



REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT (THIRD SESSION)

CONVEYANCE OF PUBLIC PETITION

(No. 1 of 2024)

REGARDING ENACTMENT OF LEGISLATION ON DEVELOPMENT OF
IRRIGATION INFRASTRUCTURE

- 1. Honourable Members**, Article 119 of the Constitution accords any person the right to petition Parliament to consider any matter within its authority. Further, Standing Order 225(2) (b) requires the Speaker to report to the House any Petition other than those presented by a Member.
- In this regard, **Honourable Members**, I wish to report to the House that my office has received a petition from one *Hon. Boniface Gatobu*, of P.O. Box 18812-00100, Nairobi on behalf of Shining Hope for communities (SHOFCO) a non-governmental organization that supports poor communities living in urban and rural areas regarding *Enactment of Legislation on Irrigation Infrastructure*.
- The Petitioner states that according to the Kenya Economic Survey of 2022 by the Kenya National Bureau of Statistics, the agricultural sector contributed 22.4% of Kenya's GDP.
- The Petitioner further states that *Kenya Kwanza Manifesto* appreciated the significance of the agricultural sector and has committed to inject Kshs. 250 Billion over the next five (5) years to boost the sector. In addition, he notes that two third of Kenya's land mass requires irrigation but only 4% is actually irrigated.
- The Petitioner notes that to address the above stated problem, the Government proposes shifting focus from large dams to household/community water projects, with emphasis on harvesting and recycling.

6. Honourable Members, the Petitioner thus prays that this House intervenes to amend the Irrigation Act (No. 14 of 2019), the Kenya Roads Board Act (No. 7 of 1999) and the Road Maintenance Levy Fund Act (No. 9 of 1993) with a view to-

- (a) changing the 'Road Maintenance Levy Fund' to 'Infrastructure Development and Maintenance Levy Fund' and provide that part of the Fund shall be employed to develop irrigation infrastructure in all parts of Kenya; and,
- (b) providing that the National Irrigation Authority shall be allocated funds from the 'Infrastructure Development and Maintenance Levy Fund' which shall be allocated equally to all the 290 constituencies to fund and develop various irrigation projects in the Country.

7. Honourable Members, having established that the matter raised in the Petition is well within the authority of this House, and further that the matters raised in the Petition are not pending before any court of law, constitutional or legal body, I hereby commit the Petition to the Public Petitions Committee for consideration pursuant to Standing Order 208A.

8. The Committee is required to consider the Petition and report its findings to the House and to the Petitioner in accordance with Standing Order 227(2).

I thank you.


THE RT. HON. (DR.) MOSES F.M. WETANG'ULA, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Date.....

PETITION PURSUANT TO ARTICLE 119 OF THE CONSTITUTION,
PETITION, PETITION TO PARLIAMENT (PROCEDURE) ACT NO. 22
OF 2012 AND THE NATIONAL ASSEMBLY STANDING ORDERS



THE RT. HON. DR. MOSES M. WETANG'ULA
THE HONOURABLE SPEAKER OF THE NATIONAL ASSEMBLY,
PARLIAMENT BUILDINGS

P.O BOX 41842-00100

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1. THAT Shining Hope for Communities (SHOFCO) is a non-governmental organization that supports poor communities living in urban and rural areas and is the undersigned Petitioner herein.
2. THAT the agricultural sector is the biggest contributor to Kenya's economy and according to the Kenya Economic Survey of 2022 by the Kenya National Bureau of Statistics (KNBS), the agricultural sector contributed 22.4% to Kenya's GDP.
3. THAT Kenya Kwanza manifesto appreciates the significance of the agricultural sector and has committed to inject over Ksh. 250 billion over the next 5 years to boost the sector.
4. THAT in addition, the Kenya Kwanza Manifesto provides that two-thirds of Kenya's land requires irrigation but only 4% is under irrigation.
5. THAT the Manifesto proposes the shifting of focus from large dams to household/community water projects, with emphasis on harvesting and recycling of water.
6. THAT as it is presently, there exist no appropriate irrigation infrastructure to boost irrigation and promote the agricultural sector in the country.
7. THAT it is on this background that the Petitioners requests the National Assembly to review the relevant legislation to promote the development of the Irrigation Infrastructure in the country through resources allocation.

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P.O. BOX 41842, NAIROBI

**PETITION PURSUANT TO ARTICLE 119 OF THE CONSTITUTION,
PETITION, PETITION TO PARLIAMENT (PROCEDURE) ACT NO. 22
OF 2012 AND THE NATIONAL ASSEMBLY STANDING ORDERS**

8. **THAT** there have been no efforts made to have the matters raised in this Petition addressed by a relevant body as the relevant body in terms of reviewing legislation is the National Assembly.
9. **THAT** the matters raised in this Petition are not also pending in any court of law in Kenya.
10. **THAT** the Petitioner therefore prays that pursuant to Article 95 of the Constitution, the National Assembly does amend the Irrigation Act (No. 14 of 2019), the Kenya Roads Board Act (No. 7 of 1999) and the Road Maintenance Levy Fund Act (No. 9 of 1993):
- (a) to change the 'Road Maintenance Levy Fund' to 'Infrastructure Development and Maintenance Levy Fund' and provide that part of the fund shall be used to develop irrigation infrastructure in all parts of Kenya;
 - (b) to provide that the National Irrigation Authority shall be allocated funds from the 'Infrastructure Development and Maintenance Levy Fund' which shall be allocated equally to all the 290 constituencies to fund and develop various irrigation projects; and
 - (c) to further provide that the National Irrigation Authority shall use the same formula used by the National Government Constituency Development Fund and by the Kenya Rural Roads Authority in sharing funds in all the 290 constituencies.

Dated this 5th day of December, 2023

B.K.G.
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HON. BONIFACE KINOTI GATOBU
GOVERNANCE, POLICY, AND ADVOCACY LEAD.
SHINING HOPE FOR COMMUNITIES

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