



The SENATE

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

Issue No. 0027

Weekly

House ultimatum to National Treasury on debt management

Whereas the present value of debt is a breach against the legal benchmark, the National Treasury projects that it will be aligned to the law by the 2028/29 financial year but the House maintains this is only possible through a defined fiscal consolidation path.



Senator Mohamed Faki, a member of the Finance and Budget Committee, who moved the motion on behalf of Senator Roba.



Senator Ali Roba, Chairman Finance and Budget Committee.

Senators have given the National Treasury a one-month ultimatum to furnish the House with measures being taken to ensure the national debt is anchored at 55 per cent of the Gross Domestic Product (GDP) as provided for in the law.

The lawmakers have also directed the National Treasury to ensure that the Medium Term Debt Management Strategy (MTDMS) it submits to Parliament in future for consideration and approval, should contain the most recent data on the stock of public debt and publicly guaranteed debt as the date of the statement in line with Public Finance Management Act.

“The National Treasury should submit a report to this House by April 30 detailing specific measures being taken

to ensure the national government complies with the requirement to anchor the national debt at 55 per cent of the GDP,” the Senators declared when they approved the report of the Committee on Finance and Budget on its consideration of the 2024 Medium Term Debt Management Strategy.

The present value of debt to GDP stands at 67.2 per cent and the National Treasury says it is committed to bringing it down to 55 per cent over a period of 5 years in line with Section 50 of the Public Finance Management Act.

Senators have however maintained this will only be possible through a defined fiscal consolidation path.

“This will require regular reporting to Parliament to enhance continuous oversight and ensure compliance,” said

Senator Mohamed Faki, a member of the Finance Committee when he moved the debate on the motion.

The 2024 MTDMS was tabled in the House on February 15, 2024 and was referred to the Committee on Finance and Budget for consideration, facilitation of public participation and consequent tabling of the report in the Senate.

Section 33(2) of the PFM Act provides that the MTDMS should be aligned to the broad strategic priorities and policy goals set out in the Budget Policy Statement (BPS).

Section 33(3) of the Act provides that: “The Cabinet Secretary shall include in the statement information touching on the total stock of debt as at the date of the statement, the sources of loans made to the national government and the na-

ture of guarantees given by the national government, the principal risks associated with those loans and guarantees, the assumptions underlying the debt management strategy and an analysis of the sustainability of the amount of debt, both actual and potential.

The 2024 MTDMS covers the period between 2024/25 to 2026/27 financial year and outlines strategies and initiatives to be implemented aimed at minimising costs and risks debt management.

The nominal amount of public and publicly guaranteed debt was Sh10.278 trillion, or 70.8 percent of the Gross Domestic Product (GDP) at the end of June, 2023, comprising an external debt stock of Sh5.446 trillion and domestic debt stock of Sh4.832 trillion.

According to the National Treasury,

the total nominal stock of public and publicly guaranteed debt as at February 2024 was Sh11.248 trillion, or 69.7 percent of GDP.

Present value of public debt to GDP is 67.2 percent. This comprises external debt stock of Sh6.1899 trillion and domestic debt stock of Sh5.0580 trillion.

The foreign public debt is composed of multilateral, bilateral and commercial creditors.

The data indicates that Sh3.118 trillion is a multilateral debt, accounting for 50 percent of total external debt, Sh1.399 trillion bilateral debts at 23 percent and Sh1.671 trillion commercial debts at 27

percent of which Eurobonds account for Kshs.1.141 trillion or 18 percent.

Domestic debt mainly comprises Treasury bonds and bills calculated at Sh4.272 trillion in Treasury Bonds, accounting for 85 percent of total domestic debt, Sh565.63 billion Treasury Bills accounting for 11 percent and Sh220.16 billion, or 4 percent as others (Overdrafts from Central Bank of Kenya, IMF Special Drawing Rights (SDR) and Allocation and Bank advances.

As at the end of June 2023, the Government guaranteed debt to the Kenya Power and Lightning Company (KPLC), Kenya Ports Authority (KPA), Ken-

ya Electricity Generation (KenGen) and Kenya Airways (KQ) amounted to Sh170.2 billion.

The called-up guarantee loan of Sh88.2 billion relates to KQ guaranteed debt.

The fiscal deficit for 2024/2025 financial year approved under 2024 BPS is Sh703.9 billion.

The MTDMS proposes that the deficit will be funded by both foreign and domestic borrowing.

The net foreign financing will be Sh362.12 billion while domestic financing will be Sh377.75 billion.

“In terms of optimal borrowing ap-

proach or strategy, the MTDMS seeks to minimise costs and refinancing risks in the debt portfolio by maximising access to external concessional borrowing,” said Senator Mohamed Faki when he moved the motion on the debate.

Over the medium term, the optimal borrowing strategy assumes a mix of 45 percent domestic and 55 percent external financing.

The National Treasury submitted that the total Debt Sustainability Analysis (DSA) conducted in December, 2023, indicates that Kenya’s public debt remains sustainable, although there is a high risk of debt distress.

Senator Haji hails Makueni County Assembly for strong stand on devolution



Senator Haji chairs the meeting between the Senate team and the Makueni County Assembly Business Committee led by Speaker Douglas Mbilu.

Senator Abdul Haji has hailed the County Assembly of Makueni for effectively entrenching devolution through legislation and oversight.

The Assembly has enacted 25 legislations and 12 regulations in the last 10 years of devolution and the Senator argues that this is a clear testament to the success of devolution.

“The Senate is ready and willing to capacitate the County Assemblies across the country so that they can effectively discharge their mandate for the benefit



Speaker Mbilu makes his presentation to the Senate team as Senators Haji (right) and Dan Maanzo look on.

of people of Kenya,” said Senator Haji, who is also a member of the Speaker’s Panel.

The Senator made the comments during the meeting with a delegation from Makueni County Assembly Business Committee that was in the Senate for a benchmarking tour

Senator Haji received the delegation on behalf of the Speaker Amason Kingi.

Makueni Senator Dan Maanzo welcomed the delegation to the Senate and gave them an appraisal of the Bills that are currently before the Senate while exploring areas of collaboration between the two sides in their constitutional mandate.

The Senator pledged his full support for the County Assembly.

The delegation was led by Speaker Douglas Mbilu who implored the Senate to entrench the Ward Development Fund in law so that Kenyans can fully benefit from the fruits of devolution.

“We urge the Senate to push so that 15 per cent of the total county budget goes to the wards. You must ring fence some money to go to the lowest level of governance,” said Hon Mbilu.

Entrenching the Fund in law will ensure that every part of the country benefits from development, he said, even as he accused some governors of discriminating against wards that don’t support them politically.

Speaker Kingi summons CoB over absence of budget implementation reports in Senate



Majority Leader Aaron Cheruiyot, who raised concern over the absence of the reports of the Controller of Budget to the Senate.



Senator Richard Onyonkah

to submit reports on budget implementation to the Senate.

The Speaker invoked standing order No 1 of House rules and direct that the Controller of Budget (CoB) appear immediately after Question Time to explain why the reports generated by her office ceased flowing to the Senate.

Dr Nyakango is also expected to give an undertaking that the reports will be transmitted to the Senate hence, either monthly or quarterly as demanded of the Office of the CoB by the Constitution.

“There was an established practice that the reports were transmitted to the Senators either quarterly or sometimes monthly. The practice has since stopped, for reasons nobody can explain. The only person who can explain why these reports have stopped flowing to the Senate is the Controller of Budget,” observed Speaker Kingi.

The Speaker issued the directive after the debate that was ignited by the Majority Leader Aaron Cheruiyot.

Senator Cheruiyot had sought the intervention of the Speaker to get answers on why the OCOB reports do not flow into the Senate as required by the law.

Senator Cheruiyot there has been tendency where coverage of budget performance by various counties are reported in the media before coming to the House.

“While that might serve the purpose of sensitising citizens on how their

county governments are performing, what happens after that? This is the only House that can compel various county governments to spend resources prudently. Senators should have an opportunity to interact with the reports,” said senator Cheruiyot.

Senator Richard Onyonka supported the Majority Leader arguing that information, whether from the office of Auditor General or the Controller of Budget, gets to social media and the media before the Senate.

Speaker Kingi told the House matter is weighty because it touches on the function and mandate of the Senate, particularly on its role of oversight.

“For Senators to offer effective oversight, they must be armed with information which must be transmitted to the Senate in formal reports,” he said.

“If these reports are not forthcoming, then Senators do not have any information with which they can probe any malpractice.”

Speaker Kingi challenges counties to create environment for investments to spur development



Governor Fernandes Barasa welcomes Speaker Kingi in his office. The Speaker was in the county to deliver keynote address at the Kakamega International Investment Conference.



Speaker Kingi and his host Governor Barasa follow proceedings at the Conference held at Masinde Muliro university in Kakamega town.



Speaker Kingi delivers his address at the Conference.

Speaker Amason Kingi has challenged county governments to aggressively transform their backyards into investment destinations and hubs of economic activity.

Increased investments in counties and heightened economic activity will create employment opportunities, especially for the youth, open up revenue and income streams and generally spur development, the Speaker said.

He made the remarks on Friday at the Kakamega County Investment Conference held at Masinde Muliro University of Science and Technology (MMUST) attended by National Assembly Speaker Moses Wetang'ula, Kakamega Governor Fernandes Barasa, among other na-

tional leaders.

The Speaker hailed the conference and its theme: “Opening up Counties as the new frontiers for investment and development”, as timely and a befitting clarion call that not only projects a ray of light on the county’s development vision but also illuminated how it dovetails with the noble goals of devolution.

The Speaker assured the County leadership of the Senate’s full support in the roll-out of investment and development projects for which the approval of the House will be required.

The Senate prioritises the well-being of the 47 counties and works tirelessly through legislation, oversight, representation and funding to ensure the

devolved units operate at full throttle, through timely disbursement of funds, among other interventions, he said.

“The Senate, through the County Public Investment and Special Funds Committee, continues to exercise its oversight mandate in a manner that inspires confidence in investors and therefore keeps the taps of investments and business flowing,” Speaker Kingi added.

On Climate Change impacts, the Speaker urged Kakamega County to remain vigilant and engage robustly in climate mitigation measures, with a view to protecting its sensitive ecosystems from the threats.

Famed as a conservation haven with vibrant tourism and agricultural sectors,

all riding on the back of favourable climatic conditions, Kakamega County will be greatly tested as these sectors were most vulnerable to Climate Change and its devastating consequences.

“I challenge the County Government to prioritise climate action and adoption of green practices in all facets of service delivery and programme implementation.

“This is what will ensure you not only retain the rich forest ecosystem you are famous for, but also be able to adopt sustainable exploitation of your natural resources and secure the future of this great county and its people,” he said.

Seneta Mundigi ataka ufafanuzi kuhusu hatima ya walimu wa shule za msingi na chekechea wasio na stashahada



Seneta Ojienda

Seneta Munyi Mundigi anataka ufafanuzi kuhusu hatima ya waalimu wanaofundisha kwenye shule za msingi wakiwa na vyeti vya P1 na wenzao wanaofundisha kwenye shule za chekechea walio na vyeti vya ECDE.

Ombi la Seneta Mundigi linafuatia sera ya serikali kupitia kwa Wizara ya Elimu kuweka hitaji la walimu kuwa na stashahada yaani Diploma kwa walimu wote wanaofundisha katika shule za chekechea na shule za msingi.

Seneta huyo anaitaka Kamati ya Elimu kuwasilisha ripoti ikiweka wazi

idadi ya walimu wenye vyeti vya P1 na vya ECDE walioajiriwa kwa sasa na Tume ya Huduma za Walimu, TSC, na serikali za Kaunti.

Kamati hiyo inahitajika pia kuwasilisha muda wa mwisho wa kutekelezwa kwa mpango uliopendekezwa kwa walimu wasiohitimu kuafiki hitaji la kuwa na stashahada katika kuheshimu sera za Wizara ya Elimu nchini Kenya.

Aidha Kiongozi huyo anaitaka Kamati hiyo kutoa ufafanuzi kuhusu hatima ya mpango mseto wa awali ulioelezwa kupitia kwa ilani ya Wizara ya Elimu



Seneta Mundigi

ambao ulifaa kurejelewa baada ya shughuli za masomo kurejea kawaida kutoka kwenye janga la maradhi ya Covid-19.

Kamati hiyo inayoongozwa na Seneta Joe Nyutu vile vile itahitajika kuakariri mikakati iliyowekwa kuangazia hali ya walimu wanaohudumu chini ya tume TSC ambao hawajapata fursa kuinua kiwango chao hadi stashahada kufuatia kufeli kwa mpango mseto ikielezea namna hali hiyo itaoanishwa na sera ya serikali kuwahitaji walimu wote wa shule za msingi kuwa na stashahada.

Kwingineko Seneta Tom Ojienda

ameitisha ufafanuzi kutoka kwenye Kamati ya Elimu kuhusu malipo ya marupuru ya kuhudumu kwenye sehemu zilizo na changamoto kwa walimu wanaohudumu katika Kaunti Ndogo ya Nyando, Kaunti ya Kisumu inayokumbwa na mafuriko ya mara kwa mara.

Seneta huyo anaitaka Kamati hiyo iweke wazi mgao wa bajeti uliotengwa kama marupuru kwa walimu wanaohudumu kwenye sehemu zinazokumbwa na changamoto katika miaka ya kifedha ya 2020/21 hadi 2022/23 ikielezea sababu za Wizara ya Elimu kukosa kuiorodhesha Kaunti Ndogo ya Nyando kuwa miongoni mwa sehemu zinazokumbwa na ugumu licha ya sehemu hiyo kukabiliwa na changamoto ya mafuriko.

Alishangaa mbona walimu katika sehemu hiyo hawanufaiki na marupuru hayo licha ya kuhudumu katika hali ngumu.

Kadhalika, Profesa Ojienda aliiomba Kamati hiyo kubaini mikakati ya hima na ya muda mrefu iliyowekwa na serikali kuimarisha mazingira ya kuhudumu kwa walimu wanaohudumu kwenye sehemu zinazokumbwa na mafuriko katika Kaunti ya Kisumu.

Ombi la Seneta Ojienda lilisomwa na Seneta maalum Hezema Lemaletian.

Seneta Cherarkey ataka majibu kuhusu utekelezaji wa ripoti ya Kamati ya Leba inayohusu madai ya ulaghai wa Kampuni ya First Choice

Seneta Samson Cherarkey amewasilisha ombi akitaka majibu kuhusu utekelezaji wa ripoti kuhusu malalamishi yaliyowasilishwa kwenye Seneti mbeleni na Kimutai Kirui kwa pamoja na wenyeji wengine wa Kaunti ya Uasin Gishu wakidai ulaghai uliofananywa na Kampuni ya First Choice kwa kisingizio cha kuwapa ajira wenyeji.

Seneta Cherarkey anaitaka Kamati ya Leba na Masuala ya Jamii kuelezea ulikofikia uchunguzi wa sakata hiyo iliyosababishwa na Kampuni ya First Choice Recruitment ikilifahamisha Bunge kuhusu hatima ya kuwarejeshea pesa Wakenya waliolaghaiwa na Kampuni hiyo huku pia ikibaini kiwango cha pesa ambacho kila mmoja amepokea kikilinganishwa na malipo ya mbeleni.

Seneta huyo anaitaka Kamati hiyo kutaja mikakati iliyowekwa na serikali kuhakikisha Wakenya wote waliolaghaiwa wamejereshewa pesa zao zote ikionyesha iwapo Wizara ya Leba na Utunzaji wa Jamii imefanya ukaguzi wa mashiri-

ka yote ya uajiri.

Kadhalika Seneta Cherarkey anaitaka Kamati hiyo inayoongozwa na Seneta na Julius Murgor kubaini mashirika ya uajiri yaliyopewa leseni ya kuhudumu nchini Kenya na serikali na yale ambayo yameharamishwa kuhudumu nchini.

Aidha Kamati hiyo inapaswa kutoa ufafanuzi wa sababu za kuendelea kuhudumu kwa Kampuni ya First Choice Recruitment nchini Kenya licha ya madai ya wazi ya ulaghai dhidi yake.

Kwingineko Seneta Godfrey Osotsi ameitaka Kamati ya Fedha na Bajeti kuwasilisha ripoti kuhusu hali ya malipo kupitia kwa mfumo wa kidijitali.

Seneta Osotsi anaitaka Kamati hiyo kuweka wazi taarifa kuhusu makubaliano yoyote yaliyofanywa na Serikali ya Kenya kuhusiana na usimamizi wa mfumo huo ikifichua mhudumu wa binafsi anayeuendesha mfumo huo sawia na pesa alizolipwa kufikia sasa.

Seneta huyo anataka majibu kuhusu sababu zilizoifanya serikali kuamua



Seneta Osotsi

kumpa fursa mhudumu wa binafsi kuendesha mfumo huo ikieleza mbinu zilizowekwa kuhakikisha uzingatiaji kamili wa sheria hususan sheria za ushuru, ulinzi wa taarifa, matumizi mabaya ya tarakilishi na matumizi ya mitandao.

Kadhalika Kiongozi huyo anaitaka Kamati hiyo inayoongozwa na Seneta Ali Roba kufafanua mikakati iliyowekwa na serikali kuangazia mianya ya kupotea kwa mapato kuhakikisha uwa-



Seneta Cherarkey

jibikaji katika usimamizi wa pesa zinazokusanywa kupitia kwa mfumo wa kidijitali.

Kamati hiyo aidha itahitajika kutoa sababu za mbona Wizara ya Fedha inaoanisha malipo yanayofanywa kupitia kwa mfumo wa kidijitali kutumia mbinu ya kawaida ambayo kulingana na Seneta Osotsi inatoa mianya ya makosa ya kibinadamu ikifafanua iwapo kuna mpango wa kuugeza mfumo huo.

Justice Committee and Murang'a MCAs from exchange ideas on devolution implementation



Senator Wakili Sigei, the chair of Justice committee, and Senator Veronica Maina pose for a group photo with members of Justice Committee of Muranga County Assembly.

The Committee on Justice, Legal Affairs, and Human Rights hosted a delegation from the Committee on Governance, Labour, Justice, and Legal Affairs of the County Assembly of Murang'a.

The delegation, led by Mr Jeremiah Gichobe Mbatia, marks an important benchmarking opportunity, as the Murang'a delegation seeks to enhance its understanding of the mandate of the Senate, particularly in oversight and to exchange insights and best practices.

The visit saw the MCAs familiarise themselves with the mandate of the Committee, thus facilitating a more effective exercise of its own oversight responsibilities.

"The exchange is paramount," remarked Senator Wakili Sigei in his welcoming remarks, "It provides a platform for sharing experiences as you learn from the Senate's established procedures and methodologies."

In the County Assembly, the Committee is tasked with a broad spectrum of responsibilities, including constitutional affairs, law and justice administration, electoral processes, ethics, integrity, anti-corruption initiatives, safeguarding human rights, and administrative justice.

It also oversees labour matters, trade union relations, manpower planning, and the coordination of community participation in governance at the local level.

Additionally, it plays a crucial role in enhancing the administrative capacity of communities and locations to ensure effective governance and participation in local decision-making processes.

"Both committees should aim at identifying common ground and explore avenues for collaboration. By leveraging the expertise and experiences of each other, we shall enhance the effectiveness of our respective mandates and contribute to the overall advancement of governance in our respective levels of gov-

ernment," observed Senator Veroniah Maina, a member of the committee.

The meeting between the two sides highlights the importance of intergovernmental cooperation and knowledge exchange.

As both entities strive to fulfill their mandates, such engagements serve as invaluable opportunities to strengthen institutional capacities and promote good governance practices at both the national and county levels.

Meanwhile, the committee has started considering a proposal that aims at amending Section 81(3) of the Advocates' Act.

The Act exempts the Speaker and Members of National Assembly who hold practising certificate from continuous legal education during their tenure as such member or as the Speaker but excludes the Speaker of the Senate and Senators.

The legislative proposal, sponsored

by Senator Okong'o Omogeni, contains only one operative clause, seeking to include Senators and the Speaker of the Senate who hold a practising certificate in the exemption.

The proposal is necessary due to the bicameral nature of the current Parliament.

If passed, Senators and the Speaker of the Senate with practising certificates will no longer be required to undertake continuing legal education during their tenure.

The proposal was referred to the Committee for pre-publication scrutiny as per the Standing Orders. The Committee will examine the proposal, seek views from relevant parties, and suggest any necessary improvements before it can be published as a Bill.

CPISFC demands update reports on management of special funds in Laikipia, Bungoma counties



Senator Osotsi, the chair of CPISFC, and Senator William Kisang during the audit meetings with Bungoma and Laikipia counties.

The County Public Investments and Special Funds Committee last week hosted Governors Kenneth Lusaka and Joshua Irungu of Bungoma and Laikipia Counties, respectively.

The meeting was aimed at scrutinising the management of various special funds in the two counties for the 2020/21 financial years.

The first meeting was with Governor Irungu in which the committee inspected the Laikipia County Bursary Fund, the Laikipia County Emergency Fund, and the Laikipia County Assets Leasing Fund.

The Committee directed Laikipia Governor Irungu to bolster transparency

and accountability in the management of the funds.

The recommendations included measures such as maintaining administrative costs within legal limits, ensuring timely submission of audit documents, and aligning the establishment of the Laikipia County Leasing Fund with regulatory frameworks.

In the case of Bungoma County, Governor Lusaka faced scrutiny over the management of funds including the Bungoma County Education Support Scheme Fund, the Bungoma County Youth and Women Empowerment Fund, and the Bungoma County Disaster Management Emergency Fund.



Governor Lusaka is sworn in when he appeared before the committee.

Senator Osotsi, who chairs the committee, raised concerns with the management of the Education Fund.

“We have highlighted discrepancies in scholarships awarded by the Bungoma Education Fund and inconsistencies in supporting documentation,” observed Senator Osotsi.

The committee directed the Governor to submit a task force report on the Fund’s management within seven days. While the Auditor-General was directed to conduct a forensic audit within 60 days.

The Committee also directed Governor Lusaka to submit an update report

within 14 days after concerns over the Disaster Management Emergency Fund were raised.

With the Education and Emergency Funds under investigation by the Ethics and Anti-Corruption Commission, the committee requested a status update within 14 days.

Governor Lusaka was also instructed to ensure all Fund Administrators submit quarterly financial reports to the Controller of Budget’s Office as mandated by law. The consideration of the Disaster Management Emergency Fund was rescheduled for a later date.

CPAC insists subscription to CAF and CoG are illegal

The County Public Accounts Committee (CPAC) has reminded the leadership of County Governments that subscription to the County Assembly Forum (CAF) and Council of Governors remain illegal and called on the entities to desist from making the payments.

The Committee, which is chaired by Senator Otieno Kajwang’ observed that CAF and CoG are amorphous organisations that have gobbled billions of public funds in the last 10 years but which have never been subjected to audit as required by law.

“There is nothing positive that has ever come out of CAF in the last 10 years despite the billions it has received from County Assemblies,” said Senator Gataya Mwenda, adding that the entity is a political tool to advance the interests of a clique of powerful and well-connected MCAs.

At a meeting with the leadership of four County Assemblies, the Committee maintained its stance that CAF must be

audited to determine how the billions it has received have been expended and that those who bear the responsibility of making the payment be surcharged.

The committee held separate meetings with the County Assemblies of Kisumu, Nyandarua, Mandera and Makueni in which it considered audit reports for the 4 entities for the financial year ending June 2021 and June 2022.

In the case of Kisumu, the County Assembly paid Sh3.5 million to CAF in the year ending June 2021. The following year, the Assembly paid Sh4 million to CAF and another Sh1 million to the Society of Clerks at the Table, respectively, a decision that auditor general says are illegal.

In the case of Mandera, the Assembly paid Sh5.2 million to both CAF and the Society.

The Speaker of Kisumu County Assembly Elisha Oraro defended the payments saying that plans have been put in place to anchor CAF, the Council of Governors and the Intergovernmental

Relations Technical Committee (IG-RTC) into law.

Internal discussions have led to the amendment to the IGTRC Act, 2012, he said.

“I want this committee to take judicial notice to the fact that we have agreed to the IGTRC (Amendment) Bill which should be introduced in Parliament very soon,” said Speaker Oraro.

He also rejected the claims that CAF, CoG or even IGTRC are illegal entities saying there the Senate, Office of Auditor General, Controller of Budget have been writing official communication to the entities.

“How then have they have been communicating with illegal entities,” the Speaker posed.

During the week, the Committee also held meetings with Governor Wilbur Otichilo (Vihiga) and Governor Paul Otuma over the financial accounts for the 2020/21 and 2021/21 financial year.

Governor Ottichilo was taken to task over the failure of his administration to

produce documents related to the procurement of goods and services in the years under review.

This is after it emerged that some of the payment vouchers presented to the committee may have been falsified.

“We are embarrassed that you can’t produce crucial documents related to your county’s financial accounts. This only goes to show the kind of government you are running,” said Senator Edwin Sifuna.

The Governor defended himself, saying he had inherited a broken financial system that was not working when he took over in 2017.

“It has taken time for me to put things in order,” he said, adding that change is not easy.

Senator Richard Onyonkah accused the governor of being deliberately lazy.

The committee directed the Governor to focus efforts on settling historical pending bills.

“You must come up with a schedule to pay the bills in 3 years,” Senator Kajwang directed.

Deputy Speaker Murungi promises support for laws on trade and investments



Deputy Speaker Kathuri Murungi in a group picture with Mr Wamkele Mene (seated middle), the Secretary General of the African Continental Free Trade Area. Others in the picture are Majority Leader Aaron Cheruiyot and members of Committees in charge of trade in both Senate and National Assembly.



Deputy Speaker Murungi hosts Mr Mene in his office, joined by Majority Leader Cheruiyot and members of committees in charge of trade in both Houses.

Deputy Speaker Murungi has pledged the Parliament's support in enacting the necessary legislative and policy frameworks aimed at creating an enabling environment for trade and investments.

The Deputy Speaker urged Senators and Members of National Assembly to co-sponsor bills that create trade opportunities and promote businesses in Kenya.

Senator Murungi made the comments when he hosted the Secretary General of the African Continental Free Trade Area (AfCFTA), Mr Wamkele Mene who was in the country on an official visit.

The Deputy Speaker was accompa-

nied by Majority Leader Aaron Cheruiyot, who appreciated the AfCFTA efforts in facilitating trade among the African states, and the joint Committee on Trade, Industrialisation and Tourism of the Senate and the Committee on Trade, Industry and Cooperatives of the National Assembly.

"The Committee on Trade, Industrialisation and Tourism of the Senate and the National Assembly Committee on Trade, Industry and Cooperatives play a key role in policy coordination in regards to trade," explained Deputy Speaker to Mr Mene.

AfCFTA is the world's largest free trade area bringing together the 55 countries of the African Union (AU) whose

mandate is to create a single continental market with a population of about 1.3 billion people and a combined GDP of approximately US\$ 3.4 trillion.

Senator Cheruiyot briefed the Secretary-General on the legislation that both the Senate and the National Assembly have passed since 2018 when the Agreement was established.

"Parliament has passed various pieces of legislation aimed at fostering trade," said Senator Cheruiyot, citing the Startup Bill 2022, the Prompt Payment Bill, the Konza Technopolis Bill 2023 and the County Licensing (Uniform Procedures) Bill 2022 as some of the laws that have been enacted to foster trade.

The Bills will go a long way in

impacting the achievements of the AfCFTA Agreement as ratified by the Government of Kenya in 2018, he added.

Mr Mene acknowledged the Legislature's role in enhancing economic and trade integration in Africa through the African Continental Free Trade Area.

He challenged the lawmakers to enact national legislation that not only reflects Kenya's interests but also aligns with the shared continental trade goals.

"Your advocacy on trade issues, your debates, votes, and ratifications of various AfCFTA legal frameworks, as well as your efforts to urge the government to address key issues, are all foundational to our collective success," said Mr Mene.

This Week in History



"Devolution is a success but unfortunately money or resources should follow functions. There is so much that has been given to county governments to perform. When I look at this budget, it shows quite clearly that Sh314 billion will be available for the counties. What is disturbing – I think we must find a way of dealing with this situation more properly – is that county governments' equitable share was discussed by the Intergovernmental Budget and Economic Council (IBEC) and a ceiling of Sh314 billion put by governors and it is here for us to rubberstamp. We must resist the element of being told to take or leave a figure that has been decided by the governors. It is our duty as the Senate to allocate resources."

Senator (Prof.) Sam Ongeru contributing to debate on the Division of Revenue Bill, 2018, on March 28, 2018.



"We must ensure that we focus on productivity. We cannot be talking of food security and yet we know that it is one of the Big Four agenda of our Government. For us to be able to do that, we must have a well co-ordinated way of spending our funding. I again urge the Ministry involved in both agriculture and irrigation - irrigation will assist in mitigating some of these climatic issues - to ensure there is funding."

Senator (Prof.) Margret Kamar contributing to debate on the Division of Revenue Bill, 2018, on March 28, 2018.



"We say that agriculture is the main drive of Kenya's economy. We have been singing that since independence and yet we are unable to feed our nation and be food secure. The main aim of Vision 2030 was to create global competitiveness. A prosperous Kenya will become a middle-income country by 2030, and hence, sees agriculture as a sector that can drive that agenda."

Senator (Eng.) Mohamed Mahamud Mohamed contributing to debate on the Food Security Bill, 2018, on March 28, 2018.



"How can we talk about irrigation when, in the first place, the Government has been unable to do more than 4,700 acres of a project that started in 1953, whereas the land available is to the tune of 25,000 acres? We should not be talking about irrigation now when what we had from 1953 is still under-utilised. The crops that were targeted for production were maize, groundnuts, beans, papaws and oranges. Had we used the 25,000 acres, that would have been another bread basket for this country?"

Senator Judith Pareno contributing to debate on the Food Security Bill, 2017 on March 28, 2018.

State to construct 15,021 classrooms for Grade 9 transitions, CS Machogu tells House



Education Cabinet Secretary Ezekiel Machogu is escorted into the Chamber by Parliamentary orderlies when he appeared to respond to members' Questions.

A needs assessment conducted by the Ministry of Education has determined that the country has a shortage of 15,021 classrooms for those who will be transitioning into Grade Nine next year.

Cabinet Secretary Ezekiel Machogu says the Ministry has tabulated the number of classrooms required countrywide per county, revealing that the Government has taken proactive steps to ensure that the infrastructure requirement for the year 2025 is in place.

"For that particular purpose, the

Government has allocated a conditional grant of Sh3.39 billion to the National Government Constituencies Development Fund (NG-CDF), which is being distributed across constituencies," said the CS when he appeared in the Senate on Wednesday.

He said the distribution takes into consideration the needs assessment the Ministry has done, covering the entire country.

"We have agreed that the NG-CDF is also supposed to match these funding from their allocation, such that once we

do one classroom using these funds, they will also do one classroom," he added.

The Ministry expects to do 6,000 integrated resource centres for junior schools. Additionally, the Government has engaged the World Bank and have an allocation of Sh9 billion, money which will be used to construct another 9,000 classrooms.

In total, that will make 15,000.

"We are working hard this particular year in order to make sure that the necessary infrastructural development in our schools is done in readiness for admission of Grade Nine pupils, which will be domiciled in the existing primary schools," he told the House.

He maintained that Grade Nine will be in the existing primary schools and learners will only go to Senior Schools after Grade Nine.

The CS said the Ministry has taken steps to promote awareness on the CBC through an inclusive and participatory process. One such process was undertaken way back in 2019. We know that we are undertaking a first implementation of the CBC since 2017.

Senator Joe Nyutu questioned the CS about preparations on the admission to Grade 9 demanding an explanation on the preparation as the country gears towards 2026 when the first lot in the Se-

nior Secondary School will be admitted.

There will be three pathways in secondary schools: STEM, arts and sports and languages and business and the Senator sought clarification from the CS on whether there will be specific schools offering specific pathways or whether all schools in Grade 10 will offer all the three pathways.

On the question of pathways, the CS said it will be like the years gone by when after Form Four, we had Form Five and Form Six.

Those good in sciences or wanted to take a line in sciences, were free to do so.

"We want to nurture talent. Not all of us can be talented in sciences or humanities. Some of us are good in athletics and performing arts and we want to develop and nurture talent, which has been identified," he said, adding that the government is coming up with a plan.

He said the Ministry has developed a Sessional paper, which will be discussed in Parliament plus the many amendments it has come up with emanating from the recommendations made by the presidential working party.

"There might be areas where we shall have pure STEM and in others a rolling mixture of school.

KQ on the way to recovery, CS Murkomen tells Senate



CS Murkomen speaks on the floor of the House during Question time.

Roads and Transport Cabinet Secretary Kipchumba Murkomen has told the House that Kenya Airways reported an operating profit in the first half of 2022/23 financial year, describing it as a milestone after failure to achieve the same in the previous six years.

The Cabinet Secretary said during Question Time on Wednesday that Kenya Airways made a 120 per cent improvement, reporting an operating profit

of Sh998 million compared with the same period in previous year when it reported a Sh5 billion loss.

"The growth was fuelled by a 56 per cent increase in group revenue, reaching an impressive Sh75 billion," said CS Murkomen, who revealed that passenger numbers had surged to 2.3 million, an impressive 43 per cent growth from 1.6 million.

"Our earnings before interest, tax and depreciation, amortisation and rent costs witnessed a commendable upswing of 7 points," added the CS.

He was responding to a Question raised by Senator Samson Cherarkey who had wanted the CS to give an overview of the performance metrics of Kenya Airways.

In particular, the Senator wanted the House to be given details of the airline's operational profit or loss for the half year ended 2023, explaining how this compared against other key industries.

The Senator also wanted the CS to provide a comprehensive account of all financial support, including Government bailouts and loans from Export-Import Bank of the United States, extended to

Kenya Airways over the last 10 years, highlighting the respective amounts received and the purpose for which the support extended.

CS Murkomen told the House that Kenya Airways has no loan facility from Export-Import Bank of the US but revealed that the Bank is a guarantor of a facility of US\$41.6 million dollars to procure eight aircraft.

The aircrafts procured six 787-8, one 777-300ER and one Genx engine.

This is the 90 per cent of the total facility of US\$924 million dollars provided by Citibank N.A and JP Morgan Chase Bank.

"We acknowledge that our legacy debt did bring down the impressive operating results primarily due to the huge Forex losses because of the depreciation of the Kenya shilling against the US Dollar.

The forex losses were primarily due to the revaluation of the US-dollar dominated loans and liabilities.

"These finances charges in total amounted to Sh22 billion and therefore heavily impacted our overall results," said the CS.

The airline industry is highly competitive and profit margins in the industry are thin.

The International Air Transport Association (IATA) data show that the average net profit margin for the global airline industry is typically less than 5 per cent.

IATA indicates that the global airline industry is expected to return to profitability in 2024, but financial performance across regions remains diverse. The industry financials are improving in all regions from the COVID-related depths of 2020, although not all regions are expected to deliver a profit this year.

Africa remains a difficult market in which to operate an airline, with economic, infrastructure and connectivity challenges impacting the industry performance.

"Despite these challenges, there is still robust demand for air travel in the region which underpins the continued move towards a return to overall industry profitability," said CS Murkomen.

Kenya Airways' current performance and 2024 projections are predicated on this forecast as it targets to return to profitability.

Anger in Senate after Resource Sharing Bill is rejected by National Assembly

The National Assembly has rejected the Natural Resources (Benefit Sharing) Bill, 2022, triggering protests from the Senate.

The National Assembly rejected the Bill at Second Reading on Tuesday March 12, 2024, forcing the Bill to be subjected to a Mediation Committee of equal number of Senators and Members of National Assembly.

The decision by the National Assembly has angered Senators who describe the move as an abuse of legislative procedure and pleaded with Speaker Amason Kingi to register their displeasure with the leadership of the National Assembly through Speaker Moses Wetangula.

In his contribution on the floor of the House, Majority leader Aaron Cheruiyot observed that it is an abuse of the process to negate a Bill at the Second Reading unless such a Bill is fatally flawed ab initio.

“It is an abuse of legislative procedure to negate any Bill at Second Reading stage,” said Senator Cheruiyot in



Senator Mungatana

response to the communication from the Speaker on the rejection of the Bill.

“I have seen Bills come to this House, and while the context and the overall body of what that Bill seeks to do may not be what Members intend, but because of our very rigorous procedures of law making, including Second Reading and eventually in the Committee of Whole, you clean it up and conform it to

provisions of the Constitution.”

The Bill, sponsored by Senator Danson Mungatana, seeks to provide a legislative framework for the establishment and enforcement of a system of benefit sharing in natural resource exploitation among the national government, county governments and local communities.

The Bill also seeks to give more powers to Commission for Revenue Allocation (CRA) to oversee the benefit sharing among the entities while the Kenya Revenue Authority (KRA) will be mandated to declare and account to the Commission the total sum collected from affected entities with respect to each natural resource as provided for under the Act.

It proposes that 80 per cent of the revenue collected shall be shared between the national government and the concerned county government in the ratio of 60 per cent to the national government and 40 per cent to the county governments.

First introduced in the House in 2015, the Bill has been in the corridors

of Parliament for over 10 years.

It has been considered severally and rejected every time the Senate has sent it to the National Assembly.

“It is a smack in the face of the Senate when you negate a Bill at Second Reading and call for mediation. It is an abuse of legislative mandate,” added Senator Cheruiyot.

The Majority leader said a Bill should be considered to the final stage, only then can the two Houses have a proper mediation of how they hold different views on certain provisions. However, to conclude on it at Second Reading is not fair to this House.

“Your concerns are valid and I will take it up with my counterpart in the National Assembly. We want to hope that this may be the last Bill to collapse at the Second Reading in the National Assembly,” said Speaker Kingi.

The National Assembly has already appointed its members to the Mediation Committee while Speaker Kingi has promised to pick the Senate’s team in due course.

More cash to counties after House approves additional allocation Cash Disbursement Schedule



Senate in session.

The House has approved the County Government (Additional Allocations) Cash Disbursement Schedule for the 2023/24 financial year with a call to the National Treasury to prioritise transfers to the projects contained in the County Government Additional Allocation Act.

The Schedule serves as a guide to facilitate a predictable flow of funds to the county governments enabling them to

undertake critical functions in the delivery of essential services to the citizens.

The Act and the Schedule contain conditional allocations financed from the national government’s share of revenue, unconditional allocation from court fines and 20 per cent share of mineral royalties, conditional allocation financed from proceeds of loans and grants from development partners and national government expenditures on devolved func-

tions converted to conditional additional allocations.

The Counties will receive Sh4.5 billion to finance the County Aggregation and Industrial Parks Programme, Sh162.8 million for the transferred library functions which will be disbursed in four tranches.

The first tranche, according to the Schedule, was to be transferred to counties in March 2024 while the other three

will fall due on April 15, 2024.

However, these transfers will exclude Sh454 million for the supplement construction of County headquarters and Sh5 billion for fertiliser subsidy because they are not disbursed through the County Revenue Fund and are instead managed directly by the State Department for Public Works and State Department of Agriculture.

The second Schedule of the Act contains funds amounting to Sh108 million and the 20 per cent share of Mineral Royalties amounting to Sh3.043 billion which will be disbursed in four tranches.

The third schedule of the Act contains conditional grants financed by proceeds of loans and grants from development partners amounting to Sh29.072 billion to be disbursed in two tranches, in March and June 2024.

The fourth schedule contains transfers from the national government expenditure on devolved functions converted to conditional allocations amounting to Sh4.129 billion which will be disbursed in two tranches – March and June.



1. Students of Kihate Girls Secondary School, Mukurweini, Nyeri County after their educational tour of Parliament Buildings.
2. Teachers and students of Terige Boys, Emgwen, Nandi County also visited Parliament Buildings last week.
3. Kiurani Boys' School, Maara, Tharaka Nithi, follow proceedings in the Senate Chamber during their tour of Parliament Buildings.
4. Teachers and Students of Lake Solai Secondary School, Rongai, Nakuru had their presence captured through House records and photography.
5. Teachers and students of Kinyago Dandora Junior Secondary School during their educational tour of Parliament Buildings.
6. Students of Our Lady of Mercy, Starehe, Nairobi also toured Parliament Buildings.
7. Roads Cabinet Secretary Kipchumba Murkomen arrives in Parliament where he answered questions raised by Senators.
8. Speaker Kingi and his National Assembly counterpart during the Iftar dinner they organised for members of Parliament who profess the Islamic faith



9. Defence Secretary Aden Duale addresses the gathering during the Iftar Dinner.
10. Speaker Kingi makes his address where he thanked the Muslim Community for having supported his political career.
11. Speaker Kingi makes his address during the Iftar dinner where he thanked the Muslim Community for having solidly supported his political career.
12. Speaker Kingi accompanied by Governor Barasa tours exhibition stands at Kakamega Investment Conference.
13. Deputy Speaker Kathuri Murungi hands a gift hamper to Mr Wamkele Mene, the Secretary General of the African Continent Free Trade Area who paid him a courtesy call.
14. Majority Leader Aaron Cheruiyot and Maryanne Kitany share a light moment as they exchange gifts when they hosted Mr Mene.



A PUBLICATION OF THE SENATE

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