



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT**

**NATIONAL ASSEMBLY**

**THE HANSARD**

**VOL. IV NO. 33**

## THE HANSARD

Thursday, 17<sup>th</sup> April 2025

The House met at 2.30 p.m.

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

PRAYERS

QUORUM

**Hon. Speaker:** Hon. Members, we have no quorum. Serjeant-at-Arms, ring the quorum Bell.

*(The Quorum Bell was rung)*

Hon. Members, we now have quorum to transact business. Clerk-at-the-Table, proceed.

*(Hon. Joshua Oron stood in the gangway)*

Hon. Oron, take your seat. Hon. Members, I have a few short Communications to make.

### COMMUNICATIONS FROM THE CHAIR

#### PUBLIC PARTICIPATION PROGRAMME FOR THE CONSTITUTION OF KENYA (AMENDMENT) BILL, 2025

**Hon. Speaker:** Hon. Members, as you may recall, the Constitution of Kenya (Amendment) Bill, 2025 (National Assembly Bill No.4 of 2025), was read a First Time on Wednesday, 12<sup>th</sup> March 2025 and referred to the Departmental Committee on Justice and Legal Affairs for consideration and reporting to the House. The Bill seeks to amend the Constitution of Kenya to entrench the National Government Constituencies Fund, the Senate Oversight Fund and the National Government Affirmative Action Fund in the Constitution.

Consequently, on 15<sup>th</sup> March 2025, in compliance with Articles 118(1)(b) and 256(2) of the Constitution and the National Assembly Standing Order 127(3), the Clerk of the National Assembly placed advertisements in the local dailies inviting the public and stakeholders to submit memoranda on the Bill.

As observed by our courts, amending of a country's constitution, more so our Constitution, should be a sacrosanct public undertaking, and its processes must be undertaken very transparently and in strict compliance with the country's law.

Article 256(2) of the Constitution provides that:

“Parliament shall publicise any Bill to amend the Constitution, and facilitate public discussion about the Bill.”

It is for this reason that we must, therefore, conduct a granular public participation exercise on this Constitution of Kenya (Amendment) Bill, 2025.

In this regard, the House Business Committee and the National Assembly General Legislative Caucus have resolved that, in addition to receiving written memoranda and consulting relevant stakeholders, it is necessary for the public participation exercise to be

extended to all the counties and constituencies. This is to afford the majority of Kenyans an opportunity to express themselves on the Bill.

With regard to the administrative arrangements to facilitate public participation, the House Business Committee and the National Assembly General Legislative Caucus also resolved that the countrywide public participation be undertaken from Monday, 5<sup>th</sup> May 2025 to Wednesday, 7<sup>th</sup> May 2025.

Consequently, I direct the Clerk to communicate the full details of the programme for the information of the public, through print and electronic media advertisements on Monday, 21<sup>st</sup> April 2025.

I advise all of you to avail yourselves to spearhead and participate in this noble activity. The Clerk is hereby directed to organise a Kamukunji on Tuesday, 29<sup>th</sup> April 2025, where Members will be apprised on the modalities of the public participation exercise to be conducted in all the counties and constituencies.

Hon. Members, you will recall that we directed that your constituency offices are official parliamentary offices. These are the designated venues where public participation shall be conducted. I do not wish to hear that any of you held public participation sessions in hotel rooms, behind shops, or in bars within the villages. That shall not be acceptable. Conduct these sessions from your constituency offices, which are recognised as parliamentary offices.

Thank you for your cooperation in advance.

RESIGNATION OF HON. GEOFFREY RUKU  
AS MEMBER FOR MBEERE NORTH

**Hon. Speaker:** Hon. Members, you will recall that, during the morning sitting of yesterday, Wednesday, 16<sup>th</sup> April 2025, the House approved the appointment of the Hon. Geoffrey Kariuki Kiringa Ruku, Member of Parliament for Mbeere North Constituency, as the Cabinet Secretary for Public Service, Human Capital Development and Special Programmes.

I have since received a letter from the Member, dated 16<sup>th</sup> April 2025, tendering his resignation as the Member of Parliament for Mbeere North Constituency, effective from 10.00 p.m. on Wednesday, 16<sup>th</sup> April 2025.

This arose out of the gazettelement of his appointment as a Cabinet Secretary vide Gazette Notice No.4834 dated 16<sup>th</sup> April 2025. Indeed, today morning, the Hon. Ruku took Oath of Office as the Cabinet Secretary for Public Service, Human Capital Development and Special Programmes.

In this regard, I will now proceed to execute the necessary actions required by law to declare the seat of Member for Parliament for Mbeere North Constituency vacant, so as to unlock the processes of filling the vacancy.

On my behalf and that of the House, I wish Hon. Geoffrey Ruku the best in his new assignment in the Executive.

The House, and, indeed, the general public, is accordingly informed. Thank you.

*(Hon. Kangogo Bowen and several other  
Members walked into the Chamber)*

Members at the back, take the nearest seats. I still have two more Communications to make. Hon. Bowen, what is your idea of the nearest seat?

RECOGNITION OF A DELEGATION FROM  
THE COUNTY ASSEMBLY OF TURKANA

**Hon. Speaker:** Hon. Members, I wish to introduce to you a delegation from the County Assembly of Turkana, who are seated in the Speaker's Gallery. The delegation comprises the following:

1. Hon. Charles Lokito Ewoi, MCA, Speaker & Leader of the Delegation;
2. Hon. Michael Ewoi, MCA; and,
3. Hon. Samuel Aliwo, MCA.

The delegation is accompanied by six members of staff of the county assembly. They are on a study visit to the National Assembly to benchmark with the Speaker's Panel on parliamentary business. On my behalf and that of the National Assembly, I welcome the delegation to Parliament and wish them fruitful deliberations.

While at that, I also wish to introduce to you six students from Starehe Boys' Centre and three from Alliance High School who are seated in the Speaker's Gallery. The students are in Parliament for a period of two weeks on a voluntary service scheme. The programme gives the students an opportunity to give back to the community by providing voluntary service to various organisations during the school holidays. On my behalf and that of the National Assembly, I welcome the students to Parliament and wish them a positive experience in their service to the nation.

Thank you.

Next Order.

## PAPERS

**Hon. Speaker:** The Deputy Whip of the Majority Party, Hon. Waqo.

**Hon. Naomi Waqo** (Marsabit County, UDA): Hon. Temporary Speaker, I beg to lay the following Papers on the Table:

1. Submission of Nominees for the National Government Constituencies Development Fund Committees for the following thirty-one (31) constituencies:
 

(a) Awendo;	(q) Kitutu Chache North;
(b) Baringo North;	(r) Kitutu Chache South;
(c) Bumula;	(s) Kuresoi South;
(d) Changamwe;	(t) Lungalunga;
(e) Emuhaya;	(u) Machakos Town;
(f) Fafi;	(v) Malindi;
(g) Garsen;	(w) Manyatta;
(h) Hamisi;	(x) Narok East;
(i) Igembe Central;	(y) Narok North;
(j) Kacheliba;	(z) Navakholo;
(k) Kiambu Town;	(aa) Tigania East;
(l) Kipipiri;	(bb) Ugenya;
(m) Kisumu Central;	(cc) Uriri;
(n) Kisumu East;	(dd) Wajir North; and,
(o) Kitui East;	(ee) Wundanyi.
(p) Kitui South;	
2. Reports of the Auditor-General and Financial Statements for the year ended 30<sup>th</sup> June 2023 and the certificates therein in respect of:
  - (a) Bondo Technical Training Institute;
  - (b) Ikutha Technical and Vocational College;
  - (c) Kieni Technical and Vocational College;
  - (d) Kinangop Technical and Vocational College;
  - (e) Kongoni Technical and Vocational College;

- (f) Koshin Technical Training Institute;
- (g) Laikipia East Technical and Vocational College;
- (h) Michuki Technical Training Institute;
- (i) Mukurweini Technical Training Institute;
- (j) Nyakach Technical and Vocational College;
- (k) Omuga Technical and Vocational College;
- (l) Samburu Technical and Vocational College;
- (m) Tinderet Technical and Vocational College; and,
- (n) Uriri Technical and Vocational College.

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Naomi. Next is the Chairperson of the Departmental Committee on Blue Economy, Water and Irrigation.

**Hon. Kangogo Bowen** (Marakwet East, UDA): Hon. Speaker, I beg to lay the following Papers on the Table:

Reports of the Departmental Committee on Blue Economy, Water and Irrigation on its consideration of—

- (a) The Agreement on Fisheries Subsidies.
- (b) Sessional Paper No.7 of 2024 on National Sanitation Management Policy.

**Hon. Speaker:** Chairperson of the Departmental Committee on Health, Hon. (Dr) Nyikal. Is that Hon. Munene?

**Hon. Patrick Ntwiga** (Chuka/Igambang'ombe, UDA): Hon. Speaker, I beg to lay the following Papers on the Table:

Reports of the Departmental Committee on Health on—

- (a) Consideration of the Medical Social Workers Bill (National Assembly Bill No. 22 of 2024).
- (b) Attendance to the 4<sup>th</sup> Global Association of Clinical Officers and Physician Associates (GACOPA) International Delegates Conference held in Botswana from 26<sup>th</sup> to 29<sup>th</sup> August 2024.
- (c) Attendance to the 15<sup>th</sup> Meeting of the Network of African Parliamentary Committees of Health (NEAPACOH) held in the Kingdom of Lesotho from 28<sup>th</sup> to 29<sup>th</sup> February 2024.

**Hon. Speaker:** Thank you, Hon. Munene. Chairperson of the Committee on Delegated Legislation.

**Hon. Robert Mbui** (Kathiani, WDM): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Committee on Delegated Legislation on its consideration of:

- (a) The Prevention of Terrorism (Implementation of the United Nations Security Council Resolutions on Suppression of Terrorism) Regulations, 2024 (Legal Notice No. 187 of 2024).
- (b) The Prevention of Terrorism (Implementation of the United Nations Security Council Resolutions on Prevention, Suppression and Disruption of Proliferation Financing (Amendment) Regulations, 2024 (Legal Notice No. 188 of 2024).

**Hon. Speaker:** Next Order.

## NOTICES OF MOTIONS

**Hon. Speaker:** Chairperson of the Departmental Committee on Blue Economy, Water and Irrigation, Hon. Bowen.

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ADOPTION OF REPORT ON CONSIDERATION OF  
AGREEMENT ON FISHERIES SUBSIDIES

**Hon. Kangogo Bowen** (Marakwet East, UDA): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Departmental Committee on Blue Economy, Water and Irrigation on its consideration of the Agreement on Fisheries Subsidies, laid on the Table of the House on Thursday, 17<sup>th</sup> April 2025, and pursuant to the provisions of Section 8(4) of the Treaty Making and Ratification Act, 2012, approves the Ratification of the Agreement on Fisheries Subsidies.

Thank you, Hon. Speaker.

**Hon. Speaker:** Chairperson of the Committee on Delegated Legislation.

ADOPTION OF REPORT ON CONSIDERATION OF IMPLEMENTATION OF UN  
SECURITY COUNCIL RESOLUTIONS ON SUPPRESSION OF TERRORISM

**Hon. Robert Mbui** (Kathiani, WDM): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Prevention of Terrorism (Implementation of the United Nations Security Council Resolutions on the Suppression of Terrorism) Regulations, 2024, laid on the Table of the House on Thursday, 17<sup>th</sup> April 2025, and pursuant to the provisions of Section 18 of the Statutory Instruments Act, Cap 2A annuls the Prevention of Terrorism (Implementation of the United Nations Security Council Resolutions on the Suppression of Terrorism) Regulations, 2024 (Legal Notice No.187 of 2024).

ADOPTION OF REPORT ON CONSIDERATION OF IMPLEMENTATION OF  
UN SECURITY COUNCIL RESOLUTIONS ON PREVENTION, SUPPRESSION AND  
DISRUPTION OF PROLIFERATION FINANCING

**Hon. Robert Mbui** (Kathiani, WDM): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Prevention of Terrorism (Implementation of the United Nations Security Council Resolutions on Prevention, Suppression and Disruption of Proliferation Financing) (Amendments) Regulations, 2024, laid on the Table of the House on Thursday, 17<sup>th</sup> April 2025, and pursuant to the provisions of Section 18 of the Statutory Instruments Act, Cap 2A annuls the Prevention of Terrorism (Implementation of the United Nations Security Council Resolutions on the Prevention, Suppression and Disruption of Proliferation Financing) (Amendments) Regulations, 2024 (Legal Notice No. 188 of 2024).

**Hon. Speaker:** Thank you. Hon. Bowen, I understand you are supposed to give two notices.

ADOPTION OF REPORT ON CONSIDERATION OF SESSIONAL PAPER No.7 OF 2024  
ON NATIONAL SANITATION MANAGEMENT POLICY

**Hon. Kangogo Bowen** (Marakwet East, UDA): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Departmental Committee on Finance and National Planning on its consideration of the Sessional Paper No. 7 of 2024 on National Sanitation Management Policy, laid on the Table of the House on Thursday, 17<sup>th</sup> April 2025, and approves Sessional Paper No.7 of 2024 on the National Sanitation Management Policy subject to the revisions as contained in the Schedule to the Report.

**Hon. Speaker:** Next Order.

## QUESTIONS AND STATEMENTS

### REQUESTS FOR STATEMENTS

**Hon. Speaker:** Hon. Members, we have several requests for Statements. We will start with Hon. Charles Onchoke. Is your microphone working?

#### COLLAPSED RESIDENTIAL BUILDINGS IN BONCHARI CONSTITUENCY

**Hon. Charles Onchoke** (Bonchari, UPA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I wish to request for a Statement from the Departmental Committee on Housing, Urban Planning and Public Works regarding collapsed residential buildings in Bonchari Constituency, Kisii County.

Hon. Speaker, incidents of buildings collapsing while under construction or occupancy have been on an alarming rise, resulting in multiple fatalities, tragic loss of innocent lives, critical injuries and loss of investments. Notably, on 2<sup>nd</sup> April 2025, a residential building collapsed in Iyabe in Bonchari Constituency while under construction. Four days later, on 6<sup>th</sup> April 2025, a four-storey residential building at Itierio also collapsed while under construction, seriously injuring three persons and resulting in the death of five persons namely, Mr Richard Mose Nyamao of identification card No.38359586, Mr John Kamau Ayoti of identification card No.36129871, Mr Boaz Magoro Maobe of identification card No.2274980, Mr Nimrod Ondieki of identification card No.36037187 and Mr Geoffrey Nyakundi of identification card No.37842300.

These incidences continue to occur despite the elaborate legal frameworks in place for ensuring standards, safety and orderly construction practices. Regrettably, the collapsed buildings in Bonchari Constituency were under construction, despite being suspended by the National Construction Authority (NCA) for non-compliance, including not being registered with the Authority. Preliminary assessment of the structures also attributed their collapse to poor workmanship and overloading of upper floors beyond the approved structural designs.

It is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Housing, Urban Planning and Public Works on the following:

1. Measures being taken by the Ministry of Lands, Housing and Urban Development to ensure strict enforcement of the building code for all construction projects.
2. The status of investigations into the causes of the collapse of the four-storey building at Itierio in Bonchari, including establishing the circumstances under which the project continued construction, despite being stopped by the NCA due to safety concerns.

3. Plans put in place to hold to account and penalise responsible persons for the collapse of the building for violating or abetting the violation of construction standards and safety.
4. Any plans to provide medical treatment support for victims who sustained injuries and compensation for families of the five people who perished in the ill-fated building at Itierio.

I thank you, Hon. Speaker.

**Hon. Speaker:** Where is the Chairperson of the Departmental Committee on Housing, Urban Planning and Public Works, Hon. Johana Ng'eno? Is he still the Chairperson of that Committee?

**Hon. Members:** Yes.

**Hon. Speaker:** Hon. Owen Baya, can you inform the Chairperson of Departmental Committee on Housing, Urban Planning and Public Works to bring a response to the request for Statement on the 1<sup>st</sup> day of resumption after recess?

**Hon. Owen Baya** (Kilifi North, UDA): I am much obliged, Hon. Speaker.

**Hon. Speaker:** Next is Hon. Dorice Donya.

#### DEMISE OF SYLVIA KEMUNTO

**Hon. Dorice Donya** (Kisii County, WDM): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the tragic death of Ms Sylvia Kemunto Ayaye and the escalating cases of gender-based violence in the country.

The nation was recently shaken by the horrific killing of Ms Sylvia Kemunto Ayaye of identification card No.231943385, a student at Multimedia University in Nairobi. Her body was discovered dumped in a rooftop water tank at the institution. According to the Government's pathological report, the cause of death was strangulation. The prime suspect, Mr Philip Eric Mutinda, confessed to premeditated actions, including targeting Ms Sylvia while she was alone, making unwanted advances and when rejected, resorting to fatal violence. He alleges that he later concealed her body in a suitcase before dumping it in the water tank.

This heartbreaking incident is not isolated and reflects a disturbing pattern of violence against women and girls across the country, particularly within institutions of higher learning. Ms Kemunto's case has exposed glaring gaps in the safety protocols at these institutions, and a lapse in societal accountability and our national commitment to ending gender-based violence.

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. The circumstances leading to the killing of Ms Sylvia Kemunto, including how the suspect accessed the victim's room at the university.
2. Report on the status of investigations and actions being taken by the Ministry of Interior and National Administration and the National Police Service to prosecute the perpetrator of this heinous act.
3. Report on the immediate and long-term measures put in place within institutions of higher learning to guarantee the safety of all students, particularly female students who remain disproportionately vulnerable.

I thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Tongoyo, when can you bring a response to this Statement? Can you give him the microphone?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Hon. Speaker, we will bring it within two weeks. I also want to report to the House that we are considering the number of Statements



already issued. We see it fit to ask the Cabinet Secretary for the Ministry of Interior and National Administration to appear before the Committee next week on 22<sup>nd</sup> or 24<sup>th</sup>. We need your indulgence on whether we can combine them, including that of Hon. Dorice, so that she can appear on the same day. We have quite a number of Statements. We wanted to lump them together and request the Cabinet Secretary to appear before the Committee and Members.

**Hon. Speaker:** Is the Cabinet Secretary a lady?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Sorry.

**Hon. Speaker:** You said she would appear before the Committee.

**Hon. Gabriel Tongoyo** (Narok West, UDA): No, Hon. Speaker. He will appear before the Committee.

**Hon. Speaker:** Okay. Notify the concerned Members through the Clerk of the National Assembly on the day of appearance so that they can be available.

Hon. Zamzam.

#### DEMISE OF MR YUSUF ALI ABDI

**Hon. Zamzam Mohammed** (Mombasa County, ODM): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the death of Mr Yusuf Ali Abdi following the collapse of the demolished building in Mombasa.

On 8<sup>th</sup> April 2025, the County Government of Mombasa announced plans to carry out controlled demolition of a structure located on Plot No.XLVI/195/MI in Mombasa County following its partial collapse. On 9<sup>th</sup> April 2025, a multi-agency team led by the Kenya Defence Forces was deployed to the coastal city through a Gazette Notice issued on 7<sup>th</sup> April 2025 to carry out the controlled demolition. Sadly, Mr Yusuf Ali Abdi was found dead having been apparently trapped inside the building during its partial collapse.

It is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the following:

1. Report on the measures being taken by the Government to support the family of the late Mr Yusuf Ali Abdi who died while apparently trapped inside the collapsed building located on Plot No. XLVI/195/MI.
2. Provide a status report on the investigations into the collapse of the building and subsequent death of Mr Yusuf Ali Abdi.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Tongoyo.

**Hon. Gabriel Tongoyo** (Narok West, UDA): Hon. Speaker, I have confirmed that the Cabinet Secretary will appear before the Committee on Tuesday, 22<sup>nd</sup> April 2025. We will lump all the requests for Statements together so that he can respond to all of them.

**Hon. Speaker:** Hon. Mwashako.

**Hon. Danson Mwashako** (Wundanyi, WDM): Thank you, Hon. Speaker.

**Hon. Speaker:** Hold on, Hon. Mwashako. Your request for a Statement in regard to the Director-General of Kenya Fisheries will be stayed for now. You will instead issue the Statement that I approved this afternoon on mining.

**Hon. Danson Mwashako** (Wundanyi, WDM): Yes, Hon. Speaker.

**Hon. Speaker:** Go ahead.

#### GENERAL STATEMENT

##### ALLEGED COMMITMENT OF TAITA TAVETA COUNTY MINERAL

## FIELDS AS COLLATERAL FOR GOVERNMENT LOAN

**Hon. Danson Mwashako** (Wundanyi, WDM): Hon. Speaker, pursuant to the provisions of Standing Order 43(1), I wish to make a General Statement regarding alleged commitment of Taita Taveta County mineral fields as collateral for a Government loan.

I rise to address a matter of grave concern that has recently caused anxiety among the people of Taita Taveta County. The claims, which have been circulating on various social media platforms, are unverified reports alleging that the Government of Kenya has committed the mineral resources of Taita Taveta as collateral to secure a loan from the Government of the People's Republic of China. Those claims have understandably triggered unease, especially considering the long-standing perception that the benefits of mining activities in our county have historically accrued to outsiders, leaving local communities marginalised and deprived of the accruing economic gains.

I wish to categorically state, after engaging the relevant authorities and conducting due diligence on the matter, that these allegations are entirely false, baseless, and misleading. I wish to assure the people of Taita Taveta County that we, the elected leaders from the region, have received firm assurances from the Government that no such arrangement has been made, nor is there any intention to do so. As the leaders elected to serve and protect the interests of our people, we remain vigilant and fully committed to ensuring that the natural resources found within Taita Taveta County benefit our people.

The people of Taita Taveta have our guarantee that, on their behalf, we support and will continue to support legitimate investors operating within the framework of our laws and provisions of Article 71 of the Constitution. On behalf of the elected leaders of Taita Taveta County, I wish to categorically affirm that we shall not permit illegal mining activities that contravene the law and the principle of exploitation of natural resources as espoused in Articles 69 and 71 of the Constitution. In collaboration with the Ministry of Mining, Blue Economy and Maritime Affairs, under the stewardship of the Cabinet Secretary, Hon. Ali Hassan Joho, and our security agencies, we will take firm action against anyone engaging in such unlawful activities.

Finally, I urge the people of Taita Taveta to remain calm and confident in our leadership. We are alert and deeply committed to defending and safeguarding the natural resources that rightfully belong to us and our future generations.

May God bless Taita Taveta and the Republic of Kenya.

**Hon. Speaker:** Yes, Member for Mwatate. I am sorry. Member for Voi.

**Hon. Khamis Chome** (Voi, WDM): Thank you, Hon. Speaker. I also rise to support the Statement by Hon. Mwashako, the Member for Wundanyi. Minerals and other natural resources are the heritage of the people of Taita Taveta County. As such, we take great exception to any insinuations that those resources have been unlawfully utilised as collateral for some loan. I join my colleagues from Taita Taveta in reassuring our people that, as their leaders, we remain vigilant and will not accept any actions from whichever source that aim to jeopardise their heritage and ancestral rights. The people and resources of Taita Taveta County deserve protection and are protected by existing laws. We should be careful as leaders not to make any inflammatory remarks.

Finally, most of those minerals are either on community land or privately-owned ranches. Such remarks have raised a lot of concern from landowners in Taita Taveta County. It might be time for the Government to clarify this matter.

**Hon. Speaker:** Hon. Samwel Chepkonga sent me a message stating that he assigned the Member for Keiyo South to present his request for a Statement.

Proceed, Hon. Kimaiyo.

## REQUESTS FOR STATEMENTS

FUNDS SPENT BY COUNTY GOVERNORS  
ON EDUCATION BURSARIES

**Hon. Gideon Kimaiyo** (Keiyo South, UDA): Hon. Speaker, pursuant to Standing Order 44(2)(c), I request for a Statement from the Chairperson of the Budget and Appropriations Committee on the total amount of money that has been spent in the provision of bursaries by county governors in the last five financial years, namely, financial years 2024/2025, 2023/2024, 2022/2023, 2021/2022, and 2020/2021.

Hon. Speaker, as you are aware, the Fourth Schedule to the Constitution expressly delineates the functions of the national Government and the county governments in respect of education. Specifically, Paragraph 16 of Part 1 of the Fourth Schedule to the Constitution provides that primary schools, secondary schools, tertiary institutions and universities are functions of the national Government. On the other hand, Paragraph 9 of Part II of the Fourth Schedule to the Constitution provides that pre-primary education, village polytechnics, homecraft centres and childcare facilities are functions of the county governments.

Despite those clear provisions of the Constitution, the county governors have apparently been spending billions of shillings of devolved funds to provide bursaries for students in schools that do not fall within the functions of the county governments. There are also allegations that the seemingly unlawful expenditure has been incurred by county governors with the approval of the Controller of Budget, who authorises the withdrawal of public funds for provision of bursaries to students in primary schools, secondary schools, tertiary institutions, and universities.

Further, it is notable that these matters have been the subject of litigation. Members should be fully informed of these matters, which are pertinent to several legislative interventions before this House, and seek to resolve the issue of duplication of roles by the county governments and the unlawful expenditure of devolved funds on functions that fall under the national Government in respect of provision of bursaries.

It is against this background that I seek a Statement from the Chairperson of the Budget and Appropriations Committee on the following:

1. Information from the Controller of Budget on the total amount of public funds that have been spent by the county governors in the provision of bursaries to students at different levels of education, namely, pre-primary education, primary schools, secondary schools, tertiary institutions, and universities for the financial years 2024/2025, 2023/2024, 2022/2023, 2021/2022 and 2020/2021. The information on the total amount of devolved funds spent for each financial year should also clearly indicate the level of education for which the public funds were spent for provision of bursaries per county.
2. Explanation from the Controller of Budget on the legal basis for authorising withdrawal of funds for expenditure by the county governors to provide bursaries for functions that do not fall under the county governments' jurisdiction.
3. Specific steps the Controller of Budget has taken to stop the apparently unlawful expenditure of public funds by the county governors.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Osoro.

**Hon. Silvanus Osoro** (South Mugirango, UDA): Thank you very much, Hon. Speaker. I support the Statement by Hon. Kimaiyo regarding the issues of bursary. It is what I would call unclear division of roles between different sectors of the Government.

This House has debated so much on what the national Government is supposed to do or needs to do. Any responsibility that pertains county governments should be left to the them. However, because of what the county governors are doing, it is about time we asked ourselves how we are going to handle this menace. The Council of Governors claims that the national Government has refused to relinquish part of their responsibilities to the county governments. They blame Members of Parliament about the National Government Constituencies Development Fund (NG-CDF) and other matters. They have taken the Parliamentary Service Commission to court on several occasions.

On the other hand, they are moving around counties and constituencies distributing bursaries. The national Government should be dealing with that subject. We agree that we need to amalgamate these funds in the near future to establish one fund and a commission. We are having this discussion. I am very happy that you initiated it. Even before we get to that point, it is important to realise that education is a subject of the national Government.

What interest does a governor have in distributing bursaries in secondary schools and universities? They do not even give substantial amounts. It is usually laughable. They give about Ksh2,000, and sometimes Ksh1,000, to students and then they make so much noise about it while moving around. We need to discourage the habit of governors moving around in convoys of 40 vehicles to give bursaries of Ksh5 million to students in villages, and then moving to another village in a convoy of 60 vehicles, half of them carrying goons, to give bursaries of Ksh10 million. Thereafter, they raise issues of how we distribute funds.

With the meagre resources that the Members of this House oversee, we do not give Ksh1,000 to students. Members of the National Assembly oversee NG-CDF committees, but they do not give Ksh1,000 or Ksh2,000. We do not even shout about it. We need to discuss this matter before we discuss the next agenda in the Order Paper.

The Council of Governors has taken Members of Parliament to court over roads maintained through the Road Maintenance Levy Fund (RMLF). On the other hand, they claim they want everything that we handle here reverted to them. What is that? I am on record having said in this House that Kenyans can see our actions across the country despite the meagre resources that we get through the NG-CDF. All of us can will see. However, you need a ‘microscope’ to identify what a county governor does on the ground. You will need ‘lenses’ that are stronger than what you are wearing, Hon. Speaker, to identify what the county governors do on the ground other than hiring goons and paying crowds to attend their functions. That is a universal practice amongst county governors. They move around with paid-up teams that do not change. Sometimes they even forget to change their clothes. They move from one ward to another and sit in front in public functions with only one job - to cheer the governors as they speak in order to portray their artificial popularity. The other day a governor was found with a large sum of money in his house. I would have helped many students with bursaries in my constituency if I were given Ksh12 million. Why would a county governor keep in his house Ksh12 million in cash and another big amount in US Dollars? What does he do with such money? When he was caught, he incited his paid-up goons and the normal cheering squad to move around Kenyatta Avenue to shout that it is personal vendetta. If you are a thief, you are a thief. Face it. Face it. If you have stolen, *wewe ni mwizi*.

**Hon. Speaker:** You have made your point. Next is Hon. Robert Mbui.

**Hon. Robert Mbui** (Kathiani, WDM): Thank you, Hon. Speaker. Almost every day, we see county governors on television complaining about delayed disbursement of money, or saying that the money given to them is not enough. Shockingly, the same governors go beyond the mandate assigned to them by the Constitution - mandates that the national Government should be undertaking. Since the promulgation of the Constitution of Kenya 2010, the county governors have, shockingly, been giving bursaries to students every year.

When did the Controller of Budget realise this problem? Why was it not sorted out a long time ago? Let the governors use the money they are given to perform their mandates. In the education sector, they have the Early Childhood Education (ECD). In many constituencies, ECD classrooms have been built using NG-CDF because most of them are dilapidated. Our polytechnics are in a state of despair. They have no tutors or equipment. I advise the governors to do the job that the Constitution assigned them. They should read the Fourth Schedule clearly and leave the national Government to do its work.

**Hon. Speaker:** Hon. Members, hold your horses. You will have opportunity to ventilate on the matter at Order No.9.

Next is Hon. Suzzana Kiamba.

#### IMPLEMENTATION OF AFFORDABLE HOUSING PROGRAMME

**Hon. Suzanne Kiamba** (Makueni, WDM): Hon. Speaker, pursuant to the provisions of Standing Order 44(20)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Housing, Urban Planning and Public Works regarding implementation of the Affordable Housing Programme.

Since the enactment of the Affordable Housing Act of 2024, the people of Kenya have dutifully contributed to the Housing Levy, which is the funding mechanism for the Affordable Housing Programme. The initiative is intended to provide descent, accessible and affordable housing to all Kenyans in line with Article 43 of the Constitution. However, a section of Kenyans has raised concerns regarding transparency and accountability in the administration of the funds collected through the Housing Levy. There is a growing apprehension about potential mismanagement of these funds as well as lack of clarity on specific projects executed and accessibility of the houses under the programme by intended beneficiaries. It is, therefore, necessary that the Government provides comprehensive information on the status and progress of implementation of affordable housing projects.

Hon. Speaker, it is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Housing, Urban Development and Public Works on the following:

1. Detailed Report on the total amount of money collected under the Housing Levy since its inception.
2. The amount drawn from the Fund and measures of ensuring that the funds are strictly utilised for the intended purpose; a report on the project funded by the Housing Levy so far, the amount channelled to each project, and the specific constituencies where they are located and the status of implementation.
3. Report on the number and details of Kenyans, especially from the vulnerable households, who have acquired housing units under the Affordable Housing Programme; and,
4. The mechanism put in place to ensure accountability, transparency and value for money in the project, including the oversight framework for the project and details of the agencies that oversight the programme.

Thank you, Hon. Speaker.

**Hon. Speaker:** Chairperson of Departmental Committee on Housing, Urban Planning and Public Works, when will you bring the Statement? Do we have any Member from the Committee in the House? Hon. Nzengu, are you a Member of the Committee? Take your seat. Leader of Majority Party, inform the Chairperson of the Committee to bring a response within the first two days of our resumption after recess.

Next is Hon. Double N Pamela Njoki.

INACCESSIBILITY OF CRITICAL SERVICES BY  
DEAF PERSONS AT PUBLIC INSTITUTIONS

**Hon. Pamela Njeru** (Embu County, UDA): Hon. Speaker, I rise to request for a Statement regarding accessibility of critical institutions by deaf persons.

**Hon. Speaker:** Is it critical institutions or critical services in public institutions?

**Hon. Pamela Njeru** (Embu County, UDA): It is critical services in public institutions, Hon. Speaker.

I rise pursuant to the provisions of Standing Order 44(2)(c) to request for a Statement from the Chairperson of the Departmental Committee on Social Protection regarding accessibility of critical services in public institutions by deaf persons.

Article 7(3)(b) of the Constitution obligates the State to promote the development and use of the Kenya Sign Language. Further, Article 54(1)(c) of the Constitution guarantees that persons with disabilities are entitled to reasonable access to all places, including public transport and information. However, the reality of the life of deaf persons in the country shows that there is a gap in the provisions of the law and its actual realisation.

In many public institutions, particularly hospitals, deaf persons are often unable to communicate their health needs due to absence of sign language interpreters or alternative communication technologies. Article 43(1)(a) of the Constitution provides that every person has a right to the highest attainable standard of healthcare, which includes the right to health care services. This cannot be achieved due to inaccessibility to services by deaf persons in public institutions. This communication barrier exposes deaf people to misdiagnosis, improper treatment and alienation from critical public services.

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

1. Report indicating the number and distribution of sign language interpreters across critical institutions in the country, including public hospitals, courts and police stations.
2. Steps that the Ministry of Labour and Social Protection is taking to implement the provisions of the Constitution in relation to accessibility by persons who are deaf.
3. Measures in place to promote training, certification and deployment of sign language interpreters to critical institutions.
4. Policy in place to develop assistive technology that supports communication for persons who are deaf or have hearing impaired.

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. Is the Chairperson of the Departmental Committee on Social Protection present? Is there any Member of the Committee? Hon. Tim Wanyonyi, can your Committee bring a response, or you want to joyride?

**Hon. Tim Wanyonyi** (Westlands, ODM): Hon. Speaker, I am a Member of the Committee.

**Hon. Speaker:** Bring a response on the third day of our sitting after the recess.

**Hon. Tim Wanyonyi** (Westlands, ODM): May I also comment on the Statement request, Hon. Speaker?

**Hon. Speaker:** Go ahead.

**Hon. Tim Wanyonyi** (Westlands, ODM): Hon. Speaker, the Persons with Disabilities Act has been in force since 2004, including the recent one we passed the other day. The UN Convention on the Rights of Persons with Disabilities addresses all these issues. It is even entrenched in our Constitution that people with disabilities will be given their due rights. The biggest culprit is always the Government. We must now address this issue head on. We should

become more litigant on this issue because some people are just reluctant to implement the law that is already in place.

So, as we wait for that Statement, I will make sure that these issues are properly addressed and the law is enforced.

**Hon. Speaker:** Thank you. Bring a response. Tell the Chairman as I have directed. Next is Hon. Josses Lelmengit, the Member for Emgwen Constituency

#### STATE OF CHEPTERIT–MOI UNIVERSITY ROAD

**Hon. Josses Lelmengit** (Emgwen, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding the state of Section RW343 of Chepterit–Moi University Road.

Section RW343 of the Chepterit Moi University Road is a crucial link road connecting Nandi and Uasin Gishu counties and promoting economic growth in the region. It provides access to strategic facilities such as Moi University, Kilibwoni Tea Factory, health facilities, markets, milk cooling plants and various schools, including Tulon Secondary School.

The 22-kilometre road was prioritised for tarmacking and a contract awarded to M/s Civicon Kenya Limited in August 2016. The project commenced in December 2018, but the contractor failed to deliver, leading to its reassignment to China Railway No.10 Engineering Group Company Limited. Despite the reassignment, the project has still faced prolonged construction delays and poor workmanship with completed sections deteriorating and forming potholes within a few months of being tarmacked.

The deplorable state of this road has compromised accessibility and safety standards resulting in fatal accidents; disrupting timely transportation of perishable farm produce of the community, who are predominantly agricultural; and negatively impacting economic development in the region.

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

1. Detailed report on the status of construction of Section RW343 of Chepterit–Moi University Road, including the scope, total budget allocated and the amount paid to contractors so far.
2. Report on contract terms including maintenance period within which the contractor is accountable for repair of defects, and on tender cancellation specifying the financial implications of the cancellation.
3. Report oversight conducted during the construction of the stated road, stating whether the road was certified as meeting the required standards, and whether a completion certificate was issued; and if not, give justification for payments made to the contractor despite the substandard work.
4. Plans to complete the remaining section of the road and restore the deteriorated sections to proper standards, including long-term measures to ensure quality in the road construction.

**Hon. Speaker:** Thank you, Hon. Lelmengit. Is the Chairperson of the Departmental Committee on Transport and Infrastructure in the House? Member for Bureti, are you a Member of the Committee?

**Hon. Kibet Komingoi** (Bureti, UDA): Yes, I am, Hon. Speaker. We will respond in the first week after we come back from the recess.

**Hon. Speaker:** Thank you. Next is Hon. Dorice Donya.

**Hon. Dorice Donya** (Kisii County, WDM): Hon. Speaker, mine is supposed to be responded to.

**Hon. Speaker:** Okay, yours is for response. Chairperson of Departmental Committee on Transport and Infrastructure, do you have a response?

#### UTILISATION OF THE FUEL LEVY FUND

**Hon. Kibet Komingoi** (Bureti, UDA): Hon. Speaker, on behalf of the Chairperson of the Departmental Committee on Transport and Infrastructure, I wish to respond.

On Thursday, 27<sup>th</sup> February the Member for Kisii County, Hon. Dorice Donya, requested for a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding the utilisation of the Fuel Levy Fund. In her Statement, she indicated that even though 80 per cent of the fuel levy is sourced from the road users, most roads across the country are neglected, have potholes, inadequate drainage while others have stalled. She sought the following information:

1. A report on the total collection and the use of fuel levy for the maintenance, rehabilitation and development of the country's road network over the past three years, including the details of the specific roads.
2. Steps implemented by the Ministry to ensure transparency and accountability in the expenditure of the Fuel Levy Fund.
3. The criteria used to prioritise road maintenance and construction projects funded by the Fund.
4. Measures put in place to ensure timely completion of the projects funded by the Fund.
5. The status of disbursement of the Fuel Levy Fund between the National Government and the county governments, and whether county governments are sufficiently funded to maintain the roads under their jurisdiction.

The Committee received a written response from the Ministry of Roads and Transport on 26<sup>th</sup> and now wishes to state as follows:

Regarding the total collection and the use of the Fuel Levy Fund for the maintenance, rehabilitation and development of the country's road network over the past three years, including the specific details of the roads that have been done, the ministry submitted a whole tabulated list which has been presented to the Questioner. I want to note that in the financial years 2022/2023, 2023/2024 and 2024/2025, Ksh82.8 billion, Ksh77.1 billion and Ksh112 billion was collected respectively. It is estimated that in the Financial Year 2025/2026, a total of Ksh113.6 billion will be collected. The Hon. Member can go through the list of projects in the response given to her.

I would like to bring to the attention of the House the fact that the High Court in Nairobi issued interim conservatory orders on 19<sup>th</sup> August 2024. They directed the Kenya Roads Board (KRB) to freeze and withhold Road Maintenance Levy Fund (RMLF) collected in the Financial Year 2024/2025, to the extent of Ksh10.522 billion to be allocated to county governments. In compliance with the court order, the board is withholding RMLF allocation for the Kenya Rural Roads Authority (KeRRA) and the Kenya Urban Roads Authority (KURA) this financial year, as tabulated in the annexe provided. I do not want to go through all the figures. To make it clear to the Members, Ksh24.7 million allocated to each constituency is being withheld.

Regarding the steps implemented by the Ministry to ensure transparency and accountability in the expenditure of the Fuel Levy Fund, the Ministry submitted that according to Section 6(2)(g) and Section 26(1) of the Kenya Roads Board Act, 1999, KRB has the mandate to monitor and evaluate by means of technical, financial and performance audits, the delivery of goods, works, and services financed by the Fund. Technical, financial, and



performance audit programmes have been undertaken by the board from the year 2003 to date. The findings and recommendations were disseminated to the road agencies for action. The Ministry has provided copies of technical, financial, performance audit reports for KeNHA, KeRRA, KURA and the Kenya Wildlife Service (KWS) for financial years 2022/2023 and 2023/2024 to the Committee. This has also been availed to the Member.

Regarding the criteria used to prioritise road maintenance and the construction of projects funded from the Fuel Levy Fund, the Ministry submitted that prior to preparing the annual roads works programme, roads agencies carry out annual roads inventory and condition surveys to determine the conditions of the road network under their jurisdiction. Due to budgetary constraints, road prioritisation is undertaken in line with a Road Sector Investment Programme (RSIP). Under this programme, the road maintenance and development are prioritised in the following order:

1. Preservation through routine and periodic maintenance of the road network.
2. The road asset restoration through rehabilitation and reconstruction.
3. The road improvement and development through upgrading, road widening, junction improvement and new constructions, including provisions for non-motorised traffic.

Regarding the measures put in place to ensure the timely completion of road projects funded from the Fuel Levy Fund, the Ministry submitted that the following measures have been put in place to ensure timely completion of projects funded by the levy. The Annual Public Roads Programme (APRP) is an annual programme and projects under it are completed within the financial year. Pursuant to Section 19(1) and (2) of the KRB General Rules 2022, the Ministry, through the KRB, monitors the implementation of APRP by reviewing quarterly returns from the road agencies. This highlights delays and challenges in the execution of the projects.

The Board makes monthly disbursements of funds to roads agencies to ensure adequate funding and timely completion of the works. The Ministry, through the Kenya Institute of Highway and Building Technology (KIHBT), undertakes capacity building of contractors and enhanced quality of works and construction management. Road agencies have embraced performance-based contracting where contractors are paid to attain set and agreed service levels, milestones and penalised for noncompliance with these service levels.

Regarding the status of disbursements of Fuel Levy Fund between the national Government and the county governments and whether counties are sufficiently funded to maintain the road networks under their jurisdiction, the Ministry submitted that through the KRB, they undertake regular monitoring and the progress of RMLF-funded projects through technical, financial and performance audit. The Ministry submitted the list of ongoing projects under KeNHA, KeRRA, KURA and KWS. Fuel Levy Funds are allocated to road agencies in accordance with the Section 6(d) of the Kenya Roads Board Act. The county governments received 15 per cent of the Fuel Levy as conditional grants from the Financial Year 2015/2016 to 2020/2021 based on the County Allocation of Revenue Act for maintenance of county roads. The maintenance of county roads is incorporated into the equitable shareable revenue from the exchequer with counties not receiving Fuel Levy funds.

Further, comprehensive answers to this Question may be provided next week when the Cabinet Secretary for Roads and Transport will be in the chamber to answer some of the Questions pertaining to the Fuel Levy Fund.

**Hon. Speaker:** Hon. Doris.

**Hon. Dorice Donya** (Kisii County, WDM): Thank you, Hon. Speaker. The Member acting on behalf of the Chairperson has said that KRB remits monthly what they collect as Fuel Levy for repair of roads. He said that he gave me a whole list of roads I had asked about yet I have not received. They sent a list of roads which do not exist. I was told that they are doing

Nyaramba Road in Kisii, but this road is in Nyamira. The information you have sent me is not correct. Anyone who is listening even Hon. Irene Mayaka and Hon. Jerusha are wondering what you are talking about. Nyaramba Road is in Nyamira.

Another thing is that the KRB collects Ksh25 per litre every time you fuel. This is not reflecting. If they do not understand what I am talking about, I can take them in a convoy of vehicles to see Kisii roads, so that they can confirm whether the Ksh25 per litre that the Kisii people are paying is working. They are lying to me that they are repairing Nyaramba Road which is not in Kisii. I saw that they have even paid over Ksh17 billion on pending bills. The KURA, KeNHA and KeRRA all say that they have money to do certain roads. How has this amount accumulated to Ksh17 billion, yet we are paying Fuel Levy every day? When we fuel, we are never told that there is a pending bill. Our cars never fuel on pending bills. The Fuel Levy is deducted every time. I requested for a Statement and got shoddy answers. Maybe, I do not understand what I am doing.

*(Laughter)*

**Hon. Speaker:** Hon. Komingoi, are you misleading Hon. Donya?

**Hon. Kibet Komingoi** (Bureti, UDA): Hon. Speaker, Hon. Donya has not been misled. She has opted to be particular about a region on a matter that is national. The reality is that there are not enough funds to do all roads at the same time in the country. She is aware that there are pending bills of works that have been executed in the country. The Ksh25 she is claiming also includes Ksh7 that is allocated for securitisation and paying pending bills.

I am aware that it is not only in Kisii County or my constituency where roads are in a bad condition, but in many parts of the country. I am bringing this issue to the House so that Members are aware that in this financial year, Ksh24.7 million that was allocated to each constituency is withheld. This is because of a court order from the county governments case.

Hon. Speaker, yesterday, you gave directions for the Cabinet Secretary to appear before this House, so that he further elucidates and all of us can understand issues concerning roads like their current condition, existing plans for their rehabilitation and maintenance. The fact is that not enough money is being collected through the Fuel Levy. A presentation was done in our Committee on how funds can be differently made available to cater for all roads.

Lastly, the position is that this financial year and the next financial year, the Fuel Levy will not be given to counties. Therefore, other than money appropriated by this House and county assemblies to fund county roads, there will be no funding from the Fuel Levy. However, only roads allocated and presented to the Ministry through the KRB for funding in the annual plans will be funded. A list of those roads is available.

## STATEMENTS

BUSINESS FOR WEEK COMMENCING 22<sup>ND</sup> TO 25<sup>TH</sup> APRIL 2025

**Hon. Speaker:** The Leader of the Majority Party, your Thursday Statement.

Hon. Johanna Ngeno, you are behaving like a Minister we had in the 7<sup>th</sup> Parliament called Kamwithi Munyi, who would wait out there until all Questions concerning his Ministry are called out and then he walks into the chamber.

*(Laughter)*

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Speaker, I have briefed him on the Statements he is required to report on the second day after we resume from recess. I had already

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briefed one of the most diligent Members of his Committee, Hon. Jane Kagiri. As you have said, the Chairperson has just walked in. So, I was briefing him.

**Hon. Speaker:** Tell him not to behave like Kamwithi Munyi.

*(Laughter)*

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): You know, he is dressed in pinstriped suit just like Kamwithi Munyi. Allow me to go to the Thursday Statement.

**Hon. Speaker:** I am sure, Hon. Farah has dealt with Kamwithi Munyi. Go on the Leader of the Majority Party.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(a), I rise to give the following Statement on behalf of the House Business Committee which met on Tuesday, 15<sup>th</sup> April 2025 to prioritise business for consideration during the week. With regard to business scheduled for Tuesday next week, the House is expected to consider the following Bills at the Second Reading, if not concluded today-

1. The Learners with Disabilities Bill (Senate Bill No. 4 of 2023);
2. The Value Added Tax (Amendment) Bill, 2025;
3. The Treaty Making and Ratification (Amendment) (No.2) Bill, 2024;
4. The Kenya National Council for Population and Development Bill, 2023; and,
5. The National Cohesion and Integration Bill, 2023.

In addition, the House will prioritise consideration of the Motion on the Comprehensive Economic Partnership Agreement between the Republic of Kenya and the United Arab Emirates.

Further, Hon. Speaker, in accordance with the provisions of Standing Order 42A(5) and (6), I wish to convey that the Cabinet Secretary for Roads and Transport is scheduled to appear before the House on the afternoon of Wednesday, 23<sup>rd</sup> April 2025 to respond to Questions as follows-

1. Question by Private Notice 007/2025 by the Member for Kiambu County, Hon. Anne Wamuratha regarding the suspension of Super Metro SACCO Ltd operating licence.
2. Question 011/2025 by the Member for North Mugirango, Hon. Joash Nyamoko regarding status of construction of Tombe-Isinta-Gitaru, Obwari-Mabariri-Nyamaiya, and C21 Ekerenyo-Obwari-Aichabera roads in North Mugirango Constituency.
3. Question 012/2025 by the Member for Machakos Town, Hon. Caleb Mule regarding the upgrading of Mwanyani-Katoloni Road in Machakos Town Constituency to bitumen standards by Kenya Urban Roads Authority (KURA).
4. Question 013/2025 by the Member for Vihiga County, Hon. Beatrice Adagala regarding status of construction of Shamakhokho-Gitambai road.
5. Question 014/2025 by the Member for Ruiru, Hon. Simon King'ara regarding the processing of the Smart driving licenses in the country.
6. Question 015/2025 by the Member for Teso South, Hon. Mary Emaase regarding the rehabilitation and maintenance of the Busia-Malaba Road.
7. Question 053/2025 by the Member for Moiben, Hon. (Prof) Phylis Bartoo regarding commencement of construction works on the Tachasis-Chebiemit, Ainet-Chebarus, and Riadha roads.
8. Question 054/2025 by the Member for Kinango, Hon. Gonzi Rai regarding current condition of Kinango/Mariakani road (C107) and the impact of the recent rains on its deterioration.

9. Question 055/2025 by the Member for Kuresoi South, Hon. Joseph Tonui regarding the delays in the construction of Lelechwet-Cheram bridge in Kuresoi South Constituency.
10. Question 056/2025 by the Member for Kaiti, Hon. Joshua Kimilu regarding current status of the C435 road from Sultan Hamud to Kikokoo.
11. Question 057/2025 by the Member for Naivasha, Hon. Jayne Kihara regarding compensation of landowners for land acquired by the Kenya Railways Corporation for the construction of the Standard Gauge Railway (SGR) and Meter Gauge Railway (MGR).
12. Question 058/2025 by the Member for Machakos County, Hon. Joyce Kamene regarding a status report on rehabilitation and improvement works on the Mlolongo-Quarry-Katani Road and other link roads.
13. Question 059/2025 by the Member for Starehe, Hon. Amos Mwago regarding the status rehabilitation of the collapsed bridges in Ngara and Landimawe Wards in Starehe Constituency.
14. Question 060/2025 by the Member for West Mugirango, Hon. Stephen Mogaka regarding the provision of a comprehensive list of all KeRRA road projects in West Mugirango Constituency for the past three Financial Years, indicating their status, budget allocation, and implementing contractors.
15. Question 061/2025 by the Member for Embakasi West, Hon. Mark Mwenje regarding measures being taken by the Government to ensure that work plans tendered under the Kenya Rural Roads Authority (KeRRA) and the Kenya Urban Roads Authority (KURA) for the Financial Year 2024/2025 are not suspended due to lack of funds.
16. Question 062/2025 by the Member for Runyenjes, Hon. Muchangi Karemba regarding immediate and long-term measures by the Ministry to curb the frequent accidents caused by miraa transport vehicles along the Nairobi-Meru Highway.

The House Business Committee will reconvene on Tuesday, 22<sup>nd</sup> April 2025 to schedule business for the rest of that week.

As I conclude, I wish to take this opportunity, on behalf of the House Business Committee, to wish all Members and Kenyans at large, including the great people of Kikuyu, a happy Easter. I now wish to lay this Statement on the Table of the House.

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

### SPECIAL MOTION

#### APPROVAL OF NOMINEES FOR APPOINTMENT AS AMBASSADOR, PERMANENT REPRESENTATIVE AND CONSULS-GENERAL

**Hon. Speaker:** Hon. Bashir.

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

**Hon. Speaker:** We have not proposed the Question yet. Hon. Bashir, you can hear what your colleagues are saying, so make the presentation short. Move the Motion and tell us your Secorder.

**Major (Rtd) Abdullahi Sheikh** (Mandera North, UDM): Thank you very much, Hon. Speaker. I beg to move the following Motion:

THAT, taking into consideration the findings of the Departmental Committee on Defence, Intelligence and Foreign Relations in its Report on the approval hearing of four nominees for appointment as Ambassador, Permanent Representative, and Consul-

General, laid on the Table of the House on Tuesday, 15<sup>th</sup> April 2025, and pursuant to the provisions of Article 132(2)(c) of the Constitution, section 20(2) of the Foreign Service Act (Cap.185E) and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act (Cap.7F), this House approves the appointment of the following persons as Permanent Representative, Ambassador and Consuls-General—

1. Eng. Peter Kiplagat Tum, CBS - Ambassador to Kinshasa, Democratic Republic of Congo (DRC).
2. Ms Susan Nakhumicha Wafula, EGH - Permanent Representative to the Permanent Mission of Kenya to UN-Habitat, Nairobi.
3. Mr James Buyekane Mutahi, CBS - Consul-General to Guangzhou, People's Republic of China.
4. Mr Abdi Dubat Fidhow - Consul-General to Arusha, United Republic of Tanzania.

The offices of Ambassador, Permanent Representative and Consul-General stand as Kenya's outposts of sovereignty and service. As defined in Section 21 of the Foreign Service Act, the Head of Mission is not only the President's voice abroad but also the steward of Kenya's foreign policy, custodian of our image, leader of our diplomatic staff and guardian of public funds. They carry the flag, trust and duty, all in one.

In discharging our mandate as a Committee, we conducted vetting sessions guided by Chapter 6 of the Leadership and Integrity Act and animated by the spirit of public participation, as enshrined in Article 118 of the Constitution. We subjected the nominees to rigorous scrutiny, assessing not only their qualifications and experience but also their moral compass, vision and fitness to carry Kenya's flag across borders.

In keeping with Standing Order 4(2)(2), your office relayed to the House the message of the President regarding the nomination of the four persons to serve as Ambassador, Permanent Representative and Consul-General. The names were accordingly committed to the Committee, pursuant to Article 124(4)(a) of the Constitution, for approval hearings and report within the subject timeline. To uphold transparency, a public notice was placed in the mainstream dailies on Friday, 28<sup>th</sup> March 2025, inviting written memoranda on the suitability of the nominees, as required under section 6(9) of the Public Appointments (Parliamentary Approval) Act and Article 118 of the Constitution.

To this effect, only one memorandum was received, opposing the nomination of Ms Susan Nakhumicha Wafula. The grounds raised namely, that her earlier dismissal from Cabinet invalidated her nomination, were carefully reviewed. The Committee in its considered judgement, observed that the dismissal of Ms Susan Nakhumicha was effected under Article 152(5)(b) of the Constitution, which grants the President discretion to dismiss a Cabinet Secretary without prescribing grounds. Crucially, the dismissal did not fall under Article 75 of the Constitution which governs ethical conduct and carries the consequence of disqualification from future State office. As such, her public service journey remains lawfully unbroken and the Committee found no legal or moral impediment to her continued service to the Republic.

In further fulfilment of due diligence, the Clerk of the National Assembly wrote to the relevant agencies - Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority (KRA), Directorate of Criminal Investigations (DCI), Higher Education Loans Board (HELB) and Office of the Registrar of Political Parties (ORPP) - seeking reports on the nominees' integrity, tax compliance, criminal record status, loan obligations and political affiliations. All the agencies returned clean reports, affirming the nominees' good standing.

The Committee conducted oral approval hearings on Monday, 7<sup>th</sup> April 2025. Each nominee was evaluated on academic credentials, professional record, integrity, nomination

procedure and overall suitability as required under sections 6 and 7 of the Public Appointments (Parliamentary Approval) Act. Following this exercise, the Committee made the following general observations:

1. Each nominee is a Kenyan citizen with no allegiance to another nation, in full fidelity to Article 78 of the Constitution.
2. Each nominee gave a solemn assurance to engage in no other gainful pursuit, placing public duty above private interest, in keeping with Article 77(1) of the Constitution.
3. None of the nominees holds a political party office, reflecting impartiality in line with the spirit of Article 77(2) of the Constitution.
4. All the nominees affirmed adherence to Articles 75 and 76 of the Constitution, vowing to uphold ethical conduct and to disclose and manage any potential conflict of interest.
5. All the four nominees demonstrated both on paper and in presence, competence, integrity and readiness worthy of service to the Republic.

I would like to speak about a few of the nominees so that Members can understand what we did as a Committee. Eng. Peter Kiplagat Tum is not just a nominee, but a seasoned public servant. He is a man of diligence and tested resolve. He holds a Master of Science in Energy Management from the University of Nairobi, a Bachelor in Industrial Technology from Israel University and a Postgraduate Diploma in Medical Electronics from Queen Mary University of London. With a Higher Diploma in Electrical Engineering from Kenya Polytechnic, his academic path reflects a mind honed for systems, strategy and precision.

His technical acumen aligns with Kenya's development footprint in the DRC. Eng. Tum has over 25 years' experience in senior public service. He has stood at the helm of critical reforms as Principal Secretary in Sports, Labour, and Health, and as the Chief Executive Office of Kenya Medical Training College (KMTTC). He brings a rare ability to weave cross-sectoral programmes, harmonise Government and non-State actors and drive impact with efficiency.

His depth of governance experience satisfies the legal and strategic standards under Section 7(c) of the Public Appointments (Parliamentary Approval) Act. No objection was raised by the public on his nomination. The process under Article 118 of the Constitution was faithfully observed. His nomination sailed unopposed and rightly so. The Committee, therefore, recommends his appointment.

Ms Susan Nakhumicha Wafula, the nominee for appointment as Permanent Representative to the UN-Habitat, has a Master of Science in Procurement and Logistics, a Bachelor in Purchasing and Supplies from the Jomo Kenyatta University of Agriculture and Technology and a Diploma in Healthcare Management from the Kenya Institute of Management. This multidisciplinary background shows her capacity to handle complexity, deliver results and steer Kenya's mission in multilateral frameworks. She brings over 20 years of experience and, therefore, is fit for the task she has been nominated to.

In line with Article 118 of the Constitution, the Committee invited public participation. Only one submission by Mr Eliud Karanja Matindi opposed her nomination. It cited her dismissal from the Cabinet through *Gazette* Notice No.8440 of 2024. However, the Committee determined that the dismissal was under Article 152(5)(b) of the Constitution which allows presidential discretion and does not bar one from future appointments. She was not dismissed under Article 75(2) of the Constitution which carries disqualification provision. The objection though duly received, was constitutionally unsubstantiated. The Committee, therefore, recommends her appointment.

The last nominee I want to talk about is Mr Abdi Dubat Fidhow, the nominee for appointment as Consul-General to Arusha, Tanzania. In Mr Abdi Dubat Fidhow, the

Committee encountered not just a nominee, but a man forged in the fibres of public finance, regional diplomacy and unshakeable service.

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

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

Hon. Temporary Speaker, under Article 78(1) and (2) of the Constitution, he is eligible as a Kenyan by birth and by oath, and bound by dual ties.

Academically, he has a Master's in both numbers and strategy. He holds a Master of Business Administration in Strategy, Planning and a Bachelor of Commerce in Finance from the University of Nairobi.

His career has spanned from boardrooms and ministries, from PriceWaterhouseCooper's to founding and leading consulting firms to serving as Principal Secretary of the State Department for East African Community (EAC) Affairs, where he did not watch regional integration from the sidelines; he led it. He negotiated, coordinated, and safeguarded Kenya's position in Arusha. Now, he returns, not as a visitor, but as our chosen voice as a Consul-General.

In leadership, Fidhow has not only managed budgets, but also steered, reformed, inspired teams, and delivered results. He is a builder of bridges. His vision for the consulate is clear and forward-looking to deepen Kenya-Tanzania relations, advance regional integration, empower Kenyan Small and Medium-sized Enterprises (SMEs), and strengthen consular service delivery to Kenyans. The Committee, therefore, recommends the appointment of Mr Abdi Dubat Fidhow as Consul-General of Kenya to Arusha, United Republic of Tanzania without reservations.

The late Kofi Annan once said: "More than ever before in history, we share a common destiny". In appointing these envoys, we are not just filling posts, we are entrusting the future of Kenya's voice in a shared regional and global journey. Diplomacy is the art of building bridges, securing peace, and advancing prosperity.

**The Temporary Speaker** (Hon. Farah Maalim): Order, Vice-Chairman. I do not know if the rules have changed, but ordinarily, whether it is a chairman or anybody, they are not supposed to be reading a text all through. You are supposed to refer to that as notes. Make it as brief as possible, please.

**Hon. Major (Rtd) Abdullahi Sheikh** (Mandera North, UDM): Noted, Hon. Temporary Speaker. I know the mood of the House is that they just want this Motion quickly dispensed. I am guided.

**The Temporary Speaker** (Hon. Farah Maalim): I am sure you understand. Wrap it up.

**Hon. Major (Rtd) Abdullahi Sheikh** (Mandera North, UDM): I get your point. Diplomacy is the art of building bridges, securing peace, and advancing prosperity. The Committee, therefore, in its wisdom, having looked at all four nominees, recommends that the House approves the appointment of:

1. Engineer Peter Kiblada-Tum, as Ambassador to Kinshasa, Democratic Republic of Congo.
2. Ms Susan Nakhumicha Wafula, as Permanent Representative to the Permanent Mission of Kenya to UN-Habitat, Nairobi.
3. Mr James Buyekane Muhati, as Consul-General to Guangzhou, the People's Republic of China.
4. Mr Abdi Dubat Fidhow as Consul-General to the United Republic of Tanzania.

Hon. Temporary Speaker, I beg to move and ask this House to adopt the Committee's Report. I now respectfully invite Hon. Martha Wangari to second.

**Hon. Martha Wangari** (Gilgil, UDA): Thank you, Hon. Temporary Speaker. My Vice-Chairman has done justice to all the candidates that we are looking at. I will just make general comments. First, none of these four appointees are newbies in public service. They all have had very long service in terms of where they have been. We can account for each one of them with an average of 10-20 years of public service. As a Committee, we were able to mirror all the requirements against the Constitution and the Public Appointments (Parliamentary Approval) Act, and we are very satisfied that they are up to the task.

Allow me to speak about the nominee headed to Kinshasa, DRC. You remember this Committee and the House previously rejected a candidate for this station. We felt that he was grossly unfit and unqualified to take up that position. On the contrary, we have no doubts about Engineer Peter Kiplagat. We also made it very clear that the task ahead of him is quite momentous. He will almost be resuscitating our presence in DRC, given the situation and what has happened in the past. His work is cut out for him.

Second, the Committee raised a few issues about the UN-Habitat, specifically the issue of integrating UN-Habitat with Kenya's Government and the Bottom-Up Economic Transformation Agenda (BETA). We do not feel like Gigiri is out of Kenya. We should still feel that they are in this country, and they also join in contributing to our country's growth.

Third, is the issue of Guangzhou and the interests with China. If you check the trade balance between us and China, you will find that there is a lot of traffic, including flights going to Guangzhou, specifically for business with China. There is a lot we will get from there. Having been a Principal Secretary, Mr James Buyekane will do justice to that station.

Finally, the appointment of Mr Abdi Dubat Fidhow as the Consul-General, Arusha, in the United Republic of Tanzania, is timely. He is the immediate former Principal Secretary of EAC. He not only understands the relationship between the EAC countries, but also understands what needs to be done because he has been in that station. As a Committee, we have done very well in mirroring all these appointments. We do not doubt that they will make this country proud, but also the region. They are among the best.

Allow me to second. Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Fair enough. That was brief and to the point.

*(Question proposed)*

I do not see much interest. Leader of the Majority Party, do you want to say something?  
Hon. Keynan.

**Hon. Adan Keynan** (Elda, UDA): Thank you, Hon. Temporary Speaker. This is a very important Motion. Diplomacy is defined as the art, science, and means by which nations and groups conduct their affairs in a way that projects the image of a particular country. This is done in a way that promotes and protects the interests of that particular country. Having said that, under the Vienna Convention, which is the mother of all diplomatic engagements, there are certain critical issues that a diplomat is expected to undertake. In the Kenyan context, allow me to say this: As a country, we are not doing well. We must call a spade a spade. I am glad that the Leader of the Majority Party and the Leader of the Minority Party are here.

Once upon a time, this country was the epicentre of all economic activities in the region and the pride of many Sub-Saharan African States. Our economy is struggling. A few years back, this country was the epicentre of humanitarian activities, but today we are struggling. This country is supposed to be the hub of infrastructure, communication and security. That is the Kenya we wanted. As much as our intention is to give jobs to individuals who qualify, paper qualifications are not enough. You must have the zeal, determination, and the will to represent Kenya as a premier republic.



Hon. Temporary Speaker, you were the Deputy Speaker then, and I was the Chairman of this Committee. I oversaw the growth of our diplomatic missions. You will recall that at that time, we did not have a diaspora department in the Ministry of Foreign Affairs. Do you remember the report we tabled? Ultimately, it led to the establishment of a diaspora desk at the Ministry of Foreign Affairs and all our missions. Today, by the grace of God, the diaspora community is the single largest foreign exchange earner for our country. The diaspora department has a fully-fledged State Department. These are the gains brought about by individuals who were foresighted and ensured that our diplomatic representation not only mirrored political engagement, but also the economic realities and the well-being of the people of Kenya.

I agree that these individuals are qualified. The United Nations (UN) Habitat is a technical organisation. The UN Human Settlements Programme is supposed to promote socially and environmentally sustainable towns and cities. It is also supposed to promote transformative change in cities and human settlements through knowledge, policy, and technical advice. You have been given this role. Are you ready for that job? Without demeaning the character of the person appointed to this position, allow me to remind her that this is not the Ministry of Health. You will interact with many technical people representing the face of the universe. Those failed appointments in the Ministry of Health should not be carried over to UN-Habitat. I want to tell her that we are giving her this job because she is qualified, but...

**Hon. Wanami Wamboka** (Bumula, DAP-K): On a point of order, Hon. Temporary Speaker.

**Hon. Adan Keynan** (Eldas, JP): What is out of order?

**Hon. Wanami Wamboka** (Bumula, DAP-K): Hon. Temporary Speaker, all of us know the work Ms Nakhumicha did at the Ministry of Health. My friend cannot just start despising that.

**The Temporary Speaker** (Hon. Farah Maalim): Order, Hon. Wamboka! What is out of order?

*(Hon. Wanami Wamboka spoke off the record)*

No! You cannot say that we know. It is a point of debate. You will have your moment. Proceed, Hon. Keynan.

**Hon. Adan Keynan** (Eldas, JP): I have no doubt that she has been...

*(Hon. Gathoni Wamuchomba spoke off the record)*

**The Temporary Speaker** (Hon. Farah Maalim): Are you on a point of order?

**Hon. Gathoni Wamuchomba** (Githunguri, UDA): Yes. Let me wear my *kofia* so that you can see me properly.

Hon. Temporary Speaker, it is out of order for anybody to discuss somebody on the Floor of the House, especially a woman, without giving her the right of reply. It is unfair. It is completely out of order for the Member to discuss an honourable and gracious lady on the Floor.

**The Temporary Speaker** (Hon. Farah Maalim): Order, Hon. Member. That is the real essence of bringing information.

*(Hon. Wanami Wamboka spoke off the record)*

**The Temporary Speaker** (Hon. Farah Maalim): Who do you want to inform? Your Chairman does not need information at this stage. Hon. Wamboka, you will have your moment.

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Hon. Keynan, do you want to be informed by Hon. Wamboka?

**Hon. Adan Keynan** (Eldas, JP): Hon. Temporary Speaker, Hon. Wamboka is my good friend. I said that I support her nomination. I am only trying to expand her job description. I support her nomination as our representative to UN-Habitat, but I am trying to draw an analogy because I am a consumer.

**The Temporary Speaker** (Hon. Farah Maalim): Order, Hon. Members. That is the very essence of bringing information before the House.

**Hon. Adan Keynan** (Eldas, JP): Hon. Temporary Speaker, allow me to say that I support her nomination.

**The Temporary Speaker** (Hon. Farah Maalim): Proceed.

**Hon. Adan Keynan** (Eldas, JP): Let me put it on record. As a father of many highly educated and beautiful girls, I support the nomination of Ms Susan as our representative. I only want to give her a word of encouragement that this technical organisation she has been appointed to is not like the Ministry of Health. The Ministry of Health was a State Department in the Kenyan context. She is going to interact with the whole world. If she was here, she would be taking notes now. I am trying to tell her that this is a technical UN arm. I should be allowed to offer free advice, because I may not see her. I attempted to see her from February 2024 until she was removed as the Cabinet Secretary, and I failed to get an appointment. So, let me pass this message for free.

In summary, when you are appointed to this very important portfolio to represent the President and the people of Kenya, it is not an assignment for you to make a living. It is an assignment to promote this country so that we benefit from your representation, and this is what I am trying to allude to. At UN-Habitat, you represent one of the refugee-dominated towns in Kenya. Our representation in this organisation should benefit the people of Dadaab and Kakuma. This is what I am trying to say. I have no doubt she will do the job.

Somebody has been appointed to Kinshasa. As a country, we are lucky to have not gone through militarism and you know it. We are lucky, but are we courageous enough to address the pitfalls and the missed opportunities?

*(Hon. Martha Wangari consulted loudly with another Member)*

**The Temporary Speaker** (Hon. Farah Maalim): Order, Hon. Member. My good friend, Hon. Martha Wangari, who is my colleague on the Speaker's Panel, and my other good lady friend there, your *kamukunji* is a bit too loud for the House. Please, do it in very low tones.

**Hon. Adan Keynan** (Eldas, JP): I have expectations from these individuals who have been appointed to these positions. I want to mention ten expectations of Hon. Adan Keynan as a Member of Parliament of Eldas and the longest-serving Member of Parliament. These are my expectations:

1. Promote Kenya's Foreign Policy and provide services not only to Kenyans, but to all.
2. Build and strengthen bilateral relations that can benefit the people of Kenya. This is the era of multilateralism and bilateralism. Going out to these organisations must enhance Kenya's presence in the international community.
3. Enhance our national security and regional stability. You know the situation in this region. Look at what is happening, such as the challenges in South Sudan, the Democratic Republic of Congo, Somalia, Ethiopia and the entire region. Kenya has been an icon of peace. This must be protected and promoted so that Kenya continues to be an island of peace.
4. Enhance our economic and trade expansion. I want you to compare for a minute the Gross Domestic Product (GDP) of the Republic of Kenya with that of

Ethiopia, Tanzania and Uganda, and reflect on where we were ten years ago. Ours is barely struggling. The GDP of Ethiopia today is projected to be four times that of Kenya. Is that where we are supposed to be? Look at the GDP of Tanzania and Uganda. This is my prayer to these individuals: once you are given this job, please work hard for our economic expansion so that many unemployed and underemployed youth can get opportunities.

**Hon. Samuel Atandi** (Alego Usonga, ODM): Hon. Temporary Speaker, I have a lot of respect for my elder here, but I wanted to inform him that in real terms, our economy is doing better than Ethiopia's. Ethiopia just defaulted on their loan; Kenya has never. So, I just wanted to inform him that in terms of economic performance, we are doing better than Ethiopia. They are on the right trajectory, but Kenya is doing better.

**Hon. Adan Keynan** (Eldas, JP): Hon. Temporary Speaker, with due respect to my good Chairman, I talked about the projected GDP.

**The Temporary Speaker** (Hon. Farah Maalim): I get you.

**Hon. Adan Keynan** (Eldas, JP): I will go ahead to my fifth expectation.

5. Engage the Kenyan diaspora wherever they are. These are valued representatives of the people of Kenya, contributing immensely to our economic well-being.
6. Protect the interests of the Kenyan citizens abroad.
7. Advocate for Kenya's global position so that it remains a key player in all international organisations.

Also do strategic networking and influence. Hon. Temporary Speaker, this is why lobbying is an emerging field in the world. If you go to the United States of America (USA) today, lobbying is the best-paid job.

*(Hon. Junet Mohamed consulted  
loudly with several Hon. Members)*

**The Temporary Speaker** (Hon. Farah Maalim): Order, Hon. Junet. Do not create a small fish market in the House. Proceed, Hon. Keynan.

*(Laughter)*

**Hon. Adan Keynan** (Eldas, JP): Hon. Temporary Speaker, I confirm that fish is the most delicious food one can ever have.

**The Temporary Speaker** (Hon. Farah Maalim): Proceed.

**Hon. Adan Keynan** (Eldas, JP): Hon. Temporary Speaker, the eighth point is doing strategic networking and influence.

**The Temporary Speaker** (Hon. Farah Maalim): Or is it a camel market? Proceed.

**Hon. Adan Keynan** (Eldas, JP): Hon. Temporary Speaker, if you go to USA today, the most sought-after academic field is lobbying. A few years ago, it was associated with activism and other fields. Engage in bringing Kenyans together through their network and influence.

9. Compliance with international law and order. This is why we say Kenya is the true face of international law and order. Give me one more minute, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Give him one additional minute. Conclude.

**Hon. Adan Keynan** (Eldas, JP): This is why I say Kenya is the face of compliance with international law and order. This is what has given us prominence in the international community. This must be protected jealously.

Finally, deliver untouchable results. We are here. We are coming for you. The Committee, led by Hon. Bashir and Hon. Koech, must be on the neck of these individuals so that they bring results. I support their nomination.

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

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Temporary Speaker. I rise to support this Special Motion on the Approval of Nominees for Appointment as Ambassador, Permanent Representative and Consuls-General. As the Chairperson of the Committee has said, these nominees are seasoned civil servants. Some of them have served in very senior positions.

Eng Tum was a Principal Secretary in the Ministry of Health for many years. He then moved to the Ministry of Youth Affairs, Creative Economy and Sports. He did exceptionally well as a Principal Secretary. This will also be a very good way of serving the country in another capacity other than that of an accounting officer in a Ministry. He has what it takes to serve our country. His experience in the Ministry of Health and Ministry of Youth Affairs, Creative Economy and Sports has positioned him very well. It is good that he is going to a country that is not very far from the capital, in Kinshasa. There are challenges in the Democratic Republic of Congo (DRC).

He is in a good position to midwife the issues that bedevil the East African Community (EAC) engagements in the DRC and those of the Southern African Development Community (SADC). I believe Eng Tum will also do very well in promoting trade between our country and DRC. A lot of enterprises in this country, including two large commercial banks, do business in Kinshasa, DRC. Therefore, we need the presence of an ambassador who commands respect, not only in the business community, but also one who can engage informally and informally with both governments. Eng Tum, having been a Principal Secretary, sits at that very good position to engage effectively and meaningfully with both governments to smoothen the trade opportunities that exist between us and DRC.

We had challenges with this particular post given rejection of one of the nominees by the House. I cannot remember his name, but he is a gentleman who was nominated for the DRC job. What is the other mission, Vice-Chairperson? There was a gap with the movement of the last ambassador to Kinshasa. It is not good to leave this post without a substantive ambassador representing our country, considering the challenges that I have mentioned. With the war in the DRC, we miss trade opportunities. Kenyan businesspeople have many huge investments there. It is important that we have a substantive ambassador there.

Hon. Temporary Speaker, as it has been said, Ms Susan Nakhumicha's stint at the Ministry of Health revealed her as a very articulate person, a go-getter, and someone able to effectively communicate what the Ministry was doing. At some point, we missed her in her articulation and push for the Social Health Authority (SHA) and the Social Health Insurance Fund (SHIF). I am happy because that work has been taken over by my predecessor, Hon. Aden Duale. I am very confident that, as I said the other week, he will do well to actualise Universal Health Coverage (UHC) in this country.

The principal secretaries were sworn in this morning. The Principal Secretary for Medical Services, Dr Oluga, is a seasoned professional in the medical field. I believe he will also do very well together with Hon. Duale. I am saying this because I am certain that the foundation that was set by Cabinet Secretary Nakhumicha, especially in midwifing the process of moving from NHF to SHIF, is very good. This puts her at a very good position to now serve as a Permanent Representative locally, within the permanent mission of Kenya to the UN-Habitat in Nairobi. She will also be available for consultations with the Ministry of Health, where she will be required from time to time, as a former Cabinet Secretary, to consult and offer guidance to those who are there.

Many people have varied opinions on her performance in the Ministry of Health. However, by and large, she did exceptionally well, especially considering that she was midwifing a transition from what was a very difficult National Health Insurance Fund (NHIF) riddled with corruption. The corruption cartels in Afya House, which was christened Mafia House, were expected to fight back. You have seen the pushback that has been there with SHIF because corruption fights back. We always say that. I do not know why we tend to forget that the corruption cartels that bedevilled NHIF are still within this country. If you doubt, look at the exposé that was done by some German media house on organ trafficking within a health facility in Eldoret.

The same characters who are being mentioned in the organ trafficking are the same ones who are being mentioned in the theft of public funds at NHIF. Therefore, corruption fights back. That is why I am very slow at admonishing public officers who have served in this Ministry. I know these very powerful cartels have the capacity to use whatever means they can to tarnish people's names. We have seen them using many means to tarnish even the name of Ms Susan Nakhumicha, who by my estimation did exceptionally well. I commend her. I vouch for her for approval as our Permanent Representative to the UN-Habitat Mission in Kenya.

Hon. Temporary Speaker, let me speak about Mr James Buyekane Muhati. As the Vice-Chairperson said, and for those who have bothered to go through the Report, he has served our country very well as a Principal Secretary and in various other capacities like at the IEBC. He is moving on to Guangzhou as a Consul-General. For those who are businesspeople like me and Hon. Keynan, we will tell you that if you have not been to Guangzhou and you are a trader in this country, then you have not been doing any trade. This is a very important destination for many Kenyan businesspeople who import products from China, and those establishing cottage industries in this country. Many people go to Guangzhou to learn from the cottage industries that have developed in that city and are now mega industries. Many Kenyans are importing skills and equipment from Guangzhou to set up cottage industries in the agro-processing value chain. I believe Mr Muhati will do well in harnessing our relations between the province of Guangzhou in the Republic of China and our country, more so, the business people between the two countries.

Mr Abdi Dubat has served as a Principal Secretary in the Government of Kenya. He is a seasoned accountant. I know that for a fact because we are in the same profession. We are experiencing trade issues within the East African Community (EAC) in regard to disproportionate tariffs between our countries. We are in an era of protectionist policies where everybody wants to protect their own. Kenya is no exception. We must protect our industries, manufacturers, and businesspeople. Mr Abdi Dubat has his work cut out for him at the EAC in Arusha to ensure that even as we work together within the EAC and other regional blocs such as the African Continental Free Trade Area, we should protect our industries. I believe that he will serve very well having been a Principal Secretary and a seasoned accountant.

I know Hon. Junet wants us to put the Question, but I was trying to buy time for other reasons which he knows.

I support the Motion.

**The Temporary Speaker** (Hon. Farah Maalim): I will give Hon. Bisau an opportunity to contribute.

**Hon. Bisau Kakai** (Kiminini, DAP-K): Thank you, Hon. Temporary Speaker. I rise to support the Motion. All the four candidates are very good picks.

At the outset, I would like to talk about the nominee to the United Nations (UN) Habitat, the exceptional Madam Nakhumicha. I interacted with her when I worked at the UN while she worked at the University of California as the Head of Supplies. Her demeanour and experience make her a very good fit. I heard Hon. Keynan's contribution that the agency is technical. As

much as it is, the personality, zeal and experience of Ms Nakhumicha, make her a very good pick.

For the other picks, the situation in the Democratic Republic of Congo (DRC) requires a mind like Engineer Tum's. You need a cool person in that type of environment. Principal Secretary Muhati who is moving to China is also a very good pick.

I support the Motion.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Junet, are you going to ask me to put the Question?

**Hon. Junet Mohamed** (Suna East, ODM): Hon. Temporary Speaker, let me just contribute although I did not want to. I oppose the Motion because we should not recycle people who have served in very high offices by giving them other offices. When will career diplomats get chances to serve in our diplomatic missions?

*(Applause)*

When will they get those opportunities? All the failed politician and civil servant are being dumped in a mission somewhere in the world. That demoralises our career civil servants.

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

You had your chance, Leader of the Majority Party. Let me now do the work of the Leader of the Minority Party.

**The Temporary Speaker** (Hon. Farah Maalim): Order, Leader of the Majority Party. Proceed, Hon. Junet.

**Hon. Junet Mohamed** (Suna East, ODM): Leader of the Majority Party, there is no Broad-Based Government on this one.

*(Laughter)*

Some civil servants start their careers at a very young age in the world of diplomacy. They start at the Ministry of Foreign Affairs from the lowest job group and rise through the ranks. When they rise to the scale of deputy ambassador, they stagnate. They can never move from there because Hon. Junet will be voted out in Suna East, and be made an ambassador. Most likely, after the next election, Hon. Keynan will be made an ambassador.

*(Laughter)*

**Hon. Adan Keynan** (Eldas, JP): On a point of order, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Order, Hon. Keynan. There is nothing out of order. Proceed, Hon. Junet.

**Hon. Junet Mohamed** (Suna East, ODM): Even the two late presidents, Daniel Toroitich Arap Moi and Mwai Kibaki never did this. This issue of recycling people the way you recycle waste in Dandora started with the Jubilee Party. This culture must stop. These people were already serving in high offices. The appointing authority has the prerogative to relieve them of their duties. By the time they are relieved of their duties, there must have been a problem such as incompetence, malpractice or a change of loyalty. Perhaps, some went to Wamunyoros side.

*(Laughter)*

**The Temporary Speaker** (Hon. Farah Maalim): Order, Hon. Junet. Sometimes, it has very little to do with efficiency and performance. Maybe, it is a consequence of the Broad-Based Government.

**Hon. Junet Mohamed** (Suna East, ODM): No, Hon. Temporary Speaker. This is far from it. This is about other issues. I want to see a list of 10 diplomatic appointments having a minimum of six or seven career diplomats. We can then add three failed politicians and civil servants to the list. If Hon. Wamuchomba loses her seat in Githunguri in the next elections, she can be nominated as an ambassador because the path she has taken is a direct ticket home.

*(Laughter)*

In conclusion, let us...

*(Hon. Gathoni Wamuchomba spoke off the record)*

**The Temporary Speaker** (Hon. Farah Maalim): What is out of order, Hon. Wamuchomba?

**Hon. Gathoni Wamuchomba** (Githunguri, UDA): Hon. Temporary Speaker, I respect you very much, and I expect you to protect me from the bullying by Hon. Junet, who is talking about me. There is no election between now and next year. Is he a prophet to prophesy that I will lose in Githunguri? Who told him that I am interested in running for that seat anyway? Can he clarify whether he is now a prophet? He is out of order. We are talking about people who will serve as diplomats, not Hon. Wamuchomba, who is a Member of Parliament - the iron lady from Githunguri - the woman who walks on forks without shoes.

**The Temporary Speaker** (Hon. Farah Maalim): Order, Hon. Wamuchomba. You can trust that the Speaker will always protect you. Hon. Junet only said: 'In the event that you lose your seat'. That phrase is neither here nor there. Proceed.

**Hon. Junet Mohamed** (Suna East, ODM): Hon. Temporary Speaker, I apologise to Hon. Wamuchomba. I was soliciting and lobbying for her that in the event that the *Wamunyoru* bus gets punctured, she should get a soft landing by becoming an ambassador in charge of Githunguri and Kimende areas.

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

**The Temporary Speaker** (Hon. Farah Maalim): Order, Hon. Junet. What is your point of information, Leader of the Majority Party?

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Temporary Speaker, maybe the Leader of the Minority Party has not heard what the Member for Githunguri has said. I understand what he meant by his point, but the Member for Githunguri has asked: "Who even told you I am interested in running for Member of Parliament for Githunguri?" She probably knows that running for that seat would be a futile attempt.

*(Laughter)*

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

**Hon. Junet Mohamed** (Suna East, ODM): Hon. Temporary Speaker, I have heard what the Leader of the Majority Party has told me. However, Hon. Wamuchomba is an iron lady. I cannot withstand Hon. Wamuchomba being out of office. If she is so strong now when she is in office, what do you think she can do when she is out of office? She can run us out of this

town. We must create for her some diplomatic posting in charge of Githunguri, Kimende, Lari up to Limuru, and call that area UNEP Githunguri where she can become a diplomat.

*(Laughter)*

**Hon. Gathoni Wamuchomba** (Githunguri, UDA): On a point of order, Hon. Temporary Speaker.

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

**Hon. Gathoni Wamuchomba** (Githunguri, UDA): Hon. Temporary Speaker, you have allowed these Members to make me the point of discussion on this issue. However, I am very excited that they are calling me all those good names because they know that I am a beautiful and intelligent woman who has shown them dust in the political corridors. I am happy that the Leader of the Majority Party is talking about me yet he could not show his face in a public forum when the President visited Githunguri on Saturday. He disappeared like smoke. He ran away, literally.

*(Hon. Junet Mohamed spoke off the record)*

**The Temporary Speaker** (Hon. Farah Maalim): Order. This is getting out of hand. Order, Hon. Junet. I will give you an opportunity, but you had better know how to navigate your way. The Standing Order are very clear that you cannot discuss the character of a Member without a substantive Motion. For God's sake, do not discuss her character. You can discuss events, ideas, and the Motion before you.

The Leader of the Majority Party is on a point of order. What is your point of order?

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Temporary Speaker, mine is on misinformation. The Member of Githunguri knows that I was nowhere near the President last Saturday. I think she wanted to mean the Saturday when we were in Githunguri Constituency. You know I am a peace-loving Kenyan, and also a consumer of certain intelligence reports. I had intelligence reports of what the Member for Githunguri, and the Governor of Kiambu, who is with stashed money that you saw being pulled out of bedrooms, had planned against the Member for Kiambu County, Hon. Ann Wamuratha.

**The Temporary Speaker** (Hon. Farah Maalim): Order, Leader of the Majority Party. You are both out of order. She discussed you without a substantive Motion. You are discussing her without a substantive Motion. I will not have that anymore. The House has to be orderly. Hon. Junet, please conclude.

**Hon. Junet Mohamed** (Suna East, ODM): In the spirit of diplomacy, international and national relations, the Leader of Majority Party, Hon. Kimani Ichung'wah is the undisputed kingpin of Kiambu County. I must put that on record.

**The Temporary Speaker** (Hon. Farah Maalim): Order, Leader of the Minority Party. Whether it is in good or bad light, you cannot discuss the character of an Hon. Member of Parliament on fortune's back without a substantive Motion.

*(Several Members spoke off the record)*

Order. Do you think the only time one is out of order is when they are discussing a matter in a negative tone? Even in positive terms, without a substantive Motion, it is out of order. Can you conclude?



**Hon. Junet Mohamed** (Suna East, ODM): In conclusion, I hope the Kenyans who have been given this chance of serving us will do a good job. They are going to very important stations in terms of business, international relations, and cultural and technological exchanges.

In this country, we as politicians and people in high offices, love ourselves so much that we forget other Kenyans out there are qualified and can do these jobs. I am totally opposed to that, and I think I should bring a legislation here. I, completely, oppose this Motion. I am requesting the Executive not to send one like this again. This should be the last one.

I even opposed when people were removed from offices and posted to diplomatic positions. It is on record here. This is not the first I am opposing. Why should you be discharged as a Cabinet Secretary or a Principal Secretary only to end up becoming an errand boy for another Principal Secretary in the Ministry of Foreign Affairs? That is a demotion. We should not allow this to happen. There are other senior positions these Kenyans can serve at the level where they were serving.

For Githunguri, I will create a diplomatic position there when I become the President. Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Order, Hon. Junet. Hon. Zamzam.

**Hon. Zamzam Mohammed** (Mombasa County, ODM): Asante sana, Mhe. Spika wa Muda kwa kunipatia nafasi ili nami niunge mkono mjadala wa leo kuhusu uteuzi wa Mhe. Susan Nakhumicha.

Ninajua mambo mengi yametokea. Lakini, anastahili. Hasa ukiangalia ukakamavu wake wa kazi na masomo yake. Ndio, yalitokea ya kutokea katika Wizara ya Afya. Sio mwaka wa kwanza yakitokea akiwa hapo. Yametokea wengine wakiwa hapo, kama madaktari kugoma. Kwa hivyo, ni taifa liangalie mishahara na mambo ya madaktari, walimu na wengineo. Nakhumicha ni mama na alionyesha. Mimi kama mama siwezi kumvuta mama mwenzangu chini kwa sababu najua aliweza na anaweza. Hata kama pengine ametoka nafasi kubwa na kurudi ya chini, lakini pia anaweza *kuserve* taifa lake akiwa pale.

Kwa hivyo, ninaunga uteuzi wake mkono. Ninamuomba Mungu afanye kazi yake akiangalia maslahi ya Wakenya na kuyaweka mbele.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Pukose.

**Hon. (Dr) Robert Pukose** (Endebess, UDA): Thank you, Hon. Temporary Speaker.

I stand to support the nominations into the three positions: Hon. (Eng) Peter Tum as the Ambassador to Kinshasa in the Democratic Republic of the Congo (DRC); Hon. Susan Nakhumicha as the Permanent Representative in the Permanent Mission of Kenya to the UN-Habitat, Nairobi; and the other two who have been nominated as Consuls General to Guangzhou in People's Republic of China, and Arusha in the United Republic of Tanzania.

I want to disagree with the Leader of the Minority Party who stated that these people did not perform in their various areas. He stated that nominees should only be people who have grown in their careers. Ambassadors are people with different expertise, not only within diplomatic circles. There are experts in trade or health. It exposes everybody to equal opportunity. This is where we come in. Having served in various capacities including as a Cabinet Secretary of Health, Susan Nakhumicha demonstrated that she is capable, and with wide experience.

As a former Chair of the Departmental Committee on Health, I worked with her well. She had the capacity to deliver. Going in as an Ambassador to the UN-Habitat, I think she will deliver.

**Hon. James K'Oyoo** (Muhoroni, ODM): On a point of information, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): What is your point of information, Hon. K'Oyoo? Hon. Pukose, do you wish to be informed by Hon. K'Oyoo?

**Hon. (Dr) Robert Pukose** (Endebess, UDA): Yes, the Member of Muhoroni can inform me.

**Hon. James K'Oyoo** (Muhoroni, ODM): Thank you very much.

With due respect, I want to inform my good friend that ambassadors' pecking orders want them to report to principal secretaries. My friend Eng. Tum, who was a Principal Secretary, will be reporting to a principal secretary who will be his boss. That means he has been demoted.

**Hon. (Dr) Robert Pukose** (Endebess, UDA): I do not think that was information.

**The Temporary Speaker** (Hon. Farah Maalim): Order, Hon. Members. I think you need to understand a little bit about Statecraft. An ambassador is a representative of the President. That is why he is called His or Her Excellency.

**Hon. (Dr) Robert Pukose** (Endebess, UDA): Yes. A principal secretary is not His Excellency.

**The Temporary Speaker** (Hon. Farah Maalim): Order. That is why it is not a demotion when you are appointed an ambassador. Technically, maybe, your opinion on the pecking order has a certain thing. However, an ambassador represents the Head of State. That is why they are called His or Her Excellency. You cannot address a principal secretary as His Excellency. It is not a demotion. Proceed.

**Hon. (Dr) Robert Pukose** (Endebess, UDA): That is why I was saying his information does not help my debate.

*(Laughter)*

The ambassador will be representing Kenya in various capacities. Now, if approved by this House, His Excellency Peter Tum will be representing our country in Kinshasa. With the Democratic Republic of the Congo being a member of the East African region, I think he will hasten its integration into the East African Community, so that the Democratic Republic of the Congo can also enjoy the fruits of being a member of East Africa. With his going there, we hope he will improve the peace that is within that country so that its people also enjoy the tranquilly and peace in the region.

Hon. Temporary Speaker, Mr Abdi, our consul general to Arusha, Tanzania, is also a key partner of the East African region. He will represent our interests in Arusha, Tanzania, and also hasten the East African integration.

**Hon. Samuel Atandi** (Alego Usonga, ODM): On a point of order, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Go ahead.

**Hon. Samuel Atandi** (Alego Usonga, ODM): Hon. Temporary Speaker, I rise under Standing Order 95. Going by the mood in the House, I feel that Members are in agreement that this Motion needs to be passed. I, therefore, request you to ask the Mover to reply.

Thank you.

*(A Member spoke off the record)*

I looked at your faces.

**Hon. (Dr) Robert Pukose** (Endebess, UDA): Thank you, Hon. Temporary Speaker.

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

**Hon. (Dr) Robert Pukose** (Endebess, UDA): I have not concluded.

**The Temporary Speaker** (Hon. Farah Maalim): Order, Hon. Pukose. Is it the mood of the House that the Mover be now called upon to reply?

*(Hon. (Dr) Robert Pukose spoke off the record)*

Order, Hon. Members. A point of order can be raised in the midst of a contribution by any Member. The moment a point of order is raised, it freezes everything. If in the opinion of the Speaker the point of order is genuine, then the Speaker makes a communication. Now that he rose on a point of order, I want to know if it is the mood of the House that the Mover be called upon to reply.

*(Loud consultations)*

Order. You do not know the rules though you are a ranking Member.

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

Mover.

*(Hon. (Dr) Robert Pukose spoke off the record)*

No. Hon. Pukose, you are my good friend. I have all the respect for you, but you people have turned this House into something else.

*(Hon. (Dr) Robert Pukose spoke off the record)*

Order. Not after I have already put the Question on whether the Mover should be called upon to reply or not. Please, respect the rules of the House. I left these rules when they were sacrosanct, now you people are turning them into something else.

Mover proceed to reply. As long as I am the Temporary Speaker here, I will protect the rules and dignity of the House. Proceed.

**Hon. Major (Rtd) Abdullahi Sheikh** (Mandera North, UDM): Thank you Hon. Temporary Speaker for that guidance.

I appreciate the Members who made immense contributions to the Motion. I agree that the mood of the House is as you have stated.

On a point of information, in the last Session, we did not approve the name of Mr Charles Githinji Kiiru who was a nominee for consular general to the Democratic Republic of Congo. It should not be taken for granted that this Committee or House just passes anybody. We rejected a nominee on the basis of the fact that he was not fit for that kind of assignment.

The Leader of the Minority Party spoke about the nominees being demoted or getting some other positions. You put it rightly that they are called excellencies, but while they are in the country, they are not called that. It is not a demotion as such since they represent the President in those capacities. When they are moved from those positions, it is not because of incompetence, but rather a reassignment to other positions.

Hon. Temporary Speaker, with those few remarks, I beg to reply.

*(Question put and agreed to)*

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

## BILL

*Second Reading*THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS BILL  
(Senate Bill No.1 of 2025)

**The Temporary Speaker** (Hon. Farah Maalim): Chairman, Budget and Appropriations Committee.

**Hon. Samuel Atandi** (Alego Usonga, ODM): Hon. Temporary Speaker, I beg to move that the County Governments Additional Allocations Bill (Senate Bill No.1 of 2025), be now read a Second Time.

Additional allocations to counties are provided for under Article 202(2) of the Constitution, which stipulates that:

“County governments may be given additional allocations from the national Government’s share of the revenue, either conditionally or unconditionally”.

Additionally, Article 190 of the Constitution allows for legislative measures to provide further support to counties to enable them to perform their work effectively.

This Bill comes to this House in concurrence with the Senate, pursuant to Article 110(4) of the Constitution. We passed a similar Bill in this House on 14<sup>th</sup> March 2025, and it was forwarded to the Senate. The Senate has not yet progressed with it.

This Bill from the Senate varies the amounts that we forwarded with the Bill to the Senate, by about Ksh25.53 billion. That variation by Senate was done because we were responding to the reductions which happened in the Supplementary Estimates II for the 2024/25 Financial Year which we passed. In those estimates, we drastically reduced the estimates in the Bill.

This Bill now increases the allocations by about Ksh25.5 billion, making the total allocation in this Bill to Ksh50.04 billion. This variation has received concurrence from National Treasury that has affirmed that, indeed, they will provide for the variation. The variations in this Bill is largely supported from loans and grants from development partners. The development partners have also confirmed that the funds we are providing for in the Bill are ready and once the Bill is passed, the funds will be available to counties to perform their functions.

In this Bill, Ksh8.4 billion from the national Government share of revenue will be provided by the National Treasury, while Ksh42 billion is from development partners in the form of loans and grants. I need to highlight that out of the Ksh8.4 billion which will come from the national share of revenue, Ksh1.75 billion is money which is earmarked to county governments to sort out their outstanding salary arrears for health workers. When health workers were on strike, a return-to-work formulae was signed, and it allocated the Ksh1.75 billion to countries to sort out that arrangement.

The other issue which is important in this Bill is that we are providing for about Ksh2.9 billion to help counties in what we call County Aggregation and Industrial Parks (CAIPs). Counties have done so well in developing these industrial parks which are very important because they are going to be the centres of value addition for local products that are being done in counties. Providing for this allocation is going to fast-track this line of development. Remember, this is one of the key items in the Bottom-Up Economic Transformation Model we are implementing as a broad-based Government.

The other important item in the Bill has to do with about Ksh42 billion which has been provided for by donors in the form of grants and loans. This allocation is going to be spent in the areas of health, agriculture, water, and sanitation. These programmes are very critical for our people at the grassroots. We need to facilitate our counties so that they are able to receive this money and develop these programmes. When we were doing public participation,

governors appeared before us and told us that, indeed, they have done procurement and they are waiting for the funds to be sent to them so that these services can be provided for.

The other issue has to do with Universal Health Coverage (UHC). Every county has health promoters whose money is also provided for here. The national Government pays Ksh2,500 directly to health promoters and counties are also supposed to do the same. Because we have not passed this Bill, the national Government has already played its part, but counties are lagging behind in arrears. You find that a health promoter has received money due from national Government, but they have even five months arrears. We need to provide for these workers who are important because they are the first contacts in the healthcare systems in our counties. They are the first contact that our people meet when they fall sick. Therefore, failure to pay their arrears means that we are undermining our health sector.

I also want to add that in this Bill, we have removed the allocations under the Road Maintenance Fuel Fund (RMLF). I want to inform the Members that it is not here. What is holding us is a court case which we have agreed with the Council of Governors (CoG) that we are going to initiate conversations towards ensuring that this case is removed from court and the funds revert to the Kenya Rural Roads Authority (KeRRA).

In a nutshell, I would like to urge the Members that this Bill is important because some of the programmes that I have highlighted are the ones benefiting people at the grassroots. Therefore, we should not be seen as the House that is really trying to stop our people from enjoying resources, some of which are borrowed. The Ksh2 billion in this Bill are proceeds from loans and grants. These are resources that will not come from our exchequer.

Hon. Temporary Speaker, I would like to urge Members to support this Bill and allow it to progress so that our counties can function.

I would like to call upon the Leader of the Minority Party to second.

*(Hon. Gideon Kimaiyo spoke off the record)*

**The Temporary Speaker** (Hon. Farah Maalim): You cannot rise on a point of order before a Bill is seconded. Proceed to second.

**Hon. Junet Mohamed** (Suna East, ODM): Hon. Temporary Speaker, I second.

I would like to say that the County Governments Additional Allocations Bill is an important Bill. You may remember that in the old days, the National Treasury used to give counties money in form of conditional grants, but now Parliament has come up with the idea of County Governments Additional Allocations Bill. This is in line with the aspirations to enhance devolution in this country. There is a misconception that is going on that the National Assembly is anti-devolution. There is no person with a sane mind who can oppose devolution. This is the only avenue we have that takes billions of shillings to the places where people live. Today, some counties in the country would not have seen money from the national Government in form of a billion if it were not for devolution. Previously, they never saw money because they used to be in the budgeting system of the centralised system of the Government.

Hon. Temporary Speaker, you are old enough to know that. They used to be told that their money had been put to security to defend them from enemies and other things. They never saw any development money in their lives.

Counties have revamped our livelihoods. I know there are many shortcomings and people believe that there are big problems in counties like corruption and malpractices. All that can be addressed separately without killing the idea of devolution and the vision that the framers of this Constitution had in terms of making the livelihood of Kenyans better. Many developed countries in the world like Germany developed because they implemented devolution. They devolved money from the centre to where people live, farm, and get

healthcare. There is no way a country will achieve meaningful development or change the livelihood of their people without implementing devolution.

When devolution came, it was supposed to disperse both power and resources to the ground. There is an on-going debate in the country on whether enough resources and functions have been devolved to the counties and whether some functions are still held at the national level. We need to have a national discourse to agree as a country whether we have devolved enough functions and resources to the counties. There are many things that can be done at the county level because that is where the rubber meets the road. If devolution can be implemented properly in comparison to what is happening now, I can assure that this country will not be the same.

Hon. Temporary Speaker, there is a big debate going on in the country on whether in the last 10 to 12 years, devolution has achieved what it was intended to achieve. That is acceptable because even on the national Government, there is a debate whether it is doing the right thing or the wrong thing. Every day people accuse them of various issues like Social Health Authority (SHA) and other Government policies that are not working, but they continue improving in their service provision and keep on saying they are going to change. Devolution is also supposed to do the same. The things which are not working should work.

We have not created devolution to enrich or make certain people billionaires. We have created devolution so that Kenyans can feel that power and resources reside with them in their villages. They do not need to come to Nairobi to do anything. You must do everything you intent to do whether it is healthcare, education, energy or roads. You must get any kind of development at the devolved unit where you stay.

Hon. Temporary Speaker, the tag that is being peddled around that the National Assembly is anti-devolution cannot stand the test of time. We must stand with devolution because our own people, our constituents are part of counties. There is no constituency that is not part of a county; every constituency is part of a county. Therefore, the people the governor is leading are the same people who also voted for us. There is no way we can fight devolution. It is not right that we are branded as anti-devolution but, we must also be able to oversee. If the county government is not doing its work, it is our responsibility to point it out and say what has failed.

I think Kenyans must now go back to the drawing board and ask themselves how we can improve and make devolution better for the benefit of all of us. How do we devolve more functions, resources and put accountability measures in place? If any county government misuses or misappropriates funds contrary to the law, then serious action needs to be taken in accordance with the law. That is when we are going to become a better society and benefit from the fruits of devolution.

With those few remarks, I urge my colleagues to support this Bill and pass it. A lot of money contained in this Bill does not come from the exchequer, but it comes from donor funds. It is donor-funded from the World Bank which wants to improve our slums and build roads in our counties. Majorly, donor-funded programmes are contained in this Bill. If we oppose it, we will literally prevent county governments from accessing donor funding which is not good for us. Why should we refuse funding if a donor wants to improve health care in Migori or Homa Bay? Why should we refuse funding if a donor wants to improve our roads? That is not in our place to do. I, therefore, urge that we pass this Bill. We will discuss devolution holistically - where it is, where it has come from, and the direction we want it to go.

I second

*(Question proposed)*

*(Hon. Gideon Kimaiyo spoke off the record)*

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

QUORUM

**Hon. Gideon Kimaiyo** (Keiyo South, UDA): Hon. Temporary Speaker, we are a House of rules. The matter at hand is very weighty. Looking at the House, we do not have quorum. I therefore, rise on Standing Order 35 to request that you check whether we have quorum.

Thank you, Hon. Temporary Speaker.

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

*(Hon. Junet Mohamed spoke off the record)*

Order, Hon. Junet. I do not know how low you got this Parliament to. When a Member rises on a point of order and raises the issue of quorum, I have to ask the Serjeant-at-Arms to check whether there is quorum or not. The rules are very simple. Please, let us follow the rules.

*(The Temporary Speaker consulted  
with the Serjeant-at-Arms)*

We do not have quorum. Ring the Quorum Bell.

*(The Quorum Bell was rung)*

*(Hon. Junet Mohamed spoke off the record)*

I proposed the Question and the Bill is open for debate. Hon. Junet, what is wrong with you? Enthusiasm seems to have taken the better of you.

Ring the Quorum Bell for 10 minutes.

*(The Quorum Bell continued ringing)*

## ADJOURNMENT

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Members, the time being 5.26 p.m., this House stands adjourned until Tuesday, 22<sup>nd</sup> April 2025, at 2.30 p.m.

The House rose at 5.26 p.m.

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