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THE HANSARD

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Wednesday, 28th May 2025

The House met at 2.30 p.m.

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

PRAYERS

QUORUM

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

(The Quorum Bell was rung)

Hon. Speaker: Hon. Owen Baya, where are your Whips? Hon. Mwenje, are you a Whip?

(The Quorum Bell was rung)

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

PAPERS

Hon. Speaker: Leader of the Majority Party. I know Hon. Owen Baya has rushed out to look for Members to constitute a quorum. Hon. Melly, you are sufficiently senior. Can you present those Papers?

(Hon. Owen Baya walked into the Chamber)

Hon. Owen Baya is here. He will do it.

Hon. Owen Baya (Kilifi North, UDA): I am sorry, Hon. Speaker. I had to do the work of the Whips.

(Hon. Kangogo Bowen spoke off the record)

Hon. Speaker: Sorry, Hon. Bowen. I know you are also senior, but I saw Hon. Melly because he was standing.

Hon. Owen Baya (Kilifi North, UDA): Is Hon. Bowen senior?

(Laughter)

Hon. Speaker: Go ahead, Hon. Owen Baya.

REPORTS OF THE AUDITOR-GENERAL AND FINANCIAL STATEMENTS OF VARIOUS INSTITUTIONS

Hon. Owen Baya (Kilifi North, UDA): Hon. Speaker, I beg to lay the following Papers on the Table:

1. Reports of the Auditor-General and financial statements for the years ended 30th June 2023 and 30th June 2024 and the certificates therein in respect of:
 - (a) Borabu Teachers Training College
 - (b) Kapcherop Technical and Vocational College
 - (c) Kenyena Teachers Training College
 - (d) University of Kabianga Enterprises and Services Limited
2. Reports of the Auditor-General and financial statements for the year ended 30th June 2024 and the certificates therein in respect of:
 - (a) Ebukanga Technical and Vocational College
 - (b) Kenya African National Union
 - (c) Kenya Dairy Board Staff Mortgage Scheme
 - (d) Kenya Maritime Authority Staff Mortgage and Car Loan Scheme
 - (e) Kenya Veterinary Board
 - (f) Mabadiliko Party of Kenya
 - (g) Mwea Rice Mills Limited
 - (h) National Land Commission Staff Car Loan Scheme Fund
 - (i) National Rainbow Coalition
 - (j) National Reconstruction Alliance
 - (k) Salaries and Remuneration Commission Mortgage and Car Loan
 - (l) State Department for Housing and Urban Development
 - (m) State Department for Performance and Delivery Management
 - (n) Wajir Girls Secondary School
 - (o) Wajir South Technical and Vocational College
 - (p) Water Services Regulatory Board Car Loan and Mortgage Fund
 - (q) Western Kenya Rice Mills Limited.

Hon. Speaker: Thank you. Next Order.

Before we proceed to Statements, I would like to acknowledge Siviliye Secondary School from Navakholo, Kakamega. They are in the Speaker's Gallery. Kyeni Girls High School, from Runyenjes in Embu, and Tumutumu Girls High School, from Mathira in Nyeri, are in the Public Gallery.

Hon. Wangwe has asked me to give him an opportunity to welcome the school from Navakholo. He can do so to the two other schools.

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Speaker. First, allow me to appreciate you and thank you for giving me the opportunity to welcome the great Siviliye Secondary School from my Navakholo Constituency. This is the second-best school in the entire County of Kakamega, displacing so many national schools. As much as it is in a rural constituency, it demonstrates very good and excellent academic performance.

Allow me also to remind them that coming to the National Assembly today is only the beginning for them. As age catches up with us, they are the future leaders who will come and sit where we are. For the entire student population that has visited the National Assembly today, I take this opportunity to welcome you to this great august House.

Hon. Speaker: Thank you. Hon. Murugara, do you also want to jump into that boat?

Hon. George Murugara (Tharaka, UDA): Thank you very much for allowing me to jump into the boat to welcome the young students both in the Public Gallery and the Speaker's Gallery.

I am pointing out Kyeni Girls from Embu, Tumutumu Girls High School from Nyeri, and the other school from Navakholo. All these great girls' schools are very well known in the

country for performing so well. This is an opportunity for them to come and see what their leaders do here.

May they feel welcome to observe the proceedings and feel that today they have interacted with the leaders their parents have elected, and the leaders they aspire to be in the future. May they feel welcome.

Hon. Speaker: Thank you. On behalf of myself and the House, I welcome the students, their teachers, and those accompanying them to the House of Parliament.

(Applause)

We will now go to Statements. Hon. Mohamed Daudi, Member of Wajir East. The response is from the Departmental Committee on Administration and Internal Affairs. Hon. Raso, are you ready? Your Chairman, Hon. Tongoyo, called me and said he will be here at 3.30 p.m. to issue a Statement on Hon. Koimhuri's disappearance and reappearance.

Hon. Ali Raso (Saku, UDA): Hon. Speaker, could you give us a few minutes?

Hon. Speaker: Hon. Tindi Mwale, that is also to you. Are you ready with that? Do you need another few minutes? Departmental Committee on Administration and Internal Affairs, put your papers together.

Let us go on to a Request by Paul Abuor. Is he in the House? Hon. Paul Abuor is not in the House. Request put aside for another opportunity next week.

(Hon. Paul Abuor's Request of Statement deferred)

Hon. Mumina Bonaya? Not here.

(Hon. Mumina Bonaya's Request of Statement deferred)

Member for Kesses? Yours is a request, right? Go ahead.

QUESTIONS AND STATEMENTS

REQUEST FOR STATEMENT

DECLARATION OF POSITIONS IN MOI UNIVERSITY REDUNDANT

Hon. Julius Rutto (Kesses, UDA): Thank you so much, Hon. Speaker, for granting me the opportunity to make the following request.

Pursuant to the provisions of Standing Order 44(2)(c), I wish to request a Statement from the Chairperson of the Departmental Committee on Education regarding the recent declaration of certain positions in Moi University redundant. On 2nd April 2025, due to alleged financial constraints, Moi University issued a notice of intention to declare a significant number of positions in the institution redundant. The affected staff presumed that the process would be transparent, consultative and lawful. It is alleged that the institution procured the services of an external consultant to undertake this exercise.

On 13th May 2025, the institution proceeded to issue termination letters without exhausting consultative processes with the staff. The redundancy has rendered many jobless, thereby affecting their source of livelihood and the lives of their dependents. In addition, the list of positions declared redundant allegedly included names of those who had since left the service through retirement, the deceased or those whose employment had already been

terminated. This process raises questions on whether the payroll of the institution had been audited.

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

1. A detailed report on the process undertaken by Moi University in their declaration of certain positions redundant in their letter dated 13th May 2025.
2. Steps taken by the institution to ensure transparency and fairness, including providing a report regarding the procurement process of the external consultant.
3. Indication of whether the university explored other options with regard to the declaration of redundancies, including the retention of staff on rationalised pay.
4. A detailed list of all positions in the institution and the staff establishment specifying a list of those rendered redundant, names of affected staff, and their ethnic backgrounds.
5. Report on whether a human resource and financial audit was undertaken by the institution and the outcome in relation to the process, if any.
6. Measures being taken by the Government to ensure that all public universities uphold fair labour practices.

I submit. Thank you.

Hon. Speaker: Who is from the Departmental Committee on Education? Just one minute, Hon. Julius. Yes, DK, do you want to joyride on that?

Hon. David Kiplagat (Soy, UDA): I am not joyriding. The matter is so serious. It concerns the whole Uasin Gishu. I beg that you give me just one minute to add my voice to this.

Hon. Speaker: That is what joyriding means. Go ahead.

Hon. David Kiplagat (Soy, UDA): Thank you very much, Hon. Speaker.

The matter raised by Hon. Rutto, CPA, is so serious. The fact that about 809 employees have been given letters under the redundancy programme is so serious. If you look at the problems that Moi University has been facing since 2018, the institution has not been able to submit its liabilities, including pensions and loans that the staff had taken.

Now, they are being told to go home. They have no pension. They have pension arrears and loan arrears. The letter reads that they are going to be paid 15 days per year for the years they have worked. Somebody who has worked for 10 years will be paid 150 days.

Hon. Speaker: Your one minute is over.

Hon. David Kiplagat (Soy, UDA): We had a sitting with the Cabinet Secretary as Members from Uasin Gishu. We agreed that no staff would be laid off. We also agreed that all staff declared redundant would be deployed to other universities. We are asking the Ministry what has changed. If all those employees are to go home, the university should clear their pensions.

Hon. Speaker: Hon. DK, I am sure you live in Kenya. You cannot say that you will deploy employees of one university in another. Each university is independent of the other. I am sure you know the law.

Yes, Hon. Bowen. Well, Hon. Melly will answer that, but the basic knowledge we have is that you cannot transfer an accountant from the University of Nairobi to Meru University or any other institution.

Hon. Kangogo Bowen (Marakwet East, UDA): Hon. Speaker, I support my good friend here, but in addition, just as a point of information to the Hon. DK, Moi University is not a university of Uasin Gishu; it is a university where almost all the employees are from all over Kenya.

Hon. Speaker: It is a national university.

Hon. Kangogo Bowen (Marakwet East, UDA): It is a national university. Many of those employees come from as far as Bungoma, Mombasa, and all over. It is not a Uasin Gishu business. It is a concern for all of us as Kenyans.

Hon. Speaker: You cannot be more right. Hon. Melly.

Hon. Julius Melly (Tinderet, UDA): Thank you, Hon. Speaker. The issue raised by the Member for Kesses is a very weighty and important one. I will fast-track and ensure that I give a detailed response.

Hon. Speaker: Can you bring a response in two weeks? We have a huge backlog of statements.

Hon. Julius Melly (Tinderet, UDA): Yes. I will be able to bring it in two weeks or even earlier than that.

Hon. Speaker: Whenever you are ready.

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

Hon. Speaker: Thank you. Hon. Abdul Haro, a response to your statement by the Departmental Committee on Energy. Hon. Chairman, are you ready?

Hon. David Gikaria (Nakuru Town East, UDA): Hon. Speaker, I have not yet received a response from the Ministry. Again, you had directed that we should sit with the Member of Parliament of that area. Now that we are back, we can agree on the date so that we can harmonise the issues.

Hon. Speaker: Your colleague is right behind you. So, discuss, agree, and advise the Clerk of the National Assembly.

Hon. Muchanga Karemba? There is a statement from the Chairman of the Departmental Committee on Health, but Hon. Nyikal has advised me that he is not ready. We will put it off until Tuesday, as tomorrow is already crowded. Hon. Nyikal, it is on Tuesday.

Hon. Daniel Karitho, Member for Igembe Central, is he in the House?

Hon. Mumina Bonaya? Hon. Melly, Chairman of the Departmental Committee on Education, are you ready with a response for Hon. Mumina Bonaya? Statement No. 5.

Hon. Julius Melly (Tinderet, UDA): Hon. Speaker, we had invited the Cabinet Secretary. However, he has not appeared before us because he had an official visit outside the country. Therefore, we could not handle that.

Hon. Speaker: You are not ready?

Hon. Julius Melly (Tinderet, UDA): We are not ready.

Hon. Speaker: How much time do you want?

Hon. Julius Melly (Tinderet, UDA): One week.

Hon. Speaker: So next week on Wednesday. Clerk, list it for the morning session.

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

Hon. Speaker: Yes, Hon. DK.

Hon. David Kiplagat (Soy, UDA): Thank you, Speaker. If you recall, just before we went on recess, I made a very strong statement about teachers who are over 45 years old and have not been employed. I think the Chairman is not listening. You had clearly ordered the Chairman that when the session resumes, he will come up with a statement. I was here yesterday and did not hear anything from him. Today, chances are he might not have anything. Let him tell us what is happening.

Hon. Speaker: Chairman, Hon. Melly, Hon. DK appears to know about your predicament. Do you have a response?

Hon. Julius Melly (Tinderet, UDA): I do not have a response. I had engaged him, and he is aware that I do not have it. I do not know why he rose and said the same. This is very unprocedural.

Hon. Speaker: In any case, it is not listed. Let us go back to the Departmental Committee on Administration and Internal Affairs. Hon. Raso, are you ready with any? Which one?

Hon. Ali Raso (Saku, UDA): Discriminatory screening protocol.

Hon. Speaker: That is the one of Hon. Mohammed Daudi. Is Hon. Daudi in the House? Yes, go ahead.

DISCRIMINATORY SCREENING PROTOCOLS FOR
PASSENGERS FLYING TO AND FROM THE NORTHERN REGION

Hon. Ali Raso (Sako, UDA): Thank you very much, Hon. Speaker. The Member for Wajir East Constituency, Hon. Mohammed Daudi, had requested a statement on alleged discriminatory screening protocols imposed on passengers flying to and from the North Eastern region.

The Hon. Member sought to be informed on the justification for the continued requirement for special clearance for flights to and from Wajir, the reasons for rescreening passengers from Wajir upon arrival at Wilson Airport, measures put in place to ensure uniform screening procedure for all domestic flights, and the steps taken to revise the Air Navigation Regulations of 1985.

On the first request for justification, the requirement for special flight clearance is critical due to the significant security challenges present in restricted regions, including the North Eastern, part of the Eastern Coast, Nyanza, and the Rift Valley. These areas face persistent threats of terrorism, regional stability, and technological limitations. Current air traffic control radar systems do not detect aircraft flying around or close to the Kenya border below 10,000 feet, reinforcing the need for special clearance to ensure accountability and oversight of low-altitude flights. The clearances are valid for three months, with renewal options available one month in advance. This system has proven efficient with no significant operational challenges.

Security concerns in restricted areas remain the primary reason for retaining the clearance requirement, particularly for unmanned aerodromes. The special clearance requirement ensures that all air operations, regardless of location, adhere to strict security measures to prevent unauthorised flights. The Aeronautical Information Publication Guide on air navigation must align with periodic updates mandated by the International Civil Aviation Organisation.

On the reasons for rescreening passengers, this rescreening is informed by the prevailing security situation in those regions.

Regarding the measures in place to ensure uniform screening procedures for all domestic flights, the rescreening is not intended to discriminate against any passengers. Instead, it is intended to enhance security measures for passengers and the nation's security.

On the steps being taken to revise the Air Navigation Regulations, 1985, the current clearance process is functional, and there are no difficulties in obtaining special flight clearance in light of the prevailing security situation. It is imperative that the special flight clearance requirement remain in force.

The Ministry remains open to further feedback and will consider any substantial evidence that may emerge warranting a review of those measures in the future.

Thank you.

Hon. Speaker: Are you done, Hon. Raso? Give Hon. Raso the microphone.

Hon. Ali Raso (Saku, UDA): I am done on the statement sought by Hon. Daudi.

Hon. Speaker: Please take your seat and wait for any clarification he may require.

Hon. Daudi, if you are satisfied, we move to the next.

Hon. Aden Mohammed (Wajir East, JP): I am definitely not satisfied.

Hon. Speaker: Go ahead and seek clarification.

Hon. Aden Mohammed (Wajir East, JP): Hon. Speaker, I am surprised that the Chairman who comes from Marsabit can talk about areas near Somali border. Marsabit is hundreds of kilometres from the Somali border. I also wonder why Marsabit is part of the restricted airspace.

This is just a scanned answer given by the Cabinet Secretary who does not seem to know the security situation in northern Kenya. I come from Wajir, where the airport is located within a military base. The airport is guarded by the Kenya Air Force, the Kenya Army, the General Service Unit (GSU), the National Intelligence Service (NIS), and American Forces. If that airport is insecure, I wonder which airport in Kenya is secure. I request that the Cabinet Secretary be called into the House to explain these kinds of answers that he has just given for the sake of giving answers.

People who have already been screened at Wajir Airport, a military airport, are subjected to additional screening at Wilson Airport, which is a more relaxed environment compared to Wajir Airport, a secure area. And here is a Chairman who comes from the area just parroting answers given by a Cabinet Secretary who does not know what he is talking about. If there is any insecure area, it is the area where the Cabinet Secretary comes from, Kerio Valley, which is not part of these restricted areas.

Hon. Speaker...

Hon. Speaker: Yes.

Hon. Aden Mohammed (Wajir East, JP): I am not satisfied. I need more answers.

Hon. Speaker: Hon. Bashir. Give Major...

Hon. Major (Rtd) Abdullahi Sheikh (Mandera North, UDM): Thank you, Hon. Speaker. As Hon. Daudi has said, the answers given by the Cabinet Secretary do not make sense. The regulations they are relying on were published in 1985 before the new Constitution was enacted. As we speak, those regulations do not even have the full force of law. I request that these regulations be brought before this House so that we can look at them critically and see whether they are fit for purpose. They cannot talk about insecurity all the time and deny Kenyans the opportunity to travel seamlessly in the country.

I want to request through your Office that those regulations were done in 1985, before the new Constitution, and they do not have the full force of law. They are illegal in the first place. I urge that they be brought before the House and the Select Committee on Delegated Legislation so we can examine them critically.

Hon. Speaker: Point made. Thank you. Hon. Junet, proceed. Hon. Raso, I hope you are listening.

Hon. Junet Mohamed (Suna East, ODM): This matter that has been raised by Hon. Daudi is very important. The so-called regulations say that if you are to fly from here to Migori, you must seek permission from the Ministry of Interior and National Administration. Emergencies can happen; anything can happen. Before the new Constitution came into effect, ministers could make regulations as they saw fit; however, these regulations now do not have the full force of law. They have never been passed in this House. So, as far as we are concerned, as a House, those regulations are not in force.

We want to tell the airlines to ignore the regulations. Until the regulations are brought here and they are passed by this House so that they can have the full force of law, that remains an opinion by the Ministry that "if you want to fly to Migori or Wajir, you seek permission from us." That is just an opinion. If they want to make sure that it is followed as law, then they must bring it to this House so that it can have the force of law.

Hon. Speaker, starting today, make a communication here that those regulations were before the new Constitution. They are just like any other regulations that are not enforced at

all. Hon. Daudi, I know some of the airlines belong to your relatives; just tell them to ignore those people. There is no need to ask for permission. Tell your relatives to ignore those people.

(Laughter)

Hon. Speaker: Hon. Yakub. Is it Hon. Yakub?

Hon. Members: Yussuf

Hon. Yussuf Farah (Wajir West, ODM): Thank you, Hon. Speaker, for giving me this opportunity. I also want to add my voice to this issue. The answer read by Hon. Raso is completely misplaced. What the Cabinet Secretary is saying is neither here nor there. He is giving justification that somebody who was screened by a military officer, a police officer, or the Kenya Airports Authority (KAA) officers should be screened again at the airport here. It does not make sense. How could a person flying from Wajir to Wilson Airport have other security issues? Where could they get bombs or anything that is going to create problems for this country? It does not make sense.

The Cabinet Secretary said it is not discriminatory, but I believe that is a discriminatory issue. There is nowhere else or any other passenger from another airport that is screened in this country, apart from those coming from Northern Kenya. We want this regulation to be brought to this House, debated, seen, annulled and ratified to achieve uniformity across the country.

The President of the Republic of Kenya was advocating for equality and justice for all. We have talked about the removal...

Hon. Speaker: Point made. Yes, Hon. Owen. Hon. Member, you have made your point.

Hon. Owen Baya (Kilifi North, UDA): Hon. Speaker, I would like to address the issue of regulations as initiated by the Leader of the Minority Party. On the issue of regulations, the law states that the Cabinet Secretary may bring regulations; "may". They are not actually compelled to do that.

Secondly, the tradition in this House is that regulations only come to the Floor of the House when the Committee has rejected them. Therefore, we need to look at this so that regulations...

Hon. Speaker: Yes, Hon. Junet.

Hon. Owen Baya (Kilifi North, UDA): Find their way---

Hon. Speaker: Hon. Baya---

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, let me educate my colleague Leader. Under the new Constitution, anything that shall have the force of law must pass through this House. Regulations are subsidiary legislations. If a Cabinet Secretary wants to enforce them, he must bring them here so that we can put the force of law into them. Do not erode the powers of the House. He "may" bring; that is a choice, but if he wants to use the regulations, he must bring them here.

Hon. Speaker: Yes, Hon. Owen.

Hon. Owen Baya (Kilifi North, UDA): Absolutely. We have the same spirit as Hon. Junet is saying.

Hon. Speaker: You are agreeing with him, but what you are saying---

Hon. Owen Baya (Kilifi North, UDA): My problem---

Hon. Speaker: Order! What you said has a different meaning.

Hon. Owen Baya (Kilifi North, UDA): No, to the extent of what he has said, I agree with him, but---

Hon. Speaker: When the law says "may bring", if he does not bring, then there are no regulations.

Hon. Members: Yes.

Hon. Speaker: It is as simple as that.

Hon. Owen Baya (Kilifi North, UDA): Correct. What I have a problem with, and which we probably need to review in terms of rules and procedures, is that regulations rejected by the Committee are brought to this House and tabled for adoption. However, if the Committee does not have a problem with the regulations, the Committee's decision stands.

Hon. Speaker: Order, Hon. Baya.

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

Hon. Speaker: You are pursuing an abstract argument that has no relevance. The issue is that there are regulations in force. Your colleagues are saying they have never been brought to this House, so they are not regulations. Hon. Raso, can you answer that?

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Speaker. I believe the Cabinet Secretary was very clear when he was responding to this. He was talking about the threat of terrorism. If Hon. Members in this House are saying no to that, then they must vigorously challenge that position.

Secondly, it is about regional stability. If the neighbouring countries are unstable, and we have problems with small arms, light weapons, and even things like mortars and rockets that can get into our country.

Thirdly, it is about technological limitations that if an aircraft is flying below the radar - that is, if it is flying below 10,000 feet, it means it can fly below the radar. For that reason, what the Cabinet Secretary has said is that for the security of everybody and everything, they enforce these regulations.

If we can challenge them and say that there is no need to have those regulations, the Cabinet Secretary, in closing, says: "We will consider any substantial evidence that may emerge, warranting a review of measures that are in place." This is very clear. The Cabinet Secretary is seeking compelling reasons why this should be lifted and requests that you come forward to provide the necessary evidence. Some of my colleagues who are challenging these regulations own aircraft. There is freedom in using the Kenyan airspace, but the security of Kenya remains paramount.

Hon. Speaker: Yes, Hon. Major Bashir. Do you own an aircraft?

Hon. Major (Rtd) Abdullahi Sheikh (Mandera North, UDM): Hon. Speaker, the issue at hand is not about who owns or does not own an aircraft. The real concern is that the current regulations are illegal, as they have not been approved by this House. We want you to direct that either they bring the regulations to the Committee or they are declared illegal. The owners of these aircraft are Kenyans.

Hon. Speaker: Yes, Hon. Elachi.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Speaker. As a House, we agree that the regulations must come here. But I also agree with Hon. Raso that in terms of security...

(Hon. Amina Siyad consulted loudly)

Hon. Speaker: Order Member for Garissa County.

Hon. Beatrice Elachi (Dagoretti North, ODM): When flying from the United States and transiting through Dubai, one is required to undergo security checks. The important question here is that we must also be conscious of our security.

Thank you.

Hon. Speaker: Hon. Deputy Speaker.

Hon. Gladys Boss (Uasin Gishu County, UDA): Thank you, Hon. Speaker. Allow me to comment on this matter. Typically, regulations are published and approved by Parliament and remain in effect for 10 years. After that period, they lapse. The relevant Ministry has options: they can publish new regulations in the Kenyan Gazette, which would take effect

immediately for about 28 days while the Committee on Delegated Legislation reviews them. Alternatively, the lapse of regulations implies that there is no existing legislation in place. They may also seek an extension of the regulations from the Committee while preparing new ones. This situation arises from the inaction of the Cabinet Secretary.

Therefore, the Committee on Delegated Legislation should summon the Cabinet Secretary. However, it requires someone from this House to formally move that the Committee summon the Cabinet Secretary to explain why they are relying on lapsed regulations and to push for either an extension or the republication of new regulations for consideration. That is the proper procedure.

Thank you.

Hon. Speaker: Yes, Hon. Junet.

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, there seems to be some confusion. What we are discussing here is not about the passengers who should be screened at every airport, but the aircraft themselves. For example, if you need to travel to Wajir or Migori tomorrow at 8 a.m., the aircraft that will take you must seek permission from the Ministry of Interior just to carry the Speaker of the National Assembly.

You are a first-class citizen; leave Hon. Dawood and his group, who are considered second-class. Why should this apply to people like me from Migori, who feel like we are one-and-a-half class? I may not be the Speaker, but I have my own class. We should focus on the aircraft, not the passengers. The passengers must indeed be screened. But why should an aircraft need permission to go to Migori?

Hon. Speaker: Hon. Raso, this issue seems to cut across security and transport. Talk to the Ministry under your oversight and advise them that any regulations not presented to this House cannot be considered valid. They must bring the regulations here, and the Committee will review and amend them in whatever form, and approve them for them to become lawful. I agree with you that we cannot compromise security, but neither should we do anything illegal in the name of security.

Hon. Ali Raso (Saku, UDA): Thank you, Hon. Speaker. I am well guided.

Hon. Speaker: What other response do you have?

Hon. Ali Raso (Saku, UDA): The one regarding Butere Girls High School.

Hon. Speaker: Is Hon. Tindi Mwale present? He is not here, so the statement is stayed. They will pick another date from the Clerk's Office. Is Hon. Paul Abuor in attendance? No. Let us move on to Mama Zamzam. Do you have a response to her statement?

RESPONSE TO STATEMENT

THE DEMISE OF MR YUSUF ALI ABDI

Hon. Ali Raso (Saku, UDA): Yes, Hon. Speaker, regarding the death of Mr Yusuf Ali Abdi.

Hon. Speaker, the Member of Parliament for Mombasa County, Hon. Zamzam Mohammed, requested a statement regarding the unfortunate death of Mr Yusuf Ali Abdi following the partial collapse of the demolished building in Mombasa. The Member sought to be informed of measures taken by the Government to support the family of the Late Mr Yusuf Ali Abdi and on the status report on the investigation into the collapse of the building.

Following the incident, a multi-agency response team was activated to retrieve the body of Mr Yusuf Ali Abdi, a 36-year-old male adult. Through this coordinated effort, the body of the deceased was successfully retrieved from the rubble of the collapsed building and taken to Coast General Hospital Mortuary for preservation and autopsy. Post-mortem examination conclusively determined that the cause of death was due to multiple injuries sustained from the

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collapse of the building. Standard police procedures were conducted, and the body was handed over to the family for final interment at Kikowani Cemetery. An inquest file No.1/2025 was officially opened by DCI Mombasa Urban to facilitate further inquiry into the circumstances surrounding his death. The case is pending under investigation.

Hon. Speaker, regarding the status report of the investigation, on 2nd April 2025, at around 1840 hours, the building partially collapsed, settling onto its basement and becoming structurally unstable. A multi-agency investigation team was immediately constituted, led by officials from the Ministry of Lands, Public Works, Housing, and Urban Development, based at the Headquarters in Nairobi, to establish the root cause of the structural failure. Investigations are currently at an advanced stage, and upon the conclusion of the inquiry, appropriate legal action will be taken against any individual or entity found culpable in accordance with the law.

I submit, Hon. Speaker.

Hon. Speaker: Mama Zamzam, are you satisfied?

Hon. Zamzam Mohammed (Mombasa County, ODM): Mheshimiwa Spika, sijaridhika, kwa sababu nilitaka wachunguze kwa kina kama mjenzi wa jengo hili alitumia njia sawa. Kwa nini ameongezea gorofa zaidi zilizoshinda msingi na hivyo kusababisha Yusuf kupoteza maisha yake? Yusuf alikuwa ni mwanabiashara mdogo tu pale Marikiti. Ameacha mjane na watoto. Kufikia sasa, hatujui familia yake inakula nini. Bado tunaambiwa tu uchunguzi unaendelea, na imechukua muda mrefu sana. Naomba Wizara husika kuniambia kama mjane wa Yusuf na familia yake imefidiwa au la? Yusuf ashazikwa, lakini familia yake yahitaji kula na kusoma. Pia tunafaa kujua ni hatua gani imechukuliwa kwa mjenzi wa jengo hili badala ya gorofa sita akapeleka hadi 11.

Asante sana.

Hon. Speaker: Hon. Raso, have you established any criminal culpability?

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Speaker. I appreciate Hon. Zamzam's concerns. Indeed, this was a very unfortunate incident. This particular response by the Cabinet Secretary states that there was a structural problem with the building, and they opened an inquest after the death of Mr Yusuf. Since the issue involves multiple agencies, they have gone a step further to involve the State Department of Public Works. This is just an interim response, but they are likely to conduct further investigations on both sides to determine the criminal culpabilities and possible compensation to the victim.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Tongoyo, are you ready?

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

Hon. Speaker: Yesterday, I directed you and Hon. Epuyo Nanok to do two things. One was to visit Hon. Koimburi in the hospital, and the other was to bring a Statement and furnish information to the House on his disappearance and subsequent reappearance. Go ahead.

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Speaker. As you have stated, the House recalls that yesterday during the afternoon session, you instructed Hon. Nanok and I to visit Hon. Koimburi so that we can furnish the House with information. We did exactly as you directed, and we have a report from our visit and a status update report from the Inspector-General (IG) of the Police on the ongoing investigations concerning the alleged abduction.

STATUS REPORT ON VISIT TO HON. GEORGE KOIMBURI
AT KAREN HOSPITAL

I would like to read a jointly signed report by my colleague, Hon. Nanok, and me on the status report regarding our visit to Karen Hospital to assess the condition of Hon. George Koimburi.

Following your ruling and the House resolution yesterday, on 27th May 2025, during the afternoon sitting, Hon. Daniel Nanok, the Chairperson of the Parliamentary Broadcasting and Library Committee, and I undertook a visit to the hospital on behalf of the House. We arrived at the medical facility at approximately 5.30 p.m., identified ourselves and stated the purpose of our visit, which was to check on the health and well-being of our colleague, Hon. Koimburi. We were also there to convey the goodwill message of the House and yourself and to gather any other relevant information that might be useful to us as his colleagues in Parliament. We were kept waiting in the waiting bay for about half an hour, after which we were informed that we could proceed to the Malindi Ward, which was on the third floor, where the Member was reportedly admitted. It is good to note that we had to keep reminding the hospital staff that we were still waiting.

At the ward's waiting area, we encountered six individuals who introduced themselves as family members and part of Hon. Koimburi's staff. Additionally, two security guards were stationed at the doorstep, who informed us that it was not possible for us to see the Member at that moment. We had to continuously remind whoever we got there about who we were, and the purpose of our visit. They confirmed that they were already aware of our intended visit following your communication. We explained that our visit was in accordance with the directive from the Speaker of the National Assembly and was purely to gather information on the well-being and welfare of our colleague; however, our request was still declined. We later requested to speak to the doctor-in-charge, hoping to at least obtain a medical update.

Unfortunately, this effort did not bear fruit either, as we were told that the doctor was unavailable at that time. We were then introduced to a senior nurse who was on duty and was managing the patient care in the ward. The nurse politely informed us that it would not be possible to see the Member during our visit due to medical advice and privacy considerations. We were told that he was undergoing a procedure. Even though we were unable to see him physically, the senior nurse assured us that the Member was in stable condition and was receiving the necessary medical care.

Hon. Speaker, that is all. We had no option other than to leave the hospital. We could not push ourselves any further than we had. The people there were suspicious of us, as if we were there for other reasons, despite our efforts to assure them that we were just seeking an update on our colleague's well-being.

In summary, we were declined entry. It is worth noting that we were not the only ones – other Members were also denied entry. It is also worth noting that a few hours before our visit, we saw a media briefing from another political class, who were allowed entry and subsequently issued a press briefing. I do not know whether it was a coincidence that Members from our political side were denied entry when they tried to visit him.

I have two statements from the IG of the National Police Service (NPS). One was written yesterday, and the other one was written today. For record purposes, I want to start with the one that was written on 27th May 2025, which gave a chronology of events since the alleged abduction of our colleague.

STATUS OF INVESTIGATIONS INTO THE ALLEGED ABDUCTION OF HON. GEORGE KOIMBURI

The NPS wishes to provide a comprehensive update on the ongoing investigations into the alleged abduction of Hon. George Koimburi, Member of Parliament for Juja Constituency.

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On Monday, 26th May 2025, the attention of the NPS was drawn to an amateur video circulating on social media and mainstream media purportedly showing the Member of Parliament abandoned at a farm in Juja. Police officers from Juja swiftly responded, visiting the alleged scene and thoroughly documenting the area. Upon comparing the vegetation and road dimensions at the scene with those in the video, it was established that the two did not match. During questioning, Mr Moses Kariuki, the caretaker of the coffee farm owned by Mr Jimmy Wanjigi, stated that he had not witnessed such an incident.

The officers then proceeded to Plainview Hospital in Ruiru, where the Member of Parliament had reportedly been taken for treatment. The officers confirmed that the vehicle used to transport him, registration number KCJ 660P, belonged to Hon. George Koimburu and was driven by Ms Frida Njeri, who was also the first responder at the alleged crime scene. The hospital did not disclose the nature of the treatment nor the first aid administered, making it difficult to assess the extent of the alleged injuries.

Meanwhile, a specialised team from the headquarters of the Directorate of Criminal Investigations (DCI), supported by forensic experts from the National Forensic Laboratory, was promptly deployed to the scene to conduct a thorough examination, gather critical evidence, and establish the circumstances surrounding the alleged abduction. As of yesterday, the investigation team had interviewed and recorded statements from five individuals who provided their accounts. This progress underscores the commitment of the NPS to uncover the truth regarding the abduction allegation with the highest standards of professionalism and diligence. We will continue to pursue all leads, analyse forensic evidence and ensure that any perpetrators are brought to justice.

Additionally, it is important to note that Hon. George Koimburu has been under investigation for a land fraud case, and the Office of the Director of Public Prosecution (ODPP) had already issued consent for his prosecution.

On Friday, 23rd May 2025, the Member, fully aware of the police's intention to arrest him, evaded arrest by escaping on a motorbike with his private security and switched off his mobile phone. His car was occupied only by his driver, who was intercepted and arrested, but later released after recording a statement. The Member of Parliament only resurfaced yesterday, coinciding with the abduction claim.

In conclusion, we once again urge anyone with information regarding the incident depicted in the video to report to the nearest police station, or contact us via our provided toll-free numbers 999, 911, 112, or #FichuakwaDCI. The Inspector-General states:

“We assure all Kenyans and are committed to conducting this investigation with utmost diligence to uncover the truth behind the allegation. Further update will be provided as investigation progresses.”

Lastly, today 28th June, 2025, at around 11 a.m., the Inspector-General, again, issued a presser to give the status update report. A copy of the same is here with me. It reads as follows:

“Further to the press briefing issued yesterday, the National Police Service (NPS) would like to inform the public of the progress made in the ongoing investigation into the alleged abduction of George Koimburu, Member of Parliament for Juja. Three additional individuals: Peter Kiratu, Juja National Government-Constituencies Development Fund (NG-CDF) Chairman; Cyrus Kieru Muhia, and Karanja Gatana, were arrested and they provided statements which have offered crucial leads and further insight into the alleged abduction.”

Peter Kiratu, the Juja NG-CDF Chairman stated that on 25th May this year, he attended a church service at a Full Gospel Church in Mugutha with the Member of Parliament. As they were leaving, a silver Subaru Forester registration KBP 096W approached the main entrance, and two heavily-built men bundled the Member of Parliament into the vehicle. He reported the incident at Mugutha Police Station.

On 26th May, he received a call from the daughter of the Member of Parliament, Ms. Wanjiru, informing him that the Member of Parliament had been found in a coffee farm in Juja. They then took the Member of Parliament to Plainview Hospital in Ruiru for first aid before he was referred to Karen Hospital for further treatment.

Cyrus Kieru Muhia or an ally of Hon. Koimburi, who runs a supermarket in Kahawa West area, stated that on 25th May, he received a call from Peter Kiratu, the NG-CDF Chairman, requesting the use of his Subaru Forester registration number KDG 803B, to transport additional security personnel for the Member of Parliament during an event at the Full Gospel Church. Again, on 25th May, 2025, Kiratu instructed him to go to his homestead in Mugutha, where he met a man named Gatana driving Kiratu's vehicle, Honda CRV registration number KBP 096W, along with three unknown men. That is the car I had mentioned earlier. They proceeded to the church to familiarise themselves with the route before returning.

Later, Kiratu called and instructed him to drive his Subaru Forester with two men towards the church. Upon arrival, the two men exited quickly, and he heard screams as the Member of Parliament was forced into the vehicle. They drove towards Jacaranda Coffee Research via Kambogo Road, where the Member of Parliament instructed them to stop near a waiting Honda CRV registration number KBP 096W, belonging to Kiratu. Cyrus was left with the two men who warned him not to disclose any information to the police.

The police have managed to recover two vehicles – a Honda CRV, registration number KBP 096, belonging to Peter Kiratu; and a Subaru Forester, silver in colour, registration number KDG 803B, belonging to Cyrus Kieru Muhia.

Additionally, one suspect, namely; Karanja Gatana, has been arrested. Gatana admitted to dropping the Member of Parliament at a hotel where he had refreshments, and spent the night with the two abductors on 25th May 2025, following the alleged abduction.

(Loud consultations)

Do you want me to repeat that?

Hon. Members: Yes.

Hon. Gabriel Tong Oyo (Nark West, UDA): Hon. Speaker, it is a public demand. The police have managed to...

(The Hon. Speaker spoke off the record)

Thank you, Hon. Speaker. Well-guided. The police have managed to recover the two vehicles belonging to Cyrus Kieru Muhia. Additionally, one suspect, Karanja Gatana, has been arrested. Gatana admitted to dropping the Member of Parliament at a hotel, where he had refreshments and spent the night with the two abductors on 25th May 2025, following the alleged abduction. He added that on 26th May 2025, while using Kiratu's vehicle, he picked up the Member of Parliament from the hotel and took him to the scene, where they claimed that he had been dumped.

(Loud consultations)

Before the Member of Parliament exited the vehicle, he helped him tear his clothes to fake evidence of torture by the alleged abductors.

The National Police Service further appeals for the public's continued support, and encourages anyone with information that may assist the investigation to report it to the nearest police station, or through our toll-free numbers, 999, 911, 112, or #FichuakwaDCI 0800722303.

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We assure the public of our steadfast commitment to resolving this case, and we will provide further updates as the investigation progresses.

The letter and the Statement are signed by Douglas Kanja Kirocho, MGH, CBS, OGW, the Inspector-General of the NPS, on 28th May 2025. I do not have much to add to this. That is the Statement. It is not my own words. They are words from the Inspector-General, the authority mandated by our Constitution and our laws to investigate such matters. They are competent enough and have the requisite knowledge and experience. Along with the Statement, I had also given our own findings on behalf of the House in regards to our visit.

I submit.

Hon. Speaker: Thank you. Before I allow one or two clarifications, allow me to acknowledge students, seated in the Public Gallery, of Sokee Primary School from Baringo, South Baringo County; Ndaragwa High School from Ndaragua, Nyandarua County; Itugururu High School from Igambang'ombe, Tharakanithi County; and Oiti Glory Primary School from Kajiado Central, Kajiado County. I have been requested by Hon. Kanchori Memusi for a chance to welcome a school from his Kajiado Central Constituency. Do so on behalf of your colleagues from most of the constituencies the other schools come from.

Hon. Memusi Kanchory (Kajiado Central, ODM): Thank you, Hon. Speaker. I take this opportunity to welcome all our learners to this House. Oiti Glory is a school in a small village in Kajiado Central called Oiti. I encourage all the learners here and tell them that most of these Members have come from such places. It is, therefore, possible for one of you to be here one day. Today, let this journey be the beginning of your dreams. I welcome all of you. *Karibuni Bunge.*

Hon. Speaker: Hon. Junet. You heard what Hon. Tong Oyo said about your colleague. Do we leave it there?

Hon. Members: No.

Hon. Junet Mohamed (Suna East, ODM): Yes. Hon. Speaker

Hon. Speaker: Yes, Hon. Junet.

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, I take this opportunity to thank you as the Chairman of the Parliamentary Service Commission (PSC) and as the Speaker of the National Assembly for taking swift action so that we could know what happened to our colleague, Hon. Kimbra. You appointed Hon. Tongoyo, the Chairman of the Departmental Committee on Administration and Internal Security and Hon. Epuyo to visit our colleague who was purportedly abducted.

To my shock, the Report that has been tabled in the House today is what I can only term as the biggest political scandal in our country.

(Applause)

Why do I say so? When I saw the first photo that was beamed by one of the media houses that is nowadays prone to fake news, I knew it was fake from the way our colleague was lying down. From the appearance, the shirt and the stomach facing up, I just knew there was nothing. However, I was waiting for a proper investigative report to be tabled before the House. So, I had to reserve my comments. It is very unfortunate that politicians can go to such extent to prove a point.

It is shocking that even the Chairman of the Departmental Committee on Administration and Internal Security and our colleagues were not allowed to see our colleague who is in hospital. The only people who can see him are the Wamunyoro group, who can also do a press conference outside the hospital. Any other person is not allowed to see him. Even people are allowed to see patients who are in critical care in the Intensive Care Unit. This is the first case I have seen of somebody, whom we are not even sure whether he is critically ill

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or not, that no one can see apart from the Wamunyoro group. They are also the only ones who can speak to the public and tell us that they have visited their friend and he is inhaling some gas, or something like that.

I have come to conclusion that the director of this drama is none other than one Mr Wamunyoro. This is the same thing he did when he ran away from interrogation at the Senate during his impeachment. He went and admitted himself in the same hospital. This is the same script.

(Laughter)

This country is full of drama.

Hon. Speaker: You have made your point.

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, let me conclude.

Hon. Speaker: Conclude.

Hon. Junet Mohamed (Suna East, ODM): It is the same disease, same hospital, same bed, same visitors, and even the same doctor. Nobody else can see him.

I thank the National Police Service (NPS) of this country, the Inspector-General of Police, and the Director of Criminal Investigations (DCI) for the swift investigation they have done on this matter. If this team had not been investigated thoroughly, the self-abductions would have gone up. Today it would have been Koimburi and, tomorrow I can tell there is a candidate watching me here, who would have hidden himself somewhere under *muguka* trees. I do not want to mention names. He would have hidden himself behind a *muguka* tree and claim that he was abducted. Today, I am very happy that this thing has come to light.

I urge the former impeached Deputy President not to go in that direction. The politics of deceit, conmanship, and self-abduction, somebody shooting his car and claiming that he is under attack are old ways of doing politics. If he wants to know how to do opposition politics, he knows where to find good advice. Let him go and see *Baba* and ask him how he sustained opposition politics for the last 40 years. He could ask *Baba* the tactics he used because he has never self-abducted or shot his car. He should come we teach him how to go about it.

Thank you, Hon. Speaker.

Hon. Speaker: Yes, Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. First, in one of these very rare occasions, allow me to begin by congratulating the Inspector-General of Police, the Director of Criminal Investigations and all the officers in our NPS for the good work they have exhibited, not just in this case but also in cracking the unfortunate murder of the late Hon. Were.

We have not taken time to congratulate them because of the swiftness with which they were able to apprehend the culprits who murdered the late Hon. Were. I believe they are still working to ensure that they get the sponsors of the people who pulled the trigger on the late Hon. Were.

However, this matter is not as light as we may be taking it. This is a matter that flies right into the face of the Constitution and specifically Chapter 6, which is on Leadership and Integrity.

Hon. Speaker, if you allow me, Article 73 says:

“(1) Authority assigned to a State Officer –

(a) is a public trust to be exercised in a manner that –

(iii) Brings honour to the nation and dignity to the office;

(iv) Promotes public confidence in the integrity of the office; and---

We are not discussing one of us because we need a Motion before the House to do so. The dignity of the office of a Member of Parliament is in question today. It is sad that a Member

of Parliament who has been elected by his people to represent them in this House can dare engage in the kind of criminality that we have seen Hon. Koimburi engage in. This should be one of the saddest days for this House. Last year, the same Member claimed that Members of Parliament were paid Ksh2 million each to vote for the Finance Bill. All of us remember that Hon. Kimbra appeared before this House and apologised. In our magnanimity, we accepted his apology and let him go. As a House, we must not let this pass.

(Applause)

I do not know whether Hon. Koimburi is the drama director, the scriptwriter or drama director. Malala might be the scriptwriter while the director is the former Deputy President and the actor is now Koimburi.

(Laughter)

As Hon. Junet Mohamed said, just like during the impeachment process, the former Deputy President appeared here looking very dark. Because he knew there was no cross-examination in the National Assembly during the impeachment process, he had the audacity and guts to try to defend himself here. However, he did not have the courage to face the House, where he would be cross-examined. He faked sickness and ended up being admitted at the Karen Hospital apparently in the same room and same bed. I want to speak to my good friend, Dr Gikonyo, a man of very high integrity and a good doctor in this country. I plead with him not to allow his hospital to be misused by these people who are otherwise common street criminals; I dare say.

Hon. Koimburi, again, went to the media and said that Members of Parliament were being paid Ksh5 million each to impeach a deputy president who deserved nothing more than what he got. In fact, we should have impeached Rigathi Gachagua probably a year before. Kenyans will now vindicate this House because they were saved from greater trouble from this man and the drama that we are seeing. It is unfortunate that this circus has pulled in other dignified leaders like your good friend, former Vice-President Kalonzo Musyoka, whom I saw yesterday at The Karen Hospital, together with our former Speaker, JB Muturi, saying that some people claim there was self-abduction. It is now clear that Hon. Koimburi self-abducted himself.

I appeared on a show on *Al Jazeera* on 5th February 2025 and I was put to task on the question of abductions in this country, because you remember the President committed to end abductions but many people never understood him. People would ask who is abducting people. I remember saying that there was information that had been shared saying there were Members of Parliament who planned to abduct themselves and blame on the state. Time is a healer and a vindicator. I think many things are being vindicated over time. The police said they were not abducting people but other forces. Kenyans now need to start filling in the gaps.

As I said yesterday, when we were debating the Adjournment Motion by Hon. Junet, on 25th June 2025, Kenyans rallied around the country on account of misinformation and disinformation on the Finance Bill. We said to the nation that many of the provisions that were offensive to Kenyans had been removed from the Bill, but nobody listened because of the negativity and propaganda that had been pushed by this group. Wamunyororo is a very good village.

I have confessed that I married a beautiful lady from Nyeri, in one of the villages in Mathira Constituency, represented by Hon. Wamumbi. Therefore, let us not accuse that good village. This is the character of a person and a group around him that believe that they can only advance opposition politics by using violence, deceit or bloodshed. That is why you saw the

things that were in the Adjournment Motion by Hon. Junet yesterday, including the unfortunate reference to the 2007 post-election violence. These are people who have no agenda for this country. All they desire is chaos and anarchy in our country.

Hon. Speaker, I plead with you as the Chair of the Powers and Privileges Committee. Irrespective of what the National Police Service, the Director of Public Prosecutions (DPP) or the Ethics and Anti-Corruption Commission (EACC) do with Hon. Koimburi, the Powers and Privileges Committee must be seized of this matter. I also want to speak to the people of Juja. They are a great people who have been denied proper representation in this House. I do not want to discuss the Member, but the people of Juja are suffering. I have been there and I know. Right now, I am addressing issues, in my office, touching on electricity connectivity in Juja. Their Member of Parliament had the audacity to send them a message on a WhatsApp group, telling them: “You can go ask for your electricity from Ruto. I left that Government.” Whether you are in Government or not, you are elected as a Member of Parliament to represent your people. When they ask you for services, answer them in a dignified manner.

The police have done their work. The DPP must do his work. The EACC must do their work under Chapter 6 of the Constitution on the matter of ethics of public officers that Hon. Kimbra has contravened. The Powers and Privileges Committee, which you Chair, must now be seized of this matter and take necessary action. The people of Juja must know that they can recall a Member of Parliament who is not working, not serving their interests or not representing them. He is a Member of Parliament who believes that his only work is to accompany another man to funeral gatherings and other social gatherings, singing songs of praise to the man.

I pray especially to you, as our Chair of the Powers and Privileges Committee, to do something not because of Hon. Koimburi but to save the dignity and honour of the office of Member of Parliament.

I submit.

Hon. Speaker: Thank you. I do not want to open debate on this matter. Senior Counsel, I will give you a minute.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Thank you, Hon. Speaker. Let me, first, thank you for the wisdom of directing an enquiry through members of the relevant Committee. It is important to note that the concern to find out what happened is not born out of anything in our Standing Orders. It is a concern for a colleague. We must all be concerned when a colleague is in distress. Therefore, I find four very unique things about this matter.

One, which is very positive on the part of the police, is the swiftness of the inquiry. I hope we can have such swiftness in all matters. Two, is the openness in terms of the updates of what happened. That is also a very good thing. The police are to be commended. There are also two very unique things that are to be discouraged. One is that we called on the police to do investigations but they were blocked from accessing our colleague, who is the only primary person who can give the most useful information. That is disabling the police, and then we might blame them. The second one is that something is developing where when one is admitted, people who are not medical practitioners give updates on their medical condition within the vicinity of the hospital. That usually does not happen in most hospitals. I think that is unique to this very able establishment, but it is not a good thing. You do not know if one is speaking authoritatively or not.

That said, abduction is a very serious thing. Unlike my colleagues, I welcome the preliminary report by the police. As they have stated, it is a preliminary report. It is not a conclusive report. I expect that there will be a conclusive report. Once it is concluded, if indeed there were people who were involved in kidnapping our colleague, they must be prosecuted. But if indeed there were people who coined this up and it was not true, they too must be prosecuted.

Abductions and killings in this country have become so many and we do not want to speculate as to whether one has done it themselves or not, or if it has been done by the police or by crooks. Once investigations are concluded, unlike my colleagues, I believe the right thing to do is that the police must prosecute those who were involved. I do not agree that it is within the ambit of this House. I do not believe that you can bring matters that have happened outside the precincts of Parliament to the Powers and Privileges Committee. I think that matter is between our employers, the voters and the police, who ought to prosecute.

Hon. Speaker, I commend your wisdom in handling this matter. I hope it comes to fruition and we get to the bottom of it. Let people be prosecuted so that it serves as an example, either way.

Thank you.

Hon. Speaker: Let us have Hon. Mukunji and then Hon. Millie. I will then close the matter.

Hon. Gitonga Mukunji (Manyatta, UDA): Thank you for your guidance in this House.

Hon. Speaker, first, I want to say that security matters in this country must be taken with the seriousness they deserve. As we speak right now, I have demonstrations in Embu Town because of insecurity. Shops are being broken into and those are matters that touch this House. I believe that as the Senior Counsel has mentioned, we need conclusive reports on matters to do with our colleague. And that is not the only matter. I believe that there are so many pending matters that touch on the confidence that people have with our police forces.

We are yet to get reports on what happened to many Gen-Z during the demonstrations of last year. We are yet to get a report on various issues of abductions that have been reported of some young people in this country. As I sit here, I believe this House should be seen as a House that allows investigations to go on to conclusion. I believe your guidance is very clear that we get to the bottom of the matter regarding Hon. Koimburi. I have not visited him but I have seen the press conferences and I have seen the hand being pointed at the police force.

I believe it is important for the Independent Policing Oversight Authority (IPOA) to come in because it is an extra-judicial matter. It is said that Hon. Kimbra had an issue and the police said they were looking for him. It was suspected that the police were the ones who were conducting this operation. Now that the Inspector-General has spoken, it is important to also get an independent body to give a report on the matter so that this House can be well guided when it comes to such matters.

Today we had the National Prayer Breakfast and I believe it is not fair or right for my good friends, the Leader of the Majority Party and the Leader of the Minority Party to incriminate the former Deputy President just like that. It is right for them to bring evidence and show that he was involved in this matter. We should be fair and call it as it is. We are spending so much time talking about the former Deputy President when we have very serious matters to discuss in this House. We have matters to do with the national debt. We have matters to do with the Finance Bill. We have an issue on *miraa* that is being brought by the Deputy Leader of the Majority Party.

Hon. Junet Mohamed (Suna East, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: There is a point of order, Hon. Mukunji.

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, I am seeking your guidance because I know that Hon. Mukunji is a first-term Member of Parliament. I know that he is learning the ropes. What we discussed yesterday---Yes he is a first-term Member of Parliament unless he was in a Parliament other than the current one – unless he was in the South Sudan Parliament. The fact of the matter is that he is a first-term Member of Parliament and I am a third-term Member of Parliament.

(Loud consultations)

That is a fact on record. He has only served for two years, just like Hon. Rigathi Gachagua.

(Laughter)

Hon. Speaker, my point of order is that, what we discussed yesterday was a Special Motion under Standing Order No.33. The Standing Orders that we use here give every Member an opportunity to bring a Motion to discuss any matter of national importance, with the approval of the Hon. Speaker. If you get the requisite number of 20 Members to support your request, you get an opportunity to move your Motion. Therefore, we should not use derogatory statements that we were wasting our time here. Yesterday, we discussed a matter of national importance like post-election violence. We discussed a matter where someone is calling on people to take up arms to kill themselves, displace people and cause destruction. Are you calling it useless? Unless you support that kind of thing and you want people to die. Shame on you!

(Laughter)

Hon. Speaker: Hon. Mukunji, wind up.

Hon. Gitongo Mukunji (Manyatta, UDA): Hon. Speaker, I believe it is very easy for the Hon. Leader of the Minority Party to bring the matter of me being a first time Member of Parliament, but he needs to understand that I learn very quickly. In my two years of service here, I have understood how this House works. I know how it works and I believe I represent the people of Manyatta and Embu in the best way I should.

As I conclude, I want to say that your guidance on the investigation of this matter touches on the security of all of us. We have had complaints from various Members on how their security is being handled. We, recently, lost a Member of Parliament. We know how and what it takes to replace such a Member. We know how costly it is to even go back for a by-election. Let us all be very keen on our security. Hon. Speaker, I seek your guidance to ensure that IPOA also gives a report on this matter.

Hon. Speaker: Thank you. Let us have Hon. Millie as the last Member to speak on this matter.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Speaker. Before I start, I just want to tell Hon. Mukunji that---

(Hon. Mukunji consulted loudly)

Hon. Speaker: Order, Hon. Mukunji. You have finished your contribution, listen to others.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Yes, he needs to listen. I just wanted to tell him that even though he is saying he has learnt, one of the things that he has not yet learnt effectively is how to be in opposition. When I finish making my contribution on this matter, see me on the side. You are doing very poorly in that regard. I am very willing to give you free tutorials on how to be effective in the opposition.

(Laughter)

Hon. Speaker, as a human rights defender, I have been against the issue of abductions. I have raised it before from the Floor of this House and elsewhere. I am very happy that I have

actually almost witnessed the disappearance of the issue of human abductions. Whether I am in the Broad-Based Government or non-Broad-Based Government, human rights do not change. I have raised it consistently. When our colleague was allegedly abducted, I condemned his abduction. This came up shortly after our other colleague was actually murdered on the day we were going on recess. Our colleague was here. I turned my back and saw him here. Then minutes later, I saw breaking news that he was dead. He was gunned down. So, the security of Members of Parliament is a very serious issue.

Hon. Speaker, I have been a victim of attack. I was attacked the first time by seven men who were wielding guns. When I raised the matter, the Inspector-General of Police then said that I concocted the story. At that time, no investigation was done. The difference between then and now is that this time round, investigations have been done. I would be the last person to actually politicise attacks because I have been a direct victim.

However, Hon. Speaker, on that note, it would be very unfortunate that a Member would make me waste time sympathising and standing with him if at all he has actually faked his own abduction. It would be very unfortunate after our own Member of Parliament has been shot dead that you bring theatrics that touch on our security. Today it may be drama, tomorrow it may be reality. You may cry wolf today but one day it will be reality and there will be nobody to deal with you.

What I would like to say so that Members can be more secure, the police have given us a preliminary report. Can they conclude the investigations? Should it be found that this is actually false allegations, he should be prosecuted to serve as an example to others. This is not a joke. Abduction of persons has been a very serious issue in this country. It is one of the reasons as to why our young people very annoyed. They keep saying that they are being abducted. I would be shocked to discover that all along it has not been the police who have been abducting people. It is mind-boggling. Even if we are politicking, our politics must reach a level that is humane and that respects the human rights of yourself and others. Do not make us waste so much English when we know that there are other countries where we can import English from. I will not name them. However, there are countries where we can export English.

(Laughter)

We can export the English elsewhere. I will not mention to where because I have many friends in the neighbouring countries. Additionally, we are trying to encourage and deepen friendly relations with our neighbours even when they are angry with us. I encourage that this matter be taken up seriously, not just by the Powers and Privileges Committee but also by the Inspector-General of Police. If this is actually a lie, this Member must be prosecuted.

Thank you.

Hon. Speaker: Thank you. Hon. Tongoyo, when will you bring the conclusive and final report? I know the predicament you suffered when you could not see your colleague. I wish to inform the House that I personally called the Director of Criminal Investigations (DCI) and he informed me that, together with his officers, they were also denied the opportunity to see the Member. Therefore, the Inspector-General should finalise investigations and give us a conclusive report on the matter. I will then give directions.

Hon. Gabriel Tongoyo (Nark West, UDA): I am well guided, Hon. Speaker. I managed to talk to him just an hour ago. There are still a lot of leads leading to more arrests and interrogations. Therefore, give us another week or so.

Hon. Speaker: Thank you. Before the next order, I acknowledge, in the Speaker's Gallery, the presence of Ol Kalou Secondary School from Ol Kalou Constituency, Nyandarua County. I realise that they have left but we welcome them belatedly to the House of Parliament.

Next Order.

MOTIONS

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

THAT, notwithstanding the provisions of Standing Order No.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.

(Moved by Hon. T.J. Kajwang' on 29.4.2025)

(Debate concluded on 29.4.2025)

Hon. Speaker: Order, Hon. Members. Members for Kajiado Central and Kajiado East, take your seats. The two Members from Kajiado County are on their feet at different points.

Hon. Members, I would like to put the question at Order No.8. I hope you understand what it is. There is a Bill from the Senate by the Senator for Kakamega County on the regulation and bringing order to the bodaboda sector. He seems to have walked into a hostile group of bodaboda operators who frightened him to write a letter and say that, although the Bill has passed through the Senate, he wants to withdraw it in this House. That is the question I would like to put now. If you want consideration of the Bill to go on, you vote no. If you want the Bill to die here, you vote yes. I have to give this explanation because this is an unprecedented process that has come to this House.

I now put the question at Order No. 8.

(Question put and negatived)

Hon. Speaker: The Bill will proceed to the Second Reading stage at an appropriate time.

Next Order.

ADOPTION OF REPORT ON CONSIDERATION OF THE AUDITED ACCOUNTS OF SPECIFIED CORPORATIONS

THAT, this House adopts the Third Report of the Public Investments Committee on Social Services, Administration and Agriculture on its consideration of the Report of the Auditor-General on the financial statements of the following State Corporations, laid on the Table of the House on Tuesday, 30th July 2024:

1. Kenyatta National Hospital (KNH), Financial Years 2018/2019 and 2019/2020.
2. Kenya Medical Supplies Authority (KEMSA), Financial Years 2017/2018 and 2018/2019.
3. Kenya Veterinary Board (KVB), Financial Years 2018/2019, 2019/2022 and 2020/2021.

4. National Authority for the Campaign against Alcohol and Drug Abuse (NACADA), Financial Years 2017/2018, 2018/2019, 2019/2020 and 2020/2021.
5. Kenya Broadcasting Corporation (KBC), Financial Years (2000/2001, 2001/2002, 2002/2003, 2003/2004, 2004/2005, 2005/2006, 2006/2007, 2007/2008, 2008/2009, 2009/2010, 2010/2011, 2011/2012 and 2012/2013).

(Moved by Hon. Emmanuel Wangwe on 27.5.2025)

(Resumption of debate interrupted on 27.5.2025)

Hon. Speaker: Hon. Wangwe, when we adjourned yesterday, you had 37 minutes left. You can now carry on.

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Speaker. I began moving the Motion yesterday. I raised general issues cutting across the corporations as well as specific issues. I had started highlighting issues on KEMSA. I will first focus on trade and other payables.

On this issue, we observed that one supplier, M/s Med Africa Limited, was awarded a contract to install, supply and commission diesel fired incinerators in Busia, Kitale and Wajir county referral hospitals. The main issue we observed is that the equipment are yet to be supplied to Busia and Wajir counties.

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

[The Deputy Speaker (Hon. Gladys Boss) took the Chair]

Hon. Deputy Speaker, we recommended recourse. One of the recommendations is that upon the adoption of this Report, the KEMSA accounting officer, the Principal Secretary for Medical Services and the County Government of Wajir should ensure that the incinerator is installed since it was paid for but has not been installed to date.

We also recommend that within three months upon the adoption of this Report, the Auditor-General should audit the payables in question and give a comprehensive report on their status to the National Assembly. There were about four or five issues, as you will see in the Report, that were discussed, all of them involving various parties as highlighted in the Report.

The Kenya Veterinary Board (KVB) had challenges in terms of budgetary allocation. For the specific years, the budgeting of KVB was under budgeted but over-expended. For example, in one particular year, they budgeted for Ksh134 million but spent Ksh142 million. The question is, where did they get the balance from? The finding of the Committee is that they under-declare their appropriations-in-aid (A-in-A) so that what they get is spent before budgeting is done. That means this organisation has some income somewhere which is not surrendered to the National Treasury. Once the budget is declared, they draw that money on their own. The question is, what is the function of this House? We are supposed to appropriate funds through the budget. What is the function of the National Treasury? It is to collect money that goes to the Consolidated Fund. How come this organisation is spending money which has not been budgeted for? We found this to be an irregularity.

As such, we recommend that the accounting officer should ensure that, at all times, budgets are realistic, achievable and always adhere to the annual work plans, procurement plans and revenue collection schedules. If there is anything contrary to that, relevant laws should apply and the officer must be punished.

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There is also lack of effective internal controls in KVB. By law, every organisation must have an internal audit unit and a documented risk management policy. At the time of audit, this organisation had neither a full-fledged working internal audit nor a documented risk management policy.

In that regard, my Committee recommends that the Accounting Officer, having been found in breach of Regulation 165(1) (a) and (b) of the Public Finance Management (National Government), Regulations of 2015, should ensure that all times the Internal Audit Unit and an approved Internal Audit Charter detailing the scope, responsibility and purpose are in place in order to promote transparency and accountability.

Within three months upon the adoption of the Report, the Board of the Kenya Veterinary Board should submit to the National Assembly and the Office of the Auditor-General, the committee membership, the minutes and the Internal Audit Unit reports considered by the audit committee. This means that we recommend that they must establish an Internal Audit Unit.

We also found an issue regarding the failure to fully constitute the Board of Directors. This issue cuts across many institutions. The Kenya Veterinary Board is one of the organisations that fell short of having the necessary board members. Whereas the Kenya Veterinary Board did not have the required board members, it went ahead and paid the few existing board members allowances. That is an illegality. This is because at the time of expending, they did not have a fully-fledged board. How were they meeting? Who was approving this expenditure?

Therefore, that being the case, we recommended that we reprimand the appointing authority for the delay in constituting, or failure to adhere to the provisions of Section 4(1) (f) and (g) of the Veterinary Surgeons and Veterinary Para-professionals Act of 2011. The Act provides that the Board shall consist of the following members: four surgeons registered and veterinary para-professionals appointed by the Cabinet Secretary after being elected by registered veterinary professionals. Therefore, that reprimand goes to the appointing authority, who in this case is the CS, who also oversaw his State agency run without the necessary board members.

The National Authority for the Campaigns against Alcohol and Drug Abuse (NACADA) had various issues. The only good thing with this organisation is that it had unqualified opinion with recommendations covering the three years under review. It is a fairly clean organisation, but had minor governance issues and concerns regarding the review of the existing board members. However, upon transition, which was slightly within two months, the organisation maintained a clean and unqualified report over the three years reviewed.

The final institution I want to talk about is the Kenya Broadcasting Corporation (KBC), our mother broadcasting house. It is an organisation where almost all media personalities have passed. Nearly 90 per cent of the media personalities have passed through KBC. It has nurtured and moulded very good personalities. Unfortunately, while at KBC, they do not appear to be the best. However, once they leave, they turn around and become the best. This is the situation we found regarding the issues happening in KBC.

One issue we found out that cuts across the ten years of review is the matter of liabilities at KBC. KBC borrowed heavily some money way back in 1989. The loan was from the Overseas Economic Cooperation Fund (OECF) in Japan and amounted to Ksh7, 543,422,121. This money has always been moved, and it has already been cleared by the National Treasury. However, the National Treasury has not adjusted the books of Kenya Broadcasting Corporation and has left the load on their accounts. What does this mean? It means that whenever KBC prepares its books, this loan is still reflected in their books.

The management accounts of KBC look positive during the year, but the overall annual accounts are heavily loaded by this amount. The implication is that you can never know the

trading status of KBC, which is not a good thing. Therefore, what do we recommend? Upon adoption of this report, KBC should submit a comprehensive report with the details of the loan to the National Treasury and the Auditor-General. The National Treasury should also comment on the status of the loan and advice on when they intend to write it off, if need be.

On the issue of KBC, there are problems related to title deeds. The Corporation had title deeds for eight parcels of land. At the same time, it had 32 parcels without title deeds or other legal documents of ownership. The title deeds for LR. No. 209/5918, the Broadcasting House, still exists in the name of the old person. As a lawyer, you will agree with me that the title called Chief Secretary Colony and Protectorate of Kenya is a colonial reference to our titles, dating from before Independence. It is important that KBC gets its title. As it is now, it does not have it in the modern way.

Therefore, valuing that property is not possible. The management was not able to value it because they say that the title is obsolete. I do not know the person who is supposed to handle it. According to them, they contracted a law firm, which is yet to issue a new title. This makes the whole issue messy and unacceptable to the Committee.

Therefore, we recommended that the Accounting Officer at KBC should submit to the National Treasury and the Auditor-General an updated fixed asset register, detailing all the company's assets with the respective information that needs to be disclosed. Why do we need this? When the title has not been valued, it means it is not posted in the accounts, as it has no value. Without a register of fixed assets, it is impossible to trace that property or its location.

There is also the issue of inter-agency trading, where the Ministry could direct KBC to give part of its assets to a sister agency. In this particular case, five power generators valued at Ksh29 million were loaned by the Corporation, at the direction of the Government, to Kenya Electricity Generating Company PLC (KenGen) to alleviate the 2001 power crisis. However, the generators have never been returned to the Corporation. Once the assets were given out at the Government's direction, someone ended up retaining them forever, and nobody followed up.

Therefore, we felt it was important that, within three months upon adoption, EACC initiates an investigation into how the loaned generators to KenGen were procured, whether there was any malpractice in the initial procurement, and whether the generators were idle at the time of loaning. The findings should be submitted to the DPP. It is claimed that the generators were given, but there is no follow-up evidence to confirm this, nor were there any instructions. The management said they were instructed to give out the generators. So, we do not really know whether the generators were handed over to KenGen or not.

There is also an issue at KBC affecting the going concern aspect. This relates to various organisations with which it entered into negotiations, particularly those in the broadcasting sector. Apart from the OECF loan of 1989, KBC has entered into negotiations with other organisations such as MultiChoice Africa, among others.

Hon. Deputy Speaker, therefore, the entry into these negotiations has affected the operation positively and negatively. The Committee recommends that upon adoption of this Report, the KBC should submit to the National Treasury and the Auditor-General a comprehensive report with the details of all the organisations that have entered into commercial transactions with it for the purpose of going concern effects.

Finally, the KBC model is good to adopt, but it has left the organisation in limbo without knowing whether to transact on its own or through the contracted agencies which it works with. It gives a positive return on one side but if it is not monitored well, it can lead to the extinction of the organisation.

With those remarks, I thank my colleagues whom we sat with tirelessly in sessions together. I also thank the secretariat for taking their time and compiling this Report. I also thank the Clerk of the National Assembly for the effective support, through the Director of

Committee Services, who has supported the Committee to produce this Report. I also thank the leadership of the House for the opportunity given to the Public Investments Committee on Social Services, Administration and Agriculture, through me, to submit this Report to the House.

Thank you, Hon. Deputy Speaker. I now request my colleague, the Member for Mandera County, Hon. Umul Kheir Kassim, to second.

Hon. Deputy Speaker: Hold on a moment before you second. Allow me to recognise the presence of a school which is seated in the Public Gallery before they leave. I wish to recognise the presence of Pioneer Girls' School from Gatanga Constituency in Murang'a County.

(Applause)

Member for Mandera County, before you second the Motion, welcome them on behalf of the House.

(Hon. Kimani Ichung'wah spoke off the record)

Hon. Deputy Speaker: Okay. You may welcome them.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Deputy Speaker. Allow me the liberty to welcome the school from Gatanga Constituency, on behalf of their Member of Parliament whom I heard has gone to Wamunyoru and is not available. Therefore, on his behalf and that of the House, I welcome them to the National Assembly. I pray that when the students from Pioneer Girls' School grow up, they will find their way into this House, the Senate and in other positions of leadership. I also pray that they will serve with the integrity that behoves them, as leaders of tomorrow.

Thank you.

(Laughter)

Hon. Deputy Speaker: You may proceed, Hon. Umul.

Hon. Umul Kheir Kassim (Mandera County, UDM): Thank you, Hon. Deputy Speaker. I would like to second the Report of the audited accounts of the State Corporations which are Kenyatta National Hospital, Kenya Medical Supplies Authority (KEMSA), Kenya Veterinary Board, National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA) and KBC.

I will speak about five cross-cutting issues that came up while we were deliberating on the Report. One is on land. We found out that the land on which these State corporations sit on have no title deeds. They have active court cases, despite this House debating the issue in its previous terms. The tussles are on private developers and encroachment. The other cross-cutting issue is delay in availing documents to the Auditor-General. The State corporations delay in submitting documents to the office of the Auditor-General, contrary to the requirements of the Public Finance Management (PFM) Act, which requires the same within three months. The other cross-cutting issue is delay in accountability of imprest, which is contrary to the requirements of the PFM Act that requires seven days, as my Chairperson put it.

The fourth cross-cutting issue is delay in appointment of directors of the boards. This contributes to poor decision making, poor governance and lack of policy guidance in the organisation. We found out that there is laxity in most of these issues. These are things that they can solve easily, but they decide to carry them on from one chief executive officer to the other.

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Thank you, Hon. Deputy Speaker. I second the Motion.

(Question proposed)

(Several Members spoke off the record)

Hon. Deputy Speaker: Yes, Leader of the Majority Party. Those Members who want to contribute, please, press the intervention button.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Deputy Speaker. Firstly, allow me to congratulate the Chairperson and the Members of the Public Investments Committee on Social Services, Administration and Agriculture for their diligent work. If the Members noticed, some of these accounts like those of NACADA run from the Financial Year 2017/2018 all the way to the Financial Year 2020/2021. Many of the accounts that you have seen, even for KBC, run back to the Financial Year 2000/2001 up to the Financial Year 2012/2013.

I am saying this because it is important for our oversight committees to work to ensure that all the public sector audited accounts are up-to-date. The Auditor-General is very diligent in ensuring that she audits all parastatals and Government accounts by mid-year. Therefore, it behoves us, as a House, through the oversight committees - whether it is the Public Accounts Committee (PAC) or the three Public Investments Committees - to ensure that we review these audited accounts and make reports in good time.

That is why I take the liberty to congratulate the Public Investments Committee on Social Services, Administration and Agriculture. Without anticipating debate, I also congratulate the Public Investments Committee on Governance and Education because I see they also have reports to be considered in Order No.10.

To also note, some of the parastatals whose accounts have been reviewed, like Kenyatta National Hospital, as much as they are up to 2020, there are pertinent issues that I heard the Chairman speak to yesterday, which need to be addressed. More importantly, if you go through that Report, you see the issue of undeclared or unaccounted for imprests.

Imprest is not free money to be given to public officers. Every Government agency should follow the example of Parliament. Members of Parliament also get imprests. For instance, you get *per diem* when you are travelling. If you do not account for it, it will either be recovered from your salary the following month, or the next time you are due to get imprest, you will not get it. That is why in our audited accounts, as Parliament, you will never find unaccounted for imprest, be it from Members or staff.

All these Public Investments Committees, whether it is that on Social Services, Administration and Agriculture, or that on Governance, or even the one on Commercial Services, should ensure that they move towards a system where imprest is accounted for promptly, as the Chairman was pushing yesterday in his moving.

I keenly listened to the Chairman, Hon. Wangwe; issues that touch on all these parastatals, whether it is Kenyatta National Hospital, KEMSA, the Kenya Veterinary Board, or NACADA, all have an overriding issue of unaccounted for imprest. It must be clear to every public officer that when you get imprest, this is money to carry on your official work. Once you are done, you should account for that money. If you do not account for it, then you should be surcharged.

I agree with what the Committee has recommended. Ultimately, the buck stops with the office of the accounting officer. In this case, the principal secretaries in those ministries. If they do not enforce, as holders of the authority, to require expenditure in the parastatals to ensure that they recover the imprest, then they should be surcharged. It is part of their accountability that they have been charged with as accounting officers.

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Secondly, allow me to speak about KEMSA. The Chairman, Hon. Wangwe, stipulated that they have reviewed their accounts from the Financial Year 2017/2018 and the Financial Year 2018/2019. The year we are waiting for is 2020/2021. This is why I am saying that we must push our accounting committees to review all these accounts promptly and report to the House so that action is taken at the right time. We have been waiting to know who the COVID billionaires are. Now you have reviewed their accounts up to the year 2018/2019, the pre-COVID period.

Hon. Emmanuel Wangwe (Navakholo, ODM): Point of information.

Hon. Kimani Ichung'wah (Kikuyu, UDA): I would allow the Chairman to inform me.

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Deputy Speaker. You know he is my leader, and when he speaks, you seek that he allows you to inform him. The work you are asking for is done. It is only in the pipeline to be brought here. In the next few weeks, you will have it with you.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Very good. Thank you, Hon. Deputy Speaker. It is good that I elicited that information to know that I was not congratulating the Committee in vain. I would implore Hon. Wangwe to finalise the report and bring it to the House Business Committee. We shall prioritise it for consideration, so that we can get to know who the COVID billionaires are. People who took advantage of a very unfortunate situation as the COVID-19 Pandemic in 2019/2020, to steal from public coffers.

The KEMSA became synonymous not with the supply of drugs and vital things for the well-being of the people of Kenya, but with scandals and COVID billionaires. People who became billionaires overnight. We must get to the bottom of all those COVID billionaires, whether it was those who were supplying masks and fake respirators and tubes that we had at that time. I pray that this Committee will bring that report very soon, as the Chairman has committed.

I was, however, saying that it is good to push all our public accounts committees, whether it is those in charge of investments, those reviewing the accounts of our parastatals or the Public Accounts Committee itself that reviews Government accounts, to ensure that they bring all their reports promptly so that we can arrest the cancer of graft in our country on a timely basis.

We were just discussing earlier when Hon. Tongoyo tabled his interim statement on the fake abduction, as has been said, of Hon. Koimburi. We were congratulating the police for their swiftness. The House should learn from the police on the swiftness of acting at the right time. When people steal from public coffers, you allow time, people tend to forget.

As Kenyans, we have a very short memory, or we get excited by new things and forget the old. That is why the corrupt in this country know that they can get away with anything. All you need is to buy time. Kenyans forget. That is why the COVID billionaires have been living in luxury over the last three or four years. They assume that Kenyans have forgotten. Many of them used their stolen resources in the last elections. Some are now elected governors. Others are Members of Parliament. I do not know whether any of us here was involved. The Chairman will tell us when he tables the report. I said that to encourage Hon. Wangwe and Hon. Wamboka's committees. I know they are diligent.

I must congratulate Hon. Wamboka, who, being a first-time Member of Parliament, is serving with zeal and diligence as the Chairman of a Committee. I can see he is following in my footsteps. I was a Vice-Chair of the Public Investments Committee in my first term as a Member of Parliament. I moved on to become the Chairman of a committee in my second term. Therefore, this is to encourage you to lead your committees and ensure that all these accounts are reviewed on a timely basis, and you table reports before the House.

It is not enough to just review these accounts. The more important thing is to bring reports to this House that we can adopt and then follow up, through our Committee of

Implementation, to ensure that all the recommendations, like those Hon. Wangwe has put in this Report, even those on imprest, are not in vain. This House must not and must never act in vain.

With that, I beg to support this Report.

Hon. Deputy Speaker: Thank you. Member for Turkana North.

Hon. Paul Nabin (Turkana North, ODM): Thank you, Hon. Deputy Speaker. I want to disclose that I am a member of this Committee. First, I want to thank my Chairman and the Members of Parliament, including the secretariat, who have taken their time to interrogate the clients and come up with a final Report.

I will speak to the cross-cutting issues that came across when we were looking at the five corporations. We found that most of these corporations have declining financial performance. We realised this by the kind of Appropriations-in-Aid that we looked at. As a Committee, we agreed with the auditors that the boards needed to sit down and come up with strategies to increase revenues. This would enable the corporations to make payments for their financial commitments as well as take care of their needs.

Hon. Deputy Speaker, we also realised that there was delay in appointing members of the boards of directors in most of the corporations. Boards of directors support the management of corporations. In their absence, either there will be a delay in implementation of certain activities or delayed budget approvals and unprocedural payments are made. We recommended a look at the State Corporations Act in order to reduce time of appointment of boards. Those involved in the appointment of members to boards of directors should ensure that the corporations appoint their boards within time, so that it does not affect their management.

We also realised that some reports of previous Public Investment Committees were not implemented. We have recommended that the Committee on Implementation should fast-track the implementation of reports of previous PICs in order to correct some of the issues that auditors brought up. A delay in implementing the reports also delays many issues that need to be taken care of.

We also noted that most times, many documents were not availed when auditors are auditing the corporations. In the process, auditors were not able to confirm areas of irregularities. Audit is a process that gives State corporations much time to provide evidence of what auditors require. Therefore, we recommended that accounting officers such as director-generals of corporations should provide documents within time. In most of the financial reports we got, the documents delayed during the audit period were provided years later. Therefore, auditors were not able to verify and confirm the inquiries they wanted to pick.

Hon. Deputy Speaker, my colleagues have talked of the delay in accounting for imprest. This was also across the board in all the five corporations whose financial statements we looked at. As stated by colleagues, it is incumbent upon staff and employees of these corporations to follow laid-down regulations. When you receive imprest, you should account for it seven days upon return. We have recommended that accounting officers, whether still in those corporations or out of the corporations, be reprimanded for delayed imprest accountability.

The last thing I noted is that most of the corporations have many cases in court and these cases have taken so long to conclude. This has delayed a number of decisions that needed to be taken care of by these corporations. We have recommended that accounting officers put together the list of delayed court cases and bring them before our Committee so that we can inform this House and engage the Attorney-General to have these cases fast-tracked.

Most of the corporations did not have risk management policies and even internal audit structures. We have also recommended that these structures be put in place to minimise some of the issues that came out of the corporations.

As I conclude and when this House adopts this Report, I request the Committee on Implementation to move swiftly to implement these reports so that we can minimise the inquiries that arise from the audit and financial statements that appear in audit committees.

I support.

Hon. Deputy Speaker: Thank you. I see there are many of you who have interest in this. Therefore, I request that each of you take five minutes. I give this opportunity to the Member for Central Immenti, Hon. Moses Kirima. He is not in the House. Next is Hon. Geoffrey Mwangi, Member of Tetu.

Hon. Geoffrey Wandeto (Tetu, UDA): Thank you very much for the opportunity to also rise and support, especially the Report from the Chairperson of the Public Investments Committee on Social Services, Administration and Agriculture. I was a Member of this Committee before I was surprisingly de-whipped when I refused to support some impeachment Motion that came to this House. That is not the reason I stood.

I stand to support because I was part of this process. One of the things we encountered when doing many of these audits was mainly the refusal, delay, or even the manipulation of necessary audit documents by some of these State corporations.

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

Hon. Deputy Speaker: There seems to be a point of order here. What is your point of order?

Hon. Wanami Wamboka (Bumula, DAP-K): I have just realised that our digital system and the televisions are not working very well. I am worried. Is *The Hansard* on? Is it just affecting screens or is it also affecting the voice? As you know, it is mandatory that *The Hansard* has to run. Can we get confirmation from the people concerned? Does it only affect the Member for Tetu because of his past participation, particularly for the Motion he mentioned? Could we get that clarification?

(Laughter)

Hon. Deputy Speaker: Yes. I can clarify that we already had some problems even when the substantive Speaker was in the Chair earlier. He informed me, but they had already notified the ICT team. They are trying to work on it. I think the HANSARD will capture us as long as the sound is there. I think there is a challenge with screens because microphones are working.

We may proceed.

Hon. Geoffrey Wandeto (Tetu, UDA): Unfortunately, Kenyans will now not see me talk, especially the people of Tetu who love me dearly. Be that as it may, allow me to proceed. I thank Hon. Wamboka for the timely intervention, especially trying to confirm if this is sabotage.

Hon. Deputy Speaker: Actually, I am informed that it is the display of screens in the House. However, it does not mean the feed is not reaching our servers. Therefore, you can still retrieve it from the Hansard section.

Hon. Geoffrey Wandeto (Tetu, UDA): Thank you, Hon. Deputy Speaker. That is comforting. The substantive issue that I would like to raise is that despite this House allocating a lot of money to our State corporations year in, year out, they have become dens of corruption, mismanagement, pilferage and plunder of our national resources.

In my two or so years in this Committee, I was shocked to learn the level of rot in some of our State corporations and the level at which they go to conceal some of these glaring issues. It is important that over time, this House takes action against them. I still need to familiarise myself with the legislation in terms of what happens after reports are tabled.

To the best of my knowledge, I have not seen anybody arrested, prosecuted and convicted out of some of the reports that we raise in this House. In some of the instances, we saw open and glaring conflicts of interests and misdeeds that should actually be just placed in front of the Directorate of Criminal Investigations (DCI) for an arrest to be made.

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

Hon. Deputy Speaker: What is your point of order?

Hon. Wanami Wamboka (Bumula, DAP-K): Hon. Deputy Speaker, I just want to inform the Member for Tetu Constituency, who is a good friend of mine, that the reports of this House and recommendations of committees are not in vain.

I want to confirm to him that in one of the recommendations of the Committee that I chair, we referred the matters of Moi University to the Ethics and Anti-Corruption Commission (EACC). I also want to confirm to him that the CEO, who is the Vice-Chancellor, was arrested and is being charged in court. Therefore, this House does not act in vain, Hon. Member for Tetu Constituency.

Hon. Deputy Speaker, allow me to induct him properly later, now that I am a ranking Member of the House.

Hon. Deputy Speaker: Thank you. Remember committees are at liberty to recommend prosecution. They can even recommend that the person cannot hold a public office.

Hon. Geoffrey Wandeto (Tetu, UDA): Hon. Deputy Speaker, you need to protect me from the continuous points of order.

Hon. Deputy Speaker: I will now let you proceed uninterrupted.

Hon. Geoffrey Wandeto (Tetu, UDA): I know that my friend, Hon. (Dr) Oundo, would like to make further input. It is good that Hon. Wamboka is giving me words of comfort. However, we would like to see more. We would want these reports to constitute the basis of serious points of prosecution. Just like what the Leader of the Majority Party said, up to date, some of the “COVID billionaires” are walking scot-free while some of them were covered in some of these audits.

There is one specific issue that I would like to raise about the Kenya Broadcasting Corporation. When we did the audit for all these years, nearly 13 years that are listed here, because the audit was that much behind, we saw some interesting dealings between KBC, Gotv Africa and MultiChoice.

Recently, when there was vetting of principal secretary nominees, I remember the Chairman raised some of these issues. One of the people we figured out for conflict of interest is now the Principal Secretary in charge of the same Information and Broadcasting division.

Hon. Deputy Speaker, it shows that some of these reports may not necessarily see the light of the day. The people that we hope will implement some of these things are the same ones who are mentioned in some of these reports. Some of us tried to raise the issue by saying that even if the man had to become a principal secretary, and we had no issue with him becoming one, he could have been posted to a State Department such as Gender and Affirmative Action, Agriculture or one that is a bit far away from the KBC matters.

Therefore, I rise to support and I like the comfort that my Chairman is giving me that I will see prosecutions being done. Some of the prosecutions we should start with are those of the people who stole money from KBC by manipulating its shareholding in Gotv and MultiChoice, and those who plundered the Kenya Medical Supplies Authority (KEMSA), but are still walking scot-free. These are the things we want to see happening because this House has to regain its place as a custodian and as watchman of the people’s resources.

Thank you, Hon. Deputy Speaker. I support the Motion.

Hon. Deputy Speaker: Thank you. Hon. Member for Mombasa County, Hon. Zamzam Kimba.

Hon. Zamzam Mohammed (Mombasa County, ODM): Asante sana, Mhe. Naibu Spika, kwa kuniruhusu kuchangia kwenye Ripoti hii ya Kamati kuhusu ripoti ya *Auditor-General* kuhusiana na *State corporations*.

Ukiangalia Ripoti hii, ni dhahiri shahiri kuwa pesa nyingi za taifa zinapotea kwa sababu ya kuzembea kwa wale wanaohusika katika hizi *State corporations* tofauti. Ukiangalia hata mashamba, mfano kwenye KBC, KEMSA na mashirika mengine mengi, mashamba ambayo wanafaa kutumia kwa ujenzi na kuendeleza miradi tofauti ya Serikali hayana vyeti vya umiliki. Nikitoa ushahidi dhahiri ni kuwa hata Mombasa, kuna wakati tuliizuru Idara ya Maji na tukapata kuwa wanashamba wanadai kuwa shule ya msingi ya Nyali imechukua shamba lao lakini wakiulizwa cheti cha umiliki, hawana ilhali wenye shule wanacho. Hivyo, unajiuliza, je, Serikali ilienda kwa watu bila vyeti vya umiliki, au watu walizipataje ilhali Serikali haina?

KEMSA pia wako katika hilo kundi. Wanamashamba wanadai ni yao ila hawana vyeti vya umiliki. Kenyatta National Hospital (KNH) pia ina mashamba ambayo wanasema ni ya Serikali bali hayana vyeti vya umiliki. Ninaomba kuwa, ikiwa tunaweza kuchukua hivi vyeti vya umiliki vyote na kusihi Wizara ya Fedha kushugulikia ili wapate vyeti vya umiliki vya Serikali katika wizara moja, itasaidia sana Serikali. Hii inasababisha sisi kama ukanda wa Pwani, kuwa na matatizo ya mashamba sana. Kuna watu wameishi huko kwa miaka zaidi ya mia, lakini wanavunjiwa nyumba zao na kuambiwa shamba ni la wizara wakati ambapo wao wenyewe wamekaa pale kwa miaka yote.

Ndio maana nampongeza Rais kwa kutuwekea Ksh1.5 billion ya kufidia mashamba ya wale wasiokuwa na vyeti vya umiliki ilhali wamekaa pale kwa miaka mingi, ili wapate vile vyeti. Hii itatoa sintofahamu iliyokuwepo baina ya wananchi na Serikali ama hata na wale wezi wa mashamba. Mtu anaenda pale Ardhi House, anaangalia sehemu fulani haina cheti cha umiliki, anahonga humo ndani na kuchukua hiyo hati miliki na kuenda kugawia watu.

Mhe. Naibu Spika, nikiangalia Ripoti hii, pesa nyingi sana zinafujwa na hata mhasibu anakuwa mzito kutoa zile rekodi kwa sababu anajua kuna kitu fulani kimefanyika. Wakenya watamlaumu Rais na viongozi wa juu kila wakati kumbe humu ndani na chini kuna watu ambao wanafanya makatafunwa yao. Kwa mfano, bado National Hospital Insurance Fund (NHIF) inadaiwa na KNH. Unashangaa iwapo hili shirika lilisongezwa na kuingizwa kwenye Social Health Authority (SHA).

Juzi, Rais ametueleza wazi kuwa kwenye miaka 50 ya nyuma, idara kama NSSF imekusanya karibu Ksh300 billion pekee. Alipokuja mamlakani aliweka mikakati mizuri ikawa wakenya wanalipa Ksh600 katika National Social Security Fund (NSSF). Kwa sasa, Kenya imekusanya kiwango mara dufu. Pia alituambia kuwa hizi hazina ambazo tunajiwekea sisi wenyewe zitakuja kutusaidia badala ya kukopa Uchina na nchi zingine pesa na kuanza kuweka vitu vyetu kama bandari. Tutakuwa tunajikopa na kujilipa sisi wenyewe. Hivyo nampongeza Rais kwa juhudi zake. Lakini nawaomba wanaohusika huku chini waache wizi ili wasiharibie taifa hili jina.

Mwisho, kwa niaba ya wakenya, namuomba Mhe. Rais Salmia Suluhu msamaha. Watoto wetu wamekosea. Nyinyi ni mjirani wetu hivyo tunaomba msamaha. Tukae tukipendana kwa wema kama taifa.

Ahsante, Mhe. Naibu Spika.

(Loud consultations)

(Hon. Zamzam Mohammed spoke off the record)

Hon. Deputy Speaker: Member for Kilome. Order, Hon. Zamzam. Proceed, Member for Kilome.

Hon. Thuddeus Nzambia (Kilome, WDM): Thank you, Hon. Deputy Speaker. I rise to support this Report.

(Loud consultations)

(Hon. Zamzam Mohammed spoke off the record)

Hon. Deputy Speaker: Order, Hon. Zamzam!

Hon. Thuddeus Nzambia (Kilome, WDM): I seek protection, Hon. Deputy Speaker.

I rise to support this Report. As a Member of the Public Investments Committee on Education and Governance, we have really interrogated these reports. I assure you that these committees are doing a marvelous job when it comes to safeguarding public resources. I attest to the same having been a Member of the Public Investments Committee on Education and Governance.

It is the same case in the Public Investments Committee on Social Services, Administration and Agriculture. As Members of this House, we need to get into the details of our institutions so that we can safeguard public funds.

Since we have been pushing the National Treasury to release money to these institutions, we also need proper accountability for the same funds. I urge this Committee, through the Chairperson, Hon. Wangwe, to move with speed because I have realised that most institutions have been audited, but oversight committees have not properly utilised the reports from the Auditor-General.

(Hon. Zamzam Mohammed consulted loudly)

Protect me, Hon. Deputy Speaker. There is a lot of noise.

Hon. Deputy Speaker: Hon. Zamzam, please, stop the *kamukunji*.

Hon. Thuddeus Nzambia (Kilome, WDM): Please, give us time.

Hon. Deputy Speaker: If you must have a *kamukunji*, do it outside. We quietly listened to you, so you should also give your colleague an opportunity to be heard.

Hon. Thuddeus Nzambia (Kilome, WDM): Thank you, Hon. Deputy Speaker, for protecting my contribution. A lot of money is going to waste. Once we get the report from the Auditor-General, it is only this House which can pursue, interrogate, and scrutinise every coin to ensure the proper use of public funds.

Because I am a Member of the Public Investments Committee on Education and Governance, I will give my honourable colleagues an opportunity to contribute to this Report because I will contribute on the report of the Public Investments Committee on Education and Governance.

Hon. Deputy Speaker: Member for Funyula.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Member for Turkana, just remove your card so that you do not confuse me. Proceed, Hon. Ojiambo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Deputy Speaker. I take this opportunity to congratulate and sincerely thank the Committee for taking the time to review outstanding and past audit reports. I do not want to dwell on specific issues. Allow me to dwell on some basic issues.

The Constitution of Kenya, 2010 has very clear provisions on when specific audit reports ought to be debated. Allow me to bring to the attention of the House Article 226 of the Constitution. Hon. Deputy Speaker, I seek your indulgence that we take this matter very

seriously. Article 229 of the Constitution requires that audits must be completed within six months and must be tabled and debated in Parliament within three months.

We know that there has been a backlog that must be addressed. However, we should address it in light of the ruling in the High Court Case No.HCJR/E082/22023 that invalidated the findings of the Committee of the County Assembly of Nairobi in view of the recommendations. I, therefore, urge the House Business Committee, the Office of the Clerk of the National Assembly, and the Parliamentary Service Commission, that for the work of all the watchdog and oversight committees to have any legal or constitutional effect, we must comply with the provisions of the Constitution to ensure that audit reports are debated and approved by Parliament within three months after tabling by the Office of the Auditor-General. In the old Audit Act and the Constitution, the Office of the Auditor-General is required to review and table the reports six months after the end of the financial year. The financial year ends on 30th June of any given year. That means that by December, the Office of the Auditor-General must have reviewed and submitted the reports to Parliament.

The main complaints in the past were issues of non-compliance and failure to supply documents. The Office of the Auditor-General would go to the Semi-Autonomous Government Agencies (SAGAs) or ministries, departments and agencies (MDAs) which would claim that they were not ready or would submit their reports fairly late. The amendments to the Audit Act condensed the period for submission of documents giving the Office of the Auditor-General enough time to review, prepare and submit the reports.

I urge the Office of the Clerk of the National Assembly, the Parliamentary Service Commission and all the relevant organs of this House to put measures into place to facilitate and adequately fund the oversight and watchdog committees, namely, the Public Accounts Committee, the various PICs, and the Special Funds Accounts Committee so that they can complete the audit process and table their reports, preferably not beyond May of the subsequent years. Otherwise, all these reports will just be for record and academic purposes.

I honestly sympathise with the fact that the Report being presented today is on the 2018/2019 Financial Year. Even if you made a recommendation, how do you enforce it? Whoever was in charge then is either dead, retired, or suffering in the village. All his sugarcane has been leased without his authority and he is of no value to this country.

With those few remarks, I support the Motion.

Hon. Deputy Speaker: Hon. Kihungi. Give him the microphone.

Hon. Peter Kihungi (Kangema, UDA): Thank you, Hon. Deputy Speaker. I rise to speak on the Audit Report of the Public Investments Committee. As one Member has put it, the most important thing is timelines. I have noticed that the Office of the Auditor-General is coming out clearly as stamping its authority in the institutions. It is clear that the office is working. Parliament is its backbone because we consider their reports.

However, committees take too long before they discuss those reports. Secondly, no action is taken. I remember one report by the Committee which recommended that one of our Members be imprisoned for 70 years. The report demonstrated to the National Assembly how the Office of the Auditor-General can execute the fight against corruption.

Hon. Deputy Speaker, we wish to support the Report. We call upon committees to understand that the office of the Auditor-General will be demoralised when they realise that even if they become aggressive and fight corruption, Parliament does not act on their reports. The county will suffer.

I call upon the oversight committees to take their positions. Let us be seen working. Reports that are brought here are clean, but the news in newspapers is that there is glaring corruption according to the Auditor-General reports. Parliament is somehow seen as compromised. The one big issue is timeline. A committee could be auditing a 2017 report and

therefore, the report has no essence. We should make sure we work on the backlog and make sure we are dealing with day-to-day issue. That is where the impact of Parliament will be felt.

Thank you.

Hon. Deputy Speaker: Member for Moiben Constituency, Hon. Phylis Bartoo.

Hon. Phylis Bartoo (Moiben, UDA): Thank you, Hon. Deputy Speaker for giving me the opportunity to voice my concerns as far as audit reports are concerned.

I have in mind the issue of land belonging to the Kenya Medical Supplies Authority (KEMSA) and the Kenya Broadcasting Corporation (KBC). The KEMSA does not have title deeds for 32 parcels of land. Likewise, one parcel of KBC land is still in the name of the colonial government. That is a very serious concern given that we have people in Kenya with an appetite for land. This is a very fertile ground for land grabbers.

The issue does not just affect the State corporations I have mentioned. It affects the entire society of Kenya. It also affects our institutions of higher learning and even schools. We still have schools in Kenya which have been in operation for many years, but do not have title deeds. That is why sometimes they cannot develop. It also becomes problematic for them to be allocated finances because they do not have title deeds.

On the issue of documentation, it is very embarrassing to have State officers and civil servants in Kenya drawing from the national cake, but sit pretty in their offices and are not able to submit documents for auditing. This is very shameful. It is interesting that they are still serving in those offices. What are they doing? They earn tax payers' money, but they are not able to perform their duties. Hon. Deputy Speaker, that is very shameful. Such officers should be sent on compulsory leave until they comply.

That is why institutions collapse. A case in point is Moi University. This is a big institution which has churned out many graduates and many prominent men and women in Kenya. It is going down the drain. It has to retrench 800 employees who have diligently served it for many years. They were told to pack and leave without payment. Such situations occur because institutions do not do proper accounts. Therefore, the Government is not informed of the real situation and position. When they close, we sit back and ask ourselves what exactly happened. That happens because people in offices refuse to follow due process and due diligence in their various responsibilities.

The Report also indicates that most of these institutions have weak governance. Does it mean that we have incompetent people serving in these offices? How do they find themselves there when we have trained, qualified and competent Kenyans? Why can they not step down and allow competent people to run those corporations?

Some of the audit reports are out dated. I am worried because this is 2025. What is exactly going on at this point? Things must be going haywire. We have to get serious and task the people we put...

Hon. Deputy Speaker: You can give her one minute to finish her sentence.

Hon. Phylis Bartoo (Moiben, UDA): We have to get serious and get the right people to run our institutions. Otherwise, we will be going back and forth forever. That is what brings development down.

Hon. Deputy Speaker: Member for Githunguri Constituency, Hon. Wamuchomba.

Hon. Gathoni Wamuchomba (Githunguri, UDA): Thank you, Hon. Deputy Speaker. I rise to support the Report from the Committee that oversees Kenyatta National Hospital, the Kenya Medical Supplies Authority, the Kenya Veterinary Board, and the National Authority on the Campaign Against Alcohol and Drug Abuse (NACADA).

Hon. Deputy Speaker, it is very disappointing that today, May 2025, we are discussing reports of 2017, 2018, 2019, 2020, and 2021. It is very unfortunate because there is somebody who may get away with an offence that may have been picked in the Report. There is nothing much that can be done to salvage public money. So, the issues that were raised by the Member

for Funyula Constituency on matters to do with timelines and deadlines are critical if we really want to be the House that oversees these institutions. As we talk about 2017/2018 on matters finances, I am more concerned about the impact of these institutions on the Kenyan voters.

I come from Kiambu County. Hon. Deputy Speaker, I am sure you know, even though you come from Uasin Gishu County, that we have very serious problems of alcoholism, drug abuse, suicide, dropouts, teenage pregnancies and crime. All emanate from drug addiction. We are seated here today discussing reports of 2018/2019, yet, currently, we are struggling with serious drug abuse. When will issues of this current year be discussed in this House? If this is a trend, it means that the issues of this year will be discussed in 2030. Why are we elected? We are elected to deal with the matters of the day, rescue the generation of the day, provide interventions and solution for the matters of the day.

We should be discussing why our young people are indulging in drugs. I would be excited to discuss with vigour and energy reports of how NACADA is sorting out the drug menace in Kiandutu Slums of Thika in Kiambu County and how NACADA is sorting out the issues of proliferation of cannabis. Reports coming from the Kenyatta National Hospital and Ministry of Health are shocking. One in every 11 young boys and girls in Kenya, between 15 and 24 years, is consuming drugs.

It is not just drugs but cannabis. They are committing suicide. They are dropping out of school. So, when we come here and discuss finances of 2018 and 2019, yet boys and girls are dropping out of school and committing suicide, what are we doing in this House? I am very concerned that this is the trend. It is us in this House who must change this trend. Let us discuss matters that concern our people's livelihoods in the current Parliament. Why are we carrying business forward that was supposed to be conducted in this House back in 2017? I served in this Parliament in 2017 and 2018. This is the same story I am speaking about today of young sons and daughters indulging in drugs. It is still happening in my county. What is NACADA doing? Are we going to fund them perennially yet we are still crying over the same problems we have always had?

As much as I rise to support this Report, I want to throw a challenge to this House. We must be the face and voice of doing good, not just for ourselves but for the people we represent. As we speak, I throw a challenge to NACADA to tell us, what they are doing, now that over 632 young men in this country are confirmed addicts of cannabis. Are we going to continue like this forever?

Hon. Deputy Speaker, I submit. Thank you.

Hon. Deputy Speaker: We will now finish with the Member for Kigumo and the Member for Marsabit. Make sure the Chairman is here.

Hon. Joseph Munyoro (Kigumo, UDA): Thank you very much, Hon. Deputy Speaker. I rise to support this Report. The issue of timelines cannot be overemphasised. I have heard my colleague talk about NACADA whose 2017/2018 reports we are discussing. We also have reports from KBC from 2000/2001. It is shocking that we are debating reports that are 26 years old. I am sure there are people in this Parliament who are younger than the reports we are discussing. We cannot continue on the same path. It is prudent that we start debating current matters so that when issues arise, we can tackle them.

The place of NACADA cannot be overemphasised. This is the only body we have entrusted with looking after our young children. We come from counties affected by all manner of drugs, from alcohol to *muguka* to *miraa*. We must ask NACADA to be responsible and answerable to this House because we are the people's representatives. We cannot observe the loss of our young ones because the body entrusted with the work is not effective.

As much as we support the Report, is it possible to start debating current reports and reserve reports not yet brought to this House for later discussion so that we catch up? Is there a way for PIC to fast-track the reports? It is a song we sing every year. When reports are

brought, we discuss and complain about timelines. Next year we will do the same. The 13th Parliament has a chance to make sure that all audit reports being discussed, if not current, are two to three years old.

As much as the reports come to the House, issues are still being raised out there. Is it because we are not able to publicise what we do in this House? Every time you look at the newspapers or reports of the Auditor-General, as much as we will say that we have looked at the figures and they are good, weird cases of corruption will still be reported. It is us, as a House, that must make sure that the reports we adopt are publicised and reflect the true reality of the bodies concerned.

I submit and support.

Hon. Deputy Speaker: Thank you. Member for Marsabit, Hon. Naomi Waqo.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Deputy Speaker, for this opportunity to add my voice to this Report. From the onset, I support it and congratulate the Committee for a detailed Report to guide this House. Having gone through it, there are things we cannot allow to continue in this country. First, a report detailing things that have happened in the last 26 years is not something that we should be excited about. We have had different Parliaments.

These reports should have been presented and the concerns addressed. Unfortunately, we are seated here talking about reports from 26 years ago that reveal different gaps and challenges we are still facing as a country. We should be concerned and come up with a way forward. Even as we work on these reports, serious measures should be put in place to control bad practices. This will help to control finances and encourage different institutions to be more effective.

One of the observations the Committee made is the lack of ownership documents on land and buildings. When land or buildings do not belong to the institution, you are sure of poor management, lack of commitment and poor performance. We are Kenyans and we know how emotive land issues are. These institutions face serious challenges. The Report says:

The Committee observed and noted with concern that Kenyatta National Hospital (KNH), Kenya Medical Supplies Authority (KEMSA) and Kenya Broadcasting Corporation (KBC) did not possess title documents for the land and buildings they occupy. This is a big failure and something needs to be done so that we are sure of ownership.

The Report also says some parcels of land were illegally and irregularly carved out and registered in the names of private developers. This should be a matter of concern to all of us. How can KNH be registered under the name of a private developer? The corruption we have been talking about since Independence seems real and visible. Corruption is not only money based. Land and other things are included. This House should get concerned about what is happening.

Another serious concern the Committee observed is the delay in providing documents to the Auditor-General. Serious corruption takes place in these institutions. How can they delay in providing documents to the Auditor-General? The Committee observed that some accounting officers did not provide complete and reconciled financial and accounting records. This is very serious. Why should we have officers who cannot submit reports on time?

There is also poor governance and weak internal controls. It seems these institutions lack proper internal control systems. There is a serious plan for coordination of poor performance and corruption. How can they not have internal controls in accounting? How can they not have a board of directors in place? That can be beyond them but serious issues have been brought out. Our young people are suffering and we cannot continue this way. I support the report but we must take serious action so as to salvage the situation.

Hon. Deputy Speaker: The Chairperson is not here so we shall have him reply in the next Sitting. We can proceed with our next Order.

ADOPTION OF REPORT ON EXAMINATION OF AUDITED ACCOUNTS OF
STATE CORPORATIONS FOR CENTRAL REGION

Hon. Deputy Speaker: Chairperson, Public Investments Committee on Governance and Education.

(Technical hitch)

Hon. Wanami Wamboka (Bumula, DAP-K): I do not know whether they are sabotaging me.

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

THAT, this House adopts the third Report of the Public Investments Committee on Governance and Education on its Examination of the Reports of the Auditor-General on the Financial Statements of State Corporations (Central Region) for the financial years 2018/2019, 2019/2020 and 2020/2021, laid on the Table of the House on Wednesday, 6th December 2023.

Hon. Speaker, in this Report, the Committee handled the following agencies:

1. Nyandarua National Polytechnic
2. Gitanga Technical and Vocational College
3. Mathenge Technical Training Institute
4. Tetu Technical and Vocational College
5. Mathioya Technical and Vocational College
6. Mukuruini Technical Training Institute
7. Kieni Technical and Vocational College
8. Runyenjes Technical and Vocational College
9. Kamukunji Technical and Vocational College
10. PC Kinyanjui Technical and Training Institute
11. Thika Technical Training Institute
12. Ngong Technical and Vocational College
13. Multi-Media University
14. Kiambu Institute of Science and Technology
15. Gatundu South Technical and Vocational College
16. Kipipiri Technical and Vocational College
17. Michuki Technical Training Institute
18. Kenyatta University.

Hon. Deputy Speaker, the Committee proposes policy recommendations aimed at addressing financial and audit challenges and at the same time recommends specific actions against officers who may have acted contrary to the law. It further recommends additional investigation of certain matters by the relevant investigative agencies such as the Ethics and Anti-Corruption Commission (EACC), the Director of Criminal Investigations (DCI) and directed forensic audit by the Office of the Auditor-General.

These observations and recommendations if considered and implemented will enhance accountability, effectiveness, transparency, efficiency, prudent management, commercial viability and value for money in state corporations and public investments made in governance and education. Hon. Speaker, the Committee places responsibility on the Office of the Auditor-General for the quality of the Audit Reports tabled in the House.

It has come to the Committee's attention that pertinent matters that should have been highlighted in the reports were not raised by the Auditor-General. During site visits, the Committee has frequently encountered concerns related to construction projects and their

implementation and management. Kenyatta University, for instance, had four stalled projects at the foundation level worth Ksh616,427,834. The Committee could not ascertain whether the institution obtained value for money for the funds so far spent.

The Committee noted that the above issues had not been raised in the Auditor-General's Report. As a result, the Committee requested for a special audit to be conducted by the Auditor-General on this matter.

The Committee also noted that various officers had been in an acting capacity beyond the stipulated timelines.

Hon. Dorothy Muthoni (Nominated, UDA): On a point of order, Hon. Deputy Speaker.

Hon. Wanami Wamboka (Bumula, DAP-K): If I may expound on the issue of Kenyatta University a bit. I am sure you do not want to spoil my soup.

Hon. Deputy Speaker: Let us allow him to finish moving it first.

Hon. Wanami Wamboka (Bumula, DAP-K): Hon. Deputy Speaker, Kenyatta University has spent a whopping Ksh600 million and you can hardly see anything beyond the foundation level. When we went there, we were asking where the project is. The Vice-Chancellor was just saying "here". You could not see anything yet they have spent Ksh600 million. It becomes sad that the Auditor-General did not capture this.

The office of the Auditor-General is not sufficiently funded. We implore this House, especially now during the budget-making process, to sufficiently fund these oversight offices like the Office of the Auditor-General and the Controller of Budget which are doing a very good job. They will not function and we will not get value for money if they are not properly resourced. Having dealt with them, I can confirm that they are indeed made of steel and they are doing their work of overseeing Government.

On governance and administrative structures, the Committee observes a peculiar governance and management situation at the Kiambu Institute of Science and Technology (KIST). It was observed that KIST operates under the management of two distinct boards namely, the board of trustees and the board of governors. The Technical and Vocational Education and Training, Act, 2013, vests the responsibility of managing all TVET institutions in the board of gGovernors. Of particular concern is the situation regarding the institute's land ownership. The board of trustees held 200 acres of land in trust for the institution.

However, following the enactment of The Technical and Vocational Education and Training Act, 2013, it is required that all the properties of the institute be transferred in the name of KIST and be managed by the board of governors. The board of trustees has, however, relinquished only 70 acres of land to the board of governors remaining with 130 acres.

The Committee further notes with concern that the board of trustees obtained a loan totalling Ksh158 million for its sole use. The loan was secured by a fixed and floating debenture on all the assets of KIST. This is a very sad scenario. This institution was started by well-wishers; old men and women of goodwill from Kiambu County. They came together through donations and Harambees. They are the Njenga Karume's and the Kenyatta's. They decided that the area needed an institution of learning. They vested the mandate to run this institution to a board of trustees, then.

Now there is a new set of board of trustees who have taken over the institution, against the law, with the enactment of The Technical and Vocational Education and Training Act, 2013. These trustees have refused to surrender the land property belonging to the Kiambu Institute of Science and Technology (KIST) to the board of governors. Shockingly, they even trade with this property. They went to banks, specifically the Co-operative Bank of Kenya, and borrowed a lot of money under the name of KIST property. They think that they own this country.

When we went there with the Committee, the first thing we were advised was to beef up our security so that we can land there. Many committees tried going there but they did not manage to land there. We, however, went there and threw them out. They are just criminals participating in a criminal enterprise. I hear they found their way back. I want to implore this House to be firm, specifically on the issue of KIST. These people who purport to be trustees are not the original trustees of this land property. They must be shown the door.

Upon the adoption of this Report, we will make a specific advisory to the Ministry of Education and the Ministry of Interior and National Administration, that these crooks be dealt with. Actually, they must be behind bars. These are the people who need to be in jail and not the other people that we discuss in this House.

The Committee recommends that the board of trustees be declared *persona non grata*. They should henceforth cease to interfere in matters of the institute. The Committee further recommends that the board of governors to take the necessary steps to ensure that the property of the institute is vested in the name of KIST as provided for in the Technical and Vocational Education and Training (TVET) Act, 2013.

Further, the governance structure of the institute be restructured in accordance with the provision outlined in the TVET Act, 2013, so as to have the Government interest represented by the board of governors, the Cabinet Secretaries of the National Treasury and the Ministry of Education.

On understaffing in the TVET institutions, the Committee observed that the technical and vocational colleges are facing an acute shortage of both teaching and non-teaching staff. The ideal trainer to trainee ratio as recommended by the world bank is 1:25, whereas the Ministry recommends a ratio of 1:30. Unfortunately, in certain instances, the ratio in some courses has reached as high as 1:130. That begs the question of what kind of students come out of these institutions.

We must resource the Ministry of Education and be firm with the National Treasury. They used to operate under the funding model called the Differentiated Unit Cost (DUC). They could hardly reach 50 per cent of their bargain in terms of what they were to send to these institutions. This House must be firm. This situation significantly impacts the quality of education and training offered to students.

The Committee also noted inequitable allocation of resources in TVETs with some regions having well equipped institutions while others have dire situations with limited-to-deteriorating facilities. We want this House to be firm on the rules of equity and natural justice. Every region must have a share of the national cake.

It is sad that some regions in this country have more TVET institutions and institutions of higher learning than other regions. For example, if you go to an area like Turkana, you will get a university that does not look like a university; it is just a university on paper. When it comes to the allocation of resources to these institutions, we ask that this House should be fair and observe equity so that students who will come out of these institutions will be properly equipped for the job market. Each region should feel that it is part and parcel of this country.

The Committee recommends suspending the establishment of the new TVETs institutions until the existing ones are upgraded to meet the requisite standards. This will ensure the quality of education and training is enhanced, contributing to workforce and improvement of national competitiveness, prioritising resources, resource consolidation and education optimisation.

The Committee recommends targeting neglected regions and prioritising the TVET sector in resource allocation to address underfunding and improve infrastructure. Adequate funding would attract and retain high qualified instructors thereby enhancing the quality of education.

On poor accounting standards and general incapacity of some accounting officers, the Committee found out that due to previous lack of exposure to the audit process culminating into parliamentary review, some accounting officers were ignorant or non-compliant with the various provisions of the Public Finance Management Act, 2013, and the Public Audit Act, 2015. Audit queries spanning far back as 2019 remained un-responded to by some agencies that were only jolted to action when they were invited to appear before the Committee. Most severe was the Mathioya Technical Vocational College which relied on a trainer as its volunteer accountant invariably resulting in unintended audit queries.

We must thank the wisdom of the leadership of this House that saw the need to split the giant Public Investment Committee into three different Public Investment Committees. Most of these institutions were never audited. In fact, some of them were in slumberland. They never thought that they needed to account for this money. When we started auditing them, some of them were shaking. When they realised that they are now coming before a parliamentary committee, it was a headache for them. Many had many excuses on why they could not make themselves available. However, they are getting used to it with time and we are getting proper standards in auditing.

The Committee recommends that the National Treasury and the Office of the Auditor-General conducts annual sensitisation and capacity building for all accounting officers and finance staff in State corporations on their responsibilities during audit cycle and adherence to internal performance agreements (IPAs).

On late submission of supporting documentation, the Committee observed that some accounting officers failed to submit supporting documentation to the Auditor-General in time during the audit cycle as required under Section 68 of the e Public Finance Management (PFM) Act. This invariably led to the Committee discussing matters that will ordinarily not feature in the final report, some as mundane as accounts vote balancing.

The Committee that I Chair in this House has been firm to the extent that accounting officers must provide all the documentation within the audit cycle and failure to do so will attract penalties. We have surcharged and penalised very many officers. I can report to this House that that is bearing fruit.

The Committee recommends that the accounting officers to henceforth comply with section 68(2)(k) of the PFM Act, 2013, by providing supportive documentation on time. The Committee, on subsequent audits, will prescribe punitive measures to the accounting officers who will fail to adhere to the requirements.

Unsecured/Untitled land holdings is an issue that cuts across most institutions. The Committee observed that there are cases where land owned by various institutions was not secured and titled accordingly. That lead to encroachment in some cases with the potential of eventual forfeiture or loss. The Committee took note of the fact that many State corporations had illegal encroachment on their land.

For instance, the Kenyatta University (KU) has faced a situation where 140 acres of its land have been encroached upon by illegal squatters. Despite a court ruling in favour of the University, these squatters have persisted on the property, even constructing buildings and earning rental incomes from the unlawful use of land. This is an unlawful act being perpetrated by thieves, by people who have decided to steal public property; 140 acres of land belonging to KU have been stolen. There are high skyscrapers. Developers have built very serious buildings there. When we went there, we were equally warned, and for this, we did not even succeed to land. We were warned that these people have goons who they have put on notice if one appears anywhere in a manner that suggests that you want to deal with that land. It is unfair. In the current disposition, we should not have such.

We implore the head of the Police Service, Inspector-General, to move with speed and provide security because the Judiciary has pronounced itself on this matter. This land belongs

to KU, and it must have this land. The names that were being floated for having grabbed this land will shock this House. They are the high and mighty. Hon. Kirima wants to give me information. Hon. Deputy Speaker, would you allow him or I proceed?

(Hon. Moses Kirima spoke of the record)

Okay. Some of them are high and mighty. At the end of the day, we are going to shame them on this Floor. This country must continue in the right direction.

The Committee recommends that the National Land Commission (NLC) and the relevant ministries immediately ensure that all said corporations secure titles to all their parcels of land. These institutions and the National Treasury must also prioritise fencing off all land holdings to forestall further encroachment. The Committee recommends that encroachers face the full extent of the law, be evicted and charged in court. The Committee further recommends that the Attorney-General put together a multi-agency team with a mandate to initiate the process of reclaiming land that has been encroached upon by squatters, like the case of KU.

Furthermore, the Attorney-General should collaborate closely with affected state corporations, universities, and institutions to streamline efforts and provide the necessary legal and logistical support for the successful resolution of land encroachment issues.

Failure to adhere to gender, ethnicity, and regional balance is another area where government institutions have done very badly. The law proposes that an institution must not employ more than 30 per cent from the dominant community. We have a situation where institutions are having more than 84 per cent from one community, making it difficult for Kenya to coexist as one community. The Committee is very firm regarding public institutions having the face of Kenya in their workforce.

Several institutions have skewed ethnicity within their staff complement, especially at the senior management level. This was especially manifested in those agencies domiciled in areas predominantly inhabited by a particular ethnic group.

This Report highlights concerns about the under-representation of certain ethnic groups and fair employment practices and potential discrimination in recruitment, promotion, and other employment-related processes. Despite explanations from the accounting officers that a lack of diversity was prevalent in the lower cadres, the Committee is of the view that the rife unemployment countrywide is attracting an ethnically diverse pool of applicants for advertised jobs. This is tenable. We commend the committee of this House that oversees the National Cohesion and Integration Commission (NCIC). They have done a good job, but that is not enough. We urge them to follow up with these institutions to ensure they adhere to the timelines set by these committees. It is unfair. All Kenyans need to belong; all Kenyans must feel they are part and parcel of this country. Every Kenyan pays taxes and should feel like a true Kenyan. As a Committee, we are firm in our commitment to implement this, and in the coming reports, you will see us take more punitive actions, particularly in this area.

The Committee recommends that all public agencies comply with the constitutional provision on equity and inclusiveness, as buttressed by the National Cohesion and Integration Act No.12 of 2008. We also recommend amending the Technical and Vocational Education and Training (TVET) Act, 2013, to grant these institutions the authority to engage with the Public Service Commission (PSC) during the hiring process for the 50 per cent allocated to the board of governors. Furthermore, the Committee recommends that the NCIC, together with the Inspectorate of State Corporations, conduct a biannual examination of the ethnic composition in State-owned enterprises to confirm incremental progress on this matter.

Lastly, I want to address matters concerning Kenyatta University and the Kenyatta University Teaching and Referral Hospital (KUTRH). When Kenyatta University dreamt of establishing a medical school, its goal was to benefit its students, making it a training school

for future medical professionals. With the support of the National Treasury, the Government acquired a loan from China and built what is perhaps one of the largest hospitals on Kenyan soil today, aimed at training serious medical students for the market.

The then Vice-Chancellor, Prof. Olive Mugenda, who did a commendable job, later joined KUTRH. The Committee views this as a conflict of interest. She decided that the hospital needed to be autonomous. According to the Committee, the Departmental Committee on Health, as well as the Select Committee on Implementation in the 12th Parliament, this move seemed primarily aimed at creating space for herself, perhaps after her retirement. That matter continued...

Hon. Kwenya Thuku (Kinangop, JP): On a point of order.

Hon. Deputy Speaker: What is your point of order?

Hon. Kwenya Thuku (Kinangop, JP): Thank you, Hon. Deputy Speaker. The Member moving this Motion is misleading the House. He has mentioned the former Chair of KUTRH directed and gave autonomy to KUTRH. I happen to have been a Member of the Public Investments Committee (PIC) in the 12th Parliament that he has mentioned. I also happen to be a Member of the Departmental Committee on Health and can give the chronology and genesis of what happened as far as the movement of KUTRRH is concerned, from KU to the autonomy it holds as a parastatal. It was by the dint of an Executive Order by the former President, Uhuru Kenyatta. Therefore, the House should be rightly informed.

Hon. Deputy Speaker: Hon. Kwenya, you are out of order because this is a Committee Report. The Committee has already reviewed this.

(Hon. Kwenya Thuku stood up in his place)

Please sit down so that I can explain to you. The Auditor-General made a report to the Committee, which has reviewed it and made its own findings, and it has the powers of the High Court of Kenya. They are free to make their recommendations. You are not holding brief for her neither are you her lawyer. If she has a problem with the report of Parliament, then she will instruct her lawyers accordingly and defend herself at the time when she is called to account.

(Applause)

The report has not been adopted, but if you wanted to make amendments to it, you should have done it when you were in the Committee. You are not a member of the Committee. At the time it will be debated, you can raise those issues. Right now, he is moving the Report. It will be seconded, then the Question will be proposed by the Speaker, and it shall be open for debate. At that time, you can speak. It is also not within your power and mandate, as a Member of Parliament, to hold brief for State corporations. How do you oversee people who you are holding brief for?

Proceed, Hon. Chairperson.

Hon. Wanami Wamboka (Bumula, DAP-K): Thank you, Hon. Deputy Speaker. The Chairperson of Public Investments Committee on Social Services, Administration and Agriculture, Hon. Wangwe, will concur with us that the issues we are dealing with are not easy, and you can clearly see that. As a Committee, we decided that we must work for public good.

I want to inform the Member that this is a matter that has been interrogated by the Auditor-General. It is a matter that was before the Departmental Committee on Health and the Committee on Implementation in the 12th Parliament. The issue that was important to the Committee was the welfare of the KU students. We upheld the resolutions of the two Committees of this House.

Corruption bites, but it bites harder when you are dealing with the high and mighty. As a Committee, we decided that we are going to bell the cat. It is also incumbent upon this House to ensure that the students of KU, who dreamt of a hospital and a training facility to make them better doctors, see that dream come to fruition.

Further, the Committee---

(Hon. Kwenya Thuku consulted loudly)

Hon. Deputy Speaker, my brother is heckling. I have tremendous respect for Hon. Kwenya, but he is making a lot of noise.

Further, the Committee recommends that the Executive arm of the Government should make concerted efforts to execute the recommendations put forth by Parliament. For instance, where they encounter obstacles that impede their ability to do so, it is imperative that they effectively communicate the challenges faced in the implementation of these recommendations, providing detailed accounts of the challenges to Parliament.

The KU medical students should be allowed unrestricted access to the hospital's student wing, as was initially envisaged during the hospital's conception. Additionally, the Committee recommends revocation of Legal Notice 39 of 2021, which amended Legal Notice 4 of 2019, to exclude the Vice-Chancellor of Kenyatta University from the hospital's board. Someone somewhere tried to be mischievous to ensure they completely lock out students of Kenyatta University. They threw out the Vice-Chancellor from sitting on the board of the hospital. They ensured that nobody represents the university. Even in those decisions leading to the Legal Notice, the university was not represented.

Just to inform the House, these matters were dealt with completely by two Committees of this House, and a decision was reached. Our Committee has just upheld the decision. Two Committees cannot be wrong.

On the very last one, we are encouraging the government to live by its part of the bargain, by ensuring that capitation money reaches these institutions on time and in full. The situation is not good in these public institutions, Technical and Vocational Education and Training (TVETs), and universities. Vice-Chancellors have students in school. Principals have students in school. The year is coming to an end and as we speak, money has not been remitted to those institutions.

We urge the Government to prioritise education, because education is the key enabler in any society. Now that we have a new funding model, let us ensure that heads of these institutions have money as required by law, in time, and as appropriated by this House. This will ensure that these institutions are run seamlessly so that our students are better.

Hon. Deputy Speaker, having noted the proceedings of the Public Investments Committee on Governance and Education, on the examination of the Reports of the Auditor-General on the financial statements of state corporations for the Financial Year 2018/2019, 2019/2020, and 2020/2021, I beg to move and urge the House to adopt this Report.

I request Hon. Kirima to second this Motion.

Hon. Moses Kirima (Central Imeni, UDA): Hon. Deputy Speaker, I support the Motion by the Chairman of the PIC...

Hon. Deputy Speaker: Raise your microphone.

Hon. Moses Kirima (Central Imeni, UDA): Hon. Deputy Speaker, I second the Motion by the Chairman of the Public Investments Committee on Governance and Education in which I am a member, and the recommendations thereby given.

It has been observed by the Committee that the recommendations given should be implemented by the Committee on Implementation. The Committee on Implementation must take the observations seriously, especially in the matters whereby properties of the institutions

are being misappropriated against the law. In matters like the land in Kenyatta University, the 12.6 acres which we are saying is occupied illegally by the squatters...

*(Hon. Kwenya Thuku, Hon. Wanami Wamboka
and Hon. Emmanuel Wangwe consulted loudly)*

Hon. Deputy Speaker: Hon. Kwenya, take the *Kamukunji* away and allow the Member to speak.

Hon. Moses Kirima (Central Imenti, UDA): We are saying that the land has been illegally occupied by the squatters. When the Committee tried to visit the said piece of land, we could not access it but could only see it at a distance. The 12.6 acres have been heavily developed with storey buildings, some extending up to five storeys. They are big magnificent buildings which cannot be referred to as belonging to ordinary squatters. The same buildings have been associated with big names in this country, including big people in this House. The mention of the Kamae land at Kenyatta University raises the hairs of some leaders in this House. It is the recommendation of this Committee that the accounting officer of an institution or corporate body must be responsible for acts that take place within the institution.

The Committee observed, as stated by the Chairman, that corruption thrives in Government corporations. This is in the sense that buildings, contracts and procurement procedures, including the extension of contracts, are undertaken without following the law. The accounting officers concerned have been fined by this Committee. However, the Committee has been rendered toothless because its recommendations have not been implemented by the Committee on Implementation of this House. This means taxpayers' money is wasted for no reason, especially when it comes to spending colossal amounts of money such as Ksh600 million on buildings or items which cannot be seen.

The Committee has recommended that accounting officers of these institutions must be held liable or compensate the Government as required by the law. Whoever is responsible for the loss of public money must pay the same to the Government so that other officers can learn from those who have been surcharged.

There are cases where imprests have not been cleared or were given without the council's recommendation or minutes. These institutions are being run anyhow. There is a lot of incompetence. For instance, in Moi University, the incompetence of the Accounting Officer led to the collapse of what was once a magnificent, national and international institution. This is also the case with Kenyatta University. We found out that nepotism is the mother of incompetence, which has ended up being the source of collapse of our institutions.

The accounting officers appointed to these institutions, including Kenyatta University, think that they are there to loot. They do not know that they are there to be accountable for all actions within their institutions. This Committee recommended that the person be surcharged for the losses incurred during his time, but those recommendations were not implemented. Those are the observations of the Committee.

I call upon this House, especially the Committee on Implementation, to ensure that Kenyatta University recovers the land as per the court's judgement. The moment the court passes a judgement, auctioneers are given a chance to implement it. However, they cannot implement it because of the goons, or *watu ya mkono*, as it is said, who are there to protect the big landlords who purport to be squatters yet they are not. How does a squatter manage to put up a five-storey building? How does he manage not only to live in that land but also build premises for hire? There are three-bedroom houses in a five-storey building. I call upon the Committee on Implementation to look at it and save our institutions from grabbers. This is outright grabbing of public property.

With those few remarks, I second the Motion, Hon. Deputy Speaker. Thank you very much.

Hon. Deputy Speaker: Thank you. Next is Hon. Bisau, Member for Kiminini. Sorry, let me propose the Question first.

(Question proposed)

Member for Kiminini.

Hon. Bisau Kakai (Kiminini, DAP-K): Thank you, Hon. Deputy Speaker. At the outset, it is good to thank the current Parliament because most of the reports from 2018 have been looked at. This is work that would have been done by the previous Parliaments. In the wisdom of the parliamentary leadership, it restructured it by coming up with the new Public Investment Committees (PICs) which is a step in the right direction.

It is very clear that when we carry out the audits, we note that there is a lot of deficiency on the side of the office of the Auditor-General. We, as a House, need to empower the office of the Auditor-General so that it can have the capacity now that Parliament has been restructured to have PICs looking into these institutions. We need to have a clear timeline with the office of the Auditor-General to tell us exactly where the deficiencies are so that we try to support them as a House.

Secondly, when we look at these reports, what is quite prominent is assets management.

Hon. Dorothy Muthoni (Nominated, UDA): On a point of order, Hon. Deputy Speaker.

Hon. Wanami Wamboka (Bumula, DAP-K): No. Let us proceed. *Ukichoka, enda nyumbani.*

Hon. Deputy Speaker: That is not polite. If she has a point of order, let us allow her to raise it. I have allowed you to raise three points of order today. It is her right to raise it.

QUORUM

Hon. Dorothy Muthoni (Nominated, UDA): Thank you, Hon. Deputy Speaker. I rise under Standing Order 35 because we do not have quorum. Thank you, Hon. Deputy Speaker

Hon. Deputy Speaker: Serjeant-at-arms, ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

This is a Standing Order. She has a right to raise it.

(Hon. Wanami Wamboka spoke off the record)

You are out of order, Hon. Chairperson. Let us wait for the Quorum Bell for 10 minutes. You can go and help look for quorum.

(The Deputy Speaker consulted with Hon. Wanami Wamboka)

ADJOURNMENT

Hon. Deputy Speaker: Hon. Members, the time being 6.44 p.m., this House stands adjourned until Thursday, 29th May 2025, at 2.30 p.m.

The House rose at 6.44 p.m.

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