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THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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THE HANSARD

Wednesday, 2nd April 2025

The House met at 2.30 p.m.

[The Speaker (Hon. Moses Wetang'ula) in the Chair]

PRAYERS

QUORUM

Hon. Speaker: Sergeant-at-Arms, ring the Quorum Bell.

(The Quorum Bell was rung)

Hon. Speaker: Hon. Members, we now have a Quorum.

COMMUNICATIONS FROM THE CHAIR

REVISION OF ORDER OF PROCEEDINGS

Hon. Speaker: Hon. Members, we will proceed as follows. After the preliminaries, we will skip Order No.7 and put the question at Order No.8. We will then have the First Reading at Order No. 9. I do not see Hon. Junet here. Hon. Naomi Waqo, do you have any brief on Order No.10?

Order No.10 is a very straightforward Motion. I do not anticipate any unhelpful debate. It extends the time of the Selection Panel on the Independent and Electoral Boundaries Commission (IEBC) for two weeks. The request has been approved by the Parliamentary Service Commission (PSC) and the House Business Committee (HBC). I will hesitate to allow unhelpful debate to interfere with the ongoing recruitment process. The Selection Panel is interviewing candidates for the Chairperson and Commissioners of the IEBC. I know most of us can sometimes go overboard in front of the cameras. I encourage that this Motion be disposed of in the shortest time possible because the organs of the House have agreed on a two-week extension for them to finish their work. In good time, you will have the opportunity to debate their products when they come to this House.

We will then go to Questions. The Cabinet Secretary for Interior is supposed to appear today. We can go to questions if we can deal with the preliminaries up to 3.30 p.m. or 3.15 p.m.

DESIGNATION OF MEMBER AS VICE-CHAIRPERSON OF POWERS AND PRIVILEGES COMMITTEE

Hon. Speaker: As I make the next Communication, those in touch with the Minority Whip can call him. Hon. Robert Mbui, will you be moving the Motion on extension? If not, look for your boss. Hon. Naomi Waqo is here.

Hon. Members, I have a short communication on the designation of a Member as the Vice-Chairperson of the Committee of Powers and Privileges.

As you may be aware, the National Assembly Committee of Powers and Privileges is constituted under Section 15 of the Parliamentary Powers and Privileges Act (Cap 6). In establishing the Committee, the Act designates the Speaker as Chairperson but neither provides for the position of a Vice-Chairperson to deputise the Speaker nor the manner of causing a Member to take charge of the affairs of the Committee in the absence of the Speaker, as is the case for other Select Committees.

Given the nature of the work of the Committee *vis-à-vis* the responsibilities and the various hats worn by the holder of the Office of the Speaker, it is not feasibly possible for the Speaker to be available to preside over the meetings of the Committee on a regular basis. Further, it is not tenable for the Speaker to sit in the Liaison Committee as the Chairperson representing the Committee of Powers and Privileges.

In order to strike a fair balance and ensure that the Committee of Powers and Privileges is able to transact its business unhindered regularly and to have representation in the Liaison Committee, I hereby designate the Hon. Joseph Lekuton, CBS, MP, a Member of the Committee, as the Vice-Chairperson of the Committee of Powers and Privileges. Further to his role as the Vice-Chairperson, the Hon. Lekuton will be the representative of the Committee in the Liaison Committee.

Hon. Members, in the same vein, I also designate the Hon. Omboko Milemba, CBS, MP, as the representative of the House Business Committee in the Liaison Committee. The designation of the Hon. Lekuton and the Hon. Milemba takes effect immediately. It shall remain in force until the lapse of the terms of their respective Committees or such other time as the appointing authority may deem fit.

The relevant Committees and, indeed, the House are accordingly guided.

Next Order.

PAPERS

Hon. Speaker: Hon. Naomi Waqo.

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Speaker, I beg to lay the following Papers on the Table:

1. Reports of the Auditor-General and Financial Statements for the years ended 30th June 2021, 30th June 2022 and 30th June 2023, and the certificates therein in respect of: -
 - (a) Akuisi Secondary School;
 - (b) Alliance Girls High School;
 - (c) Alliance High School;
 - (d) BIRTHIA Girls High School;
 - (e) Chandra Secondary School;
 - (f) Chinga Boys High School;
 - (g) Dzitsoni Secondary School;
 - (h) Galana Boys Secondary School;
 - (i) Gilgil Town Secondary School;
 - (j) Kabazi Secondary School;
 - (k) Kanjuri High School;
 - (l) Kapsabet High School;
 - (m) Karatina Girls High School;
 - (n) Kaumoni Boys Secondary School;
 - (o) Kenyatta High School - Mahiga;
 - (p) Kihome Secondary School;
 - (q) Kiriti Girls Secondary School;

- (r) Kirobon Girls High School;
 - (s) Kisima Girls High School;
 - (t) Kombeni Girls Secondary School;
 - (u) Komothai Girls High School;
 - (v) Loreto Kiambu Girls High School;
 - (w) Maralal High School;
 - (x) Mary Mount Secondary School; and
 - (y) Moi Forces Academy.
2. Approval of additional funding under Article 223 of the Constitution relating to the Financial Year 2024/2025 Supplementary Estimates No. II from the National Treasury and Economic Planning.
 3. The 4th Annual Report for the Financial Year 2023/2024 of the Office of the Data Protection Commissioner.

Hon. Speaker: Thank you, Hon. Naomi.

Chairperson of the Departmental Committee on Administration and Internal Security, you are supposed to lay a Paper on the Table. However, on your request, I will defer this to Tuesday next week.

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Speaker. Allow me to say something about this. As earlier indicated, the sponsor of the Bill is the Leader of the Majority Party. Having considered the Members' deliberations, we need a little more time to reach more consensus on the same. Thank you very much for your consideration.

Hon. Speaker: Hon. Members, before the next order, allow me to acknowledge students of Nyambaria High School from Kitutu Masaba Constituency, Nyamira County, who are seated in the Speaker's Gallery.

We also have students from the following schools sitting in the Public Gallery:

1. Nzui Secondary School from Makueni Constituency, Makueni County;
2. Isunguluni Comprehensive School from Kibwezi East Constituency, Makueni County;
3. Chemasis Primary School from Rongai Constituency, Nakuru County; and
4. Kithingiisyo Junior School from Kibwezi East Constituency, Makueni County.

The Member for Kitutu Masaba, Hon. Gisairo, has requested me for an opportunity to welcome students of a school from his constituency. You can do so on behalf of the House. You can also welcome students from all the other visiting schools.

Hon. Clive Gisairo (Kitutu Masaba, ODM): Thank you, Hon. Speaker. I take this opportunity to welcome Nyambaria High School and all the visiting schools today. This is a House where the legislative work that shapes how this country operates is done. This is a great opportunity for all these students, more so the young men from the school in my constituency, to learn. We expect that in the coming years, many of these young people here today will be seated where we are, helping shape this country's future.

On behalf of the House and my behalf, I welcome all these students. I hope that as they leave to travel back to their respective schools, they will carry valuable lessons and share them with their colleagues.

Thank you, Hon. Speaker.

(Hon. Suzanne Kiamba gestured to the Speaker)

Hon. Speaker: Hon. Kiamba, what is the matter? I have seen you raise your hand.

Hon. Suzanne Kiamba (Makueni, WDM): Thank you, Hon. Speaker. As you have heard, Makueni is well-represented here. On behalf of the House, I also wish to welcome all the students visiting Parliament, particularly the mixed population from Makueni, including

Nzui Secondary School, which is one of the largest and best-performing day schools. We encourage all students to make day schooling work as it makes education more affordable for our country and our parents.

I wish you all the best.

Hon. Speaker: Thank you.

Next order.

(Hon. Wanami Wamboka stood in the aisle)

Member for Bumula, please take your seat.

Hon. Speaker: Thank you.

Next order.

MOTION

LEGAL RECOGNITION AND PROTECTION OF E-HAILING MOTORCYCLE RIDERS AND DELIVERY PERSONNEL

THAT, this House adopts the Report of the Departmental Committee on Transport and Infrastructure on its consideration of Public Petition No.14 of 2024 regarding Legal Recognition and Protection of E-Hailing Motorcycle Riders and Delivery Personnel, laid on the Table of the House on Thursday, 20th February 2025.

(Moved by Hon. TJ Kajwang' on 6.3.2025)

(Debate concluded on 1.4.2025)

(Question put and agreed to)

Hon. Speaker: Next.

BILL

First Reading

THE SOCIAL PROTECTION BILL *(National Assembly Bill No.12 of 2025)*

(The Bill was read the First Time and referred to the relevant Committee)

(Hon. Robert Mbui spoke off the record)

Hon. Speaker: Yes, Hon. Robert.

Hon. Robert Mbui (Kathiani, WDM): Hon. Speaker, I had a statement, and it was scheduled to be...

Hon. Speaker: Did you arrive late?

Hon. Robert Mbui (Kathiani, WDM): I arrived with you.

Hon. Speaker: I gave direction that we would skip Order No.7 and dispose of Order No.10 before returning to it. Do you recall that I even asked if you were going to move the

Motion on behalf of the Leader of the Minority Party? Hon. Junet, before you proceed, in your absence, I have already given direction that this is a straightforward Procedural Motion. It has been passed through the Parliamentary Service Commission and the House Business Committee, where you are a member. I will not open a debate on speaking for or against the ongoing process of recruiting the IEBC Chairperson and Commissioners. You will have an opportunity to debate when the results are brought before the House. This is merely an extension of time for two weeks.

Go ahead.

MOTION

EXTENSION OF TIMELINE FOR IEBC SELECTION PANEL

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, I beg to move the following Motion:

Aware that, vide Gazette Notice Nos.1901 & 2643 dated 14th February 2023 and 1st March 2023, respectively, His Excellency the President declared one (1) vacancy for the position of the Chairperson of the Independent Electoral & Boundaries Commission (IEBC), and six (6) vacancies for the position of Member of the IEBC;

Further aware that, vide Gazette Notice No.715 of 27th January 2025, His Excellency the President appointed members of the Selection Panel for the Recruitment of Nominees for Appointment as the Chairperson and Members of the Independent Electoral and Boundaries Commission;

Noting that, upon its appointment, the Selection Panel commenced the recruitment process and longlisted all applicants and subsequently shortlisted qualified applicants for the positions of Chairperson and Member of the Independent Electoral and Boundaries Commission;

Further noting that paragraph 6(1) of the First Schedule to the Independent Electoral and Boundaries Commission Act, CAP 7C, provides that the Selection Panel shall finalise the recruitment exercise within ninety days of its appointment and forward the names of the nominees to the President;

Conscious that the Selection Panel is currently undertaking the interviews of the shortlisted candidates for the positions of Chairperson and Members of the IEBC, and that, given the interview schedule of all shortlisted applicants, the Panel has inadequate time to conclude the recruitment process;

Further conscious of the need for the Selection Panel to ensure the recruitment process complies with the constitutional principles of regional balance, representation of the youth and overall inclusivity, while ensuring that the interviews are conducted as far as is practicable, within official working days and hours;

Now, therefore, pursuant to the provisions of paragraph 6(2) of the First Schedule to the Independent Electoral and Boundaries Commission Act, CAP 7C, the Houses of Parliament RESOLVE to extend the tenure of the Selection Panel for the Recruitment of Persons for Appointment as Chairperson and Members of the Independent Electoral and Boundaries Commission for a period of fourteen (14) days from 27th April 2025.

Hon. Speaker, this is a critical process for the country because we have been without an electoral commission since the 2022 election. This process has evolved with blame being assigned in various directions, sometimes to Parliament and sometimes to the judiciary for issuing Court orders. Ultimately, this is a parliamentary process.

I ask my Deputy Party Leader to listen carefully. When we came for the general elections, a panel was constituted. Members from the Azimio side, which I lead in this House, conducted demonstrations in the streets, expressing our lack of confidence in that panel and demanding its removal. Subsequently, as a country, we agreed to reconsider the matter, recognising its importance to all Kenyans. Consequently, a committee known as the National Dialogue Committee (NADCO) was formed. It was co-chaired by the Leader of the Majority Party, Hon. Kimani Ichung'wah, and the Leader of the Wiper Party, who is also my Leader in Azimio.

They convened at the Bomas of Kenya for between 60 and 90 days. This, too, was a parliamentary process as the Parliamentary Service Commission provided secretariat services. The NADCO committee produced a report, which was presented to this House, along with Bills and amendments to the Elections Act and the Political Parties Act. I recall we were instructed that this was a bipartisan arrangement and that we should not amend anything. We were to pass the report and the amendments to the Bills as presented, and we complied.

Following that, the constitution of the panel commenced. We obtained representatives as per the amendments we made to the Act – two members from the minority side, two members from the majority side, two members from the religious society, one member from the Law Society of Kenya, one member from non-parliamentary parties through the Political Parties Liaison Committee, and one member from ICPAK, forming a panel of nine people. We all have representation there.

As the Leader of the Minority Party, I can confirm that we encountered a problem with the representative from the Wiper Party. She pursued legal action – and I supported her – leading to proceedings in the High Court and the Court of Appeal, which delayed the process for one and a half years. We remained patient with this process as I was determined to ensure that Madam Koki Muli was included because, as Azimio, we had agreed that one member would come from ODM and the other from the Wiper Party. This was our internal agreement. Consequently, I adhered to that agreement and ensured that I stood firm despite the election of Augustus Muli by the Political Parties Liaison Committee. I stated that our Azimio representatives were Prof. Adams Oloo from ODM and Amb. Koki Muli from the Wiper Party. Therefore, I am surprised to hear other political parties asserting that this is a partisan process and suggesting that if we cannot agree on an independent panel, every community, county, or political party should produce its own IEBC, allowing Kenyans to have separate elections. *Wewe uchague yako na mimi nichague yangu.*

Let us have faith in the processes initiated in good faith. I reiterate that this process originated from NADCO. Before NADCO, there were other processes involving public resources at the county or parliamentary level. However, we later agreed to disband that panel.

Hon. Speaker: We used Ksh131 million, and you discarded it.

Hon. Junet Mohamed (Suna East, ODM): I am told Parliament spent Ksh131 million on that panel, and they were discarded because, as Azimio, we demanded that we had no faith in it. Now, if we do not have faith in that one and this one, we can only have faith in God. There is nothing else in which we will have faith. So, I urge Kenyans and my leaders to have faith. The IEBC commissioners might not produce a president. I can tell you, we have seen it before. Presidents are produced by God. Just pray to God. That is the anointed person.

(Laughter)

I might even appoint my own brother as the chairman of the IEBC, but I still end up as the loser. I am telling you, it is God who provides it. We have come to terms with that. For those of us who have been trying all the time and going this way and that way, we have now

resorted to God, the Almighty. We have said this. Now, henceforth, we are going to pray to God to give us something.

In conclusion, I request the Deputy Leader of the Majority Party to second the Motion. Let us have faith. Let us be people of faith, and all will be well. Do not be concerned about who becomes the Chairperson. We want Kenyans who are credible, people who will stand for the rights of Kenyans. Those are the people. You can see that this panel has all shades of people. Political parties are represented. Religious organisations are represented. Professional bodies like ICPAK and LSK are represented. Let us give them time before we bastardise a product that we do not know what it will be.

With those few remarks, I move and request the Deputy Leader of the Majority Party to second.

Hon. Speaker: Hon. Owen.

Hon. Owen Baya (Kilifi North, UDA): Thank you very much, Hon. Speaker. I stand to second the Motion for the extension of the time for the recruitment of persons for appointment as Chairperson and member of the IEBC, as moved by Honourable Junet Mohammed.

The panel conducting this exercise requires more time out of an abundance of caution. As Parliament and the National Assembly, we need to support this process by ensuring that we give them maximum time – sufficient time for them to conclude the process much better so that this country is satisfied with the product they produce.

If we constrain them on time and push them to finish the work, we may not have a good product, or they may be constrained in such a way that they may not be efficient in their work. However, to ensure that the IEBC selection panel is efficient and does its work without constraint, it is important that we accord them the 14 days that we have in the Motion to be able to finish the work as intended. I urge Members that the IEBC selection panel's work is very important. It is at the heart of the nation, the coming election. The coming election is an important one, and it must be conducted by a commission that has been properly selected by the selection committee. We have seen the interviews. The exercise is rigorous. We would like every Kenyan to be given a fair opportunity by being properly interviewed and vetted without being hurried through the process. Therefore, just like the Leader of the Minority Party, Hon. Junet, has said, it is important that, as Kenyans, we give the Selection Panel an opportunity to ensure that they do a thorough job.

Hon. Speaker, because this is a Procedural Motion, just like any other procedural Motion, I request Hon. Members that we vote to approve the 14 days required. It is also provided in the statute that it is okay to give them an extension if so requested. We are not breaking the law. We are within the law. I, therefore, request Hon. Members to pass this Procedural Motion without much debate so that we move forward as a nation.

With those remarks, I second.

(Hon. Suzanne Kiamba spoke off the record)

Hon. Speaker: Order, Hon. Kiamba. You know the rules of the House. I have not even proposed the question. What is out of order?

(Question proposed)

Hon. Members: Put the question! Put the question!

*(Question, that the question be
now put, put and agreed to)*

Hon. Speaker: I will put the question, if that is the mood of the House.

(Hon. (Dr) Makali Mulu spoke off record)

Hon. Makali Mulu, you were here when I gave that direction.

(Hon. Suzanne Kiamba spoke off the record)

Order, Hon. Kiamba! If you are soliciting to be sent out, I will not do so.

(Laughter)

(Question put and agreed to)

Hon. Speaker: Let us go back to Order No. 7.

QUESTIONS AND STATEMENTS

Hon. Speaker: Deputy Leader of the Majority Party, is the Cabinet Secretary within the precincts of Parliament?

Hon. Owen Baya (Kilifi North, UDA): Yes, Hon. Speaker.

Hon. Speaker: Let him hold on so that we can clear a few businesses.

REQUEST FOR STATEMENT

Hon. Robert Mbui.

STATUS OF DISBURSEMENT OF CAPITATION FUNDS TO SCHOOLS

Hon. Robert Mbui (Kathiani, WDM): Hon. Speaker, my microphone was not working. I want to agree with the Leader of the Minority Party that as this team starts off their work, they should do a good job for Kenya and ensure that when the process is finished, they implement the National Dialogue Committee (NADCO) Report to the letter, especially on the issue of consultation with the principals of Kenya Kwanza and Azimio la Umoja-One Kenya Coalition Alliance.

Pursuant to the provisions of Standing Order 44(2)(C), I rise to request for a Statement from the Chairman of the Departmental Committee on Education regarding the status of disbursement of capitation funds to schools.

Hon. Speaker, in 2003, the government introduced the Free Primary Education Policy (FPE) in line with international efforts towards “Education for All”. This was followed by the launch of a tuition-free secondary education policy in 2008, with the goal of making secondary school education affordable. Both policies were established to ensure that every child in Kenya has access to education and that schools receive timely financial support. Under these policies, the government allocates Ksh1,420 per primary school pupil, Ksh15,042 per junior secondary school student, and Ksh22,244 per secondary school student.

The government is expected to disburse 50 per cent of the capitation funds in the first term, 30 per cent in the second term and 20 per cent in the third term to enable schools to plan and maintain their operations effectively. In the first term of 2025, public schools received

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Ksh14 billion instead of the allocated amount of Ksh28 billion. Delays in releasing funds leave many public schools facing severe cash flow challenges, forcing them to adopt cost-cutting measures such as shortening school terms – which undermines the quality of education. Further, delayed funds have accumulated to Ksh64 billion over a period of five years, creating pending bills that endanger the operational stability of numerous schools across the country.

It is against this background that I request a statement from the Chairperson of the Departmental Committee on Education on the following:

1. A report on the status of disbursement of capitation funds to public schools for the first term of 2025, including the total amount currently owed to public schools due to delays in disbursement.
2. The capitation amount allocated per child for examination and activity fees in primary and secondary schools and whether it is adequate for those operations.
3. The measures being taken by the Ministry to ensure timely disbursement of capitation funds.
4. Existence of any planned review of the amount of capitation funds allocated per child in light of the harsh economic conditions, noting that the money is not enough.

Thank you, Hon. Speaker.

Hon. Speaker: Chair of the Departmental Committee on Education, when can you bring a response?

Hon. Julius Melly (Tinderet, UDA): Hon. Speaker, I will bring it in two weeks. The request needs a comprehensive answer.

Hon. Speaker: Okay, two weeks.

Dr Joyce Bensuda.

RECRUITMENT CRITERIA AND DEPLOYMENT OF TEACHERS

Hon. Atieno Bensuda (Homa Bay County, ODM): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I request a statement from the Chairperson of the Departmental Committee on Education regarding the recruitment criteria and deployment of teachers in schools across the country. Concerns have been raised about the recruitment and deployment of teachers, particularly in cases where schools receive newly recruited teachers who have a year or less until retirement. Such schools experience disruptions in teaching. Consequently, teachers lack sufficient time to integrate into the school system and establish meaningful relationships with students. This leads to reduced investment in the students' welfare as the teachers lack sustained commitment to the school, affecting academic performance and school management. The International Labour Organisation (ILO) and United Nations Educational, Scientific and Cultural Organisation (UNESCO) guidelines on teacher management and deployment emphasise stability and continuity in the teaching profession to ensure quality education. The deployment of teachers approaching their retirement date does not align with these best practices, leading to disparities in educational performance among schools.

It is against this backdrop that I request a statement from the Chairperson of the Departmental Committee on Education on the following:

1. The procedure used in recruitment and deployment of teachers to ensure stability and continuity for both teachers and students.
2. A report on the retirement criteria for teachers based on school demographics, indicating whether student population and school needs are considered.
3. Measures in place to ensure that teachers are absorbed while in their prime age to maximise long-term teaching expertise.

4. Existing policies on the maximum number of schools per region, ward or area and how these policies influence teacher recruitment and deployment to ensure equitable distribution of teachers in all schools.

Thank you, Hon. Speaker.

Hon. Speaker Thank you, Hon. Bensuda. Hon. Melly, when can you bring a response to that request?

Hon. Julius Melly (Tinderet, UDA): I will bring the Statement in two weeks, Hon. Speaker.

Hon. Speaker: Okay.

Hon. Speaker: Member for Kisumu Central.

(Loud consultations)

Order, Members. Hon. Karemba, if you want to talk to Hon. Osoro, sit next to him. Hold on, Hon. Oron. Let me acknowledge the presence of some students. I can see some students leaving. In the Speaker's Gallery are students of St. John's School from Kanunga, Kiambu County, and Lorna Laboso Secondary School from Sotik, Bomet County. In the Public Gallery, we have students from St. John the 23rd Gwakaithi School in Mbeere North, Embu County. On my behalf and that of the House, we welcome the students and their teachers to the House of Parliament.

You may start now, Hon. Oron.

STATEMENT

DEMISE OF HON. KENNEDY NYAGUDI

Hon. Joshua Oron (Kisumu Central, ODM): Hon. Speaker, pursuant to Standing Order 259D(2), I rise to pay glowing tribute to the late Hon. (Rev.) Kennedy Nyagudi, the former Member of Parliament for the then Kisumu Town West Constituency. Hon. Nyagudi passed away on Sunday, 23rd March 2025, while undergoing treatment at the Kenyatta National Hospital.

He was born on 2nd July 1970 in Kisumu. He began his education at Arya Primary School, Kisumu in 1977, and completed his O Level at Kisumu Boys' High School in 1984. He joined Sawagongo High School for his A Level, which he completed in 1989. He proceeded to Egerton University in 1990 to pursue a Bachelor of Science in Computer Science. However, he later went to the United States of America, where he studied theology at Charter University.

He authored a book, *Light Shed on Darkness*, where he enlightens Christians on spiritual and physical knowledge to overcome spiritual warfare. The late Reverend Nyagudi was a servant of the people who derived satisfaction from community empowerment. He successfully struck a strategic partnership with the Dominion Group of Companies from the United States to invest approximately Ksh4 billion in the rehabilitation of Yala Swamp in Siaya County through sustainable rice farming. He served as the founding Director of Dominion Farms, which took over the management of Yala Swamp. Under his transformative leadership, Dominion Farms posted significant profits, creating employment opportunities for thousands of locals. He also mobilised funds to revitalise stalled projects.

In January 2004, Hon. Reverend Nyagudi made his debut in elective politics, joining the 9th Parliament as the Member for Kisumu Town West through a by-election triggered by the passing on of the then Member, Hon. Job Omino. Although he had a short but illustrious parliamentary service, Hon. Nyagudi demonstrated dedication to legislative work and advocacy for the welfare of the people of this country. He will be remembered for pushing for

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the expansion of Kisumu Airport and rehabilitation of its then bumpy runway following the suspension of flights. He also spearheaded the call for the establishment of the naval base at Lake Victoria in Kisumu to protect Kenya's territorial waters shared with Uganda and Tanzania.

The late Hon. Nyagudi also advocated for equality and inclusivity before the law, as evidenced by Parliamentary Questions. Notably, in 2005, he questioned the justification for vetting Kenyan Muslims as a condition precedent to the issuance of national identification cards (ID). He also pushed for the Kenya National Examinations Council (KNEC) to allocate longer examination time to physically challenged students in national examinations. He also served diligently as a Member of the Library Committee.

After several attempts to recapture his parliamentary seat, he exited active politics. He committed to political mobilisation, community development and God's service. His people-centric leadership approach earned him respect in the community, among his peers and with the political leadership. On this account, in 2016, the Orange Democratic Movement (ODM) Party appointed him...

Hon. Speaker: Hon. Oron, paraphrase. The Statement is too long.

Hon. Joshua Oron (Kisumu Central, ODM): I am almost done, Hon. Speaker.

The ODM Party appointed him the Director for e-fundraising and resource mobilisation in the run-up to the 2017 general elections. He also served as the Country Director of Amaya Group of Companies, a gaming and online gambling company headquartered in Toronto, Canada. He also founded the Lions Heart Help Group, a non-profit organisation through which he supported widows and orphans, some of whom he assisted in getting scholarships in the United States of America (USA).

Our departed colleague will be laid to rest on Friday, 11th April 2025, at Kathomo-Nyagondo in Gem Constituency. I urge that we support his family to accord him a befitting send-off. On behalf of this House, I extend our deepest condolences to the family of the late Hon. (Rev.) Kennedy Nyagudi, his friends, the people of Kisumu County, and the nation at large. May we all find solace in the memories of his remarkable life and be inspired by his example of servant leadership. I pray that his soul rests in eternal peace.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Elisha.

Hon. Elisha Odhiambo (Gem, ODM): Thank you, Hon. Speaker. I would like to convey my heartfelt condolences along with those of the people of Gem Constituency following the sudden and untimely demise of our esteemed constituent, the former Member for Kisumu West Constituency.

During his three years in this House, Hon. Nyagudi embraced teamwork, dedication to public service and the courage to speak truth to power. He was known for his eloquence, civility in debate and unwavering commitment to the well-being of his constituents. Hon. Nyagudi executed his parliamentary oversight role with unwavering integrity, refusing to be counted among those timid souls who had neither experienced victory nor defeat. He engaged both sides of the political divide, sometimes achieving success and sometimes facing setbacks, yet he remained steadfast in his determination to build a better future.

I take this opportunity to extend my sincere condolences, as well as those of my family and all the people of Gem Constituency, to the family, friends and loved ones of Hon. Nyagudi. We stand in solidarity with them and pray for God's grace and comfort during this difficult time.

In conclusion, I urge Members to keep the family of our departed brother and the people of Gem and Kisumu Town West constituencies in their prayers as we come to terms with this great loss. In line with our culture and tradition, I humbly appeal to Hon. Members to extend

their generous support to the family of our late brother because such assistance will go a long way in providing relief and comfort to the family as they navigate this challenging period.

Thank you very much, Hon. Speaker, for agreeing to be the guest of honour on Tuesday at the fundraiser for Hon. Nyagudi. I invite Members to join you on Tuesday.

Thank you very much, Hon. Speaker.

Hon. Speaker: Hon. Members, I served with Hon. Nyagudi in the 9th Parliament. May we be upstanding for a minute of silence in honour of our departed former colleague.

(Hon. Members observed a moment of silence)

May his soul rest in eternal peace. Amen.

Leader of the Majority Party, you can now bring in the Cabinet Secretary.

Hon. Millie, what is out of order?

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Hon. Speaker, nothing is out of order. As the Cabinet Secretary comes in, I request that I be given one minute to extend my condolences concerning the death of Hon. Ken Nyagudi. I did not serve with him like you did in the 9th Parliament. I only came in during the 10th Parliament. However, I knew him and his family, especially his wife, Ms Winnie. They have done excellent work procuring scholarships for young people through the Obama Foundation Scholars Programme in the USA. They took a lot of young people there.

I will cut my speech short since the Cabinet Secretary has come in. I thank you all on behalf of the family for agreeing to support them. I also call on other Members to support the family because we might be in a similar situation in the future. I know that Hon. Atandi will be reaching out to you, along with Hon. Elisha and Hon. Oron. Please support the family of the late Member so that he gets a good send-off. I encourage Members to take this issue seriously in light of what we were taught in Naivasha. I cannot say everything here since time does not allow.

May his soul rest in eternal peace.

Hon. Speaker: We will move to Questions. I will give you one minute. Give Hon. K'Oyoo the microphone. There is one next to you on the left.

Hon. James K'Oyoo (Muhoroni, ODM): Thank you, Hon. Speaker. I also want to extend my condolences on the demise of Hon. Nyagudi, given that I cut my political teeth in Kisumu Town politics. Hon. Nyagudi was the second Member of Parliament after the sad demise of Dr Ouko. I understood his work very well. I extend my condolences to the family on my behalf and that of my constituents. We pray for God to look after his family.

Hon. Speaker: Hon. Members, we will now go to Questions under Order No.7. Welcome to the House of Parliament, Cabinet Secretary for Interior and National Administration. You were a colleague of these Members when you were in the other House.

Hon. Members, we have several Questions. One or two Members had Questions that are not on the Order Paper. You can approach the Speaker to allow you to ask your Questions at the end. I have received a letter from Hon. Kamket of Tiaty nominating Hon. Benard Kitur of Nandi Hills to ask his Questions.

Before we start with Question 5/2025, the Member for Gilgil has requested to be given an opportunity to have the first shot so that she can go back to her constituency to assist the family that perished on Mai Mahiu Road, losing seven members of one family earlier in the week. Hon. Wangari, you may rise to ask Question 30/2025.

ORDINARY QUESTIONS

Question 30/2025

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DEMISE OF MR JUSTUS EKIMOMOR OMOLLO

Hon. Martha Wangari (Gilgil, UDA): Thank you, Hon. Speaker, for the indulgence. Kirubi's family lost three brothers. One of them lost his three children. It is quite a sorry story. I appreciate the help of the House and the Member for Limuru, where some of the sons were staying.

Hon. Speaker, I rise to ask the Cabinet Secretary for Interior and National Administration the following Question:

Could the Cabinet Secretary—

- (a) Provide a detailed report on the status of investigations into the death of Mr Justus Ekimomor Omollo, a local fisherman whose body was retrieved from Lake Nakuru on 21st February 2025.
- (b) Outline the steps taken by the Ministry to ensure that the perpetrator(s) is (are) apprehended, including any arrests made.
- (c) State the measures being taken by the government to ensure the safety of fishermen and prevent similar tragic incidents in the future.

Thank you, Hon. Speaker.

Hon. Speaker: Cabinet Secretary.

The Cabinet Secretary, Ministry of Interior and National Administration (Hon. Kipchumba Murkomen): Thank you very much, Hon. Speaker, for giving me an opportunity to appear before this august House to respond to questions from Hon. Members. As you have guided, I will go straight to the Question asked by the Member for Gilgil on the murder of Mr Joseph Othim Amora.

Hon. Speaker, on the night of 30th January 2025, unknown individuals gained entry into the House of Mr Joseph Othim Amora, a 43-year-old male residing in Kolondo village, Kadumo East, where he lived alone. The assailants brutally attacked him, inflicting a deep cut on his belly, exposing his intestines, and killing him on the spot. The motive behind the murder is unknown.

I have read the reply to the Question on the murder of the man from Karachuonyo.

Hon. Speaker: This is Question 30/2025. It is the eighth Question in the Order Paper.

The Cabinet Secretary, Ministry of Interior and National Administration (Hon. Kipchumba Murkomen): I am sorry, Hon. Speaker. Is it on the murder of Mr Peter Okello Odawo?

Hon. Speaker: Mr Justus Ekimomor Omollo is the deceased.

The Cabinet Secretary, Ministry of Interior and National Administration (Hon. Kipchumba Murkomen): I am sorry, Hon. Speaker. Because you changed the orientation or flow, I could not trace it quickly on my tablet. However, let me read it out. Luckily, I have a backup hard copy.

On 19th February 2025, at approximately 12.20 p.m., a report was made at Barut Police Station vide Occurrence Book (OB) No.7/19/2 of 2025 by Mr Oyawa, the Chief of the Lakeview Shore area. He stated that he had received information regarding a drowning incident in Lake Nakuru. Police officers from Nakuru West proceeded to the scene. They discovered the body of an unidentified male, clad in a life jacket, floating in the lake and entangled in a fish net. Crime scene investigation personnel processed and documented the scene before transferring the body to Nakuru Annex Hospital Mortuary for preservation, identification and autopsy.

On 27th February 2025, the deceased was identified by his family as Mr Justus Ekimomor Purakor, a 31-year-old Turkana fisherman from Nakuru County. The family confirmed that he had been missing since 18th February 2025. An autopsy was conducted on

the same day at Nakuru Annex Hospital Mortuary by pathologist Dr Titus Ngulungu. The autopsy determined that the cause of death was hypoxic brain injury resulting from carbon monoxide poisoning and circumstantial asphyxia.

Regarding the steps being taken, investigations are ongoing on the matter under Inquest File No.1/2025. A statement has been recorded from two witnesses. Efforts are ongoing to identify the deceased colleagues, who were reportedly fishing with him on the day of the incident, to obtain further information. Samples collected from the body have been submitted to the government chemist for analysis, and the results are still pending. At this stage, no arrests have been made. The case is pending and under investigation.

Hon. Speaker, on part (c) of the Question, the National Police Service has implemented several measures to enhance the safety and security of fishermen. The aim is to create a safer environment for fishermen while promoting responsible and sustainable fishing practices. They are:

1. Increased police patrols and visibility. Strengthening both foot and mobile patrols along the lakes and other water resources. Maintaining a strong police presence in key fishing zones to deter criminal activities. Community engagement in fishing regulations. Promote responsible fishing practices and protect marine resources.
2. Regular meetings are held with the local fishing community. These sessions focus on educating fishermen about restricted fishing zones and the standardised nets permitted for use. Additionally, fishermen are encouraged to adhere to designated fishing boundaries to prevent conflict arising from intrusion into other fishing jurisdictions.
3. Fast-tracking investigations to ensure timely handling of all reported cases with prompt legal action against the perpetrators to deter future offences and enhance public confidence in law enforcement.
4. Establishing collaboration on security with neighbouring countries that share common lakes or fishing zones to prevent conflict and competition over fishing resources and ensuring peaceful and sustainable utilisation of shared water bodies.
5. Enhancing crime reporting mechanism by encouraging the fishing community to share critical intelligence anonymously via the *Fichua Kwa* DCI toll-free number 0800 722 208, thus guaranteeing the confidentiality and safety of whistleblowers.

I thank you, Hon. Speaker.

Hon. Speaker: Hon. Wangari.

Hon. Martha Wangari (Gilgil, UDA): Thank you, Hon. Speaker. This answer is below my expectation because there is no single arrest that has been made on this death. This family stays in an area called KCC along the Highway from Delamere Farm. They are still wondering who exactly wanted their son killed.

Allow me to ask a follow-up question, which is global because we even put it to the former Cabinet Secretary for Interior and National Administration. Cases of murder, rape and incest are not solved, especially in Nakuru. This is because the Deoxyribonucleic Acid (DNA) samples that are collected take forever to be analysed. This is because we still do not have an analysis centre in Nakuru, which has over 2 million inhabitants. Cabinet Secretary, when do you think we can get such a centre in Nakuru so that DNA samples of the perpetrators of such crimes...

(Technical hitch)

Hon. Speaker: Cabinet Secretary, are you safe?

Hon. Martha Wangari (Gilgil, UDA): Are you okay?

(Laughter)

When will we get a centre because Government Chemist services are not in Nakuru? Our samples have to be taken to either Kisumu or Nakuru. Reagents have to be brought from South Africa.

Hon. Speaker: Are they taken to Nairobi or Nakuru?

Hon. Martha Wangari (Gilgil, UDA): Hon. Speaker, they are taken to Nairobi. It takes forever to get the DNA samples back. We are still unable to make a way forward in terms of arrests. I want the Cabinet Secretary to address this issue.

Hon. Speaker: Hold on, Cabinet Secretary. I will only allow two joyriders on each Question.

Hon. Millie.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Speaker. Indeed, the incident that happened to the fisherman in Naivasha was very unfortunate. I agree with my sister that there are a lot of gaps in how personal security incidents are dealt with.

In his response, the Cabinet Secretary got a little confused, maybe because of the mention of fishermen. He spoke of cross-border international waters. I do not know what international waters are in Naivasha. That aside...

Hon. Speaker: He was okay because Hon. Wangari's last question was on the safety of fishermen generally.

Hon. Millie-Odhiambo Mabona (Suba North, ODM): Thank you for that clarification. Having raised that, there is a very critical issue that affects fishermen. The incident that occurred in Naivasha was a case of murder.

In Suba North and neighbouring areas, many fishermen fight and kill each other because of space. I have heard the Cabinet Secretary say that they should go to demarcated areas. We have title deeds on land, but there are no title deeds on water. When you tell people to go to demarcated areas, where do they go? Could the Cabinet Secretary consider setting up a team to look at emerging issues in the lake? Almost every month, a fisherman is killed because people fight over scarce resources, and especially much more now that we have internationalised the practice with people undertaking aquaculture from other countries within the water.

The water resource has become extremely small. Unless this problem is sorted out, we will have a major crisis. The Cabinet Secretary can tell us what the government seeks to do about this before we even talk about Uganda. Ugandans and Tanzanians always attack us, but we now attack each other because water has become scarce.

Hon. Speaker: Hon. Ruweida.

Hon. Ruweida Mohamed (Lamu East, JP): Mhe. Spika. Mwanzo nakupongeza kwa kuwatambua wavuvi wa samaki. Ahsante. Wizara iko na mikakati gani ya kuwasaidia wavuvi kuboresha usalama wao? Wavuvi hawajazingatiwa inchini Kenya.

Siku tatu zilizopita kule Lamu, boti ilipata shida mbele ya Mkokoni, na wavuvi wakapiga simu na kuomba wasaidiwe. Hawakusaidiwa, na ikabidi waogolee wenyewe wakafika. Chombo kilikuwa kimebeba mizigo mingi na mawimbi yakaja yakakizamisha. Ingekuwa rahisi wangefikiwa kwa haraka kwa maana si mbali na kambi nyingi za *forces* zilizoko katika eneo lile. Ni mikakati tuu haijapangwa. Tafadhali Waziri, hao wavuvi ni Wakenya, na wanachangia pakubwa uchumi wa nchi hii.

Hon. Spika, utanisaidia. Sijui niseme suala hili ni la kitengo cha usalama, ama kile cha utumishi au *Blue Economy*. Lakini hawa ni Wakenya, na inafaa watafutiwe njia wasaidike. *Rescue* ziwekwe.

Ahsante.

Hon. Speaker: *Waziri* will take notes.

Hon. Nabuin, you have the last chance on this matter.

Hon. Paul Nabuin (Turkana North, ODM): Thank you, Hon. Speaker. On the same note, fishermen on Lake Turkana who fish around Sibiloi have been arrested and killed, or sometimes they just disappear in those waters. We have previously raised this matter in the House. The reason given is that fishermen go fishing in areas they are not supposed to. The problem is that no demarcation has been done around Sibiloi. Can the Cabinet Secretary tell us when they will do the demarcation so that our fishermen can be aware of areas where they are supposed to fish or not?

Thank you, Hon. Speaker.

Hon. Speaker: Cabinet Secretary.

The Cabinet Secretary, Ministry of Interior and National Administration (Hon. Kipchumba Murkomen): Thank you very much for the very incisive follow-up questions.

The first is on the question of Government Chemist services, including using science to conduct research or investigate crimes. As a Ministry, we have established that neither the Government Chemist nor the Directorate of Criminal Investigations (DCI) are adequately resourced to conduct forensic investigations or ensure they deal with the samples sent to their laboratories. Why? This is because the Government Chemist is centralised. There is only one laboratory serving the whole country, and it is based in Nairobi. Through this House, we have already requested the National Treasury to see if we can decentralise the Government Chemist so that we at least have regional offices that can assist in expediting investigations. Currently, only one lab deals with samples from across the country. The same applies to the DCI. When they do ballistics and other investigations, their laboratory is not adequately resourced.

If this House puts in even Ksh1 billion only to these two important institutions, it will make a big difference in expediting investigations, and we shall do this very fast. We not only need both the equipment and decentralisation of these institutions, but we also need specialised human resources to be hired at a cost that can be retained. When I visited the DCI lab, they told me that their struggle relates to their scheme of service. The scheme of service is not good enough. The salaries and allowances are so low that they cannot maintain to retain specialists in government service. Every time our specialists get opportunities in the private sector, we lose them. There is a need to support these two institutions to enable them to hire and retain high-calibre forensic investigators to expedite investigations.

However long it takes, because of the challenges that we have, I promise Hon. Martha Wangari that we will do everything humanly possible within the resources that we have to unravel the unfortunate incident that happened to her constituent.

On the question by Hon. Millie Odhiambo, most of our fishing waters are generally international, especially those with proper fish for human consumption, like Lake Turkana, Lake Victoria and the Indian Ocean. It is important to note that as we deal with these issues, we must work with the neighbouring countries. Just the other day, I was with Hon. Nabuin in Todonyang. Part of the problem the people of Todonyang are facing is the shared borders and the fact that the fish resources do not understand which country they belong to. They keep moving from one corner to the other, especially when you deal with fresh waters, which are better breeding grounds. As I have indicated in my Statement, it is important to continue working with and have good working relations with our neighbours.

On the question of zoning, it is the responsibility of the Ministry of Mining, Blue Economy and Maritime Affairs working together with the county governments to establish

proper zones where fishing happens. This designation has been done in some areas, while it has not been done in others. It is important for this House and my Ministry to work with the Ministry of Mining, Blue Economy and Maritime Affairs to ensure the designation is clear. In fact, the associations that deal with fishing in different parts of the country within the lakes and the sea regions already know the areas designated for various groups, including the cooperatives that work within those areas. It is important that they keep observing those regulations.

Perhaps we need a greater involvement of the county governments because they understand the local economy. The people working in those areas should ensure harmonious relationships and better management of the people out there.

I agree with the Whip of the Minority Party that fighting over fish resources is one of the greatest causes of death in those water bodies. As I said, when I went to Todonyang, I discovered that the conflict within the water is about fishing between our people and our neighbours. This problem has caused a lot of suffering to a number of fishermen because they are fighting over resources, including fishing nets, fishing boats and fishing areas. There are also problems with cartels. In all these businesses, we have cartels in different places. Some cartels want to control the fishing economy. Hon. Speaker, as I said, working with the county governments is important to ensure the issues are dealt with.

On the issue raised by Hon. Ruweida on the problems facing rescue operations in the ocean, I agree that the Kenya Coast Guard, based in the Ministry of the Interior and National Administration, has been established. This is the other area that we... Even when I visited Lake Turkana, the biggest problem was that only one boat existed, and about eight officers were manning the lake. With such an expansive lake, there were not enough human resources. In our next hiring of police officers, working together with this House, we will be looking for resources to ensure we do it before the end of this financial year. We will ensure that a number of recruited officers become Coast Guards. In the next financial year, we are also planning to increase the number of boats to help not only in rescue operations but also patrol and provide security within our inland and international waters.

I have summed this Question with the one by Hon. Nabuin on the Question of our waters. I have responded to Hon. Ruweida.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Cabinet Secretary, Questions 005 and 006 will be asked together. They are all from Hon. Kamket. Hon. David Kitur, you are permitted to ask on his behalf.

Hon. Bernard Kitur (Nandi Hills, UDA): Thank you, Hon. Speaker. I am Bernard Kitur.

Hon. Speaker: Bernard, I am sorry.

Question 5/2025

REVIEW OF QUALIFICATIONS FOR APPOINTMENT OF CHIEFS AND ASSISTANT CHIEFS IN MARGINALISED AREAS

Hon. Bernard Kitur (Nandi Hills, UDA): Thank you for accepting that I ask this Question on behalf of my colleague, Hon. William Kamket, the Member for Tiaty, who was not able to make it here because of some official duties out of town. However, I hope to prosecute the Question as he wanted it to be prosecuted.

Could the Cabinet Secretary —

- (a) consider reviewing the academic and other qualifications for the appointment of chiefs and assistant chiefs in marginalised areas in the country?

- (b) consider affirmative action as one of the qualifications for experienced individuals from respective locations and sub-locations to be recruited as chiefs and assistant chiefs, despite not meeting the set academic requirements?
 - (c) state the measures put in place to ensure that chiefs and assistant chiefs appointed to administer specific locations and sub-locations are actual residents of those areas to enhance their effectiveness in governance and conflict resolution.
 - (d) indicate when the schemes of service for chiefs and assistant chiefs were reviewed after their introduction in 2017, and if not, state whether there are plans to re-evaluate them to accommodate the needs of marginalised communities?
- That is Question 005. Shall I proceed to Question 006?

Question 6/2025

SHOOTING AND KILLING OF MR PTESIO

Could the Cabinet Secretary —

- (a) provide a detailed explanation on the circumstances that caused police officers from Kareng'e Choto operation camp to indiscriminately shoot and kill cows belonging to Mr. Ptesio Chepanda of ID No. 34184906 in Lemuyek Village, Chemuro sub-location, which was reported as OB No. 08/30/01/2025?
- (b) state the action the Ministry is taking against the officers involved in the incident, particularly given their alleged misuse of an Armoured Personnel Carrier (APC) to carry out these acts.
- (c) consider compensating Mr. Ptesio Chepanda, given the significant loss he suffered following the shooting of his cattle valued at approximately Ksh2 million, and clarify whether there is a framework for restitution in such cases?

Thank you, Hon. Speaker.

Hon. Speaker: Cabinet Secretary, you can answer those two Questions.

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): Thank you, Hon. Speaker. I will go straight to part one of that Question: whether the Ministry has considered reviewing the academic and other qualifications for chiefs and assistant chiefs.

The appointment of chiefs and assistant chiefs is guided by the revised Scheme of Service for National Government Administrative Officers of October 2015 that explicitly sets the minimum qualification for appointment as follows:

First is Assistant Chief II. For appointment to this entry grade, a candidate must have the following qualifications:

1. Kenya Certificate of Secondary Education (KCSE) mean a grade of a C minus or its equivalent from a recognised body.
2. Be not less than 30 years of age.
3. Be a resident of the particular sub-location.
4. Police clearance certificate.
5. Good communication skills.
6. A certificate in computer application skills from a recognised institution.

Second is Chief II. For appointment to this entry grade, a candidate must have the following qualifications:

1. KCSE mean grade of C plain or its equivalent from a recognised examination body.
2. Diploma in any of the following disciplines:
 - (a) Public Administration Management;

- (b) Social work;
 - (c) Community development;
 - (d) Education;
 - (e) Governance; and,
 - (f) Conflict management or its equivalent from a recognised institution.
3. Be not less than 35 years of age.
 4. Be a resident of a particular location and have a Police Clearance Certificate.
 5. Good communication skills.
 6. A certificate in computer application skills from a recognised institution.

However, in specific circumstances where the advertised positions do not attract qualified candidates, the Ministry, on a need basis, requests the Public Service Commission for academic waivers to fill the vacancies in marginalised areas. Whereas a review of the current Scheme of Service may be necessary, it is important to note that the Public Service Commission always grants academic waivers upon request by the Ministry.

Regarding part two of the Question on whether the Ministry can consider affirmative action, whereas possession of experience in socio-political, economic, and cultural aspects of communities is important in public administration at the grassroots, all cadres and all positions in public service are subject to particular minimum academic requirements during recruitment and selection process. Academic waivers of particular qualifications are currently granted to attract experienced applicants in special circumstances. This affirmative action ensures that citizens in the marginalised areas are not discriminated against but have equal access to the chiefs and assistant chiefs' positions.

Question three is with regard to the measures in place to ensure that chiefs and assistant chiefs appointed to administer specific locations and sub-locations are actual residents. It is a requirement in the Scheme of Service that the prospective applicants for the positions of chiefs and assistant chiefs should be residents of particular locations or sub-locations. The Deputy County Commissioners (DCCs), as chairpersons of sub-county recruitment and selection panels, have been guided through circulars to conduct due diligence and vetting of all the applicants' places of residence to ensure that candidates recommended for appointments are *bona fide* residents and of good standing in society.

Besides, the National Intelligence Service (NIS) usually conducts comprehensive background checks and vetting of all shortlisted candidates before interviews. The vetting reports of candidates include known place of residence, personal details, marital status, education and professional qualification, present and previous employment history, character, ability and public relations, relationship with the community, clan dynamics in the respective administrative units, and involvement in any criminal activities.

Hon. Speaker, the current Schemes of Service for Chiefs and Assistant Chiefs were reviewed in 2015 and implemented effective 29th October 2015. Previously, Schemes of Service for Chiefs and Assistant Chiefs existed and have been reviewed over time to establish the required recruitment and selection standards. The revised Scheme of Service for National Government Administrative Officers (October 2016) is currently being reviewed. We will explore the possibility of appreciating the academic needs of marginalised communities.

Now, on circumstances that led police officers from Kareng'e Choto Camp to indiscriminately shoot and kill cows. On 29th January 2024, the Assistant Chief for Chemuro Sub-Location in Loruk Location reported vide OB No. 08/30/01/2025 that an Armored Personnel Carrier (APC) belonging to one of the formed-up units stationed in Ngaratuko allegedly fired at cattle belonging to Mr Yelokel Ptesio Chepanda, a resident of Chemuro Sub-Location. The event occurred during a routine patrol by a multi-agency security team in the volatile Ngaratuko area, where officers came under fire from suspected bandits. The assailants positioned themselves behind a herd of cattle, using the animals as shields while engaging

security officers in a shootout. In response, the officers returned fire, eventually overpowering the bandits, who then fled into the nearby thickets. As a result, four cows were confirmed dead, nine sustained critical injuries, and six others suffered minor injuries. Due to the intensity of the exchange of gunfire, it remains unclear whether the deaths and injuries of the animals resulted from police gunfire or from rounds fired by the bandits. A comprehensive investigation is currently underway to establish the facts under an inquiry File No. 1/2025. The case is under investigation.

On the action the Ministry is taking, a thorough investigation into the matter is underway. Upon conclusion, any individual found responsible, whether a police officer or otherwise, will be arraigned before a Court of law to face the appropriate charges. The Ministry is not in a position to compensate the victim as there is no scheme for compensating victims of banditry or in such an attack.

That is the end of the response to the Question by Hon. Kamket. Thank you.

Hon. Speaker: Hon. Toroitich, do you have any supplementary questions?

Hon. Timothy Kipchumba (Marakwet West, Independent): Yes. First, I appreciate that the Cabinet Secretary has indicated that, in specific cases, they can provide waivers for academic qualifications for marginalised regions. Many times, getting qualified individuals is a challenge. There was a case in that particular constituency where it was hard to get a person qualified to be a chief. Now that the Cabinet Secretary has made a commitment, I hope there will be action. I appreciate that you have indicated that residents in a particular region should be nominated to be chiefs and assistant chiefs because they understand those areas. You have also noted that there is a review of the scheme of service to consider marginalised regions because of their circumstances. In all of those cases, you have been positive about the questions.

On Question 6/2025, I am not satisfied with the answers. It has been two months, and you indicate that the investigation is ongoing. You have also stated that there was a shootout between bandits and the police. You have not indicated how many bandits were shot. Mr Ptesio Chepanda is one of the leaders spearheading peaceful coexistence in that region. He has been one of the support systems in that community for peace and to weed-off bandits. Two months down the line, you have not been able to establish the cows that were shot. It is extremely unsatisfactory. If, indeed, the investigation is still ongoing, can it be expedited so that Mr Chepanda gets his due justice?

Thank you.

Hon. Speaker: Hon. Pkosing.

Hon. David Pkosing (Pokot South, KUP): I thank you, Hon. Speaker. I also thank Hon. Kitur from Nandi. He has prosecuted that Question successfully. That is how we should move as a country. This country is one.

I have two further clarifications to seek from the Cabinet Secretary. One, last week, a chief was killed in a place called Loruk. As we speak, Hon. Kamket is at the burial of that chief. I am certain that the Cabinet Secretary knows or has heard about it. I want him to clarify what is going on and whether anybody has been arrested. The allegation on the ground is that the chief was killed by NPRs from a neighbouring community. That might cause retaliation. That enclave is very insecure and sensitive. I am sure the Cabinet Secretary knows that. The people in Chemolingot want to listen to the Cabinet Secretary addressing the most current issue.

Two, the issues of waiver of qualifications and chiefs being recruited from outside a location are related. That is why Hon. Kamket brought up that Question. The practice is rampant where we come from. No people may qualify to be chiefs or assistant chiefs in a sub-location. Applicants come from different locations but claim they come from the recruiting locations. When they get the job, they live in towns, leaving the locations unattended. The Cabinet Secretary should pay attention and know that the two issues are interlinked.

I thank you.

Hon. Speaker: The last Member on that is Hon. Kangogo Bowen.

Hon. Kangogo Bowen (Marakwet East, UDA): Thank you, Hon. Speaker. What is the Government doing to stamp out banditry in Kerio Valley?

Hon. Speaker: In Kerio Valley?

Hon. Kangogo Bowen (Marakwet East, UDA): Two weeks ago, two primary school students and their uncle were killed by bandits. The students were girls. It is a repeat. We have had discussions in this House on banditry. What is the Government generally doing in the Kerio Valley belt and the entire North Rift to deal with the frequent banditry? In the Order Paper today, there is a Question on the state of security in West Pokot, Elgeyo Marakwet, and six other counties. What is the Government doing? Military officers who are there are not helping us. There are thousands of police officers, but they are not helping. We are seeing very little difference. The Cabinet Secretary may be new to his office, but he was a Senator, so he understands those issues very well. He should tell us what the Government is doing to ensure that there is peace and tranquility in the Kerio Valley so that we do not ask those questions over and over again.

Hon. Speaker: Hon. Ng'elechei, ask another one. Give her the microphone.

Hon. Caroline Ng'elechei (Elgeyo Marakwet County, Independent): Thank you, Hon. Speaker. I will be brief because yesterday, we were discussing the issue of security in the six counties of the Kerio Valley. Could the Cabinet Secretary tell us when they will conduct a proper and thorough disarmament exercise in the Kerio Valley? We have had these issues for many years, and none of the previous governments have conducted a thorough disarmament exercise. All that we need in the Kerio Valley is disarmament.

Secondly, every time we go to the villages, the village elders are keen to know when they will be paid. Could the Cabinet Secretary brief us on whether there is a budget for that?

Hon. Speaker: Cabinet Secretary.

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): Thank you very much, Hon. Speaker. As a matter of fact, it is true that Hon. William Kamket is attending the funeral of our Chief Victor Sebei, who was unfortunately killed during a livestock recovery incident in Loruk. I was in Loruk, and I sent my condolences to the family. I sent the Member of Parliament to the funeral today. It was an unfortunate situation. The chiefs have done a very good job recovering livestock in Kerio Valley and partnering with the operations team to recover the livestock. There is an ongoing investigation to establish whether the Chief was killed by bandits or if it was a case of a police officer or a police reservist, as has been alleged, who shot the Chief.

The Directorate of Criminal Investigations (DCI) officers were sent to the ground. They interviewed a number of people from Baringo North Constituency. Remember that this incident happened at the border between Baringo North and Tiaty constituencies. They are also carrying out investigations by interviewing people in Tiaty Constituency. Those found culpable will be charged in a Court of law. If they are security officers, they will be dismissed. The process is ongoing. I requested the Inspector-General of Police to ensure that those investigations are expedited because we do not want the peace between the two constituencies to be jeopardised by retaliatory acts as a result of that incident. I am very aware of the situation of the late Chief Victor Sebei.

Hon. Speaker, on the Question of waivers, I also agree with Hon. Pkosing that in the absence of qualified professionals from certain locations and sub-locations, some residents from those constituencies end up getting jobs but they had already migrated to other parts. For example, residents of Sigor Constituency may have migrated to Kapenguria Town. However, because of the absence of a qualified professional, the residents may come back to serve in that constituency. As I indicated earlier, we will take that into consideration. I have even received requests from Samburu residents who feel that the individual who would make a good chief in

one of the locations does not meet the threshold for academic qualifications. That case is under review. Similar cases are under review in a few other areas in the country.

On the Question raised by Hon. Kangogo, a lot of progress has been made in the last two years as a result of "Operation *Maliza Uhalifu*" in Kerio Valley. The situation was not good early last year because of the attacks in various parts of the Valley. A lot of progress has been made. Leaders here will agree with me that we now have relative calm at the border between West Pokot and Turkana counties, especially around Kainuk, which has experienced perennial conflicts. There has been good progress in terms of peace in Kacheliba and Loima constituencies, although one or two banditry incidents have happened along the border.

We have made great progress in Baringo. The border between Elgeyo Marakwet and Baringo counties, especially in Baringo North, is now peaceful, and most parts of Kerio Valley between Baringo and Elgeyo Marakwet counties are peaceful. Baringo South Constituency is a great example of what "Operation *Maliza Uhalifu*" has done. Most parts of Laikipia County are now peaceful except for a few cases of cattle rustling. However, we have not had the situation we had in the last two years.

There are troubled areas in the valley. First is the border between Marakwet East and Tiaty constituencies, Kaben and Endo locations in Marakwet East Constituency, and Ngoron in Tiaty Constituency. Those three areas are very troublesome and, as a result, cause problems in Sigor Constituency. We have asked the security officers to step up their game around that area. There are other general issues.

We also have a big problem within Samburu County, especially in Samburu East, Samburu West and Samburu North constituencies. There are certain troublesome areas in those constituencies. Because of that, I was in Laikipia North Constituency in Kirimon area a week ago. We have established a new operations base for *Operation Maliza Uhalifu* that will only focus on Samburu, Laikipia, and some parts of Isiolo and Meru counties to get rid of bandits who are hiding, especially in some parts of Tiaty Constituency and Mukogodo Forest, which has become a safe haven for many criminals who attack communities around this belt. As a result, our police officers are preparing for a massive operation. We are working together to ensure that we open up roads in Tiaty and Samburu East constituencies to access the areas where these criminals are hiding.

We have a problem with the National Police Reservists (NPRs) in Marakwet East and Tiaty constituencies. Their mode of operation is wanting. The people who have been recruited are wanting. We will conduct a massive review of the NPR officers and perhaps remove all of them so that we can have room to hire better NPRs who can work together with the police officers to get rid of those problems. We also plan to conduct a massive operation, especially in Loruk. We are in the process of procuring drones that will be used for surveillance. We have realised there has been great success in areas where drones have been used, especially in Laikipia County. We will be procuring a number of drones with higher durability and not the ones we have used in the past. We will also ensure that they have night vision so that we can do proper surveillance.

There is a new phenomenon this year where bandits are now attacking people at night. In the past, they would come during the day, but there is a new phenomenon where these attacks happen at night. Members of Parliament have suffered as we look for peace in this Valley. Where leadership is required, I would love to see most Members of the National Assembly participating in ensuring that they help us sort out this problem. I thank them for what they have done so far and the fact that they have been on the ground. I thank the Member for Baringo South for his innovative way of working with Pokot, Njemps and the Tugen in his Constituency. They have made Baringo South a model of peace in terms of fighting banditry.

I will now go to Hon. Ng'elechei's Question. We would like to do disarmament. It will require massive resources and a lot of human resources. There will also be collateral damage

in a big way. Despite this, disarmament cannot just happen in one area. With the porous borders that we have with our neighbours from Uganda, South Sudan, Ethiopia, and Somalia, there is easy proliferation of small arms. Even as the Government plans to do this disarmament in the future or the long run, we need to deal with the supply of ammunition. We discovered that most of the ammunition used to attack people in the Valley and many parts of this country comes from our police officers. They are either procured from outside the country or from our factory in Eldoret. We are working closely with the National Intelligence Service (NIS) to establish the people within the National Police Service who are selling these bullets to bandits who kill our people. If we manage to deal with the ammunition first, we will have curtailed the use of that gun. We will reduce the gun to a mere stick. We will do a lot of work to ensure that this is done. Eventually, we must ensure we also deal with the long-term plans.

For the benefit of this House and the country, Kenyans need to know that the people we call bandits are very young boys between the ages of 14 and 19 years. We need to ask ourselves a fundamental question: by the time teenagers are terrorising us in this Valley, where were we when they were growing up? They were unable to go to school or access education opportunities! There is a big problem in Tiaty Constituency and some parts of Samburu County. We have established that a whole division in Tiaty Constituency does not have a single road. There is another one with only one school, which expects small children to walk long distances to attend class.

If we need to get rid of banditry, we must also eliminate the main cause, marginalisation. If we bring everybody to a point where they have water, schools and roads, each one of them will feel it is unnecessary to engage in this kind of violence. This House must make meaningful use of the resources otherwise called the Equalisation Fund. We need a major plan to open up these regions. If we do not do this, we will continue coming here and spending resources on operations.

(Applause)

There is a reason the bandits reach Laikipia, and they stop there. They do not progress to Nyeri, Murang'a or Nairobi because those are civilised parts of the country. We need to make those parts of the country as civilised as the other parts of the country so that people will not see the need to engage in violence. I know there are plans for road infrastructure because I was in that Ministry, and they must continue. We must open that area. We must tarmac the road from Maralal to Baragoi and other roads in that region. We must also see good all-weather roads that can help us do operations. When we met with the Ministry of Defence recently, we made a proposal to be taken to the Budget and Appropriations Committee. We want to ensure that in the next financial year, there will be real resources that will answer the historical problem of marginalisation.

I thank you, Hon. Speaker.

Hon. Speaker: Member for Bumula.

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): Sorry, I forgot to answer the last Question by Hon. Ng'elechei about village elders. We have drafted a policy and regulations on them. They are now going through public participation. When we are done, they will be brought to this House. Then, we will collectively decide how to take care of our village elders and, perhaps, give them some honoraria that will make them proud as they continue supporting us in conflict resolution, peacebuilding, and security operations. I will come back to this, House.

I thank Hon. Ng'elechei, who is a Member of the Committee. They have done a fantastic report on banditry. I watched it being debated in this House yesterday. We will consider all the proposals that have come from this House when we are dealing with banditry across the

country. I thank the Chairperson of the Departmental Committee on Administration and Internal Affairs for a good job.

Thank you.

Hon. Speaker: I said that I need two joyriders for each Question. We must manage our time.

Member for Bumula. The Cabinet Secretary has made a lot of elaborate general statements on security. You should be satisfied with that.

Question 7/2025

ACQUISITION AND IMPLEMENTATION OF
ELECTRONIC TRAVEL AUTHORISATION

Hon. Wanami Wamboka (Bumula, DAP-K): Hon. Speaker, I rise to ask the Cabinet Secretary for Interior and National Administration the following Question:

Could the Cabinet Secretary—

- (a) Indicate how much money the Government has spent to acquire and implement the Electronic Travel Authorisation (ETA) system.
- (b) Provide the certified list of the technical service providers responsible for the system's operations, and state whether the platform is hosted and managed within the country.
- (c) Explain how the ETA system has impacted Kenya's tourism and business travel, particularly in comparison to the previous visa policy.

Thank you, Hon. Speaker.

Hon. Speaker: Cabinet Secretary.

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): Hon. Speaker, I will respond as follows: following the President's directive of making Kenya a visa-free country with effect from 1st January 2024, the State Department for Citizen Services introduced the ETA system. It provides advanced security screening of travellers before they arrive in the country.

The State Department for Citizen Services engaged a consortium, Travizory Border Security and Konvergenz Network Solutions, to undertake the implementation of ETA under a self-financing Public Private Partnership (PPP) piloting framework. For the standard ETA, which cost US\$30, the service provider was paid US\$8.5. The United States of America (USA) multiple ETA costs US\$160, and the service provider was paid US\$15.

As of 25th February 2025, the total number of ETAs supplied was 1,596,799, which generated US\$50,568,810. Out of this, the service provider is entitled to US\$12,255,013. This was a pilot project as the State Department explored ways to localise the ETA solution. Under my stewardship, the eCitizen ETA solution was rolled out on 9th March 2025. As of 25th March 2025, eCitizen ETA—which is a local and Ministry solution—was rolled out at 1. 00 p.m., and 38,634 ETAs had been applied and paid through the eCitizen platform.

Hon. Speaker, regarding the list of technical service providers during the piloting phase of 4th January 2024 to 8th March 2025, the State Department of Immigration and Citizen Services engaged with the M/S Travizory Border Security SA and Konvergence Network Solutions consortium. However, from 9th March 2025, as I have already indicated for sustainability purposes, ETA solutions, which are localised and hosted at the E-Citizen platform, will be launched.

Hon. Speaker, now on Question No.3, how has the ETA system impacted Kenya's tourism and business travel? According to the Kenya Tourism Board Annual Report of 2024, Kenya's tourism sector reported record growth with 2.4 million international visitors, a 15 per

cent increase from 2023 and in-bound tourism earnings rising by 19.79 per cent to Ksh452.2 billion. This is an independent and objective appraisal of the positive impact of ETA on the tourism sector, among other factors that influenced the rise in the number of tourists and a corresponding increase in business earnings.

I thank you, Hon. Speaker.

Hon. Speaker: Hon. Wamboka, Member for Bumula.

Hon. Wanami Wamboka (Bumula, DAP-K): Thank you, Hon. Speaker. I thank the Cabinet Secretary for answering most of the questions.

1. When you started this programme, were there any local companies involved in the project, and what were the criteria for bringing them on board?
2. Now that we have data protection laws through the Data Protection Act in Kenya, what steps have you put in place to comply with Kenya's Data Protection Act and the Global Data Security Standards?
3. Before the ETA, there were countries that enjoyed visa-free access to this country. With the introduction of ETA, it meant that everybody had to pay some money. Are you disenfranchising them, and to what level does that speak to a foreign policy?

Hon. Speaker, can he deal with that, and then I can add two?

Hon. Speaker: No. You have only a second bite, which you are already exhausting.

Hon. Wanami Wamboka (Bumula, DAP-K): Finally, Hon. Cabinet Secretary,

4. When you started the ETA, you spoke of some companies, some of which are foreign; where were the servers of these companies hosted? Was it in Kenya or any other country? How much total revenue has been generated from this since you started?

Hon. Speaker: Member for Kesses.

Hon. Julius Rutto (Kesses, UDA): Thank you, Hon. Speaker. Can the Cabinet Secretary confirm to Kenyans that the process of recruiting chiefs and sub-chiefs of the newly identified location and sub-locations was done more than five years ago and gazetted, but up till now, it has not been resolved?

We also have a division called Kondoo, where structures have been put in place and offices have been built, but it has not been resourced for over four years.

Hon. Speaker: You have thought to joyride on what in law we call *ejusdem generis*.

Hon. Julius Rutto (Kesses, UDA): We were discussing the issue of chiefs, and I do not know how it is different.

Hon. Speaker: There are some questions about chiefs that are still pending. Let us exhaust the ETA first.

Hon. Ruweida.

Hon. Ruweida Mohamed (Lamu East, JP): Mhe. Spika, Lamu inajulikana kwa kutegemea sana utalii. Tunauza samaki sana katika eneo Bunge langu la Lamu Mashariki. Kwa hivyo, watalii wakiathirika kidogo tu, sisi pia tunaathirika. Nataka Waziri aliambie Bunge hili ni kitu gani kilitokea Mangai, ambapo Chifu alitafutwa na Al-Shabaab. Kuna Gavana aliyesema kwa jambo la vitambulisho kuwa ni vibaya watu wa Lamu wasifanyiwe *vetting* kwa sababu Al-Shabaab wanaingia nchini. Kwa hivyo mimi na watu wangu tuna wasiwasi hao watu wasifanye kusudi *to justify their point*. Kwa hivyo, Waziri atuambie ni nani alihusika kumtafuta Chifu Mangai. Kama ni Al-Shabaab utuambie, maanake walikuja kwa njia tofauti kabisa. Eti Al-Shabaab walikuja, wakaongelesha watu, wakawapa tende, kisha wakaondoka. Tuambie ni kina nani waliofanya hivyo. Inatuathiri sana kwa sababu uchumi umeharibika Lamu. Leo tuambie kinagaubaga ni hao kina nani, kwa sababu sisi tunashuku hao magavana ambao hawataki sisi tupate vitambulisho pengine ndio waliofanya kusudi *to justify their point*.

Asante.

Hon. Speaker: Hon. Mama Zamzam.

Hon. Zamzam Mohamed (Mombasa County, ODM): Asante sana, Mhe. Spika. Kwanza nampongeza Waziri kwa sababu alipokuwa katika Wizara ya Uchukuzi, alifanya kazi safi sana.

Mhe. Spika, niruhusu niulize swali ambalo limenisumbua sana. Ndani ya Kaunti ya Mombasa, tumekuwa na ukosefu wa usalama. Vijana wadogo, kama ulivyosema wa miaka 12 hadi 19, wameshika vipanga wanakatakata watu. Juzi waliingilia watu pale Makadara Grounds wakati wa Ramadhan. Kisha tulipokea *cruise ship* ya watalii. Watalii walikuja Mombasa wakatuletea pesa hapa Kenya. Lakini wale vijana waliwaibia vipochi vyao, na wakawapiga mpaka watalii wakaamua kugeuza meli ikarudi kwao nyumbani. Kwa sababu ya hilo, hapo tumeukosa mtaji ndani ya taifa hili.

Juzi pia kule Likoni, tuliona ‘Wajukuu wa Bibi’ waliokuwa wengi wakiwakatakata watu kwa mapanga. Mchana huwezi kutembea; usiku huwezi kutembea. Waziri, nataka utuambie vile utatusaidia Mombasa ili tuweze kuwatoa hapo. Nimeona Kwale mumeshika watoto mpaka na wazazi wao. Je, Mombasa mumetupangia kitu gani, maanake hili limekuwa donda sugu?

Asante sana Mhe. Spika.

Hon. Speaker: Hon. Mama wa Kwale.

Hon. Fatuma Masito (Kwale, ODM): Asante sana, Mhe. Spika, kwa kunipatia fursa hii ili nitoe hisia zangu, na nimuulize Mhe. Waziri maswali. Kwanza, nampatia kongole kwa kupata Wizara hii. Najua ni mtenda kazi, na atawatendea watu wa Kenya kazi hii. Kila Wizara unayopewa unawajibika kwa kufanya kazi yake.

Kuna suala la *locations* ambazo zilikuwa gazetted. Kuna *locations* Kwale ambazo zilikuwa gazetted mwakwa wa 2017 kama Msambweni, Matuga, Kinango, na Lunga Lunga. Mpaka sasa hivi, bado hatujapata machifu na manaibu wao. Serikali ina mikakati gani ya kuhakikisha watu hawa wameajiriwa ili wawajibike kuwafanyia kazi watu wa Kaunti ya Kwale?

Pili, Mhe. Spika, nazidi kulitilia pondo lile suala la vijana wa vipanga, ambalo limekithiri pale Kwale County katika sehemu ya Ukunda. Askari wanajaribu kilithibiti, lakini tunahitaji nguvu zaidi ya kukabiliana na suala hili. Tunajua ni suala ambalo linaathiri pakubwa...

Hon. Wanami Wamboka (Bumula, DAP-K): On a point of order, Hon. Speaker.

Mhe. Spika: Kuna hoja ya nidhamu hapa.

Mbunge wa Bumula.

Hon. Wanami Wamboka (Bumula, DAP-K): Hon. Speaker, the intention of having joyriding questions is for us to remain relevant so that we can dig deeper into the issue on a question that a member has raised. I urge you, Hon. Speaker, that if we go in that direction, we should expand this and make it easier for the Cabinet Secretary. Many Members are introducing new questions that the Cabinet Secretary will need to research to bring substantive answers.

Thank you, Hon. Speaker.

Hon. Speaker: I have said many times that a joyrider must ride on a running horse.

(Laughter)

You cannot just joyride on nothing. Questions that are supplementary to the primary Question should not be based on that Question.

Yes, Hon. Bashir.

Major (Rtd) Abdullahi Sheikh (Mandera North, UDM): Thank you, Hon. Speaker. Foremost, I appreciate and thank the Cabinet Secretary for coming. Mine is related to the issues

of gazetted units. I am sure the people of Warsabit were waiting for you to launch the sub-county, and I am sure they are eagerly waiting...

Hon. Speaker: Hon. Bashir, the Question at hand is about the Electronic Travel Authorization (ETA). I said joyriders must ride the running horse. Now you are bringing your own horse to the track. Go on if it is about the ETA.

Hon. Major (Rtd) Abdullahi Sheikh (Mandera North, UDM): Hon. Speaker, I have heard Members talking about gazetted units and locations. I want to take this opportunity to remind the *Waziri* that Mandera North has units that were gazetted in the 2020/2021 Financial Year. I would appreciate it if those units were operationalised. As I said, we have a date with him. The people of Ashabito are waiting for him for the launch of a sub-county. He has a date with us. Hon. *Waziri* is most welcome to Ashabito Sub-County.

Hon. Speaker: Thank you. Minister, try to separate the wheat from the chaff. All these are Questions relevant to your Ministry. Concentrate on Hon. Wamboka's Question. However, as an orbiter, you will deal with those issues.

The Cabinet Secretary, Ministry of Interior and National Administration (Hon. Kipchumba Murkomen): Hon. Speaker, because there is a specific Question on the other administrative units, if you allow me, I will respond at this point on the ETA, and then when I will be answering the other questions ...

Hon. Speaker: You will then respond to Hon. Kesses, Hon. Bashir, and Mama Masito. You will also deal with *watu wa mapanga* in Mombasa at some point.

The Cabinet Secretary, Ministry of Interior and National Administration (Hon. Kipchumba Murkomen): I will deal with that, Hon. Speaker. I have noted all the Questions raised by the Members. Let me focus now on the ETA. As indicated in my answer, the local company is Konvergence Network Solutions. It is a local company that partnered with Travizory Border Security to provide ETA on the Public Private Partnership (PPP) on pilot terms. When it was time to determine whether we should sign a long-term contract with the consortium of Travizory and Konvergence, we made a decision in the Ministry that it was better that RTA revert to the Ministry itself and be run under ETA. This was negotiated with the consortium. They have been paid their dues for the one year they were piloting. We appreciate them for the data they collected. I know the Member was asking where that data was hosted. The data was hosted by Travizory, which was initially out of the country. However, now that it was a pilot, we ensured all the data was returned to our Ministry because of our data protection laws. It is now being hosted at Nyayo House. It is the data that helps us implement the ETA.

For the benefit of the Republic, three weeks ago, there were many complaints from the public that ETA was slow and down. That was so because we had taken over the system and are now perfecting it. We apologise to the public for the challenges we faced when the Ministry took over the system. However, the process is now smoother. We saw it fit for the system to be hosted by the Government. If we desire to upgrade the ETA later to an integrated border management system, we will invite – in a competitive process – a service provider as we progress. The service provision is now done within the Ministry.

We have a certified data protection agency. The e-Citizen is certified for data protection, and we are also certified data processors. Therefore, the data is safe in our hands under the data protection law.

On the Question concerning ETA, that was the situation in the past. It was realised that in countries where people were not paying for visas, one could just travel to the airport, be it in Ethiopia or several other East African countries. Some countries have partnerships. You can travel to a country without paying anything because it is visa-free. However, people felt that those who travelled for free were being forced to pay the convenience fee of ETA. As a result of that, a decision was made by the Cabinet that we remove the ETA fee completely from

countries that reciprocated with our country on visa-free travel so that they can travel ETA-free. That was extended to all African countries so they could travel to our country ETA-free, except in situations where we would need to deal with insecurity issues.

I have answered the visa Question.

Hon. Speaker: The last Question is about revenue collected.

The Cabinet Secretary, Ministry of Interior and National Administration (Hon. Kipchumba Murkomen): I already indicated in the Statement the revenue allocated, unless you want me to refer to the Statement again. The revenue collected in the last year is already on the Hansard. In relation to that, the money that has gone to the partner is about \$12 million, as indicated in the Statement. The money collected for the country is \$50 million.

I thank you.

Hon. Speaker: Thank you.

Now, the next Questions relate to the operationalisation of administrative units. Hon. Nzambia, you will ask Question 026/2025. After you, Hon. Joseph Tonui will ask Question 027/2025, and after Hon. Tonui, we will have Hon. Mumina Bonaya. All the Questions are about operationalising administrative units. So, can all those three Questions be asked, starting with Hon. Nzambia?

Yes, Hon. Ruweida, what is the issue?

Hon. Ruweida Mohamed (Lamu East, JP): My Question has not been answered. It is about the ETA. It affects tourism. The issue of *Al-Shabaab* in Mangai affects tourism not only in Lamu but also in Kenya. We are really affected. We want to know the root cause of this. Who is involved? Is it *Al-Shabaab*, or who is it?

Hon. Speaker: Minister, have you got the concern?

The Cabinet Secretary, Ministry of Interior and National Administration (Hon. Kipchumba Murkomen): Hon. Speaker, the Question was specific to the Chief of Mangai. I promised earlier that when I answer the Question on operationalising administrative units, I will ride on it to respond to Hon. Ruweida's Question on the threat of the Chief. The right place to answer this question would have been when discussing banditry. However, I can...

Hon. Speaker: Okay, hold your horses. We will come to it.

Hon. Nzambia. We will take three Questions in a row.

Question 026/2025

GAZETTEMENT OF NZAI SUB-LOCATION

Hon. Thuddeus Nzambia (Kilome, WDM): Thank you, Hon. Speaker for this opportunity. I rise to ask the Cabinet Secretary for Interior and National Administration the following Question:

Could the Cabinet Secretary—

- (a) explain the criteria used to gazette Nzai sub-location in Makueni Constituency vide Kenya Gazette No. 17 of 2024 contrary to the agreement made in a meeting during public participation held on 11th May 2023 in the Office of the Assistant Chief, Sultan Hamud sub-location between the area administration and the residents of Nzai village to retain Nzai sub-location in Kilome Constituency?
- (b) consider the re-gazettement of Nzai sub-location to be within the boundaries of Kilome Constituency to enable the residents of Nzai sub-location to remain in Mukaa sub-county in Kilome Constituency?

Thank you.

Hon. Speaker: Thank you.

Hon. Joseph Tonui, Kuresoi South. Go ahead.

Question 027/2025

OPERATIONALISATION OF ADMINISTRATIVE UNITS

Hon. Joseph Tonui (Kuresoi South, UDA): Thank you, Hon. Speaker. I rise to ask the Cabinet Secretary for Interior and National Administration the following Question:

Could the Cabinet Secretary –

- (a) provide a status report on the operationalisation of the administrative units in Kuresoi South Constituency, including Tinet and Kiptagich, Sotiki, Bararget and Kabongoi locations, in line with the gazette notice of 21st July 2017?
- (b) state measures put in place by the Ministry to ensure these administrative units are fully operational, enabling the local population to access essential national government services conveniently and efficiently.

Thank you.

Hon. Speaker: Hon. Mumina Bonaya. Give her the microphone.

Question 28/2025

OPERATIONALISATION OF ADMINISTRATIVE
UNITS IN ISIOLO COUNTY

Hon. Mumina Bonaya (Isiolo County, JP): Thank you, Hon. Speaker. I rise to ask the Cabinet Secretary for Interior and National Administration the following Question:

Could the Cabinet Secretary –

- (a) provide an update on the operationalisation of newly created administrative units in Isiolo County that were gazetted in March 2022;
- (b) state the measures taken by the Ministry to fast-track the process, including a clear timeline for their operationalisation.

Hon. Speaker: Cabinet Secretary, those are very short questions. When are you operationalising? Hon. Nzambia seems to be disputing the manner in which the location is created, and so on. Let us, therefore, save time. You can combine your response to it with *Mama wa Kwale* and those who asked questions earlier about the operationalisation of their areas, like Kesses. Let him answer these, and thereafter, I will allow a few joyriders.

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): Hon. Speaker, before I delve into the individual Questions, it is worth noting that four of the 11 Questions that were brought here today relate to the establishment and operationalisation of the new administrative units. This is of great interest to a majority of the Members, rightfully so, because many administrative units, some dating back to 2017, have been gazetted and not operationalised. Therefore, before I go to the specific question, with your leave, I would like to bring the current status of operational and administrative units before the House.

We have eight regions and 47 counties, which are administrative units for the National Government. There are 409 sub-counties. That should clearly show that sub-counties are not equivalent to constituencies. Some constituencies have more than one sub-county. We have 988 divisions, which are less than the 1450 wards and 4,003 locations with 9,112 sub-locations. The gazetted and not operationalised administrative units, which are subject to most of these questions, are as follows: 45 sub-counties, 291 divisions, 1,439 locations, and 2,693 sub-

locations. As every Member here asks why it is not operationalised in certain counties or constituencies, it is important to know those not operationalised across the country.

The number of administrative units prioritised for operationalisation in the Financial Year 2024/2025 is 24 sub-counties, 88 divisions, 318 locations, and 675 sub-locations. As you can deduce from the above figures, 21 sub-counties, 203 divisions, 1,121 locations, and 2,018 sub-locations will be pending operationalisation even after this financial year. Owing to the acute budgetary constraints, the Ministry has been hard-put to operationalise all the gazetted units, opting instead to phase the operationalisation based on the following criteria:

1. Areas prone to insecurity;
2. Vastness and terrain of the area;
3. Population pressure and demand for government services;
4. Promotion of inclusivity and minority representation;
5. Anomalous administrative units, for example, a situation where there is a sub-county with only one division, implying that an assistant county commissioner and a deputy county commissioner cover the same jurisdiction; and,
6. Available infrastructure.

Hon. Speaker, the budget for operationalising new units was not allocated this financial year. The Ministry has been utilising budgetary allocation for development and recurrent expenditure to ensure services are delivered. To prevent future gazettment of administrative units that are not budgeted for, the Ministry is currently developing regulations to guide the establishment of the new administrative units. The said regulations will be subject to public participation and thereafter forwarded to this House for consideration. If I may emphasise here, we had a problem in 2017, just before the elections. Most of the requests here are from either 2017, 2021, or 2022, and we will have the same problem in 2026/2027. These regulations are extremely important to defend and prevent a situation where the Cabinet Secretary or the Members of Parliament, mortal to their voters because of the pressure of elections, make promises they cannot fulfil, particularly those not accompanied by a budget. This will ensure that the pressure that we have at the moment does not ensue.

Hon. Speaker, I appreciate Members of the National Assembly for utilising the National-Government Constituencies Development Fund (NG-CDF) to put up infrastructure for new administrative units. This has greatly complemented our operationalisation efforts. At the risk of sounding political, I find the opposition to the NG-CDF by many people, including courts, ridiculous. This is because, in the absence of these resources, we can build classes, but we cannot build police stations, chiefs' offices, and so forth. It should be common sense and practical that these resources have changed the face of Kenya across the country.

Hon. Speaker: Hold on, Cabinet Secretary. There is a point of order.

Hon. Omboko Milemba (Emuhaya, ANC): On a point of order, Hon. Speaker.

Hon. Speaker: What is out of order?

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Speaker, I have keenly been following the answer by the Cabinet Secretary. He has done very well, but he seems to imply that most units may not be deservingly created. He has to be clear on that because they only came up in 2017 and 2021. He does not seem to believe they were deservingly created but only for political reasons. Could he clarify that particular point so that Kenyans and people listening to this know that they either deserve those divisions or do not deserve them?

Thank you, Hon. Speaker.

Hon. Speaker: I think you misunderstood him. He did not say they do not deserve. He said the pressure to create those units seemed to heighten around election time. That is how I understood him. That does not mean they are undeserving. It is just the timing and the amount of pressure put on the establishment to do so. That is how I understood the Cabinet Secretary.

(Hon. Omboko Milemba spoke off the record)

Go ahead.

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Speaker, when you listen to it with your third ear, you notice that he is now making a regulation that will control creation. There is that implication.

Thank you, Hon. Speaker.

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): Hon. Speaker, for the avoidance of doubt, politics is not a bad thing. I would like to inform the Hon. Member that making decisions based on political pressure is not a bad thing. It is the very reason why we are all occupying these offices, including as a Cabinet Secretary. Politics governs the country, and if people are going to make a decision, it is just because of that. The only problem is that the urge to say no is very difficult around the election period, even without a budget and is rather obvious. It is a matter of public notoriety. It is, therefore, important to have the regulations in place so that the promise is accompanied by clarity on the possibility of its implementation so that it can be accounted for. Similar to contracts for roads and other things, the law says you cannot contract if you do not have a budget for it. There is a criteria and a process of public participation. In some areas, it takes a short time, while in others, it is fast. It is important to have regulations to avoid favouritism and to standardise the process so that everybody is covered across the country.

Let me proceed to give the specific answers. To respond to the Question by Hon. Nzambia, part one, on the criteria used to gazette Nzai Sub-Location in Makueni Constituency, as part of the Ministry's mandate to enhance service delivery and bring Government service closer to the people, the Cabinet Secretary for Interior and National Administration, through Gazette Notice No. 17 of 2024, gazetted several administrative units across the country, including Nzai Sub-Location. However, the gazettelement of Nzai Sub-Location has since raised concerns regarding its correct placement and administrative alignment, specifically whether it falls under Nzai Sub-County or Mukaa Sub-County. Upon verification, both the County Commissioner of Makueni and the Deputy County Commissioner of Nzai have confirmed that the location of Nzai Sub-Location remains contentious and requires further administrative clarification.

On whether the Ministry will consider re-gazettelement of Nzai Sub-Location, in light of the concerns raised by the Member, the Ministry acknowledges the importance of aligning administrative units with public consensus and existing frameworks. To this end, the Ministry upholds the principle of engaging in consultative public participation, with a view to developing a proposal for amendment if necessary. Once consensus is achieved and a proposal is submitted, the Ministry will proceed to table appropriate action, thereby ensuring that the administrative structure accurately reflects the will and the needs of the affected residents. The Ministry remains committed to ensuring that administrative units are created and aligned in a manner that promotes efficient service delivery and reflects public participation and the aspirations of the public served. We welcome constructive engagement and submission from this House, relevant committees and local leadership to resolve such matters amicably. We shall be seeking the support of the Member to make sure that this is achieved amicably.

On the Question by the Member for Kuresoi South, Hon. Tonui, part (i) is about the status of operationalisation of administrative units in the constituency. Under the powers conferred under Section 14(1) and (3) of the National Government Coordination Act, 2013 and in line with the Ministry's commitment to enhance Government presence and improve service delivery at the grassroots level, the Cabinet Secretary for Interior and National Administration gazetted several administrative units through *Gazette* notice No. 5853, dated 21st June 2017. Tinet and Kiblagich were gazetted as divisions but have not been operationalised. On the other

hand, Sotik and Kabongoi locations were operationalised in 2020. As such, only Bararget location is pending operationalisation among the administrative units referenced. The delay in fully operationalising these units is primarily attributed to logistical and financial constraints. The Ministry has yet to receive the necessary budgetary allocation to operationalise all the gazetted administrative units. Once funds are appropriated, the Ministry is committed to fully operationalising these units.

Regarding the measures in place to ensure the units are fully operational, the Ministry has initiated engagement with the National Treasury to secure the required funding to operationalise the gazetted administrative units. Once resources are allocated, the Ministry will prioritise implementing and deploying personnel and infrastructure to ensure these units are fully functional. In conclusion, the Ministry remains fully committed to ensuring that all gazetted administrative units are operationalised to strengthen government presence and improve service delivery, particularly in underserved areas. We acknowledge the importance of these units in enhancing public administration and reiterate that their full functionality is a priority to us.

I would like to respond to the Question by Hon. Mumina as follows. On the status update of the operationalisation of the newly created administrative units in Isiolo, in exercise of the powers conferred under section 14(1) and (3) of the National Government Coordination Act, 2013 and as part of the Ministry's ongoing efforts to enhance Government presence and improve coordination of services at the grassroots level, the Cabinet Secretary for Interior and National Administration gazetted the administrative units through *Gazette* notice No. 2969, dated 17th March 2022. These units are yet to be fully operationalised due to logistical and financial constraints. However, I am pleased to inform this House that Saricho and Oldonyiro sub-counties are among the remaining eight sub-counties prioritised for operationalisation within the current 2024/2025 Financial Year. In addition to these sub-counties, the following locations and sub-locations in Isiolo County have also been included in the Ministry's priority list for operationalisation. The locations are:

1. Moliti
2. Jaldesa
3. Chafes
4. Checheles
5. Lafe
6. Duse
7. Kiwanjani

The sub-locations are Moliti, Garza, Kone, and Chafes.

Preparatory work is ongoing, and the units will be progressively activated as part of our broader decentralisation and service delivery agenda. I appeal for continued patience and support from Hon. Mumina Bonaya and other Members of this House as we finalise the operationalisation requirement.

On the measures the Ministry is taking to accelerate the full operationalisation of the listed units, the Ministry has initiated the following measures with corresponding timelines. Budget allocation and resource mobilisation: April 2025. The supplementary budget for operationalisation has been approved, and engagement with the National Treasury is ongoing to ensure timely disbursement of funds before the end of this month. Infrastructure development and office setup: April to June 2025. Identification and preparation of office facilities, including land. Procurement of essential equipment to support administrative functions is ongoing in priority sub-counties, sub-locations and locations. Human resource deployment: May to June 2025. The Ministry is working with the Public Service Commission and relevant Ministries to fast-track deployment of the necessary staff to prioritised administrative units for this year. Official launch and operationalisation: June to July 2025.

Formal inauguration ceremonies will be held in the newly operationalised units. Full administrative functionality of the sub-counties is expected by July 2025 for the ones earmarked for this financial year. That answers the Question by Hon. Bashir. I have a date with him to visit Mandera County, particularly his constituency.

In conclusion, the Ministry remains fully committed to strengthening national Government coordination and improving access to services through the timely operationalisation of administrative units. We recognise the importance of these structures in enhancing security, public service delivery and citizen participation. I request this House that when the budget for the 2025/2026 Financial Year is being considered, the Ksh2.5 billion we requested for operationalising these administrative units be duly considered. We would love to be up to date in operationalising all the gazetted administrative units before we can plan and make promises for the next financial year and beyond. We can do this together. We have resource constraints, but we can find resources through the budget process to operationalise all these sub-counties and ensure that people enjoy closer service delivery in various parts of the country.

Hon. Speaker, in line with your direction, let me respond to the various questions by Members. Hon. Ruweida Mohamed had asked about the Mangai situation of 15th March 2025 and the sighting of some elements that went to Mangai Location and threatened the Chief. I will not say much because of the security situation that always obtains in the bordering country. However, security forces are fully seized of that matter. They have already done the needful to ensure that order is restored in Lamu County.

As you know, we have a long-standing security operation in our border counties, including Lamu, Tana River, Wajir, and Mandera. We are seized of the matter, and our security officers have handled it very well. I do not expect any problem as had been broadcasted.

It is also important for me to say to media houses to stop sensational reporting on security issues. Every country in the world puts security reporting on a different plane from any other political reporting. Sensationalisation of the security situation across our borders is not warranted. There has to be a proper following of protocols, just like other countries in the world do, especially where we are continuously at war with an enemy intended to harm our country. Our security officers have done exceptional work. Hon. Ruweida, I can also take this up with you offline. When the Departmental Committee on Administration and Internal Security invites me to discuss this subject, we can do it in camera so that I can give more details on the work that has been done.

Let me take advantage of this opportunity to say that I do not wish to engage in political games in terms of security issues. I am not seeking popularity. I am not seeking applause on these issues. Our security forces do a lot of work every day to avert any possibility of enemies who roam around our borders to get into other parts of the country and cause harm, as has happened before. Many of the things that security officers do go unreported. Even when irresponsible media provoke us in trying to force us to defend ourselves, we refuse because it is not our place to reveal what we have done and how we have thwarted certain things.

I want to thank the Members of Parliament from all the border counties for the work we do together. I also thank the citizens of the same counties for the work they do to help us prevent a resurgence of acts of terrorism in order to keep our country safe. I thank our security officers for the sacrifices they make. Whenever we get casualties, it is because they make the greatest sacrifice to deal with any enemy who intends to cause harm to our country.

On the Question of Mombasa and the *panga boys*, as asked by Hon. Zamzam, I went to Msambweni. I sat with the security forces early this year as soon as I was appointed to deal with gangs across the country. I made a public pronouncement, and we embarked on operations to deal with all criminal gangs from the *panga boys* at the Coast, Confirm, and Wa-TZ gangs in Nakuru, Characters in Matungu Constituency, to the Chinkororo in Kisii. We are on top of

that issue. You remember that politicians had tried to use gangs in Matungu Constituency to cause havoc. As a result of our security operations in the last few weeks, there is calm in that part of the country. There was also a resurgence of gangs in Trans Nzoia County, where local politicians were trying to recruit young boys to those gangs.

Specifically, with regard to the *Panga Boys* in the Coast region, I want to thank the Regional Police Commander, Mr Nuno, the Regional Commissioner and his team for the work they have done to round up all those boys who were engaging in criminal activities and wielding pangas in Mombasa and Kwale Counties. Just two days ago, we arrested 120 of them in Mombasa. A good number of them have also been arrested in Kwale County. In my tour of the Coast region from Monday next week, one of the top security agendas is a complete eradication of the *panga boys*, who have terrorised residents for many years. We will give greater priority to that issue. Local leaders will be present at our meetings. I want to acknowledge the elected leaders of both counties, because they are cooperating with us. Without their cooperation, we would not have dealt with a number of those issues. I will be meeting with the chiefs, assistant chiefs and all security personnel in the six counties for six days next week, and this issue will be of great priority. I will be inviting all leaders to attend meetings in their county headquarters.

I also saw the issue about the cruise ship reported in the news today. Hon. Zamzam raised the same issue. We have a department called the Tourist Police Unit that usually works with tourists to ensure they are safely escorted in different parts of the country. There was a lapse in operational procedure on this cruise ship because the county security team was not informed that the tourists were leaving the port to come to town. The incident happened during *Eid-ul-Fitr* when the security team was covering various parts of the Coast region during the celebrations because of the large population. When food was being distributed in Mombasa, some of those boys came to various parts of Mombasa. On their way, one tourist was attacked and bruised, and their phone was stolen. Luckily, none of them were seriously injured. Investigations are ongoing to ensure that we arrest the culprits. Three cruise ships have docked in Mombasa in the last three months, and tourists have been properly facilitated. No incidents occurred. There was a lapse in procedure in this case. We ask our colleagues in other Government departments to work together to maintain our procedures to ensure proper security and escort for tourists, especially when they come in large numbers from cruise ships. Procedures should be followed so that no other incidents occur in future.

We also made some changes in terms of police personnel as a result of this *panga boys* issue. The Inspector-General of Police made a number of changes. Many activities are going on in these counties. During our consultative meeting next week, if we realise there are still weak areas, we will ensure they are addressed and changes are made accordingly. We want to keep our country safe and also work as a team so that the Inspector-General of Police is not seen everywhere to ensure that work is done. We want to ensure that we work as a team in the security sector and that everybody – from a junior officer to the Inspector-General of Police – is held accountable.

Hon. Fatuma asked a question about gazetted but not operationalised administrative units. I am sure my reply has already covered that. She also asked a question about the *panga boys* on behalf of Kwale County, and I have responded accordingly.

That is all I wish to say.

(Several Members raised their hands)

Hon. Speaker: Are all these hands-on operationalisations of administrative units?

Hon. Members: Yes!

Hon. Speaker: Hon. Nzambia, take your seat. It is out of order to be upstanding with your hands in the air. Hon. Basil, let us see how much we can do on this. Do not make speeches. Just ask your question.

Hon. Robert Basil (Yatta, WDM): Thank you, Hon. Speaker. I am going directly to the Question. Could the Cabinet Secretary explain to Parliament why the Yatta Sub-County administrative units were omitted from Gazette Notice No.1766, dated 14th February 2024, despite timely submissions from the people of Yatta?

Thank you.

Hon. Speaker: Hon. Ferdinand, ask one Question and no speeches.

Hon. Ferdinand Wanyonyi (Kwanza, (FORD-K): Cabinet Secretary, with the operationalisation of these units, we should reorganise ourselves in terms of the Kenya Police Reserve (KPR), which is no longer there. We used to have KPR officers, but they are not there anymore. What are you doing about it? KPRs are very important units in terms of security because they are made up of locals. What have you done about it?

Thank you.

Hon. Speaker: Hon. Kwenya.

Hon. Kwenya Thuku (Kinangop, JP): Thank you, Hon. Speaker. I want to ride on the established questions. I heard the Cabinet Secretary say that they have a list of the administrative units they will operationalise and that the priority is based on security and population size. Some administrative units in Kinangop were gazetted, and I happen to represent one of the biggest Constituencies in East and Central Africa. Kinangop Constituency is one of the seven largest constituencies in the Republic. I only have two sub-counties. The population is deserving. The administrative units have been gazetted but have not been operationalised for a long time. I would like to know whether the units are part of what the Cabinet Secretary proposes for operationalisation.

Hon. Speaker: Hon. Makali Mulu.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you, Hon. Speaker. My Question will be a follow-up to what Hon. Basil said. Generally, in the Eastern Region, a number of the proposed administrative units were not catered for as they were considering other areas. I would want to know what happened. For example, there are two Locations in my Constituency where the same Chief and Assistant Chief serve that geographical area. How effective is that in terms of service delivery? I would want to hear what policies exist for areas where the Chief and the Assistant Chief serve the same geographical area.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Tonkei. Give her the microphone. You are wasting her time.

Hon. Rebecca Tonkei (Narok County, UDA): Thank you, Hon. Speaker. The Cabinet Secretary has indicated that some administrative units will not be operationalised because of lack of funds. He has given us some factors that will ensure that those administrative units are not going to be operationalised. Can the Cabinet Secretary provide us with some units that will not be operationalised this coming Financial Year? Narok County is affected. We have Narok North Sub-county, which was created, and there is only a Deputy County Commissioner (DCC) and an Assistant County Commissioner (ACC) serving because there are no Divisions. If he could provide us with a list, then we would be in a better position to answer our constituents.

Thank you.

Hon. Speaker: Hon. Farah. Cabinet Secretary, you are noting all those?

(The Cabinet Secretary of the Ministry of Interior and National Administration, Hon. Kipchumba Murkomen spoke off record)

Hon. Speaker: Hon. Farah Maalim.

Hon. Farah Maalim (Dadaab, WDM): Hon. Speaker, I have two issues.

Hon. Speaker: Only one!

Hon. Farah Maalim (Dadaab, WDM): Hon. Speaker, you and I were around when chiefs and sub-chiefs in high insecurity areas used to be given paramilitary training and guns in the Administration Police Training College (APTC). If the chiefs who were abducted the other day in Mandera had guns, they would have defended themselves or had a chance of fighting back. Will the Government consider arming chiefs and sub-chiefs and giving them paramilitary training so that they can also become our people's first line of defence?

There are two areas in Garissa County where Al-Shabaab has just taken root. In Fafi Constituency and on the periphery of my Constituency. I remember when the late Ogle led a paramilitary force called Anti-Shifta in those days. These people cannot be fought using vehicles and running around with them. Why can we not create that special force that tracks them on foot?

Hon. Speaker: Point made. Hon. Nicholas.

Hon. Nicholas Ng'ikor (Turkana East, Turkana East): Hon. Speaker, my Question goes to the Cabinet Secretary on the issues of the National Police Reserve (NPR) and the Special Forces. Cabinet Secretary, address the issue of the creation of special units in this country. When are we going to have a special unit to address the issue of insecurity in the North Rift, like Turkana, West Pokot, Baringo and Samburu?

Hon. Speaker: Thank you. Hon. Naisula.

Hon. Naisula Lesuuda (Samburu West, KANU): Thank you, Hon. Speaker. On the issue of operationalisation of administrative units, I wanted to find out from the Cabinet Secretary whether security can be prioritised in areas where we have insecurity; for example, Samburu West sub-county that has been gazetted. It is a matter of life and death. Populating is important for the service to reach the people, but where we discuss life and death, can those areas be prioritised?

Hon. Speaker: He already said those are critical areas for prioritisation. Did you say so, Cabinet Secretary? You did? Hon. Cherorot.

Hon. Joseph Cherorot (Kipkelion East, UDA): Thank you, Hon. Speaker. Mine is about the issue of village managers. We have been discussing here in this Parliament, but up to date, I know it has not been...

Hon. Speaker: Village managers or village elders?

Hon. Joseph Cherorot (Kipkelion East, UDA): Village elders. They are called managers, Hon. Speaker.

(Laughter)

Hon. Speaker: Okay.

Hon. Joseph Cherorot (Kipkelion East, UDA): That is a new title, Hon. Speaker. I want to ask the Cabinet Secretary, if possible, he should set a timeline so that they can be considered. Last time...

Hon. Speaker: I thought you have a Bill pending before this House.

Hon. Joseph Cherorot (Kipkelion East, UDA): Yes. We said they have to be given a stipend...

Hon. Speaker: By the late Hon. Malulu Injendi.

Hon. Joseph Cherorot (Kipkelion East, UDA): Yes.

Hon. Speaker: Fast-track the Bill, then it creates regulations, and you operationalise.

Hon. Joseph Cherorot (Kipkelion East, UDA): Hon. Speaker, what the Cabinet Secretary mentioned is that he will work on it. I want to ask him if he can set some timelines so that they can be paid.

Hon. Speaker: Thank you, Hon. Cherorot. Hon. Nzambia, I thought people were riding on your Question. Do you want to ride on your own? What is your question? Members are riding on your Question.

Hon. Thuddeus Nzambia (Kilome, WDM): Thank you, Hon. Speaker, for this opportunity. I want to be specific to the Cabinet Secretary.

Hon. Joseph Makilap (Baringo North, UDA): On point of order.

Hon. Speaker: Order, Hon. Makilap, whom do you want to inform?

Hon. Joseph Makilap (Baringo North, UDA): The Cabinet Secretary.

Hon. Speaker: The Cabinet Secretary is not a participant in debate in this House, so you cannot inform him. Under what Standing Order? He is not a participant in the debate.

Hon. Joseph Makilap (Baringo North, UDA): It is a matter of national importance.

(Hon. Joseph Makilap remained upstanding in his place)

Hon. Speaker: Take your seat.

Hon. Joseph Makilap (Baringo North, UDA): I want to inform him.

Hon. Speaker: Take your seat. You cannot. He is not a participant in the debate of this House. Hon. Nzambia.

Hon. Thuddeus Nzambia (Kilome, WDM): Thank you, Hon. Speaker. I will be very brief and specific to the Cabinet Secretary. I thought this matter was straightforward. This is a location within my constituency that was just subdivided to create another location.

Hon. Speaker: But he said consultations are going on to harmonise the issue so that we...

Hon. Thuddeus Nzambia (Kilome, WDM): That is why I am saying I want to be a bit specific.

Hon. Speaker: Is that what you said, Cabinet Secretary?

Hon. Thuddeus Nzambia (Kilome, WDM): What I am trying to say is that the time this gazettment...

Hon. Speaker: You want a timeline?

Hon. Thuddeus Nzambia (Kilome, WDM): Yes.

Hon. Speaker: Okay. He will give you when he answers. He wants the timeline, Cabinet Secretary, you will give him when you answer. Give Hon. Nzambia the microphone again.

Hon. Thuddeus Nzambia (Kilome, WDM): Hon. Speaker, I am very specific because from the time this gazettment was being done, the County Commissioner is now the Secretary to the Ministry of Interior and National Administration, and she is seated here. This is a straightforward matter that should be sorted right here, not to talk about public participation and all of that.

Hon. Speaker: The Cabinet Secretary will respond right now.

Hon. Thuddeus Nzambia (Kilome, WDM): We cannot keep spending public money when we have straight answers. I should get direct answers that the gazettment should be done henceforth.

Hon. Speaker: Point made. Hon. Mandazi.

Hon. Victor Koech (Chepalungu, CCM): Thank you so much, Hon. Speaker. I want to ask the Cabinet Secretary the following, based on the fact that he knows Nyangores very well. Nyangores is a ward on the border of Bomet East, Bomet Central and Chepalungu. Cabinet Secretary, normally, when there is recruitment for any employment, the young men who go to Sigor are told that they are not in Chepalungu. This is simply because part of the Constituency I represent is politically within Chepalungu and administratively outside Chepalungu. Part of

it is in Bomet Central, and the other is in Bomet East, specifically Itembe and Enkiogong Locations. Those are the most affected.

Hon. Speaker: You want them to be realigned, right?

Hon. Victor Koech (Chepalungu, CCM): Yes, I would like to ask the Cabinet Secretary if there is a way we can realign them so that the young men who are seeking employment, whenever they go for recruitment, are not told to go back.

Thank you.

Hon. Speaker: Thank you, Hon. *Mandazi*. Hon. Umulkher. Everybody will have an opportunity. Hon. Umulkher, quickly. One Question each.

Hon. Umulkher Harun (Nominated, ODM): Thank you, Hon. Speaker. Mine is just a comment from the Cabinet Secretary regarding the incident that happened in Fafi, where six NPR reservists were left dead following an attack that occurred last week during *Ramadhan*. The Reserve Unit was attacked, six people were left dead, and four were injured. I want a comment on that.

Thank you.

Hon. Speaker: Yes, Hon. Parashina.

Hon. Parashina Sakimba (Kajiado South, ODM): Thank you, Hon. Speaker. I have noticed that many Members have many queries concerning the gazetted administrative units. Can *Waziri*, whom I love and know can do a good job, submit to us the way the distribution is being done, even if there is a constraint in terms of the budget, so that Members will appreciate his great work? I have a gazetted division called Amboseli, a gazetted Location called Lang'ate Ngema, and two Sub-Locations called Engii and Osoit.

Thank you, Hon Speaker.

Hon. Speaker: Thank you. Hon. Pukose. Ask one Question each.

Hon. (Dr) Robert Pukose (Endebess, UDA): Thank you, Hon. Speaker. The Cabinet Secretary made a statement on the *panga* gangs in Trans Nzoia County. Similar gangs were eliminated from one corner, but they have now moved to Nawayapong and Napeki corners. I spoke to the Officer Commanding Station (OCS) in the morning. He has challenges moving from one corner to another because he only has one police vehicle. When can you provide a police vehicle to the OCS for Chepchoina Police Station so that he can deal with the two gangs? One of them is terrorising the village next to Napeki and Nawayapong area. People are not even sleeping in their houses right now.

Hon. Speaker: Member for Kamukunji.

Hon. Yusuf Hassan (Kamukunji, JP): Thank you, Hon. Speaker, for giving me the opportunity. I rise to ask one particular Question in that context. There has been growing insecurity in the Majengo area of Pumwani in Kamukunji Constituency.

Hon. Speaker: Raise your voice, Hon. Hassan.

Hon. Yusuf Hassan (Kamukunji, JP): On 5th March 2025, police officers shot dead a young person from that neighbourhood, Mr Ibrahim Ramadhan. Following the shooting, there was a protest that led to the killing of another young person, Mr Dennis Muthui. All businesses and schools closed down. There is a feeling that there was a failure of leadership from the National Government Administration Officers (NGAO) and police leadership in the constituency. On that day, they were unable to resolve those issues through reconciliation. I hope you have reviewed the particular incidents that we noticed under the leadership deficit. What action are you taking to address this failure? Are we waiting for another disaster, or is it business as usual?

Thank you.

Hon. Speaker: Thank you. Cabinet Secretary, can you absorb more questions, or will you deal with those first?

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): I can take more questions.

Hon. Speaker: Can we have the Woman Representative for Kericho?

Hon. Beatrice Kemei (Kericho County, UDA): Thank you, Hon. Speaker. I rise to ask a question to the Cabinet Secretary concerning the security or police officers. We know that their duty is to protect our people. We have a case where a police officer shot Mr Amos Lang'at in Cheplanget Ward, Bureti, on 23rd March 2025. They were playing pool, but Mr Amos defeated the police officer. He shot him six times in the stomach.

Hon. Speaker: Did he do this for losing a game of pool?

Hon. Beatrice Kemei (Kericho County, UDA): Yes.

Hon. Speaker: Go on and ask your Question.

Hon. Victor Koech (Chepalungu, CCM): Was he shot in the stomach or abdomen?

Hon. Beatrice Kemei (Kericho County, UDA): Whether it is the stomach or abdomen, which is where he was shot.

(Laughter)

Hon. Speaker, we buried him yesterday. The case was reported at the police station, but nothing has been done to date. There has been no communication with the family. The Government has not done anything in this case. A 23-year-old young widow and a six-month-old child were left behind. What support or compensation will be given to this family? What will be done to this police officer who shot Mr Amos indiscriminately? It is not fair to misuse firearms.

Thank you.

Hon. Speaker: Thank you.

Hon. Wangwe.

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Speaker. Allow me to ask one or two questions.

Hon. Speaker: Only one.

Hon. Emmanuel Wangwe (Navakholo, ODM): One Question dealing with administrative units. When will the people of Kochwa Sub-location in Navakholo Sub-county get their sub-chief, who applied and was interviewed two years ago?

Additionally, what actions are being taken regarding the Gazette Notice issued in 2018? I may not recall the exact date, but it is in 2018, allowing the four sub-locations to be listed for the sub-chiefs. What are you doing about it?

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Mutuse.

Hon. Mwengi Mutuse (Kibwezi West, MCCC): Thank you, Hon. Speaker.

This is also in terms of operationalisation. I am wondering: While we understand that for sub-locations and locations, you are required to recruit chiefs and sub-chiefs, and there is a process, why is it not possible for the divisions to deploy Assistant County Commissioners (ACCs) who are working in the National Government doing different duties to the ground because you can operationalise by just deploying existing ACCs and then the other things will follow later? If it is a matter of vehicles, we also know ACCs on the ground do not have vehicles. Therefore, you may just be required to deploy as we wait for other things to accompany that deployment.

Hon. Speaker: Hon. Okello.

Hon. Jared Okello (Nyando, ODM): Hon. Speaker, indulge and pardon my peripheral Question, but this regards the hardship classification.

Hon. Speaker, We will come to that later. Yes, Hon. Gikaria. We are dealing with operationalising units.

Hon. David Gikaria (Nakuru Town East, UDA): Nothing else?

Hon. Speaker: Nothing else.

Hon. David Gikaria (Nakuru Town East, UDA): What is the Cabinet Secretary doing to the Kenya Wildlife Services (KWS) officers who are refusing the Directorate of Criminal Investigations (DCI) to go and investigate concerning the disappearance of one Brian Odhiambo, at Lake Nakuru National Park? The wardens are not allowing investigations to go on. Actually, every time the DCI want to move in, they are denied access to the park.

Hon. Speaker: Thank you.

Hon. David Gikaria (Nakuru Town East, UDA): This is a big concern, Hon. Speaker.

Hon. Speaker: Hon. Makilap, then Cabinet Secretary, after that, you answer them as quickly as they were asked.

Hon. Joseph Makilap (Baringo North, UDA): Thank you, Hon. Speaker.

I want to ask the Cabinet Secretary what he will do so that the people of Baringo North, Saimo Soi and Bartabwa wards can have peace for even five hours a day. We are being raided. I have come late this afternoon because there was a raid at three o'clock. As I sit here, I see that the security forces have managed to recover the animals. They are still pursuing 13 others, which are still missing.

What is the Cabinet Secretary going to do so that the people of Baringo North can even have peace for five hours and the intimidation of our National Police Reservists (NPRs)? So, can the Cabinet Secretary answer that? He has been on the ground.

Hon. Speaker: Members, can the Cabinet Secretary respond to those?

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): Hon. Speaker, I will try as fast as possible as requested.

Hon. Robert Basil asked about the omitted administrative units in Yatta. I wish to state the following: In 2017, the Ministry gazetted the following administrative units in Yatta sub-county. They are locations like Kyua, Syokisinga, Mekilingi, Matingau and Kiteuni. The sub-locations were Kyua, Ididini, Kwandolo, Liani, Kaliani, Ngumbulu, Gangani, Kikesa and Kithito.

I am aware that the residents had initiated the process of creation of administrative units in Yatta sub-county. However, the Ministry received a Petition from a section of the residents of Ikombe division on 29th January 2024, challenging the process of subdivision of administrative units. The petitioners alleged that the process was not participatory nor inclusive. As a result, that issue is being dealt with. We will embark on operationalisation as soon as we dispense with the petition.

On the issue of Hon. Ferdinand Waititu.

(Laughter)

Hon. Speaker: Hon. Wanyonyi.

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): Hon. Ferdinand Wanyonyi.

(Laughter)

Hon. Speaker: Hon. Waititu is somewhere else.

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): Hon. Speaker, both are my friends.

Hon. Speaker: Hon. Waititu is your guest elsewhere.

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): Both are my friends. My neighbour, Hon. Ferdinand Wanyonyi, has asked a Question that requires a session for us to engage. The short answer to him is that as soon as I came to the Ministry, one of my decisions was to reorganise the National Police Reservists (NPRs) with a proper scheme of service and defined payments. The stipend should be appropriately determined with the command structure.

We have a problem. If you heard me when I was answering Hon. Kangogo, some NPRs are misbehaving. They do not report to anybody. We will determine who qualifies to be an NPR, at what stage one can retire, as well as getting them uniform. In the areas where the NPRs are properly organised, they are doing a fantastic job. We want to borrow from the rangers in some of the conservancies in the country which have properly organised rangers. During my visit to Laikipia last week, I visited a few conservancies. I learnt how they properly organise the rangers because they are part of the NPRs. We would like to extend that to our NPRs. This will be a very important policy framework established by this administration, which should take care of our NPRs. If we organise them well, I do not doubt that we will have better results than the ones operating across the country, including creating a camp for them. Once I am ready, I will come back to either the Committee or the House. I thank the Committee and the Chairperson, who is here, for their Report on banditry, which was also captured. We will make sure that we deal with it.

Hon. Speaker, there is also a Question by Hon. Kwenya. Other Members have asked it. Let me be brief. They asked where the list is and who will come first based on the criteria I had announced earlier. We will provide that list to you or through the Committee so that all of us can track it. I hope the interest shown here on the administrative units will cause the entire House to come to a consensus to get us resources to operationalise them once and for all so that there is no queue. There will be no favouritism or constituency being preferred over the other. We will quickly operationalise the areas where we have the worst security situation, even if they were gazetted late because we immediately need them to deal with the security issues.

Hon. Speaker, Hon. (Dr) Makali Mulu asked the Question on chiefs and sub-chiefs of those areas. It falls within the same issue.

Hon. Speaker: One chief and one assistant chief.

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): Thank you, Hon. Speaker. That is part of the various constituencies that I had given the criteria earlier. Where there is such an anomaly, you quickly operationalise those ones so that you do not have two people doing the same job in the same area.

Hon. Tonkei also asked the same Question on who would come first. That list can be provided.

Hon. Farah Maalim asked the Question of security strategy in the North, in dealing with the enemy across. I do not wish to say we are not doing what he said because this is not the right forum to announce our security strategies. However, his comments are noted. I am sure they will be incorporated into the security strategies because we also work with the elected leaders in the local area.

Hon. Speaker, in dealing with the NPR issue, we are also asking ourselves, in the policy, whether some of the chiefs can be licensed as NPRs so that they can carry guns. Some of them already do so in some parts of the country that I do not need to mention. Unfortunately, when you give the chiefs these guns in some of these insecure areas, they become targets, particularly for the sake of the gun itself. So, there is a flip side of the same argument, but we will deal with that. The chiefs are already trained. They have undergone paramilitary training, but we will be announcing this.

The policy also talks about the Question of NPR. Can you train them once, give them ammunition, and then leave them? Or they should undergo a refresher training often after a

certain period that can be established. Again, that will also apply to the chiefs once we decide who will be licensed gun carriers. In any case, other civilians carry guns. Therefore, that is not unique, including Members of Parliament who have been licensed to carry a firearm. It is not unique to say a chief is licenced to carry a firearm.

Hon. Speaker, Hon. Nicholas Ng'ikor Ngikolong asked a question about Special Forces to fight banditry. If we were to create a special force to deal with banditry or cattle rustling, which affects more than half of the country, and as you all know, from Lamu to Endebess, that is more than half of the nation, in terms of land size, what would the police be doing? We already have other special forces like the Anti-Stock Theft Unit (ASTU). We have the GSU and all these formations. We should spend our time now to resource the police.

I request that we continue supporting the National Police Service in their modernisation programme. What was done in the last one and a half years is modernisation; that is, getting the Mine Resistance Ambush Protected (MRAP) vehicles and giving them protective gear, which has borne results. This plan is to go on for four years. In this financial year, because of financial constraints, that plan has slowed. I request that we support the plan to resource the police officers. As I promised, we will also use modern technology, particularly drones, which will help us in surveillance and answer Hon. Makilap's questions about what else we can do in the affected areas like Loruk and other places. If we can enhance surveillance by using drones, we will use fewer police officers but greater response when technology is applied.

Hon. Speaker, Hon. Naisula asked why we cannot prioritise the Question of security considerations when operationalising these administrative units. Again, as I said, that is our number one consideration. Considering what is going on in Samburu at the moment, our number one priority is to do as much as we can to bring the Government closer to the people. That should be done as well for Tiaty Constituency to ensure that the Government is closer to the source of some of the banditry in Samburu, Tiaty, Turkana, Elgeyo Marakwet, West Pokot, and other parts.

Hon. Cherorot mentioned something very important here. Very few people know that there is an administrative structure in the counties. You know this very well, Hon. Speaker, because we drafted this law while we were in the Senate to create Village Councils for the counties. As a result of that law, very few counties have operationalised the Village Council. It is only Samburu that has it. In the National Government, we are trying to propose the village elders and see how they can work together with the administrative units. At the same time, there are the village councils in county governments.

Because of resource constraints, counties are unable to create the village council because there are more than ten people who are called to establish it. During the process of looking at these village elders issues, it needs to be harmonised. That law, together with the village elders' issue, needs to be harmonised so that we can benefit from the resource. It also needs to be harmonised with the *Nyumba Kumi* strategy so that we know where the village elder would be in the structure and that this can work properly to provide resources.

Hon. Speaker, I also look forward to all of us providing this solution both in terms of our friend, the late Hon. Malulu Injendi's proposal, which Members of this House shall progress the way you will guide. We are also working on the regulations. We are still working on the rest of the administrative units to see if that can be achieved. This covers the same Question by Hon. Umulkher Mohamed on the National Police Reservist (NPR) attack. Criminals from neighbouring countries target the NPR because of the guns and ammunition. They know that the NPR has been instrumental in dealing with crime and know their local routes. Unfortunately, our NPR were attacked during this period.

These terrorist groups operate by looking for a significant period for them to do something significant. There was heightened activity around *Ramadhan* because intelligence reports were already there indicating that they wanted to take advantage of *that* period. We are

always alert to anniversaries of other attacks that have happened in the past because we know they would like to use those opportunities to make a statement and instil fear in the country. As I said earlier, our security forces are up to the task. Unfortunately, because of these targeted attacks on chiefs and NPR, we have lost some of them. At the same time, a few of them have found themselves in Somalia. Everything is being done to address this issue.

The Question by my friend, Hon. Parashina, is the same. He wanted transparency on the distribution of the ones being operationalised now and those coming after. The Question is still the same, and as I said, the information will be given.

Hon. Pukose raised another issue. We have a problem with police vehicles and administrative units' vehicles for our administrators across the country. At the moment, there is an acute shortage because as we continue operationalising, there are chiefs who do not have motorbikes, Assistant County Commissioners (ACCs) who do not have vehicles or motorbikes and sub-county Deputy County Commissioners who do not have vehicles, and so forth.

The police leasing program also applies to police officers. Many police stations do not have vehicles because either the leasing period ended or their vehicles were destroyed. For example, in the case of Laikipia, the Police Commander's vehicle was burned by some people pretending to be protesting and making a statement that they were of a particular generation. Unfortunately, they burnt the County Commander's vehicle, and now he does not have a vehicle to respond to issues of banditry.

We are working on a leasing program with the National Treasury. Again, we will bring this proposal to Parliament for the next financial year. Part of it needs to be supported to ensure we increase the number of vehicles. We are targeting 5,000, giving some to our National Government Administration Officers (NGAOs) and others to police stations. We would like to see these police stations properly operating and having proper vehicles for proper response. With this equipment, we will have a greater response. Hon. Pukose, we were hoping that by July or August, this leasing program would have worked and the vehicles delivered. I hope we will do so to increase the mobility of our security forces.

Hon. Hassan, I am aware. We discussed with you the issue of insecurity at Majengo. Unfortunately, during an operation that was meant to flush out gangs that were dealing with drugs, the operation went wrong at some point, and two people lost their lives. Investigations are ongoing. Since I did not know you were going to ask this Question, I would like to go back to the National Police Service (NPS) and find out exactly how far the investigation is and what has been done so far. However, I am aware that there was that incident at Kamukunji, and we will work on it.

I want to thank Hon. Hassan. One of the things we enjoy about his Constituency is the *Nyumba Kumi* system, where the business communities work closely with the security team. The Inspector-General of Police was there for *Iftar* the other day, and we work closely with the local community. Because of that, security has been improved in Kamukunji.

We want to work closely with the people in a number of the constituencies in Nairobi. We do not want this kind of acrimony with the citizens, even if we are conducting police operations. We shall ensure that our officers are well-versed in the operational procedure that protects the rights of the people.

Again, on Hon. Kemei's Question, since I did not know whether it would be raised now, it is important to note that it is a known case. The police officer and the person who was shot are known. The police officer is a bodyguard to one of the citizens. I will give you a proper response on how far the investigations are and when the officer will be charged if that is the direction we will go. Unfortunately, we have no compensation scheme for victims of that kind of attack. We advise that once an officer is found culpable, the family can institute a civil suit for compensation to the attacked citizens.

Hon. Emmanuel Wangwe asked about administrative units that were gazetted in 2018. It also applies to the ones gazetted in 2017, 2021 and 2022. As I said earlier, we have phased operationalisation. In the Supplementary Budget, we asked for about Ksh2.5 billion to operationalise all units. I can combine that Question with the one by my friend, Hon. Mutuse. The reason we are unable to post DCCs and ACCs to some places is that it is not just enough that an officer has already been hired and is earning a salary elsewhere. You need an operational budget that allows them to move and conduct meetings. They need AIE. The other thing is that they need offices. In some instances, divisions were gazetted, but there was no office. We need to work together. Some Members have come to us and said they will use the NG-CDF to build offices. We appreciate that partnership. Other Members have even said they can use their money to hire an office for an ACC to start working because of security concerns. Some counties, like Baringo, have acute security needs. Members of Parliament, including Hon. Makilap, have been of great support. There is also a need for vehicles to ease movement. It is not enough to gazette; you must provide a budget for operationalisation.

The second last question is from Hon. Gikaria. I was in Nakuru with him for a function on mobile registration and free issuance of identity cards to people applying for the first time. The mother of Brian Odhiambo confronted me on the investigations related to her husband. It is a very unfortunate case. I do not want to jeopardise investigations or prejudice the prosecution that will follow. It is true that an investigation was done. However, the Kenya Wildlife Service (KWS) officers created an inordinate delay. They denied the Directorate of Criminal Investigations (DCI) officers proper and timely access to the park. I do not know why they were protecting them and what happened to Brian Odhiambo. The good news is that the DCI was convinced that the report was adequate for the Director of Public Prosecutions (DPP) to act. The file is already with the DPP. It is an independent office. I cannot order the DPP on what to do with the file. I have been assured that prosecution is coming. Therefore, we shall fulfil our promise to the mother of Brian Odhiambo that justice will be done in this case and other similar cases where citizens face such an attack.

I wish to repeat that there are troubling areas, including Kapen and Eldo locations in Marakwet, and Moron in Tiatich. The only troubling part is Soi Monsoi Location in Loruk. This is not just a fight about livestock. It is a combination of factors. Cattle rustling in Samburu is about stealing livestock and pushing for administrative boundaries between communities. That is the case in Loruk, where there is a conflict between communities regarding administrative boundaries. They disguise the issue as theft of livestock, and that is why there have been many attacks. We have a strategy for dealing with it. The firearms of some of the NPRs subjected to investigations were taken for ballistic investigations. However, we promised they would be returned before the end of this week. I thank the NPRs and the police for doing a fantastic job.

I promise the Member that we have a strategy for what to do as a Ministry. The National Police Service has a strategy. We will deal with that corner and also the border between Marakwet and Tiaty Constituencies. We will also deal with Samburu, which is the current hotspot.

On the same issue, the Member has asked whether we also recover livestock. People do not thank our police officers because we recover more than 90 per cent of stolen livestock. In all these cases, whether in Samburu, Baringo, Elgeyo Marakwet, West Pokot or Laikipia Counties, we have recovered 90 per cent of the livestock stolen. In some instances, we recover 100 per cent of the livestock. As long as we recover the livestock and face the bandits, we will make it very painful for them because they will not benefit from their theft.

Unfortunately, we lost two lives in Loruk: a Chief and a resident who was also attacked. We want to ensure that we work hard to minimise loss of life. There will always be thieves, but if our police officers are alert, we can make it painful for the thieves and eventually arrest

them, or the police will die in the line of duty. What can the police do when they face a person who has a gun?

Hon. Speaker: That will do.

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): That is all. We will recover all the livestock.

Hon. Speaker: Take your seat. Order, Hon. *Mandazi*.

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): Sorry, I did not answer Hon. *Mandazi's* Question.

Hon. Speaker: Yes, Hon. *Mandazi*. We are going to do that.

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): He had asked about the overlap in his Constituency, part of which is in Bomet Central.

Hon. Speaker: He wants you to realign the boundaries.

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): Constituencies and Counties like Bomet, which do not face the challenges that Hon. Makilap and Hon. Kamket have in Loruk, have a consensus between the two Constituencies that fall on their boundaries. There is no reason why we should not align them to either side. If we can get a specific petition on this area, we can send our officers to the ground to ensure this issue in Bomet County is sorted.

Hon. Speaker: Hon. Members, you know the Division of Revenue Bill is pending. We will take Questions 29, 31, 32, and 33 in quick succession. Cabinet Secretary, be ready to answer them in the shortest time possible.

Yes, Hon. Tongoyo. You are the Chairperson of the Departmental Committee on Administration and Internal Security.

Hon. Gabriel Tongoyo (Narok West, UDA): I will only take a minute.

Hon. Speaker, it has been confirmed that the issue of sub-counties or administrative units is generally a big issue for almost every Member here. It is a question that keeps coming up every other time. Immediately we took a break for recess, we had the opportunity to interrogate the Ministry. In fact, we took almost one and a half hours and singled out this subject.

From the Cabinet Secretary's Statement, the big problem is money. He made it very clear that the Ministry needs about Ksh2.5 billion to operationalise the already pending units. We already had the Budget Policy Statement (BPS). I confirm, but not contradict the Cabinet Secretary, that as it is, we may not still have the money. So, we may lament this year and another one until we get the money to do this. This is the House that appropriates the money. This is the plea I am making.

Hon. Speaker: You are in the new Budget cycle. You should focus on the next one.

Hon. Gabriel Tongoyo (Narok West, UDA): Unless we conduct a *Kamukunji* like how we prioritise the National Government Constituencies Development Fund (NG-CDF), we will still have the same problem every time. I implore this House to look for a way, even if it means we have a *Kamukunji* to mobilise resources to sort out this problem once and for all.

Hon. Speaker: Cabinet Secretary...

(Hon. Victor Koech stood in his place)

Order, Hon. Koech. Send a complete list of all the gazetted administrative units at all levels to my office. Do a matrix where you indicate those that were operationalised recently, those that are not and the expected operationalisation time, and those with a long haul to wait so that when we engage the Budget and Appropriations Committee, we can see how best we

can assist. When you look at the mood in the House, everybody has an issue about administrative units.

Going forward, Cabinet Secretary, there is a matter of administrative reforms that you need to undertake. Article 6 of the Constitution talks about the dependence and inter-dependence of the various levels of Government. There are layers of administrative units out there: village administrator, an Assistant County Commissioner (ACC), county and sub-county administrators and commissioners. You will find that you have layers of county and National Government administrators doing the same thing and drawing money from the same purse.

You need to engage the Council of Governors and county units to see how to harmonise, cut costs, and make administrative units work more effectively. I do not understand why you have a chief and village administrator doing the same thing in the same area of jurisdiction. You have Ward Administrators and an Assistant County Commissioner. You can look at this as part of your reforms so that you can assist.

Hon. Eve Obara, ask your Question. After that, we will have Hon. Daniel Manduku, Hon. Peter Mbogho and Hon. Peter Nabulindo. We will go to the next Order if we can be done by 6.30 p.m. After that, I will give Hon. Jared Okello to prosecute his pet subject of hardship areas in one minute only.

Go on, Hon. Eve.

Question 29/2025

INSECURITY IN KABONDO KASIPUL CONSTITUENCY

Hon. Eve Obara (Kabondo Kasipul, ODM): Hon. Speaker, I rise to ask the Cabinet Secretary for Interior and National Administration the following Question:

- (a) State the measures taken by the Ministry to enhance safety and security of residents in Atela Location, in Kabondo Kasipul Constituency, particularly in light of the recent surges of violent incidents including the murders of Mr Kennedy Odhiambo, a resident of Kolal Village who was fatally shot in the chest by an arrow while on patrol near Sondu Old Bridge on 30th January 2025; Mr Joseph Othim Amora, aged 43 years, who was murdered at his home in Kolondo Village on 30th January 2025; Mr Peter Okello Odawo, aged 60 years who was attacked and killed at his home over a boundary dispute on 3rd February 2025; and an attempted stock theft which was reported in Kawere village, where two individuals, Ms Milka Owiyo and Mr Tonny Owiyo, were injured by arrows during the incident on 2nd January 2025?

[The Speaker (Hon. Moses Wetang'ula) left the Chair]

[The Temporary Speaker (Hon. Peter Kaluma) took the Chair]

- (b) Provide an update on investigations into the murders and steps being taken to apprehend the suspects involved.
- (c) State the steps taken to address the underlying issues contributing to violence and conflict in the region, particularly concerning land and boundary disputes.
- (d) Outline the collaborative efforts being made with community leaders and local organisations to foster peace and security in the affected areas.

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Next Question.

Question 31/2025

OPERATIONALISATION OF ICHUNI POLICE STATION

Hon. Daniel Manduku (Nyaribari Masaba, ODM): Hon. Temporary Speaker, I rise to ask the Cabinet Secretary for Interior and National Administration the following Question:

- (a) Explain the status of the gazettement and deployment of security personnel to Ichuni Police Station in Ichuni Ward, Nyaribari Masaba Constituency, in Masaba South, Sub-County.
- (b) State the steps taken by the Ministry to address the operationalisation of the police station, considering that residents have to travel long distances up to Ramasha Police Station, which is at the end of the Constituency, to access police services, leading to delays in addressing security concerns.

Thank you very much.

The Temporary Speaker (Hon. Peter Kaluma): Question 32, Hon. Peter.

Question 32/2025

INSECURITY IN TAITA TAVETA

Hon. Peter Shake (Mwatate, JP): Hon. Temporary Speaker, I rise to ask the Cabinet Secretary for Interior and National Administration the following Question:

- (a) Provide a report on the status of the investigation into the instances of insecurity such as Mrs Mariana Shali Chao of ID No.27897833, who was found dead at a satellite site around Rianchore hillside with multiple cut wounds; Mr Silas Silo Mengo Mwachango, a *bodaboda* rider who was found dead on 28th May 2024 and Mr Silvance Mwanjala Mvoi of ID No.37023429 who was attacked and severely injured on 2nd September 2024 within Sagalla Ward in Taita-Taveta County?
- (b) State the actions being taken to ensure the perpetrators of the crimes are arrested and prosecuted without delay.
- (c) Outline measures put in place to curb insecurity in the region.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma) Question 33 of 2025. The Member of Parliament for Matungu. Is Hon. Nabulindo there? Give him the microphone.

Question 33/2025

INSECURITY IN MATUNGU CONSTITUENCY

Hon. Peter Nabulindo (Matungu, ODM): I am here.

Hon. Temporary Speaker, I rise to ask the Cabinet Secretary for Interior and National Administration the following Question:

- (a) Provide a report on the status of investigations into the insecurity incident which occurred in Koyonzo market where two security guards were brutally murdered and assorted goods stolen, raiding of several shops in Matungu township and a trader killed in the process.
- (b) Provide a report on the status of investigations into the insecurity incidences which occurred in Koyonzo market where two security guards were brutally

murdered and assorted goods stolen; raiding of several shops in Matungu Township and a trader killed; attack on residents of Namalasire and Namamali areas; and incidences of robberies in market centres reported in Matungu Constituency?

- (c) Expound on actions being taken to ensure that the perpetrators of the crimes in the Constituency are arrested and prosecuted.
- (d) State the immediate steps being taken by the Government to address insecurity in the Constituency, including provision of additional facilities and equipment to police stations.
- (e) Outline the long-term strategies being put in place to curb insecurity within the constituency.

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Cabinet Secretary, we have moved that way because we have urgent Business to transact after this one. You may now respond.

The Cabinet Secretary, Ministry of Interior and National Administration (Hon. Kipchumba Murkomen): Hon. Temporary Speaker, I would like to respond as follows to Question 029/2025 by Hon. Eve Ibara:

1. On the measures taken by the Ministry to enhance the safety and security of residents, the Government has implemented the following measures to enhance security in Kabondo-Kasipul Constituency. Increased police patrols and visibility, strengthening both foot and mobile patrols to deter criminal activities while maintaining a strong police presence in key areas such as residential estates, marketplaces and transport hubs.
2. Fast-tracking of investigations by ensuring timely handling of all reported cases, with prompt legal action against perpetrators to deter future offences and enhance public confidence in law enforcement.
3. Enhanced crime reporting mechanisms by encouraging the communities to share critical intelligence anonymously via the *Fichua Kwa DCI* toll-free hotline 0800 722 203, guaranteeing confidentiality and the safety of whistle-blowers.
4. Revitalisation of community policing committees through revitalising inactive community policing committees to strengthen collaboration between the police and local communities, promoting real-time information sharing and early detection of security threats.
5. Cross-border community collaboration. The National Police Service (NPS) has strengthened cross-border community engagement to combat cattle rustling in the region, which is a source of insecurity. This initiative enhances intelligence sharing and promotes peaceful coexistence between communities. I had this conversation with the Governor of the county before. I told him I do not understand why people living together with title deeds engage in cattle rustling. This is a practise that is found in marginalised areas. This is something that we need to deal with, as Kisumu is at the heart of areas that are fairly developed in the country. This is an issue that really bothers me. I will be going with the Hon. Member to the ground to find out exactly why neighbouring communities still steal livestock from each other. I hope county governments will change the livestock breeds so that we do not have livestock that run very fast in that area. They can be easily stolen and hidden.
6. Community engagement. Regular public forums (*barazas*) and consultative meetings with community members and local leaders have been conducted to encourage dialogue and peaceful conflict resolution. This is where community

members, local leaders and elected leaders can help us in conflict resolution. We should have *barazas* in communities.

Regarding an update on the investigations into the reported murder cases, I wish to respond as follows:

On 20th January 2025 at approximately 2300hrs, Kennedy Owino Odhiambo, a 45-year-old male, was near his homestead in Kong'ondo Village, Kodumo East Sub-location, in the company of others when unknown assailants launched an arrow at the group. The arrow struck Kennedy Odhiambo on the right side of his chest, fatally injuring him. The attackers fled the scene, and their identities remain unknown.

The following day on 21st January 2025 at 0211hrs, the incident was reported to Othoro Police Station by Peris Muga, Chief of Atela Location, and booked *vide* OB NO. 03/21/01/2025 in the same station. The officer commanding the station in Othoro, along with DCI personnel from Rachuonyo East, found the deceased lying lifeless with an arrow still lodged in his chest. The DCI officers from Rachuonyo East Sub-County processed and documented the crime scene before transferring the body to Bethlehem Morgue for further examination. A post-mortem examination confirmed that the cause of death was injury sustained from the arrow attack. The suspects remain at large, but the investigations are ongoing, with efforts being made to apprehend those responsible.

On the matter of Mr Peter Okelo Odawa, on 3rd February 2025, at approximately 1840hrs, Peter Okello Odawa, a 60-year-old male, was slashing grass within his compound in Kamwagi Village, Kodumu West Sub-Location, when he was attacked by two individuals namely Erick Okoth alias Mzee and Ibrahim Jacob Onyango. The suspects, who are the deceased's nephews, fatally injured him due to a family land boundary dispute. The attack left the deceased with two deep cuts on the head and chin, as well as fractures on both wrists. Joseph Ndege, Chief of Ramba Location, reported the murder incident to the OCS Othoro Police Station. Detectives from the DCI Rachuonyo East processed the scene. The incident was officially booked via OB NO.30/03/02/2025 at Othoro Police Station. The body was then transferred to Jawabu Funeral Home for post-mortem examination. A post-mortem examination was performed at Jawabu Funeral Home, confirming that the cause of death was directly linked to the injuries sustained during the attack. Police successfully arrested one of the suspects, Erick Okoth alias Mzee, on 6th February 2025, while his accomplice, Ibrahim Jacob Onyango, remains at large. Erick Okoth Odera was arraigned in Homa Bay High Court and charged with murder under Criminal Case Number 688/07/2025 and HCCR E07/2025. Efforts to locate and arrest the second suspect, Ibrahim Jacob Onyango, continue, with police actively tracking his whereabouts to ensure he faces murder charges in Court.

Regarding the murder of Joseph Othim Amora, on the night of 30th January 2025, unknown individuals gained entry into the house of Joseph Othim Amora, a 43-year-old male residing in Kolondo Village, Kodumo East, where he lived alone. The assailants brutally attacked him, inflicting a deep cut on his belly, exposing his intestines, and killing him on the spot. The motive behind the murder remains unknown. On 31st January 2025 at 0550hrs, Peris Muga, Chief of Atela Location, reported the murder to at Othoro Police Station and booked *vide* OB NO.03/30/01/2025. Police officers from DCI Rachuonyo East visited the scene, processed and documented the evidence, and initiated investigations. The body was later transferred to Bethlehem Morgue for a post-mortem examination, which confirmed that he succumbed to his injuries resulting from the attack. No arrests have been made so far, and the case remains under active investigation as the police work to establish the motive and identity of the attackers.

Regarding the attack of Milka Adhiambo in Sondu Area, on 3rd January 2025 at 0120hrs, the police officers, while on mobile patrol within the Sondu Area, received information that a group of unknown youths, suspected to have crossed over from Kericho, had

entered Kisumu County with the intent to steal livestock. They passed by the house of Milka Odhiambo, a 53-year-old female, where they launched a violent attack. Milka was shot in the mouth with an arrow. Her 22-year-old son, Tonny Owiyo, was shot in the lower abdomen, with the arrow remaining lodged in his body. Upon the victims raising an alarm, the attackers fled the scene without stealing anything. Following the distress call, police responded, and the victims were rushed to Nyabondo Mission Hospital, where they were admitted in fair condition. The incident was booked vide OB NO.02/03/01/2025 in Ogoro Police Station, and investigations commenced, which led to the arrest of three suspects: Dennis Kipruto Kemboi, Jeremiah Kipkorir Kosgei alias Kiptangus, and Geoffrey Kibet Chirchir. The suspects were arraigned at Oyugis Law Court under CR688/21/2025 (Court File: MCCRE109/2025) and CR688/22/2025 (Court File: MCCRE110/2025). The police continue to investigate the matter, and efforts are ongoing to determine whether other suspects were involved in the attack. The following strategies have been employed to address underlying issues contributing to violence and conflict in the region:

1. Peace initiatives are ongoing in the region.
2. Appeals to the National Land Commission (NLC) to resolve historical land injustices, which are a major cause of conflict in some of the areas, including those that have caused the murder of people from these communities.

The following collaborative efforts have been employed to foster peace and security in the affected areas. Security agencies and the county government are collaborating in leading a security intelligence committee with representation of the county leadership to deal with the challenges and develop effective strategies. There are also community partnership and involvement initiatives, as well as working with non-governmental organisations in the area for humanitarian assistance and economic empowerment programmes.

On Question 31/2025 by the Member for Nyaribari Masaba, Hon. Manduku, part one is on the status of gazettelement and deployment of security personnel to Ichuni Police Station in Ichuni Ward. The station is a community-driven initiative developed in collaboration with the area Member of Parliament to address security concerns in the area. The local police commander has been directed to submit their logistical and personnel requirements to facilitate the operationalisation and gazettelement of the station. So, the Member cannot be accused like another citizen who built his own police station. Whereas we appreciate the good initiative, we are now working to ensure it is operationalised. That is on a light note.

The National Police Service (NPS) will consider the following requirements for the establishment and operationalisation of the police station:

1. Land ownership: Confirmation of whether land ownership has been transferred to NPS to avoid ownership disputes in the future.
2. Personnel requirement: The local police commander has been directed to forward the number of personnel needed for the operationalisation of the police station for consideration and deployment.
3. Utilities: Confirmation of availability of essential services such as water and electricity supply to support daily operations effectively.
4. Accommodation: Confirmation of availability of housing for police officers.
5. Furniture: Confirmation that the station has been furnished.
6. Infrastructural design: Confirmation that the station structure meets the standard design stipulated in the Service Standing Orders, which include a reception area, valuable exhibit store, radio room, OCS office, deputy OCS office, petty crimes office, record office, OC traffic office, general office, interrogation office, cell with proper sanitation, exhibit store and sufficient ablution facilities.

On the Question by the Member for Mwatate, Hon. Mbogho, I would like to respond as follows. On 29th April 2024, Ms Marian Onsarigo, aged 34, was reported missing by her

husband, Stephen Onsarigo Mokuu, Police Constable No. 255611 of Kamachira Police Station, Mathioya Sub-County. She was last seen in the evening hours at Rice Trading Centre in Sameta Sub-County in Kisii County. On 1st May 2024, at 5.00 p.m., the Assistant Chief of Rogo Location, Mr Latif Oyoro, reported the discovery of a dead body in a quarry within Rigo Location, approximately 10 kilometres south of the police station. Officers from Sameta Police Station, including the Officer Commanding the Station and the Directorate of Criminal Investigations, visited the scene and discovered the body of a female victim, identified as Ms Marian Onsarigo, lodged between large rocks in a deep valley quarry. The body had visible injuries, including a deep open wound under the armpit, both lower legs fractured, and a deep cut on the left elbow.

Later, the husband of the deceased, Police Constable Steven Onsarigo Mokuu, arrived at the scene and confirmed the identity of his wife. He stated that she had been missing since 29th April 2024, and he was only informed that afternoon about her death. The crime scene officer processed and documented the scene before moving the body to Lenmek Hospital, Morgue, for further examination. The case is currently under investigation, Inquest File No. 6/2025, by the Sameta Sub-County Criminal Investigation Officer, with no arrests made at the moment.

On the murder of Mr Silas Silo Mengo Mwachango, on 21st May 2024, Mr Silas Silo Mengo Mwachango, a bodaboda rider, was found dead. The incident was reported at Voi Police Station vide OB No. 15/ 1/05/2024 by a member of the public at approximately 5:00 p.m. The report indicated that a lifeless body had been discovered at a sisal farm along the Voi-Mwatate Road, about 5 kilometers from the police station.

Police officers responded to the scene, which was processed and documented. Preliminary investigations revealed that the victim had been hired by unidentified individuals who later attacked and fatally injured him before stealing his motorcycle. No arrests have been made at the moment in connection to the incident. The case remains under active investigation.

On the murder of Mr Silvanice Mwanjala Mvoi Mwajalam on 3rd September 2024, a report was made at Voi Police Station under OB No. 15/03/09/2024, regarding an attack on Mr Silvanice Mwanjala Mvoi, ID No. 37023429. The incident occurred on 2nd September 2024, within Sagalla Ward, Taita-Taveta County.

The report was filed by the victim's brother, who stated that Mr Mvoi, a bodaboda rider, had been found unconscious by the roadside along the Mombasa-Nairobi Highway. A good Samaritan rushed him to Moi County Referral Hospital in critical condition. Medical assessments revealed that he had sustained a deep cut on the head and chest injuries. Due to the severity of his injuries, he was later referred to Kilimanjaro Christian Medical Center in Tanzania for intensive care.

Police officers from Voi Police Station responded to the scene, conducted documentation, and established that the victim had been robbed of his motorcycle, registration number KMGN 096G. The victim later succumbed to his injuries on 9th September 2024 while undergoing treatment in the same facility. No arrests were made in relation to the murder. The case remains under active investigation.

On the actions taken to ensure the perpetrators are arrested and prosecuted, the above murder cases remain under active investigation, with witness statements recorded to aid further inquiries. Members of the public who may have crucial information that could assist in identifying and apprehending the suspects are encouraged to report to the police voluntarily. To ensure their safety, they may also provide information anonymously at the police station.

The following measures have been put in place to curb insecurity in the region: increased police patrols and visibility and sustained crackdown on the re-emergence of criminal gangs in the region. As I stated earlier, in the Coastal region, we are doing massive operations to deal with the resurgence of those gangs. Additionally, we are enhancing the crime reporting

mechanism by encouraging the communities to share critical intelligence anonymously via Fichua Kwa DCI, hotline 0800 722 203, while maintaining confidentiality and protecting the whistleblowers.

Revitalisation of community policing committees and community engagement are also among the strategies.

Finally is the Question from the Member of Parliament of Matungu, Hon. Peter Nabulindo. In part one of his Question regarding a report on the status of the investigation into the murder of two security guards. On the night of 30th March 2024, two security guards, John Nyabola, 62 years old and Humphrey Muyomi, 55 years old, both employees of Major Oduks Security Firm, reported for duty to guard shops within Koyonzo Market in Matungu Sub-County. That night, they were brutally attacked and murdered by unknown assailants, who then dragged their bodies into a market store to conceal the crime.

The criminals then broke into a shop owned by Mr Charles Opondo and stole assorted goods of an unknown value. The next day, on 31st March 2024, a trader discovered the bodies and reported the incident to Kayonzo Police Station, which was booked vide Occurrence Book (OB) No.4/31/3 of 2024. Police officers responded immediately and visited the scene. However, upon learning of the gruesome murder, members of the public became rowdy. They stormed the police station, pelting it with stones. In the chaos, they partially burned a police vehicle, a Toyota Land Cruiser of registration No.GKA056V broke into the police officer's house and stole property of an unknown value. Some of the stolen property was later set ablaze on the main highway to Busia. To restore order, reinforcements were called in, allowing police officers to document the scene and transport the bodies to Bungoma Hospital Mortuary for preservation. A post-mortem was conducted on 5th April 2024, where the pathologist confirmed that all victims had died due to excessive haemorrhage caused by blunt force trauma.

Following the investigations, the police file was forwarded to the Office of the Directorate of Public Prosecutions (ODPP) Western Region for perusal and advice. On 12th November 2024, the ODPP returned the file via a letter referenced ODPPKK/CAM/2002/2013, highlighting certain gaps that needed to be addressed.

Subsequently, on 5th December 2024, two robbery suspects were fatally shot after engaging in a series of robberies in Matungu Constituency and neighbouring sub-counties. An AK-47 rifle with 13 rounds of 7.6 millimeters special ammunition was recovered along with motorcycles that had previously been stolen from a police officer in Butere Sub-County, who had been seriously injured during the robbery.

Upon identification, the deceased suspects were confirmed to be Jack Machanja, a 25-year-old, and Dan Philemon Anguchi, a 24-year-old, both residents of Butere Sub-County. Further investigations revealed that they were the same individuals responsible for the murder of the two security guards at Kayonzo Market on 31st March 2024. The recovered AK-47 rifle and ammunition have since been forwarded to the Directorate of Criminal and Investigations (DCI) forensic ballistic examiner for analysis. The case remains under investigation.

Next is the murder of Charles Mukhwana. On 26th February 2025, at approximately 2100 hours, a robbery and shooting incident at Matungu Shopping Centre was reported by Mr Collins Okumu and recorded in the OB of Matungu Police Station under OB No. 35/26/22 of 2025. The Officer Commanding Police Station (OCS) of Matungu and his team responded to the scene. The first victim, Kevin Chitai, reported that he had been robbed of the day's sales amounting to Ksh50,000. The second victim, Boniface Miswaki, was also robbed at gunpoint but declined to disclose the exact amount stolen. The third victim, Charles Mukhwana, resisted the robbers, prompting them to use violence. He was struck in the face with a sharp object and shot in the right thigh. He later succumbed to his injuries while receiving treatment at St Mary's Mission Hospital Mumias, and his body was subsequently taken to the hospital mortuary, where an autopsy was later conducted.

9th March 2025, Hussein Shariff Muhsen was arrested in connection with the fatal shooting of the trader and robberies that occurred on 26th February 2025 in Matungu Constituency and was subsequently booked at Shianda Police Station. He was taken to Court the following day, on 10th March 2025, to answer to the charges of robbery with violence. The case is pending before the Court.

On the actions being taken to ensure that the perpetrators of crime in the constituency are arrested and prosecuted, as you may notice, a good number of them have been arrested. In response to the escalating insecurity in the region, a series of operations were launched aimed at identifying and dismantling the criminal syndicate responsible for terrorising residents and business owners. These efforts led to the arrest and arraignment of key suspects in the Court. On 10th March 2025, a multi-agency security team apprehended six individuals linked to robberies in the area: Yussuf Ekumba Khachio, Shariff Musungu Chebii, Jafar Odongo Kirato, Mukhsin Okwalo, Gerald Joseph Kadima and Abdalla Kubasu Nandai. During the investigations, it was determined that Gerald Joseph Kadima was implicated in the murder of Simon Owoi Toloi, a case already pending before the High Court in Kakamega. He was subsequently presented before the Court for a plea hearing on 20th March 2025.

Hon. Speaker, you may notice that these are people who were out on bail and who went to commit robberies a second time. During this time, a witness, Ms Linette Ngaisu Mbichi, positively identified Mr Yusuf Ekumba Khachio, also known as Faruk, as the individual who had dispossessed her of her mobile phone. On 25th March 2025, Mr Yusuf Ekumba Khachio was formally charged with robbery with violence under Section 29 of the Penal Code as read together with Section 296(2). The case remains pending before the Court.

Hon. Temporary Speaker, regarding the immediate steps being taken to address insecurity in the constituency, the measures are similar to those applied to other incidents I have mentioned. These include enhancing patrols and visibility, fast-tracking investigations, enhancing crime reporting mechanisms through the Fichua kwa DCI toll-free number and engaging the community. These measures are common across areas where we want to enhance safety.

Regarding the long-term strategy being put in place to curb insecurity within the constituency, we want to work on the revitalisation of community policing committees and sustaining crackdowns on the re-emergence of criminal gangs in the region. I talked about Matungu Constituency, where some criminals roam around with elected and aspiring politicians, pretending to provide political support and cover. We will sustain operations to deal with not only robberies but also these criminal gangs who are hiding behind political action and support.

Matungu Constituency, a few other places in Western Butere in Kakamega County, parts of Bungoma County and Trans Nzoia are notorious political actors who hire and induce young people to commit crimes and acts of violence, especially at funerals. We will not condone this behaviour. As I have stated, if any investigation leads to elected or aspiring politicians, we will not hesitate to charge them in a Court of law.

I take this opportunity to thank our police officers. Since I requested that they take this issue seriously, much has been done in that region. We will sustain these operations. Collaboration between security agencies and county governments is extremely important. Regional and cross-county cooperation is important to deal with these issues in our country.

Hon. Temporary Speaker, I beg to submit.

The Temporary Speaker (Hon. Peter Kaluma): Thank you, Cabinet Secretary. I allowed you to proceed that way because there was satisfaction among the Members who raised these concerns. I have not seen any intervention from anybody.

Hon. Eve Obara, do you want to register your satisfaction or seek clarification?

Hon. Eve Obara (Kabondo Kasipul, ODM): Thank you, Hon. Temporary Speaker and Cabinet Secretary. I appreciate your response. However, I expected consideration for a special unit to address stock theft in the area. The Atela region is infamous. There are issues in Sondu every year. We have Nyakach in Kisumu, Homa Bay County, and Kericho County in this area. The level of stock theft is too much. Can we have a special unit assigned to this area? Can we have a patrol vehicle to monitor these three regions? This area is notorious. We need to do something to rein in the insecurity; otherwise, thank you very much for your response.

The Temporary Speaker (Hon. Peter Kaluma): That one does not require a further response.

Hon. Peter Nabulindo.

Hon. Peter Nabulindo (Matungu, ODM): Hon. Temporary Speaker, firstly, I would like to take this opportunity to thank the Cabinet Secretary for the detailed response. However, as he said earlier, he had already talked about Matungu Constituency even before I asked my Question. This means it has a problem that needs special consideration in terms of security interventions.

I am concerned about what the Cabinet Secretary said to the House, that he sent some officers to the ground in Matungu to do some investigations. I would like to ask the Cabinet Secretary to confirm whether the people he sent to the ground are doing a selective investigation. They have deliberately been targeting certain groups. Let me be open on the floor of this House. *Waziri*, are the people you sent to the ground the ones doing this? They have been targeting my family members, my relatives and my supporters. People have been wondering why these people are targeting certain people. Who is using police officers to settle political scores?

Cabinet Secretary, as much as we appreciate that something is happening, there is a lot of bias and skewness in those investigations. They have now turned it to political investigation. Nevertheless, I appreciate that the Cabinet Secretary is doing something for us as Matungu. Ensure that Matungu Police Station gets a vehicle because this is the biggest problem. Matungu is too vast. We do not have a vehicle. The Officer Commanding Police Division (OCPD) and the Officer Commanding Station (OCS) use a motorbike to go for patrols at night. That is something that the Cabinet Secretary needs to look into. We have not had a vehicle for years. We need a solution right now, *Bwana Waziri*.

Thank you very much.

The Temporary Speaker (Hon. Peter Kaluma): Cabinet Secretary, do you have something to tell Hon. Nabulindo?

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): Let me quickly comment on Hon. Obara's statement. We agreed that we needed to do something in Sondu. Once we visit the ground and see the need for an Anti-Stock Theft Unit (ASTU), we will make the necessary recommendations.

On Hon. Nabulindo's concerns, I speak here on behalf of the Inspector General (IG) of the Police. The operational command of the IG is not subject to my direction in directing them to target a particular person. The main thing is to target the criminals, and the people of Kenya have expected us to sort out the issue of Matungu. That place had become ungovernable even during funerals, becoming a monument of shame. If the people arrested are known to you or are family members or supporters, there is no issue as long as they are not involved in crime. They will not be charged. If they are involved, they will all be rounded up and charged, notwithstanding that they are your family members or supporters.

I thank the Member of Parliament for his positive approach to this issue because he appreciates the efforts to deal with robbers and the gangs operating and roaming across the county. I have no doubt that the next time I visit Matungu, I will be going to a peaceful meeting

with the Member of Parliament, and the place will be properly in order, and people will be operating freely.

Regarding police cars, I had answered earlier while responding to the other questions. We have a problem across the country, and the police listing programme we are working on together with the National Treasury and Economic Planning should answer this problem by the beginning of next financial year, at the latest August.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Daniel Manduku is satisfied with your response to Question 031/2025. There are no further questions or requests for clarifications to your response, as well as to Hon. Peter Mbogho's Question 032/2025.

Hon. Members, these particular Questions were specific to individual Kenyans, and the Cabinet Secretary has confirmed that most of them are either under investigation or with the courts.

(Some hon. Members spoke off the record)

We are done with the questions.

Are we saying you have matters you want to raise with the Cabinet Secretary around the questions?

Hon. Members: Yes.

The Temporary Speaker (Hon. Peter Kaluma): I will allow only three of you one minute each because of the next business you have to transact.

Cabinet Secretary, you will indulge us. You can take the questions straight away so that they are addressed. Hon. Nzambia.

Hon. Thuddeus Nzambia (Kilome, WDM): Thank you, Hon. Temporary Speaker. I want to be very brief. I raised my concern a few minutes ago. Because the Cabinet Secretary is here, my matter should not be postponed. I need an instant answer.

Hon. Cabinet Secretary, with your secretary there, you have my answer at your fingertips. I should leave for home when satisfied because it has been a weighty matter. I raised this issue last year, and it has taken more than six months.

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Nzambia, your matter was under which Question?

Hon. Thuddeus Nzambia (Kilome, WDM): Question No. 026/2025, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Do you want to respond to it now, or can we create a forum for you and the Member?

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): I think the Member is seeking further consultations because I have answered it thrice. To be very specific, this is a question of overlapping administrative units. The Question is whether it is in Mukaa or Nzawi sub-counties. So, it is very specific and requires specific consultations. We can take it up with the Member of Parliament out of this House. This is the third or fourth time he is asking the same Question.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Nzambia, there can be no better solution in terms of addressing that matter, knowing how that Committee operates, than what the Cabinet Secretary is offering. When the Cabinet Secretary is discharged, please follow him and make arrangements for how you can better address it. If it is not so addressed, bring it back to the Committee on Administration and Internal Affairs, and I can assure you, your Temporary Speaker sits there. We will satisfactorily help you pursue it on behalf of those other Kenyans.

Hon. Jared Okello.

Hon. Jared Okello (Nyando, ODM): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity. The substantive Speaker made an undertaking that I would be given an opportunity to prosecute a matter not directly linked to the Ministry of Interior and National Administration. However, under the spirit of complementarity and collective responsibility, the Cabinet Secretary sits in a vantage position to answer or lend a helping hand where necessary.

Hon. Temporary Speaker, you are aware that the issue of the classification of areas patterned along hardship and non-hardship areas has become my pet project. For the last three months, we have been haggling with the majority leadership to have a report that was done by the Government through a multi-agency committee, which was headed by one Mr. Sylvester Bolo in the Ministry of Public Service. They went across the country, and NGAO played a pivotal role towards that. A report was done, *dubbed: "Review of Hardship Areas and Payment of Hardship Allowances."* The report was ready by the year 2022. For the last three months, the substantive Speaker has given directives times more than number to the majority leadership just to walk to the Office of the President and bring the report here.

I acknowledge that we now do not have a substantive Cabinet Secretary for Public Service and a substantive Principal Secretary since the one who was there has been promoted. However, as I said, it is a collective responsibility. Our very good Cabinet Secretary, a very dear friend to me, Hon. Kipchumba Murkomen, a man known to this House, can direct that particular department to bring the report here. The report has categorised those areas to be added to the list of those that attract hardship allowances. Without belabouring very much on this subject, my place is disenfranchised on many fronts. Some civil servants report and immediately seek transfers to other areas. The two neighbouring constituencies, Nyakach and Muhoroni, benefit from hardship allowance. Nyando Constituency is the only place known for perennial flooding. In fact, we are known for the *serikali saidia* mantra. But we have been sidelined up to this very moment. I believe the report - which I have not put my eyes on - has captured this situation very well. Let the Cabinet Secretary help us to get this report. Let me repeat, for the record, the report is dubbed: "Review of Hardship Areas and Payment of Hardship Allowances". The report is by the Ministry of Public Service. The person who headed the team, Mr Sylvester Bolo, has since retired. But he did not retire with the file. Let the file be brought before this House and debated, and appropriate actions will ensue. I thank the Cabinet Secretary for braving long hours today.

The Temporary Speaker (Hon. Peter Kaluma): Cabinet Secretary, does that fall within your mandate, and are you ready to respond to the Question now?

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): I understand the struggle that my friend, Hon. Okello, is going through and I sympathise with his position. Because we were involved in the report as part of the National Government Administration Officers (NGAO), the principle of collective responsibility and considering that the next Cabinet Secretary for the Public Service still sits in this House, I would offer to push for the release of that report. Part of the reason is that I have also received petitions from across the country, especially from teachers posted to certain areas they consider hardship, yet do not benefit from hardship allowance. I will speak to the relevant officers within the Government to make sure that this is pushed in good time. I can also take up this conversation with Hon. Jared out of this place.

I hasten to warn him that should the report require heavy budgetary expenditure, then it may require relooking. There is no problem releasing the report, but in terms of implementation, everybody will be required to come in and support budgetary allocation. Sometimes, the Government needs to expand certain benefits to different areas. However, the challenge is budgetary allocation to support the same. All those considerations will be made.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): That response cannot elicit further questions.

(Hon. Farah Maalim spoke off the record)

Hon. Farah Maalim.

Hon. Farah Maalim (Dadaab, WDM): Hon. Temporary Speaker, the Member is a very close friend of mine. However, on the issue of hardship allowances, I want to tell this House one thing: African Americans or black Americans were enslaved for 480 years. After the civil war, they underwent continuous marginalisation for 100 years. When the civil rights movement started in 1960, white folks, in their own wisdom, trickery and deceit, said the benefits were for minorities. They sneaked in lesbian, gay, bisexual, transgender and queer (LGBTQ) people and all other sorts of minorities, including the Jews who are the best, and declared them minorities. This was done to easily take away the rights that the African Americans were fighting for.

Hardship allowance was given specifically to areas left out during the colonial time and by subsequent Kenya Governments as a result of the Sessional Paper No. 10 of 1965. We also had an Equalisation Fund. Our good friends from other parts of the country, who had education as far back as the turn of the last century, are now trying to share with us the little that used to be given to the genuine hardship areas so that teachers get an incentive to go and work in those areas. They now want to expand that in the same way that they want to change the criterion for the National Government Constituencies Development Fund (NG-CDF) and the Equalisation Fund. They want to change all these things. This is a... Nyamaza, this is my friend.

(Laughter)

My position is that Luo Nyanza had teachers as far back as 1905 and 1911. We never had teachers until 1964. The first full primary school in Northern Kenya was established in 1966. We have not had any development budget set out for that.

The Temporary Speaker (Hon. Peter Kaluma): Order, Hon. Farah Maalim.

Hon. Farah Maalim (Dadaab, WDM): Let me just finish.

The Temporary Speaker (Hon. Peter Kaluma): Order! I like the matters you are raising. However, the report you are debating is not before the House.

(Hon. Farah Maalim spoke off the record)

Order! The promise made by the Cabinet Secretary is that he will help out, although the matter does not fall within the mandate of his Ministry. He will help the House to resolve issues of concern to the people. We need to get the report, wherever it is, and facilitate its presentation to the House. Once that report is before the House, we can debate it on the basis of its contents. I know how passionate you are about this matter, but you could be addressing issues that are not part of the report.

(Hon. Farah Maalim spoke off the record)

Order, Hon. Farah Maalim!

Hon. Barongo, what did you say was out of order?

Hon. Nolfason Barongo (Bomachoge Borabu, ODM): Thank you very much, Hon. Temporary Speaker. I have a different issue. I just wanted to strongly associate myself with the work that Cabinet Secretary Murkomen is doing. As you may be aware, Cabinet Secretary

Murkomen and his team visited us recently along the border of the Narok and Kisii counties, which had become prone to skirmishes. I thank him and his team for paying very close attention to that area. I wanted to thank him specifically.

(Loud consultations)

The Temporary Speaker (Hon. Peter Kaluma): Order! Please, Members, it is not out of order for the Member to register his gratitude to the Cabinet Secretary for a job well done. Hon. Barongo will be heard in silence. You have one minute to go, Hon. Barongo.

Hon. Nolfason Barongo (Bomachoge Borabu, ODM): Hon. Temporary Speaker, I thank Cabinet Secretary Murkomen, especially for providing us with a patrol base at Kiango no later than seven days after he had visited the area.

As much as he is pursuing a budget of Ksh2.5 billion to operationalise administrative units, I would like to bring to his attention the fact that there are other areas larger than the gazetted administrative units. I want him to note that he needs to prioritise these large areas that may not be gazetted so that we can administratively manage the country.

Finally, thank the Maasai and Kisii people for keeping the peace.

The Temporary Speaker (Hon. Peter Kaluma): For all Members who wanted to mention something about hardship areas, the directions given will stand in respect of all contributions you wanted to make thereon.

Cabinet Secretary, you can see the interest the Members have in raising matters with you when you are in the House. First, it could be because of the sensitivity of the Ministry you are in charge of. You are also a former Member of the House. I will give you a minute or two to make any last comments if you have them, and then we can discharge you to transact other businesses.

The Cabinet Secretary for Interior and National Administration (Hon. Kipchumba Murkomen): Hon. Temporary Speaker, I thank you and the House for the very robust interaction. I promise to work with you, especially in sourcing resources. We should operationalise the administrative units together. We should also organise the National Police Reservists (NPRs) in the right way so that they can serve us better.

We should also resource our administrators and police officers with proper vehicles so that we can respond to security well. We should also provide the equipment required to ensure that our officers do a good job. I appreciate the interaction we have. When we do this, it helps me to ensure that I do my job in a better way. I will start county security fora next week in all the 47 counties. You will receive an invitation from my office to attend when it is in your county. I request that we go together to look at issues at the grassroots level and find solutions.

Lastly, allow me to thank my year-mate at the University of Nairobi, Hon. Obadiah Barongo. Although he looks young, he must acknowledge that we are age-mates. I appreciate the work we are doing together. Working with elected leaders enables us to ensure that our communities live in peace.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): I thank you, Cabinet Secretary for Interior and National Administration, for coming to the House upon being requested to come and address matters of concern to the people. You are now discharged in the manner we usually do. If there is any Member who still wants to pursue any matter with you in the full manner, I know your doors are open. You are discharged now. You may take leave.

Next Order.

BILL

*Second Reading*THE DIVISION OF REVENUE BILL
(National Assembly Bill No. 4 of 2025)

The Temporary Speaker (Hon. Peter Kaluma): The Chairperson of the Budget and Appropriations Committee, Hon. Samuel Atandi, move the Bill.

Hon. Samuel Atandi (Alego Usonga, ODM): Hon. Temporary Speaker, I beg to move that the Division of Revenue Bill (National Assembly Bill No. 4 of 2025) be now read a Second Time.

Before I go into the contents of the Bill before the House, let me begin by acknowledging and appreciating the support that we, as a Committee, have received from the leadership of the House, led by the Speaker and our very able Clerk, Mr Samuel Njoroge. This is the first substantive agenda I handle as the new Chairman of the Budget and Appropriations Committee following my nomination and subsequent election. I also thank the leadership of the House and my coalition, which had faith in me to handle this matter.

Budget making is a very long and tedious process that involves many stakeholders. They start from the Ministry and move to Parliament through committees. I give the House an assurance because we are taking over this leadership at a time when most Members have expressed concerns about the way the Committee was being run in the past. I assure Members that under my leadership, the Committee will engage in thorough consultations with Members. Most Members will be happy with the outcome of the report that we will bring before this House for the budget-making process. It is done in Departmental Committees. I urge Members to be vigilant in their committees to ensure they fully participate in the budget-making process.

As you can see, I am operating from your right side. This is also something that I want to emphasise as the reality of the broad-based Government. In ordinary times, I would not be on this side. Therefore, I want to tell Kenyans, especially Members of my party who are still doubting the reality of the broad-based Government, that it is real and working. Kenya is one united country, and the processes of law and budget making, as well as the running of the country, are now the business of all Kenyans. Nobody is going to be discriminated against, especially in resource sharing, because the opportunity to work for Kenyans has been given to all of us.

Before I discuss the substance of the Bill, let me say that we are discussing this Bill at a time when our economy is fundamentally recovering. This has been buttressed by very fundamental macro-economic factors that point to the fact that we are doing very well as an economy.

Let me highlight a few of those macro-economic factors. One of them is inflation. Over the past year, inflation has been coming down from a high rate of 5.7 per cent to now 3.5 per cent as of February. This has not just happened. There are global factors that have helped us to tame inflation as well as domestic factors.

Some of the global factors that have assisted us to tame inflation include the easing of the monetary policy by the Federal Reserve. Over the last year, the Federal Reserve has been deliberately reducing interest rates, and this has percolated back to us. There have also been deliberate investments in our country's agricultural sector. We are now food-sufficient, which has also led to the stability of our food prices. These two factors have helped us tame the high inflation rates, which is why we are celebrating the fact that the economy is positively recovering.

The other factor that has helped us is the reduction in domestic borrowing. Over the last year, the Central Bank of Kenya (CBK) rate, the rate at which the Central Bank lends money to other banks, has also come down from a high rate of 13 per cent to 10.75 per cent today.

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What this means is that investors are now able to access cheap credit. When investors and households can access cheap credit, it means that they are able to invest. When they invest, this is very positive for the economy. I want to take this opportunity to thank and congratulate the managers of the Central Bank, Dr Kamau Thugge and Dr Susan Koech. These two individuals have done a wonderful job helping us tame runaway interest rates.

The economy is expected to grow by about 5.3 per cent compared to 4.6 per cent in the last financial year. Again, this is pegged on the fact that we are still projecting to have a stable agricultural performance. We are seeing favourable weather conditions across the country that will favour the performance of the agricultural sector. As a House, we have continued to appropriate resources to fund fertiliser subsidies. In the last Supplementary Budget we just passed, I want to confirm that the House appropriated about Ksh10 billion to fund the fertiliser subsidies to help us grow the agricultural performance. These factors are projected to help us to grow the economy even better.

Other factors projected to help us grow the economy include the strong performance of the construction sector. As we are aware, the construction sector did not do well in the first half because most of our contractors were not on site. Most of them are back on site, so the sector will see robust improvement. The other sector that we project will help us improve our economy this year is tourism. The peace and tranquillity created following the formation of the broad-based Government will give us results in the tourism sector.

The other sector that will also help us is the housing sector. The Affordable Housing Programme, one of the biggest BETA programmes in this country, is doing extremely well. Coupled with the lowering of interest rates, we also see that the private sector will increase its investments in the housing sector. We cannot leave behind the services sector, which is also projected to grow heavily and help us improve our economy, especially the reforms that have been instituted in the Information and Communications Technology sector. These reforms will collectively help ensure that our economy is up at the projected rate of 5.3 per cent.

Hon. Temporary Speaker, let me take you through the fiscal situation of our country. Over the years, we have been over-projecting our revenues when making budgets. This has given us a lot of problems because, in the end, we normally have to resort to borrowing to fill the gaps when there is revenue underperformance. For example, in the last Financial Year 2023/2024, we projected to raise Ksh2.57 trillion in ordinary revenue. At the end of the year, we had a shortfall of about Ksh170 billion.

As a consequence, we were able to borrow about Ksh160 billion to fill that gap. The continuous over-projection of revenue is something that this House must address, but we do not have an option. Going forward, this economy is not going to rely on credit.

As you are aware of what is happening in the global market, the multilateral and bilateral environment is not conducive for continuous borrowing, and we do not have sufficient fiscal space to continue to pile more credit. There are many avenues that we propose to help this economy to grow revenues. Let me repeat that going forward, it is not going to be easy for us to raise revenue through more taxes. Introducing more taxes is not going to help us. It is not going to be feasible, and that is an area - I would like to caution that going forward - will not work. There are areas that we should explore as a House.

One of the areas we need to explore as a House is that we lose a lot of revenues in tax expenditures. For example, we project that the tax expenditures on VAT alone will constitute about 2 per cent of our GDP, which is about Ksh300 billion. This is money that, if we were able to save, would help us raise additional revenues. The size of our economy and the revenue we collect do not match because an economy as big as ours should collect upwards of 20 per cent of our GDP as our ordinary revenue. However, today, we are only collecting about 15 per cent. If you compare this with South Africa, they are collecting 25 per cent of its GDP as

ordinary revenue. This means that we have room to bring on board more people into our tax bracket.

The tax bracket today is majorly financed by people in the formal sector. We have professionals in the informal sector who do not pay taxes. We also have medium-sized enterprises that have not been brought into the tax bracket. We also have commercial farmers in Agriculture. The agricultural sector does not contribute resources that we need to contribute through taxation. These areas are the low-hanging fruits that this House must tap into so that we meet our revenue deficits.

This year, we are projecting to pay about Ksh1.2 trillion in interest on our fiscal debt. This has not just come from the blue. It is a consequence of deliberate borrowing from the year 2014 up to the year 2023. In 2014, our debt repayment was only Ksh170 billion when President Uhuru Kenyatta took over the presidency. When President Uhuru Kenyatta left Office, the debt repayment on interest was at Ksh840 billion. This is a substantial growth. It is the reason, to date, we are paying Ksh1.2 trillion. The misnomer in this borrowing spree is that investments in development expenditure have not grown over the same period. Development expenditure has remained stagnant at Ksh500 billion while interest repayment on fiscal debt has gone up to Ksh840 billion. I have deduced something. Either the borrowing was not used appropriately to fund development, or that money got lost somewhere.

We must be brave and admit that we have mismanaged our fiscal space in the last 10 years. That is why today, we have to fund interest payments to the tune of Ksh1.2 trillion. I am giving this background as I try to build a case for the county revenue sharing that we are going to present to the House. The Budget and Appropriations Committee has proposed an equitable share to counties of Ksh405.1 billion. This amount is based on a predictable base and is grounded in projected revenue figures and considerations of national debt obligations.

When we did public participation as we were processing this Bill, we met many stakeholders. One of the stakeholders we met was the Commission of Revenue Allocation. We also met the Council of Governors and the Institute of Certified Public Accountants of Kenya (ICPAK). All these institutions disagreed with us on our proposed allocation to counties. For example, the Commission of Revenue Allocation proposed that we allocate about Ksh417 billion to counties as county share of revenue. At the same time, the Council of Governors asked us to give them Ksh536 billion as county share of revenue.

The Budget and Appropriation Committee was of the view that the appropriate amount to allocate to counties, based on the stress that we have from the fiscal deficits faced, is Ksh405 billion, as I said. One of the things that we need to know is that in the last two financial years, at the end of each financial year, we closed with deficits due to counties. When we started the new financial year afterwards, that was the first redemption that had to happen. In the last financial year, we closed it with about Ksh30 billion that was owed to counties. Again, that shows that we are having a challenge in raising the revenue that we give counties. We must also know that the law is very clear in case of revenue shortages. That shortage is borne by the national Government and not the county governments. Therefore, we must be very sure that our economy can raise whatever amount that we propose to give to counties.

Lastly, if you read Article 203 of the Constitution, it explains the process of how the Ksh405 billion is arrived at. First, it is a percentage of the audited and approved revenues. As of now, we are dealing with approved revenues for the 2020/2021 Financial Year. As a House, we need to process the auditing and approval as fast as possible. We are in the 2024/2025 Financial Year, but the approved revenues are still lagging. That is a concern. I urge the Committee in charge of auditing and approval to fast-track their engagements with the various Government agencies to quicken this process.

Let me also speak about the Equalisation Fund, as it is also one of the items in this Bill. We have allocated 0.5 per cent of approved and audited and approved revenues, which is

Ksh7.6 billion. This Fund lags in the disbursement of arrears currently amounting to Ksh46 billion. The Fund has a lifespan, and I am not sure we will be able to disburse the huge arrears in the next five years. I would propose that the House consider amending the law to extend the lifespan of the Fund.

The other issue with the Fund is that projects being funded do not have the impact intended in the Constitution. We have challenged CRA to come up with a formula to identify strategic areas and projects to be funded so that this Fund has an impact.

As I conclude my submission, Budget and Appropriations Committee members have assured me they will work with this House as a team. We ask the House to give us support so that we can meet your expectations as per the law.

I beg to move and call upon Hon. (Dr) Pukose, the Vice-Chairman of the Budget and Appropriations Committee to second.

Hon. (Dr) Robert Pukose (Endebess, UDA): Thank you, Hon. Temporary Speaker. I stand to second the Division of Revenue Bill (National Assembly Bill No. 4 of 2025) for the Second Reading. I thank the Chairperson for ably explaining the economics behind the Bill. The Committee looked at the Bill and listened to stakeholders, including CRA, CoG, ICPAK and others. Article 203 of the Constitution provides that a minimum of 15 per cent of the Budget should be allocated to county governments. The Ksh405.1 billion allocated amounts to 25.7 per cent of the last audited accounts for the 2020/2021 Financial Year. We are still using the same audited accounts, which is three years back. This calls for this House, particularly the Public Accounts Committee, to move with speed and make sure that we are up to date with audited and approved accounts. This amount might look small, but we should consider that KRA has not been able to meet the projected revenue figures. The national Government's budget is often affected badly, and we have to pass a supplementary budget to rationalise expenditures. We think Ksh405.1 billion is a reasonable and achievable share for county governments.

Another issue with the Equalisation Fund is about what it achieves on the ground. The Constitution intended the Fund to benefit areas left behind following the implementation of Sessional Paper No.10 of 1965. These areas are mainly in arid and semi-arid regions. However, when you look at the formula, you will find that certain areas are being allocated very little money, such that one has a project worth Ksh1 million or Ksh2 million. What can we achieve with such a small amount of money? That is why we are calling for a review of the formula to ensure it benefits those areas. When you look at the areas where the money was initially released in the arid and semi-arid regions, you will not find any tangible project achieved with that money.

We have spent a lot of time arguing about whether the Fund should be implemented by the counties or at the constituency level. We have even ended up in Court to resolve this matter. However, the Constitution clearly states that the national Government should implement those projects through its other agencies. The governors referred to Article 204(2) of the Constitution, which states that the national Government may utilise county governments and other agencies. Therefore, the word "may" should not be the basis for taking other institutions to Court regarding the implementation of the Equalisation Fund. We need to allow the Equalisation Fund to achieve its main objective as envisioned in the Constitution of Kenya, 2010, to improve areas that have been neglected in terms of education, health, electricity, and water so that they can be in tandem with the rest of the country.

We also urge the county governments to look at their own-source revenue. Currently, many county governments cannot meet their revenue targets because of pilferages, losses, or theft. Either they have not automated their systems, or they are not diligent in terms of own-source revenue collection. Counties like Homa Bay have digitised their systems, and their revenue collection has risen. That is the county the Temporary Speaker comes from. Therefore,

these are counties that we can call out as having done very well. Why are other counties not digitising their systems to enhance revenue collection? If they enhance their revenue collection, they will be able to meet their budget targets.

One of the biggest challenges today is the issue of pending bills. Many county governments have pending bills amounting to as much as Ksh179 billion. These are owed to Kenyan businesspeople who have taken bank loans and invested in doing business within their counties. When will they be paid? Some of those pending bills date back to the tenure of former governors who have since left office. New governors who come in do not want to honour the pending bills left by their predecessors, leaving Kenyans to continue suffering. That brings us to an issue this House should look at: how we can assist the counties through the Office of the Controller of Budget to ensure that all pending bills are sorted out. We have pending bills clogging the activities of institutions. For example, county governments have even refused to pay the Kenya Medical Supplies Authority (KEMSA) and owe KEMSA between six and nine months. They have refused to pay them. They decide to go to other chemists or other suppliers to get their supplies. As a House, we should look for solutions that can mitigate such issues so that before we release money to the counties, we have the Controller of the Budget ensuring that pending bills are sorted out.

We have even had cases where you have counties informing the Controller of Budget that they have pending bill "A" or "B", but at the end of the day, instead of paying "A" and "B", he goes to pay pending bill "C" and "D". Hence, the person the Control of Budget had been requested to pay pending Bill of "A" and "B", is left to wait. I think that is very wrong. The Controller of Budget has no mechanism to enforce this. This being a budget-making House, as a Committee, we will come up with recommendations that the House can adopt and see the action that can be taken to penalise a county that requests for payment of a pending bill for "A" and "B" and decides to pay "C" and "D".

Hon. Temporary Speaker, with those few remarks, I want to second.

Thank you.

(Question proposed)

The Temporary Speaker (Hon. Peter Kaluma): Hon. Owen Baya.

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Temporary Speaker. I stand to support the Revenue Division Bill 2025. I wish to commend the Budget and Appropriations Committee for a good job. I also commend and congratulate Hon. Samuel Atandi for assuming this position. I call upon him to exercise fairness in his work so that all Kenyans can benefit from his leadership of the Budget and Appropriations Committee. Congratulations!

I also want to congratulate Hon. Pukose for taking the position of Vice-Chair of that prestigious Committee. May they continue to discharge their duties with fairness, without favour, and steer the wheels of this very important Committee.

Article 218(2) of the Constitution and Section 195 of the Public Finance Management Act, Cap 412A, indicate that the legislative proposal of the Division of Revenue should be accompanied by a memorandum that explains the following: the first thing that must be done is: that the Bill takes into account the criteria listed in Article 203 (1) of the Constitution, the extent of the deviation from the Commission on Revenue Allocations (CRA) recommendations, the extent, if any, of deviation from the recommendations of the Intergovernmental Budget and Economic Council and any assumptions and formula used in arriving at this. It is very important to ensure that these constitutional requirements are met so we do not conflict with the Senate.

This Bill will go to the Senate, and they will try to winnow it according to the law. How did we deviate from the Intergovernmental Budget and Economic Council? How did we either

align or deviate? They will also check whether the formula given by CRA was followed. These are important things. To avoid conflict with the Senate, I just hope and wish that this Committee looks at this Bill in those aspects so that we do not get into conflict.

The criteria for determining the Equitable Share to each level of Government is exclusively provided for in Article 203. That is where it is anchored in the Constitution. The Equitable Share to county government is informed by the provisions of Article 203(2), where it is specified that for every financial year, the equitable share of the revenue raised nationally that is allocated to county governments shall be not less than 15 per cent most recent audited accounts of revenue. This speaks to what Hon. Atandi talked about. Which audited accounts are we using? I call upon the committees that audit accounts to ensure that we fast-track them so that we use the most recent audited accounts. This will enable us to have real time value for money. If the accounts are still behind, it means we are allocating the 2025 Budget on approved accounts of the Financial Year 2020/2021. We are five years behind. The watchdog committees that audit accounts must fast-track their work so that we are at par. We are dealing with a budget that is almost Ksh3 trillion. However, we are allocating counties' money based on a two-point or one-point-something trillion-dollar Budget. This is not fair for the development of this country and the national Government.

The most important one is the Equalisation Fund. If we must achieve what the Division of Revenue Bill wants for this country, then the latest accounts must be used, not those for the Financial Year 2020/2021. The Chairpersons of audit or watchdog committees have a duty of care for this nation to ensure we use the most recent audited account.

The Division of Revenue Bill 2025 was published on 12th March 2025 and read for the first time in the House on 14th March 2025. It was subsequently committed to the Budget and Appropriations Committee. We have their Report. In analysis, the projected total shareable revenue for the Financial Year 2025/2026 is Ksh2.8 trillion. That is where we are. Ordinary revenue has been depicting inconsistent growth over the year. Its performance surpassed targets in the financial year by around 8 per cent and 21.9 per cent. In successive years, revenues fell short of targets by high margins, going beyond Ksh100 billion. Therefore, this Division of Revenue Bill requires everybody to work hard. The Kenya Revenue Authority (KRA) must work hard for us to realise the things that we want. The Ministry of National Treasury and Economic Planning must work hard to ensure payment of expenditures and disbursement of funds.

Today, one of the most important things that will come in the Budget because the Division of Revenue has sailed through is the National Government Constituencies Development Fund (NG-CDF). Today, it is three months to the end of the financial year, but we still do not have money. Somebody is probably not looking at the figures and working hard enough to ensure we get the available funds. Tomorrow, we will probably answer the question that Hon. (Dr) Makali Mulu asked here yesterday. It will be disheartening to realise that we are still at Ksh14 billion in NG-CDF against a target that we must meet, yet we are coming to the end of the financial year.

As I support this Bill, I ask everybody to do his bit so that the Division of Revenue Bill makes sense at the end of the day. We can look at all these figures and do the hard work that Hon. Atandi and his team are doing. However, at the end of the day, we cannot realise even half of what has been put in the Division of Revenue Bill.

Hon. Temporary Speaker, the Bill proposes to allocate Ksh2.4 trillion to the national Government, Ksh405.1 billion to the county governments and Ksh10.6 billion to the Equalisation Fund, which is already short of a lot of money because it is in arrears. We have said that they should be put in the Budget so that we can compensate for the loss. One of the things that we must discuss is whether the Equalisation Fund has an impact on the ground. Some people who sit in the Commission on Revenue Allocation (CRA) mutilated the formula

that the Constitution provided. My constituency, which has a lot of marginalised areas, gets around Ksh8 million. What can you do with that amount to bring equalisation? Some areas were not even considered for many years during the constitution-making process, but they have been put in now. You are told that an area, for example, in Kiambu, which received a lot of resources then, now becomes part of the Equalisation Fund. These are areas that have benefited from other resources.

There is a reason the Equalisation Fund was put in the Constitution. There was a big argument that we need to fast-track these areas to be like others. Therefore, we need to equalise these areas. However, what the people at the Commission on Revenue Allocation (CRA) did played into the politics of the Jubilee government then. They wanted a share so that this could easily pass here in the House. We agreed to do that, but it has made the Equalisation Fund not to have sense. It does not make sense completely. For example, we have a whole area in Kilifi County, Ganze; even if you look at the statistics over many years, the poverty index is among the highest. Yet, they will get, for example, Ksh20 million, and other areas that have benefited from colossal allocations will get even more just because of politics.

We need to divorce politics from issues of development and equalisation in this country. That is why I still insist on the arrears owed for those many years because this is a Fund. The Fund is in such a way that all the money that is collected must be put in an account. It does not go back. It must be put in the Equalisation Fund so that areas that have been denied resources because of the prolonged long cases in Court and the issues we have had in this House can be fast-tracked.

It is very sad to have a whole location with only one school. Children walk ten kilometres. Let me give a graphic example of this. If we look at areas that were marginalised in this country, children still walk ten kilometres to find a school. Kids that do national exams are the oldest in age. A kid in Class Eight or Grade Eight there is 20 years old because he could not access school. There was no kindergarten, there was no Early Childhood Development (ECD), and there was nothing. They could not walk. He started going to school when he was 12 years old because that was the only time he could walk the ten kilometres to access a school. Yet we still want to hold the Equalisation Fund, and it looks like a political tool. That, we must divorce.

There are areas in this country that are in dire need. There are areas in this country where people walk for ten kilometres in search of water. A woman carries a barrel of water on her head, yet it is not even drinkable; it is still dirty water collected from somewhere. Yet we are still saying here that we want to hold the Equalisation Fund and do the kind of things that we want to do with it.

I want to tell the Committee on Implementation of this House that they must follow everything passed here. They have an obligation to follow up on the issues. This is a law that we passed in this House. The Committee on Implementation needs to pick this up. Have we properly disbursed the Equalisation Fund to those areas as an important aspect of the Committee on Implementation? However, the Committee on Implementation looks at this as small. They want to follow the big billions set aside in the Division of Revenue Bill.

One important thing I must speak to is that we send a lot of money to counties. But the new phenomenon of pending bills keeps on growing. It is new because it was not there around eight years ago. But now it has become a new concept that has become acceptable such that we are saying, okay, as we are budgeting, we must budget for pending bills. This is something that was not there, but it is a result of the misbehaviour of certain people. We have brought a new concept in budgeting in this country called pending bills, and it will continue to be there. But what do pending bills do to the economy? Young entrepreneurs are being killed. They have mental diseases now. If you see a country running on pending bills, you have a country running on the wrong footing. It means you are actually eating and spending what you cannot afford.

This Division of Revenue Bill must take into account and kill this new concept of pending bills. Governors are out there accumulating pending bills because they want to play politics. Ministries accumulate pending bills because they do not want to pay before being offered a bribe. These are among certain issues that frustrate business people. Young business people are frustrated. Big businesses are collapsing because those currently in office deliberately refuse to pay them if they were doing business with the previous regime and therefore say, “*wacha akae kando*”. This kind of thinking is so mundane and immature; thus, perpetuity in Government is important. If I come in as governor and somebody supplied to the county, I carry over and pay them, then we move on. On the contrary, we have people begging governors and principal secretaries for payment over goods or services they supplied or constructed, among other things, yet we approved the Division of Revenue Bill in this House. We approve budgets for these people to be paid and ensure that this country runs efficiently. However, one individual accumulates pending bills out of bad behaviour on flimsy political grounds.

Governors are not paying officers. They are not accountants. We have people who have been given the responsibility to make payments, but these days, governors keep lists of who they will pay. You have to see the governor for you to be paid. This is bad manners, which is leading to the accumulation of pending bills. These pending bills will ground this country one day. As Members of this House and as leaders, we need to be careful to ensure that pending bills are removed from budgets. If you accumulate pending bills, you must know how to pay, and it should be one of the grounds for impeachment of these leaders to ensure that discipline is maintained. Why allocate money to a governor accumulating up to Ksh4 billion pending bills? Why did we sit here long hours to...

(Hon. Owen Baya's microphone went off)

Allow me one more minute.

The Temporary Speaker (Hon. Peter Kaluma): You have exactly one minute.

Hon. Owen Baya (Kilifi North, UDA): One minute, Hon. Temporary Speaker. Why did we sit here long hours to pass the Division of Revenue Bill if you will mutilate the Budget and do things that are not within the Budget? A lot of these pending bills are not in the Budget. We give you a budget, but you instead mutilate it and spend it not as stipulated, and then accumulate huge debts only to end up asking for more money to pay the pending bills.

A budget is a law. When we approve the Division of Revenue Bill, it becomes a law, and it must be respected. Anybody who does not respect the law we pass should face the consequences. They should be taken to Court to explain why they did not implement the law or flagrantly ignored it because it is a law. Anybody who goes outside the Budget that we pass in this House should be held accountable and responsible for it. We must bring fiscal discipline to this country because if we pass...

The Temporary Speaker (Hon. Peter Kaluma): Hon. Dido Raso.

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Temporary Speaker. At the outset, let me thank the new Budget and Appropriations Committee Chairperson for his exposition on this particular Bill.

Hon. Temporary Speaker, I decided to contribute to this Bill because I come from Marsabit. We get an allocation of close to Ksh9 billion. With other additional allocations, it could run to the tune of Ksh11 billion. Today, workers in the county government of Marsabit can run for 3 or 4 months without being paid, and I wonder what the problem could be. Is it about the allocation? Is it about the money delaying in those counties, or people are diverting these resources?

Hon. Temporary Speaker, when we look at this Bill, the anchor is the national interest to have a prosperous, stable country that can govern itself and run its affairs. The absence of

resources simply means that it will be unattainable. What could be exacerbating the debt burden? Both internal and external debt is not going down. Is it because of seepage? Is it because of wastage? Or is it because of sheer mismanagement of our economy?

Recently, Kenyans were on the streets looking for employment. Yesterday, doctors blocked the gates of Parliament, demanding additional pay and extra allowances. They are among the underpaid workers. They work for long hours and attend to emergencies. They do many things, especially in far-flung places. Unless we grow the tax base, it is impossible to run this economy without borrowing. There is a famous saying that when you are in a hole, do not continue digging. The more you dig, the more you sink.

In this Bill, the National Treasury proposes to allocate a certain amount of the shareable revenue to county governments. However, the CRA says we must give counties additional funds. Are we running two governments in Kenya? Are we not running a holistic government where the left and the right understand each other? CRA should understand that the National Treasury does not meet revenue targets.

The Chairman of the Committee said we are using the audited accounts for the 2021/2022 Financial Year. The Leader of the Majority Party has addressed that matter. Although we cannot achieve 100 per cent, we should, as much as possible, give ourselves a timeline so that we do not find ourselves out of target in two years. Look at inflation and the international money system. Many things will change in any country in the world in two years, let alone four or five years. For that reason, we have to be fair to the county governments. We must be fair as lawmakers who allocate resources.

Honourable colleagues have talked about the Equalisation Fund. Article 204 of the Constitution is very clear. The Fund is to address inequality in this country. It is meant to address only four major areas: electricity, water, roads and health. When the Deputy Leader of the Majority Party is allocated Ksh2 million for his constituency, what is it supposed to be used for? If Saku is allocated Ksh20 million, what should the money be used for to meet the threshold of equality? Without buttressing what colleagues have said, we must begin to relook at the Fund. It has been diverted from the original thinking by the framers of the Constitution. It is no longer about equalisation. It is about penny pocketing, that is, giving everybody something small so that everybody is happy. Those whom the Fund was meant for in the first place still suffer and lag. For those of us who come from arid and semi-arid lands and the pastoral communities in the 15 counties, this Equalisation Fund was meant to bring us up to speed with the rest of Kenya and the other 32 counties. We do not have enough schools, roads or health facilities. Many things are still a burden to our people. However, when you look at the current system of sharing the Equalisation Fund, somebody will say that some funds should go to Embakasi Constituency because it has the Mukuru Kwa Njenga slum, some funds should go to Kibra Constituency because it is a slum, or some funds should go to Murang'a County because there is a pocket where there is a slum. There is a difference between planned, structured, well-articulated marginalisation and self-inflicted marginalisation. Any marginalisation in Nairobi County is self-inflicted marginalisation. Why would Mukuru Kwa Njenga, which borders affluent estates both to the east and the south, be a slum?

I advise the Budget and Appropriations Committee Chairperson to start a serious debate, particularly with those of us from the ASALs, so that we give our input and state clearly that the Equalisation Fund is not helping us. Let this money remain in the Consolidated Fund until we can agree on the way forward.

Finally, there is the issue of pending bills. I am happy that the Leader of the Majority Party has talked about it. Pending bills will kill devolution in the counties. I am told that people are paying “air” rather than paying those who do the real jobs. Many businesses are closing down. People who borrowed money from banks are being declared bankrupt.

The Temporary Speaker (Hon. Peter Kaluma): Give him one minute to conclude.

Hon. Ali Raso (Saku, UDA): People are losing their life savings. People retire from the civil service and get a contract with the county to put up a facility, but they are not paid. When they go back to the bank, they are told that the bank will hold back what they have invested. That issue, just like the Equalisation Fund, should not be treated like a walk in the park. We must take the bull by the horns and address it.

With those few remarks, thank you for indulging me, Hon. Temporary Speaker. I support the Bill.

The Temporary Speaker (Hon. Peter Kaluma): Hon. (Dr) Makali Mulu.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity. I will start by appreciating my Chairperson, Hon. Atandi, and the Vice-Chairman for moving and seconding this important Bill.

I will restrict myself to the issues in the Bill to save time for others. The Division of Revenue Bill is supposed to share revenue between the two levels of Government: the national Government and county governments. That is why I have reservations about why the Equalisation Fund appears in this Bill. It is purely about sharing revenue between the two levels of Government. However, we can live with the Equalisation Fund. It is additional information. There is no problem. The issue is sharing revenue. It means that the key factor in determining the whole Bill is revenue.

I have concerns when I see that we are still discussing only certain approved accounts for the Financial Year 2020/2021 in this Bill. This means we are in arrears by three years. The revenue we are discussing is Ksh1.57 trillion. However, the last audited report currently puts national revenue at around Ksh2.8 trillion. We are already excluding about Ksh1.3 trillion from this important discussion. As a House, are we doing this deliberately? If we, as a House, are accused of a deliberate move to ensure we do not give counties money, shall we get out of this accusation? Even as we talk about the county governments, this House has a task to ensure that either we push the audited reports to only one-year arrears or remove the word "approved" and retain the word "audited." If we go by the Auditor-General's report, I can tell you for sure that the accounts for the Financial Year 2023/2024 are already audited. If we exclude the word "approved," we will discuss last year's revenue, which might improve the figures.

The figures given by the National Treasury show that out of the revenue collected, we add Ksh17.6 billion. The Commission on Revenue Allocation (CRA) said we add Ksh30 billion. That is a difference of about Ksh12.4 billion, which we have not given to the counties. However, we know the economic situation. If we address some of the challenges we face as a country, we will help the county and national governments. The first one is costing of functions. Some of these functions were costed in 2013. A unit of electricity in 2013 compared to today has increased by more than four times, but we are still using the figures from 2013.

As a House, can we discuss and ensure that all the devolved functions are costed? If I want to know how much it costs to provide healthcare to Mr Otieno in Homa Bay County, I can say it costs Ksh10,000. Then, I can multiply the population of Homa Bay by the unit cost and say that I require a certain number of millions to provide healthcare effectively. This will help us to identify the gaps. If we identify them, we can deliberately say that this year, we will not fund the health function 100 per cent, but we will fund 80 per cent, the following year 90 per cent and then 100 per cent in the third year. In that case, we will be helping our people in the provision of services.

The other important component we must address is duplication of functions.

The counties have said that the national Government is still clinging to many functions that should have been pushed to them. Most of the regional authorities perform devolved functions. How much money will we save if we agree that those functions be devolved and we do away with the administrative costs and recurrent expenditure of those authorities? In this

case, we might get an additional Ksh10 billion or Ksh20 billion to push to the counties. This is another resource without increasing the revenue. We can push more resources to the counties by just doing a simple exercise of ensuring we minimise duplication of functions at the national and county levels.

Hon. Temporary Speaker, the other important issue is a situation where we have non-discretionary expenditure. For example, in the last year, this House approved a number of taxes. We approved the Social Health Authority (SHA) at 2.57 per cent, and Housing Levy at 1.5 per cent. We allowed the increase of the National Social Security Fund (NSSF) by about Ksh6,000. These increases happened at the national level. Does it not make sense to ensure we provide budgets for the counties to cater for that expense because it is non-discretionary? They have no authority to say whether they can spend or not. It is a statutory requirement. As a result of our decisions at the national level, where we have increased expenditure for the counties and they have no choice other than to pay, it requires us to provide those resources. In that case, we will be helping the counties.

The other important issue, Hon. Temporary Speaker, is that I remember the Cabinet Secretary of the National Treasury saying about two weeks ago that counties have a lot of money being held at the Central Bank of Kenya account. Some accounts have zero balances, while others have billions. I remember Kisii and two other counties have billions in the Central Bank of Kenya account. Nandi County has zero balance. We ask ourselves, is it not time we made operational the Treasury single account? This is so that if there is any government money anywhere, irrespective of the user, that money can be used by any other entity which requires money. That will reduce what we are facing. It will reduce public debt.

It is very unfortunate that the Government of Kenya is borrowing its own revenue and paying interest on it when it should be using that money at zero interest. Why is that happening? It is because we have said we will not be able to make the Treasury Single Account operational. In that case, I always say that if you are a poor financial manager of your resources, you should not complain when you get broke because you are the one who is initiating the brokenness in you. In short, we may be unable to provide more resources to the counties. As we move to the future, can you look at some of these grey areas where, if we do slightly more work, we can help? We no longer have the Transitional Authority, which was transiting counties. However, we have the Commission on Revenue Allocation (CRA), a constitutional body staffed with serious researchers. Is it not time this House gave the CRA some timeframe and told them that within the next six months, even if it takes them hiring external support, we want all Government functions costed, then we can engage in serious debate? If we reach that level, we will not complain about resources. We will be talking about effective use of public resources. We will be talking about efficiency and effectiveness.

With these many remarks, I support. Thank you so much for the time.

The Temporary Speaker (Hon. Peter Kaluma): Proceed, Hon. Naisula Lesuuda, on account of gender balance.

Hon. Naisula Lesuuda (Samburu West, KANU): Thank you, Hon. Temporary Speaker. Although I do not think it is on that account alone. If anything, you should have started with me so I can rush home to the young babies. The men here, their wives, are already at home.

I rise to support the Division of Revenue Bill 2025. I take this opportunity to congratulate my able Chairman, Hon. Samuel Atandi, who has taken the role of Chairperson of the Budget and Appropriations Committee. This, and a few others being his first assignment, has shown him to be a very capable Chairman and also the Vice Chairman, Hon. Pukose.

Hon. Temporary Speaker, I have listened to my colleagues and do not want to be repetitive on most things they have discussed. Over time, we have continued to see dedication, as a country, to supporting devolution. If we look at the amounts allocated in the last Financial

Year, 2024/2025, and this financial year, there is an increase of Ksh17.6 billion, and it is an adjustment for revenue growth, which I must commend because devolution is very important to us as a nation. That is why it was passed overwhelmingly in the 2010 Constitution because every corner of this country then gets services and resources that go to the lowest level, which is our wards in the counties.

I hope that this time, in case there will be a mediation when this Bill goes to the Senate, there will not be much push and pull just for the sake of it or to look like a contest of who is supporting the county and who is not. It should be a matter guided by the facts presented before us. I must commend the Cabinet Secretary, Hon. Mbadi, who came before this Committee and presented to us the many factors that have led to the shareable revenue being the way it is.

We cannot be a House of lamentations. We have to take over because every other time we have been discussing the Division of Revenue Allocation Bill, we have been talking about the last audited reports, yet it is this House that audits the reports. I think it is up to the leadership or one of us - I think I will take it up - so that the Chairperson of the relevant Committee can address themselves on this issue and tell us where the challenge is, and why we are not up to date with the audited accounts. Otherwise, it will just look like it is something that is done intentionally so that we are in the state we are in as a country. That is a question we must ask, and it should be answered in this House.

We also cannot keep lamenting about the Equalisation Fund. We have to allocate money in this coming Budget to the Commission on Revenue Allocation (CRA) so that it can quickly fast-track the review of the second policy because now they will be working on the third policy. We cannot keep lamenting while that money for the Equalisation Fund does not serve the intent or purpose it was meant for. There is always this thing we have as a nation, that if so and so is getting this, I also have to get it without really understanding why or what the intent was. There was a whole reason why there were 14 counties, but now they have shot up to - I do not know how many - 47 counties? We have gone even to the lowest level, the ward and the sub-location, where we are putting Ksh1 to 2 million worth of projects while the whole intention of the Equalisation Fund was to move the marginalised 14 counties from where they are to reach the rest of the country.

Do not forget that those same counties now receiving the Equalisation Fund are also getting their shareable funds, county allocations and projects. If you also check, those are the same counties that are getting more money in the national Budget. We can also not continue lamenting about the Equalisation Fund. The CRA has to be funded to fast-track the third policy that will revert this trend. We are not even going to suggest anything else and if, as a House, that will not happen, we can as well get rid of the Equalisation Fund. Because every time there is a debate about something, we are told that we have the equalisation Fund. We would rather not have it if it will not serve the intent it was meant to.

The other thing we must look at is the whole issue of revenue collection by the Kenya Revenue Authority (KRA). Because this is based on projected revenues, the other day, we asked the Cabinet Secretary whether we are over-projecting as a country and what leads to the shortfalls. We have to know whether it is loopholes we have to seal, corruption at the KRA, or also if we are over-projecting. We have to be realistic about what we foresee collecting and work hard towards ensuring that we collect those funds so that we can see the numbers going up when we share the revenues.

In conclusion, I also want to talk about the prudent use of these resources when they go to our counties. Those given responsibility at the county and national levels of Government should be true to Kenyans by ensuring that the money allocated serves the intended purposes. When a government receives all its allocations for a financial year, how does it have a pending bill? If you receive your entire Budget, pay what you have committed. Pending bills will cripple business people, county governments and even the national Government. You should not pay

contractors selectively or refuse to pay those who no longer support you politically. We have to look at the issue of pending bills and enact tighter rules to ensure the bills are paid.

With those very many remarks, Hon. Temporary Speaker, I support.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Eckomas Mutuse.

Hon. Mwengi Mutuse (Kibwezi West, MCCP): Thank you, Hon. Temporary Speaker, for the opportunity. First, I approached the Chair for priority to speak because I have an emergency, and you have acceded to my request. I thank you most specially.

Second, I thank and congratulate the Budget and Appropriations Committee Chairperson, Hon. Samuel Atandi, for the good stewardship thus far. I was recently appointed to the Committee. Hon. Atandi and I come a long way. We knew each other when we were in university. He was at Egerton University while I was at the University of Nairobi. We participated in many public affairs. We were student leaders. Right from his youth, he had a lot of interest in public affairs and fairness. I have a lot of confidence in him chairing the Committee of the august House. Through him and the rest of the Members of that Committee, Kenya will see fairness in the distribution of resources.

Allow me to delve a little bit into the historical path that has led us to where we are. Many Kenyans know that we went through a long period of struggle to pluralise our politics from one-party dictatorship and to agitate for constitutional reforms. The reasons for agitating for constitutional reforms were chiefly about two. One was to dismantle what had become the imperial presidency so that power could be shared and dispersed. The second was to dismantle the imperial presidency so that resources raised nationally would be fairly divided amongst different parts of this country and its communities. One of the most important things that happened to this country in 2010, having had many years of Independence, was the creation of two levels of Government so that vertical division of resources could be realised. The vertical division I refer to is a division of revenue between the national and county governments, the two levels of Government as they are known under the Constitution.

I say this because there is a notion that has been created in the country that the National Assembly is opposed to devolution. Speaking to many Members of this august House, many of us support devolution as the number one thing that happened to this country, which is to equalise the sharing of resources. I therefore contribute in support of the Division of Revenue Bill because we support devolution and want it to last. One of the ways used in the ancient days to kill devolution was to deny devolved levels of government finances. I want to be on record that we will not be the Parliament that will deny our second level of government resources.

Having said that, allow me to go to the constitutional basis upon which we tabled the Division of Revenue Bill.

(Hon. Okello consulted Hon. Atandi in high tones)

Protect me from the Member of Nyando who has just walked in. He should listen to us.

Hon. Temporary Speaker, one of the most contentious issues when it comes to the division of revenue between the national and county governments is...

The Temporary Speaker (Hon. Peter Kaluma): Hon. Member for Nyando, you will consult the Chair of Budget and Appropriations Committee, Hon. Samuel Atandi, in a low tone, particularly when we are transacting an important business on the Division of Revenue Bill. You cannot address him in that language that is not known to the House.

(Laughter)

Thank you.

Proceed, Hon. Mutuse.

Hon. Mwengi Mutuse (Kibwezi West, MCCC): Thank you for the protection and guidance. I was on the constitutional foundation upon which we are discussing the Division of Revenue Bill. I want to narrow myself to the most contentious bit, which is the quantum of money that each level of Government is to get. Article 203 (2) of our Constitution is the basis for the arithmetical sharing of resources. The operative words in that particular Article are that:

“For every Financial Year, the equitable share of the revenue raised nationally that is allocated to county governments shall be not less than fifteen per cent of all revenue collected by the national government in terms of the most recent audited accounts as approved by the National Assembly.”

I ably listened to my senior colleague, the Member for Kitui Central, Hon. Makali, who suggested that it is plausible to imagine that we can amend the Constitution to remove the part that talks about approval by the National Assembly. I want to respectfully disagree with him. It will be a misnomer if revenue is shared without the involvement of the National Assembly because we are the people’s representatives.

I also reckon that the most recent audited accounts of our revenues are those of the 2020/2021 Financial Year. That means that we are three years behind. I have been a member of the Public Accounts Committee for the last two years. I can speak from experience that the Public Accounts Committee is one of the committees that is committed to duty. The reason why we are lagging is when accounting officers from the national Government are invited as witnesses before the Public Accounts Committee and, many times, they have excuses and do not provide the necessary documentation. It is high time the office of the Auditor-General, the Public Accounts Committee, this House and principal secretaries in the national Government ministries began to take this work seriously. It forms the basis of the reports tabled by the Public Accounts Committee, which in turn form the basis for the division of revenue.

Allow me to delve further into arithmetic. The National Treasury, through this Bill that my able Chair has moved, is proposing that county governments get a share of revenue amounting to Ksh405 billion. The last audited accounts put national revenue at about Ksh2,830,000,000. If you do quick arithmetic, you will realise that the revenue share going to county governments is about 25.9 per cent of the revenue raised nationally. Therefore, it is 10 per cent above the minimum standard set by the Constitution. I am saying this so that Members of this House can tell the propaganda that may be spewed in many quarters outside there. The revenue that the National Treasury has proposed is above the minimum standard proposed by the Constitution. However, there is a need for us to work with speed. We need to work speedily so that we do not have to deal with a backlog or revenue-sharing formula three years behind in the future. We should only deal with the current version.

In conclusion, when I did my Master’s Degree in Law, I wrote a thesis about enhancing good governance in devolved systems of governance. I researched a lot about good governance in our devolved systems of governance. Therefore, I want to join my sister, who spoke immediately before me and said that it is important that we insist on prudent expenditure of resources at both levels of Government. This is because one of the measures of bad governance is lack of development. One of the measures of good governance is a change in the living standards of our people. We want the monies allocated to our devolved systems of Government and the national Government to be felt directly by the people. We do not want our monies to go into the pockets of a few people and cartels. We want our people to be motivated to pay their taxes because they see returns from the monies that they pay.

I sincerely thank you, Hon. Temporary Speaker. I support the Bill that my able Chairperson, Hon. Atandi, has tabled.

The Temporary Speaker (Hon. Peter Kaluma): Hon. (Dr) James Nyikal, Chairperson of the Departmental Committee on Health.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity. I rise to support the Division of Revenue Bill and to congratulate the new Chairperson and Committee Members. We are discussing the Division of Revenue Bill on how we share revenue. The allocation to the county governments should be 15 per cent of the total revenue raised nationally, but what we have here is different. We can determine if that requirement has been met. The Explanatory Memorandum stipulates that the baseline is what we gave to the counties last year. We then adjust for growth. That is the formula we used, which is shown in Table 1 under Clause 6. The Schedule indicates the last audited accounts. If we do the arithmetic, we may think that we are okay and that we have done well because the percentage of total revenue that the counties will receive is higher than 15 per cent, but that is not the formula we used.

Discussions about the Division of Revenue Bill are usually the same every year. The only thing left is for the Senate to disagree with the Bill. We will then form a Mediation Committee to iron out our differences. I am actually waiting for that to happen. If we have the same discussions and disagreements with the Senate every year, there is something wrong. We need to address that. The Budget Policy Statement (BPS) does not include what the counties need. It is, to a large extent, based on what the national Government needs. The BPS is very detailed and is referred to the committees. With regard to the allocations to the counties, we wait for what the Commission on Revenue Allocation (CRA) will bring us. I will suggest to the Chairperson of the Budget and Appropriations Committee that we should try to solve this problem as a country.

Hon. Atandi, I suggest that we try as much as possible to assess the needs of the counties when we are making the Budget. The Commission on Revenue Allocation (CRA) and the Intergovernmental Budget and Economic Council (IBEC) should, at that point, look at and inform us before we come up with the Budget Policy Statement (BPS). They should tell us the needs of the county governments. This can be based on two things that have been discussed here. Firstly, it is the costing of the functions. We talk about it, but we have never done it. There was an attempt in 2013, but it was not done because the Transition Authority that was responsible for it did not complete it. It is still an argument. We have never costed the functions that were devolved to the counties.

Secondly, this cost will change every year. If we are using something that was done in 2013 and it was not done properly, and some functions were not costed, this is where our problem is. I have a suggestion that the new Budget and Appropriations Committee can take up. Even if we need to restructure or fund CRA and IBEC, they should make an effort to cost the functions of the county governments. Once they do this, we should cost them regularly. If not, before we make the Budget every year, CRA, IBEC and the counties should tell us their needs. We may not meet them just like we do with the national Government requirements.

Ministries, Departments and Agencies (MDAs) present what they need, but we cannot meet all those requests. Therefore, we have a ceiling. We should apply the same principle here. If the Budget and Appropriations Committees take this up, we will stop this argument that we have every year.

There is also the issue of the Equalisation Fund. If you look at the schedule, it is information that is placed there, but it does not contribute to the calculations at all. The new Budget and Appropriations Committee, under the new Chairman, can actually help us address this. Something should be done about the Equalisation Fund. It comes with a percentage of 7.8, and then there is a rise of 2.7. If there is such a huge rise, then are we really serious about it? The parts of the country entitled to it have been complaining since it started. If it has never been used satisfactorily, we have to look at it. If you cost the functions and estimate the needs of the counties each year, we may not even need the Equalisation Fund. The counties that need it will be a clear indication that their needs are high.

We do not allocate MDAs the same amount of money or use a general formula because their needs are totally different. We must also accept that counties have different needs. Therefore, we should conduct a proper costing of functions and an estimation of counties' needs every year. This should be part of our Budget Policy Statement to guide the division of revenue.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Keynan, do you want to follow Hon. Irene Mayaka or go first? On account of rank, you will be followed by Hon. Irene Mayaka. She will be followed by Hon. Mwenje. Let the Members be given the microphone in that order.

Hon. Adan Keynan (Eldas, JP): Thank you, Hon. Temporary Speaker. The Division of Revenue Bill 2025 has come at a time— I am sure most Members are not aware— when the Supreme Court – and I want the Chairman to listen – made a decision a few days ago on the initiation, origination and passage of any money-related Bill. And I want to thank you; I know you are one of the lawyers who are involved. Therefore, the hullabaloo that we used to have with the Senate is no more. I am sure that is news to many of us here. This is purely within the mandate and preserve of the National Assembly. Chairman, I am sure you must have heard that. We support the existence of our two Houses, the Senate and the National Assembly, but I am sure you will have an easy time right now because of that determination made by the Supreme Court – I think that was Petition No. 17 of 2021. I thank the Supreme Court for finally putting this to rest so that Members of the National Assembly can function in line with their mandate of the budget-making process.

Secondly, this Bill has two aspects... However, before I go to that level, I want to congratulate the Member for Alego Usonga Constituency. To the best of my recollection, the constituency has produced two great minds and many others. Do you remember the late Hon. Castro Peter Oloo Aringo? Right now, we have my friend, Hon. Samuel Atandi Onunga. Of course, I am not in any way demeaning all the others who are there, but I am told that he is the only one after Castro Aringo who has done three terms. Congratulations. He is our Chairman.

When I was first elected, the budget-making process used to be purely the preserve of the Executive. I was appointed to this very Committee of Finance in 1998 with *Mzee* Oburu Odinga, the late Michuki, the late Njenga Karume, *Mzee* Adan Mohamed Noor, and the former Member of Parliament, Simon Mkalla, who was our Chairman. What we used to do then is very different from what is happening right now. It means that the role of a Member of Parliament has been completely redefined.

I want us to deal with the politics of the Division of Revenue Bill and the actual allocation of resources. Luckily, some of us have been part and parcel of the making and framing of the current Constitution, and we have the notes. What we have is an economic devolution and not a confederation. It is not a federal system. There is need to look at our governance structure so that those individuals now tasked with implementing this are seized of what we intended to have in the different provisions of the current Constitution, because I see a bit of confusion. As long as we have that confusion, it will be difficult to realise the gains of the current Constitution as intended by the framers.

Once upon a time, Kenya was an economic hub. Today, we have been barely reduced to a struggling nation. I just ask myself; how about one morning, what if the managers, particularly the Executive, decide to mint paper money? Luckily, since Independence, those who have been at the helm of the Kenyan Government are people who have a vested interest in business. What if you get a popular, streetwise leader? They will print money because they will not understand the essence of having money. They just need to ask the Central Bank of Kenya (CBK) if they can have loads of Ksh1,000 notes, like what the late Idi Amin did. That would bring in inflation, cause devaluation of the Kenyan currency, contribute to the erasure of the purchasing power of the people, and ultimately lead to the collapse of the economy.

Therefore, as we politick on this, all of us must be held accountable in line with the provisions of the Constitution.

We have different entities, and there is a reason we decided to give jurisdictional independence to the offices of the Controller of Budget, the Auditor-General, and many other institutions. This is simply because we wanted them to function outside the ambit of the Executive. There is a reason why we have so many constitutional commissions under Chapter 15 of the Constitution. Again, I ask myself; is it not time that we did a proper evaluation of the costings, implementation, and effectiveness of the different aspects of the current Constitution? We should do this so that we get a constitution that will give us a lean, effective, efficient, and transparent governance system. This is one thing that Kenyans are yearning for.

Hon. Temporary Speaker, I come from a region that has been stigmatised and completely marginalised. During the countdown to the current Constitution, I was looking forward to a constitution that would make me appreciate being a Kenyan citizen. You also understand the provisions of Sessional Paper No.10 of 1965, which basically rendered the people of the entire pastoralist-dominated regions unworthy of being part and parcel of the productive parts of the Republic of Kenya. I thought this Constitution would cure that. We thought the cure was through devolution and the Equalization Fund. Unfortunately, both are not working. What will my role be – as a person who has seen the governance structures under Mzee Moi's Government, Mzee Kibaki's first Government, *Nusu-Mkate* under Mzee Kibaki and Hon. Raila, Uhuru's Government and the handshake government, and the current Government? When I put all these on a scale, I am still floating. Today, I pride myself on being the father of Parliament. I want the same benefits to trickle down to the people I represent. Luckily, I have represented two constituencies: Wajir West and Eldas.

Sometimes, I like the courage of the Deputy Leader of the Majority Party. The Equalization Fund is not working. Hon. Chairman of the Budget and Appropriations Committee, let us call a spade a spade. The Equalisation Fund is not working because, from the beginning, it has been abused through politics, personal accreditation, greed and selfishness. Today, nothing positive or practical can be attributed to the Equalization Fund in the areas we come from. We will find out very soon that devolution has been convoluted. I have just got my notes on that provision in Article 204 of the 2010 Constitution. It has been abused through litigations, misdirection and the budgetary hoarding. By the grace of God, the sunset period is coming, and yet there is nothing to account for. I want you to guide us under the able leadership of Hon. Atandi so that we either regain what we have lost or forget about it so that it is not attributed to us. It will go down in history that once upon a time, we were in Parliament, and for 20 years, we had the Equalisation Fund, but equalisation was not there. Why would I be part of that bad history to the next generation?

Hon. Temporary Speaker, the other bit is the devolved functions and costings. We need to hold the governors to account. That does not mean we hate our governors. We want to help them in improving their governance platform. They are not paying pending bills. Each governor says I need to protect my jurisdiction. Everybody has become a tenderpreneur, pending bill-preneur and cartel-preneur when we all are supposed to work for the well-being of the Republic of Kenya. Now that we have Hon. Atandi, who comes from a region that has been disadvantaged since Independence, I hope and pray that he will have a holistic view of the country so that the image of the haves and have-nots is reduced once and for all. We will have a society that appreciates equity, equality, preponderance and value.

One more minute, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): All right.

Hon. Adan Keynan (Eldas, JP): I say this because a few years ago, it was unimaginable to have somebody from the Lakeside as the chairman of an important committee. It has

happened by the grace of God. The change must be seen, not only in Alego Usonga, but in every part of the Republic of Kenya.

The Temporary Speaker (Hon. Peter Kaluma): Give him the one minute because of rank. I do not want problems with a ranking member.

Hon. Adan Keynan (Eldas, JP): My daughter, you know, I was here when you were just born, so I am sure you will appreciate this.

In conclusion, there is nothing wrong with standing firm. I remember the politics surrounding the school feeding program and Equalisation Fund. There are people who believe that anything that does not originate from them has no value to the well-being of every other part of the Republic of Kenya.

If they do not want to listen, it is high time we force it into their heads so that they appreciate that we are all equal before God, before the law, and before this supreme law-making organ.

Chairman, leaders, I support.

The Temporary Speaker (Hon. Peter Kaluma): *Hon. Irene Mayaka.*

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Temporary Speaker. The ranking Member was looking at me as if I was complaining, but that is the nature of our generation. But we respect you and all the other ranking Members because we learn so much from you.

Before I even give my comments, let me take this opportunity first to thank my brother, the Chair, Hon. Samuel Atandi. For those who may not know, we joined the banking employment together 19 years ago. Therefore, I have a lot of confidence in his leadership. I want to assure Hon. Members that he is a man of his word and will do a fantastic job in terms of equalisation and looking at the whole country. So, congratulations, Hon. Atandi. We will continue to support you and the Committee for the fantastic work you are doing.

This is one of the Bills we consider extremely important. This is because, in line with Articles 202, 203, 205, and 218 of the Constitution, it is incumbent upon us to ensure that we are making the process of revenue division a smooth process. This applies not only to the national Government but also to county governments. For county governments, the County Allocation of Revenue Bill, famously known as the CARB, is a very important component of the county government. Having worked in the county assembly during the previous term, I can confidently say that any delay in this process significantly affects county assemblies. Therefore, as the National Assembly, it is important that we dispense of with these matters as soon as possible so that it can assist them.

I have had an opportunity to engage with the Report of the Committee. One of the issues that I have picked that is very important is Clause No. 5 because it speaks about addressing the issues of shortfall, deficit or surplus in terms of revenue. However, when you analyse the trends in this country, shortfalls have been more of the norm than surplus. The Committee has ensured that we have a clause in law specifically speaking about how we will deal with this particular issue because it is very important.

Additionally, I believe it is time to analyse revenue shortfalls and explore ways to change them to revenue surpluses, as this is one of our biggest financial challenges. I have reviewed some of the Committee's observations, and one key issue they highlight is the shortfall in revenue collection.

When discussing own-source revenue, I will give an example of a county that stood out under the leadership of the now Chair of Kenya Revenue Authority (KRA), Nderitu Mureithi, when he was the Governor of Laikipia. During his tenure, Governor Mureithi significantly increased Laikipia County's own-source revenue, setting an example for other counties. I have seen other counties also doing a pretty good job of trying to improve their own source revenue. But what Governor Nderitu, who is a well-renowned economist, did is that he ensured that

there is consistency in growth. This is one of the things that we really need to encourage counties. Counties can benchmark against each other. They do not have to check what other people are doing in other countries. There are counties with success stories in terms of revenue collection. If we do not deal with this issue, we will continue to have counties that are a cost centre. A cost centre is an organisation that is not making any money. They will continue consuming money in terms of having a bigger allocation for pending bills rather than doing any real development. We keep discussing this issue, but we will need to review how we do things at some point.

The second issue is underperformance in revenue collection. This is caused by corruption, spillage of revenue and the fact that most counties have not fully transitioned to the paperless system. When we continue using non-automated revenue systems, it is a source of revenue spillage. Some counties, like my home county of Nyamira, have barriers erected on the road where someone collects money and issues receipts. In this day and age, we should not have that in this country. That results in corruption and revenue spillage, making our counties look like they are not progressive.

Another issue the Committee raised is audit. The CRA and CoG partially premised their calculation on the Fourth Revenue Sharing Basis, which is a fantastic formula. But this Parliament has not approved the Basis for use. When you partially base revenue sharing on a formula that has not been officially approved, it creates gaps and audit issues. You have to provide justification for it. This is an issue that we need to look into. We need to understand why the CRA chose to do this so that we do the right thing.

I have also noted that we are still using audited and approved revenue based on the 2020/2021 Financial Year. Macroeconomic and microeconomic issues are extremely dynamic. We cannot base revenue sharing on past papers. It is like revising past papers. The crypto currency market is now using Artificial Intelligence (AI) to review markets across the country. It is an extremely fast process, yet we are using the 2020/2021 Financial Year accounts to make decisions that affect the country at this particular moment.

We have had conversations about the Equalisation Fund. I agree with Members who have talked about areas that have been largely marginalised, but let us remember that many Kenyans feel marginalised. It has nothing to do with the fact that a place like Nyamira feels very green. There are people in Nyamira who have never seen a good road or electricity and continue to grapple with livelihoods that are not up to date. There are people in Nairobi who live in slums and continue to feel marginalised. Equalisation is a very sensitive matter across the country. It can be likened to the phrase that the same boiling water that softens a potato hardens an egg. There are people who still believe that they are marginalised.

Pending bills have made counties become cost centres. Nowadays, money does not spread enough within counties. People do not have money. We need to burn the midnight oil to be up to date with audited and approved accounts. It is incumbent upon us to do the best for the people of Kenya because that is the job they have given us.

With those many remarks, I submit and support the Bill. I thank you.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Mark Mwenje.

Hon. Mark Mwenje (Embakasi West, JP): Thank you, Hon. Temporary Speaker. Allow me to congratulate the Chairman of the Budget and Appropriations Committee for the good job that he is doing. I believe and trust that Hon. Atandi is up to the task. I worked with him in a private capacity before I came to this House. He knows finance matters, and he will do a good job.

I do not want to say much regarding the issue. We seem to get into problems with our counterparts in the Senate on the Division of Revenue Bill, year in and year out. Everyone needs to understand that resources are scarce. This is what is available. Our revenue projections always fall short. I do not want to anticipate debate, but based on what has happened before, I

expect that the Senators will give us a figure of about Ksh420 billion or Ksh425 billion. They will target an increase of about Ksh15 billion to Ksh20 billion. We have seen that trend in the last two years.

Ksh405 billion has been shared each year with our counties from the onset of devolution. If you were to share this money equally amongst our constituencies, each would receive about Ksh1.3 billion. Nairobi County receives the largest share, which is over Ksh20 billion. We need to show Kenyans what this money is doing. We can show Kenyans what the National Government Constituencies Development Fund (NG-CDF) has done. We can also show them the roads constructed by the Kenya Rural Roads Authority (KeRRA).

Pending bills are killing the economy of Nairobi. With regard to roads in Nairobi, if you compare what was done by the Nairobi Metropolitan Services (NMS) a couple of years back to what we have today, you can see the problem. It is not because we are not allocating funds to the counties. Disbursements to county governments are usually delayed by a month or two. With regard to the NG-CDF, we sometimes experience delays of up to seven or eight months. The county governments are usually up to date with their disbursements.

Our governors need to utilise the funds that we send to the counties. They should utilise their share of funds from the national revenue and do projects in the counties. They should clear the pending bills, so that contractors can go back to work and do what is required by Kenyans.

We need to talk about this issue more frequently. The national Government and the county governments each receive their share of revenue. We must ensure that they do their jobs. Senators have a responsibility to oversee the funds allocated to the counties instead of fighting the National Assembly. They should ensure that this money is working for the people.

There is also the issue of the Equalisation Fund when it comes to marginalisation. The Member for Mandera raised this issue. Marginalisation is everywhere. A slum dweller in Nairobi can go to bed hungry. However, you cannot sleep hungry in Murang'a, where my forefathers came from. You can walk into a farm, get some maize and roast it. However, you can go to bed hungry in Nairobi. You can live in a slum where raw sewage just flows outside your House. I have a problem with the definition of the term "marginalisation" and how the Equalisation Fund is utilised. I understand that there were some counties that were quite far behind. However, we are at an age where we must consider every person, regardless of which county they come from. It is true that there are people who live well in Nairobi City County. There are good roads, but they are in certain areas. If I take you to Mukuru kwa Njenga or some of the slums in Eastlands, you will see how people live in abject poverty.

Hon. Temporary Speaker, as Members of Parliament from Nairobi City County, we sat down and asked the President to take him around. We took him to Mathare and other areas he had never been to. We took him to Ruaraka, Embakasi and Kibra. He walked and saw people living in deplorable conditions. It is the reason - and I must commend the Government for doing it - they allowed us to build more classrooms in Nairobi City County than other areas because they can only go vertical; they must go up. I have a school called Super Loaf whose Grade One classroom has 207 students. They are in one classroom.

When we took the President to some of these schools, he only stood at the front. He could not move to greet the students because our classrooms are congested. Rural-urban migration is real. You must realise that we live in a county where our population is ever-increasing. Our fathers went to schools in rural areas. However, we are here, and our children are being educated here. Most Members here have now brought their children to Nairobi.

With those few remarks, I support the Bill. We have a lot of work. I believe the Chairman, Hon. Atandi, is up to the task. Thank you, Hon. Temporary Speaker.

(Hon. George Sunkuyia spoke off the record)

The Temporary Speaker (Hon. Peter Kaluma): What is the matter, Hon. George Sunkuyia? Do you want to contribute?

Hon. George Sunkuyia (Kajiado West, UDA): Yes, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Proceed.

Hon. George Sunkuyia (Kajiado West, UDA): Thank you, Hon. Temporary Speaker. I take this opportunity to congratulate the able Member, Hon. Makali...

The Temporary Speaker (Hon. Peter Kaluma): Be upstanding, Hon. Members. Order, Hon. Sunkuyia. You will have nine minutes when the matter will be next listed by the House Business Committee for consideration in the House tomorrow.

ADJOURNMENT

The Temporary Speaker (Hon. Peter Kaluma): Hon. Members, the time being 9.07 p.m., this House stands adjourned until Thursday, 3rd April 2025, at 2.30 p.m.

The House rose at 9.07 p.m.

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