate field operations. The statutory framework provides for a Deputy County Commissioner for each sub-county, an

Assistant County Commissioner for each division, a Chief for each location and an Assistant Chief for each sub-location.

It should, however, be clarified that the National Government Co-ordination Act, 2013 establishes the administrative framework and office structure but does not prescribe a fixed monetary resource package for every sub-county. Accordingly, the operational needs of Nairobi's administrative units are addressed within the resources approved for the State Department and are progressively prioritised according to operational requirements.

On the status of proposals submitted to the Ministry, the creation of national Government administrative service delivery co-ordination units is governed by Section 14 of the National Government Co-ordination Act, 2013. The Cabinet Secretary responsible for national Government coordination may, with the approval of the President and through a notice in the *Kenya Gazette*, establish such units. The Ministry, therefore, considers proposals for additional administrative units based on demonstrated need, including population growth, geographical considerations, accessibility to government services, urban development and the need to bring government services closer to citizens. Any proposal relating to additional units in Nairobi is subject to technical assessment.

On the status of all proposals for creation of new locations and sub-locations, proposals originating from the respective sub-counties, opinion leaders, National Government Administrative Officers (NGAOs) and political leaders are forwarded through the respective Deputy County Commissioners and subjected to technical and administrative scrutiny before consideration for establishment. It is important to note that existing locations and sub-locations continue to be recognised as national Government administrative service delivery co-ordination units under Section 14(4) of the National Government Co-ordination Act, 2013.

On the criteria, timelines and implementation plan for gazetting proposed new locations, the overarching consideration in establishing administrative units is to ensure reasonable and effective access to national Government services. The law requires the national Government to establish an administrative framework that facilitates access to services throughout the country.

The Ministry's draft regulations on the national Government administrative service delivery co-ordination units further propose population-based considerations, particularly in urban areas, together with factors such as accessibility and availability of infrastructure. For example, the draft regulations propose a minimum population threshold of 10,000 persons for a sub-location in urban and densely populated areas.

While recognising that an administrative unit may also be created where necessary to improve access to public services, consideration of new units in Nairobi takes into account the following: current and projected population distribution; urban growth and settlement patterns; distance and accessibility to existing administrative offices; existing infrastructure and service delivery facilities; geographical and community considerations; and the availability of resources to operationalise the proposed unit.

On the measures being taken to ensure that all gazetted administrative units are fully operational and adequately resourced, the Government is progressively addressing the operational requirements of gazetted administrative units through provision and improvement of office accommodation; deployment of National Government Administrative Officers; provision of transport and other logistical support; provision of furniture, ICT and communication equipment; allocation of operational resources, such as the timely provision of authority to incur expenditure (AIE); and the standardisation of administrative infrastructure.

Hon. Temporary Speaker, I submit. The Response is signed by Hon. Kipchumba Murkomen, EGH, Cabinet Secretary for the Ministry of Interior and National Administration.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Mejjadonk.

Hon. Mejjadonk Gathiru (Embakasi Central, UDA): Thank you, Hon. Temporary Speaker.

At the outset, I want to inform the Chair that the name Mejjadonk is not an alias. It is my name. My name is Mejjadonk Benjamin Gathiru. That is the name in my identity card, passport and the records of this House.

The Temporary Speaker (Hon. Omboko Milemba): Proceed.

Hon. Mejjadonk Gathiru (Embakasi Central, UDA): Hon. Temporary Speaker, I had asked about the means of transport that have been availed for Deputy County Commissioners. The Vice-Chairman has said that they have been provided with transport. In my constituency of Embakasi Central, I have a Deputy County Commissioner who does not have any vehicle. Embakasi Central Constituency has also become the headquarters of the Nairobi East sub-region, which is led by a County Commissioner. The County Commissioner currently occupies offices that were being used by the Deputy County Commissioner, thereby displacing the Deputy County Commissioner. The Deputy County Commissioner does not have an office. The report you have read is not correct.

I have heard that a Chief is supposed to serve around 10,000 people. Kayole North Ward in Embakasi Central Constituency has an Assistant Chief but no Chief. I also have a Chief serving more than 100,000 people. Therefore, the residents are not getting services as they should.

The Response from the Ministry is totally wrong and does not reflect what is happening on the ground. I am seated next to Hon. Mwenje and it seems as though he wants to comment on the same. The people of Nairobi are really disadvantaged.

The Temporary Speaker (Hon. Omboko Milemba): That is not your business. Deal with your business.

Hon. Mejjadonk Gathiru (Embakasi Central, UDA): The Ministry of Interior and National Administration has severely disadvantaged the people of Nairobi, of whom I am one. I hope this problem will be resolved.

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Mwenje, do you want to comment? Proceed.

Hon. Mark Mwenje (Embakasi West, JP): Thank you, Hon. Temporary Speaker. I want to ride on this issue raised by Hon. Mejjadonk, Member for Embakasi Central. One thing that has surprised me is the response we received from the Cabinet Secretary, saying they actually deployed vehicles and even offices.

Embakasi West is one of the newly created sub-counties. Initially, we had 11, but the number was increased. We now have 18. I can tell you that we do not have a vehicle for the Deputy County Commissioner (DCC) in my constituency, nor do we have an office. We are using the Assistant County Commissioner (ACC) office. We need the Ministry to allocate resources.

The other issue I want to raise, which was mentioned in the Statement, is that a sub-location should have 10,000 people. I can assure you that even after public participation was done in Nairobi, some of the new sub-locations that were supposed to be incorporated have not yet been established. For instance, in Embakasi West, we have the sub-county, and we now have the division. Two ACCs have been deployed, but we have not divided the two divisions as we ought to. Public participation and everything else were done. Unfortunately, they are sitting somewhere just collecting dust.

What I can confirm is that if we implement the public participation done by the residents, you will be able to finalise and divide the locations as they should be. Remember, like in Embakasi West, which is my constituency, I have 153,000 registered voters. If you were to multiply each of these voters by at least two children, you get 450,000 people. We do not

have the resources needed to support all these people. Most importantly, one of the issues that you know we are dealing with here in Nairobi is this killer alcohol. It has been prevalent in the Mount Kenya region and other regions, and it is now in Nairobi. If we do not facilitate these people here in Nairobi, that alcohol will continue killing people.

I urge the Vice-Chair to go back to the Cabinet Secretary and tell him that we have more information than he is giving us. That is not an accurate statement and he knows it. He met with everyone in Kibera and promised to do it, but he has never implemented it. I am sorry to say that the Cabinet Secretary is out there campaigning all the time. He does not know what is happening here in Nairobi. He ought to resign and give that job to somebody else.

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Yes, Hon. Member. What is it? Proceed.

Hon. Hilary Kosgei (Kipkelion West, UDA): I want to add my voice to this and to thank the Vice-Chair for the response. Hon. Temporary Speaker, this is the complexity of Nairobi, and it invites very critical questions. We need to have a conversation as a country, not even as Parliament. Most of these constituencies in Nairobi are dormitory constituencies, where other Kenyans from all over the Republic come, sleep and go to work. The main services provided in Nairobi are water, roads, and other amenities that the City County of Nairobi can provide. It is high time we asked ourselves whether parliamentary representation is necessary in Nairobi. Is it good?

To avoid all these things, we can dissolve all the constituencies in Nairobi, redistribute the numbers, divide Nairobi into boroughs, and have an in-between between a Member of Parliament and an MCA to run the affairs of the county and provide services to the dormitory residents of Nairobi.

(Laughter)

Hon. Temporary Speaker, nobody lives in Nairobi; nobody belongs here. We have a huge population, yet some areas are underrepresented. We have a constituency like North Horr, which is almost half the size of the Rift Valley, while we are crying out for administrative units for people who do not live here. There are apartments and flats. Why do they need a chief and an assistant chief? I think it is time we broadened our minds, opened our consciences, and had an honest discussion.

(Several Hon. Members spoke off the record)

We are debating, so please allow me time. It has bothered me for a long time. Why do we really have constituencies in Nairobi?

The Temporary Speaker (Hon. Omboko Milemba): You are riding on a Statement. You may conclude.

Hon. Hilary Kosgei (Kipkelion West, UDA): Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Mary Emaase.

Hon. Mary Emaase (Teso South, UDA): Thank you. Hon. Temporary Speaker, I want to ride on the Statement. The concern raised by Hon. Mejjadonk is very serious. In fact, it should be a national issue. We need to have a conversation. Suppose the Ministry does not have enough money to purchase vehicles and distribute them equitably across the country. then the Committee should propose a budget and bring it before this House for approval.

The shortage of vehicles is not only affecting Nairobi. I want to disagree with my colleague. It is worse in the rural constituencies like the one I represent. I have a police station called Adungosi Police Station with very serious committed officers who put their lives on the line in service to the community, protecting lives and property, but there is no vehicle. Sometimes the OCS has to be ferried by a motorbike. Sometimes I donate my vehicle. These

are issues that need to be addressed. I am saying that the Ministry needs to seek more resources if the problem is money, lease enough vehicles, and make sure officers serving Kenyans are facilitated to move.

The Temporary Speaker (Hon. Omboko Milemba): Thank you, we have heard you.

Hon. Mary Emaase (Teso South, UDA): So, it is not about Nairobi; it is about Kenya. Let there be equity in how the vehicles are distributed. Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Raso, because the next one is very much similar to this. Please respond, and then we can conclude that one and move to Hon. Wandeto, because it is almost similar. I also do not have a vehicle in my area, and my OCS, called Opere, rides on a motorbike. Please proceed and tell the House when you will do these things.

Hon. Dido Raso (Saku, UDA): Thank you very much, Hon. Temporary Speaker. I think colleagues in this House have the answer. This administration has established about 125 sub-counties. This one government has established more administrative units than all previous administrations combined. In Marsabit County, where I come from, we just got four new administrative units, but there are no offices and no vehicles. They just posted officers. So, my colleague from Busia County has hit the nail on the head. If we really want to serve our people, this House must allocate resources.

For Nairobi, I disagree with my colleagues who want us to do away with constituencies. What we need is a new way of thinking in Nairobi because of the density, geography, crime, and so many other factors. The way we address issues in Nairobi cannot be the same as the way we address them in Marsabit, Busia, or Siaya, for that matter. For that reason, we have heard your concerns, and we will take them up with the Ministry.

The Temporary Speaker (Hon. Omboko Milemba): Proceed to the next question.

OPERATIONALISATION OF NEWLY GAZETTED ADMINISTRATIVE UNITS IN TETU CONSTITUENCY

Hon. Dido Raso (Saku, UDA): Hon. Temporary Speaker, the Member for Tetu Constituency, Hon. Geoffrey Wandeto, has requested to be apprised of the following:

1. The reasons for the delay in operationalisation of the administrative units and budgetary provision for the establishment and equipping of the units.
2. A clear implementation timeline.
3. Provisional measures in place to ensure the residents of Tetu Constituency benefit from accessible national government administration.

Let me begin with the reasons for the delay in operationalisation of administrative units and budgetary provisions.

The following administrative units in Tetu constituency were gazetted on 14th February 2026, vide Gazette Notice No. 1766. Division: Wamagana. Locations: Mung'aria, Muthinga and Thiriku. Sub-location: Kiyangacha, Mirichu, Kiandere, Kagogi. On 24th November 2025, a number of administrative units were operationalised. In Tetu constituency, Kiyandere Sub-location was among those operationalised. Establishing administrative units through a Gazette Notice does not, by itself, result in their immediate full operationalisation.

Operationalising gazetted administrative units depends on budgetary allocation to the Ministry, which is insufficient to operationalise all units; therefore, the units are operationalised in phases. In the next phase, the Government will consider the remaining administrative units, subject to budgetary allocation.

The honourable colleague sought a clear implementation timeline. The Government is committed to ensuring that all gazetted administrative units are progressively operationalised, and that the requisite national government administrative officers are deployed in accordance

with the approved establishment and available resources. Full operationalisation of all administrative units is dependent on budgetary allocation to the Ministry.

Provisional measures are in place to ensure that residents of Tetu constituency benefit from accessible National Government Administration. Currently, Tetu constituency has two divisions, eight locations, and 36 sub-locations, all staffed by substantive officers. Residents are currently served from the location or sub-location from which the new administrative units were carved out. This ensures that service delivery is not hampered and residents of Tetu constituency are not disadvantaged in accessing government services.

I beg to submit. It is signed by Hon. Kipchumba Murkomen, EGH, Cabinet Secretary for Interior and National Administration.

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Geoffrey Wandeto, you have the microphone.

Hon. Geoffrey Wandeto (Tetu, UDA): Thank you, Hon. Temporary Speaker. I want to thank Hon. Dido Raso for the response. I heard that this response echoes the earlier response. I also echo the concerns of the Members who have spoken before me. It is one thing to gazette these administrative units and another to operationalise them. As they say, justice delayed is justice denied.

It is fair that this is done within a reasonable time frame. The ones in my constituency that I had you read in 2026 were gazetted in 2024. Only one was added this year. Be it as it may, this Government needs to improve on a few things. One, it is not good to overpromise and underdeliver. You know, when you gazette all these units, and they are not backed by budgetary provisions to resource them with officers or vehicles. That leaves a bitter taste in the mouth of citizens who rejoiced to learn they have new divisions, and now they have to wait forever to get them.

I support that it is time the Committee brought a budget before the House to operationalise them, so that, once and for all, Kenyans who have been given new administrative units enjoy the fruits of those administrative units.

A lot of people lobby: I do not know whether it is only in my constituency, but it is hard to get new locations, sub-locations, and divisions because they want services to be closer to them. Some areas are so distinct that, if it is a village with its own culture, people there want to feel they have representation at the national administration level. So, the Chair of the Committee should bring that budget. We cannot wait any longer. Otherwise, going into next year, for this Government to get any support from Tetu, this will be one of the things that people will be thinking about.

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Let us hear from Senior Counsel.

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Temporary Speaker. The sentiments being expressed are well-founded. In fact, while we commend the Government for establishing the highest number of administrative units, from sub-locations to sub-counties, people are expectant, and they need to see services delivered from those units. We must, however, appreciate that even the Government itself, like every human being on this earth, has limitations. I do not think the Government will do this in a single day.

As we speak today, the recruitment of assistant chiefs is underway under a policy that requires promoting existing senior assistant chiefs. After that, the rest are administrative officers who must be moved around so that every division has an Assistant County Commissioner (ACC) and every sub-county has a Deputy County Commissioner (DCC). So, we urge that we make provisions for the actualisation and operationalisation of these new administrative units. As a House of Parliament, we must bear in mind at every point that this

will come to us against the available resources, and we have to actually match the resources with the needs of the country from time to time. So, it is quite in order.

It is great for the country to have these new administrative units, but we must also be tolerant and a little bit patient. We must tell our constituents that the government cannot do this in one stroke. It will take time. It will be gradual, but in the end, we would rather have all the units actualised, and people receive services right from their backyards, where they live.

I appreciate the development because I have two new sub-counties that are facing the same problems as those in Tetu and Nairobi. I want to tell the constituents of Tharaka that they really have to be patient because the Government is addressing this challenge, and one day they will have these facilities, including offices, vehicles, and stationery, so our people can access services as we proceed.

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Japheth. Use the microphone on your right. There is a Member there. Clerk-at-the-Table, give him the correct microphone.

Hon. Japheth Nyakundi (Kitutu Chache North, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity. First of all, it is a great joy to get new administrative units. When we get new administrative units, people look forward to them. We appreciate the Government's allocation of more administrative units. However, the purpose of allocating these administrative units is to support the National Government Administrative Officers (NGAOs) on the ground. If we allocate new administrative units but do not allocate enough budget to support them, the whole thing may be null and void. So, I want to request that, as Parliament, we allocate enough resources today to ensure these administrative units are implemented.

If money is not enough to operationalise these administrative units, we should operationalise them on a pro-rata basis. The administrative units allocated a long time ago should be operationalised first, before the new administrative units are operationalised.

I also want to tell my people from Kitutu Chache North that we have also got new administrative units. We should also be patient because resources are limited. There are many administrative units, but we should also be patient because the Government has shown good intentions in ensuring the operationalisation of the new administrative units.

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Lastly, on this, Hon. Bashir.

(Some Hon. Members spoke off the record)

No, we cannot all speak on the same thing. That is the last comment, and then we have the Chair.

Hon. Major (Rtd) Abdullahi Sheikh (Mandera North, UDM): Thank you, Hon. Temporary Speaker. I want to join my colleagues on this matter of administrative units. I know the places that really require these administrative units are in the north because that is where services are most needed.

Remember, our areas are vast, and the distances between areas are thousands of kilometres. The Government needs to speed up these processes to ensure that, when it creates administrative units, it follows up by posting new officers and providing equipment and offices. Some of us have built offices, but they still lack the equipment to work, especially vehicles. As the Vice-Chair has said, this Committee must ensure that this House allocates resources. I agree, but I also want to encourage the Committee to bring that budget line to the House first. I am sure every Member here will support the budget line indicating that the funds will go toward the new administrative units.

Therefore, I urge the Committee to bring that budget first, and, as a House, we will fully support it. I know this is very, very critical. All of us need these kinds of units and services, but posting and sending officers to areas with no vehicles kills their morale. For example, in urban areas, officers can hire vehicles. In our areas, there are no vehicles to hire, so the officers need vehicles provided by the Government. I urge the Government, through the Ministry, to ensure that vehicles are sent to these places as soon as possible, especially to my constituency, which is also vast, just like many others in northern Kenya.

Thank you very much.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Dido Raso, please bring the budget because this is an honourable House that also determines and prioritises. It rests with us to execute this. Therefore, please bring a budget and speak to that as we conclude, so that we may move to the next segment.

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Temporary Speaker. I appreciate the comments from colleagues. In the last budget, for the Financial Year 2026/2027, the Ministry asked for Ksh2.56 billion to operationalise the new administrative units, but it was hardly given Ksh200 million. Just look at the disparity. For that reason, I take the position that we will bring the Ministry's requirements, and we will ask our honourable colleagues to vote.

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Please proceed and deal with the Member for Embakasi Central, Hon. Mejjadonk, so that you can also see how to complete the remaining matters at the Committee level.

The next response is to the Hon. (Amb.) Francis Sigei. Is he in the House? Sigei is not in the House. Let us move to the next one: a response to Hon. David Ndakwa. Please table the one for Hon. Sigei, and then we will move to the one for Hon. Ndakwa.

(Response to Hon. Francis Sigei's Statement was laid on the Table)

The microphone is now with the Chair of the Departmental Committee on Transport and Infrastructure. He is ready: he is on the Floor. There is a microphone on your left.

DELAYED COMPLETION OF
KAKAMEGA-WEBUYE (A1) ROAD

Hon. George Kariuki (Ndia, UDA): Thank you, Hon. Temporary Speaker. The Member for Malava Constituency, Hon. David Ndakwa, requested a statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding the delayed completion of the Kakamega-Webuye (A1) Road.

In the Statement, Hon. Ndakwa sought to establish:

1. The details of the contracts awarded for the project, including the respective dates of award, contract sums and terms under which the works were subsequently reassigned.
2. The status of construction of the Kakamega-Webuye (A1) Road, including the percentage of works completed, outstanding works and expected timelines for completion.
3. The total funds allocated, disbursed and utilised for the project to date, including any external financing provided.
4. The measures being undertaken by the Ministry of Roads and Transport and the Kenya National Highways Authority (KeNHA) to ensure the expeditious completion of road construction projects within the specified timelines.

The Committee received a response from the Cabinet Secretary for Roads and Transport through the Clerk of the National Assembly, which I now wish to present.

Regarding the details of the contracts awarded for the project, including the respective dates of award, contract sums and terms under which the works were subsequently reassigned, the Cabinet Secretary submitted the following details:

1. VIL Limited

The contract was awarded on 12th July 2012. An order to commence was issued on 22nd March 2013. The original contract period was 24 months or two years, and the defects notification period was 12 months. The works were terminated on 23rd May 2014. The contract was terminated for non-performance.

2. Jiangxi Zhongmei Engineering Construction Company Limited

The contract was awarded on 16th August 2016. The order to commence was signed on 1st December 2016. The contract period was 12 months, and the defects notification period was 12 months. The initial construction completion date was 30th November 2018. The contract sum was KSh5.2 billion. The parties mutually wound up the works at 92 per cent completion. The winding-up was necessitated by the escalation of variations in price (VOP) beyond the contract's allowable limits, which exhausted the contract sum.

Regarding the status of construction of the Kakamega-Webuye (A1) Road, the Cabinet Secretary submitted that the outstanding works at the winding-up of the contract included:

1. A 150-millimetre asphalt concrete (AC) overlay and surface dressing.
2. Two culverts and drainage works.
3. Road markings, road signs and other road furniture.
4. Street lighting.
5. The steel walkway on Chembaiya Bridge.

The section was thereafter placed under a performance-based maintenance contract. The section is currently under an 18-month performance-based contract (PBC), awarded to M/S Kayon Enterprises Limited for Ksh61.198 million. The contract commenced on 15th July 2025 and is expected to be completed by 14th January 2027.

The following works have since been completed under the maintenance contract:

1. Road markings and installation of road signs and other road furniture; and
2. Chembaiya Bridge Steel walkway and construction of walkways at Lubao, Kambi ya Mwanza, Malava, Butali and Matete.

Hon. Temporary Speaker, regarding the total funds allocated, disbursed, and utilised for the project to date. The Cabinet Secretary submitted that the initial construction project was allocated Ksh5.210 billion, jointly financed by the World Bank and the Government of Kenya under the Kenya Transport System Support Program. In addition, under the Road Maintenance Levy Fund, the Kakamega-Webuye Road section has been maintained under two PBC contracts. The first PBC contract was awarded to M/S Nora Limited for Ksh194 million, while the subsequent PBC contract was awarded to M/S Siyon Enterprises for Ksh61 million.

Regarding the measures being undertaken by the Ministry of Roads and Transport and Kenya National Highways Authority (KeNHA) to ensure expeditious completion of the road construction project within specified timelines. The Cabinet Secretary submitted that all outstanding works will be completed under subsequent maintenance contracts, subject to fund availability. The measures being undertaken by the Ministry through KeNHA to ensure the expedited completion of the road construction project within the specified timelines are as follows:

1. Strengthening contract management through the adoption of best practices, proactive enforcement of contractual timelines and performance requirements;

2. Enhanced project monitoring and evaluation through regular site inspections and monitoring of physical and financial progress against approved work programs and milestones with timely identification and resolution of emerging delays;
3. Continuous stakeholder engagement with contractors, consultants, county governments, communities, utility providers and other stakeholders to promptly address challenges relating to land acquisition, utility relocation, approvals, access and other project constraints;
4. Undertaking comprehensive project planning and preparation including detailed feasibility studies, surveys, investigations, designs and risk assessments to identify and mitigate potential unforeseen conditions that may affect project implementation;
5. Promoting the adoption of modern construction technologies, innovative construction methods, modern materials and digital project management and monitoring tools to enhance efficiency, productivity, quality and timely delivery;
6. Exploring diversified financing strategies beyond Government of Kenya funding, including Public-Private Partnerships (PPPs), development partner and donor financing and other appropriate financing mechanisms to ensure adequate and predictable funding for projects;
7. Streamlining approvals and strengthening inter-agency coordination to expedite land acquisition, utility relocation, statutory approvals and other processes that may affect project commencement and implementation;
8. Strengthening risk management and early intervention mechanisms to facilitate timely identification, escalation and resolution of technical, financial, contractual, environmental and social risks that may impact project timelines; and
9. Enhancing performance management and accountability of contractors and consultants through close supervision, regular performance reviews and timely application of appropriate contractual remedies where delays are attributable to poor performance.

Hon. Temporary Speaker, I believe the Member for Malava is satisfied with that response. I submit.

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Ndakwa.

Hon. David Ndakwa (Malava, UDA): Hon. Temporary Speaker, looking at this report, I am dissatisfied. The response regarding this road, particularly traversing Malava Constituency, is not to the standard the Hon. Member is trying to state.

As I acknowledge the project is stated at 92 per cent completion, the response addresses non-critical infrastructure road safety. The report indicates outstanding works that the contractor should have completed. This A1 Road is a highway. It runs across Kisumu, Kakamega, Bungoma and Trans Nzoia Counties.

It is also an international road. It runs from Kenya to Sudan and Uganda. Economically, it is viable for Malava people because we also host two sugar cane factories. The road is in good condition from Kisumu to Kakamega. Still, as you approach Malava Constituency, just after the Lubao area in Ikolomani Constituency, you will find that the surface tracing lapses from there and drops all the way past Malava, Kambi ya Mwanza and Butali markets. When you reach Webuye, business changes because the road becomes smooth.

As stated, Malava Town has no culverts or drainage. Also, there are no road signs because, in Malava Forest, there is a steep hill that should indicate a climbing lane, but there is no sign. They also claim there are streetlights across Malava Town, yet there are none. The

Chevaywa River side-way bridge walks are also missing. We are talking about a road that even the President of America, Trump, would have to use if he landed in Kisumu, Kenya and wanted to check on the Refugee Camp in Kakuma.

We need a substantive supplementary response to this. This report does not provide the schedules for all outstanding works. If you poke holes in it further, it omits and delays drainage works in Malava Town. The service lane from Lubao to Malava is not there, as the Cabinet Secretary stated. The contractor and technical team have not installed road markings.

As I speak, the contractor has demobilised the equipment. He is not on site. They say they will work on the road when the funds are available. When will the funds be available? Let them give us timelines. We do not know when the funds will be available. Some areas in this country have construction starting, let alone being completed. They had better complete projects that are still under construction instead of starting new ones.

The road construction started during the term of His Excellency Mwai Kibaki, yet to date, it remains incomplete. This is an electioneering year, and President Ruto is currently enforcing the Bottom-Up Economic Transformation Agenda (BETA), under which taxpayers' money must be accounted for. We have no way to explain this to the common person.

The Temporary Speaker (Hon. Omboko Milemba): Make it brief.

Hon. David Ndakwa (Malava, UDA): Hon. Temporary Speaker, with your indulgence, I request a substantive supplemental response on this so that we can be clear on the funding and time-bound completion of this road.

The Temporary Speaker (Hon. Omboko Milemba): Before we get a response, let us hear from the Member for Kericho County.

Hon. Beatrice Kemei (Kericho County, UDA): Hon. Temporary Speaker, mine is not about the road. Before we broke for the recess on the 18th of August, I requested a Statement regarding the growing burden of cancer in Kericho County.

The Chairperson of the Departmental Committee on Health said that he would respond in less than a month. It has now been over one and a half months. I recall that Hon. Naomi Waqo also supported this by asking that her county be remembered. I do not understand why these statements take so long. Are they forgotten? We do not request statements for the sake of it. These are very serious issues that the Chairperson should take seriously. Please let me know when we will receive a response. The people of Kericho are waiting.

The Temporary Speaker (Hon. Omboko Milemba): Let us pause on that matter. We will have the response from the Chairperson of the Departmental Committee on Transport and Infrastructure. I will then call upon the Chairperson of the Departmental Committee on Health, if he is present, or a Member of the Committee to make a comment.

Hon. George Kariuki (Ndia, UDA): Thank you. I wish to assure the Member for Malava of my full support, because infrastructure is a precondition for economic take-off. We want our country to develop in every region and every area, including Malava, where they grow sugarcane and engage in other economic activities. Therefore, Member for Malava, you have my full support. We will examine the report to identify the gaps in response and have them addressed. Thank you. I submit.

The Temporary Speaker (Hon. Omboko Milemba): Please work closely with the Member for Malava on any discrepancies so that you may assist the Member regarding the said road.

What is your point of order, Hon. Okello?

Hon. Jared Okello (Nyando, ODM): Hon. Temporary Speaker, I thank you very much for the opportunity. Allow me to remind the House that tomorrow marks exactly one year since the demise of our former Prime Minister, Rt. Hon. Raila Amollo Odinga. I hope that tomorrow, as you preside over the House, you will once again give us a moment of silence in remembrance of what Baba stood for.

Indeed, the country has yet to come to terms with the death of Baba. All of us cannot properly wrap our heads around the death of our former Prime Minister. We all remember him for gallantly fighting for many things he dearly loved in the country.

Many times, the country did not recognise his efforts, and many came to terms with what he had done for this country only upon his death. Many areas in the country voted against Baba. They did not vote for the candidates of their choice but against Baba, because of who he was and what he stood for.

Each time Baba appeared on the ballot, certain communities, areas, and regions never had the opportunity to scrutinise the other candidates' profiles or manifestos. The mere fact that Baba was a candidate served as a licence to vote the other way. The country is still mourning, universally, those who loved him and those who hated him in equal measure. As the former Vice President, Hon. Michael Kijana Wamalwa, once remarked, some people suffered from *Raila-mania* and others from *Raila-phobia*. To date, we are mourning as one.

Raila fought for the second liberation, a struggle that set aside Section 2A of our Constitution at the time and paved the way for multiparty democracy. We moved from a single-party dictatorship to a multiparty democracy, thanks to the Prime Minister's efforts alongside many others. We all understand he never did it alone; others like Hon. James Orengo, Hon. Gitobu Imanyara, Hon. Martha Karua, Hon. Kenneth Matiba, Hon. Charles Rubia, Hon. Paul Muite, and many more, as my able Leader of the Majority Party reminds me, were there. Together, they made us proud by bringing about democracy in a very divided country from a single-party dictatorship.

Our Prime Minister, alongside others, ushered in a new constitutional dispensation, marking a rebirth for our country, Kenya. On 10th August 2010, as we embraced our new Constitution, we held great hope and faith. Many countries envied us for creating a document that gave us the direction we all desired as one unitary society and country. We remember him for granting us freedoms such as freedom of speech, freedom of association, freedom of political association, and many others. No one today is indeed like Baba. He interacted with various cadres of people in equal measure. He accorded each person their rightful time and respect, a very unique attribute that God gave him.

We, as the Orange Democratic Movement (ODM), were left in Government by none other than the creator of ODM. We have absolutely no reason, at least I have yet to be convinced otherwise, to decamp from the Government now. However, we must also consider what people will remember us for. At least for the Prime Minister, there is universal agreement that he stood for and fought for many things that the country enjoys. What will we be remembered for, even as we eventually exit politics? We shall forever immortalise Baba in various ways, and we all know that tomorrow there will be a celebration in Bondo to mark the first anniversary of his demise.

Hon. Temporary Speaker, I wish to be remembered for one thing: that I joined a government that has perpetuated equity across the board. The Orange Democratic Party joined President William Samoei Ruto and helped him steer this country in a direction our children will be proud of.

For a long time, a trader in Dunga Beach, Kisumu, has consistently paid taxes to support the comfort of another area. Now, for the first time, we have a President who is giving every area its fair share. Not merely taking from one place and giving to another, but ensuring each receives its due. This is the only way to develop a country fairly across the board on equal footing.

Some areas do not require as much at the moment because successive regimes have given them undue credence, often to others' detriment. Therefore, what we shall be remembered for, particularly this 13th House, is that we helped the current President champion not just equity in the distribution of resources but also in building this country.

For example, affordable housing is mushrooming everywhere you go. I was in Kwale the other day, and even in a very small shopping centre, a huge building is coming up. I am told that it is part of the Affordable Housing Programme. Not to forget healthcare and agriculture. We were talking about sugar, whose importation has declined because our country is producing enough to meet the deficit.

The Temporary Speaker (Hon. Omboko Milemba): Please wind up.

Hon. Jared Okello (Nyando, ODM): Therefore, let us all go home today and remember Baba, but also remember our contribution towards the betterment of this country that we all love.

Thank you very much for the opportunity.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Let us now move to the next business. As we move to the next Order, allow me to rearrange the Order Paper. We shall handle the business appearing as Order No. 8, on the Tax Laws (Amendment) Bill, and then proceed to the Committee of the whole House. Once we go to the Committee, we shall first deal with the Tax Laws (Amendment) Bill, then move to the East African Development Bank (Amendment) Bill, and thirdly, consider the Public Service Superannuation Scheme (Amendment) Bill.

The item appearing as Order No.11, on the Elections (Amendment) Bill, has been dropped from today's Order Paper and will appear on the next Order Paper. After the Committee stage, we shall proceed directly to Order No. 13. Having said that, you may proceed to the next Order. As you do so, Leader of the Majority Party, please ask the Chairperson of the Departmental Committee on Health to bring the statement sought by the Member for Kericho.

Proceed.

BILL

Second Reading

THE TAX LAWS (AMENDMENT) BILL (National Assembly Bill No. 65 of 2026)

The Temporary Speaker (Hon. Omboko Milemba): Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Temporary Speaker. What the Member for Suba South has said is not on record. Therefore, I will ignore whatever he has said because he is also a very good friend of mine.

The Temporary Speaker (Hon. Omboko Milemba): I did not hear it.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, I beg to move that the Tax Laws (Amendment) Bill (National Assembly Bill No. 65 of 2026) be now read a Second Time.

This is a very short Bill. You will recall that, last week, we reduced the publication timeline for this Bill to allow us to conclude this business. The Bill has only three clauses and is intended to address just two aspects of taxation. First, it seeks to extend the Value Added Tax (VAT) on fuel from 16 per cent to 8 per cent. You will recall that, earlier this year, we amended the Value Added Tax Act following the outbreak of war in the Gulf region. We reduced the VAT rate on fuel from 16 per cent to 8 per cent for three months and allowed the Cabinet Secretary to extend that period by a further six months. That period is coming to an end, and we therefore need to amend the same Act to provide for a further 90 days, with the hope that the war in the Gulf region will end, God willing.

If the war does not end within those three months, and we are on recess, this will allow the Cabinet Secretary the latitude to extend that period by a further three months legally. We can then review the position based on the prevailing circumstances after about six months. This will assure the people of Kenya that they will continue to enjoy the lower VAT rate of 8 per cent on fuel for another six months as we evaluate the situation in the Gulf region.

We hope that, in the coming years, we will not need to live this way. We will have our own oil from Lokichar and a refinery in Lamu. Hopefully, we will not have to take some of these measures in the future. That is the equity I heard the Member for Nyando speak about when he paid his very glowing tribute in remembrance of our late former Prime Minister.

I must also join the Member for Nyando in remembering. I have very fond memories of the late former Prime Minister, Raila Odinga, particularly when the late Vice-President, Kijana Wamalwa, described him as a man who attracted an equal measure of love and hate, with “Raila-maniacs” and “Raila-phobia” existing in equal measure. At that time, unfortunately, I was among those who suffered from “Raila-phobia”.

Fortunately, I must thank God that, during the National Dialogue Committee (NADCO) negotiations under the leadership of President William Ruto and the former Prime Minister, I had the rare opportunity to sit through a very long meeting which went on until 3.00 a.m. in Mombasa. That meeting gave birth to the NADCO Report, which I co-chaired with former Vice President Kalonzo Musyoka. One thing I can tell you about the former Prime Minister is that he loved this country, and loved it to a fault. Everything he did and everything he stood for was for Kenya's good.

(Applause)

The equity the Member for Nyando speaks to is something that the late Raila Odinga believed in: that every Kenyan ought to have equal rights and equal opportunities, regardless of the part of the country from which they come. I thank God that the Broad-Based Government is working hard to ensure that we continue to achieve equity among all Kenyans.

As the Member for Nyando has said, every Kenyan who pays taxes expects to get back value for those taxes through the delivery of government services. Seeing this happen across the country is something we all must be proud of. This Bill speaks to that equity because it seeks to reduce the VAT rate. As I have said, we hope that peace will prevail in the Gulf region in the coming days and that, in about six months, we will be able to review the process.

The Bill also seeks to correct the excise duty imposed on imported ceramic tiles. Again, as the Member for Nyando said when he spoke about the efforts the former Prime Minister made to promote equity in this country, affordable housing was at the heart of the former Prime Minister. He was involved in the very first affordable housing projects.

I remember when we took the NADCO Report to the former Prime Minister; he sat us down, including Hon. Opiyo Wandayi, Hon. Kalonzo Musyoka, Hon. Aaron Cheruiyot, Hon. Hassan Omar, Hon. Cecily Mbarire, Senator Okongo Mogeni and me, for about one hour and ten minutes on matters of housing and how important it is for Kenya. I remember him telling me how hard he fought to ensure that the first affordable housing projects in Kibra took root, despite people fighting the project and inciting people not to move out.

Eventually, the project took root under the Government of National Unity led by President Mwai Kibaki, when Raila Odinga was Prime Minister. He told us that he had hoped the initiative would continue. Unfortunately, as things turned out, we lost another presidential term between the Kibaki and subsequent administrations. Consequently, we lost that opportunity to advance affordable housing during the ten years under President Uhuru Kenyatta. Thank God that we have now returned to the path where we can continue implementing the initiatives that ought to have been done to ensure that our country progresses.

This reduction in the excise duty on imported ceramic tiles is intended to backstop the Affordable Housing Programme. The programme uses many tiles, and local manufacturers cannot meet the demand. We therefore want to reduce the excise duty by amending the existing provision in the Act, which imposes a duty of either 5 per cent of the excise value or Ksh50 per kilogram. We propose to remove the Ksh50-per-kilogram component because tiles are heavy construction materials. I am informed that, on average, for a container carrying approximately 25,000 kilograms of tiles, one would have to pay Ksh1.25 million. A figure that is far above the value of the container's contents.

Therefore, we want to ensure that tiles are taxed on the measurable value of square metres, not kilogrammes. A carton is about 1.2 to 1.5 square metres. Therefore, with a container carrying 1,400 square metres, the cost will drop from about 1.2 to 1.5 million to an average of about Ksh420,000. That will enable us to roll out affordable housing projects. It will also allow many people building their own homes, building affordable homes for other Kenyans, or even building for relatives or parents back home, to tile those houses affordably.

This Bill is short, with only two provisions. It also brings in the sanitaryware, toilets, sinks, pedestals and ceramicware that we are moving from Ksh50 per kilogramme to Ksh25, as in the Order Paper. Still, we will move it to about Ksh30, down from Ksh50 per kilogramme.

With that, I beg to move and request that we all support this Bill to help the people of Kenya. I request the Chair of the Departmental Committee on Finance and National Planning and Member for Molo, the very intelligent Member and First-Class Honours student. When I speak about the intelligence of the Member for Molo, I am not jesting or belittling those who went to Kenyatta University and left with Second Class Honours (Lower Division) but now profess to be top economists in small hotels in town.

The Member for Molo left Kenyatta University with a First-Class Honours degree. Leave the pretenders to the throne alone. This is a very intelligent man. That is why I have the honour to invite the Member for Molo to second. He is very intelligent, not a pretender like the others.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Kuria, very intelligent. Proceed.

Hon. Kuria Kimani (Molo, UDA): I thank you, Hon. Temporary Speaker. I also thank the Leader of the Majority Party for the great accolades. I am also proud to say I was the valedictorian of my class.

As the Leader of the Majority Party has very well alluded to, this amendment to the Tax Procedures Act is necessary. The Bill proposes to amend the existing tax framework to provide continued relief to Kenyans amid rising fuel prices. It also proposes reducing the excise duty rate on some crucial finished products used in the affordable housing programme and other housing programmes across the country. I know this is also useful to this House because most of the funds under the National Government Constituencies Development Fund (NG-CDF) that we oversee go into renovating classrooms, including installing tiles. The proposals are intended to address the cost of living while ensuring that the applicable tax measures are clear and appropriate to the goods concerned.

I wish to draw this House's attention to the first proposed amendment, which relates to Section 5 of the VAT Act (Cap. 476). The Bill seeks to extend the operation of value-added tax of 8 per cent on premium motor spirits, commonly known as petrol, illuminating kerosene, and gas oil, commonly called diesel in Kenya. The extension is from an initial period of 90 days to a further 90 days. As the Leader of the Majority Party said, we are now giving the Cabinet Secretary for the National Treasury the power, since the 90 days could elapse while we are on recess, to extend the period by another 90 days. That is, if by then it is not possible to call back this House while we are on recess.

This House introduced the reduced VAT in April 2026 as a temporary intervention to cushion Kenyans against the effects of rising global fuel prices. The measure is due to expire on 15th October 2026. The proposed amendment therefore seeks to maintain the reduced rate beyond its current expiry date, thereby providing continued relief to customers and businesses. What does this mean in terms of our prevailing and persistent economic challenges? Geopolitical tensions in the Middle East continue to pressure global oil prices.

The Committee observed that extending the reduced VAT rate is necessary to cushion Kenyans against rising fuel costs and their cascading effects on transportation, production costs and the general cost of living. The extension is particularly important given the direct impact of fuel prices on the cost of transporting goods and services, business operating expenses, and household budgets. Maintaining the reduced VAT rate will therefore help mitigate the cost pressures facing households and businesses across the country.

To illustrate the practical effects of maintaining the reduced rate, VAT on these petroleum products was reduced from the standard rate of 16 per cent to 8 per cent in April 2026. This intervention has kept our pump prices lower than they would have been without the VAT reduction. Current maximum retail prices in Nairobi stand at Ksh214.03 per litre for super petrol, Ksh217.86 for diesel, and Ksh191.38 for kerosene. Had the rates reverted to the standard rate of 16 per cent, prices would have been materially higher on the order of an additional Ksh15 or more per litre depending on the precise taxable base at the time, further elevating transport costs and cascading to the price of goods and services.

It is important to mention that if this honourable House were to reject this particular proposal to extend the reduction of VAT on fuel from 16 per cent to 8 per cent, had it not been done today, then we would have seen fuel prices increase by at least Ksh15 per litre, depending on the base for each particular category.

This intervention also means the Kenya Revenue Authority (KRA) forewent around Ksh9.1 billion in revenue between April and May 2026 alone. Multiply that by six months, and you get around Ksh54 billion. That means the Government of Kenya is foregoing Ksh54 billion in revenue to cushion Kenyans against increases in prices, transportation, and production costs.

According to the Kenya National Bureau of Statistics (KNBS), annual inflation for this year stood at 6.8 per cent in September 2026. Transport inflation was significantly the highest at 15.6 per cent and contributed around 1.6 percentage points to the overall rate. This would have made it the second largest driver of inflation after food.

National average petrol prices rose 15.8 per cent year on year. In comparison, diesel prices rose 26.9 per cent, underscoring the direct link between fuel prices and the transportation component of inflation. Fuel prices feed directly into the cost of living, the cost of businesses and the cost of production. Without this reduced VAT, pump prices would have been very high, with a strong second-round effect on the prices of household goods, transportation, and, most importantly, the cost of doing business in Kenya. That would consequently have led to a much higher increase in the inflation rate.

The two other amendments to the VAT Act are on excise duty on ceramics and tiles. It is important to appreciate that this House, for the last three years, has changed the rate at which excise duty is charged on imported goods, and the keyword here is 'imported', whether it is ceramics. Ceramics are materials we use for toilet basins, sinks, and similar items. We notice that these items are very bulky. Therefore, when the rate was based on the price of the commodities, importers under-declared the ceramics' value. The rate should have been a specific 5 per cent of the customs value.

By introducing an element of packaging and reducing the rate from Ksh50 to Ksh30 per Kilogramme, we balance ensuring everyone pays their fair share of tax with protecting our local industry. We cannot accept being the supermarket of a few imported products from across the world, most of which are substandard.

However, we must also ensure these manufacturers do not monopolise this sector. We must ensure these products remain affordable while creating jobs by ensuring manufacturing takes place here, not in other countries. This also extends to tiles. The difference with this ad valorem rate is that the duty on ceramics will be based on the excisable customs value as a percentage of the excisable value, plus a weight-based element calculated per kilogramme, because ceramic products are very heavy.

For tiles, the duty will also take area into account. Tiles are not as bulky, but their measurement is based on their area. We believe that if this House agrees to this amendment, we will protect our local manufacturers while ensuring prices do not rise so high that they undermine the milestones this administration has made on affordable housing and the many housing projects happening across the country, in both the public and private sectors.

In addition, we will address the issue of floating by allowing us to adhere to the East African Community (EAC) protocols. We admit that we are a part of the EAC. Once we sign on to the East African protocol, it is not merely a protocol; it is something that every player must follow. As I conclude, we also anticipate that the investment being made, as I alluded to yesterday, when the Lamu oil refinery is floated on an Initial Public Offering (IPO), will lead many Kenyans to buy into this idea. This will help us stop relying on other countries and events taking place in other parts of the world to affect our day-to-day living costs. These measures aim to reduce the cost of living and inflation while ensuring it remains affordable for all Kenyans.

On this particular point, it is important to remind this House that between 2019 and 2022, the previous administration had what was referred to as a fuel subsidy. Taxpayers' money was allegedly used to pay fuel distributors and importers so that they could reduce the pump price of fuel. However, this House, in both the last Parliament and the current one, found that the subsidy was not paid. Consequently, those traders incurred losses, and some have still not been paid. More importantly, that subsidy did not reduce the cost of fuel. Instead, it created monopolies and raised fuel prices.

The same logic applies to the subsidy given on maize flour. When there was a discussion about the price of unga, someone in a hurry decided we should subsidise unga by giving money to millers to reduce the price. However, looking at the maize value chain, the conversion of maize into flour, there are several players involved. The players include the farmer, miller, wholesaler, distributor, and retailer. If the Government wants to pay someone to reduce the price of unga, whom should it pay? If the miller is paid, you are not sure whether they will transfer the benefit to the distributor. The distributor could also claim to have tonnes of maize flour in their godowns and exaggerate to benefit from the programme.

However, changing this approach involves a key economic principle: shifting subsidies from consumption to production. We now have subsidised fertiliser, and we have seen the cost of unga going down. That is the work of a hardworking administration.

Thank you, and I second.

The Temporary Speaker (Hon. Omboko Milemba): Very well. As a teacher, I agree that this must have been a first-class student. You know I am a teacher, too.

(Question proposed)

On my screen, the first to take a bite is Hon. Mary Maingi, Member for Mwea.

Hon. Mary Maingi (Mwea, UDA): Hon. Temporary Speaker, I rise to support the Tax Laws (Amendment) Bill (National Assembly Bill No. 65 of 2026), because it speaks to the kitchen table of every Kenyan household. When fuel prices go up, matatu fares rise. Maize and vegetable prices also rise, as does the cost of everything leaving a factory. When the conflict

in the Middle East pushed up our import costs, petrol prices rose by 16 per cent and diesel prices by 24 per cent in the April 2026 review.

The memorandum is clear that this Bill is a measure to continue cushioning our citizens against rising global fuel prices. When our people are struggling, this House must act, and this Bill is that action. Let us be clear about what we are being asked to approve. Clause 6 sets VAT at 8 per cent instead of 16 per cent on premium petrol, eliminates kerosene and diesel, and keeps fuels that move our goods, run our farms, and light many of our homes.

Clause 3 also changes the excise duty on imported ceramic tiles to 5 per cent of the excisable value or Ksh300 per square metre, whichever is higher. This replaces the per-kilogramme rate and ties the duty to tile size, making it simpler to measure and apply. A tax cut that does not reach the pump is a broken promise. The price Kenyans pay depends on the Energy and Petroleum Regulatory Authority's (EPRA) monthly review and the other cost components that determine the price. I therefore call upon EPRA and the National Treasury to demonstrate to this House every month that motorists, bodaboda riders, and traders feel the benefit of the 8 per cent. Today, we are being asked to continue that protection. When Kenyans are under pressure, this House must stand with them. I support.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Gitonga Murugara.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Temporary Speaker. Allow me to rise and support this Bill and extend my accolades to the able Chairperson of the Departmental Committee on Finance and National Planning, Member of Parliament for Molo. I hope the people of Molo are watching this because they have done this country a favour by producing an expert. The Orange Democratic Movement (ODM) did another favour by giving the Government experts who have performed so well.

Surely, the people of Molo join those of ODM in availing experts to serve this country. That said, this Bill is timely. In fact, we now need to look at what we did about six months ago to bring fuel price reductions to reality in the country, especially to serve Kenyans who are complaining.

It was evident that the spiraling increase in fuel prices was of the greatest concern to this country. It could possibly have led to misunderstandings, riots, strikes and demonstrations, which would not have been suitable for this country economically and otherwise. Therefore, what we did in April was extremely important at that time. What we are doing today is very important because we must maintain fuel prices at an affordable level. This will ensure that those at the bottom do not have to suffer because of excessive prices of fuel and the other consumables that go with petroleum products.

As we look at what is provided for gasoline, illuminating kerosene and gas oil, which is automotive light amber for high-speed engines like aeroplanes, we must agree with the proposal by the Leader of the Majority Party that we extend this for another 90 days. If 90 days are not sufficient, let us agree that we will come back to this House and a similar Bill will be introduced and we will support it.

The same applies to ceramics which are also sought to have their tax reduced because we are using ceramics constantly and in very valuable places, including the construction we have to do through the National Government-Constituencies Development Fund (NG-CDF). As we put up classes everywhere, it is the pride of every Member of Parliament, including me as Member for Tharaka Constituency, that we can tile the classrooms. We must move with modern times. Tiles are not just a luxury today. They are a basic necessity because our children must learn in a very conducive atmosphere.

Allow me, as I sum up, to laud the Member for Nyando for having paid tribute to the late Hon. Raila Amolo Odinga, the son of Jaramogi. What Raila Amolo Odinga did for this country goes without saying. It needs no further emphasis that he was a true patriot. He was a nationalist, and everything he did, as I have read a lot about his history from when he was a

young boy going around with his father, the late Jaramogi Oginga Odinga doing politics, was purely to ensure that this country had the best leadership.

As we commemorate one year since he departed, may we continue to pay glowing tribute to him wherever he is. To his family, we wish them well, including his children, his wife and everybody else in the entire Jaramogi family. They have done a lot for this country from the days of his father. What his father did and what *Mzee*, the *pawa* man, is doing wherever he is we wish him well so that he too, can continue joining us. This is especially in the broad-based government, which they have served dedicatedly, and which continues to function so well and allowing His Excellency the President, Dr William Samoei Ruto, to serve the country in a better way.

I cannot sit down without mentioning the people of Tharaka Constituency because we also donated an expert to the Government, in the name of the Deputy President of the Republic of Kenya, Prof. Kithure Kindiki. I am sure that, as we sit here, all of us agree that the Professor is doing a fantastic job in trying to bring the country together, and in trying to ensure that things are done the right way. The President has an able, willing and dependable assistant who actually helps him deliver what he has to do for this country. We have donated an expert to the Government.

(Laughter)

I support this Bill. I urge the House to agree with the able Chairperson of the Departmental Committee on Finance National Planning, and the Leader of the Majority Party, and we pass it. Thank you very much.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Caroli Omondi.

Hon. Caroli Omondi (Suba South, ODM): Thank you very much, Hon. Temporary Speaker. We passed the reduction of VAT on petroleum products from 16 per cent to eight per cent as a temporary measure to offer relief to consumers in the country. We are now being asked to extend it for a further 90 days, which is three months. This was occasioned by the conflict around the Gulf, the Iran–United States conflict, and now the Yemen–Saudi Arabia conflict, but there is a more fundamental question that we need to ask ourselves; whether the system that the current Government has adopted for the importation of oil products is really yielding better price discovery and competitive prices for the Kenyan consumer.

We used to have something called the open tendering system, where every month a tender was floated and people bid to supply products to the Republic. It was removed on the supposition that we now had what was called the Government-to-Government (G2G) Framework. Unfortunately, that G2G Framework collapsed with the conflict in the Middle East because Saudi Arabia declared force *majeure*.

Today, we do not know what system we are using as a country. What we know is that, on the importation of oil into the Republic of Kenya, what is called the premium in the region is US\$60 per tonne. While for imports into the Republic of Kenya, it averages between US\$85 and US\$90 per tonne. So, what is creating this difference? You saw the other day that President Museveni raised a big issue in Uganda about this issue of the premium.

The Government must come clean and tell Kenyans what some middlemen are doing between consumers in the Republic of Kenya and the suppliers of crude or finished white products from the Middle East. Somebody somewhere is making money.

Even as we reduce the VAT, on the one hand, we are pretending to be doing something to help consumers, but in reality, the Government is fleecing Kenyans. That is the reality. Even the companies that have been hand-picked to handle the importation without any tender, is completely contrary to the Public Procurement Law. I am sure one day this issue will be revisited when a more competent and transparent Government comes into office.

The question is, why do we pick small companies that do not have the capacity or scale to provide the efficiencies of big infrastructure in the oil sector? I do not want to mention the companies, but they are very minor companies that do not bring the sort of competition that is required in this sector. In fact, a very big anomaly was noted during the negotiation of the G2G Framework.

A body that I helped establish and actually headed for some time, the Energy and Petroleum Regulatory Authority (EPRA), went into negotiations when the G2G framework was supposedly being negotiated in Saudi Arabia. Yet they are the regulators. As a regulator, you are supposed to be distanced. Once the contracts are negotiated, they should be presented to you for review and approval. Why was EPRA in the negotiations?

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

The Temporary Speaker (Hon. Omboko Milemba): Order. Let us hear the point of order from Hon. Waqo. Proceed.

Hon. Naomi Waqo (Marsabit County): Thank you, Hon. Temporary Speaker. I would not want to disturb my good friend or interfere with what he is saying, but is it in order for him to continue bringing up issues that are irrelevant when we are discussing tax laws? Is what he is saying relevant to what we are doing?

The Temporary Speaker (Hon. Omboko Milemba): Hon. Caroli, proceed and remain relevant. What did you say?

Hon. Samwel Chepkonga (Ainabkoi, UDA): On a serious point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Order, Hon. Caroli. I hear there is a point of order here and he is claiming it is serious.

(Laughter)

There is no serious point of order. Just rise on a point of order.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Thank you, Hon. Temporary Speaker. Hon. Caroli Omondi is my very good friend, and he knows where we started from. I have always told him to be factual and truthful. If Hon. Caroli Omondi who is my very good friend, had just taken a little bit of a step to ask me as the Chairperson of the Committee on Delegated Legislation.

He knows that we are the ones who approved the regulations on G2G on behalf of this House. It is the law. It is not something that the Government is doing as a favour to Kenyans. It is the law. If they depart from it, they will be moving away from the rule of law, which you and I know. I know you are a constitutional lawyer. I know you do not want the Government to breach the law. Hon. Caroli Omondi, I met you when you were coming from the United States recently to watch the Arsenal match.

Hon. Temporary Speaker, when somebody flies from Kenya to watch Arsenal F.C match, he must be a very serious person. He went to a country which celebrated 800 years of the rule of law in 2015. I expect him to be the first one to respect the law of this country. The Committee on Delegated Legislation has 21 Members. It is the biggest Committee other than the Budget and Appropriations Committee. We examined these regulations and we were satisfied.

Hon. Jared Okello (Nyando, ODM): On a point of order, Hon. Temporary Speaker.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Hold on, Hon. Jared Okello. Hon. Temporary Speaker, is it in order, for Hon. Caroli Omondi to mislead the House by claiming that there is no law that governs Government-to-Government (G-to-G) importation of oil, when he knows that there are regulations which were approved by this House and are still enforced

to date? If he wants them to be revoked, he has every right to do so. Since he is always requesting for statements, this is a good one. Is it in order for him to mislead the House?

The Temporary Speaker (Hon. Omboko Milemba): Very well. Hon. Caroli, you have the right to reply. So, you do not need to rise on another point of order. Proceed.

Hon. Caroli Omondi (Suba South, ODM): Thank you, Hon. Temporary Speaker. We had a side deal with Leader of the Majority Party. I wanted to be brief, but his team is wasting a lot of time.

The point is that there is no G-to-G framework for oil importation into the Republic of Kenya currently. Saudi Arabia declared force majeure. They walked out of those contracts. Today, we are dealing with fly-by-night. Often, we look for a trader who can supply us with oil from Singapore, India and the rest of the world to bring it into the country. That is what is happening. It is not being done for the interest of the country, but for the interest of the brokers. That is why they are charging a premium of US\$90 per tonne instead of US\$60 per tonne like in Rwanda, Uganda and Tanzania. President Museveni spoke about this. Everybody saw it.

With those remarks, I support the reduction of the VAT from 16 per cent to 8 per cent, but call on the government to bring back open tender system.

Thank you very much, Hon. Temporary Speaker.

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

The Temporary Speaker (Hon. Omboko Milemba): Yes, Leader of the Majority party, what is out of order?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, I had an understanding with Hon. Caroli to try to be brief because we need to finish this business. We are all aware that oil prices are reviewed around this date every month. However, it is also wrong for Hon. Caroli Omondi, as Hon. Chepkonga has said, to mislead the House and the country.

Hon. Caroli Omondi knows that President Museveni spoke about the former regime, President Uhuru Kenyatta's regime. He spoke about the brokerage that Ugandans suffered under the open tendering system where oil marketers from Kenya were the middlemen between them and Ugandan oil market. Hon. Caroli Omondi, that is the fact. It is not fair that you stand in your place and convince Kenyans that President Museveni spoke about the G-to-G arrangement. Again, it is not true that there is a force majeure in Saudi Arabia.

The G-to-G contracts are being implemented as negotiated and signed for between the Government of Kenya and other governments, including Saudi Arabia, United Arab Emirates (UAE) and others in the Gulf Region. That is why when the oil crisis was at its peak and the war was fiery from the base and everywhere, Kenya did not suffer like what we saw in other African countries. I do not want to name them. You saw people queuing, looking for fuel that was unavailable while we had fuel. It might have been a bit pricey, but that is why we reduced the VAT from 16 per cent to 8 per cent.

Thank you, Hon. Caroli, for supporting the reduction. I was really waiting for you to oppose it. I have seen one thing that Hon. Caroli Omondi has supported this year.

(Laughter)

The Temporary Speaker (Hon. Omboko Milemba): Hon. Thuku Kwenya.

Hon. Kwenya Thuku (Kinangop, JP): Thank you, Hon. Temporary Speaker, for giving me this opportunity to speak to the Tax Laws (Amendment) Bill.

At the outset, I am looking at the proposed amendment, especially the tax of the imported ceramic products. The essence of excise duty is to punish or deter importation or consumption of certain products. Therefore, when excise duty is prescribed on essentials like

tiles and other building materials, as much as we are trying to protect the manufacturers who are doing this locally, we must put it into context.

Before I became a Member of Parliament, I was an active businessman involved in a lot of importations. Every time the excise duty was imposed on any imported product, it always raised concerns as to whether it would benefit the businesspeople and local manufacturers or to deter and promote local manufacturing. There are many ways of imposing that tax. It is either a percentage or figure. At the end of the pronouncement, you will hear 5 per cent of so much money or a certain amount, whichever is higher.

Excise duty imposed on ceramic tiles is quite high. If you look at the value of the products that we import, the weight can too much. Therefore, saying 5 percent or Kshs50 is being charged per kilogramme is punitive. This proposed amendment has come at a time when the government is listening to the people. We are overburdened. We want some relief or reprieve. Therefore, the reduction of this tax or the omission of the quoted amount, that was Kshs50 which is changing to 5 per cent of the custom value, makes a lot of sense. For that reason, I cannot overemphasise the need for this amendment. It should be implemented with the speed it deserves.

Fuel has become very emotive. I have followed keenly how the government has been listening to the people and what it has been doing, not only by listening but also by acting and making sure that nothing is cast in stone. As Kenyans, we can have a conversation so that we make it easy for people to do what they are supposed to do and in return enjoy their livelihood in this Republic.

I support these amendments.

The Temporary Speaker (Hon. Omboko Milemba): Let us have the Chairman of the Departmental Committee on Energy, Hon. David Gikaria.

Hon. David Gikaria (Nakuru Town East, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to support the Tax Laws (Amendment) Bill that proposes reduction in percentage of the VAT.

First, I thank Leader of the Majority Party for what he has indicated regarding this Bill. I also thank our brother, Hon. Caroli Omondi. Most of the Members who oppose government policies are not here to support the reduction of the VAT like him. It is unfortunate that over the weekend you will find the Members, who are not here, in all places talking about fuel, yet they are not here when they are supposed to register their contributions.

As the Chairman of the Departmental Committee on Energy, I keep an eye on the war in the Middle East between the Americans and Iranians which is even getting worse. The headquarters of Aramco, which is one of the companies that supplies oil under the G-to-G agreement, was hit by Iranians yesterday. They want to curtail the supply of oil. We thank the government for the policy that it has put in place which is an assurance that we will have enough fuel at the right prices when world prices go up. Now prices have gone up by over 41 percent. That is: 69 percent on diesel and also kerosene. It is important for us to support these very important aspects.

I thank you.

The Temporary Speaker (Hon. Omboko Milemba): Who is this on a point of order? Yes, Hon. Member, give him the mic.

Njuguna Kawanjiku (Kiambaa, UDA): Thank you, Hon. Temporary Speaker. I stand on Standing Order 95, and request the mover be called upon to reply. You know, this is one of the debates that has no objection from both sides of the House, and we understand that this Bill is so emotive and important. For Kenyans to at least be able to feel the relief of these fuel prices, and so that we continue to make sure that we deliver the burden of the VAT, I am requesting the mover to be called upon to reply.

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): I have heard you, but let me have the chair, Energy finish his speech. You may proceed. It appears he is through.

Hon. Members, a Member has risen from his place, on Order 95, that the mover be called upon to reply.

(Question put and agreed to)

The Temporary Speaker (Hon. Omboko Milemba): Mover. Give the mic to Hon. Kuria On behalf of the Leader of the Majority Party. He is the Chairperson of the Departmental Committee on Finance and National Planning.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Speaker, although the Leader of Majority Party and the great Member for Kikuyu Constituency is the mover, I have his instructions to reply on his behalf. Just to thank this honourable House for the great support. I am hoping that moving forward, the great support we have received across the political divide will continue.

When you bring matters that are important to Kenyans, and most importantly, because as the chair of energy did say, the EPRA is coming up for review tomorrow. It is very important therefore, that this honourable House rises to the occasion.

Unless we do that, the prizes at the pump will go up by at least Kshs16. So therefore, if this particular House agrees with us, and during the Committee of the Whole House, that will mean that we will have cushioned Kenyans against the increase in fuel prices.

With that, I beg to reply.

(Question put and agreed to)

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

The Temporary Speaker (Hon. Omboko Milemba): Next Order.

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

[The Temporary Speaker (Hon. Omboko Milemba) left the Chair]

IN THE COMMITTEE

[The Temporary Chairman (Hon. David Ochieng') in the Chair]

TAX LAWS AMENDMENT BILL (National Assembly Bill number 65 of 2026)

The Temporary Chairperson (Hon. David Ochieng'): Order, Hon. Members. We are in the Committee of the Whole House on the Tax Laws Amendment Bill, National Assembly Bill number 65 of 2026. I can see the Chairperson of the Finance and Planning Committee is here. Let us be alert so that he can take as short a time as possible. Let's proceed.

(Clause 2 agreed to)

Clause 3

The Temporary Chairperson (Hon. David Ochieng’): Leader of Majority Party, you have a...

Hon. Kimani Ichung’wah (Kikuyu, UDA): Thank you, Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 3 and substituting therefor the following new clause—

Amendment
of the First
Schedule to
Cap.472.

3. The First Schedule to the Excise Duty Act is amended —

(a) in the description of “Imported Ceramic sinks, wash basins, wash basin pedestals, baths, bidets, water closet pans, flushing cisterns, urinals and similar sanitary fixtures of tariff heading 6910” by deleting the corresponding rate of excise duty and substituting therefor the following new rate of excise duty—

“5% of the excisable value or Ksh.25 per kg, whichever is higher”

(b) in the description of “Imported ceramic flags and paving, hearth or wall tiles; unglazed ceramic mosaic cubes and the like, whether or not on a backing; finishing ceramics of tariff 6907” by deleting the corresponding rate of excise duty and substituting therefor the following new rate of excise duty—

“5% of the excisable value or shs. 400 per square meter, whichever is higher”

However, I want to move part A in an amended format so that it reads where it says “5 percent of accessible value or Kshs25 per Kg: to read: “or Kshs30 per Kg”, whichever is higher.

The Temporary Chairperson (Hon. David Ochieng’): I hope Members agree with you. Do you want to explain what you are saying to?

Hon. Kimani Ichung’wah (Kikuyu, UDA): Yes, Hon. Temporary Chairperson. Part A relates to sanitary fixtures and fittings as I had said when I was moving the Bill. Currently, the Act provides for either 5 percent of excisable value or Kshs50 per Kg and we have since moderated that to Kshs30 instead of the Kshs25 that is on the Order Paper and I have agreed with the Kenya Revenue Authority and National Treasury that we move it to Kshs30 per kg down from Kshs50. That is what I was saying. I was moving it in an amended format.

Part B remains as it is, 5 percent of accessible value or Kshs400 per square metre, that is for tiles. Sorry, there is a Supplementary Order Paper. Maybe some Members may have the...

The supplementary Order Paper has 400. I know those who have the older Order Paper, it was reading 300. The Supplementary Order Paper has just been circulated, or maybe, Chair, you may ask the clerks to circulate copies.

I beg to move.

The Temporary Chairperson (Hon. David Ochieng’): Thank you so much.

(Question of the amendment proposed)

The Temporary Chairperson (Hon. David Ochieng’): The Hon. Makali Mulu.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you, Hon. Temporary Chairperson, I am among those who have the older Order Paper, but I think the Leader of the Majority Party has explained, that part A is to reduce the figure from the Kshs50 to Kshs30, while part B is...

I am saying that the Order Paper I have is the one which was reading Kshs300. I think what you are doing is changing the specific figure. At part A of the amendment, you reduce it

from Kshs50 to Kshs30, and then the B increases it from the current figure to Kshs400, but the 5 percent remains constant.

I think if the idea is really to make it cheaper for the consumer, the value of Kshs400 is still not going to harm the consumer. All said and done, you remember this issue of imported ceramics and all that, was very controversial when we were doing the main law. I hope we are helping the consumer and not the suppliers, because it is important to come out clear on this.

I submit, Hon. Temporary Chairperson.

The Temporary Chairperson (Hon. David Ochieng’): The Hon. Majority Leader, what do you want to inform him about?

Hon. Kimani Ichung’wah (Kikuyu, UDA): I wanted to inform Hon. Makali Mulu that, indeed, we are helping the consumer because as I had explained when I was moving, they were being charged at Kshs50 per Kg of 5 percent of excisable value, whichever is higher.

For a container load of tiles weighing about 25 to 28 tonnes, you are therefore paying about Kshs1.2 million to Kshs1.4 million. At Kshs400 per square metre for 1,400 square metres, you pay about Kshs560,000. That is a huge gain of almost Kshs800,000 to Kshs900,000 for the consumer.

*(Question, that the words to be left out
be left out, put and agreed to)*

*(Question, that the words to be inserted in place
thereof be inserted, put and agreed to)*

The Temporary Chairman (Hon. David Ochieng’): There is a further amendment to Clause 3 by the Chairperson of the Departmental Committee on Finance and Planning.

Hon. Kuria Kimani (Molo, UDA): Hon. Chairlady, I beg to move:

THAT, the Bill be amended in Clause 3 by deleting the words “in the description of “Imported ceramic flags and paving, hearth or wall tiles; unglazed ceramic mosaic cubes and the like, whether or not on a backing; finishing ceramics of tariff 6907” by deleting the corresponding rate of excise duty and substituting therefor the following new rate of excise duty—

“5% of the excisable value or shs. 300 per square meter, whichever is higher” and substituting therefor the words—

- (a) in the description of “Imported ceramic flags and paving, hearth or wall tiles; unglazed ceramic mosaic cubes and the like, whether or not on a backing; finishing ceramics of tariff 6907” by deleting the corresponding rate of excise duty and substituting therefor the following new rate of excise duty—
“5% of the excisable value or shs. 300 per square meter, whichever is higher”
- (b) in the description “Imported Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked of tariff 7005 but excluding those imported by a registered processor upon the recommendation by the Cabinet Secretary responsible for matter relating to industry” by inserting the words “and those originating from East African Community Partner States that meet the East African Community Rules of Origin” immediately after the words “relating to industry.”

Hon. Temporary Chairman, the discussion is whether this should be paragraph (b) or (c). Since it is a further amendment to paragraph (b), we will record this amendment as Clause 3(c). This is the proposed amendment to Clause 3(b) that I referred to in my reply to this Bill. The amendment seeks to correct the description of float glass, which was previously amended in a manner that would also apply the excess duty to float glass imported from East African

Community Partner States. It is important that we respect the East African protocols. This amendment therefore seeks to align our laws with those protocols.

I beg to move.

(Question of the further amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 3 as further amended agreed to)

(Title agreed to)

Clause 1

Hon. Kuria Kimani (Molo, UDA): Hon. Chairlady, I beg to move:

THAT, Clause 1 of the Bill be amended by deleting the words “shall come into effect upon publication” and substituting therefor the words “shall be deemed to have come into effect on 14th October, 2026”.

If you read Clause 1 of the Bill, it provides that the Act may be cited as the Tax Laws (Amendment) Act, 2026 and shall come into effect upon publication. This amendment proposes to delete the words “shall come into effect upon publication” and substitute the words “shall be deemed to have come into effect on 14th October, 2026”, which is today.

The amendment would therefore provide that the Act is deemed to have commenced on 14th October, 2026, so that the reduced value-added tax (VAT) on fuel can be factored into the next pricing cycle of the Energy and Petroleum Regulatory Authority (EPRA), which is tomorrow. The amendment would mean that the change takes effect today.

(Question of the amendment proposed)

The Temporary Chairman (Hon. David Ochieng’): Hon. Makali Mulu.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you, Hon. Temporary Chairman. I need to be educated on this. Obviously, after we pass this today, it will not yet have been signed into law. I can see Hon. Murugara looking at me, and he is one of the experienced Members in legal matters. Is it possible for a law to take effect before it is signed by the President? Perhaps we need to be educated. I am seeking clarification. I am an economist, not a lawyer, but it is important that we understand this.

The Temporary Chairman (Hon. David Ochieng’): Hon. Chairman, would you like to say something?

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Chairman, this is a common legal drafting practice for particular laws. It is important to inform the House that even when we passed this law in April, when we reduced the VAT rate from 16 per cent to 8 per cent, we included the same proviso that it be deemed to take effect on a particular day. This is normal drafting practice. There is nothing to be alarmed about.

The Temporary Chairman (Hon. David Ochieng’): Hon. (Dr) Makali, I hope you are advised. Hon. Murugara.

Hon. George Murugara (Tharaka, UDA): Thank you very much. That was a genuine concern from Hon. (Dr) Makali. However, we have a legal principle called retrospective

application of the law. There is nothing illegal about it. This House can pass a law and give it a retrospective date of application. That is, we can state that it will commence on a particular date even as it goes to His Excellency the President for assent.

The Temporary Chairman (Hon. David Ochieng’): Of course, unless it creates an offence, in which case we would not have a law like that.

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 1 as amended agreed to)

The Temporary Chairman (Hon. David Ochieng’): That marks the end of the Committee of the Whole House on the Tax Laws (Amendment) Bill (National Assembly Bill No. 65 of 2026). Let us have the Mover move that the House reports its consideration.

Leader of the Majority Party, are you moving this for reporting?

Hon. Kimani Ichung’wah (Kikuyu, UDA): Sorry, Hon. Temporary Chairman. I have since moved on to another Bill with Hon. Omboko. I beg to move that the House reports its consideration of the Tax Laws (Amendment) Bill (National Assembly Bill No. 65 of 2026) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

THE EAST AFRICAN DEVELOPMENT BANK (AMENDMENT) BILL
(National Assembly Bill No. 33 of 2026)

The Temporary Chairman (Hon. David Ochieng’): Hon. Members, we will not resume the normal sitting. We will continue with the Committee of the whole House. We now move to the Committee of the whole House on the East African Development Bank (Amendment) Bill (National Assembly Bill No. 33 of 2026).

Clause 2

The Temporary Chairman (Hon. David Ochieng’): Hon. Chairman.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 2 of the Bill be amended in the proposed new section 2 by deleting the proposed new subsection (6).

I wish to inform the House that these are only two very small amendments. In Clause 2, we are deleting the proposed new subsection (6).

(Question of the amendment proposed)

The Temporary Chairman (Hon. David Ochieng’): The amendment is by way of deletion.

Hon. Members: Put the Question.

(Question, that the words to be left out be left out, put and agreed to)

(Clause 2 as amended agreed to)

Clause 3

The Temporary Chairman (Hon. David Ochieng’): Hon. Chairman, move your amendment.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 3 of the Bill be deleted.

I gave the justification for amending Clause 2.

Just for the record of the House, Clause 2(6) reads that if, at the expiry of the period specified in subsection 5, the National Assembly has not passed a resolution, the approval authority shall be deemed to have been given to the Cabinet Secretary.

Hon. Temporary Chairman, remember this subsection 5 is the one that gave express authority to the National Assembly that no appropriation and no transfer of funds shall be made from the Consolidated Fund to the East African Development Bank (EADB) without the approval of this House. So, further, subsection 6 gave discretion that authority would have been deemed to have been given to the Cabinet Secretary if this House had not resolved that particular matter within six months.

We discussed during public participation and agreed that this House sits in perpetuity. Even if we are on recess, there are powers of this House to recall Members of Parliament to pass a particular resolution. Therefore, it was not necessary and it was in breach of our Constitution to give that extra power to the Cabinet Secretary to withdraw funds from the Consolidated Fund without the approval of the National Assembly. That refers to the previous amendment that we have deleted in Clause 2.

In Clause 3, we are proposing that the amendment be deleted, where we are deleting Paragraph 5, and substituting therefor with the following new paragraph, “that the Bank shall be, according to the Treaty of member states, accorded status not less than that accorded to the International Monetary Fund (IMF), the International Bank of Reconstruction and Development (IBRD), the National Development Association (NDA), the African Development Bank (ADB) and the African Development Fund (IDF).”

The import of this Clause is to give the African Development Bank the same status as we give the other international institutions, such as the Bretton Woods Institutions, such as the IMF. But on further scrutiny of the law, on the East African Development Bank Act, we realised that Schedule 3 already has that provision, which it reads, “the Bank shall be accorded, in the territories of the Member States accredited, status not less than that of the IMF and those other institutions.” So, this then would not have any consequence on that amendment. That is why we are proposing that Clause 3 be deleted from the Bill.

I thank you.

The Temporary Chairman (Hon. David Ochieng’): I think you need to consult because the effect of what you have just done is that you do not have a Bill. You are deleting the whole Bill. The Bill has only three clauses, and we will only remain with the Title of the Bill once you do that.

(Hon. Kuria Kimani consulted the Legal Counsel)

I think it is in order because the question you moved is about amending Clause 2 as moved by the Chairperson. That is perfect. Just go ahead.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Chairman, for the record, and it is very important that this caught the attention of everyone, this Bill has only three clauses. Therefore, if it is misinterpreted, then it could mean that we are deleting the entire Bill. But that is not the case. What I did was move Clause 2.

First of all, Clause 1 remains. In Clause 2, everything remains in terms of appropriation and the powers of the Office of the Controller of Budget. In Clause 2, we are deleting subsection 6, where it is deemed that if this House has not sat within six months, it would have been deemed to have been approved.

Further, the entire Clause 3, of treating the Bank the same as the other Bretton institutions like the IMF, to the immunities being provided in (b)(c), those particular provisions are exactly as they are in the current Act. And in the Bill, they are the same. That is why we are now deleting them so that we do not duplicate. In short, the deletion of Clause 3 has no import whatsoever on the current East African Development Bank Act.

(Question, that the words to be left out be left out, put and agreed to)

(Clause 3 deleted)

(Title agreed to)

(Clause 1 agreed to)

The Temporary Chairman (Hon. David Ochieng'): That is the end of the Committee of the whole House on the East African Development Bank (Amendment) Bill (National Assembly Bill No.33 of 2026). I request the Mover to move reporting.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the Committee do report to the House its consideration of the East African Development Bank (Amendment) Bill (National Assembly Bill No.33 of 2026) and its approval thereof with amendments.

The Temporary Chairman (Hon. David Ochieng'): Great.

(Question proposed)

(Question put and agreed to)

Hon. Francis Kimani, you cannot vote twice on the same Bill. It is out of order.

That marks the end of that. We now move to the third Bill, the Public Service Superannuation Scheme (Amendment) Bill (National Assembly Bill No.33 of 2025)

THE PUBLIC SERVICE SUPERANNUATION
SCHEME (AMENDMENT) BILL
(National Assembly Bill No. 33 of 2025)

The Temporary Chairman (Hon. David Ochieng'): I saw Hon. Omboko and Hon. Ichung'wah consulting on this. Hon. Omboko represents a very huge constituency. I hope they have agreed on what needs to be done.

Hon. Kimani Ichung'wah (Kikuyu, UDA): I have no choice.

The Temporary Chairman (Hon. David Ochieng'): I cannot see the Chairperson of that Committee in the House. Who is it? Oh, it is Hon. Hillary. Okay. Great. So, let us proceed. I would like you to sit in a place where I can see you.

Let us proceed. I would like you to sit in a place where I can see you.

Clause 3

The Temporary Chairman (Hon. David Ochieng'): Leader of the Majority Party, you have an amendment to this one.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Clause 3?

The Temporary Chairman (Hon. David Ochieng'): Yes. There are three amendments. Yours comes first, then the Chairperson's, then Hon. Milemba's, with consequences.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 3 and substituting therefor the following new Clause—

Repeal and replacement of section 5 of Cap. 189A. 3. The principal Act is amended by deleting section 5 and substituting therefor the following new section—

Membership of the Fund. 5. (1) A person shall be a member of the Fund if the person—

(a) at the commencement of this Act, is employed in the public service on permanent and pensionable establishment and—

(i) has not attained the age of forty-five years;

(ii) has attained the age of forty-five years and opts, within three months of such commencement or such longer period as the Cabinet Secretary may, by notice in the *Gazette*, prescribe, that this Act shall apply to him;

(b) joins the public service on or after the commencement of this Act on a permanent and pensionable establishment; or

(c) is engaged by the public service on a fixed-term contract and opts to be a member of the Fund for purposes of gratuity management.

(2) The law to be applied with respect to the retirement benefits of a person in the public service at the commencement of this Act who does not, where required, opt for the application of this Act under subsection (1)(a), shall be the law in force when that period of service commenced.

(3) A member, other than a deferred member or a member who has retired and has opted to be paid

benefits under section 28, who for any reason leaves the public service shall cease to be a member of the Fund.

The amendment seeks to substitute the word “scheme” with the word “fund” to promote consistency in the Act. Secondly, it seeks to broaden the eligibility criteria for membership of the Fund by allowing persons engaged in public service on fixed term contracts to become members of the Fund for gratuity management purposes.

This amendment is promoting inclusivity by extending retirement saving opportunities to employees in the public service who are not on permanent and pensionable terms. It also provides for a structured mechanism for the management and growth of their gratuity benefits. It is a very progressive amendment.

(Question of the amendment proposed)

The Temporary Chairman (Hon. David Ochieng’): Hon. Chairperson.

Hon. Hilary Kosgei (Kipkelion West, UDA): The amendments are similar. Put the question.

The Temporary Chairman (Hon. David Ochieng’): Just a minute, Hon. Omboko. Hon. Chairperson, this is the Committee of the whole House, so as we go along, the best thing to say when given the microphone is that you agree with the Leader of the Majority Party on a particular amendment. Do not ask me to put the question. Go ahead, Hon. Omboko.

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Temporary Chairman, I support the amendment by the Leader of the Majority Party because it is very similar to mine. The rationale is to allow public servants on fixed term contracts, including teachers on contract who finally get absorbed, to join the scheme for gratuity management purposes. Once they are employed on permanent and pensionable terms, they can be served under those terms.

(Proposed amendments by Hon. Hilary Kosgei and Hon. Omboko Milemba withdrawn)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 3 as amended agreed to)

The Temporary Chairman (Hon. David Ochieng’): Members, since the amendment by the Leader of the Majority Party has been carried, the proposed amendments by the Chairperson and Hon. Omboko fall because they are similar.

Clause 4

The Temporary Chairman (Hon. David Ochieng’): We have an amendment by the Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 4 and substituting therefor the following new Clause—

Repeal and replacement of section 6 of Cap. 189A.	4. The principal Act is amended by deleting section 6 and substituting therefor the following new section—
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Mandatory
contribution to the
Fund.

6. (1) A member employed on permanent and pensionable establishment shall contribute to the Fund at the rate of not less than seven and a half percent which shall be deducted from his monthly pensionable emoluments:

Provided that where the employer fails to deduct or remit a member's contribution, the sum may be recovered in the subsequent months and a penalty at the rate of the return of the Fund for the previous financial year shall be payable by the employer.

(2) The employer shall contribute for each member of the Fund at the rate of at least fifteen percent of the member's monthly pensionable emoluments:

Provided that where the employer fails to remit a contribution in any month, a penalty at the rate of the return of the Fund for the previous financial year shall apply on the unpaid amount.

(3) The Cabinet Secretary may, by notice in the *Gazette*, vary the rates in subsections (1) and (2) after consultations with the members and the Board.

(4) The employer's contributions under subsection (2) with respect to the Public Service Commission, the Teachers Service Commission and the disciplined services shall be a direct charge on the Consolidated Fund.

(5) The employer shall not later than ten working days after the end of the month in which the contributions are due, remit an amount comprising the member's and the employer's contribution to the Fund.

(6) In addition to the contributions specified in subsections (1) and (2), an employer shall take out and maintain a life insurance policy that has disability benefits in favour of every member of the Fund, for a minimum of five times of the member's annual pensionable emoluments.

Again, the amendment seeks to create consistency by substituting the word "scheme" with the word "Fund". Secondly, it seeks to strengthen compliance by imposing a penalty on employers who fail to remit employees' deductions. This will make it painful for employers so that they do not deduct money from people and not remit it.

(Question of the amendment proposed)

The Temporary Chairman (Hon. David Ochieng'): Hon. Chairperson.

Hon. Hilary Kosgei (Kipkelion West, UDA): Hon. Temporary Chairman, the amendment by the Leader of the Majority Party is similar to the Committee's proposal. Therefore, I support it.

The Temporary Chairman (Hon. David Ochieng'): Well said. Hon. Omboko.

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Temporary Chairman, I strongly support that amendment by the Leader of the Majority Party. Our greatest fear as workers is

for an employer to deduct money and then delay remitting it, thereby resulting in punitive costs to the employee. This is a good amendment for us. Therefore, I support.

*(Proposed amendments by Hon. Hilary Kosgei
and Hon. Omboko Milemba withdrawn)*

*(Question, that the words to be left
out be left out, put and agreed to)*

*(Question, that the words to be inserted in
place thereof be inserted, put and agreed to)*

(Clause 4 as amended agreed to)

Clause 5

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 5 and substituting therefor the following new Clause—

Repeal and replacement of Section 7 of Cap. 189A. 5. The principal Act is amended by deleting Section 7 and substituting therefor the following new section—

Additional voluntary contributions.

7. (1) Subject to such guidelines as the Board may, from time-to-time issue, a member may make additional voluntary contributions to the Fund.

(2) Subject to any guidelines issued under subsection (1), a member may—

(a) instruct the employer to deduct the additional voluntary contribution from his monthly salary; or

(b) remit additional voluntary contribution directly to the Fund.

This is to allow for flexible remittances of flexible payments by contributors, should they desire to top-up over and above their normal monthly contributions or savings. It also allows members to contribute beyond traditional payroll check-off systems. They can also remit to the Fund through M-Pesa. The proposal also promotes a saving culture, which is good for the country.

(Question of the amendment proposed)

The Temporary Chairman (Hon. David Ochieng'): Hon. Chairperson.

Hon. Hilary Kosgei (Kipkelion West, UDA): Thank you, Hon. Temporary Chairman. This proposal is in line with the Committee's amendment. I support.

(Proposed amendment by Hon. Hilary Kosgei withdrawn)

*(Question, that the words to be left
out be left out, put and agreed to)*

*(Question, that the words to be inserted in
place thereof be inserted, put and agreed to)*

(Clause 5 as amended agreed to)

Clause 6

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 6.

This is just a deletion to allow for re-arrangement of the provisions of the Act with the proposed conversion of the Scheme into a Fund. The affected provisions are proposed for re-introduction as new clauses in the subsequent amendments that we will be covering.

(Question of the amendment proposed)

(Proposed amendment by Hon. Hilary Kosgei withdrawn)

(Question, that the words to be left out be left out, put and agreed to)

(Clause 6 deleted)

Clause 7

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 7.

This is another deletion with the same justification. The provisions are covered in the subsequent new clauses.

(Question of the amendment proposed)

(Proposed amendment by Hon. Hilary Kosgei withdrawn)

(Question, that the words to be left out be left out, put and agreed to)

(Clause 7 deleted)

Clause 8

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 8.

Again, this is a deletion with the same justification. The new clauses will cover the provisions.

(Question of the amendment proposed)

The Temporary Chairman (Hon. David Ochieng’): There is no debate on this.

*(Proposed amendment by
Hon. Hilary Kosgei withdrawn)*

(Question, that the words to be left out be left out, put and agreed to)

(Clause 8 deleted)

Clause 9

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 9 and substituting therefor the following new Clause—

Amendment of title to Part III of Cap. 189A. 9. The principal Act is amended by deleting the title to Part III and substituting therefor the following new title—

PART III—THE BOARD OF TRUSTEES OF THE
PUBLIC SERVICE SUPERANNUATION FUND

This amendment seeks to re-align the nomenclature used. Instead of using the word “Scheme” we use the word “Fund”.

(Question of the amendment proposed)

(Proposed amendment by Hon. Hilary Kosgei withdrawn)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 9 as amended agreed to)

(Clause 10 agreed to)

Clause 11

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairperson, I beg to move:

THAT, the Bill be amended in Clause 11—

- (a) by deleting the marginal note and substituting therefor the following new marginal note—

Amendment of section 10 of Cap. 189A;

- (b) in paragraph (a), by deleting the proposed new subsection (1) and substituting therefor the following new subsection—

“(1) There is established a board of trustees of the Fund to be known as Public Service Superannuation Fund Board of Trustees, which shall consist of—

- (a) a Chairperson who shall be appointed by the Cabinet Secretary and who—

- (i) has a bachelor’s degree in human resource, pension administration, actuarial science, banking, insurance, finance, accounting,

- economics, auditing, law or any other relevant field;
- (ii) has an aggregate of at least ten years' experience, ten of which should have been served in a senior management position in a relevant field; and
 - (iii) is not in the service of any employers' or worker's representatives or any person affiliated to any of the organizations represented on the Board.
- (b) one person nominated by the Principal Secretary in the Ministry for the time being responsible for matters relating to finance;
 - (c) one person nominated by the Secretary to the Teachers Service Commission;
 - (d) one person nominated by the Secretary to the Public Service Commission;
 - (e) one person nominated by the Secretary to the National Police Service Commission;
 - (f) one person nominated by the Kenya National Union of Teachers;
 - (g) one person nominated by the Kenya Union of Post Primary Education Teachers
 - (h) one person nominated by the Union of Kenya Civil Servants;
 - (i) one person nominated by employees of the Disciplined Services;
 - (j) two independent persons who are not public officers appointed by the Cabinet Secretary; and
 - (k) the Chief Executive Officer appointed under section 20, who shall be an *ex-officio* member with no voting rights."
- (c) in paragraph (b), by inserting the following new subsections immediately after the proposed subsection (1B)—
- (1C) The Trustees shall be appointed by the Cabinet Secretary through a notice in the *Gazette*.
 - (1D) The Cabinet Secretary shall, in appointing the Board of Trustees under subsection (1), ensure that not more than two-thirds of the appointees are of the same gender and that the appointments reflect an appropriate mix of qualifications and the regional and ethnic diversity of Kenya.

Hon. Temporary Chairperson, I beg to move a further amendment to paragraph (a)(ii), which provides for the Chairperson to have an aggregate of at least 20 years' experience. Following consultations with Hon. Omboko Milemba, we have agreed that the requirement should be an aggregate of at least 10 years' experience in a senior management position. This will avoid imposing an unnecessarily long experience requirement of 20 years.

As long as one has served in a senior management position for at least 10 years, one will be eligible for appointment as Chairperson. The Order Paper had proposed 20 years, but we are reducing this to an aggregate of 10 years in a senior management position. I know Hon. Omboko Milemba will support this amendment.

(Question of the amendment proposed)

The Temporary Chairman (Hon. David Ochieng'): Hon. Omboko.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Temporary Chairman. I support this amendment by the Leader of the Majority Party. We also believe that the 20 years' experience was extremely high. Given the nature of the population demography of Kenyans now, and the need for youthful leaders to get into places of work, we make it 10 years to pave the way for equally qualified young and experienced persons to be eligible for these appointments. I support.

The Temporary Chairman (Hon. David Ochieng'): Hon. Makali.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you, Hon. Temporary Chairman. While I agree with this amendment, I believe that 10 years is sufficient. However, we must recognise that this is a highly specialised area. The requirement for experience in a relevant field is therefore critical. We have seen instances where a Chairperson is appointed to such a specialised position without the appropriate qualifications. I support the 10-year requirement, but we must emphasise the importance of the relevant field to ensure that the right people are appointed to this position.

Thank you. I support.

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Question, that the words to be inserted be inserted, put and agreed to)

(Clause 11 as amended agreed to)

Clause 12

The Temporary Chairman (Hon. David Ochieng'): The Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you. Hon. Temporary Chairperson, I beg to move:

THAT, the Bill be amended by deleting Clause 12 and substituting therefor the following new Clause—

Amendment of section 13 of Cap. 189A. 12. Section 13 of the principal Act is amended—

- (a) in subsection (1), by deleting subsection (1) and substituting therefor the following new subsection—
 - (1) The Chairperson and the Trustees appointed under section 10 shall hold office for a term of five years and may be eligible for re-appointment for one further term subject to satisfactory performance.
- (b) in subsection (2), by deleting paragraph (c) and substituting therefor the following new paragraphs—
- (c) (c) is convicted of an offence under this Act or any other written law and sentenced to imprisonment for a term exceeding six months without the option of a fine;
- (d) (ca) is convicted of an offence involving dishonesty, fraud, corruption, misappropriation of public funds or an economic crime under any written law; or”.

I beg to move a further amendment to Clause 12(a)(1) by substituting the word “five” with the word “four”. My intention was to increase the term of office of the Trustees from three to five years, in line with the Retirement Benefits Authority (RBA) Regulations.

Hon. Omboko Milemba’s position was that we should retain the three-year term. However, following further consultations, we have agreed on a term of four years, renewable once. I therefore propose that the Trustees shall hold office for a term of four years and may be eligible for reappointment for one further term, subject to satisfactory performance.

The Trustees will therefore serve for four years, rather than the current three years or the five years provided for under the RBA Regulations. This is intended to promote good governance of the Fund.

(Question of the amendment proposed)

The Temporary Chairman (Hon. David Ochieng’): Hon. Omboko, you also have an amendment on this Clause. Would you like to comment on this proposal?

Hon. Omboko Milemba (Emuhaya, ANC): Yes, I want to comment on this.

The Temporary Chairman (Hon. David Ochieng’): Proceed.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Temporary Chairman. I wish to comment on this proposal. I support the four-year term. Many of those appointed as Trustees of this scheme are people I know from various sectors, including the public service, the Kenya National Union of Teachers (KNUT), the Kenya Union of Post Primary Education Teachers (KUPPET) and other trade unions.

A four-year term, renewable for a further four years, would be appropriate. It would also allow for changes in the sector, encourage greater activity and promote democratic governance. Thank you. I support.

The Temporary Chairman (Hon. David Ochieng’): You had an amendment earlier on these two as well, correct?

Hon. Omboko Milemba (Emuhaya, ANC): My amendment proposed a stricter limit of three, but we have reached a compromise of four. So, I withdraw my amendment. I support.

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 12 as amended agreed to)

Clause 13

The Temporary Chairman (Hon. David Ochieng’): There is an amendment by the Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by inserting the following new Clause immediately after Clause 13—

Amendment of section 19 of Cap. 189A.	13A. The principal Act is amended by deleting section 19 and substituting therefor the following new section —
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Powers of the Board.	19. (1) In the exercise of its functions, the Board shall be accountable to the employer and to the members of the Fund.
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(2) The Board shall have all powers necessary for the proper performance of its functions under this Act and in particular, the Board shall have the power to—

- (a) control, supervise and administer the assets of the Fund in such manner and for such purposes as best promote the purpose of providing retirement benefits for members of the Fund;
- (b) determine the provisions to be made for capital and recurrent expenditure and for reserves of the Fund;
- (c) receive contributions from members and authorise the custody, investment and administration of these contributions and the payment of retirement benefits as provided under this Act;
- (d) enter into association with such other bodies or organisations within or outside Kenya as the Board may consider desirable or appropriate and in furtherance of the purpose for which the Fund is established;
- (e) subcontract any of its functions to a person or firm with proven experience in the particular function being subcontracted;
- (f) give such direction as it may consider necessary to give effect to the provisions of this Act; and
- (g) do such other things as are necessary to give effect to the provisions of this Act.

This amendment touches on the remuneration of the Chairperson and Trustees, including their sitting allowances and other expenses. It proposes that the remuneration be set at an Annual General Meeting (AGM) held every three years. There is a possibility that Trustees may influence members to set their own remuneration. Since they are not public or State officers, the matter cannot be referred to the Salaries and Remuneration Commission (SRC). We therefore propose a system of checks and balances where the Cabinet Secretary approves the remuneration agreed upon at the AGM.

(Question of the amendment proposed)

The Temporary Chairman (Hon. David Ochieng’): Hon. Omboko, do you want to move your amendment or comment?

Hon. Omboko Milemba (Emuhaya, ANC): No. We have had extensive consultations on this matter. My amendment sought to bring in the Salaries and Remuneration Commission. My concern was that there should be checks and balances.

When the Trustees approve their allowances at an AGM, they could influence the process in their favour. There must be a check. However, we have agreed to support the amendment by the Leader of the Majority Party, which requires that after approval at the AGM, the remuneration be submitted to the Cabinet Secretary for approval.

Thank you. I support.

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

*(Proposed amendment by
Hon. Omboko Milemba dropped)*

(Clause 13 as amended agreed to)

Clause 14

The Temporary Chairman (Hon. David Ochieng’): The Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): I beg to move:

THAT, the Bill be amended by deleting Clause 14 and substituting therefor the following new Clause—

Amendment of
section 20 of
Cap. 189A.

14. Section 20 of the principal Act is amended by deleting subsection (2) and substituting therefor the following new subsections—

(2) A person shall qualify for appointment as a Chief Executive Officer, if such person—

- (a) holds a bachelor’s degree in pension administration, actuarial science, banking, insurance, finance, accounting, economics, auditing, law, human resource or any other relevant field from a university recognised in Kenya;
- (b) has at least ten years work experience in a relevant field;
- (c) has served in a position of senior management for a period of at least five years;
- (d) meets the requirements of Chapter Six of the Constitution; and
- (e) is approved by the Retirement Benefits Authority as a fit and proper person to manage the affairs of the Fund.

(2A) The Chief Executive Officer shall hold office for a term of five years and shall be eligible for reappointment for one further term upon satisfactory performance.

This is a simple amendment intended to clarify and prescribe the qualifications for appointment as the Chief Executive Officer (CEO) of the Fund. It provides for minimum academic qualifications, professional and leadership experience, compliance with Chapter Six of the Constitution, and approval by the Retirement Benefits Authority (RBA) as a fit and proper person to hold the position of CEO. This is intended to align the appointment criteria with the principles of corporate governance under the Mwongozo Code of Governance for State Corporations.

Thank you, Hon. Temporary Chairman.

(Question of the amendment proposed)

The Temporary Chairman (Hon. David Ochieng’): The Chairperson of the Committee.

Hon. Hillary Kosgei (Kipkelion West, UDA): Hon. Temporary Chairman, the Committee agrees with the amendments as moved by the Leader of the Majority Party.

The Temporary Chairman (Hon. David Ochieng’): Hon. Makali Mulu.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Hon. Temporary Chairman, if Hon. Omboko was able to agree to a four-year term, we could also agree on a four-year term for the CEO instead of five years. The Mwongozo Code provides for three-year terms for CEOs of parastatals. Five years is too long. If I had my way, I would have proposed four-year term. However, if Hon. Omboko is comfortable with this, I...

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party, this is a very legitimate concern. In the last three months, I have had CEOs coming to me about this issue. Some served four years in their first term and, upon renewal, were given two years, bringing their total service to six years.

We have three such cases where someone served four years in the first term and, upon approval for a second term, was told that they would now serve two years because the Mwongozo Code provides for three years. Therefore, the Mwongozo Code cannot be used to justify this.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, this usually happens because of what I would call *ukora* in Kiswahili. The Mwongozo Code, by itself, is not a law.

It is just a policy that we seek to align with and if the statute law which I said that state corporation says three years, then it is three.

However, let us bear in mind that for Hon. Makali Mulu, that this is a fund not a state corporation and, therefore, 5 years would be fair because again you have a board of trustees that is serving for 4-4 years, 8 years. You would want to ensure that there is also some sort of continuity amongst the person who is serving as a CEO. Remember, it is taking care of people's money including yourself because you are a former civil servant. Maybe part of your pension is under this fund and you want certainty that the CEO who is in office, if he is doing a good job, he serves and there is some sort of certainty.

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 14 as amended agreed to)

Clause 15

The Temporary Chairman (Hon. David Ochieng’): The Hon. Leader of Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move: THAT, the Bill be amended by deleting Clause 15.

(Question of the amendment proposed)

This is a deletion and it is just to allow the board to be able to retain the statutory position that was there under the Principal Act that permits the board to delegate its powers and functions where appropriate. That is what that Clause 15 was removing, so we want to delete it to reinstate that power.

(Question, that the words to be left out be left out, put and agreed to)

(Clause 15 deleted)

Clause 16

The Temporary Chairman (Hon. David Ochieng'): Hon. Leader of the Majority.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 16 and substituting therefor the following new Clause—

Amendment
of section 25
of Cap.
189A

16. The principal Act is amended by deleting section 25 and substituting therefor the following new section—

Vesting of benefits. 25. The benefits derived from the contributions made by a member and the employer together with the accrued interest thereon shall immediately vest in the member.

This is to provide for the immediate vesting of both the employers and the members' contributions to the fund. This regards members' accrued retirement benefits and interest and aligns with the Act. The Act rather, with established pension best practises.

(Question of the amendment proposed)

The Temporary Chairman (Hon. David Ochieng'): Hon. Maungu, do you want to say something on this?

Hon. Dick Oyugi Maungu (Luanda, DAP-K): Thank you, Hon. Temporary Chairman. I agree with the proposal as given by the Hon. Leader of Majority because Members, when we accrue the principal amount with the interest amount, we will be sure that the interest of the contributor will actually be secured.

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 16 as amended agreed to)

Clause 17

The Temporary Chairman (Hon. David Ochieng'): Hon. Leader of the Majority.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 17 and substituting therefor the following new Clause—

This is to allow someone who leaves the office or leaves employment before attaining the retirement age to be able to withdraw his or her accrued retirement savings. And very progressive so that people don't have to wait until old age to access your retirement savings.

(Question of the amendment proposed)

Hon. Maungu.

Hon. Dick Oyugi Maungu (Luanda, DAP-K): Hon. Temporary Speaker, I agree with this amendment because for many years, people have had to wait for too long so as to access their benefits. This will give access to any people who retire early to actually access their benefits and make use of it before waiting for too long.

The Temporary Chairman (Hon. David Ochieng'): Thank you. Hon. Makali.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you. This is a very controversial amendment because you know the only idea of pension is for people to benefit when they are old. For our own pension scheme as Parliament, you remember we tied it to at least 45 years unless on medical grounds is when you access that fund. I get worried when I see we leave this open because then if I leave at the age of 40 and I claim to get my benefits, then when I retire what happens?

The Temporary Chairman (Hon. David Ochieng'): The Hon. Leader of Majority, what does the Act say?

Hon. Kimani Ichung'wah (Kikuyu, UDA): I think maybe I should have clarified that you be allowed in accordance with the RBA Act and regulations.

Those regulations will cover the conditions under which a member may withdraw. For instance, if you retire at the age of 45, you may be told to wait until you are 50. For some, regulations provide for the withdrawal of a percentage of the savings at a specified age and the balance later.

The Temporary Chairman (Hon. David Ochieng'): Yes, Hon. Makali.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): That is now clear.

The Temporary Chairman (Hon. David Ochieng'): This makes it clearer.

Amendment
of section 26
of Cap.
189A

17. The principal Act is amended by deleting section 26 and substituting therefor the following new section—

Withdrawal
before
retirement.
Cap. 197.

26. A member may withdraw the accrued retirement savings on leaving employment before retirement in accordance with the Retirement Benefits Act and regulations made thereunder.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): It is making reference to another law.

The Temporary Chairman (Hon. David Ochieng'): Hon. Omboko Milemba, do you want to say something?

Hon. Omboko Milemba (Emuhaya, ANC): Yes. Whereas Hon. Makali is right and is a very seasoned legislator, particularly at the Third Reading of this Bill, we have indeed had the strain of National Social Security Fund kind of payments, whereby workers may end up dying before accessing their money. By referring to the Retirement Benefits Act, there are processes and safeguards governing how the money is withdrawn. Even if it means access of part of the savings. I therefore support the amendment.

The Temporary Chairman (Hon. David Ochieng'): Hon. Members, that is now well understood.

(Question of the amendment proposed)

*(Question, that the words to be left out
be left out, put and agreed to)*

*(Question, that the words to be inserted in place
thereof be inserted, put and agreed to)*

(Clause 17 as amended agreed to)

Clause 18

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:
THAT, the Bill be amended by deleting Clause 18 and substituting therefor the
following new Clause—

Amendment
of section
27 of Cap.
189A

18. The principal Act is amended by deleting section 27 and substituting
therefor the following new section—

Withdrawal on
retirement.

27. (1) Notwithstanding the provisions of section 26, a
member shall be entitled to make withdrawals in accordance with
section 28 where the member retires—

- (a) on attaining the age of sixty years, or where his exact date of birth is not known, on the 1st July in the year in which his sixtieth birthday is deemed by the Board to occur, which shall be the normal retirement age;
- (b) on attaining the age of fifty years;
- (c) before attaining the age of fifty years in accordance with the terms and conditions of his employment;
- (d) from the disciplined services, on completion of service of a period exceeding twelve years but not exceeding twenty years after the officer, gives at least one month's notice in writing of his intention to retire;
- (e) on the abolition of his office; or
- (f) on the advice of a Medical Board appointed by the Director of Medical Services certifying that the member is no longer mentally or physically capable of carrying out the functions of his office.

(2) The Medical Board may at the request of the employer review the fitness of a member who retires under subsection (1)(f) and where the Medical Board certifies that the member is then mentally and physically capable of carrying out the functions of his office, the member may re- enter the Fund upon securing another employment with the employer.

(3) The proof of age of a retiring member for the purposes of subsection (1) shall be the birth certificate submitted by such member at the time of joining the service.

We are recasting Section 27 of the principal Act to correct typographical errors and remove redundant provisions such as compulsory retirement and retirement in public interest.

(Question of the amendment proposed)

(Question, that the words to be left out

be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 18 as amended agreed to)

Clause 19

The Temporary Chairman (Hon. David Ochieng’): The Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 19 and substituting therefor the following new Clause—

Amendment
of section 28
of Cap. 189A

19. Section 28 of the principal Act is amended—

- (a) in the proviso to subsection (1) by deleting the word “Scheme” appearing immediately after the words “contributions made into the” and substituting therefor the word “Fund”;
- (b) in subsection (2) by deleting paragraph (a) and substituting therefor the following new paragraph—
“(a) monthly or quarterly withdrawals from an Income Drawdown Plan; or”
- (c) in subsection (3)—
 - (i) in paragraph (a)(i) by deleting the word “Government” appearing immediately before the words “debt due to the” and substituting therefor the word “employer”; and
 - (ii) in paragraph (b) by deleting the word “Government” appearing immediately before the words “debt due to the” and substituting therefor the word “employer”.

This is again for consistency I spoke about earlier by replacing the word “Scheme” with “Fund” and “Government” with “employer”. It also provides for monthly or quarterly withdrawals of retirement benefits upon retirement of a member. You do not have to wait to get a lump sum. You elect whether to withdraw your savings monthly or on a quarterly basis.

The Temporary Chairman (Hon. David Ochieng’): Hon. Member, you have something on this?

(Question of the amendment proposed)

Hon. Hillary Kosgei (Kipkelion West, UDA): Hon. Temporary Chairman, this is in agreement with the position of the Committee.

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 19 as amended agreed to)

(Clauses 20, 21, 22, 23 and 24 agreed to)

Clause 25

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

THAT the Bill be amended by deleting Clause 25 and substituting therefor the following new Clause—

Repeal and
replacement of
Section 36 of Cap.
189A.

25. The principal Act is amended by deleting Section 36 and substituting therefor the following new section—

Appointment
and
functions of
the Manager.
Cap. 197.

36. (1) The Board shall appoint a manager of the Fund who shall, in accordance with the Retirement Benefits Act—

Cap. 197.

- (a) develop an investment strategy for the Fund for the approval of the Board;
- (b) invest and manage the assets of the Fund in accordance with the provisions of this Act and the Retirement Benefits Act;
- (c) maintain books of account on all transactions relating to the Fund; and
- (d) provide regular information on investment strategy, market returns and other performance indicators to the Board for the benefit of members of the Fund.

(2) The terms of the manager shall be determined by the Board and set out in a written instrument: Provided that the period of service of the manager shall not exceed three years but may be renewed subject to satisfactory performance.

(3) A manager shall be entitled to an annual management fee not exceeding zero-point two percent of the value of assets of the Fund under their management.

(4) The Fund may, subject to the approval of the Retirement Benefits Authority, engage a manager at a fee exceeding the fee prescribed under subsection (3).

(5) Despite the provisions of subsection (1), the Board may directly manage not more than fifteen percent of the assets of the Fund, on condition that it satisfies to the Retirement Benefits Authority that—

- (a) the persons responsible for the management of the assets possess the qualifications, experience and competence prescribed by the Authority;
- (b) the Fund has adequate investment management systems, governance arrangements and internal controls; and
- (c) the Fund complies with such other requirements as may be prescribed.

This amendment seeks to bring consistency by replacing the word 'scheme' with 'Fund'. It also requires the Board to determine the term of a fund manager as a period of not exceeding three years, renewable subject to satisfaction by performance. It also seeks to cap

the annual management fee payable to a fund manager to be not more than 0.2 per cent of the value of the assets of the Fund.

The amendment also seeks to permit the Board to directly manage not more than 15 per cent of the assets of the Fund, subject to compliance with the requirements of Retirement Benefits Authority (RBA). It helps to avoid abuse so that fund managers do not pay whatever amount of money they want as management fees because these are contributions of workers. Therefore, we want to cap it to not more than 0.2 per cent of the value of assets of the Fund. The Board will also directly manage not more than 15 per cent of the assets of the Fund. It can manage up to 15 per cent of the assets of the Fund internally without necessarily going to fund managers. This will reduce the operating expenses of this Fund.

Thank you, Hon. Temporary Speaker.

(Question of the amendment proposed)

The Temporary Chairman (Hon. David Ochieng’): Hon. Omboko.

Hon. Omboko Milemba (Emuhaya, ANC): This amendment is quite progressive. On several occasions, I stood from my usual place here to complain that a fund manager in that particular space of this superannuation scheme was supercharging the Fund, in terms of the payments. So, fixing it is very important. At one time, the fund manager was earning Ksh13 million. At one time, it even went beyond that. I spoke to it sometimes back. Leader of the Majority Party remembers I raised it in the House Business Committee and he thought I was a crazy Member, but I was not.

This is where I operate from. I am very happy because we are pegging it on something that will not make the fund managers exploit the Fund, which is supposed to safeguard the members' money.

Thank you.

The Temporary Chairman (Hon. David Ochieng’): Hon. Makali Mulu.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): I agree with this proposal to have the fee fixed at 0.2 per cent, Hon. Temporary Chairman. At one point, I served as a trustee in Kenya Medical Training College (KMTC) Board. I realised that if you open the door for this authorisation by RBA, it could also be tricky. How I wish you just said the management fee would be 0.2 per cent and you leave it at that.

I submit.

(Laughter)

The Temporary Chairman (Hon. David Ochieng’): Go ahead, Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): I hear Hon. Makali Mulu who is an economist like me. So, we tend to think alike at times, especially on such matters. However, when we engaged with the stakeholders in this sector, and the Chair will bear me witness, the average today is about 0.23 per cent. We are taking away 0.03 per cent from what they have. We wanted to leave a leeway where if you want to pay anything beyond 0.2 per cent, you must get approval from RBA. There are circumstances that may require that you pay beyond 0.02 per cent, but you must get approval from RBA.

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party, I imagine that this will not be any other Fund. It will be very big. If they go to the market, based on its volume, someone can offer 0.17 per cent or 0.15 per cent because of the volume of the Fund. I imagine that the manager will also be recruited competitively.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Yes, that is true.

The Temporary Chairman (Hon. David Ochieng’): Go ahead.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Put the Question.

*(Question, that words to be left
out be left out, put and agreed to)*

*(Question, that words to be inserted in
place thereof be inserted, put and agreed to)*

(Clause 25 as amended agreed to)

Clause 26

The Temporary Chairman (Hon. David Ochieng'): The Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

THAT the Bill be amended by deleting Clause 26 and substituting therefor the following new Clause—

Amendment of
section 37 of Cap.
189A.

37. Section 37 of the principal Act is amended by—

- (a) renumbering the existing provision as subsection (1);
- (b) inserting the following new subsections after subsection (1)—

(2) The terms of appointment of a custodian shall be determined by the Board and set out in a written instrument:

Provided that the period of service of a custodian shall not exceed three years but may be renewed subject to satisfactory performance,

(3) A custodian shall be entitled to an annual fee not exceeding zero-point zero two percent of the value of assets of the Fund.

(4) The Fund may, subject to the approval of the Retirement Benefits Authority, engage a custodian at a fee exceeding the fee prescribed under subsection (3).

This relates to the custodian. It is to require the body to determine the term of a custodian to be a period not exceeding three years but renewable subject to satisfactory performance.

Two is to cap the annual fee payable to a Fund Manager at not more than 0.02 per cent of the value of the asset of the Fund. This is to promote prudent utilisation of the resources of the members.

(Question of the amendment proposed)

*(Question, that words to be left
out be left out, put and agreed to)*

(Question, that words to be inserted in place thereof be inserted, put and agreed to)

(Question, that the words to be inserted be inserted, put and agreed to)

(Clause 26 as amended agreed to)

Clause 27

The Temporary Chairman (Hon. David Ochieng'): Hon. Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move: THAT, the Bill be amended by deleting Clause 27 and substituting therefor the following new Clause—

Insertion of
new section
38A in Cap.
189A.

25. The principal Act is amended by inserting the following new section immediately after section 38—

Annual General
Meeting of the Fund.

38A. (1) The Board shall, within six months of the end of a financial year of the Fund, convene a general meeting of the members.

Cap. 197. (2) The general meeting shall be conducted in accordance with the provisions of the Retirement Benefits Act and the regulations prescribed under this Act.

This is just to require the Board to convene a general meeting of the members within six months after the end of each Financial Year and to ensure that such a meeting is conducted in accordance of the provisions of the RBA Act and the regulations made therein.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Question, that the words to be inserted be inserted, put and agreed to)

(Clause 27 as amended agreed to)

Clause 28

The Temporary Chairman (Hon. David Ochieng'): The Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

Repeal and
replacement of
section 39 of Cap.
189A.

28. The principal Act is amended by deleting section 39 and substituting therefor the following new section—

Administrative
expenses of the
Fund.

39. (1) The Board shall meet the administrative expenses of the Fund from the Fund.

(2) The administrative expenses referred to in subsection (1) shall not exceed one percent of the total assets of the Fund.

(3) The Board shall open an account into which the funds to be used for defraying the administrative expenses shall be paid.

This is to substitute the word “Scheme” with “Fund” just for consistency and to cap the administrative expenses relating to an AGM to not more than one per cent of the total assets of the Fund to stem abuse by those in management running the Fund. You know, when there are AGMs in some places, tenderpreneurs flock there with branded umbrellas when it is not raining.

(Laughter)

They brand polo shirts for very old men who will never wear them and park them in small bags that they give them to walk away with that includes hot water bottles that those people never use. These things are done by tenderpreneurs who work with people in management. So, to stem that, we want to cap how much you can spend for administrative expenses related to an AGM.

(Question of the amendment proposed)

The Temporary Chairman (Hon. David Ochieng’): Hon. Omboko.

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Leader of the Majority Party has put it at one per cent. However, this is mammoth. It is going to be very big. We are already now operating at about Kshs500 billion or Kshs700 billion. It is close to what the new NSSF is having. The contributions here are much more than in the other space. So, I am asking that he reconsiders that. Some mathematicians have also spoken to this. At the end of the day, we may end up eyeing a lot of money for AGMs.

Thank you.

The Temporary Chairman (Hon. David Ochieng’): It is also good to ask: is it also for the salaries and everything else? We need to know. Go ahead, the Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Just to clarify, it actually reads: “Shall not exceed one per cent.” Mandatory shall. So, it is from zero to one per cent. It says that the board shall open an account into which funds that will be used for administrative expenses shall be deposited. Of course, it is expected that there will be an audit of this particular account where the Fund will be put and you can only spend up to a maximum of one per cent. That does not mean that you spend one per cent. So, if the Fund grows to a trillion shillings, one per cent of a trillion shillings will be 100 million shillings. You do not need 100 million for an AGM.

The Temporary Chairman (Hon. David Ochieng’): I am just seeking clarification: is it only for the AGM, or does the fund also pay salaries and all these other expenses?

Hon. Kimani Ichung’wah (Kikuyu, UDA): I am talking about the expenses relating to AGMs.

The Temporary Chairman (Hon. David Ochieng’): Okay. I will give Hon. Tandaza first, then I will get to you, Hon. Makali.

Hon. Kassim Tandaza (Matuga, ANC): Asante Mwenyekiti wa Muda. Nina tatizo na hiki kiwango ambacho kimetolewa kwenye Mswada huu tunaouzungumzia. Ningetaka nichukulie kutoka kwa ile hazina yetu ya kitaifa ya maendeleo ya maeneo bunge ambapo pia tumeweza kutoa kiwango ambacho ile bodi inatajikana isipitishe kila mwaka kwa shughuli zao. Lakini tumeona kwamba kila mwaka wanatumia nafasi hiyo mpaka mwisho. Hakuna

wakati ambapo wamesema kwamba kwa sababu sasa pesa zimekuwa nyingi, wacha tuchukue nafasi kidogo pengine nukta mbili. Wanaenda mpaka nukta mbili na nusu, ile ya kawaida.

Kwa hivyo, ijapokuwa tumesema wameambiwa hawatapitisha, moja kwa moja, watakuwa wanaenda mpaka mwisho wa ile ambayo inahitajika na watakuwa na sababu ya kujieleza kwa nini iwe hivyo. Bado naona kwa upande wangu kwamba hicho kiwango ambacho kimetolewa ni kikubwa mno. Sidhani hata kama hao wenyewe watachukua chini ya ile ambayo wamesema wanaweza kuchukua mpaka mwisho.

Asante.

The Temporary Chairman (Hon. David Ochieng’): Hon. Makali.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): The issue I wanted to raise, Hon. Temporary Chairman, is that I think the Leader of the Majority Party has made a very, very dangerous statement by saying “not exceeding 1 per cent”. I think the best way to do it, and the best practice, would be to have the budget approved by the AGM, since you will be having an AGM every year. Why do we not have the budget as approved by the AGM?

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

The Temporary Chairman (Hon. David Ochieng’): Go ahead.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Maybe, sorry, I got mixed up, and I think I misled the House. I must apologise for that. If you read what is in the Order Paper, it refers to the administrative expenses of the fund, not those of the AGM.

The Temporary Chairman (Hon. David Ochieng’): Actually, that is why I asked you whether...

Hon. Kimani Ichung’wah (Kikuyu, UDA): It is of the fund.

The Temporary Chairman (Hon. David Ochieng’): Remember, I asked you that question.

Hon. Kimani Ichung’wah (Kikuyu, UDA): I think it is because I spoke about the AGM earlier...

The Temporary Chairman (Hon. David Ochieng’): Basically, this 1 per cent...

Hon. Kimani Ichung’wah (Kikuyu, UDA): It is for the fund. It is 1 per cent. What are we moving from? We are moving from what is currently provided for under the scheme, which is 10 per cent of the investment income. As Hon. Omboko is saying, if the fund grew to Ksh1 trillion and the trustees invested the money and made Ksh100 billion, they could spend 10 per cent of that Ksh100 billion—Ksh10 billion—on administrative expenses. Therefore, what we are doing now is to provide for not more than 1 per cent for all administrative expenses. Not more than 1 per cent.

(Hon. (Dr) Makali Mulu spoke off the record)

The Temporary Chairman (Hon. David Ochieng’): Go ahead.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Hon. Temporary Chairman, that is what I am saying. It is very dangerous. You remember that this is what we captured in our NG-CDF Act. The fund keeps growing every year. Therefore, the best thing would be to tie its expenses to the approved budget. Every AGM will have a component on the approval of the annual budget. We should therefore tie the expenses to the approved budget. In that case, when you say 1 per cent, everybody would want more money anyway. If you have one trillion shillings, 1 per cent is a substantial amount. The trustees will want the maximum, and that becomes very tricky to manage.

The Temporary Chairman (Hon. David Ochieng’): I just want clarification from the Leader of the Majority Party. You gave an example that has tied this down a bit. Do these administrative expenses include salaries and vehicles? Does this cover everything? This has to be clear to Members. It is not just for the AGM. It covers all the administrative expenses of the

fund. They are calling it the scheme fund, so I think that has to be clear: this 1 per cent is for everything.

Hon. Kimani Ichung'wah (Kikuyu, UDA): It is for all the administrative expenses of the fund, not just those relating to the AGM. I hear what Hon. Makali is saying, but it would be superfluous because, ideally, the budget of the fund will be approved at every AGM. Every AGM will approve the budget of the fund, so we do not need to state it in law. That normally happens; all your budgets will be approved.

The Temporary Chairman (Hon. David Ochieng'): In any case, Hon. Makali, if we went the way you are suggesting and the AGM approved 3 per cent, that would take you too far away from the law.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Just allow me. I think I need to come out clear on this.

Hon. Temporary Chairman, what normally happens is that, as long as that percentage is stated there, it is very difficult to convince anybody to reduce the budget. They will say that they are still within the allowed limits. If there is a situation where you tie it to an approved budget, the person presenting the budget will have to justify every item in the budget. We are doing the same within Parliamentarians Sacco Ltd (PACOSO). Most institutions have gone in that direction.

The Temporary Chairman (Hon. David Ochieng'): That makes sense. My question to you is: If the AGM approves 5 per cent, what is the bar?

Hon. (Dr) Makali Mulu (Kitui Central, WDM): There is no problem as so long as they are convinced that that is the budget to manage their affairs. We will make a trillion very soon.

If we agree on 1 per cent...

(Laughter)

The Temporary Chairman (Hon. David Ochieng'): Leader of the Majority Party, I think these are legitimate concerns. Do you want to consult or do you want us to proceed with this?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to convince Hon. Makali. Since we are talking about not exceeding 1 per cent, it includes all your administrative expenses, whether you hire people to conduct some research on something or hire Hon. (Dr) Makali Mulu as an academician and economist to do some actuarial evaluation of their assets. We have that fear but since all these things will be presented to the AGM for approval, we should not worry about it. It is similar to what we do at NG-CDF; we set what we want to spend and it goes to the Board for approval. I think that would defray the fears that we had unlike before, when it was 10 per of the investment income. You can imagine as it grows.

As we are saying here, if you have a trillion shillings and you get investment income at a rate of 10 per cent, that would be about Ksh100 billion. If they allow 10 per cent, what administrative expenses will you spend Ksh10 billion on? This proposal is very fair. I beg that we support it as it is.

The Temporary Chairman (Hon. David Ochieng'): There is also the presumption that the Board and the AGM will do the right thing by acting in good faith.

*(Question, that the words to be left
out be left out, put and agreed to)*

*(Question, that the words to be inserted in place
thereof be inserted, put and agreed to)*

(Clause 28 as amended agreed to)

(Clause 29 agreed to)

Clause 30

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 30 and substituting therefor the following new Clause—

Amendment of section 41 of Cap. 189A. 30. Section 41 of the principal Act is amended by deleting subsection (1) and substituting therefor the following new subsection—

(1) The Board shall maintain a reserve account of the Fund into which shall be deposited—

(a) any special contribution paid into the Fund by an employer for the purpose of improving the benefits of the members; and

(b) any income of the Fund that the Board determines should be set aside to stabilise the returns to members subject to a maximum of ten percent of such income:

Provided that no money shall be drawn out of the reserve account except as directed by the Board.

As I said before, this is deleting and replacing the reference to government with employer.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 30 as amended agreed to)

Clause 31

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

THAT, Clause 31 of the Bill be amended—

(a) by deleting paragraph (a);

(b) by deleting paragraph (c) and substituting therefor the following new paragraph—

“(c) in subsection (3) by—

(i) deleting paragraph (a) and substituting therefor the following new paragraph—

(a) the payment of the Board expenses, employees’ salaries, allowances and other charges in respect of the staff of the Board; and

(ii) deleting the word “Scheme” in paragraph (f) and substituting therefor the word “Fund”.”

Again, this is to substitute the word ‘scheme’ with ‘funds’ to promote the consistency we have been talking about and to refine the proposed amendments to Section 43 (3) by clarifying that the funds shall be applied towards the payment of the Board’s operational expenses including employee salaries, allowances and other staff-related charges.

(Question of the amendment proposed)

*(Question, that the words to be left
out be left out, put and agreed to)*

*(Question, that the words to be inserted in place
thereof be inserted, put and agreed to)*

(Clause 31 as amended agreed to)

Clause 32

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 32 and substituting therefor the following new Clause—

Amendment of
Section 44 of Cap.
189A.

32. Section 44 of the principal Act is amended in subsection (2) by inserting the words “and an auditor appointed by the Board” immediately after the expression “Public Audit Act (Cap. 412B)”.

This is to provide for the appointment of an auditor by the Board to undertake an independent audit besides the audit that is conducted by the Auditor General under the Public Audit Act. This is just to promote accountability and good governance, and to forestall some of the fears that we are expressing, including administrative expenses that mostly relate to AGMs.

(Question of the amendment proposed)

*(Question, that the words to be left
out be left out, put and agreed to)*

*(Question, that the words to be inserted in place
thereof be inserted, put and agreed to)*

(Clause 32 as amended agreed to)

(Clause 33 agreed to)

Clause 34

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 34.

This is just deleting as it is duplicated. This is already provided for in clause 12.

(Question of the amendment proposed)

*(Question, that the words to be left
out be left out, put and agreed to)*

(Clause 34 deleted)

Clause 35

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): I beg to move:

THAT, the Bill be amended by deleting Clause 35 and substituting therefor the following new Clause—

Repeal and
replacement of
section 50 of Cap.
189A.

35. The principal Act is amended by deleting section 50 and substituting therefor the following new section—

Right to retirement
benefits before
commencement of
this Act.

50. (1) The right to retirement benefits of a member who was, as at 1st January 2021, already covered under any other pension scheme existing before 1st January 2021 and whose benefits were payable under the Pensions Act and the Widows and Children Pensions Scheme Act, for the duration of pensionable service before 1st January 2021, shall accrue under that pension scheme.

(2) The National Treasury shall—

- (a) determine the value of benefits relating to service before the commencement of the Fund through an actuarial valuation as at the date of joining the Fund;
- (b) revalue the benefits determined under paragraph (a) at a rate of five per cent per year or such other rate as may be determined by an actuary from 1st January 2021 up to the date of payment or transfer to the Fund, provided that such rate shall not disadvantage the member or reduce the accrued benefits; and
- (c) within six (6) months of the commencement of this Act, issue a letter recognising accrued benefits as at 31st December 2020.

(3) Notwithstanding subsection (1) and (2) or the provisions of any other written law, the National Treasury may transfer the accrued benefits to the Fund to be administered and paid to the member in accordance with the provisions of sections 27 and 28 of this Act.

(4) Where a transfer is made under subsection (3), the transferred benefits shall be credited to the member's retirement savings account and the National Treasury may phase such transfer, during which any outstanding balance shall continue to be revalued at the rate prescribed in subsection (2)(b).

Again, this is to substitute the word “Government” with “employer” and “scheme” with “fund.”

(Question of the amendment proposed)

*(Question, that the words to be left
out be left out, put and agreed to)*

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 35 as amended agreed to)

Clause 36

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Speaker, I beg to move:

THAT, the Bill be amended by deleting Clause 36 and substituting therefor the following new Clause—

Amendment of
section 55 of
Cap. 189A.

36. Section 55 of the principal Act is amended by inserting the following new paragraph immediately after paragraph (b)—

(c) the establishment of a post-retirement medical fund, a mortgage facility and such other retirement products or benefits as may be provided by the Fund subject to the approval of the Retirement Benefits Authority.

This is to broaden the range of retirement products and benefits that may be offered to members under the Fund. I mentioned this during the Second Reading of the Bill, and I stated that we already set a good example for many other employers in the country when Parliament, through the Parliamentary Service Commission, established the Post-Retirement Medical Scheme (PRSM). This is part of the additional offerings we are proposing for this Fund, which may include a post-retirement medical fund, a mortgage facility, and such other retirement products or benefits as may be approved by the RBA.

(Question of the amendment proposed)

The Temporary Chairman (Hon. David Ochieng’): Chairperson of the Departmental Committee on Finance and National Planning.

Hon. Kuria Kimani (Molo, UDA): Thank you very much, Hon. Temporary Chairman. I support this amendment. I hope all the participants in this service will opt into the post-retirement medical schemes so that we can reduce the reliance of older people on younger generations. Let the graduates take care of themselves rather than having to provide for their parents in their old age. The best way to achieve this is to save in the post-retirement medical schemes.

The Temporary Chairman (Hon. David Ochieng’): Hon. Omboko Milemba says that is very progressive.

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 36 as amended agreed to)

Clause 37

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move:

THAT, the Bill be amended by deleting Clause 37.

This proposal sought to exempt the Board of trustees from compliance with the provisions of the Act. This deletion reinstates that requirement. They must adhere to all statutory obligations and accountability frameworks applicable under the Act.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Clause 37 deleted)

(Clause 38 agreed to)

Clause 39

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move: THAT, the Bill be amended by deleting Clause 39.

This is a deletion intended to allow for the reintroduction of the transitional and savings provisions in the proper sequence under the proposed Clause 42.

(Question, that the words to be left out be left out, put and agreed to)

(Clause 39 deleted)

(Clause 40 agreed to)

Clause 41

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move: THAT, the Bill be amended by deleting Clause 41.

This is to delete the proposed exemption of Public Service Superannuation Fund (PSSF) members from making contributions to the National Social Security Fund (NSSF) Tier I. Exempting them from Tier I contributions may undermine retirement income adequacy. Therefore, it is not in their best interests.

I beg to move.

(Question, that the words to be left out be left out, put and agreed to)

(Clause 41 deleted)

New Clause 2A

THAT, the Bill be amended by inserting the following new Clause immediately after Clause 2—

Amendment of title to Part II of Cap. 189A.	2A. The title to Part II of the principal Act is amended by deleting the word “SCHEME” and substituting therefor the word “FUND”.
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(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng’): I wish to call the mover to move New Clause 2A for Second Reading.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the new clause 2A.... do I move 2A, 2B and 2C or 2A only?

The Temporary Chairman (Hon. David Ochieng’): We are doing one clause at a time.

Hon. Kimani Ichung’wah (Kikuyu, UDA): New Clause 2A, 2B and 2C....

The Temporary Chairman (Hon. David Ochieng’): Just do 2A.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Okay, Hon. Temporary Chairman.

The Temporary Chairman (Hon. David Ochieng’): We do one by one. That is the order.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the new clause 2A be now read a Second Time.

This amendment seeks to replace the word “Scheme” with the word “Fund” to promote consistency and to establish the existing Scheme as a Fund.

(Question, that the new clause be read a Second Time, proposed)

(Question, that the new clause be read a Second Time, put and agreed to)

(Question, that the new clause be added to the Bill, put and agreed to)

New Clause 2B

THAT, the Bill be amended by inserting the following new Clause immediately after Clause 2—

Repeal and replacement of section 3 of Cap. 189A.

2B. The principal Act is amended by deleting section 3 and substituting therefor the following new section—

Establishment of the Public Service Superannuation Fund.

Cap. 197.

3. (1) There is established a Fund to be known as the Public Service Superannuation Fund, which shall vest in and be operated and managed by the Board.

(2) The Fund shall be a retirement benefits scheme within the meaning of the Retirement Benefits Act.

(3) There shall be paid—

(a) into the Fund, all contributions and any other payments required by this Act to be paid into the Fund; and

(b) out of the Fund, all the benefits and any other payments required under the provisions of this Act to be paid out of the Fund.

(The New Clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party, you are moving new clause 2B for Second Reading. Go ahead.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the new clause 2B be now read a Second Time.

The justification is the same as the one I gave on new clause 2A.

((Question, that the new clause be read a Second Time, proposed))

(Question, that the new clause be read a Second Time, put and agreed to)

(Question, that the new clause be added to the Bill, put and agreed to)

New Clause 2C

THAT, the Bill be amended by inserting the following new Clause immediately after Clause 2—

Repeal and replacement of section 4 of Cap. 189A.

2C. The principal Act is amended by deleting section 4 and substituting therefor the following new section—

Object and purpose of the Fund.

4. The object and purpose of the Fund shall be to—

- (a) pay retirement benefits to members of the Fund;
- (b) ensure that every member of the Fund receives his or her retirement benefits as and when they become due;
- (c) assist to improve the social security of members of the Fund by ensuring that the members save in order to cater for their livelihood during their retirement; and
- (d) establish a uniform set of rules, regulations and standards for the administration and payment of retirement benefits for members of the Fund.

(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng'): Mover, move Second Reading.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the new clause 2C be now read a Second Time.

The justification is the same as the one I gave on new clauses 2A and 2B.

(Question, that the new clause be read a Second Time, proposed)

(Question, that the new clause be read a Second Time, put and agreed to)

(Question, that the new clause be added to the Bill, put and agreed to)

New Clause 11A

THAT, the Bill be amended by inserting the following new Clause immediately after Clause 11—

Amendment of
section 11 of
Cap. 189A.

11A. Section 11 of the principal Act is amended—

- (a) in paragraph (d), by deleting the word “Scheme” appearing immediately after the words “members of the” and substituting therefor the word “Fund”; and
- (b) in paragraph (e), by deleting the word “Scheme” appearing immediately after the words “adjustments in the” and substituting therefor the word “Fund”.

(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party, move Second Reading of New Clause 11A.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the New Clause 11A be now read a Second Time.

This is to substitute the word ‘scheme’ with ‘fund’ for the same consistency and also to prescribe the qualifications of the independent members appointed by the Cabinet Secretary by requiring that they possess knowledge or have experience in relevant professional fields.

(Question, that the new clause be read a Second Time, proposed)

The Temporary Chairman (Hon. David Ochieng’): Yes, Hon. Omboko.

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Temporary Chairman, I had closed my file but I hope this amendment includes everything because the original one was limiting. We wanted it opened up to all qualifications. If that be the case, I support.

Thank you.

(Question, that the new clause be read a Second Time, put and agreed to)

(Question, that the new clause be added to the Bill, put and agreed to)

New Clause 11B

THAT, the Bill be amended by inserting the following new Clause immediately after Clause 11A—

Amendment of
section 12 of
Cap. 189A.

11B. Section 12 of the principal Act is amended by deleting subsection (1) and substituting therefor the following new subsection—

- (1) The Trustees appointed under section 10 shall be appointed by virtue of their knowledge or experience in matters relating to human resource, pension administration, actuarial science, banking, insurance, finance, accounting, economics, audit, law or any other relevant field.

(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party, move new clause 11B for Second Reading.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that new clause 11B be now read a Second Time.

This is the amendment that specifies the actual qualifications.

(Question, that the new clause be read a Second Time, proposed)

(Question, that the new clause be read a Second Time, put and agreed to)

(Question, that the new clause be added to the Bill, put and agreed to)

New Clause 12A

THAT, the Bill be amended by inserting the following new Clause immediately after Clause 12—

Amendment of
section 14 of
Cap. 189A.

12A. The principal Act is amended by deleting section 14 and substituting therefor the following new section—

Filling
vacancy.

of

14. Whenever the office of a Trustee appointed under section 10(1) becomes vacant before the expiry of the Trustee’s term of office, the Cabinet Secretary shall, on the recommendation of the nominating body, appoint a person similarly qualified to fill the vacant position.

(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the new clause 12A be now read a Second Time.

This amendment provides for continuity so that where a trustee leaves office before the expiry of their term, the Cabinet Secretary, upon the recommendation of the nominating authority can appoint somebody to serve the rest of the term just to ensure there is continuity.

(Question, that the new clause be read a Second Time, proposed)

(Question, that the new clause be read a Second Time, put and agreed to)

(Question, that the new clause be added to the Bill, put and agreed to)

New Clause 13A

THAT, the Bill be amended by inserting the following new Clause immediately after Clause 13—

Amendment
of section 19
of Cap. 189A.

13A. The principal Act is amended by deleting section 19 and substituting therefor the following new section —

Powers
of the
Board.

19. (1) In the exercise of its functions, the Board shall be accountable to the employer and to the members of the Fund.

(2) The Board shall have all powers necessary for the proper performance of its functions under this Act and in particular, the Board shall have the power to—

- (a) control, supervise and administer the assets of the Fund in such manner and for such purposes as best promote the purpose of providing retirement benefits for members of the Fund;
- (b) determine the provisions to be made for capital and recurrent expenditure and for reserves of the Fund;
- (c) receive contributions from members and authorize the custody, investment and administration of these contributions and the payment of retirement benefits as provided under this Act;
- (d) enter into association with such other bodies or organizations within or outside Kenya as the Board may consider desirable or appropriate and in furtherance of the purpose for which the Fund is established;
- (e) subcontract any of its functions to a person or firm with proven experience in the particular function being subcontracted;
- (f) give such direction as it may consider necessary to give effect to the provisions of this Act; and
- (g) do such other things as are necessary to give effect to the provisions of this Act.

(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the new clause 13A be now read a Second Time.

This is to bring consistency of the word ‘scheme’ and ‘fund’ and to replace ‘government’ with ‘employer’.

*(Question, that the new clause be
read a Second Time, proposed)*

*(Question, that the new clause be read
a Second Time, put and agreed to)*

*(Question, that the new clause be added
to the Bill, put and agreed to)*

New Clause 14A

THAT, the Bill be amended by inserting the following new Clause immediately after Clause 14—

Amendment of 14A. Section 21 of the principal Act is amended in the marginal note
 section 21 of by deleting the word “Board” and substituting therefor the word “Fund”.
 Cap. 189A.

(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the new clause 14A be now read a Second Time.

This amendment is to substitute the word ‘Board’ with ‘Fund’ to promote consistency in the Act.

(Question, that the new clause be read a Second Time, proposed)

(Question, that the new clause be read a Second Time, put and agreed to)

(Question, that the new clause be added to the Bill, put and agreed to)

New Clause 15A

THAT, the Bill be amended by inserting the following new clauses immediately after clause 15: -

Amendment of 15A. Section 23 of the principal Act is amended in
 section 23 of subsection (2) by inserting the words “by the Chairperson or the
 Cap. 189A. Chief Executive Officer” immediately after the word
 “authenticated”.

(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the new clause 14A be now read a Second Time.

The Temporary Chairman (Hon. David Ochieng’): Clause 15A. Take it again. You are moving New Clause 15A.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that new clause 15A be now read a Second Time.

This is to clarify that the officers authorized to authenticate documents using the Common Seal is either the Board Chairperson or the Chief Executive Officer of the Fund.

The Temporary Chairman (Hon. David Ochieng’): Thank you.

(Question, that the new clause be read a Second Time, proposed)

(Question, that the new clause be read a Second Time, put and agreed to)

(Question, that the new clause be added to the Bill, put and agreed to)

New Clause 15B

THAT, the Bill be amended by inserting the following new clause immediately after clause 15A:

Amendment of section 24 of Cap. 189A.	15B. Section 24 of the principal Act is amended in subsection (3) by deleting the word “Government” appearing immediately after the words “in respect of whom the” and substituting therefor the word “employer”.
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(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party move clause 15B.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the new clause 15B be now read a Second Time.

This is to replace the reference of the word Government, with employer.

*(Question, that the new clause be
read a Second Time, proposed)*

*(Question, that the new clause be read
a Second Time, put and agreed to)*

*(Question, that the new clause be added
to the Bill, put and agreed to)*

New Clause 19A

THAT, the Bill be amended by inserting the following new clause immediately after clause 19:

Amendment of section 29 of Cap. 189A.	19A. Section 29 of the principal Act is amended in subsection (3) by deleting the word “Scheme” appearing immediately before the words “against the” and substituting therefor the word “Fund”.
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(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party, move for Second Reading.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the new clause 19A be now read a Second Time.

This is to substitute Scheme with the word, Fund.

*(Question, that the new clause be
read a Second Time, proposed)*

*(Question, that the new clause be read
a Second Time, put and agreed to)*

*(Question, that the new clause be added
to the Bill, put and agreed to)*

New Clause 23A

THAT, the Bill be amended by inserting the following new clause immediately after clause 23:

Repeal and replacement of section 34 of Cap. 189A. 23A. The principal Act is amended by deleting section 34 and substituting therefor the following new section:

Prohibited payments out of the Fund.

34. No payment shall be made out of the Fund:

- (a) to the employer without prior written consent of the Retirement Benefits Authority;
- (b) to a member while he or she is still in public service; or
- (c) to any person as a loan, advance or other similar benefit or payment except as provided under section 28.

(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng'): Leader of the Majority Party, move clause 23A for Second Reading.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the new clause 23A be now read a Second Time.

This intends to align the Act with the Retirement Benefits Act and the regulatory framework administered by the authority, by requiring the authority's prior written consent be obtained before any payment is made to an employer from the Fund. This intends to safeguard members' retirement savings.

(Question, that the new clause be read a Second Time, proposed)

(Question, that the new clause be read a Second Time, put and agreed to)

(Question, that the new clause be added to the Bill, put and agreed to)

New Clause 26A

THAT, the Bill be amended by inserting the following new clause immediately after clause 26:

Repeal and replacement of section 38 of Cap. 189A. 26A. The principal Act is amended by deleting section 38 and substituting therefor the following new section:

Duty of care.

38. The administrator, manager and custodian shall:

- (a) ensure that the Fund is at all times managed or held in accordance with the provisions of this Act, the regulations or guidelines made under this Act and any directions issued by the Retirement Benefits Authority;
- (b) take reasonable care to ensure that the management of the Fund or safe keeping

- of the assets of the Fund is carried out in the best interests of the members;
- (c) report to the Board, as soon as is reasonably practicable, any unusual occurrence with respect to the Fund which in their view could adversely affect the rights of the owner of a retirement savings account under the Fund; and
 - (d) report to the Board, as soon as is reasonably practicable, if the employer is in default if remittance of any contributions and such remains due for more than ten days.

(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party, move clause 26A for Second Reading.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the new clause 26A be now read a Second Time.

This is to align this Act with the Retirement Benefits Act and to provide for the duty of care by the administrator of the Fund, the manager and custodians in the management and safekeeping of the Fund.

(Question, that the new clause be read a Second Time, proposed)

(Question, that the new clause be read a Second Time, put and agreed to)

(Question, that the new clause be added to the Bill, put and agreed to)

New Clause 40A

THAT the Bill be amended by inserting the following new clause after clause

40:

Insertion on
new section
40A in Cap.
197.

40A. The Retirement Benefits Act is amended by inserting the following new section immediately after section 40—

Fees of a
manager and
custodian.

40A. (1) A manager registered under this Act shall be entitled to an annual fee not exceeding zero-point two per cent of the value of assets of the Fund under their management.

(2) A custodian registered under this Act shall be entitled to an annual fee not exceeding zero-point zero two per cent of the value of assets of the Fund.

(3) A registered scheme may, subject to the approval of the Authority, engage a manager or a custodian at a fee exceeding the fee prescribed under subsections (1) and (2).

(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party, move clause 40A for Second Reading.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the new clause 40A be now read a Second Time.

This is a consequential amendment to the Retirement Benefits Act to cap the annual fee payable to a fund manager registered under the Act to zero-point two per cent of the value of the assets of the fund under the manager’s control. This is not just for Public Service Superannuation Fund (PSSF), we are now amending the mother Act, the Retirement Benefits Act, to align it with what we have done to PSSF to protect other funds as well, not just the PSSF.

(Question, that the new clause be read a Second Time, proposed)

The Temporary Chairman (Hon. David Ochieng’): Hon. Omboko.

Hon. Omboko Milemba (Emuhaya, ANC): As the Leader of the Majority Party has mentioned, this is quite consequential. This is because we realised along the way that it is an area which would be used to take savers’ money away. It is very good that we do it in all other schemes because people have been marauding around and timing, because it is law that there must be a fund manager. Therefore, they will always go to that space and start earning very hefty sums of money from these retirement benefits schemes and other schemes of this nature. It is, therefore, a very good amendment so that we control the amount of money they can actually be paid when they are serving in those positions. It goes a long way towards what I was originally saying. This is very important for us.

Thank you.

(Question, that the new clause be read a Second Time, put and agreed to)

(Question, that the new clause be added to the Bill, put and agreed to)

New Clause 42

THAT, the Bill be amended by inserting the following new Clause immediately after Clause 41—

Saving
transition. and

42. (1) A member of the Public Service Superannuation Scheme immediately before the commencement of this Act shall be a member of the Public Service Superannuation Fund.

(2) A person who is a member of the Board of Trustees of the Public Service Superannuation Fund immediately before the commencement of this Act shall continue to be a member of Board of Trustees of the Fund for the remainder of their unexpired term.

(3) A person who is an employee of the Board of Trustees of the Public Service Superannuation Fund immediately before the commencement of this Act shall continue to serve as an employee of the Fund under their respective terms of employment.

(4) All funds, assets and other property which immediately before the commencement of this Act were held

by or on behalf of the Public Service Superannuation Scheme shall vest in the Public Service Superannuation Fund.

(3) All rights, duties and liabilities arising under any written law or otherwise, which immediately before the commencement of this Act were accruing, imposed or enforceable by or against the Public Service Superannuation Scheme shall vest in, be imposed on, or be enforceable against the Public Service Superannuation Fund.

(4) Any suit or legal proceedings by or against the Public Service Superannuation Scheme shall continue as if they were instituted by or against the Public Service Superannuation Fund and no such suit, action or legal proceedings shall abate or be terminated by the virtue of the provisions of this Act.

(The new clause was read a First Time)

The Temporary Chairman (Hon. David Ochieng’): The Leader of the Majority Party to move new clause 42 for Second Reading.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, before I move the Second Reading for Clause 42A, allow me to assure Hon. Omboko, whom I think is a Member of this Committee; that, when the Committee went for public participation, and the Chairman will bear me witness, among the stakeholders who opposed this particular provision was the management of the National Social Security Fund (NSSF). I have to say this because, over the years, they were used to spending money as if it was their own. The National Assembly is now telling the management of NSSF that if the sun was shining and you were making hay, please, you had better start planting new grass now.

(Applause)

The sun will not shine on you anymore. We must cap how much money they can spend on fund managers and custodians, because this has been a cash cow. I dare say that even at NSSF. In fact, NSSF has been the biggest culprit up to now. The only way we can stop it is by capping how much they can spend.

Therefore, Hon. Omboko, I know you are a good trade unionist. You can tell your members that the National Assembly of Kenya has finally capped how much can be stolen from them by unscrupulous people, be it at NSSF or wherever else. That is what we are charged with doing as representatives of the people. The people out there depend on us to protect their savings, and we must protect even the savings at NSSF. They now discover that they can no longer buy land unnecessarily.

In the past, NSSF was a cash cow where any political wheeler-dealer would go and buy land in funny places and sell it to NSSF at exorbitant prices. When they discovered that they could no longer do that, they went into fund management. We must also look at that fund management. The Departmental Committee on Social Protection must do its work in offering meaningful oversight on what NSSF and its management are doing.

(Applause)

Let me leave it there because we shall be getting to it. I can see the Chairpersons of the Public Accounts Committee and Public Investments Committee looking at me. You know what

I am talking about when I speak about meaningful oversight. It must happen at NSSF, and it will happen.

Hon. Temporary Chairman, I beg to move that the new clause 42 be now read a Second Time.

This is just to provide very comprehensive savings and transitional provisions to facilitate the seamless transition from the Public Service Superannuation Scheme to the fund. It was important to have this so that there is a seamless transition.

I beg to move.

(Question, that the new clause be read a Second Time, proposed)

The Temporary Chairman (Hon. David Ochieng’): Hon. Donya, you can now make your comment.

Hon. Dorice Donya (Kisii County, WDM): To add to what the Leader of the Majority Party has said, when retirees follow up on their benefits, it becomes a tall order if one does not know anyone in that office. Imagine travelling all the way from Mombasa or Kisii to Nairobi with no place to sleep and yet someone needs to be bribed before they pay your retirement benefits. Indeed, they have to be monitored.

Thank you, Hon. Temporary Chairman.

The Temporary Chairman (Hon. David Ochieng’): Let us have the Chairman of the Departmental Committee on Finance and National Planning.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Chairman, the issue of pensions is very emotive. It is unfair for someone to offer their entire healthy life to serving the Republic of Kenya but when they ask for their pension when they retire, they are told to wait for six months to one year, and they have to bribe some people before their money is released.

A few months ago, they were being asked for their first pay slip and job contract. This must come to an end. Even as we improve on this legal architecture, this House shall rise to the occasion to ensure that we supervise and oversee its implementation. That way, the issue of people being asked for payslip *ya sijui lini* will be resolved. Let people transition in peace. When you go on retirement, any payslip should be used to release your pension and there should be no subject of discussion on that matter.

Thank you, Hon. Temporary Chairman.

The Temporary Chairman (Hon. David Ochieng’): Hon. Adagala.

Hon. Adagala Beatrice (Vihiga County, ANC): Thank you, Hon. Temporary Chairman. I also want to comment on the issue of NSSF. When members of the public or workers retire, they take so long to be paid their pension and related benefits.

Therefore, the amendment that we are making now should be followed to the later so that once somebody retires, he or she is given their money as they go home to do other things instead of being frustrated by being forced to travel all the way from Vihiga County in search of their pension. There are several teachers and other people who have retired but have not been paid their pension.

Therefore, I support this amendment wholeheartedly for the sake of my people in Vihiga County.

Thank you.

The Temporary Chairman (Hon. David Ochieng’): Hon. Kemei.

Hon. Beatrice Kemei (Kericho County, UDA): Thank you, Hon. Temporary Chairman. I want to support the Leader of the Majority Party and the Members who have spoken about the issue of NSSF. I worked for NSSF but I have not been paid my dues to date. This is because, I lost one of the payslips that they needed for verification. So, the process is ongoing. I can see the money, but I cannot access it.

At least I am a Member of Parliament but we have people who depend on those benefits for their livelihood, but they have not been paid. You can imagine how difficult it is to trace the first payslip, especially if you changed from one employer to the other. They expect members of the public to know all their employers. Remember that most of these people are paid very little salaries.

Thank you, Leader of the Majority Party, for bringing this amendment. Something should be done about NSSF. We are happy with what is happening now.

Thank you.

The Temporary Chairperson (Hon. David Ochieng’): Let us have Hon. Bashir.

Hon. Major (Rtd) Abdullahi Sheikh (Mandera North, UDM): I think the issue of retirement benefits for workers is a bit emotive. You can imagine someone travelling all the way from Mandera to Nairobi for three weeks to one month, and then he is told to come back later.

The worst part is that there is no oversight on how these Kenyans are being treated. These are hardworking Kenyans, some of whom have served the country for 30 to 40 years. Unfortunately, they are being asked to provide certain documents like contracts. How is it possible that this person has worked for 30 to 40 years but they are now being asked to produce such a document? The worst part is that most of them will be asked to part with a certain percentage as bribes from their hard-earned money for their retirement benefits to be released. It so sad, Hon. Temporary Chairman.

As a Parliament, I think we need to put certain measures in place to ensure that the process of accessing retirement benefits is seamless such that by the time one goes to claim retirement benefits, their documents and any other requirement are ready. The worst part is that retirees are asked for bribes. They are told: “We will process your benefit but first part with a certain percentage of your hard-earned benefits.” It is so unfortunate. I have cases in my office where people have come to ask me to contribute a certain amount of money they need to pay for their benefits to be processed.

The Temporary Chairman (Hon. David Ochieng’): Thank you. Hon. Jerusha.

Hon. Jerusha Momanyi (Nyamira County, JP): Thank you, Hon. Temporary Chairman. I also want to contribute. It is very unfortunate that in Kenya, when somebody has worked for so many years, built Kenya as a nation, and is finally retiring, that person does not easily get his or her benefits, especially from the National Social Security Fund (NSSF). This has been the case for a long time.

Retired persons who have worked for this country sometimes get sick and need medication. They need money to go to hospital. However, when they go to some of these offices to get help, they are met with bureaucratic procedures they do not understand. As we amend this today, we want to make sure that we track and oversee whatever happens in those offices, so that persons who have worked for this country for so long and have built our nation get their benefits in time.

There are times people in the offices take advantage of such persons and even take so much money from them. In fact, some of them die before receiving their benefits. So, I also want to support this Bill. It should be passed as early as possible to assist our people.

Thank you.

The Temporary Chairman (Hon. David Ochieng’): Hon. Muthoni.

Hon. Dorothy Muthoni (Nominated, UDA): Thank you, Hon. Temporary Chairman. This is the best evening for me. The Bill we are discussing today is the most progressive as far as retired workers are concerned. They have suffered at the hands of brokers and middlemen who claim that they want to help them follow up on their dues. I am very happy this evening that a Kenyan citizen can work for the Government, retire and seamlessly receive their retirement benefits without passing through other hands.

I also want to support what the Leader of the Majority Party said. I want to thank His Excellency the President because savings in the National Social Security Fund (NSSF) have now doubled or tripled. Workers in this country should be assured that the money they receive at the end of their service to the Kenyan Government is paid without interference or encumbrances.

Thank you.

The Temporary Chairman (Hon. David Ochieng’): Hon. Waqo.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Chairman, for giving me this opportunity. I also want to join my colleagues in saying that many civil servants have suffered in the past when claiming their retirement benefits. It is good that this Government, and especially our President, is concerned about every person in this country, particularly the working class. This amendment will benefit our people.

We need to take into consideration the distance people travel when they come to claim their dues. It is unfortunate that many people have suffered in the past. Some have even died before receiving their dues. We need to make it clear that people should not have to travel all the way from Marsabit, northern Kenya or Laikipia to claim their dues. When they arrive in Nairobi, they are again exposed to corruption, because people demand bribes before they can even enter certain offices.

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

The Temporary Chairman (Hon. David Ochieng’): Hon. Ichung’wah, I thought this was being closed.

Hon. Kimani Ichung’wah (Kikuyu, UDA): You know, I seem to have opened a Pandora’s box. It is only fair that we, as leaders in this country, be very honest. The issues Members are raising, including those raised by Hon. Naomi Waqo, do not mean that ordinary staff members at the National Social Security Fund (NSSF) are the ones demanding bribes. Fish always rots from the head.

If staff at NSSF are demanding bribes, the management must look again at what they are doing there. Listening to Members of the Committee and Members of this House, I want to ask the management of NSSF to shape up or ship out.

It cannot be that they even imagine that they cannot be overseen by this House. This House oversees the Fund because it manages savings of Kenyans that we represent, including our savings, because we are also savers at NSSF. Therefore, I want to tell the managing trustees of NSSF and the management at NSSF that oversight by the National Assembly will not and can never be optional. I am told they are very arrogant even when appearing before the Committee. That will change and it has to change. I better say it from this Floor so that the management at NSSF hears me and hears me clearly.

The billions and trillions of shillings they manage at NSSF do not belong to them; they belong to Kenyan savers. People cannot be sacrificing their entire productive life working, then suffer in old age because of people who sit in plush offices in Nairobi. It cannot be! With the increase in savings by Kenyans, and they have more money administratively, it is time they started devolving the functions of NSSF down to either the county or sub-county level. There is no reason why someone should walk all the way from Marsabit or Mandera, as the Member for Mandera North says, to come and be asked for a bribe in Nairobi. What for? And they worked all their life when they were young!

The Temporary Chairman (Hon. David Ochieng’): Thank you.

Hon. Kimani Ichung’wah (Kikuyu, UDA): We must not punish people in their old age and we must not allow the management at NSSF to punish people in their old age. In this day and age of technology, why would you even be asked to come and do things in Nairobi? You should just be sitting with your phone in your village or ask your grandchildren to ask for

your savings, and you get it online. They ought to send the money or a cheque to you. That is what happens in all civilised worlds. It is only in this country that we hear of old people being asked for bribes at NSSF. That must come to an end. The managing trustee, NSSF must hear the House today. We are telling you: if you do not hear the House, you will hear from us very soon.

The Temporary Chairman (Hon. David Ochieng’): Thank you, Members. I now put the question.

(Hon. Naomi Waqo spoke off the record)

Oh, you are being informed. Sorry about that. Go ahead and finish.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, my able leader. That is beneficial to all of us.

Hon. Temporary Chairman, NSSF is the only office in this country where a Member of Parliament goes and ends up sitting there for three hours without seeing anybody and walks out without anybody giving them any attention. That should come to an end because we are representing our people.

Again, my leader, another thing that we should give attention to is to conduct a proper audit of employees and see if the face of Kenya is well represented there.

Thank you.

The Temporary Chairman (Hon. David Ochieng’): I was closing this, Hon. Francis. Okay.

Hon. Kuria Kimani (Molo, UDA): Now that the Leader of the Majority Party has talked about being asked for bribes and the need to devolve this particular matter, I have remembered that when I was in my constituency a few weeks ago, I was told by one of my people that they actually have devolved the processing of pensions. It is just that the processing of pensions has been devolved to private people. Everywhere across the country, there is someone you go to see and you are charged a fee to help you process and get the payment.

Apparently, it goes all the way up. If you do not behave in that particular manner, you will never get your pension paid. So, it is possible for NSSF to do it. The same way they are devolving their service illegally, let them now devolve it by opening it up across the sub-counties in this country. Let them even use the existing offices of the National Government Constituencies Development Fund (NG-CDF) or the National Government Administration Officers (NGAO) offices. It is possible to do that now. Let them automate the the processing and payment of dues at NSSF. This also applies to the Pensions Department in the National Treasury.

The Temporary Chairman (Hon. David Ochieng’): It seems the money they are going to be saving from the management fee will be used to open new offices in counties.

*(Question, that the new clause be read
a Second Time, put and agreed to)*

*(Question, that the new clause be
added to the Bill, put and agreed to)*

Clause 2

The Temporary Chairman (Hon. David Ochieng’): Hon. Members, the Leader of the Majority Party has an amendment to Clause 2.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move: THAT, Clause 2 of the Bill be amended—

(a) in paragraph (a), by—

- (i) inserting the following new definition in proper alphabetical sequence—
“adherence agreement” means an agreement in writing made between an employer and the Board which forms the basis upon which an employer is admitted to join and participate in the provision of retirement benefits to its employees under the Act;
- (ii) deleting the word “Scheme” in the proposed new definition of “beneficiary” and substituting therefor the word “Fund”;
- (iii) deleting the word “Scheme” in the proposed new definition of “deferred member” and substituting therefor the word “Fund”;
- (iv) deleting the proposed definition of “employer” and substituting therefor the following new definition—
“employer” means—
 - (a) the Teachers Service Commission;
 - (b) the National Police Service Commission or an authorized officer duly appointed by the National Police Service Commission;
 - (c) the Public Service Commission or an authorized officer duly appointed by the Public Service Commission;
 - (d) any other national government entity that the Cabinet Secretary may determine to be public service for the purposes of this Act; and
 - (e) any other entity that the Cabinet Secretary may determine to be an eligible employer for the purposes of this Act.
- (b) in paragraph (b), by deleting the word “Scheme” in the proposed new definition of “administrator” and substituting therefor the word “Fund”;
- (c) inserting the following new paragraphs after paragraph (b)—
(c) deleting the definition of “contribution” and substituting therefor the following new definition—
“contribution” means the amount payable by a member and an employer into the Fund;
- (d) in the definition of “Fund”, by deleting the expression “section 9” appearing immediately after the words “established under” and substituting therefor the expression “section 3”;
- (e) in the definition of “member” by deleting the word “Scheme” appearing immediately before the expression “under section 5” and substituting therefor the word “Fund”;
- (f) deleting the definition of “notional interest”;
- (g) deleting the definition of “pensionable emoluments” and substituting therefor the following new definition—
“pensionable emoluments” means the basic salary of a member;
- (h) deleting the definition of “Scheme”.

These amendments seek to introduce the definition of an adherence agreement to facilitate the admission of additional employers not expressly provided for under the Act, including those declared by the Cabinet Secretary to be employers for the purposes of the Act, thereby enhancing legal certainty and consistency in administration of the Fund.

(Question of the amendment proposed)

*(Question, that the words to be inserted
be inserted, put and agreed to)*

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 2 as amended agreed to)

(Title agreed to)

Clause 1

The Temporary Chairman (Hon. David Ochieng’): Leader of the Majority Party, you have an amendment to Clause 1.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to withdraw that amendment. It will conflict with the parent Act. We will do it at a later stage.

Hon. Kuria Kimani (Molo, UDA): On a point of order, Hon. Temporary Chairman.

The Temporary Chairman (Hon. David Ochieng’): Go ahead. What is out of order?

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Chairman, I want to thank the Leader of the Majority Party for withdrawing this amendment because if we change the word “Scheme” to the word Fund”, the definition of a Fund under the Public Finance Management (PFM) Act, 2012 would apply and we all know the effects.

It is possible for the Fund to operate as per the clauses we have passed while still retaining the name “Scheme”, so that it is in line with all the other retirement schemes in the Republic of Kenya.

*(Proposed amendment by
Hon. Kimani Ichung’wah withdrawn)*

(Clause 1 agreed to)

The Temporary Chairman (Hon. David Ochieng’): Hon. Members, I now call the Mover to move reporting.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Chairman, I beg to move that the Committee reports to the House its consideration of the Public Service Superannuation Scheme (Amendment) Bill (National Assembly Bill No. 33 of 2025) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

The Temporary Chairman (Hon. David Ochieng’): Hon. Members, that marks the end of the Committee of the whole House on that Bill. I thank you for your patience and very active participation throughout the Committee of the whole House on the three Bills. This would not have been possible if you did not stay put in the House this evening.

(The House resumed)

IN THE HOUSE

*[The Temporary Speaker
(Hon. Omboko Milemba) in the Chair]*

MOTION

CONSIDERATION OF REPORT ON THE
PUBLIC SERVICE SUPERANNUATION SCHEME (AMENDMENT) BILL

The Temporary Speaker (Hon. Omboko Milemba): Take your seats, Hon. Members. We will begin with the Public Service Superannuation Scheme (Amendment) Bill (National Assembly Bill No. 33 of 2025). Hon. Chairperson.

Hon. David Ochieng' (Ugenya, MDG): Hon. Temporary Speaker, I beg to report that the Committee of the whole House has considered the Public Service Superannuation Scheme (Amendment) Bill (National Assembly Bill No. 33 of 2025) and approved the same with amendments.

The Temporary Speaker (Hon. Omboko Milemba): Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Which one?

The Temporary Speaker (Hon. Omboko Milemba): The Public Service Superannuation Scheme (Amendment) Bill (National Assembly Bill No. 33 of 2025). The last one that was done.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, my apologies. The Member for Mukurweini was consulting me on something.

Hon. Temporary Speaker, I beg to move that the House do agree with the Committee in the said report. I also request Hon. Naomi Waqo to second the Motion for agreement with the Committee of the whole House.

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Temporary Speaker, I second.

(Question proposed)

(Question put and agreed to)

BILL

Third Reading

THE PUBLIC SERVICE SUPERANNUATION SCHEME (AMENDMENT) BILL
(National Assembly Bill No. 33 of 2025)

The Temporary Speaker (Hon. Omboko Milemba): Mover.

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

Hon. Hilary Kosgei (Kipkelion West, UDA): Hon. Temporary Speaker, this is a great day for Kenya. I second.

(Question proposed)

(Question put and agreed to)

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

MOTION

CONSIDERATION OF REPORT ON THE TAX LAWS (AMENDMENT) BILL

The Temporary Speaker (Hon. Omboko Milemba): Hon. Members, we now move to the Tax Laws (Amendment) Bill (National Assembly Bill No. 65 of 2026). The Chairperson.

Hon. David Ochieng' (Ugenya, MDG): Hon. Temporary Speaker, I beg to report to the House that the Committee of the whole House has considered the Tax Laws (Amendment) Bill (National Assembly Bill No. 65 of 2026) and approved the same with amendments.

The Temporary Speaker (Hon. Omboko Milemba): Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, I beg to move that the House do agree with the Committee in the said report.

I request the Member for Molo and the Chairperson of the Departmental Committee on Finance and National Planning to second the Motion for agreement with the report of the Committee of the whole House.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Speaker, I second.

(Question proposed)

The Temporary Speaker (Hon. Omboko Milemba): Do I proceed to put the Question?

Hon. Members: Yes.

(Question put and agreed to)

BILL

Third Reading

THE TAX LAWS (AMENDMENT) BILL (National Assembly Bill No. 65 of 2026)

Hon. Temporary Speaker (Hon. Omboko Milemba): Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, I beg to move that the Tax Laws (Amendment) Bill (National Assembly Bill No. 65 of 2026) be now read a Third Time.

Hon. Temporary Speaker, I take this opportunity to thank the Members who have stayed on until late into the night to help Kenyans. I request the Member for Molo and the Chairperson of the Departmental Committee on Finance and National Planning to second.

(Applause)

I also thank the Member for Suba South, Hon. Caroli Omondi, because, although he supported this Bill and made a number of statements that we challenged as untrue, at least, he was here to stand with the people of Kenya.

You will realise that there are many other characters out there. Some have taken to social media, while others have called press conferences to speak about fuel prices. Yesterday, as we discussed who a fool is, someone read the definition of a fool from the dictionary.

Unfortunately, fools also imagine that other people are fools. You will see someone purporting to make Kenyans believe that this is the first time the Energy and Petroleum Regulatory Authority (EPRA) is announcing new fuel prices, yet we know that on the night of the 15th of every month, EPRA announces the fuel prices that apply for the following month. Someone then goes to the media and purports to be breaking news to Kenyans. Kenyans know you and can now see through you and all your lies.

There are also intellectual conmen and pretenders whom I have seen taking to social media to lecture the President and this House, claiming that it is too late. If you are a Member of this House, the National Assembly, you know that it has the singular mandate to pass money-related Bills and other pieces of legislation. You have been sitting in this House, but have never proposed anything or moved any amendment to address these fuel prices. You then take to social media purporting to lecture people. Again, Kenyans can see through your conmanship. They now know you understand that they cannot trust you. You say things you do not intend to do. That is why you speak about matters in the Finance Bill that are not contained in the Bill. When challenged, you run away.

You lecture Kenyans in small lecture halls on paper economics or theoretical economics. However, when push comes to shove, and Kenyans expect you to speak for them, you do not have the merit to stand before them and speak on their behalf because you know that what you are saying is untrue. You know that you are merely speaking to the gallery. That is the same thing I see them doing now on social media. I wish they would leave their social media and media platforms, where they purport to speak for Kenyans, and do what ought to be done through legislation.

Even those who are not Members of Parliament have Members of Parliament following them, although there are only a handful. I am sorry I used my fingers, just as they do. I should have said there are only a handful of them. You should ask that handful of Members of Parliament to be here today. Where are they? They should follow the example of Hon. Caroli Omondi, who was here supporting this Bill.

Where are those who are supposed to speak for Kenyans? That is why I take this opportunity to thank all the Members who have taken the time to be here.

(Applause)

You can see that none of these Members is a supporter of the so-called disunited Opposition. I was trying to establish whether the Member for Mukurweini was still here. He had just come, whispered something to me and returned to the Members' Lounge. That is what happens; they are not here when they are required.

However, out there at funerals and on top of cars, they shout themselves hoarse and purport to lecture people. If you are a Member of this House, do not go to lecture people at public rallies or from the tops of cars. Come here and do what you ought to be doing on behalf of the people of Kenya.

I must thank the Members of the Departmental Committee on Finance and National Planning, led by the very intelligent Member for Molo, Hon. Kuria Kimani.

(Applause)

They stand with Kenyans and present matters as they are. Today, recognising that Kenyans are still suffering as a result of the war in the Gulf, the Committee has stepped in to help them continue benefiting from lower fuel taxes. This will allow us to assess the situation in the Gulf region over the next three to six months without imposing the full 16 per cent Value Added Tax (VAT) on fuel.

The Committee, led by Hon. Kimani, has also responded to the concerns raised by importers of sanitary tiles and sanitary ware, including toilet sinks and basins. Kenyans building their humble homes could not afford these fixtures because of the high costs. The Committee has stepped in to address the matter.

Indeed, that is the kind of leadership that is not being publicised on social media. Leadership is not just about calling press conferences to make all manner of allegations against others and pointing fingers while doing nothing yourself.

Thank you, Hon. Temporary Speaker. I beg to move and request the Chairperson of the Departmental Committee on Finance and National Planning to second.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Kuria Kimani.

Hon. Kuria Kimani (Molo, UDA): Thank you, Hon. Temporary Speaker. I wish to pick up from where the Hon. Leader of the Majority Party left off. It is very important that Kenyans hold the Members of Parliament elected to this House to account.

If, for example, a Member stood up today and raised a Quorum Bell, we would not have been able to pass this law, even if we wanted to. Consequently, fuel prices would have increased by at least Ksh16 per litre starting at midnight tonight.

The Members seated here today to support this Bill are the ones who will ensure that fuel prices at the pump do not increase. It is important to make this point because the usual absentees, who are never here when it matters, will make noise. They will be the ones lecturing us on what we should or should not do. However, when called upon to rise to the occasion, they are nowhere to be seen. Would it not be better to come and vote? At the very least, be present in the House and make your voice heard! If we did not have the numbers today, fuel prices would have gone up. We know EPRA cannot gazette its prices without this particular amendment. The Valued Added Tax (VAT) rate would have remained at 16 per cent. We are now proposing that it be reduced to 8 per cent.

Second, we have heard arguments at public rallies and elsewhere about what we should have done to reduce the cost of fuel. One argument is that fuel products should have been exempted from VAT. I repeat: that is how some people argue we should have reduced fuel prices. I wonder whether those advancing such arguments have ever attended a finance or economics class.

As we have explained in this House before, I will explain it, again, briefly. If a product is exempt from VAT, it does not attract VAT. However, exemption means that the VAT incurred in producing that particular good cannot be offset or claimed as input VAT. Consequently, if we made fuel products VAT exempt, they could become more expensive because dealers would be unable to claim their input VAT. Those dealers would pass the unclaimed VAT costs on to the final consumer, increasing the price of the product.

Therefore, even as we oppose something, we must seek to understand it first. By reducing VAT from 16 per cent to 8 per cent, we achieve two things: first, we reduce the VAT rate by eight percentage points. Second, and more important, we allow traders, distributors, and other players in the fuel sector to claim their input VAT. Consequently, the price of the product is expected to reduce.

As I said, it is very important that Kenyans hold us to account. Being a legislator is one of the highest-paying jobs in Kenya. Attending discussions and debates in this House, particularly on matters of national importance such as VAT on fuel, is not a favour to Kenyans. Every Member must ensure that they attend.

Hon. Temporary Speaker, I second.

(Question proposed)

(Question put and agreed to)

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

The Temporary Speaker (Hon. Omboko Milemba): Hon. Members, we proceed to the East African Development Bank (Amendment) Bill (National Assembly Bill No. 33 of 2026).

MOTION

CONSIDERATION OF REPORT ON THE EAST AFRICAN DEVELOPMENT BANK (AMENDMENT) BILL

Hon. David Ochieng' (Ugenya, MDG): Hon. Temporary Speaker, I beg to report to the House that the Committee of the Whole House has considered the East African Development Bank (Amendment) Bill (National Assembly Bill No. 33 of 2026) and approved the same with amendments.

The Temporary Speaker (Hon. Omboko Milemba): Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, I beg to move that the House do agree with the Committee in the said report. I request Hon. Nzambia to second the Motion for agreement with the report of the Committee of the whole House.

Hon. Thuddeus Nzambia (Kilome, WDM): Thank you, Hon. Temporary Speaker. I second.

(Question proposed)

(Question put and agreed to)

BILL

Third Reading

THE EAST AFRICAN DEVELOPMENT BANK (AMENDMENT) BILL (National Assembly Bill No. 33 of 2026)

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, I beg to move that the East African Development Bank (Amendment) Bill (National Assembly Bill No. 33 of 2026) be now read a Third Time. I request the Member for Ruiru, Hon. Simon King'ara, to second.

Hon. Simon King'ara (Ruiru, UDA): Hon. Temporary Speaker, I second.

(Question proposed)

(Question put and agreed to)

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

The Temporary Speaker (Hon. Omboko Milemba): Very well, Hon. Members. Let us move to the Next Order. Remember I re-arranged the Order Paper, so we are moving to Order No. 13

MOTIONS

ADOPTION OF PROGRESS REPORT ON IMPLEMENTATION OF
RESOLUTIONS OF THE HOUSE ON BATUK INQUIRY AND
KENYA-UK DEFENCE COOPERATION AGREEMENT

The Temporary Speaker (Hon. Omboko Milemba): Chairperson, Departmental Committee on Defence, Intelligence and Foreign Affairs. Is he in the House? Vice-Chairperson.

Hon. Major (Rtd) Abdullahi Sheikh (Mandera North, UDM): Hon. Temporary Speaker, I beg to move the following Motion:

THAT, this House adopts the Progress Report of the Departmental Committee on Defence, Intelligence and Foreign Relations on the implementation of resolutions of the House on the British Army Training Unit in Kenya Inquiry and the Kenya-United Kingdom Defence Cooperation Agreement, laid on the Table of the House on Tuesday, 13th October 2026.

On 4th December 2025, this House adopted 15 recommendations arising from the Committee's inquiry into the conduct of the British Army Training Unit in Kenya famously known as BATUK. While implementation efforts are ongoing, several substantive recommendations remain outstanding.

*[The Temporary Speaker
(Hon. Omboko Milemba) left the Chair]*

*[The Temporary Speaker
(Hon. David Ochieng') in the Chair]*

The Committee further established that the parliamentary reservations concerning Articles 6(5) and 23 of the 2021 Kenya-United Kingdom (UK) Defence Cooperation Agreement relating to criminal jurisdiction and corporate responsibility remain unresolved. Following engagements with Kenyan Government agencies and the UK, including the meeting with the UK Minister of State for Defence on 7th October 2026, the Committee recommends an amended version of a conditional 18-month extension of British Army Training Unit Kenya (BATUK) training licences, subject to the following conditions:

1. Expeditious ratification of the 2021 Kenya-UK Defence Cooperation Agreement.
2. Resolution of reservations concerning Articles 6(5) and 23 through amendments and/or legally effective interpretative declarations, including clarification on the termination of the 2015 Defence Cooperation Agreement extension.
3. Restriction of BATUK training to appropriately designated military land, in accordance with Kenyan law, with the proposed extension constituting the final temporary arrangement, unless substantive progress is demonstrated.
4. Quarterly reporting by the Ministry of Defence to the Committee on the implementation of the 15 House recommendations and progress towards resolving the impacts of the Defence Cooperation Agreement.

The proposed extension is intended to facilitate continued defence cooperation while ensuring that the outstanding parliamentary concerns are addressed within a defined period.

I would like us to note that we had almost three important engagements with different stakeholders, which included the Ministry of Defence, the Ministry of Foreign and Diaspora Affairs, and the Attorney-General. Later, we also met with the UK Minister of State for Defence

on these outstanding 15 resolutions that this House had made. We have covered good ground. Therefore, this Committee has come up with the recommendation of giving them an 18-month extension to continue training in Kenya, while addressing all the unresolved matters within that period. The lapse of that period means that the licence to operate in Kenya after 18 months will cease.

I, therefore, urge this House to adopt the Report and approve the recommendations contained therein. I beg to move and invite Hon. Kwenya Thuku to second this Motion. Thank you.

The Temporary Speaker (Hon. David Ochieng’): Hon. Kwenya.

Hon. Kwenya Thuku (Kinangop, JP): Thank you, Hon. Temporary Speaker. I take this opportunity to second the Motion. As I second, I would like to emphasise the reason we are giving an 18-month opportunity for the UK to comply with the 15 recommendations that we, as a Committee, made which were adopted by this House on 4th December 2025.

We have a very cordial relationship with the UK. However, we face a situation whereby there is every intent for the forces to withdraw from Nanyuki. As a Committee, we stand our ground and say that economic benefits do not supersede human rights. Therefore, we are seeking justice for the atrocities that were committed by British soldiers, especially in the case of Agnes Wanjiru. A British soldier called Robert Purkiss is alleged to have murdered a Kenyan.

We also had a meeting with the UK Embassy. They intimated to our Committee that the said culprit is facing a judicial process. Therefore, 18 months will suffice in terms of serving justice to the issues that we had raised. Therefore, it is in order that the House adopts this Report as it is, so that what needs to be done is executed within that stipulated time. Once they comply with all the recommendations that we, as a House, had passed on the said date, they can continue operating in Kenya.

I thank you, Hon. Temporary Speaker. I second the Motion.

(Question proposed)

The Temporary Speaker (Hon. David Ochieng’): Hon. Kimani Kuria.

Hon. Kuria Kimani (Molo, UDA): Thank you Hon. Temporary Speaker. There are things that we appreciate; one of them being the economic benefits that these United Kingdom (UK) troops have on our economy, especially to the economy of that place in Laikipia. All the same, I echo the words raised by the great Member for Kinangop Constituency, Hon. Kwenya, that the financial economic benefit cannot supersede the value of human life. Therefore, I am happy that the Committee stamped its foot on this particular decision and it is giving them an extension of the 18 months subject to the conditions meant to ensure that the rights of Ms Agnes Wanjiru are not abused.

However, there are three other concerns that I think the Committee should raise when in further engagement with this people. One is on the jurisdiction of Kenyan courts on particular British soldiers. What happens when British soldiers commit atrocities on our people in our land? Do we have to wait for them to be deported back to their country to face justice there? Remember, when it comes to collection of evidence, witness protection, or even the cost of those witnesses going to give witness account in hearings in the UK, it will be very expensive and very time consuming. I think that is one matter that should really be addressed.

Regarding the issue of accountability and immune privileges, there must be a balance. Most of the time, when you drive on our roads you realize that vehicles with the red plates, the democratic mission vehicles, are driven very dangerously even where speed limits have been prescribed. So, at what point do we balance these particular immunity privileges that we give to particular missions and such troops, yet again making sure that they are accountable.

Lastly, environmental conservation and protection of the host communities. There is a whole ecosystem of the Samburu, Maasai, Kikuyus, and all those other communities living around that particular area. How then do we make sure that the agreement that we have protects the livelihood, the dignity, and the rights of those particular people? Where there is pollution, for example, even noise alone is pollution... When they are running around and they, probably, have to close the road when they are testing, shooting and all that, there is pollution to those people. So, it is very important in addition to the rights of this particular lady that was vulnerable.

There are many other matters: the jurisdiction of our Kenyan courts; accountability; balance between accountability and immunity privileges; and, protection of host communities. That should be taken care of before we ratify this Act that we have extended. Thank you.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, allow me to also rise to support this recommendation by the Committee and to say that as much as we are giving this extension for 18 months, it does not mean that we have forgotten. I think the Committee has made it clear, that the reservations that are expressed by this House on behalf of the people of Laikipia still stand. I know we have had very many engagements with the British High Commission on this, but considering that these opportunities are also beneficial to the people of Kenya and especially the people of Laikipia and neighbouring counties where these British Army officers train, it was important that we have this extension for at least 18 months to also allow us to continue with the very meaningful engagements.

I had a meeting with the British High Commission in my office the other day. We have had a discussion with the Chair and the Vice-Chair of this Committee. The Prime Cabinet Secretary also doubles as a Minister in charge of our foreign relations. I am very confident that very soon we will get a way out of it and have this agreement done permanently; not just the one-and-a-half years renewal. This is just to say to the Committee and the small task force that we set up to deal with this issue, that we work very hard to ensure that we are able to complete this issue within that timeline of 18 months, which takes us to probably about the end of next year or the beginning of the year after. With that, I beg to support.

The Temporary Speaker (Hon. David Ochieng'): There being no further interest, I request the mover to reply.

Hon. Major (Rtd) Abdullahi Sheikh (Mandera North, UDM): Thank you Hon. Temporary Speaker. I want to appreciate the House and the Members who have contributed to support this Report. What they have noted is what this House had already noted before when you passed the Defence Cooperation Agreement (DCA) with the 15 reservations.

This progress Report is just to say that we give them 18 months so that within that period all these unresolved matters will be addressed. It is our hope that the DCA and all those issues raised will be effectively handled before the lapse of 18 months.

Thank you very much and I want to appreciate the Committee and all the Members who have made their contributions.

I beg to reply.

The Temporary Speaker (Hon. David Ochieng'): Hon. Members, it is time to make a decision on that matter.

(Question put and agreed to)

Next Order.

ADOPTION OF 10TH REPORT ON AUDITED ACCOUNTS OF
EGERTON UNIVERSITY FOR FYs 2018/2019 TO 2023/2024

THAT, this House adopts the Tenth Report of the Public Investments Committee on Governance and Education on its examination of the audited financial statements of Egerton University for the Financial Year 2018/2019 to 2023/2024, laid on the Table of the House on Thursday, 26th February 2026.

(Moved by Hon. Hon. Hon. Dick Oyugi on 13.10.2026)

(Resumption of debate interrupted on 13.10.2026)

The Temporary Speaker (Hon. David Ochieng’): Hon. Members, debate on this was ongoing and on his feet was Hon. Kassim Tandaza, who still had a balance of time.

I do not see any interest in this. I will therefore call the Mover to reply. Is there a Mover in the House?

Hon. Dick Oyugi (Luanda, DAP-K): Thank you very much, Hon. Temporary Speaker. We got very positive sentiments yesterday with regard to this Report. I, therefore, beg to reply.

The Temporary Speaker (Hon. David Ochieng’): Thank you.
Hon. Members, it is time to make a decision on that matter.

(Question put and agreed to)

Next Order.

APPROVAL OF DRAFT PRIVILEGES AND IMMUNITIES
(AFRICA FINANCE CORPORATION) ORDER, 2026

The Temporary Speaker (Hon. David Ochieng’): Hon. Chairperson, Committee on Delegated Legislation.

Hon. Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Speaker, I want to beg your indulgence because the Chair, Hon Chepkonga, has sought that we adjourn this to tomorrow afternoon. He had a very important meeting with a number of his constituents that he had to attend to. That is Orders No. 11 and 12.

May I also beg your indulgence on Orders No. 14, 15, and 16. We are still awaiting the committees’ Reports. We want to do that probably at a later time next week to allow the committees to table their Reports on these particular Bills.

The Temporary Speaker (Hon. David Ochieng’): The request is granted.

I just want to direct that we ensure that the Orders No. 11 and 12 be in the Order Paper for tomorrow afternoon. The rest of them as requested, will be put in the Order Paper when the reports are ready.

(Motion deferred)

ADOPTION OF PROGRESS REPORT ON IMPLEMENTATION OF
RESOLUTIONS OF THE HOUSE ON BATUK INQUIRY AND
KENYA – UK DEFENCE COOPERATION AGREEMENT

THAT, this House adopts the Progress Report of the Departmental Committee on Defence, Intelligence and Foreign Relations on the implementation

of resolutions of the House on the British Army Training Unit in Kenya Inquiry and the Kenya-United Kingdom Defence Cooperation Agreement, laid on the Table of the House on Tuesday, 13th October 2026.

(Motion deferred)

BILLS

Second Readings

THE INVESTMENT AND EXPORT PROMOTION AUTHORITY
(AMENDMENT) BILL
(National Assembly Bill No. 37 of 2026)

(Bill deferred)

THE TOURISM (AMENDMENT) BILL
(National Assembly Bill No. 41 of 2026)

(Bill deferred)

THE KENYA ECONOMIC ZONES BILL
(National Assembly Bill No. 46 of 2026)

(Bill deferred)

Next Order.

MOTIONS

ADOPTION OF 13TH REPORT ON AUDITED ACCOUNTS OF
SPECIFIED FUNDS FOR FYS 2020/2021 AND 2021/2022

THAT, this House adopts the Thirteenth Report of the Special Funds Accounts Committee on its consideration of audited Financial Statements for the Agricultural Food Authority Car Loan and Mortgage Scheme Fund, Veterinary Services Development Fund and Government Press Fund for FY 2020/2021 and 20021/2022, laid on the Table of the House on Wednesday, 14th August 2024.

The Temporary Speaker (Hon. David Ochieng’): Hon. Members, is the Chairperson, Special Funds Accounts Committee in the House? So, this is also deferred to the next time the House will schedule it.

(Motion deferred)

Next Order.

ADOPTION OF 4TH REPORT ON THE STATUS OF
IMPLEMENTATION OF THE CONSTITUTION

THAT, this House adopts the Fourth Report of the Constitutional Oversight Committee, laid on the Table of the House on Wednesday, 19th November 2025, on the Status of Implementation of the Constitution by –

- (i) The Independent Electoral and Boundaries Commission; and
- (ii) The Office of the Data Protection Commissioner.

The Temporary Speaker (Hon. David Ochieng’): The Chairperson of the Committee? This is also deferred to the next time it will be in the Order Paper.

(Motion deferred)

Next Order.

ADOPTION OF REPORT ON INSPECTION VISITS TO
CONSTITUENCIES’ OFFICES IN NAKURU COUNTY

THAT, this House adopts the Report of the Committee on Members’ Services and Facilities on inspection visits to Constituency Offices in Nakuru County, laid on the Table of the House on Thursday, 11th June 2026.

The Temporary Speaker (Hon. David Ochieng’): The Chairperson of the Committee on Members’ Services and Facilities. That stands deferred to next time it will be in the Order Paper.

(Motion deferred)

Next Order.

ADOPTION OF REPORT ON AUDITED ACCOUNTS OF
INSTITUTIONS OF HIGHER LEARNING IN THE
EASTERN REGION FOR FYS 2018/2019 TO 2023/2024

THAT, this House adopts the Report of the Public Investments Committee on Governance and Education on its examination of Audited Financial Statements of Institutions of Higher Learning (Eastern Region) for the Financial Years 2018/2019, 2019/2020, 2020/2021, 2021/2022, 2022/2023 and 2023/2024, laid on the Table of the House on Tuesday, 31st March 2026.

The Temporary Speaker (Hon. David Ochieng’): The Chairperson, Public Investments Committee on Governance and Education. I thought I saw Hon. Maungu. This is also deferred

(Motion deferred)

Next Order.

ADOPTION OF 5TH REPORT ON THE IMPLEMENTATION
STATUS OF REPORTS ON PETITIONS AND HOUSE RESOLUTIONS

THAT, this House adopts the Fifth Report of the Select Committee on Implementation on the Implementation status of Reports on Petitions and

Resolutions passed by the House, laid on the Table of the House on Wednesday, 3rd December 2025.

The Temporary Chairman (Hon. David Ochieng’): I cannot see the Chairperson. That is also deferred to the next time it is on the Order Paper.

(Motion deferred)

ADOPTION OF 19TH REPORT ON AUDITED ACCOUNTS OF
SPECIFIED FUNDS FOR FYS 2019/2020 TO 2024/2025

THAT, this House adopts the Nineteenth Report of the Special Funds Accounts Committee on its consideration of the audited accounts for the following funds, *laid on the Table of the House on Wednesday, 15th April 2026* –

- (i) Equalisation Fund for the financial years 2020/2021, 2021/2022 and 2022/2023;
- (ii) Fish Levy Trust Fund for the financial years 2020/2021, 2021/2022 and 2022/2023;
- (iii) Public Service Superannuation Fund for the financial years 2020/2021, 2021/2022 and 2022/2023;
- (iv) State Officers and Public Officers Motor Car Loan Scheme Fund for the financial years 2019/2020, 2020/2021 and 2021/2022;
- (v) National Research Fund for the financial years 2022/2023, 2023/2024 and 2024/2025;
- (vi) Petroleum Development Levy Fund for the financial years 2018/2019, 2019/2020, 2020/2021 and 2021/2022; and
- (vii) Petroleum Training Levy Fund for the financial years 2021/2022, 2022/2023 and 2023/2024.

The Temporary Chairman (Hon. David Ochieng’): I cannot see the Chair. That is also deferred to the next time it is on the Order Paper.

(Motion deferred)

ADJOURNMENT

The Temporary Speaker (Hon. David Ochieng’): Hon. Members, the time now being 8.20 p.m., this House stands adjourned until tomorrow, Thursday, 15th October 2026, at 2.30 p.m.

We wish those travelling for the memorial of Baba Raila Amolo Odinga in Bondo the best in their journeys, and may his soul keep resting in peace.

(The House rose at 8.20 p.m.)

Prepared by:

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