



**THIRTEENTH PARLIAMENT**  
**THE SENATE**  
**OFFICIAL REPORT**



**Fourth Session**

**Tuesday, 22<sup>nd</sup> July, 2025 - Afternoon Sitting**

# PARLIAMENT OF KENYA

## THE SENATE

## THE HANSARD

**Tuesday, 22<sup>nd</sup> July, 2025**

*The House met at the Senate Chamber,  
Parliament Buildings at 2.33 p.m.*

*[The Speaker (Hon. Kingi) in the Chair]*

### PRAYER

#### DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

**The Speaker** (Hon. Kingi): Clerk, do we have quorum?

*(The Clerk-at-the-Table consulted the Speaker)*

Serjeant-at-Arms, kindly ring the Quorum Bell for 10 minutes.

*(The Quorum Bell was rung)*

Hon. Senators, we now have quorum. Serjeant-at-Arms, you may stop the Bell. Clerk, proceed to call the first Order.

Hon. Senators, kindly switch to the supplementary Order Paper. That is the one we are going to use to run today's business.

### PAPERS LAID

Proceed, Senate Majority Leader.

**Sen. Wafula:** Thank you, Mr. Speaker, Sir. On behalf of the Senate Majority Leader, I beg to lay the following Papers on the Table of the Senate today, 22<sup>nd</sup> July 2025-

*(Sen. Cherarkey consulted loudly)*

I have a mischievous brother behind me.

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PERFORMANCE REPORT OF THE OFFICE OF THE REGISTRAR  
OF POLITICAL PARTIES FOR AUGUST, 2018 TO JUNE, 2025

Performance Report of the Office of the Registrar of Political Parties for the period August, 2018 to June, 2025.

SUMMARY REPORT OF THE AUDITOR-GENERAL ON COUNTY  
GOVERNMENT'S RECEIVER OF REVENUE FUNDS FOR 2023-2024

The Auditor-General's Summary Report on the County Government's Receiver of Revenue Funds for the Period 2023-2024.

REPORT ON FINANCIAL STATEMENTS OF MACHAKOS COUNTY  
CLIMATE CHANGE FUND FOR THE YEAR ENDED 30<sup>TH</sup> JUNE 2023

Report of the Auditor-General on financial statements of Machakos County Climate Change Fund for the year ended 30<sup>th</sup> June 2023.

*(Sen. Wafula laid the documents on the Table)*

**The Speaker** (Hon. Kingi): Proceed, Sen. Mandago. We will defer that business.

REPORT OF THE 67<sup>TH</sup> CPA CONFERENCE HELD  
IN SYDNEY, AUSTRALIA

Report of the 67<sup>th</sup> Commonwealth Parliamentary Association (CPA) Conference held in Sydney, Australia on 3<sup>rd</sup> to 8<sup>th</sup> November, 2024.

*(Laying of Paper deferred)*

Next Order.

Proceed, Senate Majority Leader.

**NOTICE OF MOTION**

APPROVAL OF SITTINGS OF THE SENATE  
TO BE HELD IN BUSIA COUNTY

**Sen. Wafula:** Thank you, Mr. Speaker, Sir. On behalf of the Senate Majority Leader, I beg to give notice of the following Motion-

THAT, AWARE that the Senate of Kenya is established under Article 93 of the Constitution and its main role as set out at Article 96 is to represent, serve and protect the interests of the counties and their governments;

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FURTHER AWARE of the critical role that the Senate plays in the interlinkage between the National and County levels of government and the need to enhance the interaction between the Senate and county governments, as a means of bringing the Senate closer to the counties and the general public;

ACKNOWLEDGING the successes made during the sittings of the Senate outside Nairobi held in Uasin Gishu, Kitui and Turkana counties in September, 2018, 2019 and 2023, respectively;

*(Sen. Cherarkey and Sen. Kinyua consulted loudly)*

**The Speaker** (Hon. Kingi): Order, Sen. Cherarkey and Sen. Kinyua.

**Sen. Wafula:** FURTHER ACKNOWLEDGING the recommendation of the Senate Business Committee that a sitting of the Senate be held away from the traditional premises in Parliament Buildings, Nairobi, during the term of the 13<sup>th</sup> Parliament; and the subsequent resolution of the Senate made on 8<sup>th</sup> March, 2023, to hold plenary and committee sittings in the counties for a one-week period within the month of September in every Session of the 4<sup>th</sup> Senate, except during an election year with the objective to -

(1) Promote the role and work of the Senate and enhance public awareness regarding the Business of the Senate and Parliament in general;

*(Sen. Mundigi stood between the Speaker and Sen. Wafula)*

**The Speaker** (Hon. Kingi): Hon. Senators, just to remind you, under Standing No.117, you are not supposed to come between the Chair and the Senator speaking. Kindly note that.

Proceed, Sen. Wakoli.

**Sen. Wafula:** Thank you, Mr. Speaker, Sir.

(2) Highlight existing and new opportunities for engagement in the legislative process;

(3) Develop and strengthen partnerships at the county level of government; and

(4) Provide an opportunity to members and staff of county assemblies to learn and share best practices with Senators and parliamentary officers;

NOW, THEREFORE, pursuant to Article 126 (1) of the Constitution, the Senate resolves to hold its Plenary and Committee sittings in Busia County, from 6<sup>th</sup> to 10<sup>th</sup> October, 2025.

**The Speaker** (Hon. Kingi): Sen. Mandago, you will proceed to lay your Paper and give notice of the same.

**PAPER LAID**REPORT OF THE 67<sup>TH</sup> CPA CONFERENCE HELD  
IN SYDNEY, AUSTRALIA

**Sen. Mandago:** Thank you, Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the Senate, today, 22<sup>nd</sup> July, 2025-

Report of the 67<sup>th</sup> Commonwealth Parliamentary Association (CPA) Conference held in Sydney, Australia on 3<sup>rd</sup> to 8<sup>th</sup> November, 2024.

*(Sen. Mandago laid the document on the Table)*

*(Loud consultations)*

**The Speaker** (Hon. Kingi): Order, hon. Members. Pursuant to Standing Order No.45(2), allow me to rearrange today's Order Paper. Once Sen. Mandago has given the Notice of Motion, we will move straightaway to Order Nos.8, 9 and 12. Thereafter, we will resume the normal flow of today's Order Paper.

Proceed, Sen. Mandago.

**NOTICE OF MOTION**NOTING OF REPORT OF THE 67<sup>TH</sup> CPA CONFERENCE  
HELD IN SYDNEY, AUSTRALIA

**Sen. Mandago:** Mr. Speaker, Sir, I beg to give notice of the following Motion-  
THAT, the Senate notes the Report of the 67<sup>th</sup> Commonwealth Parliamentary Association (CPA) Conference held in Sydney, Australia, on 3<sup>rd</sup> to 8<sup>th</sup> November, 2024, laid on the Table of the Senate on Tuesday, 22<sup>nd</sup> July, 2025.

**The Speaker** (Hon. Kingi): Clerk, proceed to call Order No.8.

**BILL***Second Reading*THE COUNTY ALLOCATION OF REVENUE BILL  
(SENATE BILLS No.9 OF 2025)

*(Sen. Tabitha Mutinda on 15.7.2025)*

*(Resumption of debate interrupted on 15.7.2025)*

*(Division)*

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**The Speaker** (Hon. Kingi): Serjeant-at-Arms, kindly ring the Division Bell for five minutes.

*(The Division Bell was rung)*

Serjeant-at-Arms, you may now close the Door and draw the Bars.

*(The Bar was drawn and the doors closed)*

Hon. Senators, we will do division on Order No.8; The County Allocation of Revenue Bill (Senate Bills No.9 of 2025).

Before I put the question, so that you may vote electronically, kindly log out. Serjeant-at-Arms, you may go round the Chamber and pick any card that is unattended in the delegates unit.

Hon. Senators, I will now put the Question. Once I am done, you may now log back in and proceed to vote.

*(Question put and Hon. Senators proceeded to vote)*

## DIVISION

### ELECTRONIC VOTING

*(Question, that the County Allocation of Revenue Bill (Senate Bills No.9 of 2025) be read a second time, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka-Nithi County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo-Marakwet County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Mbugua, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita-Taveta County; Sen. Ogola, Homa Bay County; Sen. Okiya Omtatah, Busia County; Sen. Onyonka, Kisii County; Sen. Osotsi, Vihiga; Sen. Sifuna, Nairobi City County; Sen. Wakili Sigei, Bomet County; Sen. Wafula, Bungoma County; and, Sen. Wambua, Kitui County.

**NOES:** Nil

**The Speaker** (Hon. Kingi): Hon. Senators, the results of the Division are as follows-

**AYES:** 27

**NOES:** Nil

**ABSTENTIONS:** Nil

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The “Ayes” have it.

*(Question carried by 27 votes to Nil)*

*(The Bill was read a Second Time and committed to a Committee of the Whole today by leave of the House)*

Next Order.

## **BILL**

### *Second Reading*

THE EQUALISATION FUND APPROPRIATION BILL  
(SENATE BILLS NO.7 OF 2025)

*(Sen. Tabitha Mutinda on 15.7.2025)*

*(Resumption of debate interrupted on 16.7.2025 – Afternoon Sitting)*

*(Division)*

Hon. Senators, I will now put the Question.

*(Question put and Hon. Senators proceeded to vote)*

## **DIVISION**

### **ELECTRONIC VOTING**

*(Question, that the Equalisation Fund Appropriation Bill (Senate Bills No.7 of 2025) be now read a Second Time, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka-Nithi, Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo-Marakwet County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Mbugua, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita-Taveta County; Sen. Ogola, Homa Bay County; Sen. Okiya Omtatah, Busia County; Sen. Onyonka, Kisii County;

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Sen. Osotsi, Vihiga; Sen. Sifuna, Nairobi City County; Sen. Wakili Sigei, Bomet County; Sen. Wafula, Bungoma County; and, Sen. Wambua, Kitui County.

**NOES:** Nil

**The Speaker** (Hon. Kingi): Hon. Senators, the results of the Division are as follows-

**AYES:** 27

**NOES:** Nil

**ABSTENTIONS:** Nil

The “Ayes” have it.

*(Question carried by 27 votes to Nil)*

*(The Bill was read a Second Time and committed to a Committee of the Whole today by leave of the House)*

Serjeant-at-Arms, you may now open the doors and withdraw the Bars.

*(The Bars were undrawn and doors opened)*

Clerk, you may call Orders Nos.12 and 13.

Hon. Senators arise.

### COMMITTEE OF THE WHOLE

*(Order for the Committee read)*

*[The Speaker (Hon. Kingi) left the Chair]*

IN THE COMMITTEE

*[The Temporary Chairperson (Sen. Veronica Maina) in the Chair]*

#### COUNTY ALLOCATION OF REVENUE BILL 2025 (SENATE BILLS NO. 9 OF 2025)

**The Temporary Chairperson** (Sen. Veronica Maina): Hon. Senators, we are in the Committee of the Whole.

*(Loud consultations)*

Sen. Beatrice, Sen. Abdul, Sen. Agnes, Sen. Mundigi, can we settle down please.

Hon. Members, we are in the Committee of the Whole to consider the County Allocation of Revenue Bill 2025 (Senate Bills No.9 of 2025).

I request the Clerk to call out the Clauses.

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*Clauses 3-10*

*(Question, that Clauses 3, 4, 5, 6, 7, 8, 9 and 10  
be part of the Bill, proposed)*

Division will be at the end.

*The First Schedule*

*(Question, that the First Schedule  
be part of the Bill, proposed)*

Division will be at the end.

*The Second Schedule*

**Sen. Ali Roba:** Madam Temporary Chairperson, I beg to move-  
THAT the Bill be amended by deleting the Second Schedule and substituting  
therefore with the following new Schedule—

**SECOND SCHEDULE**

| <b>County Government Budget Ceilings on Recurrent Expenditure in Financial Year 2025/26 (Figures in Kenya Shillings)</b> |                 |                                 |                   |                                  |                   |
|--|-----------------|---------------------------------|-------------------|----------------------------------|-------------------|
|  |                 | <b>County Assembly Ceilings</b> |                   | <b>County Executive Ceilings</b> |                   |
|  | <b>COUNTY</b>   | <b>FY 2024/25</b>               | <b>FY 2025/26</b> | <b>FY 2024/25</b>                | <b>FY 2025/26</b> |
| 1  | Baringo         | 757,858,506                     | 847,469,122       | 811,330,131                      | 496,161,163       |
| 2  | Bomet           | 677,847,307                     | 755,816,719       | 675,271,762                      | 468,730,626       |
| 3  | Bungoma         | 1,019,575,196                   | 1,074,221,694     | 794,269,934                      | 562,059,982       |
| 4  | Busia           | 804,254,206                     | 859,603,045       | 740,954,156                      | 514,728,802       |
| 5  | Elgeyo-Marakwet | 642,494,863                     | 682,127,598       | 682,571,452                      | 445,655,740       |
| 6  | Embu            | 612,356,235                     | 653,997,909       | 599,617,223                      | 445,585,855       |
| 7  | Garissa         | 805,632,232                     | 1,010,212,868     | 693,214,915                      | 510,888,235       |
| 8  | Homa-bay        | 865,455,765                     | 901,349,007       | 807,946,650                      | 538,863,664       |
| 9  | Isiolo          | 455,851,471                     | 571,957,767       | 483,811,987                      | 376,492,992       |
| 10   | Kajiado         | 739,100,667                     | 797,493,878       | 705,785,753                      | 459,200,063       |
| 11   | Kakamega        | 1,277,560,747                   | 1,440,150,864     | 954,360,037                      | 631,900,264       |
| 12   | Kericho         | 753,482,865                     | 801,439,308       | 742,119,652                      | 491,924,215       |
| 13   | Kiambu          | 1,122,733,276                   | 1,332,680,576     | 937,949,817                      | 642,094,266       |
| 14   | Kilifi          | 811,428,332                     | 871,651,828       | 732,390,410                      | 528,153,096       |
| 15   | Kirinyaga       | 626,637,101                     | 667,134,062       | 591,357,406                      | 436,378,706       |
| 16   | Kisii           | 994,072,293                     | 1,051,143,180     | 842,938,395                      | 569,351,784       |
| 17   | Kisumu          | 862,083,652                     | 993,261,872       | 720,990,566                      | 522,102,171       |
| 18   | Kitui           | 946,077,555                     | 1,025,218,850     | 1,034,274,047                    | 556,906,939       |
| 19   | Kwale           | 625,406,505                     | 667,152,528       | 561,039,626                      | 447,387,205       |

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|    |               |                       |                       |                       |                       |
|----|---------------|-----------------------|-----------------------|-----------------------|-----------------------|
| 20 | Laikipia      | 477,594,112           | 511,501,082           | 543,968,003           | 406,459,778           |
| 21 | Lamu          | 466,864,730           | 502,735,064           | 439,219,777           | 373,334,857           |
| 22 | Machakos      | 924,156,126           | 957,194,136           | 817,384,477           | 540,775,483           |
| 23 | Makueni       | 780,912,038           | 964,631,315           | 772,648,310           | 494,768,774           |
| 24 | Mandera       | 825,043,653           | 917,936,058           | 709,410,958           | 511,948,091           |
| 25 | Marsabit      | 666,740,178           | 741,494,088           | 620,635,223           | 458,101,332           |
| 26 | Meru          | 991,451,371           | 1,033,230,263         | 1,046,885,894         | 565,023,558           |
| 27 | Migori        | 907,920,737           | 936,954,113           | 803,308,177           | 538,507,125           |
| 28 | Mombasa       | 700,845,894           | 862,807,953           | 550,949,872           | 497,268,190           |
| 29 | Murang'a      | 755,814,834           | 813,710,947           | 822,212,796           | 515,207,988           |
| 30 | Nairobi City  | 1,596,625,912         | 1,603,909,510         | 924,648,890           | 775,756,999           |
| 31 | Nakuru        | 1,034,293,969         | 1,121,659,233         | 949,692,125           | 622,626,699           |
| 32 | Nandi         | 727,658,319           | 811,140,379           | 829,614,196           | 492,132,433           |
| 33 | Narok         | 834,927,075           | 878,624,509           | 715,936,269           | 499,621,001           |
| 34 | Nyamira       | 650,614,404           | 689,414,409           | 584,106,355           | 444,949,706           |
| 35 | Nyandarua     | 706,936,676           | 758,345,693           | 683,959,845           | 469,042,680           |
| 36 | Nyeri         | 710,551,514           | 760,288,009           | 779,895,747           | 492,365,209           |
| 37 | Samburu       | 557,171,977           | 569,616,860           | 611,274,116           | 400,557,424           |
| 38 | Siaya         | 710,085,117           | 759,893,500           | 701,924,604           | 491,970,700           |
| 39 | Taita-Taveta  | 635,498,816           | 706,797,720           | 567,140,475           | 450,325,811           |
| 40 | Tana-River    | 605,987,033           | 710,218,891           | 558,967,389           | 422,272,274           |
| 41 | Tharaka-Nithi | 485,355,131           | 508,533,605           | 561,403,884           | 404,731,372           |
| 42 | Trans-Nzoia   | 636,754,015           | 664,759,854           | 557,198,937           | 474,454,626           |
| 43 | Turkana       | 770,739,999           | 863,842,883           | 704,903,707           | 510,888,235           |
| 44 | Uasin-Gishu   | 727,164,370           | 887,273,308           | 623,694,943           | 498,842,007           |
| 45 | Vihiga        | 659,816,891           | 703,918,304           | 628,658,777           | 467,917,374           |
| 46 | Wajir         | 784,444,072           | 992,853,943           | 791,932,190           | 502,524,835           |
| 47 | West-Pokot    | 637,364,488           | 699,024,354           | 743,044,332           | 447,670,353           |
|    | <b>Total</b>  | <b>36,369,242,225</b> | <b>39,936,392,660</b> | <b>33,756,814,187</b> | <b>23,414,610,682</b> |

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Veronica Maina): Division will be at the end.

*Clause 2, the Title and Clause 1*

*(Question, that Clause 2, the Title and Clause 1  
be part of the Bill, proposed)*

Division will be at the end.

Hon. Members, we have finished with the first Bill; The County Allocation of Revenue Bill 2025 (Senate Bills No.9 of 2025). As we await the divisions, we will

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proceed on to the next Bill; The Equalisation Fund Appropriation Bill (Senate Bills No.7 of 2023).

I request the Clerk to call out the clauses.

THE EQUALISATION FUND APPROPRIATION BILL  
(SENATE BILLS NO. 7 OF 2023)

*Clause 3*

**Sen. Ali Roba:** Madam Temporary Chairperson, I beg to move-  
THAT Clause 3 of the Bill be amended by deleting the expression “204(1)” appearing immediately after the words “services under Article” and substituting therefore with the expression “204(2)”.

To align that with the requirement of the Constitution.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Veronica Maina): Hon. Members, Division will be at the end

*Clauses 4, 5 and 6*

*(Question, that Clauses 4, 5 and 6 be part of the Bill, proposed)*

**The Temporary Chairperson** (Sen. Veronica Maina): Division will be at the end

*The Schedule*

Hon. Members, I invite the Chairperson, Standing Committee on Finance and Budget, Sen. Roba, to move the amendments.

**Sen. Roba:** Thank you, Madam Temporary Chairperson. I beg to move-  
THAT the Schedule to the Bill be amended in Column 2 of item 13 with respect to KITUI COUNTY by deleting the word “Kisumu” appearing immediately after the expression “30<sup>th</sup> June, 2026 in” and substituting therefor the word “Kitui”.

*(Question of the amendment proposed)*

**The Temporary Chairperson** (Sen. Veronica Maina): Hon. Members, Division will be at the end.

*Clause 2, the Title and Clause 1*

*(Question, that Clause 2, the Title and Clause 1 be part of the Bill, proposed)*

Division will be at the end.

Hon. Senators, that brings us to the end of the considerations under the Equalisation Fund Appropriation Bill, (Senate Bill No.7 of 2025).

Serjeant-At-Arms, can you ring the Division Bell for five minutes?

*(Division Bell was rung)*

Serjeant-At-Arms, can you shut the doors and draw the Bar?

*(The Bar was drawn and the doors closed)*

Serjeant-At-Arms, can you ring the Division Bell for another five minutes?

*(Division Bell was rung)*

## **DIVISION**

### **ELECTRONIC VOTING**

Hon. Members, we are proceeding to Division on The County Allocation of Revenue Bill, 2025 (Senate Bills No.9 of 2025). Can you please draw the Bar, Serjeant-At-Arms?

*(The Bar was drawn and doors opened)*

You can log out and log in again.

Hon. Senators, I am proceeding to put the question now. I am putting the question on the clauses with amendments.

*(Question, that the Second Schedule be amended as proposed put and the Senators proceeded to vote)*

Sen. Eddy, I hope you are concentrating on voting.

Please, proceed to vote.

*(Sen. Oketch Gicheru proceeded to vote)*

We will verify the results before we go to the next division. Sen. Madzayo, where are you? You have not voted. Can you proceed to vote? We are moving to the next division on all Clauses.

Sen. Madzayo, stay in the House. We will announce the results and then move to the next Bill.

## BILL

### THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILL NO.9 OF 2025)

## DIVISION

### ELECTRONIC VOTING

*(Question, that the Second Schedule be amended as propose, put  
and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo-Marakwet County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita-Taveta County; Sen. Ogola, Homa Bay County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Onyonka, Kisii County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. (Prof.) Tom Odhiambo Ojienda SC, Kisumu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; and, Sen. Wambua, Kitui County.

**NOES:** Nil

**ABSTENTIONS:** Nil

**The Temporary Chairperson** (Sen. Veronica Maina): Hon. Senators, the results of the Division are as follows -

**AYES:** 29

**NOES:** Nil

**ABSTENTIONS:** Nil

The “Ayes” have it.

*(Question carried by 29 votes to Nil)*

**DIVISION**

## ELECTRONIC VOTING

*(Question, that Clauses 3, 4, 5, 6, 7, 8, 9, 10, the First Schedule, the Second Schedule (as Amended), Clause 2, the Title and Clause 1 be part of the Bill, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo Marakwet County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Ogola, Homa Bay County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Onyonka, Kisii County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. (Prof.) Tom Odhiambo Ojienda SC, Kisumu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; and, Sen. Wambua, Kitui County.

**NOES:** Nil

**ABSTENTIONS:** Nil

**The Temporary Chairperson** (Sen. Veronica Maina): Hon. Senators, the results of the Division are as follows-

**AYES:** 29

**NOES:** Nil

**ABSTENTIONS:** Nil

The “Ayes” have it.

*(Question carried by 29 votes to Nil)*

**The Temporary Chairperson** (Sen. Veronica Maina): We will proceed to the next Bill: The Equalisation Fund Appropriation Bill (Senate Bill No.7 of 2025).

I now put the question. You can start voting.

*(Hon. Senators proceeded to vote)*

Hon. Senators, three Senators have not voted, please proceed to vote.

*(Voting in progress)*

If you have not voted, please vote. There is one who has not voted.

Sen. Murgor, please approach the desk.

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*(Sen. Murgor walked to the Dispatch Desk and voted)*

We are proceeding to the second Division on all clauses.

*(Question put and Hon. Senators proceeded to vote)*

One Senator has not voted. Please, confirm whether you voted.

These are the results of the first and second Division on the Equalisation Fund Appropriation Bill (Senate Bills No.7 of 2025).

## **DIVISION**

### **ELECTRONIC VOTING**

*(Question, that Clause 3 and the Schedule be amended as proposed, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo Marakwet County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Ogola, Homa Bay County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Onyonka, Kisii County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. (Prof.) Tom Odhiambo Ojienda SC, Kisumu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; and Sen. Wambua, Kitui County.

**NOES:** Nil

**ABSTENTIONS:** Nil

**The Temporary Chairperson** (Sen. Veronica Maina): Hon. Senators, the results of the Division are as follows-

**AYES:** 29

**NOES:** Nil

**ABSTENTIONS:** Nil

The “Ayes” have it.

*(Question carried by 29 votes to Nil)*

**DIVISION**

## ELECTRONIC VOTING

*(Question, that Clause 3 (As amended), Clause 4, Clause 5, Clause 6, the Schedule (as amended), Clause 2, the Title, and Clause 1 be part of the Bill put, the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo Marakwet County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita Taveta County; Sen. Ogola, Homa Bay County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Onyonka, Kisii County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. (Prof.) Tom Odhiambo Ojienda SC, Kisumu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; and Sen. Wambua, Kitui County.

**NOES:** Nil

**ABSTENTIONS:** Nil

**The Temporary Chairperson** (Sen. Veronica Maina): Hon. Senators, the results of the Division are as follows-

**AYES:** 29

**NOES:** Nil

**ABSTENTIONS:** Nil

The “Ayes” have it.

*(Question carried by 29 votes to Nil)*

Hon. Senators, that is the end of the Division on the two Bills. We are proceeding on with the reporting.

I want to ask Sen. Ali Roba to move.

**Sen. Ali Roba:** Madam Temporary Chairperson, I beg to move that the Committee do report to the Senate its consideration of The County Allocation of Revenue Bill (Senate Bills No.9 of 2025) and its approval thereof with amendments.

*(Question proposed)*

*(Question put and agreed to)*

**The Temporary Chairperson** (Sen. Veronica Maina): We are moving to the Equalisation Fund Appropriation Bill (Senate Bills No.7 of 2025).

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I invite the Chairperson to move.

**Sen. Ali Roba:** Madam Temporary Chairperson, I beg to move that the Committee do report to the Senate its consideration of The Equalisation Fund Appropriation Bill (Senate Bill No.7 of 2025) and its approval thereof with amendments.

*(Question proposed)*

*(Question put and agreed to)*

We are remaining with the one division for the Third Reading. Therefore, we request Senators not to leave the Chamber before we do so.

*(The House resumed)*

*[The Temporary Speaker (Sen. Mumma) in the Chair]*

**The Temporary Speaker** (Sen. Mumma): Serjeant-at-Arms, the Bars can be drawn and doors opened.

*(The bars were undrawn and doors opened)*

### CONSIDERATION OF REPORTS

#### THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO.9 OF 2025)

**The Temporary Speaker** (Sen. Mumma): Hon. Senators, we are now reporting on the Bill by the Committee of the Whole, The County Allocation of Revenue Bill (Senate Bills No.9 of 2025).

Proceed, Chairperson.

**Sen. Veronica Maina:** Madam Temporary Speaker, I beg to report that the Committee of the Whole has considered the County Allocation of Revenue Bill (Senate Bills No.9 of 2025) and its approval thereof with amendments.

**The Temporary Speaker** (Sen. Mumma): Mover.

**Sen. Ali Roba:** Thank you, Madam Temporary Speaker. I beg to move that the honourable House do agree with the Committee on the said report.

I request Sen. Faki to second.

**The Temporary Speaker** (Sen. Mumma): Sen. Faki.

**Sen. Faki:** I rise to second.

*(Question proposed)*

*(Question put and agreed to)*

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*(Hon. Senators consulted loudly)*

Order, hon. Senators.

*(Sen. Methu stood in his place)*

Sen. Methu, please take your seat.

The Mover, Sen. Roba? Can you move for Third Reading?

**Sen. Ali Roba:** Madam Temporary Speaker, I beg to move that The County Allocation---

*(Hon. Senators consulted loudly)*

**The Temporary Speaker** (Sen. Mumma): Hon. Senators, let us listen to Sen. Roba in silence, please.

**Sen. Ali Roba:** Madam Temporary Speaker, I beg to move that The County Allocation of Revenue Bill (Senate Bills No. 9 of 2025) be now read a Third Time. I request Sen. Sifuna to second.

**The Temporary Speaker** (Sen. Mumma): Sen. Sifuna.

**Sen. Sifuna:** Madam Temporary Speaker, I second.

*(The Temporary Speaker (Sen. Mumma) consulted  
the Clerk-at-the-Table)*

*(Question proposed)*

**The Temporary Speaker** (Sen. Mumma): Division to be done later.

Hon. Senators, we are now reporting on the Bill by the Committee of the Whole, The Equalisation Fund Appropriation Bill (Senate Bills No.7 of 2025).  
Chairperson.

THE EQUALISATION FUND APPROPRIATION BILL  
(SENATES BILL NO. 7 OF 2025)

**Sen. Veronica Maina:** Madam Temporary Speaker, I beg to report that the Committee of the Whole has considered the Equalisation Fund Appropriation Bill (Senate Bills No.7 of 2025) and its approval thereof with amendments.

**The Temporary Speaker** (Sen. Mumma): Mover.

**Sen. Ali Roba:** Madam Temporary Speaker, I beg to move that the House do agree with the Committee on the said report.

I request, Sen. Kinyua, to second.

**The Temporary Speaker** (Sen. Mumma): Sen. Kinyua.

**Sen. Kinyua:** I second.

*(Question proposed)*

*(Question put and agreed to)*

**The Temporary Speaker** (Sen. Mumma): Mover.

**Sen. Ali Roba:** Madam Temporary Speaker, I beg to move that The Equalisation Fund Appropriation Bill (Senate Bills No.7 of 2025) be now read a Third Time.

I request Sen. Wambua to second.

**The Temporary Speaker** (Sen. Mumma): Sen. Wambua.

**Sen. Wambua:** I second.

*(Question proposed)*

**The Temporary Speaker** (Sen. Mumma): Serjeant-at-Arms, can you ring the Bell for two minutes?

*(The Division Bell was rung)*

Hon. Senators, please, settle down. We are voting on The County Allocation of Revenue Bill (Senate Bills No.9 of 2025) first. Please, log out. Serjeant-At-Arms, pick all unattended cards. Senators, you can log in and proceed to vote, please.

*(Hon. Senators proceeded to vote)*

Sen. Thang'wa and Sen. Madzayo, please approach the Table.

*(Sen. Thang'wa and Sen. Madzayo approached the Clerks-at-the-Table and cast their votes)*

**The Temporary Speaker** (Sen. Mumma): Hon. Senators, I had already put the question on the Equalisation Fund Appropriation Bill (Senate Bills No.7 of 2025).

*(Sen. Mundigi stood in his place)*

Sen. Mundigi, please sit down.

*(Sen. Mundigi sat in his place)*

Hon. Senators, you may log out and log in. You may vote.

*(Hon. Senators proceeded to vote)*

**THIRD READINGS****THE COUNTY ALLOCATION OF REVENUE BILL  
(SENATE BILLS NO. 9 OF 2025)****DIVISION****ELECTRONIC VOTING**

*(Question, that the County Allocation of Revenue Bill (Senate Bills No.9 of 2025) be now read a Third Time, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang', Elgeyo Marakwet County; Sen. Kinyua, Laikipia County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Murgor, West Pokot County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. Ogola, Homa Bay County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Omogeni, Nyamira County; Sen. Onyonka, Kisii County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. Thang'wa, Kiambu County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; and, Sen. Wambua, Kitui County.

**NOES:** Nil.

**The Temporary Speaker** (Sen. Mumma): Hon. Senators, I will read the results of the division on The County Allocation of Revenue Bill (Senate Bills No.9 of 2025)-

**AYES:** 34

**NOES:** Nil

**ABSENTIONS:** Nil

The "Ayes" have it.

*(Question carried by 34 votes to Nil)*

*(The Bill was accordingly read a Third time and passed)*

THE EQUALISATION FUND APPROPRIATION BILL  
(SENATE BILLS No.7 OF 2025)

**DIVISION**

ELECTRONIC VOTING

*(Question, that the Equalization Fund Appropriation Bill (Senate Bills No.7 of 2025) be now read a Third Time, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang', Elgeyo Marakwet County; Sen. Kinyua, Laikipia County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Murgor, West Pokot County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. Ogola, Homa Bay County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Omogeni, Nyamira County; Sen. Onyonka, Kisii County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. Thang'wa, Kiambu County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; and, Sen. Wambua, Kitui County.

**NOES:** Nil.

**The Temporary Speaker** (Sen. Mumma): Hon. Senators, I will read the results of the Equalisation Fund Appropriation Bill (Senate Bills No.7 of 2025)-

**AYES:** 34

**NOES:** Nil

**ABSENTIONS:** Nil

The "ayes" have it.

*(Question carried by 34 votes to Nil)*

*(The Bill was accordingly read a Third time and passed)*

**The Temporary Speaker** (Sen. Mumma): Serjeant-at-Arms, you may now draw the bars and open the doors.

*(The Bars were undrawn and doors opened)*

Hon. Senators, I will now re-arrange the Order Paper to prioritise the finance Bills. We now move to Order No.15.

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**BILL***Second Reading*THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS  
(No. 2) BILL (SENATE BILLS NO.8 OF 2025)*(Sen. (Dr.) Khalwale on 16.07.2025 - Afternoon Sitting)**(Resumption of debate interrupted on 17.07.2025)*

**The Temporary Speaker** (Sen. Mumma): Sen. M. Kajwang' had a balance of 15 minutes, but I do not see anyone on the screen. Can the Mover reply?

**Sen. Ali Roba:** Thank you, Madam Temporary Speaker. I take this opportunity to thank the hon. Senators who have contributed to the Bill with their views. As I reply, I will summarize---

*(Loud consultations)*

I will summarize in one minute.

In summary, the Bill proposes to add county governments Kshs69.8 billion of additional money comprising of Kshs2.95 billion from court fines, 20 per cent share of minerals, amounting to Kshs9.95 billion, from the national Government's share of revenue Kshs56.91 billion, proceeds from loans and grants in the Third Schedule--

*(Sen. Cherarkey stood in his place)*

**The Temporary Speaker** (Sen. Mumma): Order, Sen. Cherarkey. Please, be seated.

**Sen. Ali Roba:** Madam Temporary Speaker, I beg to reply.

**The Temporary Speaker** (Sen. Mumma): Serjeant-at-Arms, kindly ring the Division Bell for two minutes.

*(The Division Bell was rung)*

Hon. Senators, please do not move out. Serjeant-at-Arms, kindly close the doors and draw the Bar.

*(The doors were closed and the Bar drawn)*

Hon. Senators, I will put the question, which is that the County Governments Additional Allocations (No.2) Bill (Senate Bills No.8 of 2025) be now read a Second Time.

Hon. Senators, you may now vote.

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*(Hon. Senators proceeded to vote)*

Sen. Abass and Sen. (Prof.) Ojienda, please approach the Clerks-at-the-Table.

*(Sen. Abass and Sen. (Prof.) Tom Odhiambo Ojienda, SC, approached the Clerks-at-the-Table and registered their votes)*

## **DIVISION**

### **ELECTRONIC VOTING**

*(Question, that the the County Governments Additional Allocations (No.2) Bill (Senate Bills No.8 of 2025) be now read a Second Time, put and the Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo-Marakwet County; Sen. Lomenen, Turkana County; Sen. M. Kajwang', Homa Bay County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Methu, Nyandarua County; Sen. Munyi Mundigi, Embu County; Sen. Murgor, West Pokot County; Sen. Mwaruma, Taita-Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Omogeni, Nyamira County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Thang'wa, Kiambu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; and, Sen. Wambua, Kitui County.

**NOES:** Nil

**The Temporary Speaker** (Sen. Mumma): Hon. Senators, the results of the Division are as follows-

**AYES:** 32

**NOES:** Nil

**ABSTENTIONS:** Nil

The "Ayes" have it.

*(Question carried by 32 votes to 0)*

*(The Bill was read a Second Time and committed to a Committee of the Whole tomorrow)*

**The Temporary Speaker** (Sen. Mumma): Serjeant-at-Arms, you may withdraw the Bar and open the doors.

*(The Bar was undrawn and the doors opened)*

Hon. Senators, we will now go back to Order No.7, which is Questions and Statements.

## QUESTIONS AND STATEMENTS

### STATEMENTS

**The Temporary Speaker** (Sen. Mumma): The first Statement pursuant to Standing Order No.52(1) is by Sen. Faki.

#### CELEBRATION OF WORLD SNAKE DAY

**Sen. Faki:** Madam Temporary Speaker, I rise pursuant to Standing Order No.52(1) to make a Statement on a matter of international concern namely, celebration of World Snake Day. The World Snake Day is celebrated every year on 16<sup>th</sup> July. It is a moment to reflect on the critical yet often misunderstood role that snakes play in maintaining ecological balance across various landscapes.

The theme for this year's celebration is "*Respect, Do Not Fear: Protecting Nature's Silent Guardians.*" This theme aligns well with the broader goal of conservation, which involves protecting all species, both large and small; whether admired or feared, because each has a unique and essential place in the web of life.

Snakes play an important role in pest control, health of ecosystems and preservation of biodiversity. Unfortunately, due to widespread fear, harmful myths and destruction of habitats, snakes are often killed immediately upon sight. These fears are mainly caused by misinformation. It is, therefore, our responsibility to promote accurate information through education and public awareness.

This year's theme reminds us that peaceful coexistence begins with understanding. We must work to change the negative perceptions about snakes, especially within our communities, and foster respect of all wildlife and not just the well-known or attractive species. As we conduct conservation awareness walks across the country, we encounter many voices and species that highlight one clear truth, that we cannot preserve forests or wildlife in isolation without protecting the ecosystems to which they belong, including snakes.

The Wildlife Conservation and Management Act, 2003 previously included compensation for snakebite victims as part of human-wildlife conflict. However, this provision was removed in 2019 when the Act was amended. It is important to relook into this matter and reinstate the compensation for snakebite victims with adequate safeguards to curb abuse.

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Additionally, many people lose their lives due to the lack of anti-snake venoms in health facilities across the country. The Government should ensure that all health facilities are properly stocked with anti-snake venoms because snakes are present in every part of the country.

I urge all Kenyans, including community leaders, schools, conservation organizations and citizens, to take time to learn about our native snake species, understand their roles and discourage unnecessary killing. Let us teach the next generation to respect rather than fear and to protect rather than destroy our environment. Together, we can create a future where snakes are often not seen as threats, but are essential allies to our conservation journey.

Thank you, Madam Temporary Speaker. Happy World Snake Day.

*(Laughter)*

**The Temporary Speaker** (Sen. Mumma): Order, Senators. The rights of snakes must be protected.

Proceed, Sen. Okenyuri.

DEMISE AND ENDURING LEGACY OF THE  
LATE HON. CATHERINE NYAMATO

**Sen. Okenyuri:** Thank you, Madam Temporary Speaker. This is a Statement on the demise and enduring legacy of the late Hon. Catherine Nyamato.

Madam Temporary Speaker, I rise pursuant to Standing Order No.52(1) to make a Statement on a matter of national concern namely, the demise and enduring legacy of the late Hon. Catherine Nyamato, who passed away on Wednesday, 16<sup>th</sup> July, 2025.

The late Hon. Catherine Nyamato, a former Nominated Member of Parliament from Nyamira County, West Mugirango Constituency, was the first woman Member of Parliament from the Gusii Community. She was nominated by the Kenya African National Union Party (KANU) and served with dedication as a Member of the 8<sup>th</sup> Parliament that ran from 1998 to 2002.

She was a seasoned politician and a woman of valor who never compromised her beliefs. She was known to be fearless and passionate in what she fought for and never surrendered even in the face of intimidation. Even so, she was both humble and principled and exemplified the spirit of service, which earned her the admiration of colleagues from across the political divide.

Madam Temporary Speaker, beyond her parliamentary tenure, the late Hon. Catherine Nyamato served as the Chairperson of Maendeleo ya Wanawake Organization, which I am a member, through which she amplified the voices of women and girls across the country. She boldly championed womens' rights and fought against harmful cultural practices like Female Genital Mutilation (FGM), pushed for gender equality in Kenya and was relentless in her advocacy for women leadership. She also founded the Nyamato Foundation, where she took part in programmes geared towards transforming the lives of her people.

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Madam Temporary Speaker, Sir, the legacy of the late Hon. Catherine Nyamato---  
**The Temporary Speaker** (Sen. Mumma): Sen. Okenyuri, it is not Madam Temporary Speaker, Sir.

**Sen. Okenyuri:** Sorry, Madam Temporary Speaker. The legacy of the late Hon. Catherine Nyamato is well documented and will live on for generations to come. I offer my most sincere condolences to her family, friends, people of Nyamira County and the nation at large. May her soul rest in eternal peace.

Thank you, Madam Temporary Speaker.

THE KAPTAGAT INTEGRATED ENVIRONMENTAL  
CONSERVATION PROGRAMME

**Sen. Cherarkey:** Madam Temporary Speaker, this is a Statement on a matter of national concern, on the Kaptagat Integrated Conservation Programme.

I rise pursuant to Standing Order No.52(1) to make a Statement on a matter of national concern regarding environmental conservation, particularly the Kaptagat Integrated Conservation Programme.

*(Loud consultations)*

Madam Temporary Speaker, can I be protected?

The Kaptagat Integrated Conservation Programme is a visionary mission---

*(Sen. Methu consulted loudly)*

**The Temporary Speaker** (Sen. Mumma): Sen. Methu, can you let Sen. Cherarkey read his Statement in peace?

**Sen. Cherarkey:** Madam Temporary Speaker, the Kaptagat Integrated Conservation Programme is a visionary initiative led by Principal Secretary for the National Treasury, Dr. Chris Kiptoo. It aims to restore and conserve the Kaptagat Forest ecosystem while uplifting surrounding communities. The programme is aligned with Kenya's national climate goals, supporting the country's target of planting 15 billion trees by the year 2032 and increasing forest cover to 30 per cent.

The programme has been ongoing for several years, with a ninth edition held on 12<sup>th</sup> July, 2025 at Simotwo Boys High School in Elgeyo-Marakwet County. Dr. Chris Kiptoo, who serves as the patron of the initiative, has remained at the forefront of this noble effort. The event was graced by none other than His Excellency President Dr. William Samoei Arap Ruto, a man of two terms, who attended as the Chief Guest. It brought together Government leaders, conservationists, and members of the local community in a united effort to safeguard the Kaptagat ecosystem.

**Sen. Sifuna:** On a point of order, Madam Temporary Speaker.

**The Temporary Speaker** (Sen. Mumma): Sen. Cherarkey, there is a point of order. Please, sit down.

What is your point of order, Sen. Sifuna?

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**Sen. Sifuna:** Madam Temporary Speaker, the rules of this House require that Statements are approved by your office and when they come to the Floor, they shall be read as approved. Can we confirm from the text that was approved by the Speaker if the question of one term or two term was included in the Statement by the Senator for Nandi County?

This is not a place for jokes. We are not here to play games. Let him confirm to us, and the Speaker you can check, whether that word that he has used is in that approved Statement. If he wants to make his own Statements, he can go and do that in rallies in Kapsabet, but not here. We are in this House for serious business. You do not waste our time listening to rubbish.

**The Temporary Speaker** (Sen. Mumma): Sen. Cherarkey, you will only read the Statement that was approved. There is no ‘two term’ in the Statement that was approved. Proceed.

**The Senate Majority Leader** (Sen. Cheruiyot): On a point of order, Madam Temporary Speaker.

**The Temporary Speaker** (Sen. Mumma): What is the point of order, Sen. Cheruiyot?

**The Senate Majority Leader** (Sen. Cheruiyot): Madam Temporary Speaker, did you hear the last term? It may have skipped you. Even if one disagrees with a colleague and thinks that what they have said is not accurate, you cannot refer to it as rubbish.

Sen. Sifuna, those are offensive remarks and they need to be struck out.

**The Temporary Speaker** (Sen. Mumma): Sen. Sifuna, that is un-parliamentary language. Please, withdraw that bit.

**Sen. Sifuna:** Madam Temporary Speaker, it was offensive to me, just like the rubbish that we see out there.

**The Temporary Speaker** (Sen. Mumma): Sen. Sifuna, that is un-parliamentary language.

**Sen. Sifuna:** Madam Temporary Speaker, I withdraw, but he must only use terms that are approved.

**The Temporary Speaker** (Sen. Mumma): I have already ruled on that.

**Sen. Sifuna:** Madam Temporary Speaker, let him withdraw the phrase “two term.”

**The Temporary Speaker** (Sen. Mumma): I have ruled on that.

**Sen. Sifuna:** Madam Temporary Speaker, the only phrase we can use here is “one term.”

**The Temporary Speaker** (Sen. Mumma): Sen. Sifuna, I have guided on that. The phrase “one term” also has no context in what we are discussing. So, please withdraw your “one term” as well. You have used your space to also make up a statement beyond what you were raising.

Sen. Sifuna, you raised a very important issue.

**Sen. Sifuna:** Madam Temporary Speaker, once he withdraws the “two term” phrase, the “one term” phrase will disappear automatically. Can he first withdraw the offensive words?

**The Temporary Speaker** (Sen. Mumma): Sen. Cherarkey, please withdraw.

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**Sen. Cherarkey:** Madam Temporary Speaker, there is what we call *stare decisis*. When a matter has been ruled on, it stops at that, and we have stopped.

**The Temporary Speaker** (Sen. Mumma): Sen. Cherarkey, please just withdraw the reference to “two term”, so that we proceed. Let us have an orderly House, please.

**Sen. Cherarkey:** I do not know why, Sen. Sifuna---

**The Temporary Speaker** (Sen. Mumma): Just withdraw. I am guiding you as Chair.

*(Several Members spoke off record)*

**Sen. Cherarkey:** How many Speakers do we have, Madam Temporary Speaker?

**The Temporary Speaker** (Sen. Mumma): There is one Speaker and you are not following what that Speaker is telling you. Would you kindly do that?

**Sen. Cherarkey:** Madam Temporary Speaker, I did not know that Senior Counsel is a heckler, but I withdraw.

It brought together Government leaders and conservationists and members of the local community in a united effort to safeguard the Kaptagat ecosystem.

*(Loud consultations)*

Whether you like it, William Ruto will go for two terms.

**Sen. Kisang:** On a point of order, Madam Temporary Speaker.

**The Temporary Speaker** (Sen. Mumma): Sen. Kisang’, what is your point of order? Sen. Cherarkey, just hold on. Sen. Kisang’ has asked for a point of order and I have granted it. Kindly listen.

**Sen. Kisang:** Madam Temporary Speaker, my point of order is that the House is turning chaotic. Can you please bring order? People are shouting. This is a very important Statement that concerns my county.

We want to conserve and ensure that the forest cover in the country reaches 15 billion; we get carbon credits---

**The Temporary Speaker** (Sen. Mumma): Sen. Kisang’, what is your point of order?

**Sen. Kisang:** Let us give Sen. Cherarkey some ample time to---

**The Temporary Speaker** (Sen. Mumma): No, I am ruling you out of order. That is not a point of order.

Now, Sen. Cherarkey, you are actually interfering with your own statement. Can you withdraw reference to Sen. Omogeni as a heckler? I am requesting Members that we respect the rules of the House.

**An hon. Member:** On a point of order.

**The Temporary Speaker** (Sen. Mumma): No, nobody is on the Floor. So, I rule you out of that.

Sen. Cherarkey, please, proceed.

**Sen. Cherarkey:** Madam Temporary Speaker, I withdraw. During the event, President William Ruto announced plans to fence off the Kaptagat Forest.

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**The Temporary Speaker** (Sen. Mumma): Sen. Cherarkey, you know what to do. Why do we have to go through this? Please, withdraw and apologise.

**Sen. Cherarkey:** Madam Speaker, as I withdraw and apologize, I never mentioned anybody's name, if you can check the HANSARD. However, I withdraw and apologise.

**The Temporary Speaker** (Sen. Mumma): You actually referred to him as a heckler. Let us not go there.

**Sen. Cherarkey:** I said 'Senior Counsel,' and we have two in the House.

**The Temporary Speaker** (Sen. Mumma): Whoever the Senior Counsel, you have to withdraw and apologize to the two.

**Sen. Cherarkey:** To all Senior Counsels in the House, I withdraw and apologize.

During the event, President William Samuel Ruto announced plans to fence off Kaptagat Forest and other forests as part of a wider national strategy to protect all state forests in the country. He emphasized the importance of securing this critical water catchment area and affirmed that the Government would mobilise the necessary resources for the task. The President reiterated that while the forest must be protected from illegal activities, local communities should continue to benefit through participatory forest management plans and agreements.

As part of the efforts to boost livelihoods, His Excellency President Dr. William Ruto, led the planting of over 400 avocado seedlings at the school and distributed 50,000 avocado seedlings and 100,000 coffee seedlings to the local farmers.

He also commended Dr. Chris Kiptoo for his outstanding leadership in forest conservation and his duties at the National Treasury. I take this opportunity to commend Dr. Chris Kiptoo for his unwavering dedication to environmental conservation, among other conservationists across the country, particularly his role in restoration of Kaptagat Forest. His commitment to this programme has yielded long-term benefits for both the environment and the people of the region. In his own words, there is nothing more critical now than conserving our environment for current and future generations considering the effects of climate change we are witnessing.

Madam Temporary Speaker, Dr. Kiptoo adopted the Kaptagat Forest Conservation Initiative many years ago. Under his leadership, it has grown into a highly respected and internationally recognized programme. Since its inception in 2017, the Kaptagat Integrated Conservation Programme has brought together national and county governments, private sector partners, civil society and communities to restore this vital ecosystem while improving local livelihoods.

The Kaptagat Initiative continues to serve as a model for balancing environmental protection with economic and social development, a goal that is increasingly becoming central to both national and global conservation strategies. Many residents of Kaptagat have expressed optimism about the ongoing forest restoration efforts. They have reported improvements in their livelihoods, especially through avocado farming and shift away from traditional cereal cultivation. They have voiced their gratitude to Dr. Chris Kiptoo for championing a programme that has brought tangible benefits for their lives.

Beyond his environmental work, Dr. Chris Kiptoo has also championed education and other community-based projects in the North Rift Region and the larger country,

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further underscoring his deep commitment to empowering communities at the grassroots level.

In conclusion, with your indulgence, I call upon fellow leaders and members of the public to emulate the efforts of Dr. Chris Kiptoo, the Kaptagat community in Elgeyo-Marakwet County and the stakeholders involved in the Kaptagat Integrated Conservation Programme. Emulating His Excellency Dr. William Ruto, let us all take part in the conservation and restoration of our forests, a natural environment for the benefit of current and future generations.

I thank you, Madam Temporary Speaker.

**The Temporary Speaker** (Sen. Mumma): Statements pursuant to Standing Order No.53(1). Sen. Cherarkey you may proceed with your statement.

**Sen. Thang'wa:** On a point of clarification, Madam Temporary Speaker.

**The Temporary Speaker** (Sen. Mumma): Sen. Thang'wa what do you want to clarify? Under what order?

**Sen. Thang'wa:** Madam Temporary Speaker, I have just listened to Sen. Cherarkey giving his statement under the Standing Order No.52 (1).

*(Sen. Cherarkey stood in his place)*

Maybe he can sit down to avoid intimidating me.

It has been the norm, when we take the statements to the Table Office, they are axed, over edited, and all that. What Sen. Cherarkey was reading was almost three pages, including some unnecessary things, like “two term”, “*tutamtoa*” inside there.

Do we have two offices that are dealing with Statements, so that we understand where to take what if you want “meat” in your statement? That is not how they come here. That is something which you should order, that we need to look into it. If you can be allowed to bring your statement here without editing, without anybody asking a question, allow everyone.

**The Temporary Speaker** (Sen. Mumma): Sen. Thang'wa, I direct that you put your question in writing to the relevant office, so that the issue is discussed.

Sen. Cherarkey, proceed with your Statement under Standing Order No.53(1).

**Sen. Cherarkey:** Madam Temporary Speaker, I request that you organize refresher courses for some of the Members.

**The Temporary Speaker** (Sen. Mumma): Sen. Cherarkey, on to your statement.

DISAPPEARANCE OF MESSRS. EDWARD KIPCHUMBA TERER AND  
MARK LOMUKE IN SAMBALAT, ELGEYO MARAKWET COUNTY

**Sen. Cherarkey:** Madam Temporary Speaker, I rise under Standing Order No.53(1) to seek a Statement from the Standing Committee on National Security, Defence, and Foreign Relations on a matter of county-wide concern regarding the mysterious disappearance of Edward Kipchumba Terer, who comes from Uasin Gishu County and Mr. Mark Lomuke, in Sambalat, Elgeyo-Marakwet County.

On Monday, 2<sup>nd</sup> June, 2025, Mr. Edward Kipchumba Terer, a medical laboratory technologist at Hope Clinic in Sambalat, was reportedly apprehended at his workplace by individuals claiming to be police officers and taken away in an armored vehicle. He was arrested alongside two others, one being the clinic's owner, who were later released.

A week later, Terer's brother-in-law, Mr. Mark Lomuke, was abducted under similar mysterious circumstances. These incidences occurred shortly after the murder of Catholic priest, Father Aloys Cheruiyot Bett, who hails from Nandi, but in the same region, further escalating public uncertainty.

Despite numerous efforts by the affected families and appeals to relevant authorities, the whereabouts of the two gentlemen remain unknown.

In the Statement, the Committee should address the following-

(1) An account of the circumstances surrounding the disappearance of Mr. Terer and Mr. Lomuke, including the identities of the abductors, immediate actions taken by the authorities to address their disappearance and the current status and progress of investigations.

(2) Whether the individuals who apprehended Mr. Terer were duly authorised law enforcement officers, the legal basis of the arrest and whether standard procedures were followed during the arrest.

(3) The measures being implemented to ensure public safety in the region, that is, Sambalat and Kerio Valley region, the support provided to affected families and how the Government is engaging communities to address the growing insecurity and demand for accountability.

I thank you, Madam Temporary Speaker.

**The Temporary Speaker** (Sen. Mumma): Sen. Kisang', please proceed.

#### HUMAN RESOURCE IRREGULARITIES AND PAYROLL MANAGEMENT CONCERNS IN ELGEYO MARAKWET COUNTY PUBLIC SERVICE BOARD

**Sen. Kisang':** Thank you, Madam Temporary Speaker. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Devolution and Intergovernmental Relations on a matter of county-wide concern regarding human resource practices, payroll management and general staff administration within Elgeyo Marakwet County Public Service Board.

Madam Temporary Speaker, the 2023 audit report on the operations of Elgeyo Marakwet County Public Service Board, done by the County Government Sectoral Committee on Administration, Justice and Public Service indicates that the County Public Service Board is grappling with administrative challenges that include unprocedural staff appointments and promotions, irregular payroll practices and non-compliance with public service employment standards. These issues not only affect staff morale and service delivery, but also contribute to inefficiencies in the County's wage bill and resource allocation.

In the Statement, the Committee should address the following-

(1) The rationale behind the frequent and unexplained transition of employees between permanent and contract terms, especially in instances where officers revert to

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previous positions after serving as County Executive Committee Members (CECMs) or Chief Officer (COs).

(2) The basis upon which seven officers were promoted while bypassing multiple job groups and whether proper recruitment processes, including interviews, were undertaken.

(3) The reasons why senior acting appointments, particularly for the position of chief officers, were met without adherence to substantial appointment protocols.

(4) An account for the payment of special house allowances totalling Kshs11,384,400 to 156 officers and additional special salaries amounting to Kshs3,141,193.50 to 25 members of staff over a one-year period, despite clear public service guidelines prohibiting such discretionary payments.

(5) The data on any county staff, either on permanent, contract, or casual terms, who have experienced delayed or non-payment of salaries during the financial years 2022/2023, 2023/2024, and 2024/2025, stating the causes and steps taken to resolve the matter.

(6) The reasons why 11 staff members remain on probation beyond the legally permitted duration and why seven officers beyond the retirement age of 60 continue to appear on the payroll, contrary to the established public service regulations.

Thank you, Madam Temporary Speaker.

**The Temporary Speaker** (Sen. Mumma): Sen. Abass, the Floor is yours.

ABDUCTION OF MR. HUSSEIN ABDULRAHMAN  
MOHAMMED IN WAJIR COUNTY

**Sen. Abass:** Thank you, Madam Temporary Speaker. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Senate Standing Committee on National Security, Defence and Foreign Relations on a matter of nationwide concern regarding the rising cases of abduction and disappearance of Kenyans across the country, and specifically the disappearance of Mr. Hussein Abdulrahman Mohamed, who was the Huduma Centre Manager in Wajir County, a senior civil servant of the rank a Deputy County Commissioner.

Madam Temporary Speaker, Mr. Hussein was last seen on 8<sup>th</sup> of July, 2025. It is unfortunate that Kenyans are disappearing by the day and by hours without any explanation. Mr. Hussein is a senior civil servant and up to today, for the last two weeks, it is not known where he has been to, whether he has been abducted or killed. We do not know where he is.

If a senior civil servant like Hussein can disappear, then everybody in this country is so insecure and action has to be taken against this kind of businesses. Every Kenyan has a right to be presented to court. Even if somebody is a criminal, he also has a right to be taken to court or listened to and his relatives must be informed. Keeping people incommunicado is wrong.

**The Temporary Speaker** (Sen. Mumma): Sen. Methu, what is the point of order?



**Sen. Methu:** I need clarification, since you gave guidance. I would like to know whether what Sen. Abass is reading is part of what was approved by the Speaker or is he contributing to his statement?

**The Temporary Speaker** (Sen. Mumma): Sen. Abass, you are supposed to read your statement. Please, read what is on your Statement.

**Sen. Abass:** Madam Temporary Speaker, what I had written is not what has been given to me. They have over-edited it. This is exactly what my colleague is complaining about. My statement is over-edited such that it does not explain my message, so I have to explain myself.

**The Temporary Speaker** (Sen. Mumma): No. Let us follow the rule, and then we complain.

**Sen. Abass:** Honestly, it is over-edited. There are only two lines here.

**The Temporary Speaker** (Sen. Mumma): Senator, please, just follow the ruling of the Chair. Just read the Statement.

**Sen. Abass:** Okay, Madam Temporary Speaker. Can I have the microphone, please?

Madam Temporary Speaker, cases of unexplained abductions and enforced disappearance have become increasingly frequent in this country with civilians, activists and even public officers being taken without trace.

A recent case is that of Mr. Hussein Abdulrahman, who comes from Wajir County, a senior civil servant who was the Deputy County Commissioner. He was last seen on 8<sup>th</sup> July, 2005 during a public function attended by the Cabinet Secretary for Public Service and Human Capital Development in Wajir County. Since then, no credible information has been provided regarding the whereabouts of Hussein.

In the Statement, the Committee should address the following-

(1) The prevalence and pattern of enforced disappearance across the country in the last five years, including regions affected and progress on the investigation; and,

(2) Circumstances surrounding the disappearance of Mr. Hussein Abdulrahman Mohammed, including the steps taken to trace him and the support being offered to the family.

Thank you, Madam Temporary Speaker. However, this is over-edited, so I do not want to say anything else.

**The Temporary Speaker** (Sen. Mumma): Sen. Chimera, please proceed.

Sorry, Sen. Abass. You have a second Statement, please read it before Sen. Chimera takes the Floor.

**Sen. Abass:** Okay.

#### NEGLECT OF SMALL-SCALE FARMERS BY WAJIR COUNTY GOVERNMENT

Madam Temporary Speaker, I rise pursuant to Standing Order No.53(1), to seek a Statement from the Standing Committee of Agriculture, Livestock and Fisheries on a matter of county-wide concern regarding the continued neglect of small-scale farmers in Wajir County by the County Government of Wajir.

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Madam Temporary Speaker, Wajir County is an arid area that depends on shallow wells and subsurface waters. Everything is done through irrigation. The economy of Wajir County is largely dependent on agriculture and livestock. However, several small-scale farmers across the county have decried the lack of support from the County Government of Wajir, in addressing the lack of subsidised seeds, fertilizers, pesticides, farming tools, and irrigation systems, despite the fact that the County Government had allocated a substantial amount of money to the sector through the Department of Agriculture in FY2023/2024 and FY2024/2025.

The farmers have also expressed concerns of the County Government's failure to provide training and extension services to help enhance productivity.

In the Statement, the Committee should address the following-

(1) How the County Government of Wajir utilised the funds allocated to the agricultural sector in FY2023/2024 and FY2024/2025, including details on the specific agricultural support programmes targeting small-scale farmers that were undertaken or implemented by the county government in each ward in Wajir County.

(2) Whether the Department of Agriculture in Wajir County undertook a needs assessment before rolling out the programmes and continually monitor and evaluate the programmes during this implementation and if so, obtain the relevant reports of the needs assessment, monitoring and evaluation exercises;

(3) The number and names of beneficiaries of each of the agricultural support programmes undertaken or implemented by the county government in the specific financial years in each ward, including the criteria used to identify and select the beneficiaries particularly under the Food Systems Resilience Project (FSRP), the Kenya Agricultural Business Development Programme (KABDP) and the Government of Kenya-funded initiatives.

I thank you, Madam Temporary Speaker.

**The Temporary Speaker** (Sen. Mumma): Sen. Chimera, you may proceed.

#### INCREASE IN HUMAN-WILDLIFE CONFLICT IN KWALE COUNTY

**Sen. Chimera:** Thank you, Madam Temporary Speaker. I rise pursuant under Standing Order No.53(1) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources on a matter of county-wide concern regarding increased cases of human-wildlife conflict in Kwale County.

In the Statement, the Committee should address the following-

(1) The measures currently being implemented by the Kenya Wildlife Service (KWS) to address the rising incidence of human-wildlife conflict in Kwale County, particularly in the areas of Chanzu, Maji ya Chumvi, Mwangoloto, Kilimangodo, Kwanyanje, Pehoni, Makina, Shirangwe ya Juu, Bahakwenu, Mwangani, Busho, Kilimasi, Magale, Nyamalen, Zoyagenu, Silaloni and Tshengoni villages, that have experienced frequent elephant attacks leading to property destruction, crop loss, injuries and in some cases, fatalities.

(2) The number and nature of elephant attacks recorded in these areas over the past three years, including details of the response mechanisms deployed by the KWS during such incidents.

(3) Information on whether any victims of elephant attacks in these areas have been compensated and if so, a breakdown of the compensation awarded, the number of claimants, the status of pending claims and the timelines for addressing unresolved case.

(4) The plans in place to prevent further human-wildlife conflict in the affected regions, including, but not limited to, the construction of barriers, deployment of rapid response teams and community centralisation programmes.

(5) The long-term strategies in place by the Ministry of Tourism and Wildlife in collaboration with other relevant agencies to ensure the safety and livelihoods of communities living adjacent to wildlife habitats in Kwale County.

I thank you, Madam Temporary Speaker.

**The Temporary Speaker** (Sen. Mumma): Sen. (Prof.) Tom Ojienda, you may proceed and read the four.

**Sen. (Prof.) Tom Odhiambo Ojienda, SC:** Yes, Madam Temporary Speaker, I have four Statements this afternoon.

The first statement is on preparedness for Digital-Era public participation

#### STATE OF PREPAREDNESS FOR DIGITAL-ERA PUBLIC PARTICIPATION

Madam Temporary Speaker, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Information, Communication and Technology on a matter of nationwide concern regarding the government's preparedness to facilitate digital-era public participation, particularly amongst the youth.

Recent developments in the country have highlighted the increasing use of digital platforms by young people to organise, express civic concerns and demand accountability. This shift highlights the need to formally recognize online civic spaces as legitimate platforms of public participation.

In the statement, the Committee should address the following-

(1) Whether the Government, through the Ministry of ICT and State Department for Youth, has developed or intends to establish a structured youth-led framework to promote digital public participation and civic engagement.

(2) Plans in place to modernise public participation frameworks by integrating digital tools such as mobile platforms, online consultation and social media and whether this can be supported by policy reforms.

(3) Measures put in place to ensure that digital civic participation is inclusive, secure and can be effectively integrated into national policy and county-level public decision-making processes.

My second statement is on the regulation of digital lending platforms and consumer protection.

CONSUMER PROTECTION FROM EXPLOITATIVE PRACTICES AND  
DATA MISUSE BY DIGITAL LENDING PLATFORMS

Madam Temporary Speaker, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Finance and Budget on a matter of nationwide concern regarding the regulation of digital lending platforms in Kenya and the protection of consumers from exploitative practices and data misuse.

In the Statement, the Committee should address the following-

(1) Lenders operating in Kenya, including those licensed and the measures in place for their licensing and oversight.

(2) Safeguards to protect consumers from excessive interest rates, cyber harassment and authorised access or misuse of personal data.

(3) Measures taken to enforce the Data Protection Act against digital lenders found to be in breach of data protection and consumer rights.

(4) Interventions to strengthen consumer protection, promote ethical lending practices and ensure compliance by all digital lending platforms.

Madam Temporary Speaker, my third Statement is on inclusion of creative economy and innovation in Kenya's national and county development plans.

INCLUSION OF CREATIVE ECONOMY AND INNOVATION IN KENYA'S  
NATIONAL AND COUNTY DEVELOPMENT PLANS

Madam Temporary Speaker, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Trade, Industrialisation and Tourism on a matter of national concern regarding the inclusion of the creative economy and innovation in Kenya's national and county development plans.

In the Statement, the Committee should address the following-

(1) The Government's policy framework for supporting the creative and innovation sector, including funding, training and market access.

(2) Whether the current Medium-Term Plan (MTP) and County Integrated Development Plans (CIDPs), provide for programmes or budget lines dedicated to the creative economy.

(3) Strategies in place to support creative entrepreneurs, content creators and innovation hubs across the country.

(4) Measures to integrate the creative sector into national development priorities, including legal policy and public-private initiatives.

Madam Temporary Speaker, my last Statement is on the status of implementation of the Climate Change Act, 2016.

STATUS OF IMPLEMENTATION OF THE  
CLIMATE CHANGE ACT, 2016

Madam Temporary Speaker, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources on

a matter of national concern regarding the implementation status of the Climate Change Act. Sen. Methu used to chair that Committee.

**The Temporary Speaker** (Sen. Mumma): Senator, read what has been cleared.

**Sen. (Prof.) Tom Odhiambo Ojienda, SC:** Madam Temporary Speaker, I will do. He was removed. It is okay; I will apologise. He is no longer the Chairperson.

This is the implementation of the Climate Change Act, 2016 as amended to Climate Change Act, 2023.

In the Statement, the Committee addressed the following-

(1) The number of counties that have complied with the Climate Change Act by enacting and enabling county legislation, establishing the County Climate Change Fund (CCFs) and setting up functional County Climate Change Units (CCUs).

(2) The role played by the Ministry of Environment, Climate Change and Forestry and the National Treasury in facilitating implementation of the Act at the county level, including provision of technical support in accessing climate change finances.

(3) The measures put in place to strengthen county-level compliance with the Climate Change Act, integrate risk in their development plans and climate resilience since the Act was enacted.

I thank you, Madam Speaker.

**The Temporary Speaker** (Sen. Mumma): Sen. Seki, you may proceed.

#### DISCREPANCIES AND IRREGULARITIES IN THE FUNDING OF PUBLIC SCHOOLS IN KENYA

**Sen. Seki:** Thank you, Madam Temporary Speaker. This is a request for a Statement on discrepancies and irregularities in the funding of public schools in Kenya.

Madam Temporary Speaker, I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee of Education on a matter of national concern regarding the funding of Auditor-General's Special Audit Report on Capitation and Infrastructure Grants in schools across the country for the FY2020/2021, FY2021/2022, FY2022/2023 and FY2023/2024, which uncovered discrepancies in the funding of public schools in Kenya and irregularities of disbursement of capitation funding.

The Special Audit Report revealed, among others, a general understanding amounting to Kshs71 billion for the secondary schools, Kshs31 billion for Junior Secondary Schools (JSS), Kshs14 billion for primary schools and Kshs67 billion for secondary schools' special needs education. Out of 83 sampled schools, 14 received a capitation totaling to Kshs16 billion with none evidence of their existence, while six others received capitation, yet they had ceased operation.

These revelations raised fundamental questions about transparency and accountability within the Ministry of Education and related agencies and the integrity of their public finance management practices. In particular, the disbursement of funds to non-existent and non-operational schools at a time when schools are grappling with teachers' shortage, infrastructure deficits, congestions and delays in capitation is a betrayal of usual trust of the Kenyan people.

In the Statement, the Committee should address the following-

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(1) The steps the Ministry of Education is taking to address the underfunding of public schools in general and junior schools in specific in light of the significant operations infrastructure demand at this initial implementation phase on the Competency-Based Curriculum (CBC).

(2) The mechanisms in place for verification of the existence of schools before inclusion in the National Examination Management Information System (NEMIS) database and the circumstances under which the 14 schools identified in the specific audits as having received capitation funds without evidence on their existence were, including in the database.

(3) Identify officials in the Ministry of Education and the National Treasury responsible for the irregularities as well as the steps being taken to hold them accountable and to recover any lost funds.

(4) Whether the Ministry of Education intends to undertake a comprehensive re-verification exercise to ascertain the accuracy and integrity of the data in the NEMIS database to avert loss of public funds through further disbursements of capitation funds on non-existent and non-operational schools.

I thank you.

**The Temporary Speaker** (Sen. Mumma): Sen. Hezena.

**Sen. Lemaletian:** Thank you, Madam Temporary Speaker. I have two Statements. I will begin with mine.

#### INFLUX OF WHOLESALE TRADERS FROM OTHER COUNTIES INTO SAMBURU COUNTY

Madam Temporary Speaker, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Trade, Industrialisation and Tourism on a matter of county-wide concern regarding the influx of wholesale traders from other counties into Samburu County.

Local business owners in Maralal, Baragoi, Archers Post, Wamba and Suguta Marmar urban centres in Samburu County have raised alarm over the influx of traders from outside the county, who transport goods in lorries and engage in wholesale trade directly with consumers. These trading activities have disrupted the local market dynamics and threatened the survival of local Small and Medium-Enterprises (SMEs) in Samburu County.

In the Statement, the Committee should address the following-

(1) The regulatory framework put in place by the County Government of Samburu to govern entry into and operation within Samburu County by traders from other counties, including whether the traders are subjected to the same licensing fee and levies paid by the local traders.

(2) The enforcement mechanism in place to ensure that the traders from other counties comply with Samburu County trade and market laws.

(3) The specific steps the County Government is taking to protect local and Small and Medium Enterprises (SMEs) in Samburu County from unfair competition.

I thank you.

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Madam Temporary Speaker, I have a second Statement by the Hon. Sen. Catherine Muyeka Mumma.

RISING TREND OF UNCHECKED INFLAMMATORY UTTERANCES  
BY INFLUENTIAL PUBLIC FIGURES AND POLITICAL LEADERS

Madam Temporary Speaker, I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration on a matter of national concern regarding the rising trend of unchecked inflammatory utterances by leaders, particularly along ethnic lines. These utterances are contrary to Article 33(2) of the Constitution and the National Cohesion and Integration Act of 2008.

In the Statement, the Committee should address the following-

(1) The measures being taken by the National Cohesion and Integration Commission (NCIC) to monitor, regulate and deter the use of media platforms, both traditional and digital, in communicating messages that spread propaganda of war or conflicts, those which incite violence, those which amount to hate speech or which advocate hatred that constitutes ethnic incitement, vilification of others or incitement to cause harm, or hatred that is based on any ground of discrimination specified in Article 23(4) of the Constitution.

(2) Whether NCIC has recommended any policy changes that would facilitate the regulation of internet governance frameworks in Kenya to facilitate effective protection against the use of social media to spread propaganda of war or conflict, to incite violence, to spread hate speech or advocate hatred that constitutes ethnic incitement, to vilify others or incite others to cause harm contrary to Article 33(2)(a), (b), (c) and (d) of the Constitution on freedom of expression.

(3) Whether there is collaboration between NCIC, the Communications Authority of Kenya (CAK), the Media Council of Kenya (MCK), the Kenya National Commission on Human Rights (KNCHR), the National Gender and Equality Commission (NGEC), as well as the investigative arms such as the National Police Service (NPS), the Directorate of Criminal Investigations (DCI) and the Office of the Director of Public Prosecutions (ODPP) in stemming this vice.

(4) The steps NCIC and other bodies are taking to promote responsible communication and exercise the freedom of expression, especially by leaders in preventing ethnic polarisation.

I thank you.

**The Temporary Speaker** (Sen. Mumma): Sen. Mwaruma.

REQUIREMENT BY SHA FOR PAYMENT  
OF FULL YEAR CONTRIBUTION

**Sen. Mwaruma:** Thank you, Madam Temporary Speaker for this opportunity. I rise pursuant to Standing Order No.53 (1) to seek a Statement from the Standing Committee on Health on a matter of nationwide concern regarding the requirement by the

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Social Health Authority (SHA) that patients contribute for a full year before accessing medical care.

Section 17(1) of the Social Health Insurance General Regulations, 2024 provides that households whose income is not derived from salaried employment shall contribute annually to the Social Health Insurance Fund (SHIF) at a rate of 2.75 percent of the household income as determined through the prescribed means testing instruments under Regulation 21.

This regulation is causing widespread concern as many Kenyans, despite making contributions, are being denied access to healthcare services because they have not completed a full year of payments.

This situation undermines the fundamental rights enshrined in Article 43(1)(a) and Article 43(2) of the Constitution of Kenya, 2010, which guarantees every person the right to the highest attainable standard of health, including the right to health care services.

In the Statement, the Committee should address the following-

(1) The rationale behind denying medical services to patients who have not completed a full year of contributions, even in instances where the patient's contributions are up to date at the time of seeking treatment;

(2) The Government's position on this directive and the measures in place to address this matter;

(3) Whether personal data from the National Hospital Insurance Fund (NHIF), including contributor identity and contribution history, was successfully migrated to the Social Health Authority (SHA) system; and,

(4) Whether the contributions made by N. Mkala Samba, ID No.6708002, and NHIF No.0532375, on 21st February 2024, vide Cheque No.591049118, and receipted number BK5830865, intended to cover her up to April 2027, are valid and usable under the SHA platform, and if not, provide a remedy to her and all other similar cases across the country.

I thank you, Madam Temporary Speaker.

**The Temporary Speaker** (Sen. Mumma): I do not see Sen. (Dr.) Murango. So, his statement will be deferred.

STATE OF ECDE IN THE COUNTY GOVERNMENT  
OF KIRINYAGA

*(Statement deferred)*

Hon. Senators, I will allow 15 minutes of comments on the statements. Can we agree on five minutes per speaker?

*(Hon. Senators spoke off record)*

Okay, three minutes per speaker.

Proceed, Sen. Sifuna.

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**Sen. Sifuna:** Madam Temporary Speaker, allow me some latitude through Sen. Okenyuri to pass my condolences to the family of the late Hon. Catherine Nyamato. As you know, there is another great woman leader, Phoebe Asiyo, that we are also mourning, through her son, Caesar, and the entire Asiyo family. I just want to say *pole* to the families and to tell them that they are in our prayers.

At the weekend, I had opportunity to meet some young women from the University of Nairobi under the auspices of the ODM Women League, led by the President, Madam Beth Syengo, who is a Member of this House. I can tell you that even though Phoebe Asiyo and Catherine Nyamato have left us, there is a great bright future for women leadership in this country. I met some very young, brilliant women like Roseline Alionya, Rachel Kavita, Mary Leticia, and Kimberly Grace. I am sure you followed those proceedings when they were speaking to the Press. Although the Press was a bit unkind and was trying to harass them, I have no doubt that women leadership has a very bright future.

Madam Temporary Speaker, allow me to comment on the statement on disappearances and then on checking of inflammatory utterances. The reason we insist that we need to build a country that works for all of us is that no one is safe until everybody is safe. You have heard from Nandi, you have heard from Marsabit, the Senator, is saying that senior civil servants are also disappearing. This is why we must resolve this question for all of us.

Lastly, in 2007, I was one of those young people who was saying one term to Kibaki, because we wanted him to go home. We voted to take Kibaki home. We were very shocked when we were told that our vote does not matter, that someone sitting somewhere can actually alter the results at the ballot. There is very irresponsible talk from leaders telling us that in 2027, if the votes for William Ruto will not be sufficient, they will steal for him.

The National Cohesion and Integration Commission (NCIC) has just kept quiet. With that history of 2007, the precursor of the violence was in the interference with the will of the people. I want to join those who are saying - because we have been told to wait for a democratic opportunity to remove the current government. If we exercise that democratic right, and then you go and mess it up the way they are threatening to do, this country will be on fire, like it was in 2007. We do not fear saying it.

Therefore, the IEBC that has just recently been sworn in, cannot even summon these leaders, because as I understand on election offences, you cannot be saying that.

**The Temporary Speaker** (Sen. Mumma): Sen. Cheruiyot.

**The Senate Majority Leader** (Sen. Cheruiyot): Mr. Speaker, I have two quick comments. Number one is on this issue---

**The Temporary Speaker** (Sen. Mumma): Madam Speaker, not Mr. Speaker.

**The Senate Majority Leader** (Sen. Cheruiyot): Apologies, Madam Speaker, I stand corrected. My apologies.

Number one is on the statement by Sen. Johnes Mwaruma with regards to SHA. There is something untidy about how this provision for payment, either monthly or yearly, is being communicated, particularly to the elderly people and those that live in the villages.

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Over the weekend at a function, I was actually challenged by people who could not distinguish between monthly and yearly payment. There is an assumption that everybody understands English and Kiswahili. That is not true. We live in a country, especially particularly those of us who represent rural counties, where we have the elderly who did not have the benefit of going to school. They too deserve access to that information.

Therefore, I enjoin myself in the comments by Sen. Mwaruma that there is need for clarity in that particular space. While you and I, who are salaried employees, Madam Temporary Speaker, will not face a challenge because this is deducted alongside our salaries, it is causing a lot of challenges to the ordinary citizens who have to pay either on a monthly or yearly basis; and what provisions have been made.

I know, for example, that SHA has actually provided even the opportunity that you can borrow funds through Hustler Fund and end up paying for your yearly contribution, so to speak. However, that information is not available to the people that I represent. Therefore, on that account, I expect that the CEO will provide this information for citizens to be able to understand.

Lastly, in their tabulation, of how much each county government received in own-source revenue, I have seen governors from across the country include SHA compensation in the declaration. It will make more sense if SHA gave us the information actually to know how much has been compensated back to each county so that we can tell our governors that when we pass this law, we included something called a Facility Improvement Fund. That money cannot be used for anything else other than to develop the hospitals for which that Fund has been collected. Therefore, it will be important that when that statement is responded to, we get a breakdown of the compensation that has gone to each of the 47 counties in the last seven months that SHA has been in operation.

I thank you, Madam Temporary Speaker.

**The Temporary Speaker** (Sen. Mumma): Sen. Nyamu.

**Sen. Nyamu:** Thank you, Madam Temporary Speaker. I rise to contribute on the Statement brought by the Senator for Taita Taveta, Sen. Mwaruma, on the contributions to SHA, having a requirement that the beneficiaries must contribute at least yearly to enable you access the services.

The Social Health Authority (SHA) is a very bold step by President William Ruto and a very necessary one in our country towards universal health care. However, this provision that the beneficiaries need to contribute at least the annual deductions so that you can be able to access the service is somewhat discriminatory. This is because what happens to *Mama Mboga* who falls ill a month into contribution? What happens to the *Boda* operator if he gets an accident after contributing for two to three months? We are exposing the same people that we seek to protect in this universal health care provision to the worst-case scenario, even death.

We need to relook at the implementation. We need to have a three-tier or maybe some tier in the sense that you can contribute after three months you can access, after six months you can access, so that we do not beat the purpose. The purpose is very noble; to ensure that our citizens at the bottom of the pyramid get to access healthcare equally for all Kenyans regardless of your background or financial strength. I want to urge the

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Committee for Health to interrogate this system and bring clarity to ensure that we do not defeat the purpose of the whole system.

I thank you.

**The Temporary Speaker** (Sen. Mumma): Sen. Osotsi, please, proceed.

**Sen. Osotsi:** Madam Temporary Speaker, I had walked out briefly. I wanted to comment on the Statement by Sen. Ojienda on the matter of data misuse by digital lending firms. I believe that is a very important Statement because we are all exposed to this danger on our phone where some people, in the process of borrowing digital loans, use other people as references. Therefore, within a very short time, you see pop-up messages coming on your phone, maybe marketing messages or all kinds of messages which are targeting people.

So, I think it is an important thing that the Committee for Information, Communication and Technology (ICT) needs to look at and also the institution responsible for matters of data protection can also look at that to safeguard the interests of Kenyans.

Overall, I thought we also need to have proper regulations regulating these digital lending firms. They have really increased in number and some of them are operating outside the Central Bank of Kenya (CBK) regulations on matters of lending. I believe we need a proper framework and that can also be handled by the Committee for Finance and Budget.

I have also seen a Statement by Sen. Seki on the issue of funding of schools. It is so sad that many of our schools, especially secondary schools, are on the deathbed because of the challenges of capitation. Either the capitation money comes late or it is not adequate to run the schools. Something has to be done around the issue of funding of our schools. I was in one of the schools in my county where they cannot even afford lunch for students. The teachers were contributing so that they can cook lunch for the students. When we get---

**The Temporary Speaker** (Sen. Mumma): Give the Senator one minute and then we can move to Sen. Methu.

**Sen. Osotsi:** Madam Temporary Speaker, it is a serious problem and that problem is particularly common in day secondary schools in the villages where parents cannot afford to pay exorbitant fees and therefore, they depend quite a lot on capitation from the Government. Something has to be done around the issue of funding of schools. I support the two Statements. Thank you very much.

**Sen. Methu:** Thank you very much, Mr. Speaker.

**The Temporary Speaker** (Sen. Mumma): I am not Mr. Speaker.

**Sen. Methu:** Sorry. I do not know why we are all confusing. Maybe it is because of the strength of your voice.

Madam Temporary Speaker, there are many Statements that have been sought. I want to comment on one of the statements that has been sought by Sen. Mwaruma.

For those of us who oppose the current government and those of us who are in the formation that I am in, we are said and seen to always oppose for the sake of it. However, we all want the Social Health Authority (SHA) to work because we passed these laws.

I was in Turkana County when we passed these laws that put SHA into motion. We must admit that when it is not working, something has to be done. It is not just about running in villages in the name of empowerments and saying SHA is working, SHA is not working. These are specific cases that have been raised in this specific Statement.

I think the reason why this issue of the SHA makes sense to most of the Members of Parliament and why they keep defending it even when there are very glaring gaps in this SHA, is for the mere reason that all of us are salaried.

Our deductions are made just directly from our payslips. More importantly, we also have a very good medical cover and because Members of Parliament have a very good medical cover, they do not care what the other Kenyans are feeling and how they are suffering.

It does not make sense that you have paid for SHA faithfully for two, four or seven months, but if you have not paid for it annually, you cannot get the service. Tell me, if you have paid for eight months and you are not able to get services on the eighth month. What happens about the other months that you have paid? We shall continue speaking until this SHA works the way it is supposed to work.

Finally, I would want your guidance on how you processed the Statement that was sought by Sen. Thang'wa. I am a bit uncomfortable with the Statement that has been sought by Sen. Hezena Lemaletian.

In this Statement, the good Senator is asking for protection of traders because traders have come to their County of Samburu. I do not think there is a law that would prohibit anybody from doing business anywhere, because what has been sought in this Statement is that there is an influx of traders from outside the county who are doing transport of goods and services---

**The Temporary Speaker** (Sen. Mumma): Sen. Methu, in 30 seconds, finish, please.

**Sen. Methu:** In fact, you should give me one minute, because it is you who processed this particular Statement. This is a very defective Statement and we must speak about inclusivity.

**The Temporary Speaker** (Sen. Mumma): Proceed.

**Sen. Methu:** We are speaking about inclusivity. We cannot speak about inclusivity when we want to exclude some people from doing some business from some place.

If you were to argue the same way, the Senator for Nairobi City County would say that people are doing business in Nairobi; then it would be very difficult for me to set up a business in Kericho. It will be very difficult for a Kenyan to go and do business in Vihiga. We must allow free movement of goods and services. We must allow free trading between communities across board.

I also find it very ridiculous that in one of the questions of the Statement is the enforcement---

**The Senate Majority Leader** (Sen. Cheruiyot): On a point of order, Madam Temporary Speaker.

**The Temporary Speaker** (Sen. Mumma): What is your point of order, Sen. Cheruiyot?

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**The Senate Majority Leader** (Sen. Cheruiyot): Apologies to interrupt my neighbour, but I just wanted to request him to cut that part of the clip of what he has spoken in his lucid moment here in the House, where he speaks about inclusivity and send it to his party leader currently in the USA, who has told us that only one community does business.

**The Temporary Speaker** (Sen. Mumma): Sen. Cheruiyot, you are out of order.

*(Laughter)*

**The Temporary Speaker** (Sen. Mumma): Sen. Methu, ignore that and finish with your 15 seconds.

**Sen. Methu:** Madam Temporary Speaker, my former cousin is a bit uncomfortable with the new friends that I have got, the likes of Sen. Sifuna, the new cousin now. I just wanted to say, a question has been asked on the enforcement mechanism to ensure that traders from other counties comply with the county trade and market rules.

The enforcement is by the county, because the rules are by the county. What else is the Committee or the Senate expected to do in terms of enforcement? If these people have paid the levies and fees that are required to do business in Samburu County, nobody can or should stop them. When we speak about integration---

**The Temporary Speaker** (Sen. Mumma): Sen Omtatah, please, proceed.

**Sen. Okiya Omtatah:** Madam Temporary Speaker, I rise to continue from where Sen. Methu has left off, that it is a constitutional right for any Kenyan to lie, reside and trade anywhere in this country. Therefore, we cannot curtail that freedom. However, I will proceed to comment on the Statement by Sen. Mwaruma on SHIF.

It is disheartening that we have reduced the health of people into a mechanism of extracting money from the poorest of the poor. The Social Health Insurance Fund is an extraction mechanism for stealing from the poor because if we wanted universal health care, we would begin by fixing public hospitals. We have not done that, instead we are forcing people who otherwise would have enjoyed cover, to pay annually when they do not have the capacity. People should be allowed to pay according to their capacity if they have to enjoy the cover that is given by the state.

*[The Temporary Speaker (Sen. Mumma) left the Chair]*

*[The Temporary Speaker (Sen. Veronica Maina) in the Chair]*

All said and done, the SHIF arrangement is an extraction mechanism. That is why they are prioritizing to get as much money as they can from Kenyan citizens. That needs to be stopped. If the issue is to give people health care; let us fix the health system, let us get hospitals working, let us get the doctors in public hospitals and let us run universal health care in public hospitals. Running universal health care in private hospitals is opening an avenue for looting from state coffers.

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Madam Temporary Speaker, I support this Motion and pray that when the Committee looks at it, it will do a holistic job of looking at the entire architecture of universal health care, including answering the question whether you can credibly run universal health care in private hospitals.

I thank you.

**Sen. Veronica Maina:** Thank you, Sen. Omtatah. Sen. Okenyuri Esther, it is your turn.

**Sen. Okenyuri:** Thank you, Madam Temporary Speaker. I wish to comment on the Statement by Sen. Catherine Mumma on unchecked inflammatory utterances by influential public figures. We cannot legislate on morality because such kind of utterances have to do with behaviour. Unfortunately, the Kenyan populace cheers such kind of utterances. What can we do in regard to that Statement by Sen. Mumma?

This is calling to the attention of all of us to check on the culture we have. When you observe political podiums, the most-nasty statement is what people cheer and our young people are learning, picking up from what they see their leaders do.

Therefore, before Sen. Mumma requests the Committee to look into this, as leaders, we need to call ourselves and look at what examples we are showing the young people, the youth of this country, the women and any other person who is expecting direction from the leaders. We have disappointed them. In as much as Sen. Mumma is concerned with this behaviour, it is a challenge on us, as leaders, to look at how we can change the culture and improve behaviour.

Madam Temporary Speaker, I also wish to comment on the Statement by Sen. Hezena on the influx of traders to Samburu. I hope she was trying to address about trade imbalance and that being a concern.

The best way is to look at what is most pressing and not to restrict the movement of those traders because as a sponsor of the Street Vendors Bill, that is not the one way of protecting small-scale traders and the hustles people engage in. There is a better way of addressing the trade imbalance so that both those in Samburu and those not in Samburu can benefit from this exchange that is happening.

**Sen. Veronica Maina:** Thank you, Sen. Essy.

Next Order.

## MOTION

### CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE START-UP BILL (SENATE BILLS NO.14 OF 2022)

**Sen. Veronica Maina:** Chairperson Standing Committee on Trade, Industrialization and Tourism to move the Motion. You are holding forth.

Sen. Essy proceed as the Vice-Chair.

**Sen. Okenyuri:** Thank you, Madam Temporary Speaker. I am holding fort for the Chair. I am the Vice-Chairperson of that Committee.

I beg to move-

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THAT the National Assembly amendments to the Start-up Bill (Senate Bill No.14 of 2022) be now considered.

The Start-up Bill seeks to provide a framework to encourage growth, sustainable technological development, new entrepreneurship employment and creating a more favourable environment for innovation and attract Kenyan talents and capital.

I also wish to thank my sister, Sen. Crystal Asige, for this Bill. After the Bill was passed by the Senate on 21<sup>st</sup> February, 2024, it was transmitted to our sister House as required by the Constitution. The Committee on Trade, Industrialization and Tourism, that I sit in, in the National Assembly considered this Bill and came up with 51 amendments to it.

Our Committee reviewed the amendments made by the National Assembly and agreed with 25 amendments but rejected 26 of them. The amendments by the National Assembly that the Committee adopted enriched this Bill further and we saw no need of dropping them.

Madam Temporary Speaker, I will comment on the amendments that the Committee rejected. The Committee noted that the National Assembly had sidelined county governments in this Bill. They had removed counties from participating in any role. An example was deleting the definitions of the CECMs or county executive members.

The Committee rejected the deletion of this because deleting the role of the CECMs, as it is, would make implementation at the county level impossible. Therefore, under Clause 4 of this Bill, the National Assembly deleted the role of the agency and the county governments and replaced it with the role of the agency and the estate in the implementation of Act No. 4.

Madam Temporary Speaker, our Committee rejected this proposal and reinstated the functions of the county governments. Having deleted Clause 4, which related to the functions of the county governments, the National Assembly deleted Clause 5, whose reference is incubation programs and the role the national and county governments play.

Our Committee also rejected this and resolved that provision in respect on the role of county governments be reinstated and incubation programmes be provided for in this Bill. The Committee further observed that since start-ups operate in both the national and county governments economies, a coordinated approach is necessary to balance national policies.

The National Assembly wanted to delete the Registrar of Start-ups whose responsibility was to register start-ups and replace with a start-up committee. The Committee resolved to restore the Registrar of Start-ups because the Committee proposed by the National Assembly had reduced the function in comparison to that Registrar.

Madam Temporary Speaker, I request Members to read this Report and adopt it as presented by the Committee of Trade, Industrialisation and Tourism.

I move and request the Senate Majority Leader, Sen. Aaron Cheruiyot, to second.

**Sen. Veronica Maina:** Thank you. Sen. Okenyuri. Proceed, the Senate Majority Leader.

**The Senate Majority Leader** (Sen. Cheruiyot): Thank you. Madam Temporary Speaker, I rise to second this Motion by the Vice-Chairperson of the Committee on

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Trade, Industrialization and Tourism. The Start-Up Bill is a very important Bill. This Bill has gone full cycle because we attempted to conclude on it in last term but unfortunately, colleagues in our sister House did not agree with many of the provisions that we had put in at that particular time.

At this point, I am impressed that they have considered, albeit with amendments, that many of us will find very difficult to agree to. It is on that basis that we are moving this Motion to consider parliamentary language, but in true sense what we are doing is rejecting a number of amendments from the National Assembly because our perspective and views on issues as a House diametrically differ with how colleagues from our sister House look at things. That is the beauty of our democracy and a bicameral Parliament.

Madam Temporary Speaker, we serve to protect interests of county governments. Anytime somebody does any amendment to any law that is to the disadvantage of county governments, we find it very difficult.

Personally, I will never support such a Bill because I know for a fact that having looked at the history of this country, despite my relatively young age, looking at over 60 years that Kenya has been under self-governance, devolution still occupies a bridal place as the best innovation ever by the people of Kenya to themselves. At every turn, we should always seek to entrench it and ensure that when we pass laws in this House, we foster devolution. We will deal with the rest of the challenges later.

The thieving that we have in our county governments and all that, I have said times without number that they are not unique; they are Kenyan problems that exist both at the national and county government level. It should never be a basis upon which to deny functions to county governments.

It is about inefficiency. The same level of inefficiency that I see in the national Government is what I see in county governments. Therefore, that should not be a basis upon which somebody argues and says that there will be efficiencies in a particular office.

In fact, to the contrary, I am a firm believer that if we want to exercise efficiency in service delivery, we should devolve more functions of the national Government. What is the problem if people are allowed to register businesses back in the counties and keep a single registry? What is unique about business registration that it has to be centralised? There is no problem.

There can be ways of having a similar system that checks and ensures that you do not have same registration details belonging to one particular business within the country. If you look at the process which people go through, they are told to wait because papers have to be sent to Nairobi for this or the other. There is need to further decentralise.

Madam Temporary Speaker, if you go to a Huduma Centre in Kagio, next to your home to register a startup as a person from the village where you come from, they will tell you that you can begin that particular exercise. However, it will take a lot of time because that system is still centralised. Details have to be sent to Nairobi here to be counterchecked before going back. That is no way of ensuring there is efficiency.

On this particular issue of registration of businesses and the desire to have a registrar purely for start-ups, I would like to be convinced by the Committee why they



want us to go the way they are proposing, though I do not also agree with what the National Assembly had proposed that the current Registrar is sufficient.

There was good thinking and logic on coming up with the Start-up Bill. We understand that there is a process of registering a business but a startup faces unique challenges.

What is being envisioned in this particular Bill is to make it easy for those who run startups to operate with very little or minimum Government interference. That is why I disagree with our colleagues in the National Assembly on many occasions. I wish they had restricted themselves or at least said something about the issue of taxation challenges that startups face in this country.

Every time we introduce an amendment that appears even in the minutest of details close to anything to do with taxation, that House goes up in flames and rejects it. It is our genuine expectation that they are self-governed on that particular topic. Since they say that they are the only ones with the ability to consider it, at least, they should have said something about either tax rebates or having a special unit within the Kenya Revenue Authority (KRA) to specifically handles issues of startups.

You will find the same legal requirements that are faced by businesses that have been in existence for 50 or 60 years. Some of them are extremely stringent requiring somebody running a complete enterprise with an accountant for them to meet tax requirements but you know how we change taxation policy in this country almost on a yearly basis.

It was my genuine expectation that we would make the taxation regime very friendly for somebody who runs a startup where they are the Chief Executive Officer (CEO), Human Resource (HR) manager and accountant. Unfortunately, that has not been spoken about.

If the House agrees with what the Committee on Trade, Industrialisation and Tourism is telling us, that we consider and reject some of the amendments, that will trigger a mediation. It is my hope that people who will be put into that mediation committee to represent us in this House will say something about a tax proposition to startups because they can introduce something at the mediation level.

We should provide a unique environment for them so that you do not have to consider them alongside more established businesses to make it possible for them to transact and grow their enterprises devoid of all these other challenges.

With those many remarks, Madam Temporary Speaker, I beg to second.

**The Temporary Speaker** (Sen. Veronica Maina): Thank you, Senate Majority Leader.

Hon. Senators, I will now propose the question.

*(Question proposed)*

Yes, Sen. Osotsi.

*(Sen. Osotsi spoke off record)*

His name should be removed from the dashboard.

Sen. Crystal Asige Kegehi, this is your Bill. You can contribute on it.

**Sen. Crystal Asige:** Madam Temporary Speaker, first of all, I would like to give my heartfelt gratitude to Members of the Committee on Trade, Industrialisation and Tourism who considered the amendments from the National Assembly on the Start-up Bill. I commend them for the work they have done.

From what I have read, there were few amendments Members of the National Assembly proposed to the Bill. I also want to thank sincerely the Chair of the Committee on Trade, Industrialisation and Tourism, that is the Senator for Kwale County, and the Vice-Chair who has just moved this Motion.

I am the Sponsor of the Bill. Like the Vice-Chair said, I tabled it back in 2023 and has taken quite a long journey to come to this point. I have also looked at the Report that was made by the Senate Committee on Trade, Industrialisation and Tourism to the amendments and I agree and support wholly the suggestions they have made to the Start-up Bill.

Madam Temporary Speaker, it would hurt this House if we carried on and supported amendments from the National Assembly in full. That would mean that our functions as the Senate are moot. That would remove any kind of responsibility, function or mandate to the Senate if we were to agree in full with these amendments that have been proposed.

Rejecting or removing the function of the County Executive Committee Member (CECM) at the county level would tear down the spirit in which I drafted and pushed for this particular Bill. Therefore, I agree with that and also removing the function of the Registrar whereby startups are able to go and get themselves registered, so that they can get the support they would have enjoyed because of many of the Clauses I put in the Bill. It then becomes a big issue for us, as a Senate or a House, to see ourselves represented and having a say or task, within this Bill.

Of course, the Committee on Trade, Industrialization and Tourism has approved some of the amendments that the National Assembly put forth, which I also want to agree with. I trust that the Senate Committee on Trade, Industrialization and Tourism have gone through every single clause, deliberated and articulated the issues for or against each one of them. I have no problem with the ones they have said should carry on as amended by the National Assembly. However, as the Senate Majority Leader has rightfully said, the clauses from the National Assembly that we want to reject will trigger a mediation process. We want the mediation process to move as smoothly as possible. At this point, I want to plead with my Senate colleagues to start talking to the Members of Parliament, who are our colleagues in the other House, and explain to them that we will have no place in this Bill if we are to go by their amendments. I, as the sponsor of the Bill, will have no place in the Bill.

At the end of the day, the people who are the stakeholders; the young people, business owners, innovators, entrepreneurs, science and research fellows across the country, will be the ones to suffer. This Bill tries to solve the problem of unemployment. As young people, we are saying that if we are not going to get employed, then we might as well create employment and become the employer. That is the spirit of the Start-Up

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Bill (Senate Bills No. 14 of 2022). If we continue with the route that has been suggested by the National Assembly, then I am afraid that this will not have a positive consequence on the people that it is supposed to serve, who are young people and entrepreneurs across the country.

Madam Temporary Speaker, I would like to support the Report by our Committee on Trade, Industrialisation and Trade and encourage, plead and beseech the rest of the House to vote no to the National Assembly amendments. This is because we are not in full agreement at this very moment. It will trigger a mediation process. During that process, we can all sit down. In the mediation, Members from each House will sit down and hash out what is critical. We can look at what needs to remain for us not to remove the mandate of both Houses from the Bill. We can also look at what can be done away with at this point.

At the end of the day, we need to remember that we are not here to serve ourselves. We have to know that we are here to serve young people and entrepreneurs across the country for them to look for gainful and meaningful employment, as well as contribute to the innovation and prosperity of our economy.

The young people have fantastic ideas and we need to create a conducive environment for them. We also need to support them through capacity building. We can do that through the different hubs being suggested by the Bill that I have put forward. We can also have funds to support them at their start-up level. They can also be taken through different trainings and be given seed funding for their ideas and innovations. All that is within this Bill.

So, to support the young people of this country, we need to get to the mediation process as soon as possible, agree on both sides and pass this Bill. I feel that should be our bottom line. My bottom line is to listen, oversight and articulate, then we can legislate fully and effectively for the people that we are here to serve.

I support and thank you.

**The Temporary Speaker** (Sen. Veronica Maina): Thank you, Sen. Crystal Asige. There are no other Senators willing to contribute. I will, therefore, call upon the Mover to reply.

**Sen. Okenyuri:** Madam Temporary Speaker, I rise pursuant to Standing Order No. 66 (3), to request that we defer putting of the question to a later date.

*(Putting of the question on the Motion deferred)*

**The Temporary Speaker** (Sen. Veronica Maina): Next Order.

*(The Clerk-at-the-Table consulted the Temporary Speaker)*

I take this opportunity to re-organise the Order Paper.

**BILL***Second Reading***THE TECHNOPOLIS BILL (NATIONAL  
ASSEMBLY BILL NO. 6 OF 2024)**

**The Senate Majority Leader** (Sen. Cheruiyot): Thank you, Madam Temporary Speaker. I beg to move that the Technopolis Bill (National Assembly Bill No. 6 of 2024) be now read a Second Time.

The Technopolis Bill (National Assembly Bill No.6 of 2024) was published in the *Kenya Gazette* Supplement No.30 of 2024, dated 2<sup>nd</sup> February, 2024 and passed by the National Assembly in December last year. After which, it was referred to this House in February. Our Committee has done some fairly good job on it and they also listened to the stakeholders.

Our aspirations, as a country, to be the regional leaders and perhaps even challenge the global leaders in the technological space is not a secret. Over the years, world-renowned tech giants have visited this country to learn a thing or two about the things that we do as a country. Despite the fact that we have other challenges, technology has helped many people create businesses. Today, in the absence of the technological innovative space that exists in this country, many young people would be jobless.

Therefore, as policymakers and legislators, we must always strive to continue to work hard and make ourselves respectable global leaders, at least on the African Continent. I know for a fact that very few nations will hold a candle to us in regard to Information Technology start-ups. At the very basic level, we have availability of internet services through the broadband superhighway across the country.

Madam Temporary Speaker, you were the Secretary General of United Democratic Alliance (UDA) and you will remember that part of our five key agendas was to lay over 100,000 kilometres of cable across the country, what one might refer to as the digital superhighway. The intention was to ensure that people easily access internet. We all understand that many young people draw or run their businesses through the internet space. We have to ensure that this is provided and must also do things that encourage this innovation.

As I speak today, I am disappointed that this Bill will only be responding to one of the digital hubs at that very high level that has been set up in the country, the Konza Technopolis. I will be happy to see similar campuses replicated in many parts of the country. In my first term in this Senate, I had the opportunity to serve in the Committee on Information Communication and Technology. While in that Committee, we visited what you would refer to as proper digital hubs. The first one is the Panasonic Centre in Tokyo, Japan, and the other one is in a particular city in China.

It was within that particular space that I began to appreciate what information development centres like Konza Technopolis can do and contribute in terms of business opportunity to this country. We must strive and find ways to provide them with a legal

framework for them to invest and attract investment. People can actually come and set up their businesses here.

Last year when the President visited the United States of America, a number of information technology firms expressed desire and interest to come, study and understand Kenya's technological space. They wanted to come and find out why Kenya continues to be a trailblazer on the continent. However, many things held them back from investing. Of course, the space to work on and the very hampering cost of power provided a significant challenge to many. If you work and look into this technological space, you provide the conducive environment for these companies to come and set up their businesses.

Remember, this is a space that is extremely competitive. If you expect them to buy even something as simple as power at the same cost with another industry that manufactures cement and the rest, they will not compete and will never find us attractive. That is why we are creating this Authority.

The Konza Technopolis is one of the Vision 2030 projects. As a country, if we are able, actually, to set it the level that it was envisioned in the year 2005 when it was first launched then we can say that we have ticked part of the items that we signed up for in the year 2005 as a country. You know, the unfortunate thing about us is that there is an obsession almost by every administration to try and recreate a new programme and put in the energy of the things that they feel. This is what we have been known more about.

I must appreciate that at least there are things that we are trying to improve and make better that go as far back as two administrations before this one. I must appreciate that about the administration of the day. Otherwise, we could have taken the path of saying that we ignore what others did because we did not get the political clout about it and the things that are being said. A leader must do the right thing either way. Whether you are praised or not, right remains to be the right thing.

Last week, I saw comments when there was a video that was done about Nairobi River and the restoration programme that is being done. People were commenting that it had been initiated by the previous administration, and so on and forth. It does not matter. Just do the right thing at the end of the day.

I believe that needs to be the guiding spirit on many of projects that have been initiated. If they were well-meaning and properly funded, they would have caused significant change in our country. I believe that is a guiding ideology in trying to fulfill actually the dream that the National Rainbow Coalition (NARC) administration had when they set up the Konza Digital Centre.

I have visited that place. If you visit that place today, you will understand and appreciate that there is big potential and opportunity to employ thousands, if not hundreds of thousands of young people if we achieve and provide them with the necessary support that is needed. That is why this Bill is extremely important. I have sat down for all those hours waiting for an opportunity that we consider it and add our thoughts.

I have seen that our colleagues in the Committee on ICT have proposed a raft of amendments. I have just scanned through the report which is available on our IT system. There are many things they are proposing to amend, and I agree with almost all of them.

There may be one or two that I will need further convincing or to understand the perspective from which the Members of the Committee on ICT are speaking to us about.

The objective of this Bill will actually provide us with a comprehensive framework to establishment of a technopolis in Kenya and create this Authority known as the Technopolis Development Authority, which is responsible for the development, governance, planning, management, improvement, and maintenance of every technopolis that is available.

That was the point I was speaking to, Sen. Osotsi, that as we speak today, it is only Konza that we can refer to. It will be my wish that this is set up in the different parts of the country.

Madam Temporary Speaker, you know, for example, that in Bomet, where Sen. Wakili Sigei comes from, that there are young people there who I am yet to understand their operation procedures. They do not go to any university. You will never find them trained. They barely even speak English but the things they can do when they are placed in front of a computer---

I still feel we are not treating them correctly because many of them, after they have hacked into Safaricom servers, bank systems, we only arrest them and take them to jail. I believe that as much as what they are doing is wrong, apart from punishing them, we need to understand them better also and establish this knowledge that they have.

Is it something that we can tap into as a country? If somebody has not gone to school but they are able to crack the hardest of bank security systems and withdraw money from your phone or from your bank systems while you are sitting here, Madam Temporary Speaker, that person deserves more than prison. You can have them in prison but also have them teach or earn while they are still there and sustain their families.

I do not want to lose track, but just to make the point that apart from Konza Technopolis, we will need so many other Technopolis stations across the country. This was a strategic intent of our country, and we need to transition into this space, and it has taken us quite a while.

I hope that with the passage of this Bill and after granting the Konza Technopolis this legal framework, they will be able to thrive and attract investment from as many will-be investors. Not necessarily start-ups, Sen. Crystal, but even established global IT companies that will wish to set up base in Africa. I believe this is one among very few, if there are any others, actually, that will compete with it on the continent.

It is my most sincere hope that we can conclude on this process as soon as possible, preferably even before we go on recess. I do not know if our colleagues from the National Assembly will agree to our amendments so that we bring it to a close. It is one of those Bills that you do not want to take too long before bringing the process of consideration to a close.

There are many things that they are amending which I believe if you read the Report, you will find justification to. There are other things also in this Bill, even without the amendments of our colleagues from the Committee on ICT.

Personally, I would find challenge to support and I would wish, perhaps, that they add on to the amendments. An example is Clause 23 (a) that gives powers to this Technopolis Development Control Authority. It says-

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The Authority shall have power within a Technopolis to-

(a) regulate zoning, including land use and density of development.

Land use is a devolved function and this Authority that we are proposing to create is heavy with the presence of what you would call the national Government. There needs to be a counterbalance with regards to existence of also either bodies or representatives from county governments, so that if they were to pass a policy...

I understand that there is need to ensure that there is proper regulated land use, in any designated area that will have been gazetted as a technopolis. That needs to be done within the realization that this country under the Kenya Constitution, 2010 has two levels of government. Therefore, there is need to have representation from, the national Government as well as the county governments in making some of these decisions, and so on and so forth.

There are many other things that I have wished to say, but I am cognisant of the fact that there is a time limit. I want to grant also my colleague, Sen. Osotsi, sufficient time.

Sen. Osotsi is fairly adept at these issues. Anytime you mention any statement to do with data protection, I note you will get a comment from Sen. Osotsi. It is the same way if you mention something to do with No, I do not want to get into trouble and it is late in the day. I do not want to lose track of the things that I am saying.

Therefore, with those remarks, I beg to move and request the Senator for Vihiga, Sen. Godfrey Osotsi, to second.

**Sen. Osotsi:** Thank you Madam Temporary Speaker, and Majority Leader.

I am delighted to second this Bill. This piece of legislation is one of the very important things that were contained in Vision 2030 that was started after 2013.

It has been a while for us to realize the benefits of having technopolis in our country. You can imagine that the idea about having Konza City was started during the late President Kibaki regime. President Kibaki finished and went. Then, it continued on to President Uhuru's Regime, who finished and went. Up to date, we are still talking about Konza City. By now, we should be accruing the benefits of Konza City.

Madam Temporary Speaker, I have read through the Bill. Initially, there was a Bill that was proposing to have Konza Metropolis Authority. I had a problem with that because how many Metropolis Authorities were we going to establish? Konza is one, someone else would have come up with another one, and another one, and another one. Consequently, we would end up having so many authorities and that would be a problem. So, in my opinion, we should all support the idea of consolidating all this into one Metropolis Authority, so that anyone seeking to run a Metropolis can be allowed to run it, but under the regulation of one authority, which in this case is Metropolis Authority. So, on that basis I support this Bill.

Madam Temporary Speaker, even as I support this Bill, because I know it is going to bring order in the way metropolises will be established and run, and how land use within those metropolises will be managed and how licensing of various institutions is going to be done. It is a good idea. However, it is also myopic, and I am sorry to say that. In this Bill, there are provisions which are myopic.

Madam Temporary Speaker, in a metropolis, you cannot limit the metropolis to a geographical area or a buffer zone, a defined area, and say this number of acres of land will be used by Konza City. We know technologies are growing every day. Therefore, the idea of limiting, for example, Konza City, to only about 2,023 acres is myopic and we should amend that, so that there is no limitation. It is like saying we want to have a city which must be established within 1,000 acres of land. Cities and institutions grow every day. So, I have a problem with that limitation; that, a metropolis will be limited to a particular size of a buffer zone or geographical area. It is not proper thinking.

Madam Temporary Speaker, given that this is going to be an area that is going to host Information and Communication Technology (ICT), it is not proper, because in ICT, talking as someone who is very experienced in this field, when you are conceptualizing an idea, product, or solution, you must look at the wider context. For example, if you are developing a piece of software, think widely about what other things can ride on that solution that you are building.

For example, Madam Temporary Speaker, you have seen institutions like telecommunication companies establishing a solution, and then after a short time, you hear that they want to scale it up to introduce another solution to it. Every time they do that, it is costly. That is why in ICT, we encourage that every time you are conceptualizing a solution, you must have a wider thinking. That wider thinking is not reflected in this Bill, because it is limiting a technopolis to only 2,000 acres of land. It is not making sense.

So, even as the National Assembly has processed this Bill, and now it has come to the Senate, one of the key amendments should actually be to remove this provision. Let the land use regulation be there, but do not limit the land size. That would be myopic. Moreso, because Clause 20 of the Bill, is recommending that all Government digital service, should go to Konza Technopolis City; that, tax, immigration, permit and approval, licensing of business, the Ministry of Information, Communications and the Digital Economy, and regulatory bodies like Communications Authority of Kenya (CAK) and all other ICT institutions should go to Konza City. If you say that, and you are limiting land size, then there is a problem. So, the issue of limitation of land size and having a buffer zone is not good thinking. It is not wisdom. This Senate should amend that, so that we allow scalability. That is the right word of ICT that I wanted to use.

That is why these modern countries with modern technologies have established smart cities. If you go to China, India, Russia and other countries, the smart cities have no limitation of boundaries. This is the first Technopolis that is being defined in terms of number of acres. Just look at the definition of Konza Technopolis City, for example. This is what it says-

“Konza Metropolis means all that parcel of land known as land reference No.9918/6 measuring 2023.6 hectares or thereabouts.”

Is that how you define a Technopolis? No. You cannot define a technopolis based on a definite size of land. This Bill cannot pass in the form it is in. We will have done injustice to this country. I said I am supporting you, but with some reservations.

If you look at the function of the Authority, it says that the Authority will allocate land to investors. Are we going to take away the work of Ministry of Lands, Public

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Works, Housing, and Urban Development or the National Land Commission and give it to this Authority? That must be looked into because this is another area that land grabbers will come in and allocate themselves land in Konza City and other technopolis. That must be looked into.

Madam Temporary Speaker, I am being encouraged by my colleagues to be brief. However, you know, this is my area. So, let me educate this House a bit in these areas.

Another area of concern is the composition of the Board. The Board has a Chairperson, a Principal Secretary (PS) in charge of the Ministry of Information, Communications and the Digital Economy, the National Treasury, Attorney General and five other persons appointed by the Cabinet Secretary through a competitive process. The reason why this country cannot maximize on its huge human resources in the ICT industry is because institutions that are supposed to be headed by people who understand information and technology are being headed by people who have no idea about ICT. We are repeating this mistake here. For instance, the Communication Authority of Kenya is being headed by a journalist, yet he has no idea about ICT. The ICT Authority is being headed by someone who does not understand ICT.

Madam Temporary Speaker, for the first time, I will be sponsoring an amendment to say that the Chairperson of this Authority must be someone who is educated and knowledgeable in an ICT environment either software engineering, artificial intelligence, or those kinds of things. Not just to appoint someone. You may find a politician is appointed to be the chairperson of this Authority. This Authority will not accomplish its mission.

Out of the five persons, it must be clear that at least three of those persons must be people with an ICT background. They must be attested, verified and measured experience in ICT industry. That way, we will make progress as a country. However, when we start these ICT institutions and give jobs to people who have no background in ICT, we end up not---

In the last Parliament, I came up with a Bill called ICT Practitioners Bill, where I wanted to have a legal framework to regulate the ICT profession so that we get to understand who is an expert and who is not an expert.

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Osotsi, Sen. Methu has something to inform you about what you are debating.

**Sen. Osotsi:** Sen. Methu calls me a cousin, so let me allow him to.

**The Temporary Speaker** (Sen. Veronica Maina): Proceed, Sen Methu:

**Sen. Methu:** This new arrangement is very good; now Sen. Osotsi can trust---

Madam Temporary Speaker, I just wanted to inform him in the spirit of what he is proposing, that he would want professionals to take roles on a profession that they are professionals in. I have just googled the Chairperson of the ICT Authority is called Hon. Mary Mungai and there is no known educational background of this person. Her profession is just 'businesswoman.'

**Sen. Osotsi:** Thank you for that information. All of us know who she is and her level of experience, heading a critical institution like the ICT Authority---

**The Temporary Speaker** (Sen. Veronica Maina): Is there a relationship between that information and what you were debating?

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**Sen. Osotsi:** No, Madam Temporary Speaker, he was informing me.

**Sen. Cherarkey:** On a point of order, Madam Temporary Speaker.

**The Temporary Speaker** (Sen. Veronica Maina): What is your point of order, Sen. Cherarkey.

**Sen. Cherarkey:** Madam Temporary Speaker, accuracy of facts, because he has said, he knows who she is. Accuracy of facts, does it mean that Kenyans who are not experts in--- For example, he is a forester. Should he be here?

I am not saying his name, but I think we need to protect that. This habit of Sen. Methu, like his Party Leader, *Wamunyoro*, wanting to profile the community--- Does it mean Hon. Mary Wambui Mungai, who is an established, a renowned business woman--- this is a person who has been an entrepreneur from the scratch.

*(Sen. Methu spoke off record)*

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Methu, please, let him finish.

**Sen. Cherarkey:** Hon. Mary Mungai is one of the trailblazers among women who have built their enterprise from scratch, unlike some individuals here, who have never built even a *chang'aa* kiosk.

Madam Temporary Speaker, this issue of profiling communities and individuals must stop. That is why I am saying he is mentioning her because she is a Kikuyu, and we know where he is headed.

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Cherarkey, what is your point of order?

**Sen. Cherarkey:** The point of order is under Article 10 of the Constitution. Every Kenyan has a right to sit in---

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Cherarkey, you must---

**Sen. Cherarkey:** Madam Temporary Speaker, let me just conclude, so that you can rule.

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Cherarkey

*(Sen. Sifuna spoke off record)*

Sen. Sifuna, let me finish with Sen. Cherarkey first.

Sen. Cherarkey, can you give an indication of which Standing Order you are using?

**Sen. Cherarkey:** Madam Temporary Speaker, I am using Standing Order No.105 of the Senate Standing Orders and Article 10 of the Constitution of Kenya, 2010. One of the reasons is even regional balance.

**The Temporary Speaker** (Sen. Veronica Maina): What is the point of order?

**Sen. Cherarkey:** The point of order is that Kenyans are watching. There is a perception that Kenyans who do not come from particular expertise should not be leading. I am using an example in the Senate. He is a forester. If we wanted to go for

people who know legislative drafting, he should not be here, then why profile individuals?

**The Temporary Speaker** (Sen. Veronica Maina): Okay, Sen. Cherarkey, resume your seat.

Sen. Methu, have you understood the point of order?

*(Sen. Methu spoke off record.)*

Resume your seat, Sen. Methu. I will deal with it. Let us first hear Sen. Sifuna.

Proceed, Sen. Sifuna.

Let me hear the point of order being raised by Sen. Sifuna. Give him the mic.

**Sen. Sifuna:** Madam Temporary Speaker, I rise pursuant to Standing Order No.121(1)(b). Sen. Cherarkey is in the habit of raising false points of order knowingly and using that opportunity to introduce debate that had nothing to do with what was being said on the Floor. I do not remember Sen. Osotsi mentioning the name of any tribe; neither did Sen. Methu.

Sen. Osotsi was speaking about getting people who are fit for purpose and competence. We have lost the culture of meritocracy in this country. How can you be a dairy farmer and you want to head an ICT firm? So, you just wait for somebody who has expertise and when we have a vacancy in the Kenya Dairy Board, we will call you. There is nothing wrong with that.

This issue of Sen. Cherarkey repeatedly rising on false points of order, I want to besiege the seat of the Speaker, to punish this gentleman for once. This is too much. It is too much.

**The Temporary Speaker** (Sen. Veronica Maina): Senator---

**Sen. Sifuna:** Madam Temporary Speaker, can I finish?

**The Temporary Speaker** (Sen. Veronica Maina): Yes, but I need to guide you. Refer to the conduct of Sen. Cherarkey during this proceeding, so that it confines me to give direction within what has been done now. If you refer to previous sessions, we do not have the record there. So, please, refer to what he has done now, so we can confine our directions to what he has done.

**Sen. Sifuna:** Madam Temporary Speaker, the HANSARD exists for a purpose. It is possible for us to establish conduct that is established; that it is repeated conduct. In fact, today is just one of those opportunities that have actually been given to address the question of frivolous and false points of order. Sen. Cherarkey has abused it.

The Speakership should note that there are some people here now who should not be allowed to rise on points of order. It cannot be that you are the only person who knows when other people are out of order. Can you allow Sen. Essy Okenyuri to also rise on a point of order for a change? It cannot just be Sen. Cherarkey. We are getting sick and tired of this rubbish from Sen. Cherarkey.

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Sifuna, reference to the word 'rubbish' is not a parliamentary language. Can you withdraw the reference of that word 'rubbish,' and then I deal with the direction that he needs?

**Sen. Sifuna:** Madam Temporary Speaker, deal with the infraction in the order in which they came. Deal with him, then you can deal with me.

**The Temporary Speaker** (Sen. Veronica Maina): First, withdraw that and then I deal with Sen. Cherarkey on that issue.

**Sen. Sifuna:** Madam Temporary Speaker, I withdraw.

**The Temporary Speaker** (Sen. Veronica Maina): Thank you.

Sen. Cherarkey, you may proceed.

*(Sen. Methu spoke off the record.)*

Sen. Methu, I will give you a chance, but you will now maintain silence, so that I deal with that issue before I come to you. I have given the direction on it.

Sen. Cherarkey, you were asking for a point of order. Your point of order, first of all, was not clear because you were not clear on what you were seeking from Sen. Methu. While I am on that point of order, the information that was offered by Sen. Methu to Sen. Osotsi had no relation to the Technopolis. You introduced a different organisation and cited a different chairperson. He talked about Technopolis and qualifications of people who should serve in that Technopolis, the Chairperson of the authority.

*(Sen. Sifuna, Sen. Cherarkey, Sen. Methu and Sen Osotsi consulted loudly)*

Sen. Osotsi, can you clarify whether you mentioned the Communications Authority of Kenya (CAK)?

*(Sen. Cherarkey spoke off record)*

He is here. Can you let him clarify for me? Sen. Osotsi, did you mention the CAK or ICT?

**Sen Osotsi:** Madam Temporary Speaker, I mentioned the CA.

**The Temporary Speaker** (Sen. Veronica Maina): Then that was in order for the point of information to be served.

So, Sen. Cherarkey, regarding your seeking of points of orders on several occasions, it is true that you do seek many points of order, but I would refer to the one that is with respect to these proceedings. Sometimes the points of orders you seek are unusually more than the rest of the Senators. That can be clarified from the HANSARD. Do not use unparliamentary language. You are implored to be more reasonable when seeking the points of order. For instance, the Senator is raising his hand when I am addressing and giving direction on your point of order.

Sen. Cherarkey, it is good you be reasonable in your attempt to seek points of order. While it is your right under the Standing Orders, it is important to be reasonable, so that your points of orders do not become disruptive to the debate and flow of thought of a Senator who is on his feet.

Sen. Methu, proceed.

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*(Loud consultations)*

*(Sen. Methu spoke off record)*

We will give you a chance when the House resumes

### ADJOURNMENT

**The Temporary Speaker** (Sen. Veronica Maina): Hon. Senators. It is now 6.30 p.m., time to adjourn the House. The Senate, therefore, stands adjourned until tomorrow, Wednesday, July 23<sup>rd</sup>, 2025, at 9.30 a.m.

Sen. Osotsi, you have a balance of seven minutes to finish seconding that Motion.

The Senate rose at 6.30 p.m.