

COMMITTEES' ROUND-UP

Committee on Foreign Relations concludes approval hearings...

► PAGE 4



Deputy Leader of Majority raises concern over withheld academic certificates by school heads...

► PAGE 6



BUNGE MASHINANI

Njoro MP issues bursaries to boost education...

► PAGE 8

National Assembly hosts Nigerian fiscal responsibility officials

A delegation comprising of eight senior officials from the Fiscal Responsibility Commission of Nigeria (FRC) led by Mr. Muhammed Zailani, Head of Human Resource and Administration, conducted a week-long study visit at the National Assembly of Kenya from Monday, April 8 to Friday, April 12, 2024.

The visit was facilitated by the IMF AFRI-TAC WEST2 Center based in Accra Ghana, and hosted by the National Assembly through the Parliamentary

CONTINUED ON PAGE 6 ►



BUNGE Weekly

Issue No. 051

Monday, April 15th, 2024 to Monday, April 22nd, 2024

PLENARY | COMMITTEES | BUNGE MASHINANI | CLIQUE & CLICKS

Members begin occupying new offices at Bunge Tower



Members of Parliament on Thursday, April 11, 2024 began moving into their new offices at Bunge Towers, Parliament Buildings.

This followed a Communication by the Speaker of the National Assembly, the Rt. Hon. Moses Wetang'ula during the afternoon sitting on Tuesday, April 9, 2024 which was also the day the House resumed sittings following a short recess.

In his Communication, Speaker Wetang'ula said the Parliamentary Service Commission (PSC) was keen to expedite the completion of Bunge Tower to bridge the deficit in office accommodation for Members of Parliament.

"With respect to facilitation of Members, the PSC is expediting the completion of the Bunge Tower in order to bridge the deficit in office accommodation for Members. Consequently, PSC has established that Members' offices in the building will be ready for occupation by the end of this week", he said.

The move in is, however expected to be phased

as guided by a schedule of allocation prepared by the Clerk of the National Assembly. Phase one, which commenced on Thursday involved legislators moving from Kenyatta International Convention Centre (KICC).

Phase two, which will run from July 1, 2024 will see relocation of Members from Continental House and leased offices into the new building.

Members who were accommodated at the KICC are expected to release their offices to give room for high level dignitaries attending the 2024 Annual Meetings of the African Development Bank (AfDB) Group scheduled to run from May 27 - 31, 2024.

According to Speaker Wetang'ula, some of the dignitaries expected to occupy the 47 offices that the National Treasury requested Parliament for, are Heads of States and governments.

Bunge Tower is set to be officially opened by His Excellency William Ruto, CGH, PhD, President and Commander-in-Chief of the Kenya Defence Forces in April 2024.

Committee on Agriculture and Livestock continues probe on fertilizer

The Departmental Committee on Agriculture and Livestock chaired by Hon. (Dr.) John Mutunga (Tigania West) continued with the probe into the Fertilizer Subsidy Programme.

On Monday, April 8, 2024 the committee met with Cabinet Secretary for Agriculture and Livestock Development, Hon. Mithika Linturi, the Managing Director of Kenya Plant Health Service (KEPHIS), Prof. Theophilus Mutui and Managing Director (MD) of National Cereals and Produce Board (NCPB), Mr. Joseph Kimote.

Members wanted to know how the fake substandard fertilizer got into the market and how the affected farmers were going to be compensated.

In his response, Hon. Linturi told the Committee that the GPC Plus Organic fertilizer that was manufactured by the SBL Innovate was not part of the fertilizer under the Subsidy Programme.

The CS further stated that the product supplied by 51 Capital (K) Ltd for distribution by NCPB was GPC Diatomaceous, Which is purely organic and was sold as a soil conditioner and not as a chemical fertilizer.

“NCPB signed Agency Agreement with 51 Capital (K) Ltd, Africa Diatomite Industries on March 31, 2022 for supply and distribution of the GPC Diatomaceous for its commercial function.

The product has never been part of Government of Kenya (GoK) Fertilizer Subsidy Programme. There was no money paid to 51 Capital (K) Ltd as subsidy component,” the CS told the Committee.

According to Hon. Linturi 3,000 bags by Kel Chemicals did not meet the standards and the Ministry is following up on farmers who



bought them to return them or be compensated so that they can apply top dressing in the next level.

On his part, Prof. Mutui told the Committee that KEPHIS did not test the fertilizers that are under the Programme, adding that they do not test fertilizers destined to be distributed by NCPB.

“We only test the fertilizers destined for sale on agrovets and other stockists. For fertilizers distributed by NCPB, tests are done by the Kenya Bureau of Standards (KEBS),” he said.

SBL Innovate Manufactures, CEO Mr. Josiah Kariuki, Also appeared before the Committee, where he distanced himself from the alleged distribution of fake fertilizer. He told the Members that the fertilizer he supplied to NCPB for distribution was up to standard after being tested and approved by KEBS.

Chairperson Departmental Committee on Agriculture and Livestock, Hon. (Dr.) John Mutunga (right), Vice-Chairperson, Hon. Brighton Yegon (centre) and Hon. David Kiplangat (left) listening to CS, Hon. Mithika Linturi's explanation on distribution of fake fertilizers during the meeting on Monday, April 8, 2024

Diaspora Affairs Committee discusses status of Bilateral Labour Agreements

The Diaspora Affairs and Migrant Workers Committee met with officials from the Ministry of Labour and Social Protection led by the Cabinet Secretary, Hon. Florence Bore, on Thursday, April 11, 2024 at Parliament Buildings.

The Ministry officials appeared before the Committee chaired by Hon. Lydia Haika (Taita Taveta) to give response on the status of Bilateral Labour Agreements (BLAs) and the recruitment of nurses to the Kingdom of Saudi Arabia.

Hon. Bore told the Committee that the Ministry secured an order for 2,500 nurses who were to be facilitated by a private employment agency to travel to the Kingdom of Saudi Arabia.

“The Ministry placed an advertisement and we received a total of 1,765 applications, 880 being female and 885 male. Out of his number 586 candidates met the qualifications and are ready for further interviews awaiting travel,” she said.



Chairperson, Diaspora Affairs and Migrant workers Committee, Hon. Lydia Haika (right) and Vice-Chairperson, Hon. Simon Kingara (left) during a meeting with the Ministry of Labour and Social Protection officials led by CS Florence Bore on Thursday, April 11, 2024

She further explained that the shortfall in applications for the vacancies had been attributed to the low perception of the salary offer amongst applicants and the requirements for a 90-day bonding period for the Private Recruitment Agency facilitating the process.

The CS also told the Committee that the Ministry had signed four BLAs and an additional 21 BLAs have been developed.

According to her, this will ensure that Kenyan migrant workers enjoy similar rights as the nationals in the Country of destination.

Following an inquiry into the Private Recruitment Agencies that the Committee launched in early March 2024, issues of corruption and bureaucracy at the service labour desk

at the Jomo Kenyatta International Airport (JKIA) emerged. As a result, Members wanted to know how the Ministry would handle that to avoid frustrations with the migrant workers who are travelling.

In her response, Hon. Bore said that the Ministry strives to ensure the safety and order of all migrant workers. She added that all documents needed to be checked and verified before travelling.



Budget and Appropriations Committee meets to discuss the state of economy



The Budget and Appropriations Committee led by the Vice-Chairperson, Hon. Mary Emaase (Teso South) met with the Auditor General and the Governor of Central Bank of Kenya to deliberate over the state of the economy and budget implementation for the first six months of the Financial Year 2023/24.

The Auditor-General, FCPA Nancy Gathungu, took the Committee through the status of budget implementation for her office, for FY 2023/24, as at March 2024.

“In this financial year, the office had a revised budget allocation of Kshs.8.294 billion.

The cumulative expenditure incurred up until 31st March 2024, was Kshs.5.574 billion, which represents a 67 percent absorption rate,” FCPA Gathungu said.

She also informed the Committee that a total of a total of 2,438 public secondary schools, 218 Technical, Vocational Education and Training (TVETs) institutions and 201 Level 4 and Level 5 hospitals have

Vice-Chairperson, Budget and Appropriations Committee, Hon. Mary Emaase (5th from left), alongside Committee Members, pose for a photo with the Governor, Central Bank of Kenya, Dr. Kamau Thugge (4th from left), and the Auditor-General, FCPA Nancy Gathungu (5th from right), after a meeting in which they discussed state of the economy and status of budget implementation

submitted financial statements for audit.

On his part, Governor of the Central Bank of Kenya, Dr. Kamau Thugge, took the Committee through the state of the economy, noting that the overall domestic inflation declined further in March 2024, driven by lower food and fuel inflation.

“Overall inflation has declined from the peak of 9.6 percent in October 2022 to 5.7 percent in March 2024. Food inflation was moderated by declines in prices of key non-vegetable food items particularly maize and wheat products, reflecting improved supply from ongoing harvests,” said Dr. Thugge.

He added that based on the March 2024 Agricultural Sector Survey, the inflation is expected to decline further, within the next three months.

On the impact of the monetary policy measures of retaining the Central Bank Rate at 13 percent, the Governor noted that this has lowered inflation, addressed the exchange rate pressures, and anchored inflationary expectations.

Committee on Blue Economy, Water and Irrigation meets Cabinet Secretary, discuss amendments to Water Bill

The Departmental Committee on Blue Economy, Water and Irrigation chaired by Hon. Kangogo Bowen (Marakwet East), met with Cabinet Secretary, Ministry of Water, Sanitation and Irrigation Zachariah Njeru, to deliberate on the Senate Amendments to the Water (Amendment) Bill, 2023.

The Bill seeks to facilitate Public Private Partnership (PPP) arrangements in financing water works development, emphasizing operations and maintenance of water services, storage facilities, treatment plants, and last-mile connectivity, in accordance with the PPP Act, 2021.

Noting that water service is a devolved function, Hon. Bowen emphasized the need to make laws for posterity.

“The reason we are here is to ensure that we carry out our legislative function effectively, by making laws that can help our people to access water as per Article 43 of the Constitution,” said Hon. Bowen.

The Ministry advocated retaining Clause 3 of the Bill, emphasizing its alignment with the PPP Act regarding bulk water purchase agreements.

The Senate’s proposed amendment to subject bulk water storage agreements to economic efficiency criteria was discussed, with the Ministry emphasizing the legal framework’s viability determination.

Members noted that there is need to have a clear definition of what volume is considered to be bulk water, with the Ministry responding that there has to be a bulk meter to determine that, and therefore small quantity does not suffice.

Laikipia County Governor and Vice-Chairperson of the Council

of Governors (CoG), Committee of Water and Natural Resources, Hon. Joshua Irungu, presented CoG’s submissions, agreeing with most Senate amendments.

However, CoG stressed the need to ensure equity in opportunities for County Water Service Providers (WSPs) and the entrenchment of cross-county WSPs in the law.

“We note that this raises the threat of private investors getting more opportunities due to economies of scale. The Council urges the Assembly to entrench a certain percentage of opportunities for County WSPs to ensure equity and motivate these entities to become commercially viable,” Hon. Irungu said.



Members of the Departmental Committee on Blue Economy, Water and Irrigation led by Chairperson, Hon. Kangogo Bowen (3rd from right), pose for a group photo with the Cabinet Secretary, Ministry of Water, Sanitation and Irrigation, Mr. Zachariah Njeru (center), Principal Secretary (PS), State Department of Water and Sanitation, Mr. Julius Korir (3rd from left), and other Ministry officials after the meeting to consider Senate amendments to the Water (Amendment) Bill, 2023

Committee on Foreign Relations concludes approval hearings

Departmental Committee on Defence, Intelligence, and Foreign Relations on Thursday, April 11, 2024 concluded approval hearings for 27 Ambassadors and High Commissioners nominees.

On the final day of vetting, seven nominees appeared before the Hon. Nelson Koech (Belgut)-led Committee.

They include: Ms. Grace Atieno Okara, Permanent Representative to UN HABITAT in Nairobi; Dr. Fancy Too, Permanent Representative to Geneva, Switzerland, Mr. Ekitela Erastus Lokaale, Permanent Representative to the UN in New York, USA, Mr. Ezra Chiloba, Consular General, Los Angeles, USA; Mr. Charles Githinji Keiru, Consular General, Goma, DRC; Amb. Moi Lemoshira, Tokyo, Japan; and, Mr. David Iboko Lokemer, Dubai, United Arab Emirates (UAE).

Members scrutinized the nominees' suitability and professional competence for their postings. They also ascertained whether the nominees complied with the requirements of the Ethics and Anti-Corruption Commission, Higher Education Loans Board, and Kenya Revenue Authority on wealth declarations and tax compliance.

Ms. Grace Okara expressed her intent to align UN Habitat's role with Kenya's affordable housing program. Amb. Moi Lemoshira, with 29 years of diplomatic service experience, pledged to strengthen trade ties between Kenya and Japan, focusing on trade of goods and education partnerships.

Mr. Ekitela Erastus Lokaale, nominee for Kenya's Permanent Representative to the UN, New York, addressed questions on UN reforms and the Gaza humanitarian conflict. He emphasized Kenya's stand against human rights violations worldwide, including in Khartoum and Tigray.

Mr. David Iboko Lokemer, nominee for Dubai, UAE, vowed to bolster trade, labor migration, and diplomatic ties, implementing trade agreements protecting migrant workers' rights.

Mr. Ezra Chiloba, nominated as Consular General in Los Angeles, USA said he would deepen collaborations between Kenya's creative industries and Hollywood.

Dr. Fancy Too, seeking approval as for nomination to Geneva, Switzerland, outlined plans to advance Kenya's development agenda.

Members expressed disappointment with Mr. Charles Githinji Keiru, nominee for Consular General in Goma, DRC, for his unpreparedness and 'poor mastery of the position he has been nominated to.

The Committee will retreat to assess the nominees' suitability before preparing a report for the to be tabled in the House for debate.



Seated: Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations, Hon. Nelson Koech (centre), Hon. Elijah Memusi (left) and Hon. Joshua Kandie (right). Standing: Hon. Fred Ikana (left) and Hon. Abdikadir Mohammed (right) addressing the media upon the conclusion approval hearings for 27 Ambassadors and High Commissioners nominees



Chairperson, PIC on Social Services, Administration and Agriculture, Hon. Emmanuel Wangwe, asking a question to Managing Director, Communication Authority, Mr. David Mugonyi when he appeared before the Committee

PIC on Social Services questions Communications Authority on expenditure

The Public Investment Committee on Social Services, Administration and Agriculture (PIC-SSAA) met and questioned officials from Communication Authority of Kenya (CA) led by Director General, Mr. David Mugonyi over expenditure by the Authority.

The Hon. Emmanuel Wangwe-led committee sought answers to audit queries emanating from the Auditors report for the Financial Year 2017/18.

The Committee asked Mr. Mugonyi to explain the unexplained and unreconciled variance of Kshs.2, 753,219 from staff wages and costs.

"The statement of financial performance and note 9 to the financial statements reflect an amount of Kshs.1, 140,209,000 in respect of employee costs. However, monthly analysis of employee costs gives a total sum of Kshs. 1,142,962,219 resulting in an unexplained and unreconciled variance of Kshs. 2,753,219," Auditor's report read in part.

The report further indicated that in addition, bonus payments amounting to Kshs.9, 589,055 made to staff or various reasons for which the basis of payments and the authority for payments listed below were not made available for audit.

The Auditor General indicated that the accuracy of employee costs of Kshs. 1,140,209,000 for the year ended 30 June 2018 could not be confirmed.

The report further indicated that the basis and the authority for bonus payments, amounting to Kshs.9, 589,055 made to staff, had not been provided during the audit.

The Committee also queried lack of supporting documents and authority for bonus payments totaling including lumpsum payments and long service awards.

In his response, Mr. Mugonyi attributed the cause of the variance in the payroll to long service awards paid in payroll and charged to staff welfare vote.

"The lump sum payments were paid according to HCA policy clause 4.7.2 which states that Employees who have reached the maximum of their salary scales, with positive appraisal ratings, may be awarded a lump sum performance related bonus, equivalent to one or more annual increments, but not exceeding three increments per year," he said



The Constitutional Implementation and Oversight Committee (CIOC), led by Hon. Gathoni Wamuchomba (Githunguri), on Tuesday, April 9, 2024 met with officials of the National Gender Commission (NGEC) to discuss the implementation of their Constitutional mandate and the obstacles hindering the realization of the two-thirds gender rule.

During the meeting, Chairperson, NGEC, Dr. Joyce Mwikali, highlighted the Commission's achievements and challenges stemming from limited human resources, inadequate funding, and capacity constraints.

Members urged NGEC to forge partnerships with Non-Governmental Organizations (NGOs) to advocate for gender mainstreaming and address issues such as Gender-Based Violence (GBV) nationwide. They emphasized the importance of collaboration to provide legal assistance

CIOC meets Gender Commission on gender issues



Chairperson, Constitutional Implementation and Oversight Committee (CIOC), Hon. Gathoni Wamuchomba asking questions during the meeting with officials of the National Gender Commission (NGEC) led by Chairperson, Dr. Joyce Mwikali

to victims of GBV. "Consider the need to represent voiceless Kenyans and collaborate with NGOs aligned with your objectives," Hon. Wamuchomba said.

Members pointed out the misconception that gender issues solely concern women, adding that men should be included in gender-related discussions.

Further, Members urged NGEC to develop policies and frameworks promoting gender mainstreaming across all sectors and reaffirming the commission's mandate.

In addition, Hon. Wamuchomba raised concerns over the declining operations of gender desks at police posts, leaving the public vulnerable. She stressed the importance of gender sensitivity, highlighting cases where men faced discrimination, in reporting GBV against them.

"It's crucial to address these challenges since gender issues affect both men and women," she said

Committee on Finance and Planning probes SIM swap fraud

The Departmental Committee on Finance and National Planning on Thursday, April 11, 2024 launched investigations into widespread SIM swap fraud which has resulted into their customers losing millions of shillings to fraudsters.

Chairperson of the Committee, Hon. Kuria Kimani (Molo) underscored the gravity of the situation, acknowledging that many Kenyans have suffered financial losses from their bank accounts due to these fraudulent activities.

He noted that in most cases banks do not provide adequate response whenever customers report such incidents adding that many such cases go unresolved.

"Banking institutions have the tendency of telling their customers to report cases to the police. However, once reported and Occurrence Book (OB) number obtained, nothing much is done," Hon. Kimani said.

He called on all Kenyans who have incurred financial losses in bank accounts, Sacco accounts, microfinance accounts, or through mobile applications to reach out to the Committee.

Hon. Kimani emphasized the Committee's commitment to proposing appropriate legislation if the issue stems from a lack of legal framework, with the primary objective being the protection of hard-earned incomes and savings of diligent Kenyans.

"If for any case this is happening because of the non-existence of a legal framework, we will propose the correct law," he said.

The inquiry by the Committee follows a request by Hon. Irene Mayaka (Nominated) who sought clarity on the measures in place to ensure that interest rates applied to loans and credit facilities provided by telecommunication companies comply with existing laws on interest capping.

In addition, she sought information on the regulatory framework established by the government to safeguard all financial transactions,

including loans and promotional offers, conducted through telecommunication platforms from cybercriminals.



Chairperson, Departmental Committee on Finance and Planning, Hon. Kuria Kimani during a post Committee sitting at Continental House, Parliament Buildings

Quotes of The Week

Alcoholism is ruining the lives of potential human beings who would have contributed to the economy of Kenyan in many ways. Those people are going down the drain due to alcoholism. For some of us who come from the border, we know that some of those drugs come from other countries; very strong alcohol and bhang that is destroying our young people. We need to come up with very strong concerted efforts to ensure that this menace does not continue ruining the population of this country. It is eating up our human power, both the young and old people. They are just lying in the streets setting very bad examples. We need to look for a way to control the consumption of those substances,”

Hon. (Prof.) Guyo Jaldesa (Moyale) contributing to debate on a Motion on adoption of report on financial statements for the Kenya Urban Low-cost Housing and Infrastructure Trust Fund and the Alcoholic Drinks Control Fund, on Thursday, March 21, 2024



Luanda, where I come from, is a constituency that is not so far from the border of Kenya and Uganda, and is quite porous. Illicit drinks and substances have always been sneaked into the country through the Uganda border. Those things have found themselves one way or the other in my constituency. As a result, we have lost a large number of young people who end up intoxicated by poisonous substances that are disguised as alcoholic drinks. I support the Report by the Committee that we need to re-look at how licenses are issued,”

Hon. Dick Oyugi (Luanda) contributing to debate on a Motion on adoption of report on financial statements for the Kenya Urban Low-cost Housing and Infrastructure Trust Fund and the Alcoholic Drinks Control Fund, on Thursday, March 21, 2024



I specifically want to narrow down to the Alcoholic Drinks Control Fund for the Financial Year 2017/2018. It is quite unfortunate that my county is one of the most affected by the sale of prohibited alcohol. We must ensure that this Fund invests in the rehabilitation of persons who are affected by alcohol. It goes without saying that health is now a devolved function, but the county governments are unable to shoulder the issue of rehabilitation,”

Hon. Njeri Maina (Kirinyaga) contributing to debate on a Motion on adoption of report on financial statements for the Kenya Urban Low-cost Housing and Infrastructure Trust Fund and the Alcoholic Drinks Control Fund, on Thursday, March 21, 2024



We noticed that there is frequent lack of documentation that is required for auditing which causes delay. This is overwhelming because it sometimes takes two to three years to audit a firm. Complications arise sometimes when the accounting officer is not available because he has retired. Some of the challenges that emerge is that auditing is a good thing to do all the time, but it must be done at the relevant time. If it delays for too long, then you lose out on certain people who may answer certain questions that auditors require. The most important thing we, as a Committee, noted is that documentation is always missing, late or it is not up-to date,”

Hon. (Dr.) Christine Ombaka (Siaya) seconding a Motion on adoption of report on financial statements for the Kenya Urban Low-cost Housing and Infrastructure Trust Fund and the Alcoholic Drinks Control Fund, on Thursday, March 21, 2024



National Assembly hosts Nigerian fiscal responsibility officials

► **FROM PAGE 1** Budget Office (PBO) Kenya. The team was accompanied by Mr. Kubai Khasiani, the IMF Regional PFM Advisor at AFRITAC WEST2.

On their first day, the delegation paid a courtesy call on the Clerk of the National Assembly, Mr. Samuel Njoroge, who briefed the delegation on the history and role of Parliament in Kenya, including the budget making and approval functions of the Kenyan Legislature. The team further held consultative sessions with Members of the Finance and National Planning Committee and the Budget and Appropriations Committee.

The team also benchmarked with other PFM institutions where they had technical engagements with the Controller of Budget, Commission on Revenue Allocation and the National Treasury.

During their visit to the Office of the Auditor General, the officers robustly discussed key aspects about public sector auditing, given the significant milestones accomplished by the Auditor General.

Further, detailed discussions were held fostering on mutual learning on good practices in fiscal policy analysis, fiscal oversight, independent monitoring and reporting, including key fiscal aspects in the subnational governments (47 County Governments).



Clerk of the National Assembly, Mr. Samuel Njoroge, (7th from left), alongside officers from Kenya's Parliamentary Budget Office, poses for a photo with officers from the Nigerian Fiscal Responsibility Commission during their visit



Deputy Leader of Majority raises concern over withheld academic certificates by school heads



Deputy Leader of the Majority Party, Hon. Owen Baya sought a Statement on withholding of academic certificates by schools (Picture courtesy royal media services)

Deputy Leader of the Majority Party, Hon. Owen Baya (Kilifi North) has raised concern over the withholding of academic certificates by school heads in both public primary and secondary schools due to fees arrears.

ment from the Chairperson of the Departmental Committee on Education over the matter.

He noted that the Ministry of Education has issued directives and guidelines requiring schools to promptly release academic certificates to students, irrespective of any fees arrears.

While arguing that Article 53 (1)(b) entitles every child to the right to free and compulsory basic education, the MP now wants the withheld certificates released to the examinees to allow them join TVETs, colleges and universities to enable them pursue higher learning and better their lives.

Speaking just before the House adjourned for the short recess, the legislator sought a State-

Hon. Baya held that the illegal move by head teachers had transformed the legal character of the certificates from documentary evidence of an individual's academic performance to a debt instrument.

He observed that this move had deprived learners of rightful access to their academic certificates thereby impeding their path to academic advancement, contrary to the provisions of the Kenya National Examinations Council Act, 2012 which prohibit any institution or person from withholding KNEC certificates or diplomas of any candidates.

"Hon. Speaker, most students who are indebted to schools are from poor and disadvantaged backgrounds because their parents are unable to raise school fees and withholding their examination certificates is equivalent to killing their future career prospects and dreams", read a section of his Statement to the House.

While pointing out that withholding of examination certificates by school heads amounts to abuse of power and lack of integrity, he called on the Committee to conduct an inquiry into the matter.

Bill seeking to have House consider amendments to treaties published

A Bill seeking to have the National Assembly consider and propose amendments to treaties before ratification has been published.

The Treaty Making and Ratification (Amendment) Bill, 2024 sponsored by Hon. Martha Wangari (Gilgil) seeks to amend the Treaty Making and Ratification Act to enable the National Assembly to consider and propose amendments to treaties before ratification.

Under the current Act, although the House may have particular reservations about a treaty entered into on behalf of Kenya by members of the Cabinet and other Heads of Government agencies authorized to do so on behalf of the country, they cannot alter the provisions of the treaty to reflect their concerns.

There have also been concerns as to whether Parliament needs to subject treaties to public participation before ratification. This stems from the argument that the citizenry has a right to be informed on what commitment the country is getting into. Ratification is the final stage in adopting a treaty, and commits the country to perform whatever obligations it has signed up to.

Article 2(6) of the Kenya Constitution provides that "any treaty or convention ratified by Kenya shall form part of the law of Kenya under this Constitution".

During the Bill's pre-publication scrutiny by the Hon. Nelson Koech-led Departmental Committee on Defence, Intelligence and Foreign Affairs last year, Hon. Wangari argued that although the current Act empowers the National Assembly to participate in consideration and approval of treaty ratification, the role of Parliament in the process was limited to scrutiny and consideration after Cabinet approval.



Gilgil MP, Hon. Martha Wangari wants the National Assembly to have a more prominent role in treaty making and ratification

During scrutiny of the legislative proposal, Members noted recent incidents where the National Assembly had approved some Treaties with reservations which could however, not be actioned due to lack of proper legal framework.

Through the proposed law, Hon. Wangari's argues that the National Assembly should have powers to approve a treaty, approve with reservations or reject a Treaty in entirety.

The current Act was last amended in 2018 to set out the Role of the Senate in ratification of treaties.

BUNGE MASHINANI

Homa Bay MP launches modern market in Ramba

Homa Bay MP, Hon. Joyce Osogo on Wednesday, April 10, 2024 launched a market in Ramba equipped with modern facilities.

Speaking during the launch, Hon. Osogo said that the market has technology-assisted amenities such as desktop computers and WiFi connectivity to ensure a modern digital trading.

She noted that the initiative was made possible through



collaboration between her office and the ICT Authority in the Ministry of ICT and Digital Economy.

“This project funded through the Homa Bay’s National Government Affirmative Action Fund (NGAAF), aims to enhance business marketing and trading within the market environment and beyond,” she said.

Residents led by Simon Odhiambo lauded the MP for the gesture and said the market will boost business in the area and offer employment to locals.

After the official opening, Hon. Osogo signed a Memorandum of Understanding (MoU) with Homa Bay, Governor, H.E. Gladys Wanga and handed over the market to the county government.

Hon. Joyce Osogo (left) is assisted by Homa Bay Governor, Hon. Gladys Wanga (right) to draw the curtain to mark the official opening of Ramba Modern Market

Lafey MP launches bursaries, distributes funds for NHIF cover



Lafey MP, Hon. Abdirahman Abdi launched NG-CDF bursary to a tune of Kshs.47, 543,854 for the Financial Year 2023/2024.

The fund is geared towards benefiting students in high schools, tertiary institutions and universities.

At the same time, Hon. Abdi launched National Hospital Insurance Fund (NHIF) cover of Kshs.1.8m with the targeted beneficiaries being Kenya Police Reservist (KPRs) and religious leaders across the constituency

Hon. Joyce Osogo (left) is assisted by Homa Bay Governor, Hon. Gladys Wanga (right) to draw the curtain to mark the official opening of Ramba Modern Market

Njoro MP issues bursaries to boost education



Njoro MP, Hon. Charity Chepkwony (holding microphones), posing for a photo with dummy cheque during the ceremony

Njoro MP, Hon. Charity Chepkwony, recently presided over the Njoro NG-CDF Bursary award ceremony for the Financial Year 2023/2024, where cheques worth Kshs.65 million were issued.

The disbursements include Kshs.26 million channelled towards day secondary and boarding secondary schools, and Kshs.39 million towards universities, colleges, TVETS and short courses.

“These bursaries will provide vital financial assistance to deserving students, helping them pursue their academic dreams, while supporting them to reach their full potential”, noted Hon. Kathambi.

She added that by investing in education, her administration is investing in the future of Njoro Constituency.

“This not only alleviates our youths’ financial burdens, but also empowers them to excel academically and to rise to leadership positions,” she said.

Maragua MP presents bus to PK Secondary School

Maragua MP, Hon. Mary Wamaua, presided over the handing over of a new school bus to PK Secondary School last week.

During the ceremony, Hon. Wamaua said her office would relentlessly continue to fund modern infrastructure within learning institutions so as to secure 100 percent effectiveness in the knowledge delivery.

“A well-designed academic infrastructure, among other factors, creates a sense of security, comfort and motivation among students,” Hon. Wamaua said.

Also present during the ceremony was the Cabinet Secretary for Lands, Public Works, Housing and Urban Planning, Hon. Alice Wahome. The event also doubled up as the school’s prize giving day.



Maragua MP, Hon. Mary Wamaua (next to the bus) and CS, Hon. Alice Wahome, cutting the ribbon, during the bus handing over ceremony at PK Secondary School

CLIQUE & CLICKS ▶



Members of the Departmental Committee on Finance and National Planning led by the Chairperson, Hon. Kuria Kimani (in blue suit and tie) pose for a photo with the members of Kenya Boda Boda Association after a meeting to deliberate on how to cushion the Association's membership from exploitative tendencies by lenders

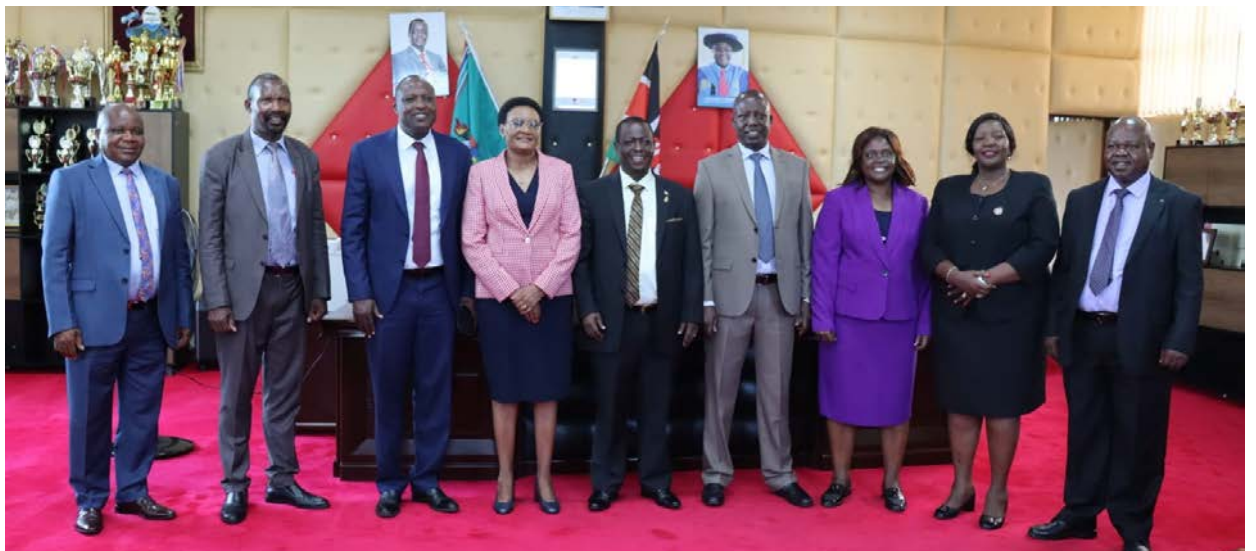


Clerk of the National Assembly, Mr. Samuel Njoroge (2nd from right), shares a light moment with the officers from the Nigerian Fiscal Responsibility Commission, during their visit at Parliament Buildings



Members of the Departmental Committee on Defence, Intelligence and Foreign Relations conversing on the sidelines of the approval hearings for persons nominated for appointment as Ambassadors, High Commissioners, Permanent Representatives and Consuls-General

Members of the Departmental Committee on Education led by Chairperson, Hon. Julius Melly (fourth from right) pose for a photo with the Vice Chancellor of Chuka University, Prof. Henry Mutembei (centre) before the Committee carried out an inspection tour of projects in the institution





Reports laid on the Table of the House:

Tuesday 9th April, 2024 to Thursday 11th April, 2024.

Tuesday 9th April, 2024 (Afternoon Sitting)

The following reports were laid on the Table of the House on Tuesday 9th April, 2024 afternoon sitting;

1. Legal Notice No. 47 of 2024 relating to the National Building Code, 2024 and the Explanatory Memorandum from the Ministry of Lands, Public Works, Housing and Urban Development;
2. Gazette Notice Nos. 15492, 15493, 15494, 15495 and 15496 relating to the revised fees and charges for services provided by the State Department for Immigration and Citizen Services;
3. Annual Financial Statements of Kenya Civil Aviation Authority for the year ended 30th June, 2022;
4. Annual Report of National Police Service for 2023 from the Office of the Inspector General, National Police Service;
5. Report of the Auditor-General and financial statements on Criminal Assets Recovery Fund- Asset Recovery Agency for the year ended 30th June, 2022;
6. Reports of the Auditor-General and financial statements for the year ended 30th June, 2023 in respect of:
 - a. Kenya Investment Authority;
 - b. Kenya Industrial Property Institute;
 - c. National Council for Population and Development;
 - d. Road Maintenance Levy Fund- Kenya Wildlife Service;
 - e. Kenya Vision 2030 Delivery Secretariat;
 - f. Tana and Athi Rivers Development Authority (TARDA);
 - g. Agri & Co-operative Training and Consultancy Limited;
 - h. Pharmacy and Poisons Board;
 - i. Tanathi Water Works Development Agency;
 - j. Road Maintenance Levy Fund- Kenya National Highways Authority;
 - k. Dedan Kimathi University of Technology;
 - l. Kenya National Shipping Line Limited;
 - m. Kenyatta National Hospital;
 - n. Deposit Insurance Fund- Kenya Deposit Insurance Corporation;
 - o. Alupe University;
 - p. Sigalagala National Polytechnic;
 - q. Rural Electrification Scheme;
 - r. Kerio Valley Development Authority;
 - s. Lake Victoria North Water Works Development Agency;
 - t. Criminal Assets Recovery Fund; and
 - u. Lake Victoria Water and Sanitation Project Grant No. CKE 1093 02 M, Credit No. CKE1093 01 L and EIB No. FI No 2011-0619- Lake Victoria South Water Works Development Agency.

7. Report of the Departmental Committee on Labour on its attendance of the Global Labour Market Conference in Riyadh, Kingdom of Saudi Arabia from 10th to 17th December 2023.

8. Reports of the Departmental Committee on Lands on its consideration of:

- a. The National Land Commission (Amendment) Bill (National Assembly Bill No. 43 of 2023); and
- b. The Land Laws (Amendment) (No.2) Bill (National Assembly Bill No. 76 of 2023).

9. Report of the Departmental Committee on Health on its consideration of the Community Health Workers Bill (National Assembly Bill No. 53 of 2022).

10. Reports of the Select Committee on National Cohesion and Equal Opportunity on:

- a. A benchmarking visit to South Africa from 26th March to 2nd April 2023; and
- b. A learning mission to Addis Ababa, Ethiopia from 17th to 23rd September 2023.

Thursday 11th April, 2024 (Afternoon Sitting)

The following reports were laid on the Table of the House on Thursday 11th April, 2024 afternoon sitting;

1. Report of the Departmental Committee on Education on its consideration of the Higher Education Loans Board (Amendment) Bill (National Assembly Bill No.15 of 2023).
2. Report of the Departmental Committee on Finance and National Planning on its consideration of the Parliamentary Pensions (Amendment) Bill (National Assembly Bill No.15 of 2023).
3. Reports of the Public Petitions Committee on its consideration of the following petitions;
 - a. Public Petition No.11 of 2022 by Hon. Vincent Musyoka regarding pollution of River Athi;
 - b. Public Petition No.8 of 2023 by Dr. Annette Mbogho regarding enactment of legislation to criminalize and prescribe penalties for crime of enforced disappearance;
 - c. Public Petition No.13 of 2023 by Hon. Aramat Lemanen regarding access roads for residents of Narok East Constituency;
 - d. Public Petition No.34 of 2023 by Hon. Timothy Kipchumba deregistration and dismissal of Joseph Chebii by the Teachers Service Commission (TSC); and,
 - e. Public Petition No. 44 of 2023 by Hon. Owen Baya regarding enhanced of house allowances for teachers working and residing within Kilifi Municipality.



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

IN THE MATTER OF ARTICLES 2(5) & (6) AND 118 (1)(b) OF THE CONSTITUTION AND SECTION 8 OF THE TREATY MAKING AND RATIFICATION ACT, 2012

AND

IN THE MATTER OF CONSIDERATION BY THE NATIONAL ASSEMBLY OF THE ECONOMIC PARTNERSHIP AGREEMENT BETWEEN KENYA AND THE EUROPEAN UNION

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 WHEREAS, the Economic Partnership Agreement between Kenya and the European Union was tabled in the House on 6th March, 2024 and committed to the Departmental Committee on Trade, Industry and Cooperatives for consideration and reporting to the House;

IT IS NOTIFIED THAT, the Economic Partnership Agreement between Kenya and the European Union, with regard to trade in goods; fisheries; agriculture; and economic and development cooperation, seeks to—

- (a) secure long-term market access for exports on a duty-free-quota basis and gradual liberalization of tariffs on goods originating from the EU;
- (b) contribute to economic growth and development through the establishment of a strengthened and strategic trade and development partnership consistent with the objective of sustainable development;
- (c) promote regional integration, economic cooperation, and good governance;
- (d) promote the gradual integration of the EAC Partner State(s) into the world economy, in conformity with their political choices and development priorities;
- (e) foster the structural transformation of the economies of the EAC Partner State(s), and their diversification and competitiveness by enhancing their production, supply and trading capacity;
- (f) improve the capacity of EAC Partner State(s) in trade policy and trade-related issues;
- (g) establish and implement an effective, predictable and transparent regulatory framework for trade and investment and support the conditions for increasing investment and private sector initiatives;
- (h) strengthen existing relations based on solidarity and mutual interest by enhancing commercial and economic relations, supporting a new trading dynamic between the Parties through the progressive, asymmetrical liberalization of trade between them, and reinforcing, broadening, and deepening cooperation in all areas relevant to trade and investment;
- (i) establish an agreement consistent with Article XXIV of the General Agreement on Tariffs and Trade 1994 (GATT 1994);
- (j) facilitate the continuation of trade by EAC Partner State(s) under terms no less favourable than those under the Cotonou Agreement or its successor agreement; and
- (k) establish the framework and scope of potential negotiation in relation to other issues including trade in services, trade-related issues as identified in the Cotonou Agreement or its successor agreement and any other areas of interest to both Parties.

NOW THEREFORE, in compliance with Articles 2(5) & (6) and 118(1) (b) of the Constitution and Section 8 of the Treaty Making and Ratification Act, 2012, the Departmental Committee on Trade, Industry and Cooperatives hereby invites members of the public and stakeholders to submit Memoranda on the Agreement.

The memoranda should be addressed to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to cna@parliament.go.ke; to be received on or before Tuesday 16th April, 2024 at 5.00 p.m.

The Agreement and the accompanying Memorandum are available at the National Assembly Table Office, Main Parliament Buildings and may be accessed at <https://www.parliament.go.ke/sites/default/files/2024-04/Economic%20partnership%20agreement%20between%20EU%20of%20the%20one%20part%20and%20Kenya.pdf>

S. NJOROGE, CBS
CLERK OF THE NATIONAL ASSEMBLY

9th March 2024

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



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

IN THE MATTER OF ARTICLE 118(1) (b) OF THE CONSTITUTION AND
IN THE MATTER OF AN INQUIRY INTO THE ALLEGED DISTRIBUTION OF SUBSTANDARD FERTILIZER

NOTIFICATION OF INQUIRY AND INVITATION TO PUBLIC HEARINGS

WHEREAS, Article 118(1) (b) of the Constitution requires Parliament to conduct its business in an open manner, and its sittings and those of its committees shall be in public; and to facilitate public participation and involvement in the legislative and other business of Parliament and its Committees;

NOTING THAT, the Departmental Committee on Agriculture and Livestock is established pursuant to National Assembly Standing Order 216 (5) (a) which, among others, mandates it to investigate, inquire into and report to the House on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries, Departments and Agencies under their jurisdiction;

AND WHEREAS, Article 95 of the Constitution mandates the National Assembly to represent the people, deliberate on issues of concern to the people, and exercise oversight of state organs, and paragraph 29 of Part 1 of the Fourth Schedule to the Constitution assigns the National Government the function of Agricultural Policy;

The Departmental Committee on Agriculture and Livestock has noted with concern various allegations of the unavailability of fertilizer and the distribution of substandard fertilizer which may have a devastating effect on the food security of the country.

NOW THEREFORE, pursuant to the provisions of Articles 95(2) and 125 of the Constitution and Standing Order 216 (5) (a) of the National Assembly Standing Orders, the Committee has resolved to conduct field visits to National Cereals and Produce Board (NCPB) Depots to—

- (a) inquire into the availability and quality of fertilizer distributed by the depots to farmers; and
- (b) conduct public hearings with farmers and affected stakeholders.

IN COMPLIANCE with Article 118(1) (b) of the Constitution, the Clerk of the National Assembly hereby notifies the public that the Departmental Committee on Agriculture and Livestock will conduct its field visits and hold public hearings as per the Schedule below—

S/NO.	COUNTY	VENUE	DATE	TIME
1	Bomet	Sotik NCPB Depot	Friday, 19 th April 2024	9.00 a.m.
		Ndanai NCPB Depot	Friday, 19 th April 2024	11.00 a.m.
2	Narok	Kilgoris NCPB Depot	Friday, 19 th April 2024	2.00 p.m.
3	Kericho	Kericho NCPB Depot	Saturday, 20 th April 2024	10.00 a.m.
4	Nakuru	Nakuru NCPB Depot	Saturday, 20 th April 2024	2.00 p.m.
5	Meru	Kianjai Satellite Centre	Friday, 19 th April 2024	9.00 a.m.
		Meru NCPB Depot	Friday, 19 th April 2024	11.00 a.m.
6	Embu	Ishara NCPB Depot	Friday, 19 th April 2024	2.00 p.m.
		Embu NCPB Depot	Friday, 19 th April 2024	3.30 p.m.
7	Kirinyaga	Mwea NCPB Depot	Saturday, 20 th April 2024	10.00 a.m.
8	Kiambu	Gatundu South PMC	Saturday, 20 th April 2024	2.00 p.m.
9	Trans Nzoia	Kitale NCPB Depot	Friday, 26 th April 2024	10.00 a.m.
10	Uasin Gishu	Eldoret NCPB Depot	Friday, 26 th April 2024	2.00 p.m.
11	Elgeyo Marakwet	Kamwosor PMC	Saturday, 27 th April 2024	10.00 a.m.
12	Nandi	Kipkaren Salient NCPB Depot	Saturday, 27 th April 2024	2.00 p.m.
13	Kakamega	Kakamega NCPB Depot	Friday, 26 th April 2024	9.00 a.m.
		Lugari NCPB Depot	Friday, 26 th April 2024	11.00 a.m.
14	Bungoma	Bungoma NCPB Depot	Friday, 26 th April 2024	2.00 p.m.
15	Homabay	Homabay NCPB Depot	Saturday, 27 th April 2024	10.00 a.m.
16	Kisumu	Muhoroni NCPB Depot	Saturday, 27 th April 2024	2.00 p.m.

S. NJOROGE, CBS
CLERK OF THE NATIONAL ASSEMBLY

9th April 2024

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