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## THE HANSARD

Tuesday, 29<sup>th</sup> April 2025

The House met at 2.30 p.m.

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

### PRAYERS

### QUORUM

**Hon. Speaker:** Hon. Members, we have no quorum in the House. Serjeant-at-Arms, ring the Quorum Bell.

*(The Quorum Bell was rung)*

Order, Hon. Members, we now have a quorum to transact business.  
Clerk-at-the-Table, proceed.

### PAPERS

Leader of the Majority Party. *Wapi* Leader of the Majority Party? Hon. Melly, are you holding brief?

**Hon. Julius Melly** (Tinderet, UDA): Yes, Hon. Speaker, I am holding brief for the Leader of the Majority Party.

**Hon. Speaker:** Go ahead.

**Hon. Julius Melly** (Tinderet, UDA): Hon. Speaker, I beg to lay the following papers on the Table:

1. The Legal Notice No. 37 of 2025 relating to the Capital Markets (Derivatives Market (Amendment) Regulations, 2025, the Explanatory Memorandum and evidence of stakeholder engagements from the National Treasury and Economic Planning;
2. The Agreement establishing the European Bank for Reconstruction and Development (EBRD) from the Ministry of Foreign and Diaspora Affairs;
3. The Agreement under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of Marine Biological Diversity of areas beyond national jurisdiction from the Ministry of Foreign and Diaspora Affairs;
4. The Agreement establishing the Shelter Afrique Development Bank from the Ministry of Foreign and Diaspora Affairs;
5. Reports of the Auditor-General and Financial Statements for the year ended 30<sup>th</sup> June 2023 and the certificates therein:
  - (a) Igembe Boys Secondary School;
  - (b) Maranda High School;
  - (c) Bunyala Technical and Vocational College;
  - (d) Jeremiah Nyaga Technical Institute; and
  - (e) Bushiangala Technical Training Institute;
6. Reports of the Auditor-General and Financial Statements for the year ended 30<sup>th</sup> June 2023 and 2024 and the certificates therein:

- (a) Anti-Counterfeit Authority;
  - (b) Emsos Technical and Vocational College;
  - (c) Green Thinking Action Party;
  - (d) Kapcherop Technical and Vocational College;
  - (e) Kenya Deposit Insurance Corporation - Staff Mortgage and Car Loan Fund;
  - (f) Kenya Medical Supplies Authority;
  - (g) Kenyatta National Hospital;
  - (h) Kericho Teachers Training College;
  - (i) Kipkabus Teaching and Vocational College;
  - (j) National Health Insurance Fund Car Loan and Mortgage Scheme;
  - (k) National Quality Control Laboratory;
  - (l) Revenue Accountability Statements- Kenya Revenue Authority;
  - (m) Siala Technical Training Institute;
  - (n) Sikri Technical and Vocational College for the Blind and Deaf;
  - (o) Tharaka Technical and Vocational College; and
  - (p) Tigania East Technical and Vocational College.
7. Reports of the Auditor-General and Financial Statements for the year ended 30<sup>th</sup> June 2024 and the certificates therein in respect of the following Constituencies:
- (a) Embakasi Central;
  - (b) Embakasi East;
  - (c) Gatundu North;
  - (d) Gatundu South;
  - (e) Githunguri;
  - (f) Juja;
  - (g) Kapenguria;
  - (h) Kisumu Central;
  - (i) Kisumu East;
  - (j) Naivasha; and
  - (k) Rongo.
8. Reports of the Auditor-General and Financial Statements for the year ended 31<sup>st</sup> December 2024 and the certificates therein:
- (a) Consolidated Bank of Kenya;
  - (b) Development Bank of Kenya Limited; and
  - (c) Reinsurance Corporation Limited.

Thank you, Hon. Speaker.

**Hon. Speaker:** The Chairperson of the Departmental Committee on Communication, Information, and Innovation. Hon. KJ? The Chairperson of the Departmental Committee on Blue Economy, Water and Irrigation, Hon. Bowen.

**Hon. Kangogo Bowen** (Marakwet East, UDA): Hon. Speaker, I beg to lay the following papers on the Table:

Report of the Departmental Committee On Blue Economy, Water and Irrigation on the Budget Implementation Review for the First Half of the Financial Year 2024/2025 (July to December 2024) for the following State Departments:

- 1. Vote 1109 – State Department for Water & Sanitation;
- 2. Vote 1104 – State Department for Irrigation; and
- 3. Vote 1166 – State Department for Blue Economy and Fisheries

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you.

Chairperson of the Departmental Committee on Social Protection, Hon. Alice.

*(Loud consultations)*

Order, Members. Can we have some order?

**Hon. Alice Ng'ang'a** (Thika Town, UDA): Hon. Speaker, I beg to lay the following papers on the Table:

Reports of the Departmental Committee on Social Protection on its Consideration of:

1. The Pensions (Amendment) Bill (National Assembly Bill No. 25 of 2024); and
2. The Care and Protection of Child Parents Bill (Senate Bill No. 29 of 2023).

Thank you, Hon. Speaker.

**Hon. Speaker:** The Chairperson of the Departmental Committee on Finance and National Planning.

*(Hon. Catherine Omanyoo, Hon. Dorice Donya, Hon. Kiborek Reuben and other Members consulted loudly)*

Order, Members. Order, Member for Busia. Order, Hon. Donya. Many of you are first-time Members. Order, Hon. Kiborek. To our distinguished ladies, if there is any issue... I can observe the way you are arranging your hair. It appears as though you wish to demonstrate something.

**Hon. Members:** Yes.

**Hon. Speaker:** If you wish to do so, and it is a matter not included on the Order Paper...

*(Hon. Julius Melly spoke off the record)*

Order, Hon. Melly and your group. I am addressing your colleagues. If you have a matter not listed on the Order Paper, the proper and decent course of action is to approach the Speaker and inform him that you have an issue you wish to raise. It is highly unlikely that I shall deny you the opportunity. However, one does not interrupt proceedings merely by shouting "point of order".

Hon. Melly, you may proceed.

**Hon. Julius Rutto** (Kesses, UDA): Thank you, Hon. Speaker, for that directive. I beg to lay the following paper on the Table:

Joint report of the National Assembly Departmental Committee on Finance and National Planning and the Senate Standing Committee on Finance and Budget on the Approval Hearing of Nominees for Appointment as Board Members of the Central Bank of Kenya.

Thank you.

**Hon. Speaker:** Thank you, Member of Parliament for Kesses.

Chairperson of the Departmental Committee on Communication, Information, and Innovation.

**Hon. John Kiarie** (Dagoretti South, UDA): Hon. Speaker, I beg to lay the following paper on the Table:

Report of the Departmental Committee on Communication, Information and Innovation on its consideration of the Computer Misuse and Cybercrimes (Amendment) Bill (National Assembly Bill No. 41 of 2024).

Thank you.

**Hon. Speaker:** Thank you, KJ.  
Next Order.

### NOTICE OF MOTION

**Hon. Speaker:** The Chairperson of the Departmental Committee on Finance and National Planning.

#### NOMINEES FOR APPOINTMENT AS MEMBERS OF THE CENTRAL BANK OF KENYA

**Hon. Julius Rutto** (Kesses, UDA): Hon. Speaker, I beg to give notice of the following Motion:

THAT, taking into consideration the findings of the Joint Committee of the National Assembly Departmental Committee on Finance and National Planning and the Senate Standing Committee on Finance and Budget on the approval hearing of nominees for appointment as Board members of Central Bank of Kenya, laid on the Table of the House on Tuesday, 29<sup>th</sup> April 2025, and pursuant to section 11(2) of the Central Bank of Kenya Act, Cap 491, this House approves the appointment of the following nominees as Board members of the Central Bank of Kenya—

1. FCPA Sophie Moturi;
2. CPA Abdullahi Mohamed Abdi;
3. Ms Beatrice Kosgei; and
4. Mr David Simpson Osawa Owuor.

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. Next Order

### QUESTIONS AND STATEMENTS

**Hon. Catherine Omany** (Busia County, ODM): On a point of order, Hon. Speaker.

**Hon. Speaker:** Member for Busia County.

### POINT OF ORDER

#### REDUCTION OF NGAAF BY KSH500 MILLION

**Hon. Catherine Omany** (Busia County, ODM): Hon. Speaker, I rise under Standing Orders 83 and 245A on Budget Monitoring and Implementation.

Hon. Speaker, the 47 County Women Representatives (CWRs) in this country are bleeding right now. All of them have been castrated with a blunt burdizzo. We usually think on our feet and ahead of the curve by planning. Everybody here plans. But, when you plan and somebody puts a hitch, then you only have theory with you, but no pragmatism. The CWRs have Ksh500 million deducted from their funds.

*(Loud consultations)*

We do not know what to do or where to start, but we demand that that money must find its way back to the National Government Affirmative Action Fund (NGAAF) kitty. We also need the Principal Secretary and the NGAAF CEO to explain why things can happen that way,

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but they have no clue. They are all looking at each other as if they do not understand their role in those offices. All 47 CWRs are here to demand their rights because they were elected to represent their people.

**Several County Women Representatives:** We want our money back! We want our money back! We want our money back!

**Hon. Catherine Omanyo** (Busia County, ODM): As I speak, even the money for sanitary towels has never been credited into the accounts. The children in schools ....

*(Loud consultations)*

**Hon. Speaker:** Order, Hon. Catherine. Take your seat. Honourable distinguished ladies, you do not make your case any better by being rowdy. Kofi Annan always spoke with a soft voice but with a powerful message. You can deliver a powerful message with a soft voice. Being rowdy does not amplify your message. Allow Hon. Omanyo, who I believe is your representative, to finish what she is saying.

*(Loud consultations)*

**Hon. Catherine Omanyo** (Busia County, ODM): Hon. Speaker, this is not easy. Maybe it is because I do not have a soft or soprano voice. It came out like a bass. What I am asking is: how do I go to Busia County and tell them that I represent them if the money was stolen, and I was sitting here acting like I am sober? I do not know what to do. I just want to understand what happened to the money. The money itself is so meagre that it should not be deducted but increased. We need all the women in Kenya to be represented and heard. We do not want theories every day that women are being empowered and given opportunities. This is like giving somebody a present of a goat, but you stick to the rope. We are being remote-controlled. We need the rights of all 47 CWRs to be in place like yesterday.

Thank you, Hon. Speaker.

*(Hon. Dorice Donya spoke off record)*

**Hon. Speaker:** Has she not made your case? Hon. Donya.

**Hon. Dorice Donya** (Kisii County, WDM): Today, we are joyless, and that is why we are wearing black.

**Hon. Speaker:** What is on your head is not black.

**Hon. Dorice Donya** (Kisii County, WDM): This is the NGAAF colour. The rest is black.

*(Laughter)*

We are mournful; we are miserable; we are malcontent; we are dissatisfied; we are aggrieved women; and we are not happy. Men in the House, you know very well that when you come home and find us, your wives, you tell us to bring, and we bring; give and we give. We have never denied men anything that they ask of us.

*(Laughter)*

We are going home for recess, and our children, men, and elders will ask us, as CWRs, what we have for them. All our money has been taken, and we have nothing.

Hon. Speaker, we are not okay. We feel that this country is not ours. *(In a shrill voice)*  
Why are they doing this to us, Hon. Speaker?

*(Hon. Dorice Donya wailed)*

**Hon. Speaker:** Thank you. You have made your point. Hon. Bensuda.

*(Loud consultations)*

**Hon. Atieno Bensuda** (Homa Bay County, ODM): Thank you, Hon. Speaker. Now we want the House to be entirely silent.

*(Applause)*

Women make a nation and the world move.

Hon. Speaker, I mentioned to you that you are an Hon. Speaker worth being one without any other ambition in 2027.

When God saw that man was lonely and clueless without a woman, he gave him Eve. We have fought for the two-thirds gender rule in this country. I submit that it is in the Ministry of Gender, Culture, Arts and Heritage that we suffered for a long time without re-appointing a Cabinet Secretary. It was done late. Hon. Speaker, I saw your able panel talk about or ask a question, and it came out that ladies are running after men, and that is why they are being killed. The 47 county women representatives want to deliver.

**Hon. Speaker:** Order, Hon. Bensuda. The panel never said that.

**Hon. Atieno Bensuda** (Homa Bay County, ODM): A question arose, Hon. Speaker, and how the Cabinet Secretary responded is on record. We do not want a Principal Secretary who is not on his toes, tackling issues. He came here and found that Ksh500 million was stuck. While our money was being deducted, the women were in full support of increasing the National Government Constituencies Development Fund (NG-CDF), a worthy Fund that is of help in our constituencies. We are not clear on the funds for femicides. Presidential directives are not honoured by the State Department for Gender. We want to achieve affirmative action through the meagre resources we get.

**Hon. Speaker:** You have made your point.

**Hon. Atieno Bensuda** (Homa Bay County, ODM): Hon. Speaker, even if we are putting on flowers, we are not flower girls. We are competent women leaders in this country.

*(Applause)*

We want money. We want the Ksh1 billion that the President gave us to be reinstated.

Thank you, Hon. Speaker. You are ours truly. Let us achieve through your seat.

**Hon. David Kiplagat** (Soy, UDA): On a point of order, Hon. Speaker.

**Hon. Speaker:** Yes, Hon. DK, what is your point of order?

**Hon. David Kiplagat** (Soy, UDA): We cannot allow that charade to continue. When you refer to men as clueless...

*(Loud consultations)*

It is completely out of order. Hon. Bensuda should withdraw and apologise. There is no way men can be clueless.

**Hon. Speaker:** Order. Order Members.

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*(Several County Women Representatives  
consulted loudly)*

Order, Members. I know two distinguished lady Members of Parliament who look for any slight opportunity to be rowdy, but this is not the moment. If you are pursuing your rights, pursue them orderly. You lose the argument when you shout at the top of your voice. I will give only two more Members and then we close.

Hon. Zamzam. Yes, Hon. Wanjala?

**Hon. Raphael Wanjala** (Budalangi, ODM): On a point of order, Hon. Speaker.

**Hon. Speaker.** Mama Zamzam, take your seat. Yes, Hon. Wanjala.

**Hon. Raphael Wanjala** (Budalangi, ODM): Thank you, Hon. Speaker. Even from the Bible, she is given whenever she asks for something.

*(Applause)*

This is not something to be debated.

**Hon. Speaker:** Which Bible are you quoting?

**Hon. Raphael Wanjala** (Budalangi, ODM): Hon. Speaker, it is in Genesis.

*(Laughter)*

**Hon. Speaker:** Just tell us that it is your fertile imagination.

**Hon. Raphael Wanjala** (Budalangi, ODM): Hon. Speaker, remember these women occupy very big constituencies. I honestly and kindly request you to stop the debate and order the person who deducted their money to return it immediately.

*(Applause)*

**Hon. Speaker:** Hon. Zamzam.

**Hon. Zamzam Mohammed** (Mombasa County, ODM): Asante sana Mhe. Spika. Kama mama Mombasa, leo nimetamaushwa sana. Watu wetu wameweza kuomba ufadhili wa pesa za *National Gender and Affirmative Action Fund* (NGAAF). Ni vikundi ambavyo Rais wa taifa alisema anataka kuinua kiuchumi. Rais akatuongozea pesa sisi kina mama ili ziweze kusambaa mashinani. La kusikitisha ni kuwa wanawake, hasa kina mama 47 katika Bunge hili, wamedharauliwa sana. Juzi hapa nilimuuliza Waziri wa Fedha na Mipango ya Uchumi hizi pesa zilikatwa vipi?. Akasema zilikatwa hapa Bungeni. Tukija kuangalia, hazikukatwa hapa; zilikatwa kule *Treasury*. Nataka niwaeleze Wakenya hawa, kina mama 47 munaowana leo Bungeni, wakija kule mashinani, nawomba muwaelewe kuwa pesa zao zimekatwa. Kama kuna vikundi vilikuwa vimeomba ufadhili wa NGAAF, nawaomba mujue kwamba makundi mengi yatakosa pesa. Msiwapige hawa kina mama kule mashinani.

Kwa hayo yote Mhe. Spika, namuomba Waziri Wa Fedha na Mipango ya Uchumi aturudishie Kshs500 milioni alizokata. Namuomba Waziri atoe maelezo kwa sababu nimeona tangazo kwenye gazeti kuhusu mambo ya *sanitary towels*. Sisi ni kina mama 47, lakini kwenye tangazo hilo, wameorodhesha kaunti 17 pekee. Kule kwetu Mombasa haijaonekana. Watasema mama Zamzam amekula pesa. Leo huyu wa Busia ataambiwa amekula pesa. Kaunti ni kubwa na pesa yetu ni kidogo. Badala tuongezewe, tunafinywa. Rais alisema atawatetea kina mama. Rais leo nakuomba kwa unyenyekevu, kwa sababu una nguvu na uwezo. Muite Waziri wa Fedha na Mipango ya Uchumi aje aturejeshee pesa zetu, tuingie mashinani tufanye kazi ili kazi yako ionekane.



Asante sana, Mhe. Spika.

**Hon. Speaker:** Thank you, good ladies, you have made your point. Let me ask the Chairman of the Budget and Appropriations Committee. Before that, let me hear Hon. Jane Kagiri.

**Hon. Members:** Yes.

**Hon. Speaker:** No trade unionism here.

**Hon. Jane Kagiri** (Laikipia County, UDA): Thank you, Hon. Speaker. I serve as the Chairperson of the 47 County Members of Parliament, and it is my honour to take the House through why women are dressed the way they are.

They are dressed in pink and black. Black to mourn the deductions of the money, which I feel was a great injustice to us and an injustice to the whole country. Pink represents the colours for the NGAAF. You have told us we do not have to be loud. We can speak softly and make our actions be heard. We have been decent and polite for the last two years. It seems that it has not worked for us. This afternoon, we are requesting you to indulge us humbly. We have decided that we are going to start using our legs. From here, we will exit the Chamber, go to the NGAAF Head Office, and then to the National Treasury Office to follow up on where our money went.

Hon. Speaker. I hope you have granted us permission. Thank you.

**Hon. Speaker:** Yes, Hon. Keynan. Is it on the same issue?

**Hon. Adan Keynan** (Eldas, JP): Yes.

**Hon. Speaker:** Give Hon. Keynan the microphone.

**Hon. Adan Keynan** (Eldas, JP): Hon. Speaker, I stand to speak as a person who participated in drafting, formulating, and adopting the Constitution. There is a reason the framers decided to have special seats for our ladies. It did not come out of the blue. It came as a result of historical marginalisation that took place both in pre- and post-independent Kenya.

It is unfair to deny them a right granted through a legislative framework. I want to appeal to the Mandarins in the National Treasury to be considerate when dealing with certain sensitive issues. This is a right that has already been given. It is not fair to remove it. You also know that our ladies are the majority of voters in our country. They are the majority of the population. I want to appeal to my chairman here... Even as a Member, I feel ashamed. Out of a budget of Ksh4.7 trillion, denying our ladies Ksh500 million in the budget is not fair.

*(Applause)*

Hon. Speaker, I want to plead with you. Direct the Chairman, Budget and Appropriations Committee, to urgently find a mechanism to reinstate these provisions so that our ladies are not subjected to what they are going through. In the future, because we are all in this political arena, we should be careful with certain decisions we make. This is a right. Please, do not leave it as it is; demand more. With more allocations, that is the only way that you can represent the voters. I support your cause.

*(Applause)*

**Hon. Speaker:** Hon. Atandi.

**Hon. Samuel Atandi** (Alego Usonga, ODM): Thank you, Hon. Speaker. I am represented in this House by a very able Woman Representative, Hon. (Dr) Christine Ombaka, of Siaya County.

I have seen the amount of work done in Siaya courtesy of the NGAAF, and, therefore, I will be the last person to participate in deducting the NGAAF money. I agree with and support the sentiments of my lady colleagues. As a matter of responsibility, I will convene a meeting

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with the National Treasury to consider using Article 223 to make available the resources that were deducted for the NGAAF.

Having said that, I want to tell my lady colleagues that this House is responsible for the budget-making process. The National Treasury does not make the budget. When these deductions occurred, they did so under the leadership of your colleague, who was running...

**Hon. Members:** No!

**Hon. Samuel Atandi** (Alego Usonga, ODM): Just listen to me. The deductions happened under Supplementary Estimates II. This was led by Hon. Deputy Speaker, the Woman Representative for Uasin Gishu. I was not yet the Chairman of the Budget and Appropriations Committee. When the Estimates were presented before the House at the Committee of Supply, this House had 81 women Members, but they were not on the Floor to defend their deductions. I want to ask women colleagues in the House that when we are discussing at the Committee of Supply here, you must be present in the House to defend them.

**Hon. Members:** We were here!

**Hon. Samuel Atandi** (Alego Usonga, ODM): If you were here, then you should have defended your budget from being cut.

*(Loud consultations)*

Hon. Speaker, I need to make my point.

**Hon. Speaker:** Order, Members!

*(Hon. Alice Ng'ang'a and several  
Members stood in their places)*

Take your seat, Hon. Alice.

**Hon. Samuel Atandi** (Alego Usonga, ODM): Hon. Speaker, as I conclude, let me urge Members that it is not right to complain about deductions when participating in it ourselves. The Supplementary Budget III will be coming to this House. I want to urge Members to be vigilant. In any area where you have an interest, sit in the House, and get those interests reinstated. If there is a case where the National Treasury has deducted your allocations, ensure that you return them on the Floor of the House so that they are captured in the Estimates.

Hon. Speaker, thank you.

**Hon. Speaker:** Yes, Hon. Alice Ng'ang'a, Member for Thika.

**Hon. Alice Ng'ang'a** (Thika Town, UDA): Thank you, Hon. Speaker. I want to put the record straight because NGAAF lies under the Departmental Committee on Social Protection. It is true that the Ministry of National Treasury and Economic Planning deducted that amount of money. In my Committee, I even sit with Members from the 47 counties. As a Committee, we recommended that the Ksh500 million be given back to the NGAAF. However – listen to this one – the National Treasury is playing games. Yesterday, when our new Cabinet Secretary was asked about NGAAF money, he said that since the Chair of the Social Protection Committee is a lady Member for a constituency, they will not support the 47 counties. I want to categorically state that I am the biggest ambassador of women's rights. They should get the amount of money allocated for them in the NGAAF. The National Treasury and the Budget and Appropriation Committee Chair should not say that we never fought for that money. We fought up to the last minute. When we appeared before the Budget and Appropriation Committee, we said that that amount of money is supposed to be in the NGAAF, but it was deducted.

When you make your ruling to put this matter to rest, that amount of money should go back to NGAAF for the County Women Representatives to do their work. That should be the

case now and in future. As a Committee, we will be raising the alarm early enough when we see anything deducted from NGAFF so that its money is never touched. That money is usually deducted, and nobody questions that. Moving forward, ladies are part of the Members of this House. When the House is happy, we as women Members are happy. When the House is sad, we are also sad. We are one big family, and nobody should come to divide the Members of this House. Women in this House are not happy.

Thank you.

**Hon. Speaker:** Order, Members! Having listened to you, I direct as follows: The Chair of Budget and Appropriation Committee to get in touch with the National Treasury to ensure that the money that has been removed, Ksh500 million, is returned and the same is regularised under Supplementary III that you will have immediately after you come back from recess.

Having said that, you should rethink your desire to go picketing out there. Once you leave the gate, you will not be under my jurisdiction, and I will not be responsible for your well-being.

*(Laughter)*

I have given you directions to solve your problem. If you go picketing, I will be responsible for you up to the gate. After the gate, the responsibility will not be mine.

Hon. Members, before we go to the next Order...

Order! Yes, Hon. Keynan.

**Hon. Adan Keynan** (Eldas JP): Hon. Speaker, will I be right to empathise with our good sisters now that you have adjudicated? We are all in agreement, and you have given direction. I want to appeal to them not to externalise this matter. Please, let them remain and be part of us. We all empathise with you. This debate in the House should not filter outside the House. They should stay here. They have made their point.

**Hon. Speaker:** Hon. Members, allow me to recognise, in the Public Gallery, Ikutha Girls School from Kitui South, Kitui and Kisii High School from Nyaribari Chache, Kisii. On behalf of myself and the House, I welcome the students and those accompanying them to the House of Parliament this afternoon.

Hon. Wamboka.

**Hon. Wanami Wamboka** (Bumula, DAP-K): Thank you, Hon. Speaker.

**Hon. Speaker:** Hold on, Wamboka. Mama Rachel Nyamai wants a few minutes to welcome the students from Ikutha.

Go ahead, Hon. Nyamai.

**Hon. (Dr) Rachael Nyamai** (Kitui South, JP): Thank you very much, Hon. Speaker, for this opportunity to welcome all students seated in the Public Gallery. Ikutha is one of the furthest places in Kitui South. I also welcome the students from Kisii. This is a House where many decisions concerning this country are made. We went through schools similar to Ikutha Girls. I actually went to Muthale Girls, which is more or less at the same level as Ikutha Girls. I want to encourage the students that they can be what they want to be if only they fix their eyes on the ball. I encourage them to read and research, focus on their education, and listen to their teachers. They are lucky to get the motivation to come to Parliament to see it in person. May God bless them, their teachers, and their parents who have been struggling to pay their fees. They are welcome to this House to observe the proceedings.

Thank you for the opportunity to welcome students from Kitui South and Kisii.

**Hon. Speaker:** Hon. Bashir, I know you have a point of order. Just hold. I will have the first point of order from Hon. Wamboka on Reaching the Last Mile Fund (RLMF). The Chairman of the Committee is here. When he raises his issue, the Chairman will respond, and I will not entertain debate.

Chairman, I'm sorry. Let us have Hon. Wamboka, and then DK will be ready to respond—not DK, but GK. You know you are not the Chairman of any committee.

*(Laughter)*

**Hon. Wanami Wamboka** (Bumula, DAP-K): Thank you, Hon. Speaker. Our lady Members of Parliament, *sisi tumewatetea sana. Mungekaa tukabiliane na haya maneno sisi sote.*

We are the National Assembly. We make laws and appropriate funds. We are the ones who sit down... Our able Chairman of the Budget and Appropriation Committee is here. We are the ones who decide where money goes and who gets what. We have been engaged in a cat-and-mouse game with the government on the matter of RLMF. We have raised points of order on this Floor, and we have been given so many promissory notes, but nothing is working.

The Kenya Roads Act is very clear on who gets what and who should not get what. As we speak, it is the rainy season, and our roads are bad. The RLMF belongs to the people of Kenya. It is appropriated for the roads of the people of Kenya. It is important to note that the roads that matter are visible, and people use them daily. In the villages, there are the Kenya Rural Roads Authority (KeRRA) roads. As we speak, they are impassable. The rains have washed them away.

The Executive has continued to play games with us by giving us piecemeal amounts of money. The government has not released money to the ground. In view of that, I, therefore, move that we suspend the sitting...

*(Loud consultations)*

**Hon. Speaker:** Order, Hon. Wamboka! Take your seat. You came to the Speaker simply to raise and seek a Statement on when the Funds will be released. As a matter of fact, the House Business Committee this afternoon directed the Leader of the Majority Party to issue a Statement on this tomorrow, but I obliged you. I did not give you an opportunity to move an informal Motion that you are trying to do. Let us be gentlemen and ladies and bear fidelity to your agreement with the Speaker.

*(Hon. Bowen spoke off the record)*

**Hon. Speaker:** Order, Hon. Bowen! Go on, Hon. Wamboka.

**Hon. Wanami Wamboka** (Bumula, DAP-K): Hon. Speaker, as I indicated, the rain is here. Bodaboda operators are planting banana stems on our roads. Life is unbearable because things cannot work. The roads are not motorable. It is not that we are against you. We are with you. You are part of us. You are Member of Parliament number one, Hon. Speaker. So when we speak very strongly about...

**Hon. Speaker:** The road to my house is a KeRRA road and you know that.

**Hon. Wanami Wamboka** (Bumula, DAP-K): I know it, Hon. Speaker. And the road is impassable. I implore you as one of us. The magnitude of the matter is heavy. Put yourself in our shoes because you are one of us, and you know we respect you. I move that we get a comprehensive Statement on when the money will be available. Of course, not later than tomorrow. If things are not working, we want the Cabinet Secretary here. The Executive is playing with us. Tomorrow is 30<sup>th</sup> April 2025. Hon. Mbadi gave us a promissory note for 30<sup>th</sup> April 2025. Please keep it at the back of your mind. If things cannot work, please direct that the Cabinet Secretary appear here tomorrow. If he is not doing his work, we should also place an embargo on him. He should not conduct government business.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. DK, I had said I would invite the Chairman. Take one minute only.

**Hon. David Kiplagat** (Soy, UDA): Thank you, Hon. Speaker, for your consideration. The matter raised by Hon. Jack is of national importance. The delay in releasing KeRRA funds, especially during the rainy season, is deeply concerning, especially as we head to recess. It is sad that we see people suffering, but there is nothing we can do. Rather than the House remaining impotent, it is important that the Cabinet Secretary comes and explains himself. There are so many explanations that do not add up. When they say the Court can issue a garnishee of Ksh10.6 billion, is it called holding?

**Hon. Speaker:** It is a garnishee order.

**Hon. David Kiplagat** (Soy, UDA): Yes, garnishee order. Who said it has to be 22 per cent or 10 per cent? What was in contention with the RMLF was only Ksh10.6 billion. It can belong to KeNHA, KURA, KWS or it can be the allocation by the Cabinet Secretary. Why are KeRRA roads suffering as a result of that garnishee order? We want the Cabinet Secretary to come here and clearly state why the Ksh10.6 billion in contention is being used to block the construction of our rural roads.

**Hon. Speaker:** Thank you, Hon. GK. Let me hear the Deputy Speaker.

**Hon. Gladys Boss** (Uasin Gishu County, UDA): Thank you, Hon. Speaker, for this opportunity. This House has to be alive to one fact. It is well for us to appropriate funds in this House, but the National Treasury can sabotage us by ensuring no Exchequer is available. So, we can appropriate all we want in this House, but the National Treasury can withhold the Exchequer. We must use the opportunity on Wednesdays to summon the Cabinet Secretary to confirm that whatever we appropriate has a corresponding Exchequer provided by the National Treasury. That is where the problem is.

Second, Hon. Atandi, Chairman of the Budget and Appropriations Committee, said I chair the Liaison Committee that considered the second Supplementary Budget. I must say the code provided during budget hearings was different. It belonged to NGAAF, but the description was "Office Operations". How was anyone on the Committee or I supposed to know what a code is? The Ministry of Gender was deceptive to the Committee at the time. We ask them to treat it as an error and return to us under Article 223 of the Constitution. It is that simple. We can correct the error. That is what happened.

Thank you, Hon. Speaker.

**Hon. Speaker:** That is exactly the direction I have given, Hon. Deputy Speaker. Let us follow it. Hon. GK, if you have a satisfactory explanation, go ahead. If not, do not try.

**Hon. George Kariuki** (Ndia, UDA): Thank you, Hon. Speaker. Thank you for your advice. This is a very important debate.

*(Loud consultations)*

**Hon. Speaker:** Order, Hon. Members. Hon. GK, take your seat. The reason I say do not try is that in the event you are not ready with material facts, the Prime Cabinet Secretary will be here tomorrow afternoon. We have listed only four questions. If you can satisfy your colleagues, go ahead. If you are not, I will direct the Clerk to call the Cabinet Secretary to appear tomorrow afternoon on the singular issue of RMLF. So, it is up to you.

**Hon. George Kariuki** (Ndia, UDA): Thank you, Hon. Speaker. This is a very important and serious debate. I agree with you. The matter solely lies with the Cabinet Secretary, who will come tomorrow.

**Hon. Speaker:** He has not been invited yet. Are you inviting me to direct that he be invited?

**Hon. George Kariuki** (Ndia, UDA): Yes, please. When the Speaker allows the Cabinet Secretary to come, I urge Members to be available so that we can take him through our experiences. I do not believe the money belongs to Members of Parliament, as it is being said out there. The money belongs to Kenyans. We must do whatever it takes to serve our people and ensure we provide resources appropriated by this House. I urge Members to be patient and engage the Cabinet Secretary when he comes.

Thank you.

**Hon. Speaker:** Hon. Members, I direct the Clerk to invite the Cabinet Secretary for Roads and Transport to appear tomorrow afternoon. We will give him 30 minutes only before the Prime Cabinet Secretary addresses several issues, including the contentious matters you have been raising about the designation of hardship areas and the payment of attendant allowances.

*(Hon. Raphael Wanjala spoke off the record)*

Order, Hon. Wanjala. Of late, you have been behaving so well. Or is it Hon. Elisha inciting you to misconduct yourself?

Members raising issues about the designation and classification of hardship areas, the Prime Cabinet Secretary will be here tomorrow to respond. I expect him to tell the House and the country more about the policy on hardship areas than only enclaves of hardship, so that we understand what a hardship area is, what goes with it and who deserves it. Tomorrow afternoon, we will start with the Cabinet Secretary for Roads and Transport on the singular issue of RMLF. Do not bring in other issues. Then we will hear the Prime Cabinet Secretary. Hon. GK, be here tomorrow to support the Cabinet Secretary, whom your Committee oversees.

Thank you. Hon. Bashir.

**Hon. Major (Rtd) Abdullahi Sheikh** (Mandera North, UDM): Hon. Speaker, thank you very much. I want to bring to the attention of this House an issue of national importance that has been happening over the last two days. The documentary, ' *Blood Parliament*', has aired on our media stations and televisions. It was run by the British Broadcasting Corporation (BBC) World Service, and our national media stations also picked it up. It talks about the events that happened on 25<sup>th</sup> June, a very sad day indeed, tragic and shameful. Tragic in the sense that we lost the lives of our fellow Kenyans, and shameful in the sense that the democracy of Parliament was about to be infringed.

Nevertheless, it has come at this time that we have moved on. We spoke about that issue in this House, discussed it, sympathised, and mourned our fellow Kenyans who passed on during that day. However, it has come again at this time. As much as we agree that it was unfortunate that our fellow Kenyans lost their lives, we have also moved on to ensure that we reconcile the country.

The BBC World Service has attended to this matter in a way that is sort of discriminatory to the Kenyan and African society, if I may say so. It looks like our media stations also picked it up without questioning how BBC World Service aired the story. It happens worldwide. People are killed. Our people were killed, we sympathised and moved on. This happens worldwide. Remember, there was a similar incident in Capitol Hill, but the BBC World Service never took the opportunity to say something. It also happened in London; they never said it. It has happened in many Western nations, but they never covered it. Above all, there is the killing of women and children in Gaza, but the BBC World Service never speaks about it. Over 50,000 have been killed so far, especially women and children, by a country, but they never cover those things.

The documentary comes at a time when the Independent Policing Oversight Authority (IPOA) and other investigative agencies are still conducting an investigation, and they never

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shared that with them. Let us not subjugate or discriminate against our agencies. They are doing their jobs. It is a matter of us ensuring that they have the capacity to do their job. Let us not clap hands for foreigners who always come and point fingers at whatever we do, claiming it is wrong.

The BBC is a world-renowned media station. They have never talked about the genocide that is happening in Gaza, and yet it is a world service, but they want to incite Kenyans at this time. I am raising this point because even the title itself talks about ‘*Blood Parliament*’. They should have talked about the protests that day in Nairobi, Kenya, but they chose to use the term ‘*Blood Parliament*’. That also paints Parliament in a very bad light. This does not mean that we do not sympathise with Kenyans who were killed. We did that here. We mourned, empathised, and sympathised with them, but the timing of this documentary by the BBC World Service is unfortunate.

The coverage of this documentary by our media also touches on the lack of patriotism on our part by trying to showcase things done by a foreign press. I want to take on the BBC World Service so they can go to Gaza and report what is happening there. I wanted to bring that to the attention of the House so that they would also be aware that this is a national matter happening on our soil. Thank you very much, Hon. Speaker.

*(Hon. John Kiarie spoke off the record)*

**Hon. Speaker:** Yes, Hon. KJ?

**Hon. John Kiarie** (Dagoretti South, UDA): Hon. Speaker, the matter brought to the Floor by Hon. Bashir is a critical national matter that we need to prosecute with sobriety as Kenyans. No Member would rise on the Floor of this House to support atrocities by any uniformed officer against our citizens. In fact, we are not here to say whether the Kenyan Defence Forces (KDF) have done right or wrong. It is not in our place to judge them. However, it is not lost to my mind that in the last Parliament, this House declined to accede to the renewal of the terms of service and the terms of training of the British Army Training Unit in Kenya (BATUK). When we refused to sign up and regularise the BATUK’s presence in Kenya, we took a hit as a House. However, in the 13<sup>th</sup> Parliament, we passed that the BATUK can practise and train on our mother soil. That came with a very serious rider. This House resolved that if any British Army officer were to commit a crime in Kenya, they would be tried here.

The BATUK is known to have killed our people. They are known to have raped our women. Also, they are known to have maimed our people, not to forget their serious environmental degradation. We understand that the BBC is funded by taxpayers’ money in Britain, meaning that the BBC is funded to push the foreign agenda of the British people internationally. We must know whether the BBC is speaking as a mouthpiece of the Government and the people of Britain, or what it is doing. Could it be an attempt to arm-twist this country so that we can rescind the rider that we put on their training of the BATUK in Kenya and perpetuate a history of extractive, oppressive and exploitative economy in a very unfair trade balance between Kenya and the United Kingdom (UK)?

Even as we debate this matter, it is not lost to us that there were unfavourable events at the time that led up to the Finance Bill, but that is not what we are debating. We would like to know for a fact whether what the BBC is airing is connected to the riders that this House put on the training of the BATUK where we require that if any British army officer is found to have killed, maimed, or raped in Kenya, they be tried on our mother soil as it would happen to a Kenyan found guilty of a criminal offence in the UK. We need these issues clarified to Kenyans. We know many issues have happened in the UK and elsewhere, but they did not get the media presence we see being put on the issue about the KDF.

Hon. Speaker, I dare say that I am not speaking in defence of the KDF. My intention is to frame the issues at hand, knowing that the media report we are discussing may be influenced by ulterior motives. As a media practitioner, I understand that no news item featured prominently on a media station is an orphan; every media piece has its parents.

Let us consider the agreement that allows the British Army to train in Kenya and on our soil, alongside the consequent exploitation and depletion of our environment. We are aware of the human rights abuses committed by the British Army in Kenya—the killings, the maiming and the raping will not go unnoticed, and we will not keep quiet about this issue.

Thank you very much, Hon. Speaker.

**Hon. Speaker:** Hon. Millie, are you rising on the same?

**Hon. Millie Odhiambo-Mabona** (Suba North, ODM): Yes. Thank you, Hon. Speaker. I also want to thank Hon. KJ for urging us to speak soberly about this issue. I wish to talk soberly about this issue. Sometimes, in leadership, you have to take the road less travelled, and on this issue, I want to take that path.

Hon. Speaker, we lost many young people, and many others are traumatised as a consequence of what happened. It is a moment in our country that we all wish had never happened. I believe we have not handled this issue well, which is why people from outside are coming to document it. If, as Kenyans, we could acknowledge that things went wrong and that we need to fix them, it would not matter even if the BBC aired it. We have to fix our problems on our own. We do not have to wait for the BBC to tell us something is wrong.

I have a problem with their chosen title, which is typical of media houses because they seek to create a trending narrative. Because of that, they may have given it that title. However, we have not yet dealt with some of the issues raised. We have dealt with some, but one of the issues we have not dealt with is the trauma. I said it when Hon. Elachi lost her son, we have a very angry young generation in this country, and part of this anger stems from the issues we are seeing. We cannot bury our heads in the sand. Let Parliament take the lead in finding a way to help these young people heal. We do not know what may come in the next few months or even next year, compounded by the reality that many young people are jobless and frustrated.

I do not know what the intention of the BBC is. It could be to fuel more harm or not. Based on what I have heard from the youth, it has actually created more anger. We are leading them back down a path they would prefer not to walk again, and we cannot predict when someone will fuel that anger again. The media cannot be stopped. Someone else will fuel that anger again. Therefore, it is crucial for us to address this issue. Let Parliament take the mandate to deal with it.

When we experienced post-election violence, I was fortunate to be in Parliament. I believe you were also here then, Hon. Speaker. What we did then was set up a Select Committee. We travelled all over this country because, as human beings, we tend to forget. Just when we thought we had moved on, I recall meeting a woman whose husband's head had been decapitated. She went to her home with her husband's head. We were dealing with people who were angry and depressed. I remember breaking down in tears while speaking in Parliament—not for myself, but for what we had witnessed. We might think we are moving forward, but many young people have not genuinely moved on.

Hon. Speaker, I would appeal—not that I want to sit on that committee—that we establish a Select Committee to address this issue, which is not solely a matter of the Finance Bill but also concerns the aftermath of that Finance Bill. I humbly agree that we deal with this soberly and discourage ourselves from pursuing processes we believe may be politically correct but do not necessarily advance us as a country.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Beatrice Kemei, read your request for a Statement.



## REQUESTS FOR STATEMENTS

## FEMICIDE AND GENDER-BASED VIOLENCE IN KERICHO COUNTY

**Hon. Beatrice Kemei** (Kericho County, UDA): Hon. Speaker, pursuant to Standing Order 44 (2) (c), I wish to request a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding investigations into escalating cases of femicide and gender-based violence in Kericho County.

Article 26 of the Constitution guarantees every person's inalienable right to life, regardless of age, gender, and social status. Additionally, various statutes, including the Sexual Offences Act (Cap. 63A), and the Protection Against Domestic Violence Act (Cap. 151) place an obligation on the State to prevent, respond to, and provide mechanisms for reporting and prosecuting acts of Gender-Based Violence (GBV) and femicide. However, the implementation and enforcement of these laws remain inadequate in addressing the issues. Between July and September 2024, there were 62 reported cases of gender-based violence and femicide in Kericho County.

On 14<sup>th</sup> April 2025, Ms Mercy Chelangat, a 27-year-old mother of two from Kapkwen Village in Kipkelion West, was allegedly stabbed by her husband during a family reconciliation meeting. This attack occurred in the presence of other family members. Ms Chelangat is currently recovering at the Kericho County Referral Hospital, along with two other family members who were allegedly injured during the incident. On 17<sup>th</sup> April 2025, barely three days later, her husband at Gilmori shopping centre in Kenegut/Kitoi Village allegedly attacked Ms Miriam Chelimo, a 25-year-old woman, mother of two, who was pregnant. She was rushed to St. Vincent Hospital in Muhoroni, where she succumbed to her injuries.

Hon. Speaker, despite the severity of these incidents and the attackers being known, there have been very few arrests and almost no successful prosecutions. The continued absence of justice violates the right to life, equality and freedom from discrimination as enshrined in the Constitution. Notably, on 14<sup>th</sup> February 2024, this House adjourned its business under Standing Order 33(1) to address the rising femicide cases in the country. Additionally, a consultative meeting between the President and women leaders from across the country culminated in the launch of the *Komesha Dhuluma* Campaign in January 2025 to address the rising cases of femicide and GBV in the country. However, femicide cases continue to escalate, and survivors and families of victims suffer in silence while perpetrators are not apprehended.

Hon. Speaker, it is against this background that I request a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security on the following:

1. The current status of investigations into the reported femicide and GBV cases in Kericho County, particularly the attacks on Ms Mercy Chelangat and Ms Miriam Chelimo; and
2. A report on the number of reported femicide and GBV cases between July 2024 and April 2025, including steps being taken by the Ministry to ensure all reported cases of femicide and GBV in Kericho County are fully investigated and prosecuted without undue delay and indicating the reasons for the low rate of arrests and prosecutions in the Kericho cases.

I thank you.

**Hon. Speaker:** Hon. Tongoyo, when can you bring a response?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Thank you, Hon. Speaker. I will issue a response in the first week of resumption after recess.

**Hon. Speaker:** Dekow Barrow, Garissa Township.

## STATUS OF KEY PROJECTS IN GARISSA UNIVERSITY

**Hon. Dekow Mohamed** (Garissa Township, UDA): Thank you, Hon. Speaker.

Pursuant to the provisions of Standing Order 44(2)(c), I request a Statement from the Departmental Committee of Education Chairperson regarding the status of key projects at Garissa University.

Garissa University was first established as a constituent college of Moi University on the 12<sup>th</sup> August 2011 through Legal Notice No. 116 under the Moi University Act (CAP 210A) and the Garissa University College Order 2 of 2011. It attained full public university status on 23<sup>rd</sup> October 2017. In 2015, the institution, then Garissa University College, saw a period of closure following a terror attack. It has gradually resumed its activities in recent years with a rise in student enrolment that far outstrips the capacity of existing buildings, infrastructure and utilities.

In response to the university's need of infrastructure, the Government approved a proposal to construct some facilities through the Ministry of Education and the National Treasury: an ultramodern library complex to house the School of Information Sciences, a tuition block with an auditorium, a water storage and reticulation system, and an administration block.

The construction of the ultramodern library was projected to cost Ksh207,074,948, of which only Ksh39,430,648 has been disbursed. The tuition block was projected to cost Ksh372,800,000, of which only Ksh84,942,762 has been disbursed. The water storage and reticulation system was projected to cost Ksh26,902,000, of which only Ksh10,468,800 has been disbursed. The administration block was estimated to cost Ksh518,416,664, of which only Ksh151,200 has been disbursed.

Regrettably, the monies disbursed are not the full amounts allocated in the budget. That has led to the stalling of key priority projects. As a result, students are compelled to attend lectures under trees. That indignity undermines both the quality of learning and the institution's standing.

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

1. A detailed report on each project's current fiscal and financial status, including the percentage of work completed, the contractors engaged and the projected completion dates.
2. An exact timeline for the release of the outstanding balances and the measures put in place to ensure these projects are funded fully through to completion.
3. The measures put in place to ensure the prudent use of taxpayer funds and the delivery of value for money by the institution and its contractors.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Keynan, on the same? One minute.

**Hon. Adan Keynan** (Eldas, JP): Thank you, Hon. Speaker.

Garissa University is the only university in the entire region of Northern Kenya. You are also familiar with the history and the circumstances of that university. I do not need to belabour this.

By now, I thought the university would almost be a publicly funded university with branches in nearly every sub-county of the entire region. I am sure you are aware that this region is nearly 70 per cent of the land mass of the Republic of Kenya, with a growing population. The only university there is still struggling. Students are learning under trees. We have made passionate appeals. I am glad the Chairman of the Departmental Committee on Education is here.

There is no time we will have enough resources for everybody. We must sacrifice for particular groupings or regions that require those services as and when the situation demands. I plead with the Chairman of the Departmental Committee on Education and the Chairman of the Budget and Appropriations Committee to urgently put in place mechanisms to assist Garissa University on an affirmative action basis. That is so that we at least have basic infrastructure to suit the name of a university. Right now, so many students have shown the desire to go to that university, yet everything is lacking.

Hon. Speaker, I plead with you to compel some action, just like you have done in the past. I know we also apply. I plead with Hon. Dekow to put everything in perspective so we can insist that Garissa University gets a lion's share when we go through the budget-making process. That way, students can get a conducive infrastructural environment in the next financial year.

I support that Request for Statement.

**Hon. Speaker:** Hon. Rachael Nyamai, one minute.

**Hon. (Dr) Rachael Nyamai** (Kitui South, JP): Thank you very much, Hon. Speaker. I support Hon. Dekow's position that this university must be funded. We should not forget the circumstances that led to its closure. If I am correct, we lost 148 students on 2nd April 2015.

Certain things are extremely important as we work towards ensuring this university gets budgetary allocations. I want to tell Hon. Dekow, Hon. Keynan, and all other Members from Northern and Eastern Kenya that the people who attacked students in Garissa University originated from my Kitui South Constituency, a place called South Kitui Game Reserve. We have now seen efforts of people and politicians taking people back into the same game reserve. They are ensuring that the place called Inyali, where those people were traced, is becoming a settlement of people without either a chief or an assistant chief. Let security also be considered as we work on this.

I support that they should be given money to fund the university. However, take care of security so that people do not leave my Kitui South Constituency, go all the way to kill students, and affect the whole of Kenya.

**Hon. Speaker:** Thank you. Hon. Melly, when can you bring a response?

**Hon. Julius Melly** (Tinderet, UDA): Thank you. The issues raised by Hon. Dekow and the other two Members are very weighty. They affect all universities in this republic. Members of the Committee and I walked across most universities in the eastern and western parts of the Rift. We noted a number of what we call white elephant projects. We even went to Garissa and found students taking lectures under trees.

We are proceeding to recess. I will give a very detailed report immediately we are back, not only on Garissa University, but on all universities across the republic.

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. Hon. Bowen, are you on the same issue?

**Hon. Kangogo Bowen** (Marakwet East, UDA): Hon. Speaker, I appreciate the answers given by the Chairman of the Departmental Committee on Education.

**Hon. Speaker:** He has not given any.

**Hon. Kangogo Bowen** (Marakwet East, UDA): It is the promise that he is going to give us an answer soon.

The Chairman has just said that many of our universities are struggling financially. Again, we are seeing the same Ministry of Education opening other universities. We as a country need to think as the Chairman looks into the financial constraints in these institutions. Do we need more universities when strong universities like Garissa and Moi are going down?

**Hon. Speaker:** Hon. Oundo.

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Hon. Speaker, I concur with the sentiments of Hon. Bowen. The truth of the matter is that our universities are limping. The

Government or the Executive does not have the capacity to fund and sustain them. As he comes up with that Statement, we need to be very clear on what modalities or measures we are putting in place to ensure that the existing universities remain afloat. Which measures will we put in place to shut down those that have no capacity to stay afloat?

A university is opened every day. When you go to the constituencies, they force you to ask for a university. From where I sit, I know opening new universities is no longer sustainable. As a country, we need to be very clear whether we need to continue opening them. Even if you look at the returns from the Kenya Universities and Colleges Central Placement Service (KUCCPS), you find that most students who qualify to join the university opt for Technical, Vocational Education and Training (TVET) institutions instead of universities. So, it is time we rethink how to manage our universities.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Melly, you will do as you have promised.

Hon. Keynan.

#### EXTENSION OF NATIONAL POWER GRID IN NORTH EASTERN REGION

**Hon. Adan Keynan** (Eldas, JP): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Energy regarding the extension of the national power grid from Garissa to Wajir and Mandera counties in the Northern Eastern region.

This is just the same thing about the universities right now. Access to electricity is a fundamental driver of socio-economic transformation and a key enabler of development. The residents of the North Eastern region have experienced unreliable electricity in the past, which is clearly documented. This has disrupted critical services, stable business operations and limited access to education and healthcare, ultimately hindering economic growth. The extension of the national grid to the Northern Kenya region is therefore essential to unlocking the region's economic growth and bridging the development gap, particularly for Wajir and Mandera counties.

Hon. Speaker, it is against this background that I request a Statement from the Chairperson of the Departmental Committee on Energy on the following:

1. A report on the current status of funding, planning and implementation of the extension of the national grid from Garissa to Wajir and Mandera counties in the Northern Kenya region, including the timelines for completion. This project has been in the pipeline since Independence, but has never taken off. We need to know the truth.
2. The immediate and long-term measures that the Government is putting in place to ensure the residents in the Northern Kenya region get access to reliable and affordable power.
3. The plans that the Government is putting in place to address the gap in the provision of power in the region, including alternatives for the provision of off-grid solar access.

I thank you, Hon. Speaker.

**Hon. Speaker:** Chairman of the Departmental Committee on Energy, Hon. Gikaria, when can you bring a response?

**Hon. David Gikaria** (Nakuru Town East, UDA): Hon. Speaker, if given an opportunity, we can bring it after recess. I remember the same issue was raised again here two weeks ago. It is a very critical matter.

**Hon. Speaker:** So, you will combine them and bring a response during the second week after recess.

Hon. Machua Waithaka, Member for Kiambu County. Sorry, Member for Kiambu Constituency.

#### LAND GRABBING IN KIAMBU COUNTY

**Hon. John Waithaka** (Kiambu, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Lands regarding the attempted land grabbing targeting the family of the late Mr Wilson Mbothu in Ting'ang'a Ward, Kiambu County.

Mr Mbothu's family owns and resides on their 236-acre parcel of land in Ting'ang'a Ward in Kiambu, with their ownership properly documented. The family acquired the land from the white settlers 51 years ago. Legitimate ownership is further evidenced by the Government's compensation for land allocated for the development of the Kiambu-Riuki-Gewa Road. Additional compensation was received for the allocation of land for the Athi Water Three Pipeline Easement.

However, over the past two months, the family has faced systematic harassment through repeated summons from various state agencies, including the Directorate of Criminal Investigations (DCI) and the National Land Commission (NLC), demanding explanations regarding their land acquisition. The harassment has escalated to include unauthorised visits to the family's property and acts of vandalism within their farm, which has disrupted their farming activities.

Despite full cooperation from all official summons and investigations, which have not yet yielded evidence of any impropriety, they continue to face intimidation and live in constant fear for their safety and security of tenure.

Hon. Speaker, it is against this background that I request a Statement from the Chairperson of the Departmental Committee on Lands addressing the following:

1. Reasons for the repeated summons issued to Mbothu's family by various state agencies, including specific details for any informal investigations being conducted.
2. The actions being taken to investigate and address the repeated incidents of vandalism and unauthorised access to the family's property.
3. The specific steps being taken by the Ministry to protect the legitimate landowners of Mbothu's family, given their documented history of ownership and previous official transactions with Government agencies.
4. The measures being implemented to protect legitimate land owners from harassment, intimidation by state officers, and those interested parties in Kiambu and the country.

I further wish to state that I requested this Statement on 2<sup>nd</sup> December 2024. On 5<sup>th</sup> December 2024, the Departmental Committee on Lands invited the Principal Secretary, State Department for Lands and Physical Planning, Hon. Nixon Korir, to provide information regarding the matter. The record was set straight that indeed Mbothu's family owns this land. On 22<sup>nd</sup> April this year at around 11.30 a.m., the family alleges officers from the DCI headquarters went to the family farm and asked them to vacate the land. I seek your direction on this matter.

Thank you, Hon. Speaker.

**Hon. Speaker:** Chairperson of the Departmental Committee on Lands. Is there any Member of the Departmental Committee on Lands?

Hon. Rachael Nyamai, can your Committee bring a response in the second week after the recess?

**Hon. (Dr) Rachael Nyamai** (Kitui South, JP): Yes, Hon. Speaker. I commit to informing the Chairperson so the response can be brought during the second week after opening.

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. Hon. Cynthia Muge approached the Chair and indicated she was going out for a meeting. Her request for a Statement is deferred to tomorrow.

*(Request for Statement deferred)*

Hon. Julius Ole Sunkuli.

UNFORTUNATE INCIDENTS IN  
KILGORIS CONSTITUENCY

**Hon. Julius Sunkuli** (Kilgoris, KANU): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the unfortunate incidents at Angata Barikoi in Kilgoris Constituency.

Yesterday, Monday, 28<sup>th</sup> April 2025, was a very sad day for Kilgoris. Six persons from there, namely Mr Paul Barsaben from Kapsinendet Village, Mwalimu Joseph Rono from Chelchel Village, Mr Isaiah Kipkoech from Kabusa Village, Mr Gideon Koech from Kapsinendet and Mr Nelson Rono Rotgaa from Rotgaa Village, lost their lives after being shot by the police officers from Angata Barikoi and Lolgorian. In addition, the registrar of lands in Kilgoris, Mr Chepkwesi, and several other officers were also injured and admitted to various hospitals within the area.

The incident occurred during a protest that erupted over a disputed parcel of land. The current residents are believed to be the rightful owners, having lived there as their ancestral land. The security situation in the region remains tense following this incident.

It is against this background that I request a statement from the Chairperson of the Departmental Committee on Administration and Internal Security on the following:

1. A report on who authorised the police officers to use live ammunition against unarmed residents.
2. Why the land registrar and surveyors went to survey land belonging to the people of Angata without their consent, fully knowing that the land has a title deed and each piece of land is owned by known people? Why did they re-survey people's land? Who wants to take that land?
3. Why did the Ministry retain officers in Lolgorian Station in Transmara South beyond their useful period? Are they serving special interests? Whose interests are being served? Can they be removed immediately?

The government should ensure that the families who lost their loved ones are compensated.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Kitayama.

**Hon. Maisori Kemero** (Kuria East, UDA): Mhe. Spika, kwa ruhusa yako, naomba kumuunga mkono jirani yangu, Mhe. Sunkuli. Wazaramo wana msemu unaosema kuwa mla huliwa. Matatizo mengi sana yameibuka katika eneo hili. Tunashangaa kuwa mara kwa mara, kilio kikubwa zaidi kinasikika wakati vyombo vya dola kutoka kwa serikali tofauti tofauti vimeingilia swala hili.

Juzi tu mwezi wa Novemba, Mhe. Sunkuli aliomba kauli kwa ajili ya mambo haya haya na wakati huo, alizungumzia maeneo ya Angata Barrikoi, Gitembe na Mpakani ambapo jirani zetu Wakuria na Wakipsigis wanazozana. Wakati huo, ilionekana kuwa ni jambo lililohitajika kuzingatiwa kwa dharura. Nakushukuru, Mhe. Spika, kwa sababu ulitoa agizo kuwa Kamati ya Utawala na Usalama wa Ndani inayoongozwa na rafiki, ndugu na jirani yangu, Mhe. Tongoyo, iende katika eneo la tukio hilo kuangalia ni nini tunachoweza kufanya ili usalama upatikane.

Mhe. Spika, ulinituma kikazi kule Dubai, lakini nilikatiza safari yangu kwa siku mbili mfululizo na kurudisha hela ulizokuwa umenipatia kusafiria kwa sababu hili ni jambo nyeti. Tulienda katika eneo la tukio na tukajaribu kuangalia mahali shida ilikuwepo. Naishukuru sana Kamati kwa sababu walisikiliza watu wetu na wakapata uhalisia wa mambo. Bunge hili linajua kuwa shida katika eneo hilo ilianza tangu miaka kabla ya Kenya kupata Uhuru. Ukweli ni kuwa tumekataa kufuata haki kama nchi. Tunafanya hivyo makusudi tu.

Namuunga mkono jirani yangu, Mhe. Sunkuli. Nasikitika sana na kutoa rambirambi zangu kwa familia zilizowapoteza wapendwa wao na mali yao. Matatizo yanaendelea katika ukanda ule. Nilipoanza, nilisema kuwa mla huliwa. Damu ya binadamu ni damu ya binadamu. Haitoi picha na taswira nzuri kuwa wiki mbili au tatu zilizopita, Wakuria waliuwawa katika eneo hilo lakini sikuona hali ya dharura ninayoona sasa hivi. Maafa tunayojutia sasa hivi yanaonekana kama ni makubwa zaidi kuliko yale yaliyofanyika kwa jamii ya Wakuria. Ukanda huu hauhitaji mjadala wa kupapasa papasa, bali unahitaji mjadala halisia. Kila mtu anayezungumzia mambo ya eneo hili anazungumzia historia. Sisi kama Wakuria tuna historia yetu. Wakipsigis wana historia hiyo. Ndugu zetu wa jamii ya Maa ni jirani zetu wazuri sana, na wana historia yao. Tunakubaliana kuwa jamii zote zilizoko pale za Maa, Sirikwa, Moitanik, Wakuria, Wakisii na wale wote waliomiliki mashamba pale, tuishi kwa sawa na kwa haki kwa sababu Katiba yetu inatupatia haki. Haipendezi kuwa Kamati hii...

**Hon. Speaker:** Maliza.

**Hon. Maisori Kemero** (Kuria East, UDA): Mhe. Spika, Mhe. Sunkuli ameomba kauli ya pili kuhusu suala lile lile. Kwani Kamati hii ina watu wazembe ambao hawataki kufanya kazi au wanafurahia Wakuria na Wakipsigis wakifa? Wanataka akina nani wafe ili waje kutatua tatizo hili? Jambo hili linaudhi sana.

**Hon. Speaker:** Tosha! Mhe. Tongoyo, ni uzembe au ni kutotaka kufanya kazi? Je, suala hili linapaswa kuzingatiwa na Kamati ya Ardhi au Kamati ya Utawala na Usalama wa Ndani?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Thank you, Hon. Speaker. Knowing the importance and sensitivity of this matter, we will respond immediately on resumption from recess. Having said that, I want to join...

**Hon. Speaker:** Hon. Tongoyo, given the gravity of the matter and the loss of lives...

*(Hon. TJ Kajwang' played music on his phone)*

Is there somebody playing with a gadget in the House? Who is playing a gadget in the House? It is out of order.

*(Hon. Millie Odhiambo-Mabona spoke off the record)*

Is that you, Hon. Kajwang'?

**Hon. TJ Kajwang'** (Ruaraka, ODM): Hon. Speaker, I apologise.

**Hon. Speaker:** Hon. Tongoyo, are you able to bring a preliminary response tomorrow afternoon?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Yes, I will, Hon. Speaker.

**Hon. Speaker:** Lives have been lost. We are hearing of heightened tensions in the area. We saw a policeman with an arrow in his head and many other things. Can you get in touch with the Ministry of Interior and National Administration and bring a statement tomorrow afternoon?

**Hon. Gabriel Tongoyo** (Narok West, UDA): I am much obliged, Hon. Speaker. However, just give me a minute to say something.

I want to join my colleague, Hon. Sunkuli, in sending my condolences to the families who lost their loved ones. The preliminary report is that five lives of locals have been lost. About four police officers sustained injuries, including the one you mentioned, who had an arrow in his head. He had to be evacuated to get medical attention yesterday evening. The Inspector General of Police and the Directorate of Criminal Investigations (DCI) are on site. There is an ongoing meeting of the area leadership, with Members of Parliament also in attendance. The situation is a little bit calm, but tensions are still running high.

My colleague mentioned that this House instructed the Committee to visit the area. That is exactly what we did. I appreciate my colleagues who availed themselves. Hon. Kitayama has just confirmed the same. The report is ready. We were just doing the final touches on it so that we can table it. We were supposed to table it this week or once we resume from recess.

As repeatedly stated, the land question is the primary cause of insecurity. This is an old issue that dates back 20 years, including what Hon. Kitayama referred to—the 1940s, which was before we attained Independence. I do not want to go deeper into this matter, as the details will be captured in our report. When we visited the area, we were even lucky to use a police vehicle that enabled officers to patrol the area and respond to distress calls.

So, Mr. Speaker, Sir, we can get a preliminary report. I also wish to inform the country that, as it is, the Inspector-General of Police and DCI officers are on site trying to calm the situation. The situation is now a bit under control.

Thank you.

**Hon. Speaker:** Hon. Members, I spoke to Members from Baringo. I am happy to see Hon. Makilap and his neighbour sitting together. I wish Hon. Kamket were also with you. We are going on recess for a whole month. I want to urge Members of Parliament from the area – like Hon. Kitayama, yourself, Hon. Sunkuli and Hon. Johanna Ng’eno – to go to the ground and pacify the communities. Go to the ground and speak to our people. One life lost is one too many. Bring them together so we can see peace across the length and breadth of our country.

Hon. James K’Oyoo, proceed.

*(Hon. Sarah Korere spoke off the record)*

Hon. Korere, *hiyo nimepita*.

#### POSITION OF LEASING PROGRAMME FOR STATE-OWNED SUGAR FARMS

**Hon. James K’Oyoo** (Muhoroni, ODM): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request a statement from the Chairperson of the Departmental Committee on Agriculture and Livestock regarding the position of the leasing programme for state-owned sugar farms.

The Kenya sugar subsector plays a vital role in agriculture and the Kenyan economy. The industry contributes to food security, employment creation, regional development and improved livelihoods for over 8 million Kenyans. The Kenya Sugar Industry comprises 16 milling factories with an installed capacity of 41,000 tonnes per day, five of which are public-owned. These include Chemelil Sugar Company, Miwani Sugar Company under receivership,

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Muhoroni Sugar Company under receivership, Nzoia Sugar Company, South Nyanza Sugar Company, and Mumias Sugar Company, where the National Treasury is the single largest shareholder.

As part of a new revitalisation plan, the Government of Kenya initiated the process of leasing five public sugar mills, namely; Chemelil Sugar Company, Muhoroni Sugar Company in my constituency, Nzoia Sugar Company, South Nyanza Sugar Company and Miwani Sugar Company, also in my constituency, to private investors for purposes of modernisation, efficient management and increased productivity.

Whereas the public was assured of a transparent and open process that would meet the expectations and aspirations of stakeholders and Kenyan taxpayers in value addition, the exercise appears to have been driven in extreme secrecy. This has contributed to the failure of the targeted industry to gain operationalisation and stability as envisaged. This has raised concern among farmers in the sugar belt. The outcome of the resolution of the exercise will greatly affect livelihoods dependent on sugarcane farming.

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

1. The status of the leasing programme for state-owned sugar mills, particularly Muhoroni Sugar Company and Chemelil Sugar Company, and the status of Miwani Sugar Company, which, together with Muhoroni, is under receivership. During the advertisement for the leasing programme, Miwani Sugar Company was listed for leasing but has since been quietly hived out, which is a matter we will address on a later date.
2. The criteria used in tender evaluation regarding the leasing program for Muhoroni and Chemelil sugar companies. Since these are public properties, everything about them should be made public. We want the responsible parties to disclose the programme, make it public, and explain the qualifications, including what was required and why some companies did not meet the threshold in tender evaluation, while some did.
3. The composition of the tender committees that considered the leasing exercise and the recommendations they made.

Everything has been done in secrecy. People fear that the political class has hijacked the process and is determining the outcome based on their consideration. As I seek this Statement in Parliament, the constituencies where these factories are located are volatile. Workers are already demonstrating, and farmers are about to join them. The businessmen...

**Hon. Speaker:** Order, Hon. K'Oyoo. Your acceptance was to read the Statement I approved, and not to debate it. Have you finished? Do not engage in extra statements.

**Hon. James K'Oyoo (Muhoroni, ODM):** Thank you, Hon. Speaker. I request the Chairperson of the Committee to bring a statement that will meet the expectations of the public.

**Hon. Speaker:** Hon. Caroli Omondi, do you want to joyride on this one?

**Hon. Caroli Omondi (Suba South, ODM):** Yes, Hon. Speaker. On 27<sup>th</sup> September 2023, you directed the Cabinet Secretary for the National Treasury to write to me and explain the efforts made by the National Treasury to recover and protect the nucleus estate of Miwani Sugar Company, particularly LR No.7545/3, which is about 11,000 hectares. I believe this matter is still alive because I have a letter dated 11<sup>th</sup> April 2022 from the Principal Secretary for Agriculture, referenced MOALD/SDCD/Legal/18C, to the Director-General, Kenya Sugar Board. In the letter, the PS asks the Kenya Sugar Board, Miwani Sugar Company and other parties in Court to enter into a consent. We have a copy of the proposed consent here. However, I have not received any communication from the National Treasury regarding what they are doing about this land. I believe your directives are not issued in vain. It is part of the issue raised, and I would be happy to receive a statement.

**Hon. Speaker:** Clerk-at-the-Table, follow up to ensure that the response covers the concerns of both Hon. K'Oyoo and Hon. Caroli Omondi.

Hon. Melly, do you want to speak on the same issue?

**Hon. Julius Melly** (Tinderet, UDA): Yes, Hon. Speaker. Thank you. Hon. K'Oyoo and Hon. Caroli Omondi have raised a pertinent issue, especially in the sugar belt. My constituency and that of Hon. K'Oyoo serve the three factories – Muhoroni, Chemelil and Miwani. These factories are public entities. We laud the government for the reforms, but they should be transparent. The people should be involved and, more importantly, there should be public participation in the ongoing processes.

The other day, we heard through the farmers' grapevine that a new investor is coming in and that the existing mills will be turned into sugarcane collection centres. This has caused a lot of jitteriness. We ask that this matter be treated with the urgency it deserves so that the public does not lose anything.

Thank you.

*(An Hon. Member spoke off the record)*

**Hon. Speaker:** Is it on the same issue of sugar?

**An Hon. Member:** No, it is on something else, Hon. Speaker.

**Hon. Speaker:** We do not have any 'something else' on the Order Paper.

Departmental Committees on Education and Research, and Health, who is responding to Hon. Abdi Shurie's Request for Statement? Is Hon. Shurie in the House? Where is the Chairperson of the Departmental Committee on Agriculture and Livestock? Hon. Ferdinand, you are a Member of that Committee. Discuss this with your Chairperson and bring a response in the first week after recess.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): Yes, Hon. Speaker. That matter is very important. May I get the information so that we can have a meeting? This is because sugar is very important. We even toured that region. We will give a response two weeks after the recess.

**Hon. Speaker:** Thank you. Departmental Committees on Education and Health. Is Hon. Shurie in the House? He is not. Are you ready with the response?

**Hon. Julius Melly** (Tinderet, UDA): I am ready, Hon. Speaker.

**Hon. Speaker:** Is it a joint response?

**Hon. Julius Melly** (Tinderet, UDA): It is a joint response.

**Hon. Speaker:** Very well. Proceed.

**Hon. Julius Melly** (Tinderet, UDA): Hon. Speaker, as directed by your office, we had a joint sitting with the Departmental Committee on Health, which I co-chaired with Hon. Nyikal.

**Hon. Speaker:** To be fair to Hon. Shurie...

**Hon. Julius Melly** (Tinderet, UDA): I just want to give a brief explanation because we have no report as of now. We expect to bring the report immediately after we return from recess.

**Hon. Speaker:** Is it not better to do it when he is here? Do it tomorrow morning.

**Hon. Julius Melly** (Tinderet, UDA): Thank you.

**Hon. Speaker:** Clerk, relist this for tomorrow morning, so that that explanation can be given.

Next is a Departmental Committee on Administration and Internal Security response to Hon. Innocent Mugabe. Hon. Tongoyo, you have a response to give to Hon. Innocent Mugabe, Member for Likuyani. Are you ready?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Hon. Speaker, I am ready.

**Hon. Speaker:** Go ahead.

**Hon. Gabriel Tongoyo** (Narok West, UDA): Hon. Speaker, with your permission, before I respond to this request, I have three other statements that were responded to by the Cabinet Secretary when he appeared before the Committee.

**Hon. Speaker:** Yes.

**Hon. Gabriel Tongoyo** (Narok West, UDA): One was at the request of Hon. Daniel Manduku, and another one was made by Hon. Ali Wario, who was in the meeting with the Cabinet Secretary. There is also another one by Hon. Victor Koech. I kindly ask for your indulgence to table them.

**Hon. Speaker:** Are you just tabling?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Yes.

**Hon. Speaker:** Table them and proceed.

#### VIOLENT CLASHES BETWEEN POLICE AND RESIDENTS OF LIKUYANI CONSTITUENCY

**Hon. Gabriel Tongoyo** (Narok West, UDA): This is the response to the statement sought by the Member of Parliament for Likuyani Constituency, Hon. Innocent Mugabe, on the clashes between the police and the residents of Likuyani constituency.

In particular, the Member of Parliament sought the following information:

1. A report on the status of the investigation into the death of Sydney Vugigi Culture, and the reasons for the delay in arresting Mr Simon Ashibira immediately to prevent public agitation and unrest in the community.
2. A report of the investigation into the death of Ms Dorcas Naliaka Wanjala and Ms Sarah Toshia, including the steps taken to apprehend the police officers who used live ammunition against unarmed civilians.
3. The measures put in place to prevent the use of live ammunition during demonstrations and the adoption of alternative non-lethal methods of crowd control.
4. Steps being taken by the Ministry to compensate the families of the deceased persons.

Hon. Speaker, on 3<sup>rd</sup> March 2025, during a local funeral event, a disagreement arose between Simon Ashibira, the community policing chairman of Nzoia Division, and the late Sydney Vugigi, a grave digger. The conflict was triggered when the deceased's family expressed concern about Sydney's presence, alleging that he might steal from their guests based on past experience. Consequently, they requested that Ashibira be removed from the homestead. Sydney left the event visibly unsettled and disgruntled.

On 4<sup>th</sup> March 2025, Sydney visited Ashibira's home to confront him over the perceived embarrassment at the funeral. A heated exchange ensued, during which Sydney allegedly made threatening remarks, prompting Ashibira to remove him from his compound forcefully. Reports indicate that this act of removal resulted in an alleged assault on Sydney.

Later, Sydney was found unconscious approximately three kilometres from Ashibira's homestead, suffering from a head injury and bleeding. Police officers, with the help of members of the public, rushed him to Mabusi Health Centre for initial treatment before referring him to Kitale County Referral Hospital. Unfortunately, he succumbed to the injuries on 9<sup>th</sup> March.

Following the incident, Simon Ashibira, 75, and his son, Victor Ashibira, 42, who is known to be mentally unstable, were taken into police custody and arraigned in Court. On 10<sup>th</sup> March 2025, the Butali Law Court magistrate approved their remand at Likuyani Police Station for 21 days, pending completion of the investigations.

A post-mortem examination conducted on 20<sup>th</sup> March 2025 at Moi Teaching and Referral Hospital (MTRH), Eldoret, confirmed that Sydney Vugigi died due to head trauma caused by a blunt object. The case is pending before the Court.

On the second question, the death of Sydney Vugigi provoked outrage among residents who blamed Victor Ashibira, a 42-year-old Luhya male and a community policing chairman of Nzoia Division, for the assault that led to his demise. Approximately 100 irate members of the community gathered and made a procession toward Ashibira's homestead with the intent to kill him and his family before setting his house on fire. Police officers from Likuyani sub-county swiftly responded to the scene to contain the situation. Upon arrival, the police attempted to engage the crowd through dialogue. However, the situation escalated as the mob grew more violent, hurling stones at the police officers to prevent them from protecting the targeted family.

In an attempt to disperse the hostile crowd, the officers fired blank rounds, but they were quickly overwhelmed. Reinforcements from Moi's Bridge Police Station were called in successfully, facilitating the evacuation of Ashibira and his family. The evacuation further agitated the crowd, which then turned its aggression toward the officers, injuring several in the process.

Additionally, four brick houses were torched, and the enraged mob looted property of unknown value belonging to Ashibira and his family. During the altercation, police officers fired both blank and live rounds and multiple tear gas canisters. As a result, two female adults, Sarah Boaz, 21, and Dorcas Naliaka, 25, sustained fatal injuries.

Several government vehicles were also damaged in the chaos, including a Matunda Police Station Ford Ranger, registration number GKB 149Y, which sustained a smashed windscreen and damaged doors; an Administration Police Service (APS) Likuyani Land Cruiser, which sustained a smashed windscreen and dented driver's door; and the Likuyani Deputy County Commissioner's Land Cruiser, registration GKA 041H, which sustained a shattered windscreen and a dented passenger's door.

The injured police officers were taken to various hospitals, treated and later discharged in stable condition. The bodies of the deceased were taken to the Moi Teaching and Referral Hospital (MTRH) Mortuary in Eldoret, where post-mortem examination was conducted.

Investigations into the fatal injuries of Sarah Boaz and Dorcas are ongoing, led by the Kakamega County Criminal Investigation Officer. Additionally, all firearms issued to the officers on duty that day, which were used during the incident, have been collected for ballistic analysis at the Directorate of Criminal Investigations (DCI) Forensic Laboratory, where the results are still pending.

Upon conclusion of the investigations, officers who will be found culpable of any offence related to the unfortunate fatal killing of the deceased persons will be arraigned in Court to face appropriate charges.

Regarding the third question, on prevention of use of live ammunition during demonstrations and promoting the adoption of alternative non-lethal methods of crowd control, the National Police Service (NPS) has put measures in place with the aim of minimising the use of live ammunition while ensuring effective crowd management, safeguarding both public safety and the right of demonstration. These include policy and legal framework, training and capacity building ...,

**Hon. Speaker:** Hon. Tongoyo, give us a summary.

**Hon. Gabriel Tongoyo** (Narok West, UDA): Hon. Speaker, the measures include deploying non-lethal equipment, improving command and control, and enhancing public engagement and community policing.

Regarding the question on steps being taken by the Ministry to compensate the families of the deceased persons for the loss of their loved ones, unfortunately, the Ministry has no budgetary vote for compensation of the victims.

I submit, Hon. Speaker.

**Hon. Speaker:** Hon. Innocent Mugabe, are you satisfied?

**Hon. Innocent Mugabe** (Likuyani, ODM): Thank you very much, Hon. Speaker. The Statement is not satisfactory at all.

Firstly, from the incident report, the young man, Sydney, was assaulted on the 3<sup>rd</sup> and the police took him to the hospital. However, the police did not do anything to arrest the person who assaulted him, and yet they knew that person. That person continued walking freely in the community until the 9<sup>th</sup>, when Sydney passed on. It would have been prudent for the police to arrest the assailant, as Sydney was taken to the hospital.

**Hon. Speaker:** The assailant.

**Hon. Innocent Mugabe** (Likuyani, ODM): Hon. Speaker, the fact is that this person was not arrested, and no action was taken against him. It was only after Sydney died that the community reacted. Why did the police not arrest Mr. Ashibira even though they knew he was the one who had assaulted Sydney? They waited until Sydney died to escalate the matter. The response has no explanation for that bit. There is also no explanation for what action will be taken against the people in charge.

Secondly, I heard that quite a number of police officers went to manage the crowd. He explained that the crowd was made up of only about 100 people. Why did they use live ammunition on two young girls who were not even part of the crowd that was demonstrating? Members of the community even know the police man who shot the two ladies. Therefore, when you tell us about ballistic analysis and all that, we do not take it kindly because the person who shot the ladies is known. Why are you not taking action against that police officer?

Thirdly, even if you are doing ballistic analysis, how long does it take? As we speak, lives have been lost. Families have been bereaved, yet we are talking about some analysis that is taking ages. No action has been taken against the police officer who shot the two ladies.

Thank you.

**Hon. Speaker:** Hon. Tongoyo, umeskia ulivyoulizwa? Unaweza kujibu hayo maswali?

**Hon. Gabriel Tongoyo** (Narok West, UDA): *Nimeskia, Mhe. Spika.* I have given the response as presented to us by the Ministry. I can seek clarification on the raised issue.

**Hon. Speaker:** Has anybody been charged in connection with this incident? Hon. Innocent Mugabe, has anybody been arraigned in Court?

**Hon. Innocent Mugabe** (Likuyani, ODM): Yes.

**Hon. Speaker:** Give him the microphone.

**Hon. Innocent Mugabe** (Likuyani, ODM): Yes. Mr Simon Ashibira and his son were arrested.

**Hon. Speaker:** Have they been taken to Court?

**Hon. Innocent Mugabe** (Likuyani, ODM): They were taken to Court.

**Con. Speaker:** Is there a pending Court case?

**Hon. Innocent Mugabe** (Likuyani, ODM): Yes, Hon. Speaker.

**Hon. Speaker:** That being the case, I will be reluctant to encourage further discussion on the matter in case you prejudice the prosecution of the criminal case. What do you think? You have made the point by highlighting the issue. However, if it is a matter now pending before a criminal Court. It is up to you.

**Hon. Innocent Mugabe** (Likuyani, ODM): Hon. Speaker, there are two matters. In the incident that led to the death of Sydney, the assailants have been taken to Court. However, the two ladies were shot by a police officer who used live ammunition.

**Hon. Speaker:** Against whom no action has been taken?

**Hon. Innocent Mugabe** (Likuyani, ODM): Yes, Hon. Speaker. No action has been taken on the second incident.

**Hon. Speaker:** Yes, Hon. Tongoyo.

**Hon. Gabriel Tongoyo** (Narok West, UDA): Hon. Speaker, first, I appreciate that...

**Hon. Speaker:** Did the ladies die, or were they just injured?

**Hon. Gabriel Tongoyo** (Narok West, UDA): They died, Hon. Speaker. From the response given by the Ministry, they died. I think the incomplete part is the issue of police officers being arraigned in Court. It is probably waiting for the ballistic analysis report to confirm the rifle that discharged the bullets that killed the ladies.

Hon. Speaker, maybe we should give it a bit of time. Once we resume from recess, we can follow up on this matter for additional response.

**Hon. Speaker:** Hon. Ferdinand.

**Ho. Ferdinand Wanyonyi** (Kwanza, FORD-K): Hon. Speaker, I just want to make a general comment – that something should be wrong with what happened in Kilgoris and the current case. There is no discipline at all amongst police officers. The officers just act haphazardly. I do not know what we can do to instil discipline amongst officers so that when they are called upon to quell any disturbance, they can be orderly. From what we have been told, it seems that somebody was just shot haphazardly. Five people were killed in Kilgoris because the officers were shooting haphazardly.

Hon. Speaker, we should do something. Police officers must be disciplined enough to be able to quell disturbances anywhere in the country without having to kill people. I do not know how we can go about it, but I am personally getting disturbed. If we do not say something about police indiscipline, the situation will get out of hand.

**Hon. Speaker:** Hon. Bowen, do you want to joyride on the same issue?

**Hon. Kangogo Bowen** (Marakwet East, UDA): Yes, Hon. Speaker.

**Hon. Speaker:** Go ahead.

**Hon. Kangogo Bowen** (Marakwet East, UDA): Hon. Speaker, I also want to make a general comment. Firstly, the Chairman of the Departmental Committee on Administration and Internal Security needs to sit down with the various heads of security agency formations, including the Inspector-General of Police and other security agency leaders. There is a serious disconnect between the citizens and the police.

A few months ago, we saw a crowd of people chop off the hand of a police man somewhere in Narok County during an incident there. Yesterday, five people were killed by police officers. There is a need for the National Police Service to come up with a policy on how police officers can work well with *wananchi*.

Secondly, we also need to sensitise our people to respect the law enforcement officers. I understand that it is when a police officer's life is endangered that he can use his firearm. By so doing, police officers sometimes end up killing innocent people. Therefore, as a country, we need to look at how we can have our police work together and provide security and service to our people. The citizens should also obey the law enforcement officers.

**Hon. Speaker:** Yes, Hon. Oundo. Is it on the same issue?

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Hon. Speaker, what happened in Hon. Mugabe's place, Likuyani, is a cultural practice amongst the Luhya community. Where I come from, it is called *Osola*, which when translated means to take revenge against a confirmed assailant who causes death.

I had a similar crisis in my constituency about three weeks ago. Luckily enough, we did not lose any lives, but we lost a lot of property. There was no injury to the police. Only eight policemen were deployed to tackle a crowd of about 200 people. That is why we are saying that the National Police Service probably needs to study the cultural context of such eventualities and know how to manage them. Sending eight police officers to control 200

people who are intent on exerting revenge is putting the lives of the police officers in danger. You will also not be protecting the affected families.

This is a debate that the National Police Service needs to have because the people's anger against anything resembling the government is so heavy and deep. Therefore, as a country, we must have a discourse at the earliest moment possible. Otherwise, we will continue to have fatalities from both civilians and the police whenever such issues arise. It is a debate that we cannot sweep under the carpet. We must have it now and not later.

Thank you, Hon. Speaker.

**Hon. Speaker:** Yes, Hon. Millie. You have one minute.

**Hon. Millie Odhiambo-Mabona** (Suba North, ODM): Thank you, Hon. Speaker. I was actually listening to Hon. Oundo. He says this is a debate we may have before there are fatalities. The day after tomorrow, I will be burying my cousin, a police officer, who was beaten by the public in Bomet. His name is Samuel Orina. We are burying him on Thursday. We buried my uncle last week in the same home. The two were innocent police officers.

**Hon. Speaker:** You must also have seen a policeman under excruciating pain with an arrow lodged in his head. Police officers are also our children.

**Hon. Millie Odhiambo-Mabona** (Suba North, ODM): Yes, Hon. Speaker. In reality, this is happening and we must find a way of dealing with it. Normally, we talk in the House as if it is something that is happening somewhere else. I am telling you we are burying my first cousin the day after tomorrow. He was killed in Bomet. He was beaten and left for the dead. He died of the injuries about a week ago. It is something that is no longer theoretical. We need to deal with it seriously.

**Hon. Speaker:** Hon. Tongoyo, do you hear that?

**Hon. Gabriel Tongoyo** (Narok West, UDA): Hon. Speaker, I associate myself with the sentiments of the Hon. Members. It is fair enough to say that police officers are also human beings. They are fathers and have wives. It is easy to condemn police officers when they are in the wrong but, rarely, do we appreciate and recognise them when they do well. We only see them when they fail. When they do the right things or deter crime and keep us safe, we hardly appreciate them. That is the unfortunate reality. I am not defending rogue officers who go against the ethics and kill innocent citizens. Citizens must, at all times, not take the law into their own hands. That is what I have to say. We have community policing so that we can close the gap that exists.

**Hon. Speaker:** Hon. Sigei.

**Hon. Francis Sigei** (Sotik, UDA): Thank you, Hon. Speaker. I rise regarding a statement that I requested from the Chairman of the Departmental Committee on Trade, Industry and Co-operatives about the Kenya Co-operative Creameries in Sotik. That issue has been pending for a long time. I request that, if possible, it be prioritised.

**Hon. Speaker:** When did you request for it?

**Hon. Francis Sigei** (Sotik, UDA): In February.

**Hon. Speaker:** Two months ago! The Leader of the Majority Party is not here. Hon. Millie, inform the Chairman of the Departmental Committee on Trade, Industry and Co-operatives to bring the response tomorrow afternoon. It has been pending for two months.

Is the Chairman of the Committee on Parliamentary Broadcasting and Library in the House? Hon. Nanok, do you have your Statement ready?

**Hon. David Nanok** (Turkana West, UDA): Yes, Hon. Speaker. It is ready. But looking at the attendance in the Chamber and considering the kind of information that is contained therein, I request that we defer it.

**Hon. Speaker:** You can issue the Statement tomorrow morning.

**Hon. David Nanok** (Turkana West, UDA): For sure, as long as there will be good attendance so that most Members can be informed.

**Hon. Speaker:** That is neither here nor there. Proceedings are recorded. Let us allow Hon. Nanok to issue that Statement tomorrow during the morning proceedings.

### COMMUNICATION FROM THE CHAIR

#### GUIDANCE ON CONSIDERATION OF PROPOSED AMENDMENTS TO THE SOCIAL PROTECTION BILL

**Hon. Speaker:** Hon. Members, before the House proceeds to the next Order, which is the consideration of the Social Protection Bill, (National Assembly Bill No.12 of 2025), and the Value Added Tax (Amendment) Bill, (National Assembly Bill No.11 of 2025), in the Committee of the whole House, I wish to provide guidance with respect to the consideration of some of the amendments that have been proposed by individual Members.

As you are aware, it is now established practice under the Constitution that when we are considering any matter that has a financial implication, the House is bound by the provisions of Article 114(2) of the Constitution. For clarity, Article 114(2) of the Constitution provides that:

“If, in the opinion of the Speaker of the National Assembly, a motion makes provision for a matter listed in the definition of “a money Bill,” the Assembly may proceed only in accordance with the recommendation of the relevant Committee of the Assembly, after taking into account the views of the Cabinet Secretary responsible for finance”.

In this regard, you will notice that in today’s Order Paper, the Member for Funyula, Hon. (Dr) Ojiambo Oundo, has proposed amendments to the Social Protection Bill, 2025. He is proposing to amend Clauses 2 and 31 and introduce new Clauses 30A and 30B to the Bill, all relating to the establishment, functions and membership of Social Protection Committees in each sub-county.

I have analysed his amendments and noted that they contain proposals touching on matters listed in the definition of a money Bill, pursuant to the provisions of Article 114(2) of the Constitution. This means that such proposal may only be proceeded with if there is concurrence of the National Treasury, through the Departmental Committee on Social Protection.

In the absence of evidence that the amendments were processed in the manner contemplated in Article 114 of the Constitution, the Speaker is left with no choice but to direct that the Committee of the whole House shall not consider any of the amendments or parts of the amendments that have been published in the Order Paper without a disclaimer. The Committee of the whole House on the Social Protection Bill, 2025 will, therefore, proceed without reference to the proposed amendments by Hon. Oundo and will be considered as though the amendments have been withdrawn.

The House is accordingly guided. Hon. Oundo, *umesikia hiyo*.

*(Hon. (Dr) Ojiambo Oundo spoke off the record)*

No comment. I have just given direction. I am not inviting you to comment.

Next Order.

### COMMITTEE OF THE WHOLE HOUSE

*(Order of the Committee read)*



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

### IN THE COMMITTEE

*[The Temporary Chairlady (Hon. (Dr) Rachael Nyamai) in the Chair]*

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

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Order Members! We are in the Committee of the whole House to deal with two Bills. The first one is the Social Protection Bill, (National Assembly Bill No.12 of 2025). The second one is the Value Added Tax (Amendment) Bill, (National Assembly Bill No.11 of 2025). We will start with the Social Protection Bill. Chair or Leader of the Majority Party, there is an amendment.

#### *Clause 3*

**Hon. Alice Ng'ang'a** (Thika Town, UDA): Hon. Temporary Chairlady, I beg to move: THAT, Clause 3 of the Bill be amended-

(a) by deleting the words "all persons" wherever they appear and substituting therefor the words "persons in need".

(b) in sub-clause (a) by deleting the words 'throughout their life cycles'.

The justification is that Article 43(3) of the Constitution mandates the State to provide appropriate social security to persons who are unable to support themselves and their dependents. Further, it is not financially tenable to cushion all persons in need against risk and contingencies throughout their life cycle as currently provided on the Bill.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Chairperson.

*(Question of the amendment proposed)*

Is there any interest in this? I see there is interest from the Member of Ruaraka, Hon. Tom Kajwang'. Hon. Members, please press the intervention button if you are interested in making comments on the amendments. Please, remove your cards. Hon. Tom Kajwang' and Hon. Sarah Korere of Laikipia North, please remove your cards.

*(Question, that the words to be left out be left out, put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted, put and agreed to)*

*(Clause 3 as amended agreed to)*

*(Clauses 4 and 5 agreed to)*

#### *Clause 6*

**Hon. Alice Ng'ang'a** (Thika Town, UDA): Hon. Temporary Chairlady, I beg to move: THAT, Clause 6 of the Bill be amended by deleting the word "may" appearing immediately after the words "county government" and substituting therefor the word 'shall'.

This will obligate county governments to implement national Government policies on social protection through county specific registration and strategies as opposed to making it optional as currently provided in the Bill.

Thank you, Hon. Temporary Chairlady.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Chairperson.

*(Question of the amendment proposed)*

Hon. James Nyikal, do you have interest in this?

**Hon. (Dr) James Nyikal** (Seme, ODM): Thank you, Hon. Temporary Chairlady. I rise to support this amendment.

Social protection is important. Currently, there is much disconnect and duplication between what is happening at the national level and the county level. The amendment will create the required link and give provision for counties to look at ways to register. This is actually more appropriate to them.

Therefore, I support.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Nyikal.

*Question, that the word to be left  
out be left out, put and agreed to)*

*(Question, that the word to be inserted in  
place thereof be inserted, put and agreed to)*

*(Clause 6 as amended agreed to)*

*(Clauses 7 and 8 agreed to)*

#### Clause 9

**Hon. Alice Ng'ang'a** (Thika Town, UDA): Hon. Temporary Chairlady, I beg to move: THAT, Clause 9 of the Bill be amended—

- (a) by renumbering the existing provision as sub-clause (1);
- (b) by inserting the following new sub-clause immediately after sub-clause (1);

(2) Despite sub-section (1), nothing in this Act confers upon the Board the power to perform functions that are under the mandate of other Government ministries, departments, trusts or agencies.

These amendments seek to ensure that operations of the National Board for Social Protection do not interfere or affect the statutory mandate of existing ministries, departments, directorates, state corporations, trusts, or other Government agencies.

*(Question of the amendment proposed)*

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Is there any interest in this? Prof Oundo, Member of Funyula.

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Hon. Temporary Chairlady, the amendment under (b) is not clear. Probably, the Chairlady can explain a little bit. What problem are they trying to cure by saying: (2) “Despite sub-section (1), nothing in this Act confers upon

the Board the power to perform functions that are under the mandate of other Government ministries, departments, trusts or agencies”?

I cannot fathom how a board can undertake a function that is not within their remit. I also do not understand which other ministry or department has the power or authority to undertake social protection services. The amendment is not clearly framed.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): You have made your point. Hon. Chairlady, can you kindly explain the rationale of Clause 9(b).

**Hon. Alice Ng’ang’a** (Thika Town, UDA): Thank you very much, Hon. Temporary Chairlady. Most times, boards execute or refer to mandates of another board or department. I sit with Hon. Nyikal in the Departmental Committee on Social Protection. We realised that some departments oversee trusts or agencies they are not supposed to. This amendment cures that problem by making departments specifically deal with their mandates.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Thank you. I now give a chance to the Member of Seme.

**Hon. (Dr) James Nyikal** (Seme, ODM): I rise to support this because of the definition of social protection. To a large extent, when we talk of social protection, people see cash transfers. They do not realise that even health insurance, agricultural subsidy or school feeding programmes are social protection. There is need for co-operation but without the amendment, conflict will always occur if we are not careful.

I support.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Nyikal.

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 9 as amended agreed to)*

#### Clause 10

**Hon. Alice Ng’ang’a** (Thika Town, UDA): Hon. Temporary Chairlady, I beg to move:

THAT, Clause 10 of the Bill be amended in sub-clause (1) by inserting the following new paragraph immediately after paragraph (b)—

(ba) the Principal Secretary for the time being responsible for matters relating to children or their representative designated in writing;

The inclusion of the Principal Secretary dealing with children matters to the board is critical. It ensures that, that vulnerable yet significant and populous proportion of the nation is accorded due regard, considering that matters affecting children’s welfare are broad, delicate and precise.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Chairperson.

*(Question of the amendment proposed)*

There being no interest, I will now put the Question.

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 10 as amended agreed to)*

*(Clauses 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23,*

24, 25, 26, and 27 agreed to)

*Clause 28*

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Chairperson, you have an amendment.

**Hon. Alice Ng'ang'a** (Thika Town, UDA): Hon. Temporary Chairlady, I beg to move: THAT, Clause 28 of the Bill be amended in sub-clause (3) by inserting the following new paragraph immediately after paragraph (e)—  
(f) unpaid, deficient and unsupported caregivers;

The justification is that most caregivers who give care to children, persons with disabilities and other vulnerable persons have no source of income, since they are engaged with vulnerable care receivers. They do this on a daily basis. As such, they deserve social protection intervention.

*(Question of the amendment proposed)*

**Hon. Alice Ng'ang'a** (Thika Town, UDA): Hon. (Dr) Oundo.

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Hon. Temporary Chairlady, this amendment might be well-intentioned, but it has all the hallmarks of fraud being committed. We will have people who will become professional caregivers just to live and hang on vulnerable persons. They will be unpaid, deficient and unsupported caregivers. They can be beneficiaries of existing social protection programmes.

I foresee a situation of having hangers-on around the vulnerable persons who purport to be caregivers without any formal training or need of social protection. I ask the Chairperson of the Department Committee on Social Protection to relook at this amendment to avoid setting a dangerous precedent.

Thank you, Hon. Temporary Chairlady.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Well, let us give other Members a chance to speak. Hon. David Bowen, Member for Marakwet East.

**Hon. Kangogo Bowen** (Marakwet East, UDA): Hon. Temporary Chairlady, with all due respect to my good friend and Chairperson of the Committee, Hon. Alice, this amendment is not good. Like Hon. Oundo has just said, it will be subject to abuse, unless it is clearly defined elsewhere who those caregivers are. I ask her to withdraw this amendment and then we look at it at a future time when it will be clearly defined.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. James Nyikal.

**Hon. (Dr) James Nyikal** (Seme, ODM): When we are dealing with severely disabled persons, whom are we supporting? Is it the caregiver or the severely disabled person? I believe there is a clear definition in this Bill. We should make sure that a caregiver is defined in the procedure and regulations of this Bill. It should be one person who takes care of you, but not all the people who sit with you. That is what is intended here. I support the amendment with the inclusion of that provision. Otherwise, it can be abused, but with that provision, it will work.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Nyikal. I would like to give the final opportunity to the Chairperson before I put the Question.

**Hon. Alice Ng'ang'a** (Thika Town, UDA): Hon. Temporary Chairlady, we will define a caregiver in the regulations. Those people always give care to the vulnerable, but nobody cares about them. They are trained because you need skills to deal with children with cerebral palsy or those who are totally disabled. Nobody talks about them. That is why we are talking about them in this Bill.

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 28 as amended agreed to)*

*Clause 29*

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): We have an amendment. Hon. Ng'ang'a, proceed.

**Hon. Alice Ng'ang'a** (Thika Town, UDA): Hon. Temporary Chairlady, I beg to move:

THAT, Clause 29 of the Bill be amended in paragraph (b) by inserting the following new sub-paragraph immediately after sub-paragraph (viii)—

(ix) essential drugs, personal care goods and assistive devices;

This amendment seeks to ensure that persons living with disabilities such as autism, cerebral palsy and other disabilities access subsidised essential drugs, personal care products such as diapers and various assistive devices so as to mitigate their varied circumstances.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 29 as amended agreed to)*

*(Clause 30 agreed to)*

*Clause 31*

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): We have an amendment. Chairperson, proceed.

**Hon. Alice Ng'ang'a** (Thika Town, UDA): Hon. Temporary Chairlady, I beg to move:

THAT, Clause 31 of the Bill be amended in sub-clause (5) by inserting the words “within sixty days of receiving an application” immediately after the words “in writing”.

This amendment is meant to compel the Board to respond to a social protection application within a set timeline of 60 days. Currently, there are no set timelines in this Bill.

Thank you, Hon. Temporary Chairlady.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 31 as amended agreed to)*

*(Clause 32 agreed to)*

*Clause 33*

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): We have an amendment. Chairperson, proceed.

**Hon. Alice Ng'ang'a** (Thika Town, UDA): Hon. Temporary Chairlady, I beg to move:

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THAT, Clause 33 of the Bill be amended by inserting the words “in the first optional instance, to the Cabinet Secretary, or” immediately after the words “may appeal”.

This amendment is meant to accord social protection applicants who may wish to appeal the Board’s decision rejecting their application opportunity, to approach the Cabinet Secretary as an optional appeal avenue or appeal directly at the High Court. This is because many vulnerable persons may not be sufficiently resourceful to make a direct appeal at the High Court due to their existing vulnerabilities. An applicant who appeals to the Cabinet Secretary responsible for Social Protection will be at liberty to further appeal at the High Court, if he or she wishes.

Thank you, Hon. Temporary Chairlady.

*(Question of the amendment proposed)*

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 33 as amended agreed to)*

*(Clauses 34, 35, 36, 37, 38, 39, 40, 41, 42, 43 44, 45, 46, 47, 48, 49, 50,  
51,52, 53, 54, 55 and 56 agreed to)*

*(Schedule agreed to)*

*(Clause 2 agreed to)*

*(Title agreed to)*

*(Clause 1 agreed to)*

**Hon. Kimani Ichung’wah** (Kikuyu, UDA): Hon. Temporary Chairlady, I beg to move that the Committee reports to the House its consideration of the Social Protection Bill, (National Assembly Bill No.12 of 2025), and its approval thereof with amendments.

*(Question proposed)*

*(Question put and agreed to)*

THE VALUE ADDED TAX (AMENDMENT) BILL  
(National Assembly Bill No.11 of 2025)

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Members, we will now consider the Value Added Tax (Amendment), Bill (National Assembly Bill No.11 of 2025), which will be handled by the Leader of the Majority Party.

**Hon. Kimani Ichung’wah** (Kikuyu, UDA): Hon. Temporary Chairlady, I beg your indulgence. I have consulted the Chairperson of the Departmental Committee on Finance and National Planning and he says that the Committee is currently in a meeting with the Kenya Revenue Authority (KRA) deliberating on some of the effects of the proposed amendments. I beg your indulgence that we defer the consideration of this Bill until the Departmental Committee on Finance and National Planning finalises on their report.

**The Temporary Chairlady** (Hon. (Dr) Rachael Nyamai): Hon. Members, the request by the Leader of the Majority Party is acceded to.

*(Committee of the whole House on the Value Added Tax  
(Amendment) Bill deferred)*

*(The House resumed)*

IN THE HOUSE

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

## MOTION

### CONSIDERATION OF REPORT ON THE SOCIAL PROTECTION BILL

**The Temporary Speaker** (Hon. Peter Kaluma): The Chairperson to report to the House.

**Hon. (Dr) Rachael Nyamai** (Kitui South, JP): Hon. Temporary Speaker, I beg to report that the Committee of the whole House has considered the Social Protection Bill, (National Assembly Bill No.12 of 2025), and approved the same with amendments.

**The Temporary Speaker** (Hon. Peter Kaluma): The Mover to move for agreement with the Report.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Hon. Temporary Speaker, I beg to move that the House do agree with the Report of the Committee of the whole House on its consideration of the Social Protection Bill, (National Assembly Bill No.12 of 2025). I also request Hon. Hilary, the Vice-Chairperson of the Committee, to second the Motion.

**Hon. Hilary Kosgei** (Kipkelion West, UDA): Hon. Temporary Speaker, I beg to second.

*(Question proposed)*

**The Temporary Speaker** (Hon. Peter Kaluma): There being no interest to speak to this, for the convenience of the House, the Question will be put at a future date when the business will be next scheduled by the House Business Committee for consideration.

*(Putting of the Question deferred)*

Next Order.

## MOTION

### WITHDRAWAL OF THE PUBLIC TRANSPORT (MOTORCYCLE REGULATION) BILL (Senate Bill No.38 of 2023)

**The Temporary Speaker** (Hon. Peter Kaluma): Is Hon. TJ Kajwang' moving the Motion on behalf of the Committee?

**Hon. TJ Kajwang'** (Ruaraka, ODM): Hon. Temporary Speaker, I have the pleasure to have been delegated the privilege to move the Motion by the Chairperson of the Departmental

Committee on Transport and Infrastructure. We want to create a precedence on how this House can relate to the other House. A Bill which emanates from the other House...

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. TJ Kajwang', the House has not heard you move the Motion before you start debating it. First move the Motion.

**Hon. TJ Kajwang'** (Ruaraka, ODM): Hon. Temporary Speaker, I beg to move the Motion as it is in the Order Paper in Order No.9.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. TJ Kajwang', do you have the Order Paper with you? Kindly pass the Order Paper to him. He is an old Member.

**Hon. TJ Kajwang'** (Ruaraka, ODM): Hon. Kangogo cannot pretend to know more of the Standing Orders than I. I did not have the Order Paper in my hands.

Hon. Temporary Speaker, I beg to move the following Motion:

THAT, notwithstanding the provisions of Standing Order 127(5) and taking into consideration the request from the Senate for withdrawal of the Public Transport (Motorcycle Regulation) Bill, (Senate Bill No.38 of 2023), this House resolves to discharge the Public Transport (Motorcycle Regulation) Bill (Senate Bill No.38 of 2023) from Second Reading.

The gist of this Motion is simply to create a legal infrastructure on how we conduct business in both Houses. A Bill emanating from the Senate, having been processed, considered, and passed, is referred to this House for reciprocal consideration. Once it lands in this House, it ceases to be the property of the Senate and becomes the property of this House. Its processing and handling remain the province of this House under the relevant Standing Orders.

During the processing of this Bill, something new in our jurisprudence happened. Hon. Bonny Khalwale, the Whip of the Majority Party in that House, proposed the Bill as an individual Member's Bill. When the Bill landed in this House, he sought, by way of a letter, to withdraw it. Faced with that circumstance, the Speaker, mindful of the mutual relationship between the two Houses, issued a communication which was read the other day. The Speaker expressed sympathy for the Member, but clarified that a Member of the Senate cannot withdraw a Bill that is before this House. In the best interest and on the best advice of the Speaker, we now have a Motion before us, so that this House may express itself one way or the other. We do not have Standing Orders that allow a Senator who has already processed a Bill to withdraw it once it is before us. That can only be done through the action of the Leader of the Majority Party.

Everybody agrees that we need to structure and regulate the *bodaboda* business, because it is a big problem— a time bomb in our hands. I was in Doha last week and I did not see a single *bodaboda* on the streets. Not even one, except for service providers such as e-hailing platforms and others that help the society function. However, in India, *bodabodas* are all over the streets. In fact, the traffic officer has a whistle and uses a line to control the two-wheelers. That is what is happening here in Kenya, and it is also occurring across almost all jurisdictions in East Africa. You go to Kampala in Uganda, our neighbour, and you see all those *bodabodas*. The 9<sup>th</sup> Floor of Kenyatta National Hospital is a ward that is filled with cases of broken bones caused by motorcycles. As you drive along our roads, it is more dangerous on your left-hand side than on your right-hand side because a motorcycle can appear suddenly from the left before you even realise it.

Everybody understands that we need to regulate that sub-sector. However, on the flip side, it is a source of income for our young people. It is a source of employment. They get revenue and hard-earned living through that sub-sector. That is not disputed. However, it is high time there was a law that comprehensively addresses this issue. The Traffic Act does very little to control the *bodaboda* sub-sector. We agree that we need legislation. We support the fact that there is legislation before us. However, even if the legislation is before us, can it be processed in a proper manner?



I have come this afternoon to support the withdrawal of this Bill, so that the Departmental Committee on Transport and Infrastructure can take it up, examine what is good in it, and turn it into law. We can then develop the necessary regulations. More importantly, we must also have input from the Executive, to provide the policy behind it, so that we can create a law that aligns both with the policy and with what helps the society.

I am told that Senator Bonny Khalwale found himself with a hot potato in his hands. He was pursuing good legislation, but at some point, a few drivers or motorcycle associations out there threatened him. They told him that if he proceeded with the legislation, he would be voted out. I am also told that the Senator aspires to be the Governor of some county. So, just a few people pressured him into throwing out the legislation and writing to the Speaker to withdraw it. What kind of governor would he be, if he is given the chance? Just a few motorcycle riders caused him to abandon an entire piece of legislation!

We must play our role as the National Assembly. We must regulate that industry. We want to take it up. I can assure the Leader of the Majority Party that the Cabinet will issue a Cabinet Paper authorising us to bring this legislation before the Assembly and process it. We will not be intimidated like the Senator for Kakamega. I, together with the Leader of the Majority Party, do not aspire to be governors of any county. We will, therefore, carry out this duty without those considerations.

Hon. Temporary Speaker, I wish to support and move that Members accept, with a lot of humility, to discharge this Bill if, for nothing else, to let Sen. Bonny Khalwale know that there is no procedure in the Standing Orders for withdrawing a Bill once it is before this House. He seeks to usurp the powers he does not have by attempting to exercise authority in this Assembly while seated in the Senate.

With those remarks, I support and move. I propose, and I believe that the Leader of the Majority Party will be kind enough, to second. I thank you.

**The Temporary Speaker** (Hon. Peter Kaluma): Leader of the Majority Party, I hope you do not fear *bodaboda* riders.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Temporary Speaker. You know, fear and I are never in the same sentence. I second this Motion by the Departmental Committee on Transport and Infrastructure to discharge the Public Transport (Motorcycle Regulation) Bill. I know Hon. Bonny Khalwale is a medical doctor, but when it comes to English, I think he should have borrowed some better English from this Assembly.

As the Mover has said, this being a Private Member's Bill that came from the Senate, the proposer, Senator Bonny Khalwale, has written seeking to withdraw it. However, as Hon. TJ Kajwang' has mentioned and as was noted by the Speaker in his Communication, there is no process for a Senator to withdraw anything from this House. Whether the Senator is the sponsor of the Bill or a Motion that has already been processed and finalised within the Senate and brought to this House, it is only the Motions of this House and our procedures that can discharge or withdraw such a Bill. Therefore, let this be a lesson not just to Senator Khalwale, but to the other Senators as well. If you want to propose legislation, be man enough to bear the consequences of the choices you make. As we have been told before, choices have consequences.

Hon. Temporary Speaker, I agree with the Mover, Hon. Kajwang' that, if you intend to be a governor of a county, you will be required to make hard and right decisions on behalf of the people. Indeed, that is what leadership calls for. As a leader, time and again, you will be called upon to make the right but unpopular decisions to the masses. How I wish Senator Bonny Khalwale had allowed leadership to take charge of his decisions other than political expediency. This is because the decision to withdraw this Bill by Senator Bonny Khalwale is more of political expediency and playing to the gallery than being a leader. The people of Kakamega will judge whether he is somebody they can trust to lead or one who is meant just

to politic. It is very easy to politic and shout in funerals and in political rallies, but to offer leadership is a different issue all together. That is why I agree with Hon. TJ Kajwang' that there is need to offer leadership in regulating how our transport sector operates - right from our trains under Kenya Railways, to our buses and *matatus*, all the way to the use of private vehicles and *bodabodas*. That is because it is chaotic to drive on our Kenyan roads.

As Hon. T.J. Kajwang' has said, in Kenya, it is more dangerous to check what is on your right than on your left when you are driving. We expect people to overtake on your right given that we have right-hand drive cars and we keep left on our roads. However, people overtake from both the left and right sides; they join the roads from every other corner; and, overtake at all manner of places, including blind spots.

The other day, somebody narrated to us in the House Business Committee how he shockingly witnessed three traffic policemen riding as pillion passengers on a *bodaboda*. Those are the people who are supposed to be enforcing the law to make sure that every *bodaboda* has one pillion passenger. You will easily find policemen flouting the same laws that they are supposed to enforce! Therefore, that tells us that there is need to have proper legislation and to ensure that the same laws are enforced. We cannot allow the chaos that is in the public transport sector today to continue.

Sometime last year or early this year, there was hue and cry over a *matatu* that was said to be owned by a son of a prominent politician in this country. It became very fashionable to bash that one *matatu* that plies either Ngong' or Rongai. It is not even owned by the son of the President, as it was said. The said son is a student in school but, because that is what was alleged, everybody on social media admonished him.

Last year, there was an incident where a lady driver collided with a *bodaboda* somewhere in Kitengela. Kenyans can recall the chaotic scenes of her car being vandalised by other *bodaboda* riders. She was even assaulted. Police officers who were in the vicinity were stoned as they tried to protect the driver. That scenario of chaos cannot be allowed to continue.

As leaders, we have a duty to protect the livelihoods of our young people who are making an income out of the *bodaboda* sector and we must protect them. That is why I want to agree with Hon. TJ Kajwang' that the Departmental Committee on Transport and Infrastructure of this House must take it upon itself to make sure that there is proper order in the public transport sector both for *bodabodas* and *matatus*. Many of us miss the Muchuki days. I hope Cabinet Secretary Davis Chirchir is listening. It took the late Minister Michuki less than two weeks to create order in what was otherwise a very disorderly sector. But after he left us, we slowly crept back to the old days.

I remember in my village, we had small *matatu* vehicles we used to call *ng'othis*. Those are small Mitsubishi Colt vehicles that would carry close to 30 people. With the Michuki rules, the Mitsubishi Colt was only licensed to carry 12 people. Now we have the Nissan *matatu*...

*The Temporary Speaker (Hon. Peter Kaluma) spoke off the record)*

They were called *ngo'thi* or *tungo'thi*.

*(Laughter)*

I may not know what it means in other communities, Hon. Temporary Speaker. From your reaction and that of Hon. TJ Kajwang', it probably has another connotation from where you come from. They were very small rickety cars. People used to be packed in them like sacks of potatoes. When Minister Michuki came in, he created order. He ensured that safety belts were installed and used. Hon. Temporary Speaker, how many *matatus* have safety belts today? How many of them adhere to the set speed limits? Everyday, Kenyans cry over accidents

because they lose family members, relatives and friends on the roads. Sadly, I am told that this week or last week, there was a headline in one of the dailies that said that *bodaboda* accidents have overtaken all other forms of accidents in terms of fatalities. It is said that *bodabodas* kill and maim more Kenyans than *matatus*, buses, trains and aeroplanes.

We have a responsibility to do that which is right, but may not be popular. We have to protect the lives and livelihoods of our young people. The people who die as a result of *bodaboda* accidents are not the old. It is the young riders and young passengers who die. That is not to say that older people do not die as a result of those accidents.

Today, I sadly remember the late Hon. Hassan Kullov, the Member of Parliament for Banissa Constituency. The people of Banissa Constituency do not have a representative and have stayed without one for close to a year now. Why? Out of a motor accident occasioned by a *bodaboda*. Why? Because we do not adhere to the rules. I remember the case of the late Hon. Kullov. I think it was some gas cylinders or luggage that were tied to the *bodaboda* on both sides that actually hit him and led to his death. Hon. Bonny Khalwale may imagine that it cannot happen to him because he is a Member of Parliament and that he has the privilege of having a big car. We can never know Hon. Temporary Speaker. We all walk and drive on the same roads as *bodaboda* riders. If we do not create order, we will only have ourselves to blame. We must not wait for that time of regret. We must do that which is right by enacting laws that will regulate the entire public transport sector.

Let us look at our trains. At times, we only have God to thank. During rush-hour on some routes, I do not want to name them, passengers ride on top of a train and not inside the train. They hang on it. Imagine, in some places, the train goes through tunnels and bridges and people have to keep ducking as it goes through. Where is order in that sector? Do we still have a Cabinet Secretary in charge of that sector? We have a whole State Department in charge of Transport, but how many Kenyans know who the Principal Secretary for Transport is? I am certain that if I asked Members here who the Principal Secretary in charge of Transport is, they would not know. You can hear the Members asking. That is why we miss the late John Michuki. How I wish Senator Khalwale would have the balls of the late Hon. John Michuki. However, we live to do what is right, and I pray that the Committee on Transport and Infrastructure, of which Hon. TJ Kajwang' is the Ranking Member, will act to ensure there is order in the entire sector. When we speak about telematics in traffic control in Nairobi and other urban centres, the system alone will not deal with the problem. It has to be systems and our own habits, how we drive, walk, or ride on those roads.

Whatever manner of traffic control systems we put in place in the City and other areas, they will all be investments in futility and a waste of public resources if we do not change our attitudes and behaviour. We must ensure that all public sector modes of transport, from *bodaboda*, *matatus*, private vehicles to trains, are properly regulated. I look forward to the day when the Committee will bring us a law that will serve to create some order in that area.

I beg to second the discharge of this Bill by the Hon. Senator for Kakamega. I urge him, next time before he sits and formulates legislation, to think through and decide whether he wants to do what is right or what is popular. If you want to be popular throughout your political career, do not seek a leadership position. Go and sell ice cream. That way, you will make people happy all the time. Otherwise, we are in a business where, at times, you make people happy and, at other times, they are unhappy with you. However, if you are doing the right thing, in the end, the people will realise that your actions were in their best interest. That is why they trusted you with leadership so that you can lead and they can follow. You lead in order to get the best out of them and for them.

Thank you.

**The Temporary Speaker** (Hon. Peter Kaluma): Thank you, Leader of the Majority Party.

*(Question proposed)*

Hon. (Dr) Wilberforce Oundo, Member for Funyula.

**Hon. (Dr) Ojiambo Oundo** (Funyula, ODM): Thank you, Hon. Temporary Speaker. Let me also stand here to support the Motion that has been moved by our good colleague, in respect of discharging the Public Transport (Motorcycle Regulation) Bill, (Senate Bill No. 38 of 2023). Let me go on record that Busia Town, Busia County, was the starting point of *bodaboda*. It started with a bicycle. People used bicycles to carry goods and passengers. At that time, a bicycle had more value than a car. If you did not own a bicycle, even if you owned a Mercedes-Benz, people would not take you seriously. They believed you did not encompass the culture and aspirations of the people.

The motorcycle has revolutionised transport in this country. It has made movement more accessible by allowing people to reach destinations they would not have accessed due to poor road infrastructure. In the face of traffic congestion, especially in Nairobi, motorcycles come in handy. They provide speed and the ability to reach places that would otherwise take much longer.

The *bodaboda* sub-sector is one of the largest employers in the country. It employs the youth, older people, and many who may have had no other avenues of making a living. That is a fact. *Bodaboda* riders are our sons and daughters. They are members of society who, regardless of how we look at it, deserve mechanisms that protect their business, their jobs and their safety. I had the privilege of teaching at a university in Kigali, Rwanda, for almost a year. People talk about the cleanliness of Kigali and Rwanda as a whole. However, there is discipline in the *bodaboda* riders, who are referred to as "motos".

I reiterate that this is a sub-sector which, if regulated and disciplined, can transform our economy tremendously. I have also had the privilege of travelling outside the country to Western Europe and the United States. I have never seen motorcycles being used as a means of public transport in those regions. Their transport systems are elaborate, developed and well-regulated. The need to regulate this industry cannot be gainsaid. It is a fact.

Our good friend is a bullfighter, and I believed he feared nothing. I had assumed that by the time he thought about and drafted this law, he had applied his mind both politically and professionally. Coming from the medical field and as an academic, I expected he had considered all consequences. Sometimes, it is a terrible waste of public resources to come this far, only to withdraw the Bill at the tail-end, although it is permitted under Standing Orders. I have not had the privilege of reading his withdrawal letter or the reasons given. Regardless, it is a terrible waste of public resources. When I meet him, I will tell him as much — that we felt it was a terrible waste of resources. He is the same person who once stood in this House and said: "For corruption to end, Kimunya must go!". Failing to take this Bill to its logical end is also a form of corruption. It is a misuse of public resources.

It is important that, as a community and a country, we open dialogue with *bodaboda* riders. In the interim, while opening up dialogue and seeking ways to bring order, as the Leader of the Majority Party said, we must remember that we already have a State Department for Transport and a Traffic Department under the National Police Service. In case of any failure and chaos in the *bodaboda* sector, the blame falls squarely on the two State organs. The National Transport and Safety Authority (NTSA), the State Department and the Traffic Police Department are there. The laws and rules are there. Why are they not enforcing them? Is it because *bodaboda* riders are too powerful and politically significant such that no one dares or wishes to touch them?

Hon. Temporary Speaker, when you visit hospitals, you will find that between 90 per cent and 99 per cent of injuries in emergency sections are, invariably, the result of *bodaboda* accidents. Something is seriously wrong somewhere. As a society, we must address this matter. We had hoped this Bill would address it. It got to a point where, in my own constituency, criminals were being transported by *bodaboda* riders. We had a discussion with the riders and told them not to transport anybody they do not know after a certain time in the night. They can only attend to an emergency and it must be a genuine emergency of a neighbour that they know very well. The way the riders operate, they are also extremely exposed to danger from criminals. They experience theft and even death. Many riders have had their motorcycles snatched from them when they are escorting clients. Many have been killed for resisting attempts to steal their motorcycles. Some of them have been mistaken to be robbers. As the public lynch a robber, they also kill the rider.

It is in the best interest of riders that the industry is regulated. You might want to run it on lawlessness because that gives you some kind of prominence but, eventually, that lawlessness will catch up with you. It will not be one way. We beseech them through their national association. During campaigns, riders are given very prominent roles to play. In the last presidential campaign, the Kenya Kwanza brigade paraded them all over as the hustlers and the downtrodden. The coalition told them, “*Tutakuwa tukikaa na nyinyi kwa meza tukipanga mipango ya Serikali.*” Now they have become a thorn in the flesh. For their own safety, they need to be regulated.

As they cause accidents and passengers get injured, the riders equally get injured. Many of them end up maimed forever. Sen. Bonny Khalwale’s Bill might be lost because he requested so, but we urge the State Department for Transport, NTSA and the National Police Service to find ways and means of regulating that sub-sector so that its economic influence can be felt. Security and safety must be paramount.

With those few remarks, Hon. Temporary Speaker, I support.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Kangogo Bowen, followed by Hon. Peter Irungu Kihungi.

**Hon. Kangogo Bowen** (Marakwet East, UDA): Thank you, Hon. Temporary Speaker, for giving me the opportunity to support the Motion to discharge the Bill. Many of my colleagues, including the Mover, Hon. TJ Kajwang’, the Leader of the Majority Party, who seconded, and Dr Oundo, have said all about this Bill. I just want to say a few things.

Number one, in the pastoralist areas where I come from, there are no roads at all. A village may have only one *matatu* that leaves as early as 3.00 a.m. to town and return in the afternoon. Motorcycles play a very important role in transporting women who are going to markets. The motorcycles have also helped students going to school by transporting them from the village to nearby towns where they can catch a *matatu*. The coming of *bodaboda* motorcycles has really completely changed the mode of transport, especially in the rural Kenya. The sub-sector has employed many young Kenyans. It is a source of income to many Kenyans. However, there are a few *bodaboda* operators, especially in the urban areas, who are very unruly. One day, I was coming from Karen and when I was approaching the junction to Kawangware, around Kenya Science, a lady had been involved in an accident with a *bodaboda* rider. About 20 *bodaboda* riders were surrounding the her. As the lady was trying to talk to them, some of them were struggling to get into her car to take her laptops and other valuables. It took the intervention of my security team for the lady to get help. In a normal traffic accident situation, when two vehicles get involved in an accident, the two drivers will come out to discuss and a policeman can come in to intervene to establish who is on the wrong. In the *bodaboda* sub-sector, a small incident is an opportunity for stealing and maiming the victim.

So, I support the position of the Committee, led by Hon. T.J. Kajwang’, that they will take up the Bill so that we do not lose it. They will re-work it well so that we regulate our

*bodaboda* sub-sector and make it as productive as we have seen in other countries like Rwanda. We must have *bodaboda* riders who will follow traffic rules.

Sometimes, when you drive on our roads you meet an oncoming *bodaboda* which is completely on the wrong side of the road. In fact, they will want you to get out of the way and give way to them. We cannot allow that lawlessness to continue. This is a country that is governed by laws. If the Committee is going to take up this matter...

We also have the law enforcers, our traffic officers, to enforce the rules very strictly. It is not that we lack laws in this country. We have so many traffic laws. We have become a lawless country where people do not care to follow the law. Sometimes, it is the *bodabodas* and matatu operators who are found to have violated the law. The politicians and leaders are the first ones to rush to the police stations questioning why the police have arrested our constituents. This makes them emboldened and they do not listen to anybody, including policemen on the road because they know they have godfathers somewhere to bail them out when they are arrested.

As I conclude, just like Hon. Kajwang has said, it is not only on 9<sup>th</sup> floor at Kenyatta National Hospital that you will purely find *bodaboda* accident victims; but the same applies to the Moi Teaching and Referral Hospital (MTRH) in Eldoret where there are two wards that are purely for *bodaboda* accident victims. If you go to any hospital in Nakuru and central Kenya, many of the accident victims are from *bodaboda* accidents.

I want to conclude by saying that the Committee has the support of the House. We are going to support you. Polish the Bill and bring it back. We are going to pass it to regulate the *bodaboda* sub-sector to become an income-generating sub-sector like any other in the country.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Peter Irungu Kihungi is recognised.

**Hon. Peter Kihungi** (Kangema, UDA): Thank you very much, Hon. Temporary Speaker.

I stand to support the withdrawal of the Bill. I also question how the Bill went through all processes from the Senate and reached Parliament without the Mover or the Senate noticing the anomalies that they could rectify. However, I support what most Members have said. We need to regulate the operations of the *bodaboda* sector.

I think we are now at around 24 years because they mostly came during the Kibaki regime. I want to say that I once worked as a conductor between Kayole and Nairobi around the year 2000. It was extremely chaotic before the Michuki rules. We never thought the rules Michuki introduced would work. All we need is a bold person who is not so much concerned about his or her popularity. We must regulate the *bodaboda* sub-sector. The number of people who are employed in that sub-sector is rising rapidly. As the Committee is saying, this should become a structured institution. We need to develop a directorate that focuses on the daily operations of the *bodaboda* sub-sector.

There was a burial of a *bodaboda* rider in my village of Watoha the other day. He had an accident. I think three of them were involved in the accident. Two died, and one is in hospital. A group of *bodaboda* riders came and behaved in a cultic manner during the burial. They interfered with the burial service. They took the coffin while the pastor was preaching and went straight to the burial site. They buried him without prayers and disregarded the family. It was very embarrassing and chaotic. That is why we are saying that sub-sector will only get worse if we allow it to continue unregulated. They have become a cult that calls themselves bikers. You cannot tell how they are organised. Some of them are criminals.

The essence of regulating that sub-sector is not to frustrate genuine *bodaboda* operators. In my village, the genuine ones were left wondering what was happening. They felt so embarrassed that we had to hold a prayer service with them in church to repent on behalf of all

the other *bodaboda* riders. The disorderly ones seem to be organised from outside. They are chaotic and disorganised.

I think Senator Khalwale had a good idea but he panicked. My prayer is that the Departmental Committee on Transport and Infrastructure thinks around it and finds ways to regulate and bring order to that sub-sector. As many have said, you admire how *bodabodas* operate when you go to Rwanda. Each carries one passenger, both wearing helmets. It is extremely organised. They observe traffic lights even during traffic jams. Ours only need proper legislation. If possible, let us establish a directorate that works from the top to down, that is, to the grassroots. That way, they can be organised into Savings and Credit Co-operative Organisations (SACCOs). Then we can remove the criminals who have infiltrated the sub-sector.

I support the withdrawal but also believe the Senate should up the quality of their debate. I do not understand how that Bill came to the National Assembly, and now they are calling for its withdrawal. I do not understand how that process happened.

As the National Assembly, we can agree to call upon the Departmental Committee on Transport and Infrastructure to look into how they can bring order in that sub-sector. We can bring order, and it will work for the genuine *bodaboda* operators. It will also assist us to do away with the criminals who have had a chance to intrude into the sub-sector.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Joshua Mwalyo.

**Hon. Joshua Mwalyo** (Masinga, Independent): Thank you very much, Hon. Temporary Speaker. I also want to support the withdrawal of this Bill. Initially, I was not for the idea of its withdrawal, but I was convinced by the House Business Committee that withdrawing it is the right thing so that we can bring another one that is originating from this House. I was convinced by Hon. Kajwang', and I am convinced.

That sub-sector is very important. It came up at the right time. It is similar to the case where we did not have mobile phones and then they came as a saviour for everybody. We used to even walk five kilometres to someone's home, and you find the person is not there. *Bodabodas* came to save the transport sector. It has become very easy to travel. Where there are no roads in the rural area, people can still access the places. In the City, if you are late and there is a traffic jam, you just get a *bodaboda* and you reach your destination as quickly as possible.

The *bodaboda* sub-sector is very important, and we need to regulate it. The negative things that are done by *bodabodas* outweigh the good ones. The same *bodabodas* are being used by hit men. Additionally, they are also used to snatch mobile phones. After they steal from you, they ride very fast, leaving you wondering how you will run after a speeding motorbike.

It is good to note that there are good things from that sub-sector. Some of them are so organised that they have Savings and Credit Co-operative Organisation (SACCOS) where they contribute even Ksh100 daily and, at the end of the day, they give one person the money so that they can buy him or her a motorcycle to do the business.

There are good things in that sub-sector, but there are also bad ones. One of the bad things is the accidents. In my constituency, I have lost count of the people who have been maimed and disabled. Some have had their legs amputated due to multiple fractures after being knocked down by *bodabodas*. In fact, this week, a young man ended up in a mortuary after being knocked down by a *bodaboda* last week. Countless things have happened.

When we regulate the sub-sector, we need the law enforcement agencies to ensure that *bodabodas* stick to their lane. We have conducted very many trainings using the National Government Constituencies Development Fund (NG-CDF). We have trained them not to ride without helmets, insurance, and to carry only one person. However, even after the training, they still go back to their old habits of carrying as many people as possible. You find one

motorbike carrying four people, and the rider is standing near the end, almost falling! Therefore, it is very important for this House to regulate that sub-sector. This was meant to be a good sub-sector, and it can be, but due to numerous issues, everyone is pointing fingers at the *bodaboda* riders.

They even bully people, including us, when we are campaigning. I was once bullied and prevented from entering a town until I paid Ksh20,000. There is significant bullying, even directed at Members of Parliament. While campaigning, they can block your entry into certain towns. Many operate like cartels, expecting payment before allowing us to campaign in specific areas. As a result, one might arrive late to the rallies because they are stuck arguing with people who refuse to listen. Hence, it is essential that we regulate that sub-sector. We need to communicate to them that we are a lawful country. We abide by the laws, and not everything is acceptable.

One Member has mentioned that when you are driving, *bodabodas* often appear out of nowhere. Sometimes, you may not anticipate that someone is riding towards you in your lane, leading to potential collisions that could endanger them and their passengers. As a House, we need to do what is right, which we can achieve by creating laws that benefit our country.

I have also seen some organised *bodaboda* groups who obey their chairpersons and secretariats. Those ones, you can sit and plan a rally with them so that they alert people about your coming. They are effective in organising and drawing crowds. However, if you do not pay them for their assistance, they might not allow you to address the audience next time.

Therefore, Hon. Temporary Speaker, I support bringing this Bill back after the Committee has reviewed it so that we can create laws to govern the sub-sector and instil discipline in our country. I have visited China, where there are thousands of *bodaboda* riders who are disciplined and move in sync with traffic. They stop when it is time to stop and move in an organised fashion when it is time to go. That is where the motorcycles are manufactured. But here, where we import them, we are unable to use our roads in the right way.

With those few remarks, I support the withdrawal.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Eric, the son of Mumbi, do you want to contribute to this? I am told Mumbi is the mother of all the Agikuyu. If not, let us have the Chairperson of the Departmental Committee on Finance and National Planning, Hon. Kimani.

**Hon. Kuria Kimani** (Molo, UDA): Thank you very much, Hon. Temporary Speaker. Today's Motion concerns the discharge of the Public Transport (Motorcycle Regulation) Bill, (Senate Bill No. 38 of 2023), which is now being officially withdrawn from the House. This Bill is sponsored by the Senator for Kakamega, Dr. Boniface Khalwale. I have gone through it and while some clauses in the Bill are offensive and may have warranted the Senator's decision to withdraw it, it is unfortunate, as the Bill contained several provisions that would have greatly benefited that sector.

Hon. Temporary Speaker, before I debate the merits or demerits of the debate, there was a Presidential Decree that was made in 2023 requiring training fees for *bodaboda* riders to be Ksh2,500. I have checked and there are programmes that are being undertaken by the Automobile Association of Kenya (AA), by the National Transport and Safety Authority (NTSA) and the National Youth Service (NYS), that reduce the cost of that particular training to around Ksh750. However, those particular programmes remain a mirage because there is not enough publicity on them, even to our constituents.

For you to acquire a licence to ride a *bodaboda*, you need to have a provisional driving licence that you apply at a cost of Ksh650, a test application fee of Ksh1,050 and a licence endorsement of Ksh600. I checked a few of the training colleges in the country and they charge between Ksh5,000 and Ksh10,000. For a skillset that is very important to the people at the



bottom of the pyramid and the real hustlers of this country, training fees for *bodaboda* riders remain too high for them to afford.

As the Departmental Committee on Transport and Infrastructure retreats to relook at how to bring this Bill back, it will look at affirmative action to make sure we reduce the cost of training. There are matters that are being raised by the Members in this House, for example, the accidents that are caused by *bodaboda* riders. Some of them clear Form IV or Class VIII and the easiest business to start becomes that of a *bodaboda* rider. If the training fees were reasonable enough, then that particular rider would be motivated to go and do a *bodaboda* riding training before they start riding.

The *bodaboda* sector is very important to our economy. I dare say we cannot live without it in this country. It is our last mile connectivity in our transport. When you want to go to the deepest parts of our villages or urban areas, where some of the roads are small, we rely on those *bodaboda* riders. When people fall sick, they take them to hospitals. If there is a theft in a particular village or any other security matters, the first respondents, most of the time, are not even police officers, but *bodaboda* riders because most of them operate for 24 hours. This is, therefore, an area that is critical to our economy that we need to protect and provide affirmative action, so that those riders can have training and better access to safety gears such as helmets and reflectors.

If you check around, especially in Nairobi, you will notice most of the bikes have their lights on with a yellow circle at the front, including during the day. Those are electric motorcycles. They have saved fuel consumption or the cost of running those *bodaboda* by more than 50 per cent. This is as a result of policy directions that were made in this House. The Finance Act of 2020 provided for zero-rating of electric motorcycles and their parts. This, fundamentally, has reduced the cost of electric motorcycles so much so that I have seen multinationals such as Uber and MOGO invest in them through venture capitalists in that particular entity. Therefore, you have seen the profitability of *bodaboda* riders, especially those who render delivery services in Nairobi. They use electric motorcycles. We hope that the private sector will take this further to our villages, so that the *bodaboda* business can be more profitable to those young people who are hardworking.

As much as we want to blame our *bodaboda* riders for the accidents, motorists have also contributed to this. Most of the time and especially around roundabouts, we squeeze out some of them. You find some of them carrying a lady, and she gets scared because there is a *matatu* or car that is squeezing them almost off the road. Out of that panic, sometimes, the passenger shakes or the rider panics. Even as we control the accidents that are caused by those *bodaboda* riders, motorists need to respect each other on the roads. Our *bodaboda* riders are equal to motorists. They deserve respect on our roads.

There is another policy direction in this House. I sponsored the Business Laws (Amendment) Bill that was passed. One of the critical amendments we had was to stop the exploitation of the 'Buy Now Pay Later Programme' that was being done by financial institutions. *Bodaboda* riders would pay a deposit of Ksh20,000 for a motorcycle but, after calculating the amount of money they paid for the loan on that motorcycle, they would find that it was twice or thrice the cost. In addition, if they defaulted on one payment, even towards the tail-end of the repayment of the loan, the motorcycle would be repossessed. So, by bringing the 'buy-now-pay-later' schemes under the purview of the Central Bank of Kenya (CBK), we expect that they will adhere to the principle of not charging interest of more than the principal amount of an item. Those are some of the interventions this House has made.

We urge the private sector to innovate and make *bodaboda* riding as comfortable and safe as in the examples we have talked about of China and Rwanda. There is a company called Oya which has partnered with TotalEnergies Stations such that, when *bodaboda* riders fuel at TotalEnergies Stations, they contribute towards a medical scheme for themselves and their

passengers. Those are some of the products that we would like our insurance industries to innovate and come up with – health cover for *bodaboda* riders and their passengers just like for motorists, is an affordable and accessible solution.

We laud the interventions that this House has made, and look forward to the Departmental Committee on Transport and Infrastructure coming up with more innovations that will cushion our *bodaboda* riders against the high cost of training and safety gears such as helmets, which they need. We need to thank them because they are a good example of organisation. *Bodaboda* stages across the country are organised. There is a chairman in charge of every stage who approves all the riders for that particular area, and know each other. Some of them have welfare programmes that are organised at the ward level, sub-county level and even at the national level. If we can find other ways of supporting them, especially with affirmative action products, they can transform our nation, not just economically, but also by ensuring there is safe movement of goods and people from point A to point B. They will then earn a decent income to support their families. *Bodaboda* riders are very hardworking people.

Let us stop castigating all *bodaboda* riders. *Tusiseme watu wote wa bodaboda ni wabaya na wezi*. There is always infiltration by non-professionals in every sector who do not adhere to good professional conduct. Whether it is the Police Service, legal or the accounting professions, there are always people who do not adhere to the professional conduct of that particular profession. Not all the *bodaboda* riders are good. However, majority of them are hardworking Kenyans. They work hard to feed their families and for that, we must applaud them, help them and cushion them against the high cost of training and safety gears.

With those few remarks, I support the Motion.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Stephen. M. Mogaka, Member for West Mugirango.

**Hon. Stephen Mogaka** (West Mugirango, JP): Thank you, Hon. Temporary Speaker. I support the withdrawal of this Senate Bill.

The *bodaboda* sector is the lifeline of this country. I speak to this Motion as a business graduate. During my post-graduate course, I wrote a thesis and dissertation on the transport industry as it was then. The transport sector in East Africa was then dominated by multi-nationals and overseas trading companies. At that time, the transport sector was a no-go zone for anybody. That was the model even in the banking sector until the Grameen Model was introduced, which destroyed the assumption that banking is a space for only the big players.

Hon. Temporary Speaker, since the Overseas Trading Company (OTC) time, when the *matatu* industry made a debut into the transport sector, it was demonised. Little did people know that the *matatu* sector would go on to revolutionise the informal transport and make it available to all from destinations that were not authorised stages under the old OTC monopoly. The sector has since evolved and today, the *bodaboda* industry has even liberalised transport, making it more passenger-friendly by enabling pick-ups and drop-offs directly from and to one's home. Therefore, any attempt to suffocate the growth of the *bodaboda* sector would be going in the wrong direction. However, that is not to say that the *bodaboda* sector does not require regulation.

When I went to China, and thanks to this 13<sup>th</sup> Parliament, Hon. Fatuma who is not here, was with me during that trip. I observed that the *bodaboda* sector there has grown to even having *bodaboda* hires, just like cars. One does not need to own a *bodaboda* to move from one destination to another. Any regulatory legislation that is not *bodaboda*-and passenger-centric would be a step in the wrong direction. I wish that, under the Competency Based Curriculum (CBC), this country would train all our learners on how to use *bodabodas* and license them so that, as they get out of school, they are licensed to ride *bodabodas*. This would help us have transport akin to the Kenya National Taxi Corporation (KENATCO).

We had KENATCO, which was a Government agency. We can have a similar model for *bodabodas* in every market and village. However, this time round, since our learners would have been trained during their school time through the CBC programme, they can hire a *bodaboda*, use it for whatever they want, and return it to the owner. If you look at the number of man-hours or executive time we lose as people wait for transport at bus stops, or are held up at stages and in traffic jams, it is clear that an efficient means of transport would cut down on movement costs. This would allow people to spend more time in productivity rather than on the road in the traffic jams. Such an approach would help turn around this economy and increase our Gross Domestic Product (GDP).

As we talk about regulating the *bodaboda* industry, I am not sure that the accidents attributed to *bodabodas* are exclusively because of the carelessness of the riders. A majority of them may be because our roads are bad. Unmotorable roads are dangerous for all motor vessels, including *bodabodas*. I am frequently called to raise funds for people who have been crippled while riding on *bodabodas*. Many of them go to Tenwek Hospital. For that reason, if I were near Hon. (Dr) Nyikal, I would have urged him to create a trauma and accident department at Nyamira County and Referral Hospital to handle accidents arising from *bodabodas*.

*Bodaboda* riders get involved in horrible accidents, majority of them caused by motorists who are very unsympathetic and unfriendly to riders. Majority of the *bodaboda* accidents are also attributable to our bad roads. The roads are not maintained. KeRRA has not started maintaining roads because money is clogged up somewhere. This results in *bodaboda* accidents which, sometimes, maim passengers and riders. As I support the withdrawal of this Bill, I urge the 13<sup>th</sup> Parliament, particularly the Departmental Committee on Transport and Infrastructure, to re-examine traffic laws and see how universal they are, particularly how they apply to the *bodaboda* sector. There are too many unlicensed riders and learners carrying passengers whereas they are not supposed to. There are *bodaboda* entrepreneurs who use cheap labour of unqualified riders. We run into several accidents because amateur riders are not qualified or licensed. There is no way a passenger would tell whether a rider is qualified and licensed or an amateur.

Above all, I thank Hon. Khalwale for withdrawing the Bill, though I do not know the reasons. The grapevine says that he is scared of the 'ground' because *bodaboda* operators are a 'government' on their own and a voting bloc. It is important to understand how *bodabodas* operate in this country. We should know how much employment the sector has generated. Our children, wives, parents and grandparents find *bodaboda* to be the most convenient mode of transport. It is incumbent upon this House to reflect and bring a regulatory regime, through consultation with the sector, to streamline safety.

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

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Beatrice Adagala, Member for Vihiga County.

**Hon. Adagala Beatrice** (Vihiga County, ANC): Thank you, Hon. Temporary Speaker, for giving me this opportunity. *Bodaboda* transport has made it easy for people to move from point A to point B since they are accessible all over. There are areas that vehicles cannot get to, but *bodaboda* riders can. They are our unsung heroes. In my county, there are rocky places where vehicles cannot reach, but the *bodaboda* operators transport people to such places. They also deliver vital goods and contribute a lot to our economy. We have jobless youths in this country. The *bodaboda* sector has enabled our people to put food on the table. We do not have white-collar jobs in the country. That is one of the sectors that is bringing much money to the economy and homes.

There may be a few challenges here and there. Accidents will be dealt with if the *bodaboda* are well regulated and most of them told to take insurance covers. There should be a good and affordable package for *bodaboda* riders to have insurance cover in case of any

accidents or incidents. We also have other problems including thugs who pretend to be passengers but end up disturbing *bodaboda* riders. To curb such kind of insecurity would be a good thing for the riders.

Hon. Khalwale introduced the Public Transport (Motorcycle Regulation) Bill in the Senate. I thank him for withdrawing it because most of our people are in that sector. The only major problem we are encountering is young people and especially boys, who are dropping out of school and running into the *bodaboda* industry. Some are not trained drivers and yet, they go to main highways. It is becoming a big problem.

I ask the Ministry concerned to streamline the industry. You will see much sanity in the *bodaboda* industry when you go to countries like Rwanda. It is an organised institution. I know that it would be a more organised industry if it is streamlined and rules are put in place. The sector has leadership right from the village, sub-county and county levels. Putting them together and teaching them about many things like road safety will be good for them.

The livelihoods of our people in villages and big towns depend on them. Even here in Nairobi, most people use *bodaboda* riders to move from point A to point B when there is traffic jam. Before the new roads came up, getting to the airport using Mombasa Road used to be a nightmare. People jumped onto *bodabodas* to rush them to the airport. Let us not look at *bodaboda* as a menace or problem. The *bodaboda* sector must have governing rules by doing their work like in Rwanda. For example, they should only be allowed to only carry two people who should be in helmets and with good reflectors, so that other motorists can see them when it is dark.

Kenya Rural Roads Authority (KeRRA) and counties should construct good pathways for *bodaboda* riders because they are becoming a problem on the highways. We see them all over and people look at them as a nuisance. The *bodaboda* organisation will become one of our major sources of employment if it is streamlined properly. I think Hon. Khalwale feared the repercussions because there is a *bodaboda* rider in every village and home. Pulling out the Bill is a good idea.

However, the Ministry of Roads, Transport and Public Works should regulate the sector through the Cabinet Secretary. That is by setting out rules on how to govern the sector so that we can minimise accidents and the increased robbery on our roads. People are looking at the *bodaboda* riders as thugs. Others say they rape young girls and impregnate school-going children.

Hon. Temporary Speaker, let us consider *bodaboda* as one of the best sectors that employs so many of our people. Let us support that industry and institute the necessary rules to run it. I remember Hon. Michuki - and may God rest his soul in eternal peace - when he came up with traffic rules. The Cabinet Secretary for Roads, Transport and Public Works should come up in that manner. Let them not just look like angels who want to be massaged. We want him to bring rules that can govern roads and make people understand that the *bodaboda* industry is an equal employer like any other.

I thank Hon. Khalwale for rethinking, knowing very well the repercussion. Since he says he is going for the gubernatorial seat, this Bill could have worked against him badly. I remember during the time when we were saying *tibim* and *tialala* slogans. The whole country was demonstrating and resisting. He came to Vihiga County to join me in a demonstration, and they had marked him. Hon. Kajwang' knows well that Hon. Khalwale jumped onto a *bodaboda* and escaped arrest by the Officer Commanding Station (OCS). As much as we may think *bodabodas* should be banned, their services are good. *Bodaboda* riders are doing a good job. They saved Hon. Khalwale that day from being arrested. Therefore, let us not demonise that industry, but hold it with the respect it deserves. It is a good industry that employs our children, except for a few issues that need to be corrected. We leave this to the Cabinet Secretary for Roads, Transport and Public Works to introduce measures and rules, and bring a Bill here

which can curb lawlessness. There are a few elements that security apparatus should look into. Thugs masquerade as *bodaboda* riders to rob people or do unnecessary things which spoil that industry. I, however, love the industry. I am very happy in my County because it is coming up. The *bodaboda* riders have bought land where they want to put up apartments to assist the State Department for Housing and Urban Development meet the requirements of the housing sector. From being *bodaboda* riders, they are becoming bus and *matatu* owners. Therefore, let us not demonise the industry wholesomely. It is an industry that needs to be nurtured and protected so that our people can put something on the table in their homes.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Peter Kaluma): Next is the Member for Ganze, Hon. Charo Kazungu.

**Hon. Kenneth Tungule** (Ganze, PAA): Ahsante, Mhe. Spika wa Muda, kwa kunipea nafasi hii ili nichangie huu Mswada. Kwanza, namshukuru na kumpongeza Mhe. Khalwale kwa kubuni Mswada kama huu. Ijapokuwa wamesema hatuwezi kuuondoa, ni Mswada muhimu sana, tukizingatia kwamba sekta ya bodaboda nchini Kenya imechangia pakubwa kuimarisha uchumi wetu.

Mara nyingi huwa najiuliza, kama sekta ya bodaboda haingekuwa, vijana wetu wengi wanaotoka shule saa hizi, wangukuwa wanafanya kazi gani? Ninavyojua, hali ya uchumi katika nchi yetu si nzuri vile. Vijana wengi wamepata makao katika sekta hii ya bodaboda. Wanajipatia riziki ya kila siku ili kuweza kujiendeleza katika maisha yao. Kwa hivyo, sekta hii imechangia pakubwa katika kuimarisha uchumi wa nchi yetu. Ganze ni sehemu ya mashambani, yaani *rural area*. Hakuna barabara. Nafikiri katika Eneobunge lote la Ganze, kilomita za barabara zilizowekwa lami hazifiki hata thelathini. Sisi kama wakaazi wa Ganze tunategemea sana usafiri wa bodaboda kufanya biashara zetu na pia kutoka mahali moja hadi nyingine. Ingekuwa hamna pikipiki, watu wangukuwa wanasafiri kwa miguu au kupitia baiskeli. Mara nyingi, inakuwa vigumu sana kusafirisha bidhaa ama watu, sana sana wagonjwa. Lakini sasa hivi, ukipatikana na shida katika nyumba yako hata kama ni usiku wa manane, ni rahisi kumuita mtu wa bodaboda aje akupeleke hospitalini. Hospitali kule Ganze pia ziko mbali sana. Kila hospitali ni zaidi ya kilomita kumi kutoka kule wananchi wanakoishi na kwa hivyo, kuwafikia kwa urahisi huwa shida. Lakini kwa sababu ya uwepo wa bodaboda, sisi kama wakaazi wa Ganze, tumeweza kupata huduma tofauti kwa urahisi.

Sekta hii iko na manufaa mengi sana. Tukianza kuyataja moja baada ya nyingine, pengine tutakesha hapa tukizungumzia mambo haya. Lakini kila kizuri pia hakikosi ubaya wake. Kuna watu wachache ambao wanaharibu jina nzuri la uhudumu wa bodaboda. Kuna wengi ambao wamejipanga vizuri, wamekuwa katika sekta hii kwa muda mrefu na wamejiendeleza. Wameendesha maisha yao vizuri na wametengeneza *Sacco* yao. Ijapokuwa walianzia kwa kuandikwa kama waendeshaji wa bodaboda, kwa sababu ya uadilifu wao, wameweza kununua bodaboda zao binafsi. Hao ni wale wamejipanga. Lakini kuna wachache wanaoharibu jina la sekta hii kwa kuingiza uhuni na kufanya mambo yasiyostahili. Wahalifu wengi wanaohusika katika uporaji wa mali ya watu na majangili wanaohusika na visa vya mauaji, hutumia bodaboda wakati mwingi kutekeleza uhalifu huo. Wengi wanaofanya kazi ya bodaboda wanafanya kazi nzuri sana na wanastahili kuungwa mkono.

Kama nchi, ni muhimu tutunge sheria ambazo waendeshaji wa bodaboda watafuata. Sisi kama watumizi wa barabara, huwa tunawaona waendeshaji wa bodaboda wakivunja sheria za barabara. Unajipata unaendesha gari lako katika ule mkono wako wa kulia wa barabara lakini mtu wa bodaboda anaupitia mkono huo huo bila kujali kuwa anaweza kusababisha ajali. Tumeona mara nyingi sana katika barabara zetu ajali nyingi zilizosababishwa na watu wa bodaboda. Watu wasiostahili kupoteza maisha yao wameyapoteza kwa sababu ya waendeshaji wa bodaboda kutokuwa na umakini. Hili ni jambo sugu katika nchi yetu.

Katika mahospitali ya Kaunti za Kilifi na Malindi, kuna wadi zinazoitwa Bajaj Wards. Watu wanaopatikana katika wadi hizo ni wale waliopata ajali kupitia bodaboda. Kwa hivyo, bali na kuwa wamefanya kazi nzuri, wachache wasio na umakini wamesababisha hasara kubwa sana. Itabidi watu hospitalini wafanyiwe operesheni na kuwekewa vyuma. Wakati mwingi utapata hawana pesa za matibabu na inatubidi sisi kama wanasiasa tufanye michango ili wasaidike.

Naunga mkono. Hata kama umeondolewa katika Bunge hili, nasisitiza kuwa ikiwezekana, Kamati husika iregeshe Mswada huu ili tuwe na sheria ambazo zitazingatiwa ili tuhakikishe kuwa manufaa ya sekta ya bodaboda yanasikika katika kila kona ya nchi hii. *Impact* ya sekta hii inaonekana kwa sababu wamerahisisha sana usafiri nchini mwetu. Lakini kwa sababu ya wale wachache ambao hawazingatii sheria, jina la watu wa bodaboda limeharibiwa sana. Kitendo cha uhalifu kikifanyika kule mashinani, *mshukiwa* wa kwanza huwa ni mtu wa bodaboda. Kwa hivyo, ni wakati mwafaka kwa zile asasi za Serikali zinazohusika kama vile *National Transport and Safety Authority (NTSA)* na polisi, kuleta *programs* ambazo zitapelekwa mashinani kwa ajili ya kuhamasisha watu wa bodaboda kuhusu usalama barabarani na pia jinsi wanavyoweza kujiendeleza kimaisha kutokana na kazi yao.

Naunga mkono Mswada huu hata kama umekuwa *withdrawn*. Nasisitiza kuwa zile asasi zinazohusika kama Kamati yetu ya Uchukuzi, Ujenzi wa Miradi ya Umma na Makazi ilete tena Mswada huu ili tuweze kuujadili na kuzileta sheria mwafaka zitakazosaidia kudhibiti sekta ya bodaboda.

Asante, Mheshimiwa Spika wa Muda.

**The Temporary Speaker** (Hon. Peter Kaluma): There being no more interest, the Mover can reply.

(Hon. Naomi Waqo raised her hand)

Hon. Naomi Waqo, do you want to speak to this?

**Hon. Naomi Waqo** (Marsabit County, UDA): Yes.

**The Temporary Speaker** (Hon. Peter Kaluma): Proceed. You are recognised.

**Hon. Naomi Waqo** (Marsabit County, UDA): Thank you, Hon. Temporary Speaker.

I have been waiting, though I do not know why it was not indicated there. Thank you for allowing me to add my voice to this important debate concerning the motorbike riders. More than 2,000,000 young Kenyans are in that sector and are doing some serious business. I support this because it enables our young people to earn a living and has, in a way, also helped the economy. When you go to villages, especially the remotest parts of this country like Marsabit and other places where vehicles cannot reach, motorbikes are of great help to the people. Even at night, when mothers want to deliver and cannot get vehicles, those *bodaboda* riders come and help by taking them to hospital to get medical attention while, at the same time, earning a living.

Hon. Temporary Speaker, in our country, many families depend on *bodaboda* riders. We cannot ignore that sector because this is where many people earn their living. We must come up with policies that can take care of them, ensure their security, provide adequate insurance and give them the protection they need.

In many families, motorbike riders have suffered in the past simply because they have been targeted. In areas with high insecurity, *bodaboda* riders have been targeted and have, in some cases, lost their lives. We must come up with ways to secure their lives and make sure that we have laws in place to ensure their safety, even when riding at night. Again, we must ensure that they receive enough training. Due to the demand, many of them just train themselves and then go into the business. We need to ensure that NTSA comes up with proper ways of training them and even give them certificates. There should also be affordable

insurance covers, which should enable the *bodaboda* riders to access them through their Savings and Credit Co-operative Organizations (SACCOs).

If we work well, *bodaboda* riders can be a real benefit to us. They can add a lot of value to our economy and our transport system, because they are basically everywhere and give us a lot of support.

I support this Motion and urge that we put policies in place to support and guide them. We must give them security, training, and come up with laws that guide them on how to ride. We must also ensure that we give them the necessary gear so that, in case of an accident, they are well protected. We also need to have their data. We have over two million Kenyans in that business. We need to know how many *bodaboda* riders we have in the villages. The Government needs to have their data so that, in case of an accident, they could be helped. The data will also help the Government to see how best they can serve the society and uplift their lives.

Kenyans are very innovative. Young Kenyans are dying because they are unemployed and depressed. Some of them commit suicide because they cannot afford to buy and ride a motorcycle. We need to come up with ideas like access to loans to help our young people buy motorcycles. That is the easiest way we can create employment for them.

With those few remarks, Hon. Temporary Speaker, I support. I encourage us to contribute to this and make sure that it becomes law to assist our *bodaboda* riders.

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Emaase, I will give you two minutes. We have overshot our time and I want the Mover to reply to this Motion before we close.

**Hon. Mary Emaase** (Teso South, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity.

I also rise to support the withdrawal of this Bill by Hon. Bonny Khalwale. The *bodaboda* sector is very important and contributes enormously to the economy. They are many, and must be recognised and supported. When this Bill was introduced in the Senate, there was an uproar about it. We know that a Bill or any law must be very clear and precise. In this law, there is a proposal about the weight a *bodaboda* can carry. As slim as I am, I weigh 70 kilogrammes. So, when we propose not more than 50 kilogrammes, how would they determine that? Would they be travelling with a weighing machine on the *bodaboda*? There are certain clauses that did not augur very well, and required that the Bill be thought through and be researched more before it could be brought to the Floor of the House. A law should not destabilise any business or disadvantage the operators. I support the withdrawal.

As much as we agree that there is need for regulation, because of safety and security concerns, the problem is not the *bodabodas*. It is as a result of the weak enforcement of the law. Corruption has culminated into impunity, accidents on our roads and insecurity. We cannot blame this on the *bodabodas*.

I support the withdrawal. At a later date, probably, this Bill could be thought through very well and researched properly. We could have proper regulations to protect *bodabodas*, support them and make sure that they are secure from many crimes that we witness like *bodaboda* riders being hijacked, killed and their *bodabodas* taken away. I support the registration to know who is in which location and their business location. If a crime is committed, the Government will be able to trace, trail and arrest the culprits.

That is a sector that accommodates many of our youth.

**The Temporary Speaker** (Hon. Peter Kaluma): Add the Hon. Member thirty seconds to finish her point.

**Hon. Mary Emaase** (Teso South, UDA): Thank you. That sector is not just about youth who have not gone to school as it was perceived in the past. Today, we have youths with degrees but are jobless. They create employment for themselves. So, we must support them by

providing security and an environment that can allow them to thrive in whatever they are trying to do.

Thank you, Hon. Temporary Speaker. I support the withdrawal of this Bill.

**The Temporary Speaker** (Hon. Peter Kaluma): Thank you, Hon. Emaase. There being no further interest, Hon. Tom Francis Kajwang' can reply.

**Hon. TJ Kajwang'** (Ruaraka, ODM): Hon. Temporary Speaker, I thank you for giving us the opportunity to debate this Motion.

It seeks a simple thing – withdrawal of this Bill. I thank all Members who have contributed. The theme is very clear. The *bodaboda* industry is a very important sector in the transport economy. It provides employment for our young people and also, completes the last-mile transport and particularly, for vulnerable individuals including the sick and those in the security sector. In some cases, the only way for chiefs to reach their people is by using *bodabodas*. That supports security and also the people in combat.

On the other hand, we see a sector that is chaotic and filled with shambles. It poses a threat to public security and has become a breeding ground for muggers and dissidents. It is important that, that sector is regulated. We cannot run away from our legislative mandate. We must make laws that protect and regulate that industry in a manner that benefit us all.

We have taken notes, and we have commitment. In fact, we have an undertaking on behalf of the Chairperson of this Committee that we are not going to throw the baby out with the bathwater. We are going to take all the information shared, including that which Hon. Bonny Khalwale has. We will invite him so that we can benefit from the research he has done. We will consolidate all of this input, bring together stakeholders, policymakers, and the Executive, so as to come up with a legislation that meets the expectations of the Members.

I beg to reply.

**The Temporary Speaker** (Hon. Peter Kaluma): For the convenience of the House, putting of the Question to this Motion is deferred to a future date when it shall be scheduled for consideration by the House through the House Business Committee.

*(Putting of the Question deferred)*

Let us all be upstanding, Hon. Members.

## ADJOURNMENT

**The Temporary Speaker** (Hon. Peter Kaluma): Hon. Members, the time being 7.07 p.m., the House stands adjourned until Wednesday, 30<sup>th</sup> April 2025, at 9.30 a.m.

The House rose at 7.07 p.m.



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