



The SENATE

For the Welfare of Society and the Just government of the People Weekly

Issue No. 009

Pending Bills: Senators call meeting over Sh160 billion owed by counties

Huge accumulation of bills blamed on delayed National Treasury disbursements, diversion of funds meant for suppliers and underperformance in Own-Source-Revenue generation in counties

The County Public Accounts Committee (CPAC) will meet key stakeholders in the devolution space to deliberate on the issue of pending bills, a financial albatross that has refused to leave the neck of the 47 county governments, with far-reaching impact on service provision.

The meeting, to be held on an agreed date between October and December, will see the Committee engage the Office of the Auditor-General (OAG), the Controller of Budget (COB), the Council of Governors (CoG), the National Treasury and the Ethics and Anti-Corruption Commission (EACC), in the hope that it will help frame actionable measures to ensure the integrity and completeness of accounts payable across the counties.

The revelation of the long overdue meeting was made by CPAC chairman Moses Kajwang' when he delivered a statement on the activities of the Committee for a 3-months period, commencing April 1, 2023 to June 2023.

"There is lack of uniformity in the accounting policies used in county entities," said senator Kajwang on Wednesday, August 3.

The report of the Office of the Controller of Budget indicates that cumulative pending bills in the counties stand at Sh160 billion as at June 2023.

The report indicates that County Executives owe suppliers Sh157 billion in pending Bills while the figure for the County Assemblies stands at Sh1.63 billion.

The report further indicates that Nairobi County has the biggest share of pending bills at Sh100.36 billion, followed by Wajir at Sh5.59 billion, Kiambu (Sh4.98billion) and Mombasa (Sh4.97billion).

Others are Machakos (Sh2.88 bil-



Senate County Public Accounts Committee Chairperson Moses Kajwang (second right), flanked by some of the committee members from left: Nairobi Senator Edwin Sifuna, Nyandarua Senator John Methu and Tharaka Nithi Senator Gataya Mo Fire.

lion) and Muranga at Sh2.75billion.

Some of the reasons identified for the huge accumulation of the bills are delays by the National Treasury in disbursing funds to counties, diversion of funds meant to pay pending bills to other activities or suppliers and underperformance in Own Source Revenue leading to budget deficits and unfunded commitments.

Other reasons identified are failure by counties to align their procurement plans to cash flow initiatives and approved budgets and delays in approval of Supplementary Budgets and failure to adopt prior year pending bills in the revised budget.

IFMIS related challenges where the system is also frequently closed to prevent procurement has also been identified as the cause of pending bills.

Whereas financial statements of

county funds and corporations are prepared on accrual basis, those of county executives and assemblies are prepared on cash basis which has made it impossible to obtain consolidated financial statements for county governments and has further amplified the problem of pending bills and returned County Revenue Fund (CRF) issues.

"The proposed stakeholders' meeting will also develop a timeline for all county entities to migrate to the accrual basis and for the preparation and audit of consolidated financial statements," added Senator Kajwang, pointing out that there is improvement in financial management in County Assemblies.

Through the County Allocation of Revenue Act, the Senate has over the years increased budgetary ceilings to county assemblies way above the recommended seven per quantum under

the Public Finance Management (PFM) Act, 2012.

In some cases, assemblies have received as much as 13 per cent of a county's revenue, while on the other hand some assemblies still receive less than seven per cent, for example the Mombasa County Assembly.

In the report, CPAC wants the relevant House Committee to undertake a thorough analysis on the needs of county assemblies, so as to ensure uniformity in allocations and compliance with the law.

The Committee also recommends the fast-tracking of legislative and administrative measures that will afford county assemblies financial autonomy.

"The main weakness across most assemblies relates to poor assets management. Majority of county assemblies do not possess titles to the land on which

the assemblies sit.”

To address the problem, the committee has recommended that the Intergovernmental Relations Technical Committee (IGRTC) should assist assemblies to secure ownership of these assets as well as those inherited from defunct councils.

The Committee has conducted a total of 31 sittings in the three-month period, starting from April 1 to June 30 2023.

During this period the committee interrogated reports of the Auditor-General on financial statements of 15 County Executives and 11 County Assemblies.

The committee adopted 15 reports for County Executives and nine for County Assemblies and will be tabling them in the current session.



Members of the Senate County Public Accounts Committee during its session last week session .

Senate Committee joins '98 bomb blast victims for prayers as it rolls out determined bid for their compensation by US government



From left: Senator Daniel Maanzo, Senator Jackson Mandago, Senator Agnes Kavindu (chairperson) and Senator Beatrice Ogolla during the prayer event on Saturday.



Victims and relatives of those who were affected by the US Embassy Bomb blast in August 1998, during the prayer event.

It was a solemn Saturday, August 5, 2023, at the August 7th Memorial Park in downtown Nairobi, the venue of the devastating 1998 terror attack.

The Senate Ad hoc Committee, formed to pursue compensation for Kenyan victims of the attack had joined the survivors in the Victims Prayer Day, just two days before the country commemorates a quarter century after the attack.

The Committee used the occasion to meet victims of the attack and listen to their side of this sad, but old story, that sticks out as the sore thumb in Kenya's otherwise very vibrant, cordial and mutually-beneficial bilateral ties with the United States of America.

The committee, which is chaired by Machakos Senator Agnes Kavindu, is set to tour the US where it will hold meetings with Members of the Congress to

lobby for the compensation of the survivors whose world has stood still for the last 25 years.

Addressing the victims and their families at the event, Members of the committee called on the US Government to consider the excellent historical relationship it has had with the Kenya government and its people and compensate the victims and their families their dues.

“The attack was an act of war against the US government. There is a portion of liability that goes to the American Government and that is why we're demanding for the compensation. The USA should look into the welfare of Kenyans since they're our friends,” said Senator Dan Maanzo, who is a member of the committee.

The Committee reiterated their resolve to advocate for the victims' cause when

they meet with their American counterparts pointing out that this is the only way to alleviate the suffering they have endured over the years.

“For over 25 years, many Kenyan victims of the bomb blast continue to seek reparation and compensation on this issue. We must honour the memory of those we mourn today by pressing the cause of justice,” said Kavindu.

Nominated Senator Beatrice Ogola challenged the US Government, which is a member and a signatory to the UN Charter, to look after the rights of Kenyans who were affected by the disaster.

The Senators also pleaded with the Kenyan Government to consider offering employment to the survivors so that they can support their families since many employers shy away from offering jobs because of their medical con-

ditions.

“There is a requirement that 5 per cent of the employment in Kenya must consider persons with disabilities. The Kenyan Government should get some of these survivors some meaningful employment,” said Senator Jackson Mandago, citing the provisions of the affirmative action.

The committee continues with public inquiries on the issue.

Foreign Affairs Cabinet Secretary Alfred Mutua is the next stakeholder to appear before the committee followed by the Interior Cabinet Kithure Kindiki. Both are expected to deliberate on the steps the Kenya Government has taken to ensure the victims of the attack are compensated.

Speakers co-chair inaugural session of Commonwealth Parliamentary Association, Kenya Chapter, in Nairobi



Speaker of the Senate Rt Hon Amason Jeffah Kingi and National Assembly Speaker Rt Hon (Dr) Moses Wetangula presided over the First Meeting of the Joint-Presidents of the Commonwealth Parliamentary Association (CPA) Kenya Branch last Thursday.

The two speakers are co-Presidents of the Kenyan Branch of the CPA and Thursday's meeting was the Inaugural Session of the 13th Commonwealth Parliamentary Association (CPA), Kenyan Chapter.

The meeting considered and planned for upcoming events and activities in the CPA calendar.

A key plank of these events is the establishment of the Executive Committee (ExCom), whose objective is to drive implementation of the Parliament of Kenya's commitments to the CPA.

Election of members of the ExCom will be conducted in the National Assembly Chamber on Thursday this week.

In attendance were Hon Kimani Ichungwa, Leader of Majority, National Assembly; Hon Stewart Madzayo, Leader of Minority, Senate; Hon Opiyo Wandayi, Leader of Minority, National Assembly; Hon Dr Makali Mulu, MP,

Regional Representative of CPA; Clerk of the Senate, Mr Jeremiah Nyegenye and Clerk of the National Assembly, Mr Samuel Njoroge.

Mr Njoroge is the Secretary of the CPA Kenya Branch while Mr Nyegenye is the Branch Treasurer.

During the meeting, Speaker Kingi said notice of the upcoming election should be sent out to the Members of Parliament to enable those interested in contesting some of the seats to plan themselves and canvass for votes.

The Commonwealth Parliamentary Association is one of the oldest established organisations in the Commonwealth, having been founded in 1911.

It is a membership association which brings together Members, irrespective of gender, race, religion or culture, who

1. Speaker of the Senate Rt Hon Amason Jeffah Kingi addresses the meeting.
2. Speaker Kingi and National Assembly Speaker Rt Hon Moses Wetangula consult with Clerk of the Senate Jeremiah Nyegenye (left) and National Assembly Clerk, Mr Samuel Njoroge (right).
3. Hon Kimani Ichungwa, Leader of Majority, National Assembly and Hon Opiyo Wandayi, Leader of Minority, National Assembly.
4. From left: Hon Dr Makali Mulu, MP, Regional Representative of CPA, Hon Stewart Madzayo, Senate Leader of Minority, Hon Kimani Ichungwa, Leader of Majority, National Assembly and Clerk of the Senate, Mr Jeremiah Nyegenye.

are united by community of interest, respect for the rule of law and individual rights and freedoms, and by the pursuit of the positive ideals of parliamentary democracy.

Membership to the Commonwealth Parliamentary Association (CPA) accords Kenya's bicameral Parliament a unique opportunity to engage with other

legislatures in the Commonwealth.

It offers a vast opportunity for Parliamentarians and parliamentary staff to collaborate on issues of mutual interest and to share good practice.

The Association is made up of over 180 legislatures (or Branches) located in the nine geographic regions of the Commonwealth.

Speaker Kingi joins President, worshippers for Thanksgiving at Sagana State Lodge in Nyeri

Speaker of the Senate, Rt Hon Amason Jeffah Kingi, addresses worshippers at the Thanksgiving and Special prayers hosted by H.E. Dr William Samoei Ruto at Sagana Lodge in Nyeri County on Sunday, August 6th, 2023. Present were the Deputy President, H.E. Rigathi Gachagua, National Assembly Speaker Rt Hon Moses Wetangula, Prime Cabinet Secretary Musalia Mudavadi, among other leaders and residents of Mathira in Nyeri County. The President is on a 5-day working tour of the Mt Kenya region.



We are ready to receive Kenyatta University trainee medics, Prof Mugenda tells Senate Health Committee



Senate Committee on Health Members led by chair Senator Jackson Mandago in discussions with Kenyatta University Vice Chancellor Prof Paul Wainaina and top university management.



Senate Committee on Health meets KUTRRH Board led by the chairperson, Prof Olive Mugenda.

In what could be a harbinger of the much-needed harmony between Kenyatta University and its teaching and referral hospital and peace of mind for trainee medics, the facility's board has revealed that it was now ready to accommodate the students.

Kenyatta University Teaching, Research & Referral Hospital Board chairperson, Prof Olive Mugenda, revealed that Kenya Medical Practitioners and Dentists Council carried out an inspection of the Hospital on July 20th, 2023, to assess its suitability for use in training of medical students of the Kenyatta University's School of Health Sciences.

Upon being found suitable, the Hospital was subsequently accredited as a teaching hospital for clinical training of medical students. "The hospital is

ready to receive 100 students from the University to commence their medical training," stated Prof. Mugenda, while expressing optimism that the two institutions would henceforth working harmoniously for the benefit of the students.

Prof Mugenda, a former Vice chancellor of the university, and during whose tenure the idea to establish KUTRRH was mooted, made the revelations when she received Members of the Senate Committee on Health at the hospital on July 31st, 2023.

The committee comprised of the chairperson Senator Jackson Mandago, Vice Chair Senator Mariam Sheikh, Senator Esther Okenyuri, Senator Abdul Haji, Senator Hamida Kibwana and Senator Joe Nyutu.

The visit by the Senate team to

Kenyatta University and KUTRRH for inspection and meetings with their respective managements came in the wake of a petition filed in the Senate by students Mr Jaafar Kasava and Mr Thiongo Muiruri on behalf of Kenyatta University Students Association (KUSA) over use of KUTRRH by medical students.

The revelations by Prof Mugenda could now allay the students' fears and concerns, and put out the flames that have for a long time now engulfed the matter, pitting the university against its own hospital – one of the top-rated medical facilities in the country.

Earlier, the Committee met KU top management led by Vice Chancellor Prof Paul Wainaina, who briefed the Members on the layout of the University before proceeding for the tour of the

Health Science Departments.

He relived the frustrations of the both the students and KU management over the long-drawn dispute between the University and the hospital, with the students left holding the short end of the stick.

"Currently medical students have to wake up very early in the morning to travel over 40kms to Kiambu Level Five Hospital for their clinical training," stated Prof. Wainaina.

"We have listened to your petition and gathered important information. We will collate all this data that will inform a fair and just resolution to this matter which will be included in our report that will be tabled before the Senate," stated Senator Mandago.

Blow to learning: Treasury CS reveals that 14 devolved units lack public library services

The critical role public libraries play in learning came under close scrutiny during a meeting convened by the Senate Standing Committee on Finance and Budget, with calls for a robust discussion on the functions and funds for Library Services.

Stakeholders among them the National Treasury, the Institute of Certified Public Accountants of Kenya (ICPAK) and Intergovernmental Relations Technical Committee (IGRTC), took part in the deliberations meant to generate input into the Public Finance Management Amendment Bill, 2023 (National Assembly Bills No. 16 of 2023), the County Governments Additional Allocation Bill (National Assembly Bills No. 23 of 2023) and the County Government (Revenue Raising Process) Bill (Senate

Bills No. 22 of 2023.)

The elaborate talks were triggered by revelations by the Cabinet Secretary for the National Treasury Prof Njuguna Ndungu, that 14 counties out of the 47 do not have public library services.

Prof Ndungu said there was need for stakeholders to engage deeply and find a way that will help establish library services in the 14 Counties that do not have the services at the moment.

On the proposal to amend the Public Finance Management Act CS Prof. Njuguna explained to the committee that the amendment will help align the Act to the Constitution of Kenya, 2010.

"It is important to review the relevant provisions of the Public Finance Management Act to ensure the terms used in the Act are consistent with the definition



Kisii Senator Richard Onyoka, and Mombasa Senator Mohamed Faki

of Public debt in Article 214(2) of the Constitution," explained Prof. Njuguna.

"The main purpose of these Amendments is to give effect to Article 214(2) of the Constitution of Kenya 2010 and Section 50(2) of the PFMA that provides that the National Government may borrow in accordance with this Act or any

other legislation and shall not exceed a limit set by Parliament," he emphasized.

IGRTC Chairperson Kithinji Kiragu appealed to the lawmakers to consider amending the County Allocation Revenue Act (CARA) through the Supplementary Budget to allocate the rightful share to counties that received less funding to cover staff expenses in the transfer of Library functions.

He further called on the committee to push for the allocation of conditional grants of Ksh.100 million to the remaining 14 county governments.

ICPAK called for the development of comprehensive regulations covering procedures for tax proposal submission, review timelines, public participation and compliance monitoring in accordance with Article 94(6) of the Constitution.

Members of the committee in attendance were Sen. Tabitha Mutinda (Vice Chairperson) who chaired the meeting, Kisii County Senator Richard Onyoka, Kakamega County Senator Dr. Boni Khalwale, Mombasa County Senator Mohamed Faki and Migori County Senator Eddy Oketch.

Kindiki: Government will recognise, remunerate 'Nyumba Kumi' leaders, once law is ammended

Interior and National Administration Cabinet Secretary Prof. Kithure Kindiki has revealed that the government has put in place plans to recognize and remunerate Village Elders under the Nyumba Kumi Initiative.

Speaking when he appeared before the Senate Standing Committee on National Security, Defence and Foreign Relations, CS Kindiki said the Kenya Kwanza Administration recognizes that the Village elders offer essential services to the country hence the need to support them through recognition and remuneration.

Prof. Kindiki appealed to the lawmakers to come up with an amendment of the National Government Coordination Act No. 1 of 2013 to provide for a village as the lowest administrative unit after a sub-location.

"Once the National Government Coordination Act, 2013 is amended to include a village as the lowest administrative unit after a Sub Location, the ministry will come up with criterion of establishment of a village, considering the population, geographical area and social cultural factors," explained CS Kindiki.

He said a policy framework on re-



Interior and National Administration Cabinet Secretary Prof. Kithure Kindiki when he appeared before the Senate Standing Committee on National Security, Defence and Foreign Relation last week.

cruitment and remuneration of village elders will be developed to address among other issues the establishing terms of engagement, functions of village elders, criteria of recruitment, remuneration scheme, termination of engagement, disciplinary procedures, conditions and procedures for vacation of office.

The policy framework will also enable the Ministry to establish the ensuing budgetary implication which will be submitted to the National Treasury for allocation of funds.

CS Kindiki appeared before the committee to give his input on the Petition by the Secretary General, National

Community Ambassadors Mr. Benson Nyaga Kagete who petitioned the Senate regarding recognition and remuneration of village elders under Nyumba Kumi Initiative.

The CS also gave his position on a Petition by residents of Kajiado East and Kajiado West Sub Counties concerning the rampant livestock theft in the region and Kajiado County at large.

Prof. Kindiki assured the legislators that his Ministry has beefed up patrols and surveillance to stamp out criminals stealing livestock.

He said all security officers have been warned against colluding with criminals as alleged assuring the committee that any officer who will be found engaging in the vice will be prosecuted.

Members of the committee in attendance were Baringo County Senator William Cheptumo (Chairperson), Kisumu County Senator Prof. Tom Ojien-da SC, Isiolo County Senator Fatuma Dullo, Sen. George Mbugua, Kajiado County Senator Seki Lenku, West Pokot County Senator Julius Murgor and Lamu Senator Joseph Githuku.

Senators Samson Cherakey and Miraj Abdillahi attended the meeting as friends of the committee.L

Recruitment agency director summoned as Labour CS reveals firm is not licensed

Senate Standing Committee on Labour and Social Welfare led by Sen. George Mbugua today held meeting with the CS Ministry of Labour and Social Protection Hon. Florence Bore, Commissioner Immaculate Kassait of Data Protection Commission, Representatives of Mr. David Langat and Petitioners of the Petition on alleged fraud by the First Choice Recruitment and Consultancy Agency.

The Cabinet Secretary for Labour and Social Protection confirmed that indeed First Choice Recruitment and Consultancy Agency is currently not allowed to operate since it's license expired on 18th February 2023 and has since not been renewed as the Committee is yet to receive background security reports notably from the National Intelligence Service (NIS) which is mandatory. Also, it was noted that despite being in possession of personal and sensitive data of various people, the Company does not have a license from the Data Protection Commission.

She further informed the Committee that the existing legal framework does

not afford adequate protection to job seekers against the activities of rogue recruitment agencies; and that the penalties for malpractices by employment agencies are not deterrent. The CS however, explained that the draft Labour Migration Management Bill, 2023 has introduced additional clauses to regulate recruitment agencies and hold them more accountable to the persons recruited through their agencies. In addition, the Bill has also defined illegal recruitment and proposed hefty penalties.

From an evidence presented to the Committee on job advertisement done by the First Choice Recruitment and Consultancy Agency on 22nd July 2023, it was apparent that the Agency is still operating despite not having the required license! The CS was categorically directed by the Senators to move with speed to stop the Agency's ongoing operations at once as they are illegal.

The Director of First Choice Recruitment and Consultancy Agency Judy Jepchirchir failed to honour the Committee invite hence the Committee resolved to issue her with Summons.



Above: CS Florence Bore - Ministry of Labour and Social Protection.

Below: Senator Miraj Abdulrahman and Senator George Mbugua (Vice Chairperson of the Committee).

Senate ICT Committee resolves to conduct an inquiry into World Coin's operations in the country

The Senate Committee on Information, Communication and Technology, led by the Chairperson Senator Allan Chesang, has resolved to conduct an inquiry into the operations of World Coin's cryptocurrency project in Kenya.

This comes in the wake of a public outcry on the blockchain company's operations in the country and the contradicting statements given by the Ministry of ICT and Digital Economy and the Ministry of Interior and Coordination of National Government about the same.

During the Committee's retreat in Machakos County on Friday, the Mem-

bers of the Committee expressed their concerns about the safety and security of sensitive personal data by a private body and pledged to investigate the legal status of the cryptocurrency landscape in Kenya.

"There were talks that women were even carrying children for their eyes to be scanned, despite them not giving consent. So, we need to engage all the stakeholders involved so that we can protect Kenyans," Senator Beatrice Ogola said.

"We, as a Committee, need to inquire about the safety and security concerns over the cross-border transfer of sensitive personal data by a private body.



A session of the Senate Committee on Information, Communication and Technology.

We also need to examine the legal issues and identify the regulatory concerns concerning cryptocurrencies in the country," Senator William Kisang' added.

The ICT Committee also resolved to invite the Ministry of ICT and Digital

Economy and the Communication Authority (CA) to shed light on the status of Cyber Security in Kenya following the attempted cyber-attack on Government E-Services Platforms.

Water Sector groans under weight of staggering Sh11.2 billion losses annually, as regulator seeks to tame trend



Chair CPISFC Hon Godfrey Osotsi and Narok Senator Ledama Olekina during a session of the committee last week.

To address the issue of Non-Revenue Water (NRW) losses that have plagued the water sector, the Water and Sanitation Providers Association (WASPA) has been at the forefront of advocating for innovative strategies and collaborative efforts.

WASPA, established as the umbrella organization for regulated Water Service Providers (WSPs), has outlined a multifaceted approach to combatting NRW losses that have proved to be costly to the sector.

Non-revenue water refers to water that is produced but fails to generate revenue due to various reasons such as leakages, theft, and metering inaccuracies.

Appearing before the Senate Committee on County Public Investments and Special Funds (CPISFC), WASPA revealed to the committee that the water sector has been losing a staggering 45%

of produced water, amounting to a monetary value of Kshs 11.2 billion annually.

The association explained to the committee that the challenge of NRW is twofold, encompassing both physical losses arising from dilapidated water infrastructure and commercial losses due to unmetered access to water services.

These losses, the Godfrey Osotsi-led committee heard, if left unaddressed, not only strain the financial health of water service providers but also hinder efforts to achieve improved water and sanitation coverage, a key component of the Sustainable Development Goals (SDGs).

WASPA has embarked on a comprehensive approach to tackle NRW head-on. Their initiatives include the development of Minimum Guidelines for Metres, Pipes, Valves, and Pumps, supported by an international collaboration



WASPA CEO (left) Anthony Ombugo, Chairman Moses Kinya (Centre), and Peter Biwott- Vice-chair

with SWAP-Bfz of Germany.

These guidelines, eventually adopted and enforced by the Water Services Regulatory Board (WASREB), are aimed at maintaining quality control in the sector.

The association's benchmarking platform, which has grown from 3 to 44 Water Service Providers (WSPs) since its inception in 2009, facilitates peer-to-peer learning and collective improvement of technical and financial performance. By focusing on key performance indicators, including NRW reduction, the platform fosters a culture of continuous improvement.

To address the technical aspects of NRW management, WASPA has partnered with the Federal Republic of Germany to establish a Center of Excellence in Geographical Information Systems (GIS) in Kericho. This initiative aims to build the capacities of WSPs in GIS, pro-

viding them with tools to better manage their water infrastructure.

One of WASPA's notable strategies is the leasing of NRW management equipment, such as Ultra Sonic Flow Meters (UFM), to WSPs at affordable rates. This approach is supported by SWAP-Bfz of Germany, aiming to equip water service providers with the necessary tools for effective NRW management.

Antony Ambugo, the CEO of WASPA, emphasizes the importance of collective efforts to combat NRW.

"The reduction strategies require the support of everyone in raising the billions required to replace the dilapidated infrastructure," he stated.

Commercial losses, Ambugo noted, necessitate investments in smart metering and behavioural change among customers and stakeholders alike.

Scrutiny of crucial legislative proposals, constitute work portfolio delivered by Justice and Legal Affairs committee



Senator Wakili Hillary Sigei, Chair, Senate Standing Committee on Justice, Legal Affairs, and Human Rights (JLAHRC).

A keen scrutiny of four crucial legislative proposals which include amendments to parliamentary powers, the Constitution of Kenya, county government laws, and electoral regulations, constitute the workload that the Senate Standing Committee on Justice, Legal Affairs, and Human Rights (JLAHRC) has tackled in the period spanning April 1 to June 30, 2023.

The committee also held in-depth

discussions with the respective sponsors of the proposals and studied the practices and legislation of other jurisdictions. The resultant comments and recommendations were submitted to the Speaker of the Senate, Rt Hon Amason Jeffah Kingi, as per the procedural guidelines.

In an official statement to the Senate, the committee chairperson, Senator Wakili Hillary Sigei, said the committee held an impressive total of twenty-five

sittings, dedicating its time to deliberating on various legislative proposals, Bills, Statements, and Petitions, as well as engaging with stakeholders on pertinent issues.

The report also highlighted the committee's ongoing consideration of the Constitution of Kenya (Amendment) Bill, a critical piece of legislation aiming to realize the long-sought two-thirds gender principle in Parliament. Notably, the committee is determined to secure broad-based support across the political spectrum and has nominated Senator Veronica Maina to the Multi-Agency Working Group on the Two-Thirds Gender Rule. Additionally, the sponsor of the Bill, Senator Beth Syengo, is being considered for inclusion in the Working Group, indicating the committee's commitment to fostering consensus on this important matter.

During the reporting period, the committee addressed three Statements, each covering important issues in the country. These included concerns about the lack of a national design and framework for civic education, the early release of inmates convicted of minor offenses, and pending bills arising from a Senatorial by-election in Bungoma County.

Furthermore, the committee conscientiously reviewed and considered four Petitions touching on significant matters

such as historical injustices suffered by the Torobeek Community, land disputes faced by the Kipsigis Community, mistreatment and human rights violations of the family of the late Hon. Jean Marie Seroney, and the delay in launching the victims' rights charter under the Victim Protection Act.

The committee's efforts extended beyond the confines of Nairobi, as they conducted site visits to various counties to gather first-hand information on specific Petitions. Nakuru, Kericho, and Nandi Counties were among those visited, alongside engagements with county assembly delegations from Kakamega and Kilifi.

Senator Sigei expressed his gratitude to the Senate Speaker, the Office of the Clerk, and the diligent committee members for their unwavering commitment to the important work being undertaken. With several priorities already lined up for the next quarter, including electoral law reforms, civic engagement, human rights protection, legal education, and harmonizing laws with the devolved structure of government, the committee is set to continue its essential role in shaping Kenya's legal landscape.

The Senate is expected to carefully review the committee's detailed report and take appropriate action in the coming weeks, considering the significant implications of the matters discussed.

Shakahola Committee gets additional 30 days to wind up probe, table its report

The Senate has voted to extend the term of the Ad hoc Committee on the Proliferation of Religious Organisations by another 30 days.

The committee had 90 days until July 26 to submit its report, but during the debate on the motion to extend the time, chairman Danson Mungatana told the House that the time was insufficient to complete the work and table its report.

Potential witnesses are people who escaped from the Shakahola forest most of who have been unwell because they have to go through some psychological treatment.

Senator Mungatana told the House that some of them are better now and are ready to appear before the committee.

"The political class has not been able to come before us. They have expressed interest, as big stakeholders in that area, to ask that they be heard," Senator Mungatana said while moving the motion on extension of time.

Other stakeholders who would want to give information, have submitted a specific request to appear and explain what they know.

"We are requesting that the House supports this Motion, so that we can give a report worthy the title of a Senate report," said the senator.

The committee has had several meetings, interactions and discussions with the stakeholders. Through those discussions and meetings, the Committee has come across very useful information, which is going to help it in coming up with recommendations, so that a similar situation will not arise in future.

Nandi senator Samson Cherarkey supported the motion and challenged the committee to widen the net and ensure that it listens to every religious organisation registered in Kenya, including 'Yesu wa Tongaren' and others.

"All religious organisations should be listened to, so that we understand. I



Tana River Senator Danson Mungatana, Chairperson of the Senate Ad hoc Committee on the Proliferation of Religious Organisations in Kenya..

appeal to the Committee not to, in any way, try to regulate or micro-manage the running of religious organisations in this country. It will be a disaster," declared the senator.

Kiambu senator Karungu Thangwa supported the extension arguing that it will help the committee to look deeply into this matter and give a report that will bring these matters to a closure.

"This Committee should also tell us

what a religious cult is and whether we should be having mental check-ups for those people who want to start churches. Someone said that even politicians need mental check-ups when they are running for these seats because we are dealing with the lives of people," he said.

With the extension, the Committee has until September 5, 2023 to table its report.

Bills on licensing and start-ups in counties highlight legislative agenda of Trade Committee

Processing of a Bill seeking to streamline licensing procedures by county governments and another aiming to support start-ups, have constituted the legislative agenda of the Senate Standing Committee on Trade, Industrialisation and Tourism.

In addition, the Committee carried out pre-publication scrutiny of the Street Vendors (Protection of Livelihood) Bill 2023, and the Price Control (Essential Goods) (Amendment) Bill, 2023, and approved both legislative proposals for publication in the Senate.

In a report tabled before the Senate, Committee Chairperson Senator Lenku Ole Kanar Seki said the team has, in the period between 1st April to 30th June 2023, rigorously considered The County Licensing, 2022 (Uniform Procedure) Bill, 2022 (Senate Bills No. 9) of 2022, which seeks to establish standard uniform procedures for licensing by County Governments.

The second Bill is the Startup Bill, 2022 (Senate Bills No. 14 of 2022) which seeks to provide a framework to encourage innovation and incentivize the establishments of startups through incubation programmes and a streamlined administrative mechanism for registration and operations. Both Bills are currently before the Committee of the Whole.

The Committee has received one Petition by Mr. Nicholas Rono on the fraudulent shareholding activities and illegal acquisition of East Africa Breweries Ltd (EABL). Consequently, it held engagements with the Petitioner and the CEO-Capital Markets Authority, and the processing of this Petition is still ongoing.

During the said Quarter, the Committee considered nineteen (19) statements, a number of which have been concluded successfully while the rest are being processed.



Senator Lenku Ole Kanar Seki, Chair of the Senate Standing Committee on Trade, Industrialisation and Tourism.

The Committee is scheduled to undertake an inspection visit to engage with affected persons following the liquidation of Drumvale Farmers' Cooperative Society Ltd in Machakos County. It is also scheduled to visit to Mbeere, Embu County to engage with affected muguka cargo transporters in Embu County and further facilitate a confer-

ence with Embu, Nairobi, Mombasa and Garissa counties on high cess levies charged on muguka transport.

Finally, the team is also set to carry out a fact-finding visit to Busia and Malaba One Stop Border Posts to evaluate the status of regional trade and the Kenya-Uganda trade flows..

Key Bills on County Printer, Konza Technopolis and Digital Literacy form part of work delivered by the ICT Committee

The Senate Committee on Information, Communication and Technology, led by Trans Nzoia Senator Allan Chesang, considered and adopted its Chairperson's Quarterly Statement Report on Tuesday for the period commencing April to June 2023.

In a meeting held at Parliament Buildings, the Members of the Committee heard that, during the period under review, the ICT Committee held a total of 17 sittings during which it considered one Legislative Proposal, two Bills, six Statements and one Inquiry.

The Legislative Proposal in question is The Digital Literacy Bill, 2023, which the Committee undertook its prepublication scrutiny and is currently awaiting responses from the Ministry of ICT and Digital Economy.

The Senate ICT Committee also considered The Office of the County Printer Bill, 2022, and The Konza Technopolis Bill, 2023. It subsequently tabled its Reports on the two Bills to the House on 12th April 2023 and 20th June 2023 respectively.

In regards to Statements, the Honorable Senators learnt that the Committee has considered and concluded three Statements namely: A Statement regarding the Routing of International Gateway



Tariffs by Mobile Telecommunication Firms and Mobile Service Providers, requested by Sen. David Wakoli; A Statement regarding the Data Protection in the SIM Card Registration Process, requested by Sen. Gloria Orwoba; and, A Statement regarding the Management of Media Council of Kenya Funds, requested by Sen. Gloria Orwoba.

The Senator Chesang-led Committee is currently considering three Statements which include: A Statement regarding the Plans to Install Device Management Systems on Phones, requested by Sen. Samson Cherarkey; A Statement regarding the Delays in Exchequer Disbursement and Reports of Hacking of the IF-MIS System, requested by Sen. Fatuma Dullo; and, A Statement regarding the

alleged Breach of Customer Data at the Naivas Supermarket, requested by Sen. Samson Cherarkey.

The ICT Committee is currently conducting an inquiry on the Digital Assets Infrastructure in Kenya and allegations raised by American Tower Corporation regarding the alleged debt owed to ATC Kenya by Telekom Kenya amounting to approximately Kshs. 4 billion.

The Standing Committee is also scheduled to conduct County Oversight and Networking engagements with County Governments and monitor National Government activities in the Counties.

The Chairperson of the Committee subsequently tabled the Report on the Table of the House on Tuesday.



Senate Committee on Information, Communication and Technology at work last week. Above: ICT Committee Chair, Senator Allan Chesang.



1. Clerk of the Senate and Secretary to the Parliamentary Service Commission, Mr Jeremiah Nyegenye (left) consults with Clerk of the National Assembly Mr Samuel Njoroge and other Parliamentary staff ahead of the meeting of the Joint Presidents of the Commonwealth Parliamentary Association, Kenya Branch at County Hall on Thursday last week.
2. Senate Land, Environment and Natural Resources Committee chaired by Nyandarua Senator John Methu in a session when they hosted Governor Wavinya Ndeti of Machakos and Governor Julius Malombe of Kitui two weeks ago.
3. Pupils from Juniomax Academy-Muchukwo, Baringo County pose with their Senator Hon William Cheptumo.
4. Petitioners Kimutai Kirui and Lawrence Nzuki from Nyeri County before the Senate Committee on Devolution last week.
4. Environment and Sanitation CS Soipan Tuya is escorted to the Senate Chambers by Serjeants-At-Arms Steven Maru (right) and Abdullah Mbore last week
5. Members of the Senate Standing Committee on National Security, Defence and Foreign Relations during a session with Interior CS Prof Kithure Kindiki last week.
6. The Senate Standing Committee on Information, Communication and Technology in a session last week.
7. Bomet County Senator Wakili Sigei addresses a joint gathering of students from Lorna Laboso Girls High School and Chebonei Girls High School from Bomet County last week.



8. Senator Gloria Orwoba (left) and Senator Alexander Mundigi during a session of the Senate Standing Committee on Labour and Social Welfare during a meeting with Labour CS Florence Bore last week.
9. Happy Birthday Bwana DS! Deputy Speaker of the Senate, Hon. Kathuri Murungi, marvels at his birthday cake on August 3, 2023.
10. Teresias' Schools, Gilgil, Nakuru County.
11. Students from Pangani Girls High School, Nairobi County in the Senate Chamber last week.
12. Students and teachers from Merera Secondary School, Nakuru County at the Senate last week.
13. Pupils and students from Moody Awuori Primary and Junior Secondary School, Funyula Sub-county, Busia County.
14. The Senate Land, Environment and Natural Resources Committee chair John Methu and Vice Chair Senator Dr. Steve Lelegwe Ltumbesi during a session with the Governors of Kitui and Machakos counties a fortnight ago..

Sand harvesting wreaking havoc in Kitui and Machakos Counties, Governors reveal at Senate Committee session

Unchecked sand harvesting in Machakos and Kitui counties is wreaking havoc on the environment, necessitating urgent interventions to reverse the situation.

This dire situation was highlighted by Kitui Governor Julius Malombe and his Machakos counterpart Wayinya Ndeti, when they appeared before the Senate Land, Environment and Natural Resources Committee two weeks ago. The committee is chaired by Nyandarua Senator John Methu.

Their appearance was in response to a Statement sought by Nominated Senator Tabitha Mutinda on the regulation of sand harvesting in the two counties.

In her presentation, Governor Ndeti said sand harvesting has lowered water retention thus hastening drying of rivers and lowering the water table. In turn this has accelerated desertification, increased in soil erosion and siltation of rivers. Sand harvesting has also led to deaths due to landslides and collapsing of the tunnels, the Governor said.

On intervention by her government to ensure sustainable sand harvesting, Governor Wavinya revealed that there was an ongoing development of Machakos County Sand Regulation, Enforcement of Environment laws and policies. The county was also undertaking environ-



Members of the Senate Committee on Land, Environment and Natural Resources.



Machakos Governor Wayinya Ndeti (left) and Kitui Governor Julius Malombe before the Senate Committee last week.

mental education and sensitization and implementing the Machakos County Sand Harvesting Act, 2014.

Governor Malombe told the Committee that Kitui County Government have Constituted a Taskforce on Sand Harvesting and Management.

The purpose of the taskforce was to review and evaluate the current sand harvesting and management practices, including participation, transportation, revenue collection and environmental concerns and to develop drafts for both the Kitui County River Basins Sand Utilization and Conservation Policy bill.

“The legal framework above is

aimed at putting in place mechanisms to coordinate, supervise and regulate Sand value Chain management for sustainable environmental and socio-economic development.” Kitui Governor added.

National Environmental Management Authority (NEMA) Director-General Mamo Boru Mamo said NEMA and the counties were conducting regular inspections to minimize illegal sand harvesting.

The Authority has undertaken approximately 47 inspections in Machakos County and 35 inspections in Kitui County some of which have been on sand harvesting within the Counties.

“NEMA has been imposing punitive fines and penalties on offenders in law, restricting sand harvesting and transportation working hours to daytime only (6am to 6pm). We have also been promoting construction of gabions and sand dams along the threatened river beds where sand harvesting is practiced. This initiative is sponsored by African Sand Foundation (NGO).” DG NEMA added.

The Legislators recommended that the two Governors work hand in hand with NEMA to ensure the menace of Sand harvesting is reduced in both Counties for the benefits of the residents and to ensure a safe environment.

County Governments seek conditional grants to foot wage bill for medical interns

Following the resolutions of the Senate Standing Committee on Labour and Social Welfare to conclude the Petition on Unfair Terms and Conditions for Universal Health Coverage (UHC) Staff and Delay in Internship Posting on its sitting held on 11th July 2023, the Committee held a meeting on Thursday 3rd August 2023 with the Cabinet Secretary for Health Hon. Susan Nakhumicha, Council of Governors Chairperson for Health Committee, H.E. Johnson Sakaja and the Petitioners of the said Petition to chart a way forward on the issues of concern.

The CS Ministry of Health informed the Sen. Julius Murgor led Committee that her Ministry in consultation with the Public Service Commission has renewed the UHC Staff contracts as they look at the options and strategies for the

ultimate transition of the UHC staff employment conditions to permanent and pensionable terms.

Concerning the delay in internship posting, the Cabinet Secretary stated that while the Ministry recognizes and appreciates the role interns play in health service delivery in most level 4,5 and 6 facilities, it is important to note that the number of Universities training healthcare workers has increased significantly over a period, but the personnel emoluments budget for the Ministry has not increased in tandem to cater for the increasing number of graduate healthcare workers. She however pledged to continue seeking for increased budgetary support to cater for the increasing need.

Governor Johnson Sakaja representing the Council of Governors reiterated that the contracts of the UHC staff have



Above: Committee Vice - Chair Senator George Mbugua, and Chair, Senator Julius Murgor. Below: Sen. Miraj Abdulrahman.

been renewed as they wait to absorb them into permanent and pensionable jobs when vacancies arise in the Counties. The Council however requested that the contracts be reviewed to align with the prevailing market rates.

In conclusion, the Council urged National Government to provide conditional grants to County Governments for extension of contracts at the market rate salaries for staff managing this program and transfer the management of UHC staff payroll to the County Governments.



Committee directs Bungoma and Trans Nzoia Governors to sort out ambiguity over ownership of Nzoia water company



Members of the Senate Committee on County Public Investments and Special Funds engage Bungoma Governor Ken Lusaka during a session last week. Bungoma Senator Wafula Wakoli (second right) attended as a friend of the Committee.

Senate Majority Leader Aaron Cheruiyot is rooting for institutionalization of Council of Governors to make it a foremost agency in championing transformational programs through its coordination function.

Senator Cheruiyot says the Senate shall endeavor to entrench CoG as an institution in the laws to make it a viable entity capable of robustly agitating for their interests and those of the counties.

The Senate Majority Leader, who is the Senator of Kericho County, spoke during talks with Japan's envoy to Kenya H.E. Okaniwa Ken on key partner-

ships geared towards improving agriculture, agribusiness and healthcare both in the counties and national government.

Through Japan International Corporation Agency (JICA), the Japanese Government has initiated numerous projects to promote accountability and financial management in healthcare by seconding experts to build capacity on accountability mechanisms in Kenya.

"We specifically commend JICA on the Kericho Water & Sanitation Company Limited (KEWASCO) project that has significantly reduced the loss of water using the safest connectivity technol-



Bungoma Governor Hon Ken Lusaka

ogy," said Cheruiyot.

Japanese projects continue to impact lives across the country by deploying technology in rural Kenya especially in water sector, leading to reduced cases of illnesses linked to poor sanitation, the Senator said.

"I laud the horticulture empowerment undertaken by Japan through training program to small scale farmers to raise revenue in 14 counties by leveraging on their best crops," said Senator Cheruiyot.

On his part, Ambassador Okaniwa noted similarities of Kenya and Japanese

model of Governance and the need for a study tour to share knowledge and international best practices especially on Devolution.

"Nairobi and Tokyo shall endeavor to foster parliamentary diplomacy to share experiences and find lasting solutions to emerging challenges in the world," said the envoy.

Both leaders agreed to enhance engagements to improve on trade imbalances by easing travel restrictions to have more Kenyans visit Japan for knowledge transfer, promoting research in science and medicine.

"I marvel at the huge possibilities abounding in Kenya including raw materials, young agile population and technology transfer. We have agreed to explore opportunities for Kenyans to work in Japan for apprenticeship and on exchange programmes. I'm more than pleased to hear that Kenya is a shining star in Africa with the high profile visits into the country and strides being made to reconcile warring factions to bring stability and lasting peace in the Horn of Africa and larger Eastern Africa region," said Ambassador Okaniwa while hailing Kenya's efforts to broker peace in the volatile Horn of Africa.

Water CS Alice Wahome assures Senators that Government will complete planned irrigation projects

The construction of canals and drains in Mutithi ward under the Mwea Irrigation Development Project will come to a completion in December 2023.

Water, Sanitation and Irrigation Cabinet Secretary Alice Wahome told Senators that the project had stalled after the contractor terminated the contract on February 6, 2020 citing delays in payment.

By the time of the termination, progress of the project was at 43 percent.

The Cabinet Secretary was responding to questions by Kirinyaga County Senator James Murango who had sought the Ministry's update on the status of the construction of canals and drains in Mutithi ward.

CS Wahome told the lawmakers that the project is now at 70 percent completion after the Ministry through the Na-

tional Irrigation Authority (NIA) with the concurrence by Japan International Cooperation (JICA) Procured 2 local contractors to complete the remaining works after the initial contractor terminated the contract.

She revealed that the delay in the completion of the project was occasioned by pending land succession and dispute cases that are yet to be determined by the Courts, an action that has negatively affected progress of construction.

CS Wahome however assured Senators that the normal farming activities will not be interrupted by the project as it is structured to take care of farmers' needs.

"The Government has allocated Ksh 2 Billion (Ksh 545 million GOK and Ksh 1.4 Billion Donor funds) in the financial year 2023/2024 for Mwea Irrigation Development Project to meet the construction works requirements," submitted the CS.

"The Contractors have been instructed to increase the rate of work with strict timelines and with close monitoring," added the CS.

On the question of Gakuyuini Irrigation Water Project that was meant to add more than 500 acres under cultivation to Mwea Irrigation Scheme in Wamumu Ward, Kirinyaga County, the Cabinet Secretary told the House that the wayleave easement acquisition process by farmers and ongoing farming activities slowed the progress of work adding that despite that, the project is scheduled to be completed in November 2023.

According to CS Wahome, funds for implementation of the project have already been factored in the financial year 2023/24 with the remaining amount to complete the project estimated at Ksh. 17,800,000.

The CS used the opportunity to inform the Senators that the government is working on a plan that will enable irrigation of land using water from Lake Baringo.

She said the project that targets irrigation of 56,000 acres of land will enable the government increase production of food crops such as maize for the benefit of County residents and Kenya at large.



Water and Irrigation CS Alice Wahome, when she appeared before the Senate Plenary last week.

Not impressed by minister's response in rice scheme saga, Senators now direct summons at irrigation board boss

The Senate Standing Committee on Agriculture, Livestock and Fisheries expressed its dissatisfaction with the response from Cabinet Secretary Water, Sanitation and Irrigation, Hon. Alice Wahome on management of the West Kano Irrigation Scheme in Kisumu County.

Consequently, the Committee resolved to invite the National Irrigation Authority Chief Executive officer to shed more light on the matter.

The committee had sought the minister's response following a petition beseeching the committee to undertake the following, among other things: A thorough financial inspection of the scheme between 2007 and 2021; institutional audit of the scheme since inception; forensic (in-depth) audit of all officials involved in the management of the scheme between 2007 and 2021; introduce an act of Parliament to regulate autonomy of EACC branches/regional offices;

The petition also sought enactment of an Act of Parliament to establish Kenya National Farmers Commission to champion for the rights of farmers in Kenya; set up a team of experts to identify, establish gaps in the current scheme management system, and recommend the



Senate Standing Committee on Agriculture, Livestock and Fisheries members, Senator Enock Wambua; Senator Allan Chesang and Senator Wafula Wakoli.

best management system and practices to curb excessive mismanagement.

The CS in her response read to the committee stated that the National Irrigation Authority coordinated the provision of seeds, fertilizers and offered operation and maintenance which included, water, electricity, puddling, transplanting and harvesting cash advances.

The CS further stated that though the support had been given as grant, the Board recommended that this support be recovered at the end of the growing season and be converted into a revolving

fund that will be used to ensure sustainability of scheme production and operation activities.

"The West Kano revolving fund was formed by farmers to manage the funds, and an account opened in 2010. The model of establishing and running a revolving fund collapsed as farmers resisted to pay back due to lack of a binding obligation to recover and contribute to the revolving fund. the petitioner moved ahead to report the matter to the EACC Western Region. Upon the invitation by the investigators, all the required docu-

mentation to support the position of the fund was provided. There was no misappropriation of the fund as alleged by the petitioner. All records were presented to the EACC." The response stated.

Senators present during the meeting were Senator Alexander Munyi Mundi-gi, Senator Wamatinga Wahome, Sen. Allan Kiprotich Chesang, Sen. Daniel Kitonga Maanzo, Senator Enoch Kiio Wambua, Senator Beth Kalunda Syengo and Senator David Wafula Wakoli.

Ngariama Njukiini water project is ready for take off, says CS Soipan Tuya

The government has granted approval for the Ngariama Njukiini water project within the Kathandeni Forest in a move aimed addressing water supply challenges in Kirinyaga County. This decision comes after a rigorous evaluation process overseen by the Kenya Forest Service (KFS), as revealed by Cabinet Secretary Soipan Tuya during her appearance before the Senate during the Wednesday question time.

Initially, the project encountered hurdles as concerns arose over the Chief Conservator of Forests' reluctance to authorize land usage in Njukiini Forest for the proposed water project. Responding to inquiries by Kirinyaga Senator James Murango, Cabinet Secretary Soipan Tuya provided insights into the approval process undertaken by the KFS for infrastructural development within public forests.

Guided by the Forests Conservation and Management Act 2016, the KFS administers the issuance of Special Use Li-

cences for projects within public forests. This comprehensive process, comprising multiple stages to ensure environmental preservation, mandates proponents to formally apply to the Chief Conservator of Forests for access to public forests, with specific project details.

A technical team is then assembled to assess forest resources, site suitability, and environmental impact. Factors such as water conservation, biodiversity, and cultural heritage are meticulously evaluated. The findings are compiled into a detailed report, reviewed by KFS Management, and subsequently presented to the KFS Board of Directors. Upon approval, negotiations commence, culminating in the drafting of a Special Use Licence. The proponent fulfills financial obligations before project initiation, with the entire process typically spanning three months.

The Ngariama Njukiini water project adhered to a similar trajectory. From May 2nd to May 5th, 2023, a technical



Environment and Sanitation Cabinet Secretary Soipan Tuya before the Senate last week.

committee meticulously evaluated the site and conducted a forest materials inventory. The resulting report received approval from the Chief Conservator of Forests on May 8th, 2023, and was recommended for presentation to the KFS Board of Directors.

During the 58th Board meeting on June 27th, 2023, the KFS Board of Directors reviewed and approved the proposal by the Tana Water Works Development Agency. The project encompasses a water intake, water treatment works, and

the installation of a 10-inch water pipeline. This development is crucial to meet the water supply needs of Ngariama and Njukiini wards in Kirinyaga County.

With the green light obtained, the KFS promptly informed the Tana Water Works Development Agency. While the exact project timeline hinges on the agency's decisions and preparations, the government remains steadfast in facilitating the project's realization to address the pressing water requirements of the region.

Delegation from the County Assembly of Busia in eye-opening visit to the Senate

The County Assembly of Busia Speakers Panel and Clerks at the Table paid a visit to the Senate from 17th July, 2023 to 18th July, 2023.

The delegation comprising of Members of the County Assembly and Clerks At The Table. They were able to have an interactive session with the Deputy Clerk, Mr. Mohamed Ali, MBS who took them through chamber procedure as well as responded to various queries that the team had. Several issues were raised as well as challenges that the County assembly was facing and through the talk. The Deputy Clerk was able to adequately respond to the questions and gave guidance on chamber processes and how to handle sensitive matters of the house.

The Committee was privileged to sit in the Committee of National Security, Defence and Foreign Re-

lations where the delegation was able to understand the procedure for a petition, i.e. before a report is tabled to the house, the committee invites the petitioner, relevant stake holders are informed and conduct a site visit to come up with a comprehensive report.

Honorable Members together with accompanying clerks at the table were recognized by the Speaker of the Senate during the Chamber proceeding that was observed on the 18th July, 2023. The journey did not end there as through the tour of parliament they were taken to the Health Club where the team was exited to learn that despite the heavy duties of legislation, oversight and representation, their counter parts in the Senate do take a few minutes off the normal routine through relaxation and workout at the Senate Health Club. This encouraged them in a sense that



after hard work the body too ought to be taken care of and they felt a great need to implement the same at their county.

The Senate Liaison Office through the Office of the Clerk was honored to have the delegation visiting the Senate.

Above: County Assembly of Busia Speaker's panel with The Deputy Clerk Mr. Mohamed Ali, MBS

Below: The group follows Senate proceedings on 22nd July, 2023

Senators direct petitioner and Nyeri Governor to meet and resolve dispute over instructors

The Senate Committee on Devolution and Intergovernmental Relations has directed the Nyeri Governor and an aggrieved petitioner to resolve their matter before escalating it to the Senate.

Nyeri Governor Mwalimu Mutahi Kahiga who appeared before the committee Chaired by Wajir Senator Abbas Mohammed said he was unaware of the grievances facing the petitioner prompting the Committee to give them an opportunity to iron out the issue and report back to the Senate within three weeks.

On 11th May 2023, the Senate received a Petition from Mr. Julius Wairiuko Wanjohi concerning lack of implementation of a resolution to absorb the contracted instructors under the Economic Stimulus Programme (ESP) by the County Government of Nyeri.

Mr. Wanjohi claimed that he was employed by then Ministry of Education as a Carpentry Instructor II and posted in Kiaguthu Youth Polytechnic in Nyeri.

He added that following the promulgation of the 2010 Constitution and the advent of devolution, the Youth Polytechnic Training function was subsequently transferred to the County Governments.

The petitioner averred that, on 2nd December 2014, a consultative meeting was held between the Ministry of Devolution and Planning, the Ministry of Ed-



Above: Members of the Devolution Committee following the proceedings brought by a petitioner to the Senate.

Below: Nyeri Governor Mutahi Kahiga when he appeared before the Devolution Committee chaired by Wajir Senator Abbas Mohammed

ucation, Science and Technology and the Transition Authority to address numerous issues that were facing the transition of Youth Polytechnics.

He recalled that the meeting resolved among others that the contracts of the instructors under the Economic Stimulus Programme (ESP) be extended up to 30th June 2015 and thereafter, the instructors be absorbed by the County Governments on permanent and pensionable terms and make budgetary provisions to pay them.

"As a result, all the staff who were in the Counties and performing devolved functions were deemed seconded to continue providing services," he said.

Wairiuko however pointed that although a resolution was made in 2015 to absorb them on permanent and pen-

sionable basis, Several Counties implemented that resolution save for County Government of Nyeri.

The Petitioner pleaded with the Senate to intervene and recommend that the County Government of Nyeri to implement the resolution as required and compensate him for the period between 30th June, 2015 to date.

The Governor agreed with the Senate's directive to meet with the petitioner and try and resolve the matter and report back to the Senate in three weeks' time.

The committee further directed the petitioner to furnish the Governor with all documentary evidence of their employment at the defunct Ministry. In conclusion, the County Government of Nyeri stated that the County Public Service.

Majority Leader meets Japanese Ambassador, roots for institutionalization of the Council of Governors



Leader of the Majority in the Senate, Hon Aaron Cheruiyot hosts Japanese Ambassador to Kenya H.E. Okaniwa Ken.

Senate Majority Leader Aaron Cheruiyot is rooting for institutionalization of Council of Governors to make it a foremost agency in championing transformational programs through its coordination function.

Senator Cheruiyot says the Senate shall endeavor to entrench CoG as an institution in the laws to make it a viable entity capable of robustly agitating for their interests and those of the counties.

The Senate Majority Leader, who is the Senator of Kericho County, spoke during talks with Japan's envoy to Kenya H.E. Okaniwa Ken on key partnerships geared towards improving agriculture, agribusiness and healthcare both in the counties and national government.

Through Japan International Corporation Agency (JICA), the Japanese Government has initiated numerous projects to promote accountability and financial management in healthcare by seconding experts to build capacity on accountability mechanisms in Kenya.

"We specifically commend JICA on

the Kericho Water & Sanitation Company Limited (KEWASCO) project that has significantly reduced the loss of water using the safest connectivity technology," said Cheruiyot.

Japanese projects continue to impact lives across the country by deploying technology in rural Kenya especially in water sector, leading to reduced cases of illnesses linked to poor sanitation, the Senator said.

"I laud the horticulture empowerment undertaken by Japan through training program to small scale farmers to raise revenue in 14 counties by leveraging on their best crops," said Senator Cheruiyot.

On his part, Ambassador Okaniwa noted similarities of Kenya and Japanese model of Governance and the need for a study tour to share knowledge and international best practices especially on Devolution.

"Nairobi and Tokyo shall endeavor to foster parliamentary diplomacy to share

experiences and find lasting solutions to emerging challenges in the world," said the envoy.

Both leaders agreed to enhance engagements to improve on trade imbalances by easing travel restrictions to have more Kenyans visit Japan for knowledge transfer, promoting research in science and medicine.

"I marvel at the huge possibilities abounding in Kenya including raw materials, young agile population and technology transfer. We have agreed to explore opportunities for Kenyans to work in Japan for apprenticeship and on exchange programmes. I'm more than pleased to hear that Kenya is a shining star in Africa with the high profile visits into the country and strides being made to reconcile warring factions to bring stability and lasting peace in the Horn of Africa and larger Eastern Africa region," said Ambassador Okaniwa while hailing Kenya's efforts to broker peace in the volatile Horn of Africa.

Protect Devolution, Governors appeal to the Senate

The Council of Governors has appealed to the Senate to strongly protect Devolution from interference by the National Government.

Speaking before the Senate Standing Committee on Finance and Budget, the Council of Governors represented by the Wajir County Governor Ahmed Abdullahi who is the Council's Vice Chairperson, the Kakamega County Governor Fernandes Barasa and Kisii County Governor Simba Arati revealed that there are several Counties where the National Government has initiated projects that squarely lie within the mandate of the County Governments.

The trio told the Senators that despite health and water being devolved the National Government still wants to hold on to them by retaining funds for the implementation of some projects that lie within the said sectors.

"We are at crossroads once again, as a Council we feel that Devolution is under a threat, we are fighting fires in every area from markets, finances, agriculture to health, it is as if the National Government is determined to claw back on Devolution in many ways," submitted Governor Abdulahi.

"We are having a situation where now water whose implementation is largely devolved, we have been told there is money being allocated directly to sub counties to implement water projects, we are having hospitals constructed in our counties without our knowledge,"



Top : Governor Fernandes Barasa (Kakamega County), Governor Ahmed Abdullahi (Wajir County) and Governor Simba Aarati (Kisii County) before the Senate Committee on Finance and Budget last week. (above)

emphasized Governor Abdulahi.

They called on all parties to live to the spirit of the 2010 Constitution to avoid wrangles deterring full implementation of Devolution.

They County Bosses appeared before the committee to give their input on the Public Finance Management Amendment Bill, 2023 (National As-

sembly Bills No.16 of 2023), the County Governments Additional Allocations Bill, (National Assembly Bill No. 23 of 2023) and the County Governments (Revenue Sharing Process) (Senate Bills No.22 of 2023).

Later, the committee held a sitting with the Commission on Revenue Allocation and deliberated on the Bills.

The Commission on Revenue Allocation submissions were presented by the Commission Vice Chairperson Koitamet Olekina who led the delegation.

Members in attendance were Sen. Tabitha Mutinda (Vice Chairperson) who chaired today's meeting, Mombasa County Senator Mohamed Faki, Kisii County Senator Richard Onyonka, Sen. Shakila Abdalla and Kakamega County Senator Dr. Boni Khalwale.

Seneta Hamida Kibwana ataka majibu kuhusu utepetevu kwenye Hospitali ya Rufaa ya Kaunti ya Kiambu



Seneta Hamida Kibwana

Seneta Hamida Kibwana amewasilisha ombi kwenye Bunge la Seneti akitaka kauli kutoka kwa Kamati ya Kudumu ya Afya katika Bunge hilo kuhusu utepetevu katika Hospitali ya Rufaa ya Kaunti ya Kiambu.

Seneta Hamida anaitaka Kamati ya

Afya kutoa maelezo kwenye kisa kilichotokea mnamo mwezi Julai 5, 2023 katika Hospitali ya Rufaa ya Kaunti ya Kiambu ambapo mwanamke mja mzito alipoteza uja uzito kutokana na madai ya utepetevu wa wahudumu wa afya na hospitali hiyo.

Anaitaka Kamati hiyo kutoa ripoti kuhusu zilikofikia hatua za uchunguzi wa kisa hicho ikitaja hatua zilizochukuliwa dhidi ya wahudumu wa afya waliohusika.

Kiongozi huyo aidha anaitaka Kamati hiyo inayoongozwa na Seneta wa Kaunti ya Uasin Gishu Jackson Mandago kufafanua mikakati iliyowekwa kuhakikisha utoaji wa huduma bora za afya hususan kwa wanawake wajawazito katika hospitali za umma kote nchini Kenya ikitathmini viwango vya idadi ya wafanyakazi, mipango ya mafunzo na utaratibu wa kushughulikia visa vya dharura.

Seneta huyo Mteule wa chama cha ODM anaiomba Kamati hiyo kutoa habari kuhusu msaada na fidia ambayo inatolewa kwa mhasiriwa na familia yake kando na kubaini mikakati iliyowekwa kuzuia tukio kama hilo katika siku za halafu.

Kadhalika anataka kuwekwa wazi kwa mipango na mikakati ya kuimarisha mfumo wa huduma za afya kote nchini Kenya ukiwemo mgao wa rasilmali, ujenzi wa miundo mbinu na uajiri wa wahudumu wa afya waliohitimu.

Wakati uo huo, Seneta Hamida ametaka maelezo kuhusu huduma za matibabu katika Hospitali ya Mathari.

Kupitia ombi la kauli kwenye Seneti, Seneta huyo ameitaka Kamati ya Kudumu ya Afya kulielezea Bunge la

Seneti hali ya miundo mbinu katika hospitali hiyo ikionesha uwezo wa hospitali kwenye masuala ya idadi ya vitanda na mipango iliyopo kupanua miundo mbinu ili kukidhi idadi inayozidi kukuwa ya wanaohitaji huduma za matibabu ya akili.

amati hiyo inapaswa kwenye ripoti yake kufafanua viwango vya idadi ya wafanyakazi katika hospitali hiyo iki-onesha idadi ya wataalam wa afya ya akili, washauri, wauguzi na wahudumu wengine walio muhimu katika afya ya akili walioajiriwa kuhudumu hospitalini humo.

Vile vile Kamati hiyo inahitajika kutoa ripoti kuhusu ubora wa huduma zinazotolewa katika hospitali hiyo ikiweka wazi viwango vilivyowekwa na utaratibu unaohakikisha wagonjwa wanapokea huduma kama inavyohitajika.

Kadhalika, Seneta Hamida anaiomba Kamati ya Afya kubaini mgao wa Bajeti na ufadhili mwingine unaoekelezwa kwenye hospitali hiyo ikifafanua endapo kuna mipango yoyote ya kuongeza ufadhili huo.

Anaitaka pia kupendekeza mikakati ya kuimarisha huduma za matibabu ya akili ikiwemo kuongeza idadi ya vituo vya afya ya akili, kujumuishwa kwa afya ya akili kwenye afya ya msingi na kubuniwa kwa mifumo ya kijamii kufanikisha utoaji wa afya ya akili.

Kuzorota miundo mbinu na huduma katika jengo la Bima Towers, Kaunti ya Mombasa

Seneta wa Kaunti ya Mombasa Mohamed Faki amewasilisha ombi katika Bunge la Seneti akitaka Kauli kutoka kwa Kamati ya Kudumu ya Barabara, Uchukuzi na Makazi kuhusu kuzorota kwa miundo mbinu na kuwepo kwa huduma duni kwenye Jengo la Bima Towers katika Kaunti ya Mombasa.

Kwenye ombi hilo, Seneta Faki anaitaka Kamati hiyo ichunguze na kuripoti katika Seneti sababu zilizosababisha kambarau katika jengo hilo kutofanya kazi kwa muda wa zaidi ya miaka miwili.

Aidha Seneta huyo anaitaka Kamati hiyo inayoongozwa na Seneta wa Kaunti ya Kiambu Karungo Thangwa kuangazia ukosefu wa huduma ya maji safi katika jengo hilo, licha yalo kuwa na ofi-

si mbalimbali za Serikali ya Kaunti ya Mombasa ambapo mamia ya watu huzuru kila siku kutafuta huduma za dharura.

Kadhalika, Kamati hiyo inahitajika kuliarifu Bunge la Seneti chanzo cha utepetevu katika usimamizi wa jengo hilo, ikizingatiwa kwamba lilikabidhiwa Serikali kipindi kifupi tu kilichopita.

Kwingineko Seneta wa Kaunti ya Marsabit Mohamed Chute anaitaka Kamati ya Kudumu ya Kawi katika Bunge la Seneti kutoa taarifa kuhusu hali ya kuunganishwa kwa umeme kwenye sehemu mbali mbali za Kaunti ya Marsabit.

Kupitia kwenye ombi la Kauli katika Seneti, Seneta Chute anaitaka Kamati hiyo kueleza mipango iliyopo ya serikali kuunganisha mtambo wa jenereta mjini Marsabit ili utumike wakati umeme un-



Mheshimiwa Mohamed Mwinyihaji Faki, Seneta, Kaunti ya Mombasa.

apokatizwa mjini humo.

Seneta huyo ameiomba Kamati hiyo chini ya Uenyekiti wa Seneta wa Kaunti ya Nyeri Wahome Wamatinga kuan-gazia ulikofika mradi wa uunganishaji umeme wa Lonyangalani ikifichua iwa-

po kazi hiyo ilitangazwa kufungamana na sheria za utoaji wa zabuni.

Vile vile Kiongozi huyo anaitaka Kamati hiyo ibaini tarehe rasmi ya kuanza kwa mradi huo ikiweka wazi tarehe ambayo unatarajiwa kukamilika.

GUESS WHO!

How well do you know your Senators?



Tell us who this is and win yourself a copy of the Senate Standing Orders, autographed by the Hon. Senator himself.

Email us at:

Senate.weekly@parliament.go.ke

The answer to last week's query is...

Hon Dr Lelegwe Steve Ltumbesi

Senator for Samburu County and Deputy Majority Leader, Senate



THEN

Winner Issue No.8 (July 31st - August 6th, 2023)

Glen Kiprotich;
Email: glenkiprotich91@gmail.com



NOW

**Staff of the Senate and Parliament of Kenya are not eligible to participate in this quiz.*

This Week in History



"As we mourn the innocent children whose lives have been cut short so early, three things stand out which require the immediate attention of this House and the Government. Night travel and especially long-distance night travel, is indeed a very dangerous adventure. It is even more dangerous for school children using school transport in institutions where drivers of school buses are only accustomed to driving short distances."

Senator Enock Wambua,
Statement on grisly road accident involving pupils of St Gabriel's Primary School in Mwingi, Kitui County.

Tuesday, August 7th, 2018



"This is a sad situation. Our systems are broken. We have policemen on the road, but they are not doing their work. We have teachers that have orders, but they do not enforce them. I wonder what our obligations as leaders in protecting our children is. We are facing broken systems; be it in education, health and security. Who would make our people account for their actions?"

Senator Halake Abshiro Soka,
Statement on grisly road accident involving pupils of St Gabriel's Primary School in Mwingi, Kitui County.

Tuesday, August 7th, 2018



"The pain of the farmer is what is disturbing those of us who come from the maize-growing areas, beginning from the fact that these are farmers who are not able to pay school fees for their children to the point that some of their children have lost admission to universities. I have witnessed some of them in tears because they are owed Sh3 million by the National Cereals and Produce Board (NCPB), yet they cannot pay Sh200,000 to a university."

Senator (Prof) Margaret Kamar,
Motion on establishment of Ad hoc Committee to investigate the maize situation in the country.

Wednesday, August 8th, 2018



"It is important for us to have a policy on every issue that is related to energy. That policy is accompanied by a County Energy Plan. It is expected, under this law, that every County will have its own County Energy Plan. That plan should be collated and consolidated with the office of the Cabinet Secretary at the national level so that it forms an integrated energy pan at the national level. These energy plans will, in the first place, take into account the Energy Policy. So, you have a plan and the main policy itself."

Senator Kipchumba Murkomen,
Contributing to debate on the Second Reading of The Energy Bill (National Assembly Bill No. 50 of 2017)

Thursday, August 9th, 2018

Chamber of Commerce President seeks Senate support to improve business in the counties, lift economic outlook

The Senate Standing Committee on Trade, Industrialization and Tourism has promised to engage the leadership of the Kenya National Chamber of Commerce and Industry (KNCCI) on ways they can improve trade and investments in the Counties.

At a meeting between the two, the Committee, which is chaired by Sen. Lenku ole Kanar Seki, undertook to involve KNCCI in deliberations concerning the National and County business and economic outlook.

The committee had invited the business lobby group to learn how the private sector business growth perspectives, export competitiveness within regional and global markets and the interventions required from the Senate to achieve sustainable enterprise growth in the counties. The committee also wanted to know areas of cooperation and collaboration to further the role of the Senate as per Article 96 of the constitution.

During the meeting, KNCCI President, Dr. Erick Rutto briefed the Committee on the intervention required from the Senate to spur enterprises growth in the Counties. He urged the Senators to



Top: Committee Chair Sen. Lenku Ole Kanar Seki (fourth left) meets the delegation from KNCCI led by the President, Dr Erick Rutto (third left); Above: Senator Andrew Okiya Omtatah, Senator Dr. Lelegwe Ltumbesi, Senator Esther Okenyuri, Senator Lenku Seki, Committee Clerk Peter Mulesi and Researcher Sharon Rotino

develop legislations to aid in elimination of non- tariff barriers which has become an impediment to doing business in the counties such as boarder delays, among others. Further, legislation should ALSO be developed on fair trade practices, payment of pending bills, double taxation – current limited to KTA only.

The Business lobby also wants the Warehouse Receipt systems operationalized as well as the Credit Guarantee Scheme. It also wants Mentorship programs and startup grants provided, and tax incentives offered to businesses that hire young people and women and have one license instead of multiple licensing.

The Chamber plans to carry out Targeted Economic Diplomacy Missions to identify traditional, frontier and emerging markets for Kenyan products through market intelligence.

The Kenya National Chamber of Commerce and Investment is looking forward to County Based round tables meetings with private sector and to encourage regional blocs. He also emphasized that the One County One Product initiative will enhance aggregation and increase exports.

Senate Committee hosts a delegation of Kilifi County Assembly Members, staff on learning tour of Parliament



Members of Kilifi County Assembly and Staff in a photo session during their visit to the Senate a fortnight ago. They were accompanied by staff from the Senate Liaison Office.

Members of a committee of the Kilifi County Assembly and staff undertook an eventful tour of the Senate to get more insights on the work of the Senate, House Committee operations and engagements.

The delegation comprised the County Assembly Ad-hoc Committee investigating deaths of hundreds of Kenyans

in Shakahola, Kilifi County, which has been linked to religious indoctrination.

During their visit from July 24th - 28th, 2023, the team had an interactive session with the Senate Ad-hoc Committee on the Proliferation of Religious Organizations chaired by Tana River Senator Danson Mungatana, and which has also been investigating the Shakaho-



A member of the delegation poses with the Kilifi County flag at the Senate.

In the deliberations, the Senate and Kilifi teams shared perspectives arising from their investigations with a view to identifying gaps in their investigations and pinpoint areas that required further interrogation in order for the findings to be as conclusive as possible.

In a collaborative gesture, the Kilifi delegation was also privileged to attend a session of the Senate Committee on Lands, Environment and Natural Resources, where they were able to get insights on issues about natural resources.

This proved timely as on the same day, the committee hosted the Governor of Kitui Hon. Julius Malombe, Machakos Governor Hon. Wavinya Ndeti and National Environmental Management Authority (NEMA) Director General Mamo Boru Mamo for discussions on sand mining in the two regions and its adverse effect on the environment.

The delegation later attended a session of the Senate Plenary where they were formally introduced to the House during Chamber proceedings on July 26th, July 2023.

They also did a tour of Parliament Buildings on July 24th, 2023, in an exercise coordinated by the Senate Liaison Office, through the Office of the Clerk of the Senate.

la massacre.

In the deeply engaging sessions, Senator Mungatana and his committee members, expressed interest in working with the Kilifi County Assembly Committee in the investigations, as they also explore gaps in law and policy and propose how to seal them to avert such an outcome in future..

Senate Mashinani: It's all systems go in Turkana County as detailed preparations hit the home stretch



1. Clerk of the Senate Jeremiah Nyegenye (right) and Clerk of the County Assembly of Turkana Mr Linus Lokewa, flanked by other directors from the Senate, brief the media during the visit by the Senate Board of Management to Turkana last week.
2. Turkana County Assembly Speaker, Hon Christopher Nakuleu Doye, meets the Senate team in his office.
3. A section of the directors from the Senate follow the briefing in the office of the County Assembly Speaker.

The Senate Board of Management visited Turkana County Assembly in Lodwar, Turkana County last week, to gauge the level of preparedness for the Senate Plenary and Committee sittings, dubbed *Senate Mashinani*, to be held from September 25th to 29th, 2023.

The Senate team, led by Clerk of the Senate, Mr Jeremiah Nyegenye, comprised heads of Senate Departments and Directorates and a representative of the technical team involved in planning for the weeklong event.

The *Senate Mashinani* initiative, an annual event, is part of the Senate's continuous effort to enhance its working relationship with the counties and inter-

act with the public at the grassroots. Significantly, it also gives the legislators an opportunity to assess the state of devolution in the county.

The Senate Board of Management was received by the Speaker of the County Assembly of Turkana, Rt. Hon. Christopher Nakuleu Doye and the County Assembly Clerk Mr. Linus Lokewa.

"We are glad to receive you and eventually host you for *Senate Mashinani* in September. In honour of this auspicious event, we have rescheduled the Turkana Cultural Festival to take place that same week, having moved it from its usual slot in August," the Speaker.

On behalf of the Board of Management, Mr Nyegenye commended Speaker Nakuleu and his office for their hospitality and great reception.

"There is a lot of excitement and enthusiasm regarding the Senate's coming to Turkana and we appreciate the Office of the Speaker for taking the time to meet us. As you can see we have brought a big team today which is testament to how serious and important *Senate Mashinani* is to us at the Senate. We are ready to roll up our sleeves and get straight to work in making the plans on the ground a success," reiterated Mr Nyegenye.

The Senate Board was elaborately briefed on progress in all actionable ar-

eas agreed upon by the technical teams from the County and the Senate, including requirements for improvements and alterations.

"We are excited and satisfied with the progress made so far and the level of preparedness in place ahead of the Senate sittings," said Mr Nyegenye.

The two last *-Senate Mashinani* sittings were held in Uasin Gishu County and Kitui County in September 2018 and September 2019 respectively. However, the sittings were suspended in 2020 and 2021 due to Covid-19 pandemic, while last year was excluded as it was an election year.



A PUBLICATION OF THE SENATE

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Email: Senate.weekly@parliament.go.ke

Editor: Mark Agutu

Team Leader: Lucianne Limo

Writers

- Otiato Andayi
- Njeri Manga
- Ibrahim Oruko
- Josphat Ngeno
- Felistus Mutune
- Stanley Gekore

- Nandemu Barasa
- Juliet Masinde
- Violet Nalianya
- Lorenyu Lemetek
- Carrey Mwaboza
- James Mulei
- Eugene Otieno

Hansard: Erick Kipkoech

Photographers:

James Kimiti Nyambura
Job Owaga

Russells Kipngetich

Foreman Scalon Okumba

Designed by:

KENYA LITERATURE BUREAU

Publishers and Printers

Belle-Vue Area, KLB Road, Off Popo Road

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

Telephone: +254 (20) 3541196/7, Mobile:

+254 711 318 188/ +254 732 344 599

Email: info@klb.co.ke

Website: www.klb.co.ke