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House to debate Revenue Sharing formula

The Committee on Finance and Budget has proposed revision of the allocation baseline used to compute the sharing of revenue among counties to Sh387.43 billion.

Senators are set to start debate on the Fourth Basis of Revenue Sharing formula after the Committee on Finance and Budget recommended its approval but with amendments.

The report of the Committee was tabled in the House before it went for the recess in April. If adopted the formula is expected to determine the sharing of the county equitable share for the next five years, starting with the 2025/26 financial year.

Some of the amendments the Committee has proposed includes the revision of the current baseline used to compute the allocation of revenue among counties. The Committee has recommended the baseline be increased from the current Sh158.25 billion to Sh387.43 billion beginning in the 2025/26 financial year.

If the Senate adopts the amendment, the proposed new baseline will be distributed among counties based on a baseline allocation factor derived from each county's 2024/25 allocation.

The Committee says a review of the baseline is meant to promote fairness and support the basic administrative and governance functions that are uniformly required across all counties.

If the House adopts the amendment, the figure will be shared among counties based on the baseline allocation factor derived from each county's allocation for 2024/25 financial year.

This is meant to promote fairness and support the basic administrative and governance functions that are common across all counties.

The Commission on Revenue Allocation (CRA) Act defines the baseline allocation as the minimum amount of equitable share of revenue a county receives annually to guarantee a minimum level of financial support. This allocation is



Members of Committee on Finance: From left, Senator Mariam Omar; Senator Boni Khalwale and Senator Esther Okenyuri.



Senator Richard Onyonka and Senator Tabitha Mutinda, the vice chair of the Committee on Finance.

the foundation upon which further revenue is allocated based on factors like population, poverty, and land area.

It ensures each county receives a guaranteed minimum allocation, even if their other factors are lower.

In its report on the formula, the Committee notes that the House should ensure that no county government will receive an allocation less than the respective allocation 2024/25 financial year while transitioning from the Third to Fourth Basis formula.

In the current financial year, county governments were allocated Sh387.43 billion.

For every allocation to the coun-

ties hence, the Committee proposes, Sh387.43 billion will be shared by counties as baseline allocation factor derived from each county's allocation for 2024/25 financial year, the balance will then be subjected to the formula.

The CRA's framework for the Fourth Basis focuses on equitable resource distribution to address economic disparities, promote development, and improve service delivery across counties.

It has five parameters with the population weighted at 42 per cent, Equal Share which is assigned 22 per cent, Geographical Size (9 per cent), Poverty (14 per cent) and the Income Distance at 13 per cent.

To implement the Fourth Basis, the CRA has proposed the incorporated of a stabilisation factor to ensure that no county government would receive less than its allocation in the 2024/25 financial year.

In its report, the Committee also proposes that the weight on population be increased to 45 per cent, Equal Share be raised to 35 per cent, poverty reduced to 12 per cent while Geographical Size be reduced to 8 per cent but capped at 10 per cent.

The Committee noted that the 42 per cent weight on population is based on data from the 2019 Kenya Population and Housing Census (KPHC). The



Mr Koitamet ole Kina, vice chair, CRA, when he appeared before the Committee and his team to discuss the formula.

publication of the 2019 national population Census results led to seven petitions challenging the figures for various sub-counties in Mandera, Wajir, and Garissa.

The court ruled that the 2019 census results for affected regions were incorrect and illegitimate, ordering their cancellation and mandating a fresh mini-census within one year.

KNBS has filed an appeal against the

judgment and sought a stay of execution to allow reliance on the 2019 census data pending appeal.

The Bureau says the High Court had erred in several ways. It contended that the petitions lacked precision in identifying constitutional violations, relied on unofficial census data deemed inadmissible and imposed obligations not grounded in law.

The Committee says using the 2019

population data for the affected counties may result in inequitable resource allocation and undermine the legitimacy of the revenue-sharing process.

“The population of Wajir County, Mandera County and Garissa County must be adjusted in accordance with the judgment that annulled the 2019 population data for constituencies in the counties,” noted the Committee.

The stabilisation factor was intro-

duced to ensure that under the new basis allocations are not less than prior year allocations.

The Committee noted that while poverty weight remained unchanged at 14 per cent, there was no accompanying analysis to justify the consistency or to reflect spatial changes in poverty levels. It proposed a shift towards outcome-based allocations and proposed a development index encompassing all constitutionally assigned county functions.

But the Committee said CRA should have addressed transition effects from one basis to another using a scientifically generated deviation parameter.

It further argues that the data used to generate the Income Distance index (GCP) is not directly derived from each county. Kenya National Bureau of Statistics (KNBS) applies a Top-Down Approach to determine each county's contribution to GDP and the approach used by CRA to determine the index is similar to the level of poverty gap in a particular county when compared to Nairobi City County.

House resumes after two-week break



Senator Alexander Mundigi speaks on the floor of the House during a past sitting.

After a two-week break, Senators resume sittings on Tuesday, May 6, with calls from House leadership for members to double their efforts so as to address the backlog of pending legislative business.

A total of 54 Bills are currently pending before the House — 42 at the Second Reading stage and 12 at the Committee of the Whole.

There are 21 Motions, 27 Petitions and 590 Statements under active consideration by House.

Briefing the House on the status of House Business, Majority Whip Boni Khalwale highlighted the extensive agenda awaiting the Senate after the resumption.

The Senate has so far passed six Bills in the Fourth Session and approved 11 Motions, with resolutions referred to rel-

evant agencies for implementation.

Among the urgent business pending before the House is the Division of Revenue Bill, 2025, the County Allocation of Revenue Bill, 2025, the County Governments Additional Allocation Bill, 2025 and the Fourth Basis of Revenue Sharing formula, all of which are germane to the 2025 budget cycle.

The Division of Revenue Bill, which provides for the vertical sharing of revenue raised nationally between the national and county governments, was introduced in the House just before the recess.

The Bill, which originated in the National Assembly, proposed to allocate Sh405 billion to counties in the next financial year, 2025/26.

The figure is significantly lower than the Sh465 billion that the Committee on

Finance and Budget of the Senate has recommended as the fairest equitable share for counties during the period.

The Bill is currently committed to the Committee on Finance and Budget which is expected to facilitate public participation in accordance with Article 118 of the Constitution.

The Article mandates Parliament to facilitate public participation and involvement in the legislative and other business of Parliament and its committees.

The publication of the County Allocation of Revenue Bill depends on the enactment of the Division of Revenue Bill it provides the framework of sharing the county equitable share among the 47 counties.

The National Assembly has agreed with the Senate and passed the County Governments Additional Allocations Bill, 2025, paving the way for the disbursement of Sh50.5 billion in additional funds to counties for the 2024/25 financial year.

The National Assembly passed the Bill without amendments which means that Speaker Amason Kingi has now to submit it to the President for assent.

Senators have expressed concern on the timing of the Bill, arguing that it has been considered and processed just two months three months to the end of the financial year. They added that the delay will result in non-disbursement of the full allocations.

The Bill allocates Sh523.1 million to support the construction of county headquarters offices in Isiolo, Lamu, Tana River, and Tharaka Nithi Counties.

Another allocation of Sh3.23 billion will be shared among all the forty-seven counties to pay the over 107,831 community health promoters a monthly stipend of Sh5,000, of which the National government is supposed to contribute Sh2,500 and the Counties provide a matching of a similar amount.

The county health promoters are engaged under the Afya Bora Mashinani program and are expected to deliver direct care to households across the country aimed at accelerating the achievement of Universal Health Coverage through support to the County Governments.

Besides, the Bill provides for an allocation of Ksh.1.759 billion for the settlement of salary arrears for County Government Health Workers within the 2024/2025 financial year.

The National Government through the Ministry of Health and the Kenya Medical Practitioners, Pharmacists and Dentists Union (KMPDU) executed a Return-to-Work Agreement in March 2024, which saw the end of the Doctors' industrial action.

On Wednesday, May 7, three Cabinet Secretaries will appear before the Senate to respond to scheduled questions. The CSs are National Treasury John Mbadi, Mr Wycliffe Oparanya (Cooperatives) and Julius Ogamba (Education).



Speaker Amason Kingi has handed over the newly constructed and furnished Oboch Primary School infrastructure to the local community. The Speaker was the chief guest during the handover ceremony at the school compound in Siaya County. The classrooms were constructed through the assistance from Safaricom Foundation. The Speaker was assisted by Mr John Ohaga. The Speaker hailed the Foundation for supporting the development of educational infrastructure in many learning institutions across the country. The Speaker was accompanied by Senator Eddy Oketch and Senator Jackson Mandago.

1. Speaker Kingi officially commissions the newly refurbished Oboch Primary School, Asembo, Siaya County
2. Speaker Kingi, Sen. Eddy Oketch and other dignitaries follow a demonstration at the Oboch Secondary ICT hub
3. Nyanza Regional Commissioner Florence Mworora welcomes Speaker Kingi in Nyanza when he arrived for the commissioning of newly refurbished Oboch Primary and Secondary schools.
4. Speaker Kingi addresses followers of the Nomiya Church in Asembo, Siaya
5. Speaker Kingi, Presidential advisor Eliud Owalo and Nomiya Church leaders pose for a photo at the newly commissioned Nabii Yohana Owalo mausoleum.
6. Speaker Kingi meets a creative artist, Zuber Bakhrani after he presented him with a painting portrait of him.
7. Speaker Kingi admires his canvas painting portrait.

Arrest cartels in organ trafficking, House demands



Senator Edwin Sifuna.



Senator Richard Onyonka.



Senator Samson Cherarkey.

Senators have called for the arrest of all individuals involved in illegal organ trafficking trade and their enablers, even as they challenged the industry regulator to come clean on the goings on at Mediheal Hospital in Eldoret.

The Ministry of Health was last week forced to suspend kidney transplant services at Mediheal Group of Hospitals over claims of unethical practises at its facilities with Cabinet Secretary Aden Duale forming a task force to investigate the Hospital over allegations of organ trafficking.

The decision of the Ministry follows public uproar over allegations of malpractice and ethical violations related to transplant procedures at Mediheal Hospital – Eldoret.

While Senators agree that Kenya does not have a proper law on organ harvesting and transplant, they noted that the incident at the hospital is a wake-up call to Parliament.

They declared that anybody who participated in the illegal syndicate of organ transplant and organ harvesting must be brought to book.

“Some of the young people who sold their kidneys and other organs have now become weak. They cannot do anything not even participating in conjugal rights. It is unfortunate that this country is becoming like this,” said Senator Samson

Cherarkey.

The lawmaker was contributing to the debate on the Request for a Statement on the irregularities involved in human organ transplants at Mediheal Hospital in Eldoret.

In the request, Senator Richard Onyonka wants the Ministry of Health to explain whether it has received and reviewed the report by the Kenya Blood Transfusion and Transplant Service (KBTTTS) regarding flagged irregularities involving 372 kidney transplants conducted at Mediheal Fertility and Transplant Centre in Eldoret since 2018.

He wants the Ministry to explain the protocols used to verify donor-recipient relationships, consent procedures involving foreign recipients and the involvement of foreign doctors and donors with no familial ties to recipients and compliance with transplant eligibility criteria in licensed medical facilities.

“The Ministry should explain its role in ensuring that transplant centres have met ethical, clinical and legal requirements and an indication that there is a process available for routine audits, compliance and enforcement actions,” Senator Onyonka said in the request.

He also wants the House to be briefed on the licensing status of Mediheal Hospital as a transplant centre and whether any investigations or reviews were done or any

are underway to assess the compliance with the national health regulations.”

The Ministry should explain whether it is aware that there could be online platforms that may be facilitating the illegal sale of human organs, including kidneys and the Ministry’s response to such concerns.

The lawmaker also wants the Ministry of Health to explain the steps it has taken to strengthen the oversight of organ transplant services and to seal any loopholes observed in the system across all health facilities in our Republic, to enhance public trust in the transplant system as it is currently.

Senator Gloria Orwoba said organ trafficking has become such a lucrative business for the agents, because they are selling the kidneys at about Sh9 million to India.

“We have a whole group of cartels who have organised that space in a way that it has become a norm in Eldoret, particularly,” she said while supporting the Statement.

“We have to see arrests. There are so many of our desperate youth who have ended up with severe complications because they are being promised Sh300,000 instantly.”

Senator Edwin Sifuna claimed that some officials in the Ministry of Health had doctored the report on organ har-

vesting and trafficking business to remove what they call “damning sections” of that report.

“Those are the people the Senate should go for. If we are unable to provide a good living for our people such that they can be exploited like this, we at the very minimum should be able to catch the people who are exploiting them when it happens in the circumstances that have happened with Mediheal in Eldoret.”

Senator Boni Khalwale challenged the Kenya Medical Practitioners and Dentists Board to act as the eyes of the country are on the Board.

He also cited the Ministry of Health and the Ministry of Internal Security and National Administration arguing that they should have gone to Eldoret and closed the hospital.

In medical ethics, organ donation typically occurs within families. Before such a donation is conducted, all necessary steps, including DNA tests, are carried out.

“We cannot allow people to be exploited. Accepting a payment of Sh300,000 in exchange for an organ that will profoundly alter your life, while others profit millions from that organ through conmanship, must stop. We must protect the poor.”

Hold sittings in official premises, Committee directs Assembly

The Committee on Devolution and Intergovernmental Relations has declared that all sittings of the County Assembly held outside the official gazetted location are invalid and contrary to the law.

The Committee further directed that all sittings of the Assembly should hence be held in the County Assembly premises located at Nyamira Assembly Building, opposite Kenya Industrial Estates, Nyamira.

In a preliminary report to the House on the crisis that has basically brought the Assembly to a standstill, the Committee, which is chaired by Senator Mohamed Abbas, noted that its attempt to resolve the crisis was hampered by two cases pending in court but directed the Assembly sittings should be returned to designated premises pending the determination of the cases.

“The issue of parallel sittings of the county assembly has led to systematic weaknesses in the running of the county assembly and therefore a critical matter that requires the urgent intervention of the Senate,” said the Committee, in the report tabled in the House by Senator Abbas.

The report is in response to a request for a Statement by Senator Okongo Omogeni who raised issues with the parallel sittings of the Assembly arguing that the confusion has undermined the legislative integrity of the Assembly.

The lawmaker said unless the crisis is addressed it has the potential to jeopardise public confidence in the institution, devolution, and the oversight role of the Senate.

In his request, the Senator wanted the Committee to inquire into the officially designated and gazetted location of the Assembly and whether sittings that have been held outside that location were duly approved by the County Assembly and evidence to that effect tabled in the House.

The Committee is also to inquire into the status and legal standing of any business transacted by the two rival functions, including the adoption and passage of the supplementary budget and other legislative decisions that have been made during the standoff.

The report acknowledges the existence of the parallel County Assembly sittings had hindered the oversight roles adding that it faces operational challenges owing to the ongoing activities of the two factions.

One of the factions has been sitting



Senator Okongo Omogeni speaks during the meeting between the Committee on Devolution and MCAs from Nyamira County Assembly. Others in the picture are Senator Margret Kamar and Senator Richard Onyonka.



Senator Mohamed Abbas chairs a reconciliation meeting with factions of MCAs from the County Assembly of Nyamira.

at the designated premises while the other at venues published through Notice 14229 of 2024 in the Kenya Gazette.

The official premises of the County Assembly was published through a Notice in the Kenya Gazette on July 27, 2017, which designates the location of the Assembly as the County Assembly premises situated at the Nyamira Assembly Building opposite Kenya Industrial Estates, Nyamira.

The problem started when one faction led by Mr Enock Okero published a Notice in the Kenya Gazette on October 29, 2024 notifying members of the public of “alternate areas of county assembly sittings.

In the Notice, Mr Okero, who is the

Speaker who had been impeached, said the alternate areas have been agreed upon to promote Bunge Mashinani effective October 31, 2024.

The venues cited for the sittings in the Notice are the offices Masaba North sub County, Nyamira North sub County, Manga Sub County and Borabu Sub County.

The Committee noted that Gazette notice presents ambiguities including lack of specification as to the dates for the sittings at the alternate locations, lack of clarity regarding whether the sittings were to occur concurrently across all designated venues and the omission of details regarding business to be transacted at each location.

“While the Gazette Notice sought to designate alternate sittings location, it does not explicitly make reference to a resolution by the County Assembly appointing these locations as contemplated under Section 7B of the County Governments Act.

The Committee has sought more time to undertake a visit to the County Assembly to further investigate the matters and other emerging issues that affect governance of the Assembly and prepare a conclusive report on all matters raised in the Statement sought by Senator Omogeni.

Committee to fix law regulating bank accounts operations



Controller of Budget Margaret Nyakango (left) and Auditor General Nancy Gathungu during the meeting with Committee on Devolution.



Senator Mohamed Abbas, the chair of the Committee on Devolution, makes his submission during the meeting.



Senator Peris Tobiko.



Senator Margret Kamar.

The Committee on Devolution and Intergovernmental Relations has the process to amend the Public Finance Management (PFM) Act to establish clear guidelines and procedures for the opening, maintenance, and closure of bank accounts operated by county governments.

The Committee says this will ensure that the 47 devolved units comply with the regulations requiring bank accounts to be opened at the Central Bank of Kenya and also enhance accountability and transparency.

Regulation 82 (1) (b) of the Public Finance Management (County Governments) Regulations, 2015, provides that all county government bank accounts shall be opened at the Central Bank of Kenya except for imprest bank accounts for petty cash.

However, despite the regulations, most counties still operate accounts in different commercial banks which is contrary to the law.

During the meeting with the Council of Governors (COG), the Controller of Budget, and the Office of the Auditor General, the Committee underscored the need for compliance with the law and regulations governing operating bank accounts, urging counties to adhere to the requirements.

They explained that operating multiple commercial bank accounts hampers the accountability, transparency and efficiency of the county governments, thus crippling their financial autonomy.

“Counties have not been following the law. We need to review the legal provisions under the PFM Act and related regulations so that we ensure compli-

ance in the opening and management of county government bank accounts,” Senator Abbas, the Chairperson of the Committee, said.

Senators suggested strengthening the enforcement mechanism, including penalties and closing dormant or misused bank accounts, to ensure county governments comply with legal requirements in their financial management and reporting.

The Council of Governors’ Finance Committee Governor Fernandes Barasa explained that counties open several commercial bank accounts to manage funds received as conditional grants from development partners, as part of the requirements from development partners.

But he agreed with the Committee’s view to amend the law saying this will

ensure county government bank accounts are properly reconciled, approved by the National Treasury, and disclosed.

“Counties have many bank accounts as part of the requirement from our development partners. I agree with the Committee that we need to amend the law to give us more flexibility,” Governor Barasa said.

The Controller of Budget Margaret Nyakang’o, and the Auditor General Nancy Gathungu urged the Committee to engage with the National Treasury to ensure that all grant and donation agreement funds are deposited in the County Revenue Fund before being wired to the project-specific accounts.

“Empower the Controller of Budget to impose sanctions, such as delaying fund disbursements, on counties that fail to follow the law,” Ms Gathungu opined.

Committee meets with Housing Ministry



Senator Mohamed Chute and Senator John Kinyua follow CS Alice Wahome's (right) submission with Principal Secretary Charles Hinga.

The Committee on Roads, Transportation and Housing last week held a series of comprehensive consultative meetings with the Ministry of Lands, Public Works, Housing and Urban Development to deliberate on the status of key housing programmes, policy direction, challenges, legislative gaps, and opportunities for collaboration in the sector.

The Ministry briefed the Committee on the national housing agenda, noting that 139,703 housing projects are currently ongoing, while an additional 346,209 projects have been ad-

vertised. He also reported that Sh470 million worth of mortgages have been disbursed to civil servants under government-backed initiatives.

Principal Secretary Charles Hinga said the implementation of the Second Kenya Urban Support Programme (KUSP II), funded through a grant from the World Bank, to support urban development in 79 municipalities. The release of funds is currently pending the approval of the County Government Additional Allocation (CGAA) Bill.

On Building Climate Resilience with the Urban Poor (BCRUP), the PS out-

lined Kenya's leadership in a global initiative aimed at enhancing adaptive capacity in urban poor communities across 12 African countries. He also shared updates on the Kenya Informal Settlement Redevelopment Programme (KISRP), a three-year initiative targeting Kilifi, Ngong, and Siaya municipalities, supported by a €6 million grant from the Government of Italy.

Highlighting collaborative opportunities, PS Hinga urged the Senate to support strengthening the implementation of the Affordable Housing Programme. Key proposals included reviewing laws

to provide better incentives for developers and homebuyers, harmonizing county and national policies, and exploring innovative financing models such as Public-Private Partnerships (PPPs) and social housing funds.

The PS affirmed that all ongoing programmes aligned with key national policies, including the National Housing Policy (2016), Kenya Slum Prevention and Upgrading Policy, National Building Maintenance Policy, and the National Urban Development Policy (NUDP) 2016.

Committee demands more compensation for oil-leak victims



Governor Mutula Kilonzo Junior welcomes Senator Oburu Oginga to Makueni when the Committee Energy toured the county to probe effects of the 2015 oil leak. On the left is Senator Beatrice Ogola.

The Committee on Energy has warned Thange Village in Kibwezi, Makueni County, could become uninhabitable due to ongoing environmental degradation caused by a oil spill 10 years ago.

The Committee, which is chaired by Senator Oburu Oginga, directed the Kenya Pipeline Company to kickstart immediate restoration efforts to halt the slide into degradation.

"If immediate restoration efforts are not undertaken, Thange Village could become uninhabitable within 40 years due to ongoing environmental degradation," said Senator Beatrice Ogola.

She spoke when the Committee toured Thange Village to assess the effects of the spill in line with a Petition currently before the House.

In the Petition presented to the Senate by MCA Erick Musyoki Katumo details how the spill led to widespread land and water pollution.

Residents say their farmland has become infertile, and water sources are no longer safe for consumption due to suspected lead poisoning.

Residents say the spillage led to the loss of agricultural productivity and that the land is no longer arable forcing them to buy vegetables and fruits from distant



Senator Oburu Oginga, the chair Energy Committee, look on as National Environmental Management Authority (NEMA) officials excavate the scene of oil spill in Thange Village, Makueni County.

towns to avoid health risks.

The spillage occurred in May, 2015, was attributed to a suspected leak along the Mombasa-Nairobi pipeline. While emergency teams were dispatched to contain and clean up the spill, by June 15 of the same year, petroleum traces had already contaminated the Thange River in Kibwezi East Constituency.

Governor Mutula Kilonzo Junior told the Committee that the oil spillage runs 15 feet beneath the ground adding that the effects continues to claim lives; cancer and kidney failure have become rampant.

Kenya Pipeline Management says

it has disbursed Sh38 million to 342 households for loss of livelihood.

Senator Daniel Maanzo said the Senate will summon KPC Managing Director Joe Sang to discuss further compensation particularly for residents along the entire 42-kilometer stretch of River Thange, who may be relocated due to the deteriorating land quality.

Governor Mutula emphasized the need for stronger accountability from the company.

"We are demanding a deposit bond of not less than Sh100 billion from Kenya Pipeline to ensure future interventions," he said.

Do more on oversight, Senator Faki urges Senators

Senator Mohamed Faki has challenged Senators to do more in executing their oversight role, mobilise people and take keen interest in the functions and programmes of county governments.

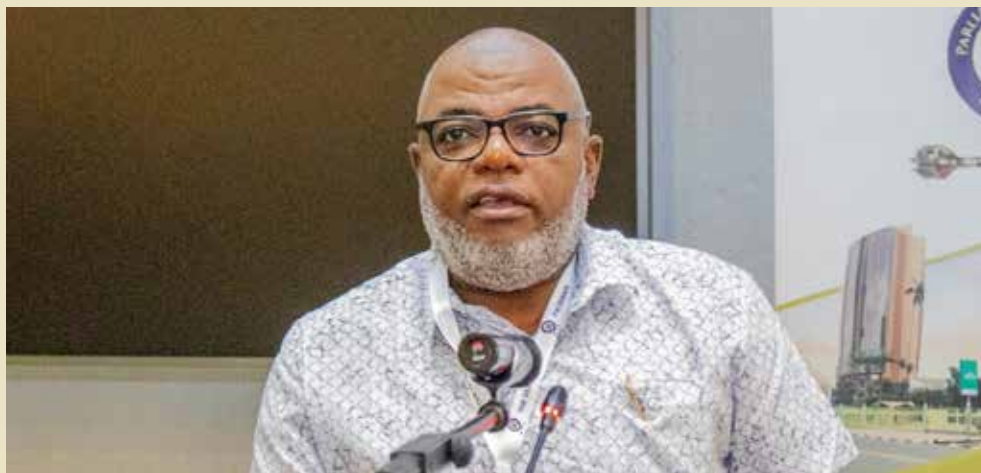
“As the guardians of devolution, we need to take a leading role in this. We should fight misuse of county resources the same way we fight intrusion into devolution functions. This is to ensure devolution attains its stated goals and objectives,” he told the House in a personal Statement on service delivery in Mombasa County.

It is the first time the Senate is taking the oversight function through individual Senators following the decision by the Parliamentary Service Commission (PSC) to facilitate lawmakers to undertake oversight functions in their respective counties.

Although there were teething problems initially, the function took off in January 2025.

The lawmaker told the House that to effectively oversee his county, he had appointed a committee of 11 members in each of the 30 wards in Mombasa County. The 11 members of the Ward Oversight Committee were elected competitively in an open process at the respective wards.

He also appointed a manager and



Senator Mohamed Faki

oversight coordinator at the county level to coordinate the oversight process.

During the January recess, together with the ward committees, the Senator undertook a countywide tour of the projects and facilities belonging to the County Government of Mombasa.

The visit took 60 days with each day reserved for a sub-county.

“We visited five wards, with the exception of Kisauni Sub-County, where we covered seven wards, and Jomvu Sub-County, where we covered three wards.

The Committee held public forums in every sub-county, it visited 30 health facilities, including the Coast General Teaching and Referral Hospital.

It also visited social halls, markets, fire stations, stadia, including the Mombasa Municipal Stadium, which is now named Mombasa Sports Complex, the Early Childhood Development Education (ECDE) centres and facilities owned by the County Government of Mombasa.

The Committee also had discussions with the medical personnel, market masters and other county employees and had firsthand encounters with the problems the county staff experience in the execution of their duties.

They shared a number of challenges that they face in their day-to-day work within the county.

At the end of the tour, the oversight committee together with the Senator’s

office retreated and prepared an interim report, which was shared with Governor Abdulswamad Nassir.

“We shared the interim report with the governor in the presence of his County Executive Committee Members (CECMs), the County Public Service Board (CPSB) and county secretary.

The team prepared the final report, with the input from the Auditor-General’s Reports, the Controller of Budget (CoB) reports, the County Integrated Development Plans (CIDPs) and the Annual Development Plans (ADPs).

“The report is a collection of our personal observations and the existing reports by the different officers involved in county oversight. We also had an engagement with the Civil Society Organisation (CSOs) operating within Mombasa County. They gave valuable comments, which we have taken on board in the report.”

While the Senator did not wish to go into detailed findings in the report, he challenged his colleagues to do more on their oversight role.

He said the case in Mombasa has set the standard that could be replicated in the whole country.

“We may not have a precedent to guide us. However, this could be a case study, and we could build on this as we chart our devolution course.”

Senator Khalwale wants EACC to probe Kakamega County Executive



Senator Boni Khalwale

Senator Boni Khalwale has asked the Ethics and Anti-Corruption Commission (EACC) to investigate the circumstances under which the County Government of Kakamega deducted statutory pension contributions from its employees, but failed to remit to the County Pensions Fund.

He also wants the Committee on Finance and Budget to institute a targeted audit of the County’s payroll and statutory remittances for 2023/2024 financial year adding that the findings should guide urgent reforms to protect the welfare of County staff and uphold fiscal

discipline.

The lawmaker told the House that throughout 2024 the County failed to remit the deducted amounts to the Fund.

“This non remittance has left county employees in an extremely precarious financial situation, risking their long-term savings and retirement security,” he said in the House in a personal statement to the House, insisting that EACC must investigate the violations, identify those responsible and recommend immediate remedial actions.

In addition to the pensions, the County Government also failed to remit other critical statutory deductions, including those related to bank loan repayments, cooperative society contributions and medical cover premiums.

The omissions have led to penalties being imposed on the employees in Kakamega, some being blacklisted by credit reference bureaus, others being suspended from essential services such as health insurance, and others faced with legal threats from financial institutions.

“County personnel are now facing immense personal and financial stress while continuing to serve under very difficult circumstances,” he observed.

He said a dossier had been presented

in his office which indicates that despite routine deductions being reflected in employees’ pay slips, no transfers were made to the relevant third-party institutions.

It is deeply regrettable and alarming that even salary increments approved for the 2023-2024 Financial Year were not honoured and that certain cadres such as early childhood development education teachers, health workers, and enforcement officers were most affected.

“This trend points to systemic financial mismanagement by the Governor and lack of accountability in the county’s payroll systems,” he said, noting that the consequences of the failures are dire.

“Staff morale has plummeted with widespread reports of delayed promotions, arbitrary changes in job designations and lack of adherence to law that concerns labour governing public service. Many health workers have reportedly relocated due to non-payment or underpayment compromising service delivery in critical sectors such as public health and sanitation.”

He said the County’s inability to meet its obligations and objectives to the Kenya Revenue Authority (KRA) and the Local Authorities Provident Fund,

(LAPFUND), exposes it to legal penalties and disqualifies it from accessing critical financial incentives. Of greater concern is that the breaches are occurring despite the County Assembly of Kakamega having passed all the necessary budgetary allocations to facilitate payments.

“The question that must now be answered is: where did the money go? The absence of transparency in the handling of county finances has triggered justified fears of misappropriation, if not outright embezzlement of public funds.”

He said a formal memorandum had been submitted to EACC detailing the malpractices. The memorandum includes documentary evidence outlining how these irregularities have persisted despite protests and formal notifications.

He said the impunity with which public funds and workers’ contributions have been handled in Kakamega cannot and should not be allowed to continue.

“Let this be a reminder to all county governments that public trust is not a privilege to be abused. It is a responsibility to be safeguarded at all times and the lives and livelihoods of public servants are not a collateral damage for political mismanagement or financial misconduct.”

Furnish House with details on US tariffs, Senators demand



Senator Eddy Oketch



Senator Samson Cherarkey (right) consults Senator Okiya Omtatah in a past event.

Senator Samson Cherarkey wants the Committee on Trade, Industrialisation and Tourism to explain to the public the impact of the 10 per cent tariff imposed on Kenyan exports by the US President Donald Trump.

He wants the Committee to give details of the projected impact of the newly imposed tariffs on tea, coffee, horticulture, textile and other sectors that are largely contributing to Kenya's exports to the USA, as well as the overall impact on the national economy.

The Committee will also be expected to explain the measures put in place to cushion farmers and traders in the affected sectors, including whether the

Government has sought and found alternative markets for the affected Kenyan products and produce by Kenyan farmers and trade men and women.

"The Committee should explain the efforts by the Government of Kenya to negotiate a review or even scrapping of the 10 per cent tariff on the Kenyan products and produce by the USA government and the progress made in negotiating a free trade agreement between Kenya and the USA in view of the expiry of the African Growth and Opportunity Act (AGOA) programme in September, 2025.

The tariff will affect key sectors such as tea, coffee, horticulture, textiles and

other sectors that significantly contribute to Kenyan exports.

Supporting the Statement, Senator Esther Okenyuri said the tariffs have effects on Kenya and therefore there is need to seriously look at engagement with other countries.

"Just the other day, South Sudan banned tea imports from Kenya which will have a trickle-down effect. Most tea farmers will suffer huge losses. As a result, will not generate revenue," she said adding that the Committee will look at that issue.

"We will try and sort out most of the challenges that have been addressed by Senator Cherarkey.

Senator Eddy Oketch said the issue of the tariff highlights flaws Kenya's foreign policy approach. "Simply put, the USA has imposed taxes on our commodities. This will increasingly impact local producers," he said, adding that the producers are already grappling with violence, economic disruption and business instability.

"The Generation Z movement was fuelled by high taxation in Kenya. The tax burden on our people is already overwhelming. Adding tariffs on these sectors, especially in an economy heavily reliant on agricultural products, will only exacerbate the situation. Consider tea, coffee, horticulture and textiles, all of which are vital agricultural products."

He singled out the textile industry which is struggling to renew and regenerate ginneries in Kenya. "It is impossible to sustain normal production under these circumstances, as such tariffs inevitably lead to higher production costs. Time and again, we have seen that when tariffs are imposed on goods like these, the producers are forced to pass the costs onto consumers."

He suggested that Parliament should seize the moment and discuss the matter. "It must also inform our foreign policy on how we want to engage with the US. Do we want to review our lack of tariffs on a number of commodities so that we respond with the same, or do we want to negotiate on the backdrop of a sober foreign policy?" he asked.

The resolution of parliament will provide a position that should be submitted to the President to find out how he can engage his counterpart in the US.

WELFARE

Clerk Nyegenye plea to PSC staff



Senate Clerk Jeremiah Nyegenye poses with a section of PSC staff during the retreat.

The Clerk of the Senate Jeremiah Nyegenye, has urged the Parliamentary Service Commission (PSC) staff to adopt qualities that will represent the Commission's brand.

He said that the PSC's culture should

be defined by solutions-oriented mindsets, teamwork, urgency and integrity, stressing that the four pillars are crucial for optimal institutional performance.

"One aspect that you should adopt is results orientation. You should focus on

what can be done, not just what has gone wrong. You should embrace teamwork by harnessing your respective strengths, recognising that public service requires urgency and dependability," he said.

The Clerk made the remarks while officially opening the annual PSC's staff retreat and sensitisation workshop.

Mr Nyegenye, who also serves as the Secretary of the PSC, underscored the importance of adopting a positive PSC Board culture, stating that culture is to an organisation what character is to a human being.

He likened PSC to a living organism since it has its behaviour, dispositions, likes, dislikes, tendencies, and wills and urged the staff to be the ambassadors as they serve the Commission.

"Maintaining high standards of integrity is crucial for the conduct of public

affairs and you should incorporate it as one of the fundamental pillars of your culture."

The Deputy Clerk Mohamed Ali urged the staff to develop a positive attitude while discharging their mandate so as to be premier members of staff of the Commission.

He said serving the Commission was a great honour and challenged them to observe high levels of resilience and integrity in the course of their work.

"Serving the PSC is a service to the nation; a service to the institution of Parliament and a service to the people of Kenya. Carry on that culture and make a difference, and in doing so, have a niche in what you do so that you can provide excellent services in whatever you do," Deputy Clerk Ali said.

Kamati ya Sheria Andamizi yazuru Kaunti za Pwani

Kamati ya Sheria Andamizi imeelezea wasiwasi mkubwa kuhusu utendakazi wa Kaunti ya Kwale, ikitaja ukosefu wa kanuni zinazohitajika kwa utawala bora.

Wakati wa msururu wa mikutano iliyofanywa katika Kaunti ya Kwale, Maseneta, wakiongozwa na Mwenyekiti wa Kamati hiyo Mwenda Gataya walielezea kutoridhishwa kwao na hali katika Kaunti hiyo kuhusu kanuni mbalimbali zinazohitajika kwa utendakazi. Walimtaaka Gavana wa Kaunti ya Kwale Fatuma Achani kuhakikisha kuwa shughuli zote ndani ya serikali yake zinawiana na sheria.

“Tunakuhimiza Gavana Achani kuweka utawala wako katika mpangilio na kuhakikisha kuwa shughuli zote ndani ya Kaunti zinaongozwa na mifumo ifaayo ya kisheria,” Seneta Mwenda alisema.

Katika kikao hicho, Gavana Fatuma Achani ambaye aliandamana na Wanachama wa Kamati Tendaji kwenye serikali yake alikiri kuwa kulikuwa na changamoto lakini akawahakikishia Maseneta kuwa amejitolea kurekebisha hali hiyo.

“Ninatambua changamoto ambazo zimeangaziwa na ninawahakikishia kuwa utawala wangu utafanya kazi bila kuchoka kuhakikisha shughuli zote zinaratibiwa ipaswavyo,” Gavana Achani alisema.

Wabunge wa Bunge la Kaunti ya Kwale, wakiongozwa na Mwenyekiti wa Kamati ya Bunge la Kaunti kuhusu Sheria andamizi, Josephine Kinyanjui, waliwasilisha picha mbaya ya hali hiyo.



Maseneta Wanachama wa Kamati ya Sheria Andamizi wakiongozwa na Mwenyekiti Mwenda Gataya (wa nne kutoka kulia) baada ya kikao na Gavana wa Kwale Fatuma Achani (wa nne kushoto). Wengine kutoka kushoto ni Seneta Joyce Korir, Seneta Julius Murgor, Seneta Danson Mungatana (Naibu Mwenyekiti), Seneta Betty Montet na Seneta Dan Maanzo (kulia).

Walifichua kuwa Gavana na maafisa wake wamekuwa wakitumia mbinu za kuchelewesha mara kwa mara ili kuepuka kuunda kanuni muhimu kwa shughuli za kisheria.

Kulingana na Waakilishi hao wa Wadi, Wanachama wa Halmashauri Kuu ya Kaunti (CEC) mara nyingi hutoa visingizio dhaifu kila wanapohojiwa kuhusu kutokuwepo kwa kanuni muhimu. Tabia hii, walisema, imeathiri uwezo wa Bunge la Kaunti kutekeleza majukumu ya uangalizi ipasavyo.

“Usimamizi wa Kaunti umekuwa ukipata visingizio vya kukwepa maswali muhimu kuhusu uundaji wa kanuni,” alisema Kinyanjui. “Hii imezuia uwezo wetu wa kuhakikisha kuwa shughuli zinarendeshwa kisheria na kwa uwazi.”

Vilevile, waliibua wasiwasi kuhusu uendeshaji wa vikao vya ushirikishwaji wa umma vilivyoandaliwa na Uongozi wa Kaunti. Walidai kuwa wakazi walioalikwa kwenye kongamano mara nyingi huchaguliwa kwa uangalifu na inadaiwa hushawishiwa kifedha kutoa mawasilisho ambayo yanapendelea ajenda ya utawala wa Kaunti.

Ikiangazia ufichuzi huo wa kutataniisha, Kamati ya Seneti ilihimiza Bunge la Kaunti ya Kwale kuimarisha jukumu lake la uangalizi na kuhakikisha kwamba Utawala wa Kaunti unazingatia kikaamilifu matakwa ya sheria.

“Kama Kamati ya Seneti kuhusu Sheria Andamizi, tuko tayari kuyasaidia Mabunge ya Kaunti kote nchini Kenya, la Kwale likiwemo, kuoanisha shughuli

zao na mamlaka ya sheria,” alikariri Seneta Gataya.

Wanakamati wengine waliunga mkono maoni yake, wakisitiza haja ya Mabunge ya Kaunti na Seneti kufanya kazi kwa karibu zaidi. Walitoa wito kwa Mabunge kufuatilia mara kwa mara taratibu za Seneti ili kujenga uwezo wao wa kutunga sheria na usimamizi ipasavyo.

Mapema kwenye mazungumzo na Spika wa Bunge la Kaunti ya Kwale Seth Mwatela, Seneti ilisifiwa kwa jukumu lake katika kulinda na kukuza Ugutuzi. Spika Mwatela alisifu juhudi za Bunge la Seneti kuendeleza uhuru wa Mabunge ya Kaunti akitaja kuwa ni hatua kubwa ya kuimarisha Ugutuzi katika ngazi za mashinani.

Hakiki Kanuni zote, Kaunti ya Mombasa yahimizwa



Mwenyekiti wa Kamati ya Sheria Andamizi Mwenda Gataya (wa pili kushoto), Seneta Dan Maanzo (kushoto), Seneta Danson Mungatana (kaimu mwenyekiti) baada ya kikao kati ya Kamati hiyo na Gavana wa Mombasa Abdulswamad Nassir (kulia).

Kamati ikiitaka Serikali ya Kaunti ya Mombasa kukagua kwa kina kanuni zote zilizopo na kubainisha zile ambazo zimepitwa na waka-

ti. Kamati hiyo ilisisitiza umuhimu wa kuoanisha utawala wa kaunti na mifumo ya sasa ya kisheria ili kukuza utoaji wa huduma bora.

“Tunapendekeza uhakiki wa kina wa kanuni zote za Kaunti ili kuhakikisha kuwa kila shughuli inatii sheria,” alisema Seneta Gataya kwenye Kikao na Gavana wa Mombasa Abdulswamad Nassir. “Hiyo haitaboresha tu utoaji wa huduma lakini pia itaimarisha msingi wa kisheria wa shughuli za Kaunti ya Mombasa.”

Gavana Nassir alikaribisha mwongozo wa Kamati akielezea kuthamini juhudi za Seneti katika kulinda Ugutuzi. Alihakikishia Kamati hiyo kuwa utawala wake umejitolea kutii matakwa yote ya kisheria ili kuwahudumia vyema wakazi wa Mombasa.

“Tunashukuru Seneti kwa usimamizi wake na uungwaji mkono katika kuimarisha Ugutuzi,” alisema Gavana Nassir. “Utawala wangu umejitolea kuzingatia sheria na kuhakikisha kuwa sera na ka-

nuni zetu zinakidhi viwango vilivyowe kwa na sheria.”

Mapema, Kamati hiyo ilikutana na Wabunge wa Bunge la Kaunti ya Mombasa, wakiongozwa na Spika wa Bunge la Kaunti. Mkutano huo ulizingatia masuala yanayohusiana na Ugutuzi, uangalizi wa sheria na utungaji wa sheria huku Maseneta wakiitumia fursa hiyo kuwahimiza Waakilishi wa Wadi kusalia imara katika majukumu yao ya kutunga sheria, uangalizi na kuyapa kipaumbele mahitaji ya wakazi wa Mombasa.

Kwa upande wao Waakilishi hao walitoa wito kwa Seneti kuwaunga mkono katika kupata rasilimali za kutosha za kifedha. Walibainisha kuwa ufadhili wa kutosha utaongeza uwezo wao wa kutekeleza majukumu yao ya uangalizi na kutunga sheria kwa njia uhuru bila ushawishi usiofaa kutoka kwa Gavana na Utawala wake.

Kwingineko katika ziara yake kwenye Kaunti ya Kiifi ambapo Kamati hiyo iliandaa kikao na Gavana wa Kilifi Gideon Mung'aro, Maseneta waliupongeza Utawala wa Kaunti hiyo wakiuhimiza kuendelea kuzingatia mifumo muhimu ya utendakazi wa masuala ya Kaunti kwa ufanisi na uwazi.

Gavana Mung'aro aliihakikishia Kamati kuwa utawala wake umejitolea kufuata kikamilifu matakwa yote ya kisheria. "Tunaelewa umuhimu wa kufuata sheria katika kila jambo tunalolifanya," alisema Gavana Mung'aro. "Pia tunathamini majukumu muhimu yanayotekelezwa na Bunge la Kaunti kama wawakilishi wa wananchi, ndiyo maana tunawashirikisha kuanzia mwanzo hadi mwisho katika mchakato wa kuunda kanuni."

Kamati hiyo iliipongeza Serikali ya Kaunti ya Kilifi kwa juhudi zake, ikieleza kuwa ni kielelezo cha kufuata sheria katika usimamizi wa masuala ya Kaunti. Seneta Gataya alipongeza uongozi wa Gavana, akitoa wito kwa Kaunti zingine kujifunza kutoka kwa mtazamo wa Kilifi.

"Kama Kamati, tumefurahishwa sana na kile kinachoendelea Kilifi. Kaunti imeonesha kujitolea katika uundaji na utekelezaji wa kanuni," akabainisha. "Tunawahimiza Magavana wa Kaunti zingine kujifunza kutoka kwa Kaunti ya Kilifi na kuhakikisha shughuli zao pia ziko sawa kisheria."

Kaunti ya Kilifi yapongezwa



Kamati baada ya kikao na Gavana wa Kilifi Gideon Mung'aro.

Hata hivyo, Kamati hiyo ilimshauri Gavana Mung'aro na maafisa wake kuhakikisha kunakuwa na kumbukumbu za kina za shughuli zote za ushirikishwaji wa umma. Kumbukumbu sahihi, Kamati ilionya ni muhimu ili kuzuia migogoro ya kisheria inayoweza kutokea.

Katika kikao tofauti na Bunge la Kaunti ya Kilifi, Maseneta waliwahimiza Waakilishi Wadi kuendelea kuwa waangalifu katika kufuatilia Utendakazi na kutunga sheria zinazothamini maslahi ya umma.

Waakilishi hao walitoa wito wa kuimarishwa kwa mikakati ya kuyapa uwezo Mabunge ya Kaunti ili kuwapa Wabunge wa Kaunti ujuzi unaohitajika kutekeleza majukumu yao ipaswavyo.

Ziara hiyo ilikamilika siku ya Ijumaa

katika Kaunti ya Tana River huku Maseneta wakimshtumu vikali Gavana Dhadho Godhana kwa kukwepa mkutano na Kamati. Kamati ilidinda kufanya kikao na Naibu Gavana huku Mwenyekiti Seneta Gataya akimwonya vikali Gavana Ghadho na kukariri kuwa Seneti itatumia nguvu zake kumwajibisha Gavana huyo ipaswavyo.

Aidha, Mabunge ya Kaunti yalihimizwa kujizatiti katika kutekeleza wajibu wayo kikamilifu ili kufanikisha Ugatuzi kwa manufaa ya mwananchi wa kawaida. Maseneta walioshiriki kwenye ziara hiyo ni Mwenyekiti Mwenda Gataya (Tharaka Nithi), Naibu Mwenyekiti Danson Mungatana (Tana River), Issa Juma Boy (Kwale), Joyce Korir, Betty



Seneta Mwenda Gataya (Kulia) na Seneta Dan Maanzo wakiwa na Naibu Gavana wa Kilifi Flora Chibule.

This Week in History - On Tuesday, May 7, 2013

House approved Motion seeking establishment Public universities in all counties



Senator Boni Khalwale

Senator Boni Khalwale moved the motion arguing that it was important because during the first years after independence the best equipped public schools were established in certain regions of Kenya to the exclusion of other regions, resulting in undue advantage in the production of educated manpower. "It is important that if the Government listens to this particular Motion, they should do it in the interest of us, as leaders, and the consumers of the sweat of our leadership. It is only through establishment of these institutions in all regions of Kenya that we will give educational institutions the face of Kenya," he said while moving the Motion. He said Kenya, with a population of 40 million, has 22 public universities and comparing with England, with a population of 56 million people, has 91 public universities and 132 university colleges. "This clearly shows that even as we run towards populist approaches of solving the intention of reaching Vision 2030 through provision of the so-called laptops to primary school pupils, the bigger picture is being missed because the industrialisation status of a country is changed through research and technology." He said that out of the 22 public universities in Kenya, Nairobi and Mt. Kenya regions host 10 of them. "We are walking the same path that our founding fathers walked when they skewed education against the rest of the country in favour of this particular regions."



Senator John Lonyangapuo said:

"Let us use, as the Government, the same agenda of devolution that has come to remember that schools of quality must be done. I have a suggestion; two years ago, the current President introduced the Economic Stimulus Program when he was the Deputy Prime Minister and Minister for Finance, and every constituency was able to tap into it to build a quality school. If, in the same model, the Government approaches education in the same manner, we could correct this impression where we are saying we now have new national schools in every county. We have some that were just acquired one or two years ago but the communities have not accepted that there are top schools, which they have built themselves."



Senator Wilfred Machage said:

"At times, it is painful to address historical injustices. At times, it is not easy for the beneficiaries to accept that that happened. This House must be explicit and we must be open not because we condemn certain communities in this country, but because we condemn what happened in the contexture of history. Of the 22 purported public universities, 14 chartered private universities and 12 universities with intention to be given authority, I do not need to go to the statistics Senator Khalwale has given to show where these universities are positioned."



Senator Elizabeth Ongoro said:

"This is a Motion that was supposed to be introduced maybe 40 years ago. This Motion is in agreement with the Government policy of decentralisation. It is in tandem with Vision 2030 and it supports the spirit of the new Constitution of devolution. We cannot talk of devolution when we want to be so hard on certain core areas like education. Without education, there is no manner of development that can take place in any region, area or county. Education is the key that opens all areas of development in every sphere of life. It is also true that this injustice, that I call historical, can be traced to the pre-colonial era. When the colonialists came to our country, they had preference for certain geographical areas and to certain climatic conditions that were found only in a few areas. So, areas that were not conducive climatically did not have the opportunity to host these colonialists and by extension, the development they brought with them in terms of hospitals and educational facilities. Unfortunately, subsequent governments only helped to entrench what the colonialists had already established."



1. Members of Bunge Sacco during their educational day meeting at the National Assembly Chambers.

2. Ms Noor Ghalgan, Director, Parliamentary Service Commission (PSC) Secretariat, shares ideas with staff during their retreat.

3. Clerk Jeremiah Nyegenye in a group photo with Parliament staff deployed in the PSC secretariat during their retreat.

4. Mr Jeremiah Nyegenye, the Clerk of the Senate, joins a section of PSC staff for a photo session during their retreat.

5. Deputy Clerk Eunice Gichangi joins the staff of Senate Liaison Office for a group during their training workshop.

6. Deputy Clerk Eunice Gichangi, Dr Phillip Buchere, Director, Senate Liaison Office and Dr Brenda Ogembo, the deputy director, during the retreat.



1. Senator Dan Maanzo explains to members of Energy Committee the effects of 2015 oil spill to the Community of Thange village in Makueni County when the committee visited to assess the effects of the incident.
2. Senator Maanzo speaks to the media looked on by Senator Oburu Oginga (right) and Governor Mutula Kilonzo Junior.
3. Governor Mutula Kilonzo Junior leads the Energy Committee to the scene of the 2015 oil spill in Thange Village, Makueni County.
4. Senator Dan Maanzo shares a word with Senator Oburu Oginga, the chair, Energy Committee.
5. Senator Beatrice Ogola looks at the water from River Thange which has huge oil deposits as a result of 2015 oil spill. Looking on are Senator Oburu Oginga, Governor Mutula Kilonzo Junior and Senator Dan Maanzo.
6. Remove this picture (It is a repetition)
7. Senator Oburu Oginga samples the water from a well in Thange Village which has large oil deposits.



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