



BUNGE Weekly

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PLENARY | COMMITTEES | BUNGE MASHINANI | CLIQUE & CLICKS

House questions Cabinet Secretary over state of Education Sector, as Question Time resumes

Question Time resumed last week with Cabinet Secretary for Education, Hon. Ezekiel Machogu appearing before the House to respond to Members Questions touching on the status of his docket.

Hon. Aduma Owuor (Nyakach) sought to know why Special Needs Learners are yet to receive funds for two consecutive years and why the capitation for these learners was slashed by half from Kshs2,300.

In his submissions, CS Machogu sought to make clarification on the matter.

“There are 2,892 day primary Special Needs Education schools in the country, with an enrolment of 117,565 learners while boarding primary SNE Institutions are 337 in number, with a total enrolment of 43,266 learners. Additionally, there are 81 secondary SNE schools, with a total enrolment of 7,064 learners. There are 134 Junior School SNE Institutions, with enrolment of 1,593 learners. We have 66 Pre-Vocational SNE Institutions with a total enrolment of 952 learners,” he said.

Regarding capitation, the CS informed the House that in July, 2022, the Ministry of Education and the Kenya Institute of Special Education (KISE) undertook a verification study in the schools which established that most of the institutions lacked the requisite specialized learning materials, despite receiving the funds. Consequently, it was recommended that the Ministry should consider centralized production, procurement and distribution of specialized learning resources.

Hon. Samuel Arama (Nakuru Town West) wondered why Secondary schools across the country are withholding certificates of former students on account of school fees arrears.

In response to this, the CS told the House that it is against the law for any institution to withhold KCSE certificates of ex- students for any reason, including non-payment of school fees. He asked the lawmakers to report any cases where certificates have been withheld.

“Section 10(1) b of the Kenya National Examinations Council



Act, 2012 prohibits institutions or persons from withholding KNEC certificates or diplomas from the candidate. Any reports of violations of this law should be reported to the Ministry and the Teachers Service Commission,” explained the CS.

He added that all candidates are by law entitled to their certificates upon release of their results when the certificates are delivered to their respective schools.

Hon. Esther Passaris (Nairobi) inquired about measures undertaken by the Ministry to bolster the guidance and counselling departments in public schools, ensuring its prominence and significance within the school curriculum.

On this matter, the CS observed that his Ministry recognizes the critical role of the guidance and counselling within the school community, pointing out that it plays a vital role in addressing negative social trends and consequences.

According to the CS, the steps taken by the Ministry to bolster the key department in schools include: policy development, training and professional development, collaborations **CONTINUED ON PAGE 3** ▶

COMMITTEES' ROUND-UP

Public Accounts Committee urges National Treasury to offer refresher ...

▶ PAGE 5



Public Petitions Committee receives petitions on gazettelement of Nyatike and areas... ▶ PAGE 6

BUNGE MASHINANI

Wundanyi MP, Hon. Danson Mwashako test drives a bus he delivered to Mghalu High School ... ▶ PAGE 10



Committees' Round-up

Committee on Energy questions Cabinet Secretary over gas explosion in Embakasi

The Departmental Committee on Energy led by Chairperson, Hon. Vincent Musyoka (Mwala) on Thursday last week questioned the Cabinet Secretary for Energy and Petroleum, Mr. Davis Chirchir who appeared before the Committee to present a report on gas explosion incident in Embakasi, Nairobi.

CS Chirchir who appeared alongside the Petroleum PS, Mr. Mohamed Liban and EPRA Director General, Mr. Daniel Kiptoo, was asked to furnish the Committee with detailed information on the cause of the explosion.

In addition, the Committee wanted to know the details of the Liquefied Petroleum Gas (LPG) entity including the owners with information on its business registration and licensing for operations.

While giving an account of what transpired on the night of the explosion, CS Chirchir told the Committee that the site of the explosion was not licensed by EPRA for storage and filling of LPG despite the proprietor Mr. Derick Kimathi making three applications for construction permits on 19th March 2023, 20th June 2023 and 31st July 2023 which were all rejected.

He further disclosed that on assessment of the proposed site, EPRA's technical team noted that the site was a residential area with high population density and a church too. The proponent was then requested to provide a Qualitative Risk Assessment clearly indicating the radiation blast profile



Chairperson, Committee on Energy, Hon. Vincent Musyoka (right) and the Vice Chairperson, Hon. Aramat Lemanken (Left) following the presentation of the CS regarding the gas explosion at Embakasi in Nairobi County

in case of an explosion.

“Preliminary investigations indicate that the explosion was caused by the uncontrolled release of LPG from road tanker registration number KBJ 185X ZD2234 registered to Mr. Abraham Mwangi Nguyo. At the time of the incident, Mr. Mwangi operating under the business name Klear Mwiki Gas Suppliers, was licensed by EPRA to transport LPG in bulk by road under Licence No.EPRA/LPG/10342,” CS Chirchir said.

The Committee further wanted to know the measures put in place by EPRA to ensure that no unregistered or unlicensed LPG entity is operating illegally in the country and mitigation measures put in place to prevent such incidence from occurring.

On this, Mr. Kiptoo told Members that in order to deter the recurrence of such incidents, EPRA had suspended all operational licenses issued to Maxxis Nanyuki Energy and Klear Mwiki gas Suppliers, shutdown all LPG facilities located within a radius of 200meters from residential areas and whose technical audit score was rated as “Risky” and “High Risk” that is facilities whose technical audit score was less than 50 per cent.

He also assured the Committee that legal measures had been undertaken against the culprits and that EPRA is collaborating with the Directorate of Criminal Investigations (DCI) and other investigative agencies to ensure satisfactory conclusion of the investigations.

Committee on Delegated Legislation has called on, led by Chairperson, Hon. Samuel Chepkonga (Ainabkoi), have called on the Ministry of Health to ensure that the proposed new Social Health Insurance Regulations adhere to existing laws.

During a pre-publication scrutiny of the draft Social Health Insurance (General) Regulations, 2024, and Social Health (Dispute Resolutions Tribunal) Regulations, 2024, the Committee emphasized the importance of meeting the needs of Kenyan citizens.

“All the new regulations should be exhaustive and most importantly must conform to the Constitution,” said Hon. Chepkonga.

The Committee was carrying out a consultative engagement with Ministry of

Committee on Delegated Legislations asks Ministry to ensure new regulations comply with the law



Chairperson, Committee on Delegated Legislation, Hon Samuel Chepkonga gesturing as he seeks clarification during the consultative engagement with Ministry of Health officials at Parliament Buildings last week

Health officials led by Principal Secretary for the State Department of Public Health and Professionals Standards, Ms. Mary Muriuki.

Hon. Chepkonga added that the regulations must also meet the legitimate expectations and concerns of Kenyans.

During the engagement, Members raised

concern regarding the requirement by the Social Health Insurance Act, 2023 and the draft Social Health Insurance (General) Regulations that each spouse contributes towards the new medical scheme

Under the proposed health scheme, the principal contributor will be required to pay an additional monthly or annual premium equal to their own contributions for an additional spouse, under the Social Health Insurance Fund (SHIF).

The requirement for a contributor to provide proof of marriage before registering their spouse as a beneficiary of the medical cover also sparked debate, with legislators warning that it risks excluding many Kenyans from the scheme, as most of them have not formalized their marriages.



Committee on Agriculture and Livestock calls for audit of Maize Flour Subsidy Programme

The Departmental Committee on Agriculture and Livestock chaired by Hon. (Dr.) John Mutunga (Tigania West) wants the Auditor General to probe the Maize Flour Subsidy Programme for the Financial Year 2022/2023, to ascertain whether there was prudent use of public resources.

This is according to a report, whose objective was to establish whether the Programme achieved its objective of providing cheap sifted maize flour to Kenyans, which was Tabled in the House on Tuesday last week.

In its recommendation, the Committee stated that the Cabinet Secretary for Agriculture and Livestock Development should submit a report to the House within three months of the report adoption, explaining why the programme was implemented a month to the General Elections, and the actions it took after several prompts by Cereal Millers Association (CMA) on the maize and wheat situation in the country if any, or reasons of inaction.

The Committee further wants the CS to submit a report stating why certain millers appeared to have been favoured in terms of payment compared to others, and why it did not add up the proposal made by the Auditor General on the contract.

“The Cabinet Secretary for Agriculture and Livestock Development should submit a report to the House within three months of adoption of this report by the House explaining why CMA was given preference to other millers with regards to the introductory meetings on the programme, and why it prefers not to clear subsidy related debts that accrue interest increasing cost to the Government for instance, the Maize Flour Subsidy Programme for the FY 2022/2023, the Maize Flour Subsidy Programme for the FY 2022/23 among others,” part of the Committee’s report read.

The Committee also recommended that the Directorate of Criminal Investigations (DCI) investigates the quality and quantity of the maize flour produced under the Programme, the price of the flour and where it was sold.

In addition, the Committee wants the DCI to probe why the National Cereals Produce Board was paid Kshs.100 million as monitoring and evaluation fee, yet it did not submit the report from the Market Surveillance Committee.

“An investigation should be conducted on whether National Cereals Produce Board (NCPB) conducted their role in the Subsidy Programme as expected, and on milling companies to establish whether the flour said to have been supplied under the Subsidy Programme was actually milled,” the report reads in part.



House questions Cabinet Secretary continued

▶ FROM PAGE 1 with stakeholders and student involvement.

The issue of delocalization of teachers also came up, with Hon. Owuor pressing the CS to tell the House why some teachers are still delocalized even after the policy was abolished in the interest of family bonds and values for teachers.

CS Machogu in confirmed that the policy was abolished in July 2021, explaining that transfers are currently guided by the provisions of the Code of Regulations for Teachers.

“Teachers who wish to be considered for transfer from one station to another are required to make such application as per the laid down regulations. TSC continues to transfer teachers who apply for transfers to their preferred counties subject to availability of vacancies and suitable replacements,” he said.

Committee on Blue Economy, Water and Irrigation Condemns budget cuts that negatively impact project completion



Chairperson, Departmental Committee on Blue Economy, Water and Irrigation, Hon. David Bowen (left) and Vice-Chairperson, Hon. Marwa Maisori (Kuria East) share some light moment during the Committee’s engagement with the PS, State Department for Irrigation

The Departmental Committee on Blue Economy, Water and Irrigation, chaired by Hon. Kagongo Bowen (Marakwet East), has raised concerns over the recurrent budget cuts.

According to the report presented by Hon. Bowen these cuts negatively impact completion of projects under its purview. This was while presenting the 2024 Budget Policy Statement (BPS) report, before the Budget and Appropriations Committee.

The Committee in the past week, held meetings with the Ministries, Departments and Agencies (MDAs), including the State Department for Water and Sanitation, State Department for Irrigation and State Department for Blue Economy and Fisheries.

While presenting the Ministry’s budgetary requirements for the FY 2024/25, the Cabinet Secretary (CS), Ministry of Water, Sanitation and Irrigation Mr. Zachariah Njeru, proposed a total resource requirement of Kshs.121.4 billion (for both recurrent and development), against an allocation of Kshs.67 billion, which will enable the timely implementation and completion of the ongoing projects.

On the other hand, the Ministry of Mining, Blue Economy and Maritime Affairs led by the CS Hon. Salim Mvurya, proposed an expenditure ceiling

of Kshs. 13.6 billion, which is an increment of Kshs. 1.8 billion compared to the allocation in the FY 2023/24. The increase is attributed to an increase in compensation to employees by Kshs. 11 million, transfers to SAGAs by Kshs. 146 million and other recurrent expenditure by Kshs. 95.9 million.

The Principal Secretary, State Department for Irrigation, Mr. Ephantus Kimotho, proposed a total resource requirement of Kshs.81.7 billion, against an allocation of Kshs.23.9 billion, indicating a resource gap of Kshs.57.74 billion.

Hon. Bowen observed that due to lower expenditure ceilings for recurrent and development expenditure, many key areas under the State Departments have not been adequately funded, leading to some projects stalling or delaying completion.

Further, he noted that there were overlaps in the mandates of the National Irrigation Authority (NIA), National Water Harvesting and Storage Authority (NWHSA) and the State Department Headquarters.

“The Committee recommends that the State Department for Irrigation reviews the structure of the Irrigation sub-sector, as there are overlaps in the projects being implemented by the three entities, raising concerns on whether the Government is getting value for money,” said Hon. Bowen.

Committee on Education urges Ministry to consider learners with special needs

The Departmental Committee on Education last week challenged the State Department of Basic Education to address the plight faced by children with special needs in education centres.

During the presentation of the BPS by the Principal Secretary in the State Department of Basic Education, Dr. Belio Kipsang' Members expressed concern over the insufficient allocation of funds and resources for supporting the academic development of children with special needs.

Hon. Nabii Nabwera (Lugari) highlighted the absence of dedicated infrastructure for special needs students, questioning the department's plans on the same.

Committee Chairperson, Hon. Julius Melly (Tinderet) further emphasized the need for first-hand assessments of institutions catering to persons with disabilities, urging the Ministry to ensure adequate support for their educational needs.

Hon. Jerusha Momanyi (Nyamira), echoed the call for inclusivity, advocating for increased funding and integration of special needs children into mainstream education to equip them for life beyond school.

In addition, the Committee discussed the challenges with the Early Child Development (ECD) curriculum. Hon. Timothy Kipchumba (Marakwet West) noted that there is the lack of uniformity and standardization in ECD management across the country, urging the Ministry to enact policies to address these disparities effectively.

Following the deliberations, the Committee agreed to prepare a



A sitting of the Departmental Committee on Education chaired by Hon Julius Melly when the PS in the State Department on Basic Education appeared before the Committee

report based on the submissions and present it to the Budget and Appropriations Committee, advocating for sufficient allocations to Ministries, Departments, and Agencies, with a particular emphasis on meeting the needs of special needs education and Early Child Development.

Committee on Finance and National Planning begins stakeholder engagement on streamlining bilateral tax agreements

The Departmental Committee on Finance and National Planning, chaired by Hon. Kuria Kimani (Molo) began stakeholder engagement on streamlining bilateral tax agreement.

During engagement with the Cabinet Secretary (CS) for National Treasury and Economic Planning, Prof. Njuguna Ndung'u called upon the Committee to review and ratify the Multilateral Convention to Implement Tax Treaty Related Measures to Prevent Base Erosion and Profit Shifting (MLI).

The CS took Members through the contents of the MLI, emphasizing its importance in protecting Kenya's tax base.

The MLI was developed in 2015 to modify existing Bilateral Agreements for the avoidance of Double Taxation (DTAs). Kenya signed the MLI on the 26th of November 2019, and the Cabinet approved the ratification, further directing the Cabinet Secretaries for National Treasury and Economic Planning, Foreign and Diaspora Affairs, along with the Attorney General, to take appropriate action.

The basis behind the development of the MLI was the backdrop of Governments losing substantial corporate tax revenue because of aggressive international tax planning. This had the effect of artificially shifting profits to locations where they were subject to non-taxation or



Chairperson, Departmental Committee on Finance and Planning, Hon. Kuria Kimani (right) asking CS, Prof. Njuguna Ndung'u. On the left is Vice-Chairperson, Hon. Benjamin Langat.

reduced taxation. The MLI therefore strengthens international tax engagements, to prevent parties from evading tax.

To date, 102 jurisdictions have joined the MLI, out of which 85 jurisdictions have ratified, accepted or approved the MLI, and it covers around 1,900 bilateral tax treaties.

The CS also told the Committee that Kenya is working towards transitioning from the grey list to a more favourable status, bolstering its efforts in Anti-Money Laundering (AML) and Combating the Financing of Terrorism (CFT).

He further emphasized the need and urgency of exiting the grey.

Some of the key interventions highlighted by the CS include the completion of a risk assessment that will provide results in terms of how consistent Kenya is with the requirements.

Further, the CS told the Committee that Kenya has introduced 17 amendments to laws that deal with the treaty.

"The key steps we need to take is to look at the legal reforms, and how we take those 17 legislations to address technical compliance with enactment of those coming into force," said Prof. Ndung'u.

Hon. Kuria advised the Treasury to incorporate all resolutions that were passed by the National Assembly, and then propose amendments to areas that may be unclear.



The Public Accounts Committee (PAC) urged the National Treasury to implement regular sensitization and capacity-building initiatives for all accounting officers, finance staff, and procurement officers throughout the government.

According to the Committee, these programs would focus on their roles during the audit cycle and ensure adherence to the International Public Sector Accounting Standards (IPSAS).

The Committee has also urged the Institute of Certified Public Accountants of Kenya (ICPAK) and other professional bodies to enforce adherence to standards and impose sanctions on officers who fail to fulfill their duties willfully.

These recommendations are contained in the Committee's report on the financial statements of National Government Ministries, Departments, and Agencies for the Financial Year 2020/2021, which was Table in the House on Thursday last week.

Public Accounts Committee urges National Treasury to offer refresher courses to its accounting officers



Chairperson, Public Accounts Committee (PAC), Hon. John Mbadi (left), and Vice Chairperson, Hon. Tindi Mwale (right) at a past committee meeting at Parliament Buildings

Chairperson of the Committee, Hon. John Mbadi (Nominated), highlighted findings indicating subpar accounting practices and a lack of capacity within certain accounting units across various ministries, state departments, and agencies.

“The Committee found that despite all accounting units being staffed by qualified accountants and procurement officers, non-compliance with the various provisions of

the various laws pointed to incompetence or resistance,” Hon. Mbadi told the House.

He wondered why a State Department could have inaccuracy in the financial statement and yet, they have qualified accountants preparing the books of account.

Hon. Mbadi added that there was recurrence of unresolved audit and accounting issues despite previous calls for action or intervention by the House.

The Committee report has also recommended specific follow up actions including further investigations by the investigative authorities, mostly

by Ethics and Anti-Corruption Commission (EACC) as a number of issues raised in the report economic crimes.

“It is my hope that these recommendations, which are contrary to what we have seen previously, will be implemented within the shortest time possible by all those who are concerned, while taking into consideration public interest above everything else,” he said.

PIC on Social Services, Administration and Agriculture asks National Social Security Fund to provide documents regarding investment

The Public Investments Committee on Social Services, Administration, and Agriculture (PIC-SSAA), chaired by Hon. Emmanuel Wangwe (Navakholo), has directed officials of the National Social Security Fund (NSSF) to provide documents regarding an investment in a local brewery.

Hon. Wangwe issued the directive when the Committee met with, the NSSF Managing Trustee/Chief Executive Officer Mr. David Koros who appeared to shed light on the queries raised in the Auditor General's report for Fiscal Year 2020/2021.

The Committee questioned Mr. Koros about the discrepancies in the fund's cash books as pointed out in the Report.

The Committee asked questions about a Memorandum of Understanding and contractual agreement related to NSSF's investment in the East African Breweries Limited (EABL) corporate bond, issued in April 2017.

Although Mr. Koros acknowledged the recording of interest earned from the EABL corporate bond in the cashbook on 28/06/2021, he did not provide supporting documentation. The Committee emphasized the importance of such documents, saying that investments require formal agreements.

“I want to get that evidence of your investment with EABL,” Hon. Wangwe said.

In his response, the CEO informed the Committee that the

documents were with the Fund Manager.

“All the investments are done by the Fund Managers. All the contractual documents are

with them,” he said.



Chairperson, PIC on Social Services, Administration and Agriculture, Hon. Emmanuel Wangwe listens carefully as the NSSF Managing Trustee answers questions from Members

Public Petitions Committee receives petitions on gazettement of Nyatike and Chepalungu constituencies as hardship areas



A section of Members of the Public Petitions Committee in the meeting where the Committee received two petitions on behalf of residents of Nyatike and Chepalungu constituencies

The Public Petitions Committee last week received two petitions from Hon. Tom Odege (Nyatike) and Hon. Victor Kipng'etich (Chepalungu).

The two Members who appeared before the Committee in a meeting chaired by Hon. Ernest Kagesi (Vihiga), presented their petitions seeking to have Nyatike West, Nyatike North, and Nyatike South sub-counties, as well as Chepalungu constituency gazetted as hardship areas.

In his plea to the Committee, Hon. Odege informed the Members that Nyatike Constituency, which is one of the largest and most densely populated constituencies in Migori County was witnessing a migration of skilled workers, especially teachers, from the area.

According to the legislator, there are only 435 teachers serving 61 secondary schools in the constituency, equating to only 6 teachers per school. He attributed this to the deplorable working conditions in the area.

"The children of Nyatike are being denied what can be considered basic rights. The ratio of pupils to teachers is extremely low, as many teachers have opted to resign due to the hardships in the area. Even those who have not yet resigned are considering doing so," Hon. Odege said.

Among the issues plaguing the residents of Nyatike are harsh climatic conditions, poor road networks, pollution of arable land by old abandoned mines, lack of health facilities, unclean water, and even a lack of cell networks.

Hon. Kipng'etich, had a similar petition citing similar hardships. He informed the committee that the geographic orientation of Chepalungu, along with the black cotton soil found in the area, were the main contributors to the hardships.

"Whenever it rains, roads, toilet facilities, classrooms, and other infrastructure are destroyed. I am here not only for myself but for the people of Chepalungu, who are at risk of being left behind in terms of development," stated Hon Kipng'etich.

Hon. Marwa Kitayama, whose Kuria East constituency, echoed the petitioners' sentiments.

"I agree with the petitioners. It is true that within the eight sub-counties in Migori County, the Nyatike sub-counties are the most disadvantaged," Hon. Kitayama said.

He added that some contractors in the area have in the past refused to take up jobs in Chepalungu due to the black cotton soil and the depth required to reach the foundation.

He urged the Committee members to treat the two petitions with the seriousness that they deserve stating that the gazettement of these areas may not solve all the problems, but will offer relief and stop the loss of these civil servants who play an important role in any society.

Committee on Tourism and Wildlife questions Cabinet Secretary as it wraps up deliberations on the 2024 BPS

The Departmental Committee on Tourism and Wildlife chaired by Hon. Kereke Mbiuki (Maara) met with the Ministry of Tourism and Wildlife led by Cabinet Secretary, Dr. Alfred Mutua, to discuss the 2024 BPS.

Accompanying the Cabinet Secretary were, the Principal Secretary of the State Department for Tourism, Mr. John Olotuaa, the Principal Secretary for the State Department of Wildlife, Ms. Silvia Museiya, and the Director General of Kenya Wildlife Service, Dr. Erastus Kanga.

In his opening remarks, CS Dr. Alfred Mutua thanked the Committee for inviting him and outlined the Ministry's vision for 2030: transforming Kenya into a top ten long-haul and leading regional tourist destination, offering a high-end, diverse, and distinctive visitor experience.

In her presentation, PS Museiya outlined strategic objectives of the State Department of Wildlife, including habitat protection, rehabilitation, and connectivity, poaching reduction, and mitigating human-wildlife conflicts. She detailed the FY 2024/25 budget allocation, emphasizing key priorities such as Natural Resource Governance, revenue expansion, human-wildlife mitigation, and public education, among others.

The State Department for Wildlife told the Committee that it had a cumulative expenditure of Kshs. 7,879 million against a budget of Ksh. 11,605 million, with a 68 percent overall absorption rate, comprising Kshs. 7,721 million recurrent and Kshs.158 million in development expenditures.

Dr. Mutua acknowledged the scrutiny the Ministry faces and said he is commitment to upholding integrity while executing his duties.

"I would like to make it very clear that this Ministry is under the microscope of EACC for the way funds have been spent in the last 15 to 20 years, people have already been taken to court as a result, Ministers have not been charged. As a Minister, I have to watch out, to do the right thing, but I also want to watch out for my skin, I have to make sure that I am not put in a place where my integrity will be compromised and then am the one who will be charged in a court of law," said the CS.

The matter of Human-Wildlife Conflict was also addressed during the meeting, notably recent incidents including a Hyena attack on a Multimedia University student and the alleged attach of a boda-boda rider by lions in Kwale County.



Chairperson, Committee on Tourism and Wildlife, Hon. Kereke Mbiuki (Maara), questioning officials of the Ministry of Tourism and Wildlife led by the CS, Dr. Alfred Mutua

Kirinyaga County MP seeks Statement following loss of lives after consumption of illicit alcohol

Kirinyaga County MP, Hon. Njeri Maina, last week sought a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security following a devastating incident in Kangai Village, Kirinyaga County, in which

23 individuals lost their lives after consuming illicit alcohol.

Expressing concern, Hon. Maina cited a disturbing trend of fatalities resulting from the consumption of illicit and adulterated alcoholic beverages across the country.

“The most recent tragedy occurred in Kangai Village on February 6th, 2024, where 23 lives were

lost, and numerous others suffered severe consequences, including loss of vision, due to the consumption of suspected expired alcohol with dangerously high ethanol content,” Hon. Maina’s said.



Kirinyaga MP, Hon. Njeri Maina at addressing the public during Committee field visit. Hon. Maina last week sought a statement following the loss of 23 lives after consumption of illicit alcohol

With victims’ conditions deteriorating and fears of a rising death toll, Hon. Maina stressed the urgent need to address the root causes of this crisis.

She decried the rampant trade in illicit and adulterated liquor, the proliferation of counterfeit alcoholic brands, the unchecked operation of unlicensed liquor outlets, the surge in underage drinking, and the alarming increase in deaths attributed to illicit liquor consumption.

“Could the Cabinet Secretary explain measures the Government has put in place to ensure strict compliance with the Alcoholic Drinks Control Act, 2010 and effective implementation of alcohol control policies in regions mostly affected by consumption of illicit brews?” she asked.

Contributing on the statement, Leader of the Majority Party, Hon. Kimani Ichung’wah (Kikuyu), said Parliament should enact a legislation that will establish consistent regulations and standards nationwide, ensuring effective alcohol licensing processes while prioritizing public health and safety.

Hon. Ichung’wah reckoned that there should also be National Government legislation on alcohol manufacturer licensing, stressing that this responsibility should not rest solely with county governments.

Chairperson of the Departmental Committee on Administration and Internal Security, Hon. Gabriel Tongoyo (Narok West) said time was ripe to tighten laws and policies on licensing, especially at the county level, with a possibility of taking back some functions to the National Authority for the Campaign against Alcohol and Drug Abuse (NACADA) for proper management and licensing of liquor stores.

Quotes of The Week



There has been an escalation of trade in illicit and adulterated liquor, proliferation of counterfeit alcoholic brands, mushrooming of liquor outlets operating without proper licensing, increase in underage drinking and the rise in deaths attributable to illicit liquor in the country. The situation calls for strict implementation of the regulatory framework on alcoholic promotion, licensing, and treatment and rehabilitation of addicts as provided for under the Alcoholic Drinks Control Act, 2010 in order to mitigate the adverse effects of illicit brews.”

Hon. Njeri Maina (Kirinyaga) requesting a Statement regarding the death of persons after consumption of illicit brew in Kirinyaga County, on Tuesday, February 20, 2024



If you go to my Constituency, you will see that we have no shortage of kids or pregnant women. Honestly, we do not want the mess that has happened in Central Kenya to be a blanket application to the entire country to eliminate our national pass time in our communities. Let regions deal with their problems as they arise and not have a national condemnation of local brews.”

Hon. (Dr.) Ojiambo Oundo (Funyula) contributing on request for a Statement regarding the death of persons after consumption of illicit brew in Kirinyaga County, on Tuesday, February 20, 2024



I want to see a stoppage of importation of ethanol until we know who these traders are and whether they are paying taxes. We have made billionaires out of the ethanol trade and they have become very powerful that they are able to buy the police force, from top to bottom. That is why we have lost lives in Kirinyaga and we might continue to lose more. The young generation will be in serious danger if this Assembly does not act.””

Hon. Gitonga Mukunji (Manyatta), contributing on request for a Statement regarding the death of persons after consumption of illicit brew in Kirinyaga County, on Tuesday, February 20, 2024



What is marketed as an accessible path to owning a motorbike and achieving financial independence has become a nightmare for hundreds of jobless youth in the country. BNPL providers lure borrowers with deceitful promises of low down-payments and easy installments yet hidden fees, exorbitant interest rates and aggressive debt collection tactics soon reveal the true cost of a commodity.”

Hon. Joseph Munyoro (Kigumo), requesting a Statement on exploitative lending practices for bodaboda operators, on Tuesday, February 20, 2024

CLIQUE & CLICKS ▶



Members of the Departmental Committee on Education led by Chairperson, Hon. Julius Melly (seated second right) pose for a photo with the delegation of Education Policy Review Commission (EPRC) from Uganda. The delegation was in the country to benchmark on Competency Based Curriculum (CBC)



A section of Members of the Departmental Committee on Defence, Intelligence and Foreign Relations led by Chairperson, Hon. Nelson Koech (second from right) pose for a photo with Ambassador for the Islamic Republic of Iran, H.E. Dr. Ali Gholampour (second from left). On the left is Lagdera MP, Hon. Mohamed Abdikadir and on the right, Vice Chairperson, Hon. (Maj-Rtd) Bashir Abdullahi



Chairperson, Departmental Committee on Tourism and Wildlife Committee, Hon. Kareke Mbiuki (right), Principal Secretary, State Department for Tourism, Mr. John Olotuaa (center) and Vice-Chairperson, Hon. John Wanjiku (left), exchanging notes after a meeting last week.

A section of Members of the Departmental Committee on Environment, Forestry and Mining led by Chairperson, Hon. David Gikaria (second from right) pose for a photo with their counterparts from the Environment Committee of the Parliament of Finland led by their Chairperson Hon. Jenni Pitko (third from right) after Joint sitting at County Hall Mini chamber, Nairobi. The two teams exchanged insights on their experiences and challenges encountered by the respective Committees



BUNGE MASHINANI

Machakos Town MP leads ground breaking at Mutitoni Market

Machakos Town MP, Hon. Caleb Mule recently held a groundbreaking ceremony for the construction of Mutitoni Market.

According to Hon. Mule the market will provide a hub for vendors and businesses.

“This market will not only provide a hub for local vendors and businesses, but also create opportunities for economic growth and job creation. We are thrilled to celebrate this milestone and look forward to the positive impact it will have on our community. Come and be a part of this historic event as we lay the foundation for a brighter future for Mutitoni,” he said.



From Left (in the Green reflector vests) Manyatta MP, Hon. Mukunji Gitonga, Machakos Town MP, Hon. Caleb Mule, Emurua Dikirr MP, Hon. Johana Ngeno, Kangundo MP, Hon. Fabian Muli and Laikipia County MP Hon. Jane Kagiri celebrating with residents the groundbreaking of Mutitoni Market in Machakos Town Constituency

Wundanyi MP delivers a bus to Mghalu High School

Wundanyi MP, Hon. Danson Mwashako has delivered a school bus to Mghalu High School purchased through the National Government Constituency Development Fund (NG-CDF).

The MP said this was in line with his promise to deliver a bus to at least one school in each ward within the Constituency.

“We have started with Mghalu and next will be Shimbo as this two benefiting schools in Werugha and Wundanyi Mbale were not contested. Then thereafter we shall deliver for the other two wards Wumingu Kishushe and Mghange,” said Hon. Mwashako.

Hon. Mwashako said that under the program no parents would be required to make any financial contributions for purchase of the buses, as the initiative was fully funded by the NG-CDF. He added that this strategy would help uplift the so called “small” schools and give them at the enviable status enjoyed by learners from the “big” schools



Wundanyi MP, Hon. Danson Mwashako test drives a bus he delivered to Mghalu High School purchased through the NG-CDF



Mavoko MP, Hon. Patrick Makau during the official opening of the ultramodern multipurpose hall at Athi River Secondary School

Mavoko MP officially opens a multi-purpose hall at Athi River Secondary School

Mavoko MP, Hon. Patrick Makau officially opened a newly constructed ultramodern multi-purpose Hall built using the National Government Constituency Development Fund (NG-CDF) at Athi River Secondary school.

Hon. Makau was flanked by Machakos Teachers Service Commission (TSC, County Director, Mr. Jimali Ahmed Ali and Kitui-Central MP, Hon. (Dr.) Makali Mulu.

During the launch, key speakers asked residents to prioritize education and to mop up learners unable to attend school for assistance through the relevant authorities.

The three-term MP, under whose patronage the Hall was constructed, said the completion of the hall was yet another evidence of the transformative potential of NG-CDF is changing lives especially in the education.

“This kind of the infrastructure has for a long time been a preserve of the National Schools, and I am very grateful to have delivered this project through NG-CDF,” said Hon. Makau.

The MP challenged the education ministry to provide more teachers to public schools to reduce the burden that parents in the constituencies face in hiring teachers under the Schools’ Boards of Management (BOG).

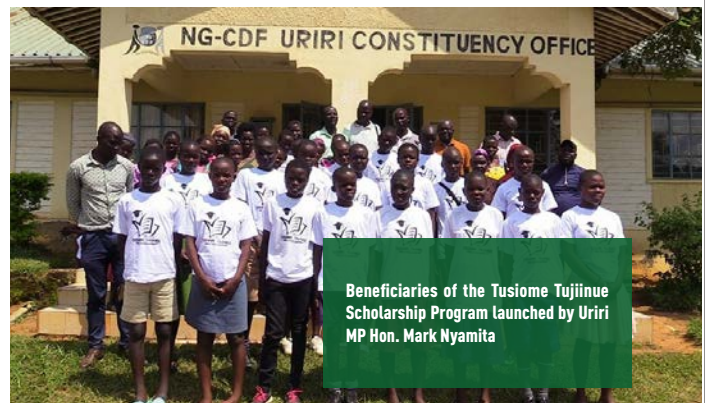
Uriri MP unveils constituency scholarship program

Uriri MP, Hon. Mark Nyamita has unveiled a scholarship program dubbed Tusome Tujiinue to educate needy learners from the constituency.

Hon. Nyamita unveiled the program with the first enrolment of 25 students targeting learners who were yet to be admitted to their respective secondary schools more than two weeks into the enrolment deadline.

The MP noted that education was a basic need, which all children must access irrespective of their economic status.

“We will grow and expand this program, and doing timely disbursement of the NG-CDF Bursaries to ensure that no child is left behind on account of the economic status of their families,” said Hon. Nyamita. Hon. Nyamita challenged the beneficiaries to work in their studies to achieve their life dreams



Beneficiaries of the Tusome Tujiinue Scholarship Program launched by Uriri MP Hon. Mark Nyamita



Reports laid on the Table of the House:

Tuesday 27th February, 2024 to Thursday 29th February, 2024.

Tuesday 27th February, 2024 (Afternoon Sitting)

The following reports were laid on the Table of the House on **Tuesday 27th February, 2024 afternoon sitting**;

1. Report to Parliament on all new loans contracted by Government of Kenya from 1st September, 2023 to 31st January, 2024 from the National Treasury and Economic Planning;
2. Implementation of the Constitutional Two-Thirds Gender Principle and implementation of the MSWG report from Ministry of Gender, Culture, the Arts and Heritage;
3. Audit Review of the Arrears to farmers and salary arrears and other emoluments in the five state owned sugar companies from the National Treasury;
4. Audit Review of debt portfolio of the out grower companies of government owned sugar companies from the National Treasury;
5. Reports of the Auditor-General and Financial Statements for the year ended 30th June, 2023 and the certificates therein in respect of:
 - a. Parliamentary Car Loan Scheme Fund;
 - b. The National Treasury;
 - c. Nairobi Metropolitan Area Transport Authority (NETFUND);
 - d. National Environment Trust Fund;
 - e. Women Enterprise Fund;
 - f. State Department for Transport;
 - g. State Department for Roads;
 - h. State Department for Internal Security and National Administration;
 - i. State Department for Energy;
 - j. State Department for Petroleum;
 - k. State Department for Water and Sanitation;
 - l. State Department for Irrigation;
 - m. Judicial Service Commission;
 - n. Ministry of Defence;
 - o. Consolidated Fund Services – Pension and Gratuities - the National Treasury;
 - p. Office of the Deputy President;
 - q. Commission on Administrative Justice;
 - r. Kenya Italy Debt for Development Programme – State Department for Water and Sanitation;
 - s. Sports, Arts and Social Development Fund;
 - t. Revenue Statements;
 - u. Petroleum Training Levy Fund; and
 - v. National Police Service.
6. Second Report of the Departmental Committee on Agriculture and Livestock on the inquiry into the Maize Flour Subsidy Programme for the financial year 2022/2023.

Wednesday 28th February, 2024 (Morning Sitting)

The following report was laid on the Table of the House on **Wednesday 28th February, 2024 morning sitting**;

7. Reports of the Auditor-General and Financial Statements for the year ended 30th June, 2023 and the certificates therein in respect of:
 - a. African Union and other International Organization Subscription Fund.
 - b. Business Registration Service – Official receiver.
 - c. Consolidated Fund Services – Public Debt.
 - d. Contingencies Fund.
 - e. European Widows and Orphans Pensions Fund.
 - f. Green Growth and Employment Thematic Programme (GG RTP).
 - g. Independent Policing Oversight Authority Staff Mortgage
 - and Car Loan Scheme.
 - h. Kenya National Commission on Human Rights (KNCHR).
 - i. National Land Commission Staff Car Loan Scheme Fund.
 - j. National Youth Service – Mechanical and Transport Fund.
 - k. Director of Public Prosecution.
 - l. Prisons Farms Revolving Fund.
 - m. Provident Fund.
 - n. Roads Annuity Fund.
 - o. Rural Enterprise Fund.
 - p. Salaries and Remuneration

Commission.

- q. State Department for Immigration and Citizen services.
- r. State Department for Implementation of Curriculum Reforms.
- s. State Department for Information Communication Technology and Digital Energy.
- t. State Department for Labour and Skills Development
- u. State Department for Micro-Small and Medium Enterprise
- v. Statement of Outstanding Obligations Guaranteed by the Government of Kenya.
- w. State Department for East African Community.
- x. State Department for Wildlife.
- y. TVET Curriculum Development Assessment and Certificate Council (TVET CDACC).
- z. Witness Protection Agency.

Wednesday 28th February, 2024 (Afternoon Sitting)

The following reports were laid on the Table of the House on **Wednesday 28th February, 2024 afternoon sitting**;

1. Legal Notice No. 220 of 2023 relating to the Public Finance Management (Wildlife Conservation Trust Fund) Regulations, 2023 from the National Treasury;
2. Legal Notice No. 39 of 2024 relating to the Refugees (General) Regulations, 2024 from Ministry of Interior and National Administration;
3. Third quarterly report of the Ethics and Anti-Corruption Commission for the year ended 2023 from the Office of the Attorney-General & Department of Justice;
4. Bi-Annual Report of the Commission on Administrative Justice for the period January – June, 2023;
5. Annual Report of the Judicial Service Commission for the financial year 2022/2023 from the Judicial Service Commission;
6. First Quarter County Governments Budget Implementation Review Report for FY 2023/24 from the Office of the Controller of Budget;
7. Thirty-First Bi-Annual Report of the Monetary Policy Committee from the National Treasury;
8. Reports of the Auditor-General and Financial Statements for the year ended 30th June, 2023 and the certificates therein in respect of:
 - a. Competition Authority of Kenya;
 - b. E-Citizen Revenue Accountability Statement;
 - c. Receiver of Revenue-Recurrent – the National Treasury;
 - d. Civil Servants Housing Scheme Fund – State Department for Housing and Urban Development;
 - e. Treasury Main Clearance Fund;
 - f. State Department for Lands and Physical Planning;
 - g. Government Investments and Public Enterprises – Revenue Statements;
 - h. State Department for Development of the Arid and Semi-Arid Lands;
 - i. National Intelligence Service;
 - j. Energy and Petroleum Regulatory Authority Staff Mortgage and Car Loan Scheme;
 - k. Government Press Fund;
 - l. AFD – ASAL Rural Roads Project; and
 - m. National Government Constituencies Development Fund.

Thursday 29th February, 2024 (Afternoon Sitting)

The following reports were laid on the Table of the House on **Thursday 29th February, 2024 afternoon sitting**;

1. Annual Report and Audited Financial Statements for financial year 2022/2023 for the Teachers Service Commission;
2. Reports of the Auditor-General and Financial Statements for the year ended 30th June, 2023 and the certificates therein in respect of:
 - a. State Department for Correctional Services;
 - b. State Department for Trade;



**REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT – THIRD SESSION (2024)**

**IN THE MATTER OF ARTICLE 118(1) (b) OF THE CONSTITUTION
AND
IN THE MATTER OF CONSIDERATION BY THE NATIONAL ASSEMBLY OF THE STATUTORY
INSTRUMENTS (AMENDMENT) (NATIONAL ASSEMBLY BILL NO. 3 OF 2024)**

INVITATION TO SUBMIT MEMORANDA

WHEREAS, Article 118(1) (b) of the Constitution requires Parliament to facilitate public participation and involvement in the legislative and other business of Parliament and its Committees and the National Assembly Standing Orders require House Committees considering Bills to facilitate public participation;

AND WHEREAS the Statutory Instruments (Amendment) Bill (National Assembly Bill No. 3 of 2024) was read a First Time on Wednesday, 14th February, 2024 and referred to the relevant Committee for consideration and reporting to the House;

IT IS NOTIFIED that the Statutory Instruments (Amendment) Bill (National Assembly Bill No. 3 of 2024) sponsored by **Leader of the Majority Party, Hon. Kimani Ichung'wah, EGH, MP** seeks to amend the Statutory Instruments Act, 2013 to streamline its provisions with the requirements of Article 94(5) of the Constitution and ensure better application of the Act. In particular, the Bill proposes to—

- (a) amend section 11 of the Act to enable the Committee on Delegated Legislation to require a regulation-making authority to submit a copy of any regulation that ceases to have effect by operation of law to Parliament. Upon submission, Parliament is required to notify the general public of the nullity of such an instrument in two newspapers of wide circulation;
- (b) amend section 12 of the Act to align the Act with Article 94 (5) of the Constitution on delegation of legislative authority;
- (c) amend section 14 of the Act to subject any exemption made by the Committee on Delegated Legislation to approval by the House;
- (d) amend section 19 of the Act, to harmonize the wording of the Act. The amendment replaces the word "revoke" with the word "annul" for consistency;
- (e) repeal section 21 of the Act to remove the mandatory requirement for the review of subsidiary legislation and the expiry of statutory instruments;
- (f) amend section 24 of the Act, to increase the limit of fines and term of imprisonment that may be imposed for breach of regulations. The amendment seeks to provide for penalties that adequately deter violation or breach of regulations; and
- (g) amend section 27 of the Act to save and allow the continued operation of regulations that were in operation on or before the 24th January, 2024.

NOW THEREFORE, in compliance with Article 118(1) (b) of the Constitution and the National Assembly Standing Orders, the Clerk of the National Assembly hereby invites the public and stakeholders to submit memoranda on the Bill to the **Committee on Delegated Legislation**. A copy of the Bill is available at the **National Assembly Table Office, First Floor, Main Parliament Buildings, Nairobi** and on www.parliament.go.ke/the-national-assembly/house-business/hills.

The memoranda may be addressed to the **Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi**; hand-delivered to the **Office of the Clerk, First Floor, Main Parliament Buildings, Nairobi**; or emailed to cna@parliament.go.ke; to be received **on or before Tuesday, 5th March, 2024 at 5.00 p.m.**

**S. NJOROGE, CBS
CLERK OF THE NATIONAL ASSEMBLY**

21st February, 2024

"For the Welfare of Society and the Just Government of the People"

Reports laid on the Table of the House:
CONTINUED From Page 10

- c. State Department for Higher Education and Research;
 - d. State Department for Technical, Vocational Education and Training;
 - e. State Department for Interior and Citizen Services;
 - f. State Department for Foreign Affairs;
 - g. State Department for Post Training and Skills Development;
 - h. State Department for Social Protection and Senior Citizen Affairs;
 - i. State Department for Crop Development;
 - j. State Department for Early Learning and Basic Education;
 - k. Receiver of Revenue Statements – State Department for Mining;
 - l. State Offices House Mortgage Scheme Fund – State Department for Housing and Urban Development;
 - m. Independent Electoral and Boundaries Commission Staff Mortgage and Car Loan Scheme;
 - n. Office of the Controller of Budget Staff Mortgage Scheme;
 - o. National Land Commission Housing Scheme Fund;
 - p. Office of the Controller of Budget;
 - q. North Eastern National Polytechnic;
 - r. The Executive Office of the Deputy President;
 - s. National Security Telecommunications Services;
 - t. Veterinary Services Development Fund;
 - u. Ministry of Health;
 - v. Coffee Cherry Advance Revolving Fund;
 - w. National Cohesion and Integration Commission;
 - x. Ministry of Foreign Affairs;
 - y. Kenya Space Agency; and
 - z. Government Clearing Agency Fund.
3. Reports of the Departmental Committee on Transport and Infrastructure on:
- i. Its Consideration of the National Transport and Safety Authority (Amendment) Bill (National Assembly Bills No. 36 of 2023);
 - ii. Attendance to the International Civil Aviation Organization (ICAO) Implementation Support Symposium 2023 Conference held from 30th May to 1st June 2023 in Seoul, South Korea; and
 - iii. A study visit to France from 18th to 22nd June 2023.
4. Report of the Public Debt and Privatization Committee on its consideration of the 2024 Medium-Term Debt Management Strategy.



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