



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

THE HANSARD

Tuesday, 14th October 2025

The House met at 2.30 p.m.

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

PRAYERS

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

QUORUM

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

(The Quorum Bell was rung)

(Several Members walked into the Chamber)

Hon. Members, take your seats. We now have Quorum to transact business.

PAPERS

Hon. Speaker: Deputy Leader of the Majority Party.

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

1. Legal Notice No.116 of 2025 relating to Banking (Penalties) Regulations, 2025, evidence of stakeholder engagement, Regulatory Impact Statement and Explanatory Memorandum and from the National Treasury and Economic Planning.
2. Reports of the Auditor-General and Financial Statements for the year ended 30th June 2025, and the certificates therein in respect of:
 - (a) Kenya Gold Mercury Free ASGM Project Grant No. GEF/UNDP/GOK-001088253 - State Department for Environment and Climate Change.
 - (b) National Information Platform for Food Security and Nutrition Project (Credit No. Food/2017/393-022) - Kenya National Bureau of Statistics.
 - (c) Support to Technical and Vocational Educational Training and Entrepreneurship (TVETE Project Phase III) (Loan No. 2100150042254) - State Department for Technical, Vocational Education and Training.
 - (d) Promotion of Youth Employment and Vocational Training in Kenya (Phase II) Project Loan No. BMZ 2018 65 120 – State Department for Technical Vocational Education and Training.
 - (e) Secondary Education Quality Improvement Project (Credit No. 6138-KE) – State Department for Basic Education.

- (f) Promotion of Youth Employment through scholarships phase II (“Wings to Fly IV”) Project No. BMZ-No. 2018 67 399 – State Department for Basic Education.
- (g) Promotion of Youth Employment and Vocational Training in Kenya (TVET I & II) Reference: Loan No. BMZ 2016 67, 211 & BMZ No. 2016 65 298 and Project Grant Reference No. 1930 05 527 – State Department for Technical, Vocational Education and Training.
- (h) Kenya Primary Education Equity in Learning Program IDA Grant No. D991-KE and Credit No.7067-KE and Grants Nos. TF C306-KE and TF C307-KE– State Department for Basic Education.

Hon. Speaker, the ladies behind me are distracting me. I thank you.

Hon. Speaker: Thank you. The Chairperson of the Public Investments Committee on Commercial Affairs and Energy, Hon. Pkosing.

Hon. David Pkosing (Pokot South, KUP): Thank you, Hon. Speaker. Hon. Speaker, I beg to lay the following Paper on the Table of the House:

Third Report of the Public Investments Committee on Commercial Affairs and Energy on its examination of the Report of the Auditor-General on the Financial Statements of Selected State Corporations in the Roads and Transport Sector.

Hon. Speaker: Thank you. Chairperson, Committee on Implementation, Hon. Wanjala.

Hon. Raphael Wanjala (Budalangi, ODM): Thank you, Hon. Speaker. I beg to lay the following Paper on the Table of the House:

Fourth Report of the Committee on Implementation on the implementation status of the Report of the Committee on Delegated Legislation on its consideration of the Public Procurement Regulatory Authority Circular No. 04/2025 on the enforcement of compliance with the mandatory use of the Electronic Government Procurement System (e-GPS) by all public procuring entities.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Wanjala. Member of the Delegation, Hon. Millie Odhiambo, on the Inter-Parliamentary Union (IPU)? That is deferred to tomorrow. Next Order.

NOTICES OF MOTIONS

ADOPTION OF THE 3RD PIC REPORT ON AUDITOR-GENERAL’S REPORTS ON SELECTED STATE CORPORATIONS IN ROADS AND TRANSPORT SECTOR

Hon. Speaker: The Chairperson, Public Investments Committee on Commercial Affairs and Energy.

Hon. David Pkosing (Pokot South, KUP): I thank you, Hon. Speaker. Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Third Report of the Public Investments Committee on Commercial Affairs and Energy on its examination of the Reports of the Auditor-General on the Financial Statements of selected State Corporations in the Roads and Transport Sector, laid on the Table of the House on Tuesday, 14th October 2025.

I thank you, Hon. Speaker.

Hon. Speaker: Thank you. The Chairperson, Committee on Implementation, Hon. Wanjala.

Hon. Raphael Wanjala (Budalangi, ODM): Thank you, Hon. Speaker.

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Notice of Motion, Fourth Report on the implementation status of the Report of the Committee on Delegated Legislation on its consideration of the Public....

Hon. Speaker: Hon. Wanjala, are you reading something or giving a notice of Motion?

Hon. Raphael Wanjala (Budalangi, ODM): Sorry. It is the Fourth Report on the implementation status of the Report of the Committee on Delegated Legislation on its consideration of Public Procurement Regulatory.... I am giving a notice of Motion.

Hon. Speaker: How do you start giving a notice of Motion? You say: "I beg to give notice of the following Motion".

Hon. Raphael Wanjala (Budalangi, ODM): I did that, Hon. Speaker.

Hon. Speaker: No, you did not.

Hon. Raphael Wanjala (Budalangi, ODM): Hon. Speaker, I beg to give a notice of Motion on Committee on Implementation, Fourth Report on the implementation status....

Hon. Speaker: Hon. Wanjala, this is how the format goes: "I beg to give notice of the following Motion". Thereafter, you read the draft Motion on that paper.

Hon. Raphael Wanjala (Budalangi, ODM): Hon. Speaker, that is what I have done.

Hon. Speaker: You have not done that.

(Laughter)

Hon. Raphael Wanjala (Budalangi, ODM): Okay, Hon. Speaker.

I beg to give a notice of the following Motion on the implementation status of the Fourth Report on the Implementation Status of the Report of the Committee on Delegated Legislation on its consideration of Public Procurement Regulatory Authority Circular No. 04/2025.

I beg to give notice of the following Motion. Hon. Speaker, *nimechanganyikiwa!*

(Laughter)

Hon. Speaker: Order! Be fair to Hon. Wanjala. Start from where you had left off. Just say, "Hon. Speaker, I beg to give notice of the following Motion".

Hon. Raphael Wanjala (Budalangi, ODM): Hon. Speaker, I beg to give notice of the following Motion:

Hon. Speaker: Right.

Hon. Raphael Wanjala (Budalangi, ODM): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Fourth Report of the Select Committee on Implementation on the implementation status of the Report of the Committee on Delegated Legislation on its consideration of Public Procurement Regulatory Authority Circular No. 04/2025, laid on the Table of the House on Tuesday, 14th October 2025.

(Applause)

Hon. Speaker: Thank you, Hon. Wanjala. Next is Hon. Millie Odhiambo, but she is not present.

Hon. Members, allow me to acknowledge AIC Manyatta Boys High School from Kangundo in Machakos; Kitinga Comprehensive Mixed School from Mwingi Central in Kitui and Emarit Mixed School from Kilgoris in Narok. They are seated in the Public Gallery.

On my behalf and the House, I welcome all students, their teachers and those accompanying them to the House of Parliament.

The Member for Mwingi Central, Hon. Mulyungi, asked to welcome a school from his constituency. You can do so for the rest of the schools.

Hon. Gideon Mulyungi (Mwingi Central, WDM): Thank you. Allow me to welcome all schools that are visiting Parliament today to this House. Particularly, Kitinga Primary School from my Mwingi Central Constituency. You are welcome to Parliament. I encourage you to aspire to come to this House one day and work in senior positions in the Government. When you go back home, greet your parents and tell them you visited Parliament.

(Applause)

(Hon. Raphael Wanjala crossed the Aisle and consulted another Member)

Hon. Fatuma Mohammed (Migori County, Independent): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Hon. Fatuma.

Hon. Fatuma Mohammed (Migori County, Independent): Hon. Speaker, a ranking Member has just walked from one station to another like he is in a kiosk. Here, he is walking back again. See how he is looking at me.

Hon. Speaker: Who? Hon. Raphael Wanjala?

(Hon. Raphael Wanjala crossed the Aisle and spoke off the record)

Hon. Speaker: Hon. Raphael Wanjala, what did you do?

Hon. Fatuma Mohammed (Migori County, Independent): He was speaking there. I am not a mad woman. He is even arguing while standing in the Aisle. This is a ranking Member.

Hon. Speaker: Order, Hon. Wanjala. I am advised that you just walked across the Floor of the House.

Hon. Raphael Wanjala (Budalangi, ODM): Hon. Speaker, I left here and walked like this. I was walking back.

(Laughter)

Hon. Speaker: Order, Hon. Wanjala. Go back to the Bar and bow before you go to your seat.

(Hon. Raphael Wanjala walked to the Bar and bowed)

Next Order.

QUESTIONS AND STATEMENTS

POINT OF ORDER

DELAYED CAPITATION TO SCHOOLS

Hon. Julius Melly (Tinderet, UDA): Thank you, Hon. Speaker. I rise on a point of order to bring to your attention that the Cabinet Secretary, Ministry of Education appeared before the House last week. The Principal Secretary also appeared before our Committee on the disbursement of capitation to schools. They both gave an assurance to the Committee.

(Loud consultations)

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Hon. Speaker: Order, Hon. Members. I believe you all have an interest in what Hon. Melly is saying. Go ahead.

Hon. Julius Melly (Tinderet, UDA): They appeared before the Committee and the House. They gave an assurance that they would disburse monies to all schools after a verification exercise last week. It has come to our attention that schools are in a dire financial crisis. They are about to sit for exams and close schools, but supplies and purchase of essentials cannot continue.

The House knows that national exams will begin next week, on 21st. They are the Kenya Primary School Education Assessment (KPSEA), the Kenya Certificate of Secondary Education (KCSE) and the Kenya Junior School Education Assessment (KJSEA). I want to bring to the attention of this House that the Cabinet Secretary and the Principal Secretary are supposed to be compelled to ensure that monies reach schools. We are saying this because they made a resolution when they appeared before the House and the Committee. That money shall be paid to all schools by the end of last week, after a verification exercise.

As the Departmental Committee on Education, we agreed with them to carry out a verification exercise to ascertain issues of ghost schools and ghost learners that they had put across. Up to now, many schools have not received their capitation. They are unable to purchase lab equipment on time. Therefore, they are not able to meet their requirements.

Hon. Speaker, I urge you to give us direction on this because the House does not give directions in vain. I thank you, Hon. Speaker.

Hon. Speaker: Yes, Hon. Owen Baya.

Hon. Owen Baya (Kilifi North, UDA): I would like to weigh in on this matter as the Chair of the Departmental Committee on Education, Hon. Melly, has put it well. The matter of school capitation is important. It is a dire issue. Schools have not received capitation and yet, they are about to close. Supplies to schools have stopped. We have a situation where schools are getting grounded.

I want to state here that the Speaker calls upon me to escort a Cabinet Secretary who is coming to this House to make a Statement. It should be a Statement our leadership here can stand by. It should be fool-proof and authentic. We remain in a state of shock when the opposite happens after a Cabinet Secretary walks out after giving a Statement. This is the august House where the truth and only the truth must be told. What Government officers say here about an issue must be accompanied by actions. Today, schools in Kilifi and across the country have no money. We would like the Cabinet Secretary to be back and for the money to be released from the Exchequer. Otherwise, when we have such a situation, it is an opportunity to censure a Cabinet Secretary. I would like Members of Parliament to stand against Cabinet Secretaries who are coming here and not acting on their words.

I know Hon. Jack Wamboka has the Speaker's 'ear', but also allow the Speaker to give us his 'ear' because we would like to get his direction on this matter.

Hon. Speaker: Yes.

Hon. Owen Baya (Kilifi North, UDA): We would like your direction on this matter. When a Cabinet Secretary comes here and makes pledges and commitments on behalf of the Government, and that does not happen, it demeans the authority of this House.

This House must stand firm, so that no Cabinet Secretary will come here and say things that cannot be implemented or that have not been planned. Those Cabinet Secretaries must learn that the Wednesday slots given to them to come and talk about Government policies here should not be a waste of the time of Parliament. We would like you to make a direction on whether that Cabinet Secretary came to lie to this House.

Hon. Speaker: The word "lie" is unparliamentary.

Hon. Owen Baya (Kilifi North, UDA): Let me correct that. I would like to know if he misled the House. Let me use that adage, “mislead the House?”

Hon. Speaker: Yes, Hon. Bowen. Next will be Hon. Wangari. Give Hon. Bowen the microphone.

Hon. Kangogo Bowen (Marakwet East, UDA): Thank you, Hon. Speaker. It is unfortunate for the Deputy Leader of the Majority Party and the Chairman of the Committee to lament about a Cabinet Secretary who appeared before the House and promised that he was going to release the funds. I want the Chairman of the Budget and Appropriations Committee, Hon. Atandi, to listen to me. We must treat the issue of capitation as a current expenditure by making it a first charge, just like the salaries for Members of Parliament and civil servants. Our students are suffering in schools.

I urge Hon. Atandi and the Chairman of the Departmental Committee on Education to move the capitation money from the development budget to a recurrent budget so that the monies can be distributed to schools on time.

We ask you, Hon. Speaker, to make a ruling regarding the Cabinet Secretary who appeared in the House and assured us that he was going to release the Exchequer by the end of last week and has not done so. Most schools have even closed earlier than the schedule since they have no money. We ask the Leader of the Majority Party to ensure that Cabinet Secretaries live up to their words. They just come here and tell us stories.

Thank you, Hon. Speaker.

Hon. Speaker: Yes, Hon. Wangari.

Hon. Martha Wangari (Gilgil, UDA): Hon. Speaker, last week, we conversed on this matter on this Floor quite extensively. It is very unfortunate that we are still talking about school capitation. The scandal that is simmering is quite major. If the money has left the National Treasury, where is that money sitting today? By next week, Form II and III students will be released to go home. So, who are you releasing the money to?

The matter of this House speaking in vain is quite a serious issue. We have seen Cabinet Secretaries disrespect this House. It is a problem even in the committees. More importantly, let the Cabinet Secretary explain where the money is since it was released from the National Treasury and why it is there.

Hon. Speaker: Hon. Makali Mulu.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you so much, Hon. Speaker. I have listened to the Deputy Leader of the Majority Party make his remarks, and I agree with him. However, I have my concerns. Firstly, this is not the first Cabinet Secretary to mislead this House. There is a Swahili saying that says: “*Mwiba wa kujidunga hauna pole*”, and we might have given room to some of those Cabinet Secretaries to take advantage of this House. The link between this House and the Executive is the Leader of the Majority Party and so, when we see him lamenting, we get concerned.

Hon. Baya and Hon. Ichung’wah, your job is well cut out. Provide leadership and let us do what is necessary to ensure that the House resolutions are respected.

I submit, Hon. Speaker. Thank you.

Hon. Speaker: Yes, Hon. KJ.

Hon. John Kiarie (Dagoretti South, UDA): Thank you, Hon. Speaker. We are looking forward to the direction that you will give regarding this matter. The debate in this House carries the weight of law. This House cannot debate in vain. We hope that after this conversation, you will get a direction that will carry the full weight of this House.

Administering capitation at this time is already late. This term ends next week for the Form II and III students. More importantly, disbursing the capitation in installments is an ‘elastoplast’ solution. The real malady in the Ministry of Education is the fact that if you go there, they cannot tell you the full component of the students’ population in each institution.

The capitation business is a 'black box' that this House must open and lift the veil behind the number of students in every institution.

In this day and age, technology allows us to have a dashboard that shows every student who joins or leaves school. However, if today you asked the Ministry for that data, they cannot account for how many students are in school across the country.

Additionally, the submission of this money is an issue. Even when the schools get capitation, they still ask for additional money from parents. If we were to incorporate technology in this, we would clear the school fees issue. This technology does exist. For instance, the Postal Corporation of Kenya (POSTA), which is a Government institution, has a payment solution. Since the schools are also public institutions, why is it so hard for POSTA to be the collecting agent for us to establish how many students we have in our schools and how the money can reach the schools?

I thank you very much, Hon. Speaker.

Hon. Speaker: Yes, Member for Nyando, Hon. Jared.

Hon. Jared Okello (Nyando, ODM): Hon. Speaker, I thank you very much. I also want to delve into this matter. As it has been alluded to, schools will proceed for the long break and report back in January 2026. As we speak, the second term's capitation has not been submitted to schools in total, and, therefore, there is a huge backlog that needs to be addressed by the Ministry of Education.

Hon. Speaker, I will be remiss not to remind the House that towards the end of the last financial year, which is 30th June, the National Treasury had already submitted all the monies owed to counties. The National Government Constituencies Development Fund (NG-CDF) had also been submitted to our accounts. That is the epitome of expertise by the Cabinet Secretary for the National Treasury and Economic Planning. Therefore, if funds have already been disbursed to the Ministry of Education, we only need to look at the paper trail to find out exactly where they are and why they are gathering dust where they should not be. Our teachers are suffering as they take care of our children amidst a difficult economy. Therefore, it is incumbent upon this House, through you, Hon. Speaker, to make an equivocal pronouncement as to what needs to happen between now and next week before the schools break for the long holidays.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Murugara.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Speaker. Education matters are becoming more emotive than land matters in this country. Every citizen should be concerned, especially where education matters are not right.

Students have just completed their third term of the school year. In the Eastern region where drought and lack of water and food are rampant, students had to scrape through school without food and water. Those students are about to sit for their national examinations without food or water because of lack of capitation.

It is high time that this House stood its ground. We are being taken for granted especially by Cabinet Secretaries. The House recently debated the Electronic Government Procurement System (e-GP) and made a decision. Interestingly, we hear in the media some Cabinet Secretaries faulting the House for doing the right thing. It is high time we held the Executive to account. Cabinet Secretaries should stick to their word and carry it out.

The question still lingers: Where are the capitation funds? Why are our children sitting for their exams under very difficult circumstances when this House has provided capitation for them? Somebody somewhere should answer those questions.

Thank you, Hon. Speaker.

Hon. Speaker: I want to bring this to an end. Hon. Kaguchia.

Hon. Kaguchia John (Mukurweini, UDA): Thank you, Hon. Speaker. People in this Republic seem to think that the National Assembly is playing second fiddle to the Executive, and that its authority has been greatly watered down. Our people seem to think so because the Executive does not take any decision of this House seriously.

Education is important in our Republic. We have appropriated funds for the education sector, particularly capitation to our primary and junior secondary schools, but the Cabinet Secretary not only dilly-dallies, but he also misleads the House by promising to release the money and yet he does not. That, in a big way, indicts our authority as a House. It is my considered opinion that we should take it upon ourselves as a House to not only summon those Cabinet Secretaries, but to also take serious action against them.

Many people rightly think that most of the funds allocated to capitation for our schools have been removed from the budget and redirected to other unnecessary issues such as empowerment projects in the countryside. They believe that, that is why we do not have money for schools, the Social Health Insurance Fund (SHIF) and other productive areas of our economy. Looking at the gravy train that Cabinet Secretaries are engaged in, including projects such as Security *Mashinani*, most funds are being incorrectly spent.

Hon. Speaker: Order, Hon. Kaguchia. Focus on the matter before the House. We are talking about capitation. You are wandering all over.

Hon. Kaguchia John (Mukurweini, UDA): Hon. Speaker, regarding the issue of capitation, some schools have submitted the names of some students in their schools, but other names are still missing. Therefore, they receive insufficient capitation that does not cater for all the students because some of the students' names have not been captured in the system. Some schools have as little as only half the student population that are captured in the system and yet, the schools have registered all the students. This is becoming a big problem.

Also remember that even if this capitation is sent to the schools, they will be unable to procure supplies because the e-GP system is not working, and most suppliers are not supplying the schools. Schools are experiencing problems procuring supplies because the e-GP system is not working.

This House had taken a stand and given a way forward, but the Executive has refused to follow the directions of the House. It is high time that we took action and stood firm as a House, so that we guide this country in the right direction.

Thank you, Hon. Speaker.

Hon. Speaker: Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. Let me begin from where Hon. Kaguchia has stopped.

First, as Members of Parliament, we have a duty and responsibility bestowed upon us by the Constitution to oversee the Executive. That is what Hon. Makali Mulu was speaking about. He referred to me and said that my work is well cut out for me. However, I would like to paraphrase him and say that our work as Members of Parliament is well cut out in the Constitution to ensure that we offer meaningful oversight and represent our people. I thank the Chairman of the Departmental Committee on Education, Hon. Melly, for offering meaningful oversight over the Ministry of Education, and also representing millions of our children in school who deserve to get timely capitation.

I do not want to dwell on what Hon. Kaguchia was talking about because it is largely political and has nothing to do with oversight and serious House work. However, when Cabinet Secretaries appear before the House, whether in Committee or in plenary on Wednesday afternoons, they must be cognisant that they are coming to answer Questions that have been asked by Kenyans. Hon. Melly stated that the Cabinet Secretary for Education made a commitment during a Committee meeting. He also made a commitment last week on Wednesday when he came to the House. However, he has not fulfilled any of the commitments.

That tells the House that he is not serious about his work. We ask not only the Cabinet Secretary for Education, but all Cabinet Secretaries to uphold their promises to the House. If they cannot uphold their pronouncements to the House, the onus is on them to communicate to the House about the challenges they are experiencing. I will be reaching out to the Cabinet Secretary for Education to find out what challenges he has been experiencing that have prevented him from disbursing those monies on time.

I listened to the conversation last week when the Cabinet Secretary was present during plenary. There were suggestions to release part of the money as the verification process is ongoing. If the estimation is that 50 per cent of the names in the system are legitimate students, then disburse 50 or 60 per cent of the money as you verify the rest. Those are some of the challenges that I would want to hear the Cabinet Secretary speak about. I will be reaching out to him so that if the challenge is within his Ministry, he notifies the House. He cannot appear before the House and make a pronouncement that he does not intend to fulfil. I am cognisant of exchequer challenges in the National Treasury, which could contribute to this problem. However, the Cabinet Secretary should come out and tell us if that is the case. I offer to reach out to him and, probably tomorrow afternoon, I will be in a position to give a detailed response to the House on the matter of capitation.

I would also like to take this opportunity to ask all the Cabinet Secretaries to take the commitments they make to the House seriously. They should know that those commitments are not made to Members of Parliament but to the people who have put them in those offices. When Members of Parliament request for statements or ask questions, they do so on behalf of the people they represent. Therefore, when a Cabinet Secretary comes before us to respond to any issue, they should make sure that whatever they tell us is something they intend to do without fail or unnecessary delays.

Hon. Speaker, I was watching this debate from my Office as I attended to other people there. I had to excuse myself to come and attend to this issue in person. Therefore, I commit to get a detailed response from the Cabinet Secretary, and give it to the House tomorrow afternoon.

Thank you, Hon. Speaker.

Hon. Speaker: Leader of the Majority Party, I want us to do better. There is a common Christian saying that if you can access Jesus, you do not need John the Baptist. I direct you to get the Cabinet Secretary here tomorrow at 3.00 p.m., to speak for himself and his Ministry. He should know that any promises and pronouncements on the Floor of this House cannot be in vain. So, tomorrow at exactly 3.00 p.m., he should be on the podium.

(Hon. Raphael Wanjala rose in his place)

Hon. Wanjala, what is it?

Hon. Raphael Wanjala (Budalangi, ODM): Thank you, Hon. Speaker. I do not want to debate on this matter because you have given direction. But I would like to ask the House, especially the Leader of the Majority Party and the Office of the Clerk, that when such commitments are made but not fulfilled, they need to identify them. The Committee on Implementation is supposed to implement all resolutions passed by this House. We have powers to sanction the Cabinet Secretaries who do not fulfil their promises. If we have the records, we can sanction one or two Cabinet Secretaries and then we will play the game.

Hon. Speaker: Hon. Raphael Wanjala, you are confessing failure of your Committee.

(Laughter)

Hon. Raphael Wanjala (Budalangi, ODM): Hon. Speaker, we have not received those House resolutions.

Hon. Speaker: You have a duty, as a committee, through the system of Parliament, to have all resolutions of this House on your table, whether they are brought to you or not. This is because you are a Member of this House.

(Hon. Raphael Wanjala spoke off the record)

Pull up, Hon. Wanjala. Yes, Leader of Minority Party.

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, first, I thank you and the Leader of the Majority Party, for assuring the House that we will get a comprehensive answer from the Ministry of Education tomorrow. There is a serious confusion in our country because the Executive has forgotten that they are answerable to Parliament, whose role is oversight. This is where the Executive is held accountable. Many of them think that they can do and say whatever they want, and go scot-free. We sit in this House four times every week for purposes of overseeing the Executive.

I have also had a problem with the Ministry of Education. Hon. Speaker, recently, an audit report concerning that Ministry was tabled here and you committed it to a committee of the House. As the committee was looking into that audit report, the Principal Secretary of that Ministry was on television saying that they will amend it. I wonder whether we changed the way we do things or we are in a new country. I thought we have to wait until the committee finishes their work and reports back to Parliament, before we can amend any audit report.

Honestly, I was shocked when I saw him speaking to the public, in broad daylight, that they will amend that audit report. He has no powers to amend any report by the Auditor-General. He has to answer to Parliament on why that audit query has been raised.

Hon. Speaker: He has no authority to amend anything in Parliament, leave alone a report.

Hon. Junet Mohamed (Suna East, ODM): To borrow from the Hon. Speaker's words: "He has no authority to amend anything in Parliament." Hon. Speaker, from that day, I realised that there is a problem in that Ministry. The Principal Secretary has been going around telling Kenyans that they are doing an audit of schools for capitation. You cannot take a whole year to audit the number of schools and students in those schools. The Government has all the tools and machinery to know, in less than 24 hours, how many students they have in a school and the number of schools in the country. Therefore, this is a way to circumvent the budget that we allocated to the Ministry so that schools do not receive their capitation.

As a House, we have done our work. We have budgeted and appropriated for the capitation funds. It is now the responsibility of the Executive to send those monies to the schools. If they have failed, then we have to take action, as a House, and bring their names to the Floor so that we can deal with them thoroughly.

In conclusion, there is a lot of incompetency in the Ministry. Leader of the Majority Party, if the House does not get a satisfactory answer tomorrow, then Parliament will exercise its constitutional mandate. We know what to do.

Thank you, Hon. Speaker.

Hon. Speaker: Members with issues on this matter, hold your horses to tomorrow. The Cabinet Secretary would be here tomorrow at 3.00 p.m.

(Hon. Wanami Wamboka spoke off the record)

On the same issue? Yes, Hon. Wamboka, go on.

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

I appreciate your Ruling on this matter. I just want to bring to the attention of this House that the same Principal Secretary that my able Leader of the Minority Party is talking about, amended the budget of this House. He re-appropriated the budget of this House. After this House appropriated money for specific schools for infrastructure development, that Principal Secretary went ahead, pulled together those monies and decided to pick new schools where he had interest in, and sent the money to them. He is rogue! We should have this in mind as we prepare to face the Ministry tomorrow. The House must be aware that someone is usurping the powers of this House.

Hon. Speaker: Leader of the Majority Party, *umesikia hiyo*? Order Members, allow me to acknowledge, in the Speaker's Gallery: Kisii University students from the School of Law, Kitutu Chache North, Kisii County. On my behalf and that of the House, I welcome them to Parliament.

Thank you.

(Hon. Clive Gisairo rose in his place)

Yes, Hon. Gisairo, do you want to speak to the same issue that I have closed?

Hon. Clive Gisairo (Kitutu Masaba, ODM): No, Hon. Speaker.

Hon. Speaker: Okay, go on.

Hon. Clive Gisairo (Kitutu Masaba, ODM): Thank you, Hon. Speaker. I would like to raise a matter of concern. Departmental Committees are an extension of this House. The conduct of Members and witnesses in committees is wanting. They should simply follow the rules of this House. Today, in the Departmental Committee on Health...

Hon. Speaker: Order. Take your seat. You are out of order. We will now move to Requests for Statements.

REQUESTS FOR STATEMENTS

Hon. Speaker: Hon. Adan Wario, Go ahead.

Hon. Adhe Guyo (North Horr, KANU): Hon. Speaker, I am Hon. Adhe Wario, not Adan Wario.

Hon. Speaker: Pardon?

Hon. Adhe Guyo (North Horr, KANU): I am Hon. Adhe Wario.

Hon. Speaker: Yes, Hon. Adhe Wario, Member for North Horr.

NON-UTILISATION OF WIND POWER IN NORTH HARR CONSTITUENCY

Hon. Adhe Guyo (North Horr, KANU): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a statement from Chairman of the Departmental Committee on Energy regarding the non-utilisation of wind power potential.

North Horr Constituency is the home of Bubisa, Hurri Hills and El Gade wind farm sites. Power projects that were conceptualised to tap into the renewable energy resources of Marsabit County.

In as much as feasibility studies were undertaken on the wind power to confirm the viability of those projects, their significant potential remains untapped.

Notably, Bubisa Wind Farm Project records average wind speed of 11 metres per second, with the stable wind regimes ranking it among the most viable regions for the wind energy generation in Sub-Saharan Africa. The utilisation of the wind farm power project has the potential to contribute to the national development priorities, including support for

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industrialisation under the Vision 2030, improved access to affordable and renewable energy and attainment of Sustainable Development Goal 7 (SDG 7), on affordable and clean energy.

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

1. Plans in place to tap into wind power potential in Bubisa, Hurri Hills and El Gade wind power projects, including the steps taken towards licencing and development of the projects.
2. Measures being undertaken by the Ministry of Energy and Petroleum to fast-track the implementation of a clear policy for harnessing the wind power potential in North Horr Constituency.
3. Specific timelines within which the Ministry intends to allocate resources and commence development of wind power projects in North Horr Constituency.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Wario. Chairman, Departmental Committee on Energy?

Hon. Lemanken Aramat (Narok East, UDA): Hon. Speaker, we ask for two weeks.

Hon. Speaker: In two weeks, we shall be on recess. Let it be three weeks.

Hon. Lemanken Aramat (Narok East, UDA): Thank you.

Hon. Speaker: Hon. Peter Masara.

STATUS OF CONSTRUCTION OF MARINDI MARKET IN MIGORI COUNTY

Hon. Peter Masara (Suna West, ODM): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a statement from Chairman of the Departmental Committee on Housing, Urban Planning and Public Works regarding the status of construction of Marindi Market in Migori County.

The Suna-Marindi Market is a project by the Kenya National Highway Authority (KENHA), as part of the Isebania-Kisii-Ahero Road upgrade. The project which was commenced more than five years ago, was projected to be funded through a partnership between the Africa Development Bank (AfDB)...

(Loud consultations)

(Several Members stood in the gangways)

Hon. Speaker: Order, Hon. Members. Hon. Bedzimba, if you want to converse with your colleague, sit next to her and talk. Hon. Elisha Odhiambo, if you want to talk to Hon. Wanjala, sit next to him and talk. This includes all the Members who are up on their feet. Go on, Hon. Masara.

Hon. Peter Masara (Suna West, ODM): Hon. Speaker, should I start afresh?

Hon. Speaker: Go ahead.

Hon. Peter Masara (Suna West, ODM): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a statement from Chairman of the Departmental Committee on Housing, Urban Planning and Public Works regarding the status of the construction of Marindi Market in Migori County.

The Suna Marindi Market is a project by the Kenya National Highway Authority (KeNHA) as part of the Isebania-Kisii-Ahero Road upgrade. The project which was commenced more than five years ago, was projected to be funded through partnership between African Development Bank (AfDB), the national Government and the County Government of

Migori. Traders operating along the Ahero-Isebania Road were displaced to pave way for the project. Regrettably, those traders are yet to be compensated or offered an alternative marketplace while construction remains incomplete. The delay in completion of the market has led to the disruption of livelihood of the traders.

Hon. Speaker, it is against this background that I request for a statement from the Departmental Committee on Housing, Urban Planning and Public Works on the following:

1. The status of the construction of Suna-Marindi Market in Migori County, including funding arrangements and the expected date of completion.
2. Measures that have been put in place to compensate traders operating around Suna-Marindi Market and along Ahero Isebania Road who were displaced following the commencement of the project

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Chairman, Departmental Committee on Housing, Urban Planning and Public Works? Hon. Owen Baya, inform the Chairman to bring a response in three weeks.

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

Hon. Speaker: Hon. Faith Gitau.

AUTOMATED PARKING MANAGEMENT AT JKIA

The request for that statement is deferred to Thursday.

(Request for Statement deferred)

Hon. Umulkher Harun, your name is misspelled. Are you Haun?

Hon. Umulkher Harun (Nominated, ODM): Harun.

Hon. Speaker: Go ahead.

SAFETY OF AVIATION TRAINING INSTITUTIONS' AIRCRAFTS

Hon. Umulkher Harun (Nominated, ODM): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a statement from Chairman of the Departmental Committee on Transport and Infrastructure regarding the safety of aircrafts operated by aviation training institutions in Kenya.

Over the past two years, Kenya has experienced a disturbing increase in air accidents, many of them involving aircrafts from local flight training schools. Notably, in January 2025, a light aircraft identified as 5Y-CDC crash-landed into a building in Malindi resulting in the death of three civilians on the ground. In March 2025, a training aircraft from the Kenya Flying School crashed in Voi while attempting to land at Ikanga Airstrip leading to the death of the student pilot. Other incidents include the crash-landing of aircraft 5Y-FSA in a field near Oletepes in November 2024, and aircraft 5YPSG in Nairobi National Park in September 2024. Particularly devastating, was the March 2024 mid-air collision involving a Safarilink Aviation Flight 53 and a Cessna 172 operated by a flying school, which resulted in the death of both the student pilot and instructor. Those accidents highlight the urgent need for enhanced oversight and safety measures within the aviation training institutions.

Hon. Speaker, it is against this background that I request for a statement from Chairman of the Departmental Committee on Transport and Infrastructure on the following:

1. A report on the condition of light aircrafts utilised by the aviation training centres in the country, including the frequency and adequacy of inspections of both aircrafts and airstrips to safeguard student pilots and instructors.
2. Measures that have been put in place by the Ministry of Roads and Transport to designate alternative training airstrips, particularly in open spaces which are clear of obstacle and away from dense urban settlements
3. The steps that are being taken by the Ministry to review and strengthen policies, regulations and legislations aimed at improving aviation safety standards in the country

Thank you.

Hon. Speaker: Thank you, Hon. Harun. Chairman, Departmental Committee on Transport and Infrastructure. Hon. Didmus.

Hon. Didmus Barasa (Kimilili, UDA): Thank you, Hon. Speaker. We will respond when we resume from recess.

Hon. Speaker: Three weeks.

RESPONSE TO STATEMENTS

STATUS OF INVESTIGATIONS INTO CHILD TRAFFICKING AND SEXUAL EXPLOITATION CASES IN MAI MAHIU

Hon. Speaker: Is Hon. Leah Sankaire in the House?

(Response to Statement deferred)

Is Hon. Dorice Donya in the House?

(Hon. Fatuma Mohammed spoke off the record)

Yes, Hon. Fatuma, what are you saying?

Hon. Fatuma Mohammed (Migori County, Independent): She has stepped out to the small room. You can guess what that is.

Hon. Speaker: Hon. Francis Sigei. Chairman, Departmental Committee on Trade, Industry and Co-operatives? Hon. Shinali, is that you?

Hon. Bernard Shinali (Ikolomani, ODM): Yes.

Hon. Speaker: Do you have the response to Ambassador Sigei?

Hon. Bernard Shinali (Ikolomani, ODM): Hon. Speaker, it would be ready shortly.

Hon. Speaker: Pardon.

Hon. Bernard Shinali (Ikolomani, ODM): I am not yet ready.

Hon. Speaker: Until when?

Hon. Bernard Shinali (Ikolomani, ODM): Maybe, if I am given a chance after 20 minutes.

Hon. Speaker: 20 minutes?

Hon. Bernard Shinali (Ikolomani, ODM): Yes.

Hon. Speaker: The House cannot sit and wait for you to be ready. I will give you 20 minutes. Look for the response. Let us go back to number two, Hon. Dorice Donya. Is the Chairperson, Departmental Committee on Trade, Industry and Co-operatives ready? You are not ready either?

(Hon. Bernard Shinali spoke off the record)

Let us go to number four, Hon. Martha Wangari, are you in the House? Chairperson Departmental Committee on Transport and Infrastructure, Hon. Didmus, are you ready?

Hon. Didmus Barasa (Kimilili, UDA): Yes, Hon. Speaker.

Hon. Speaker: Go ahead.

DEPLORABLE CONDITION OF A ROAD IN NAKURU COUNTY

Hon. Didmus Barasa (Kimilili, UDA): Thank you, Hon. Speaker. Hon. Martha Wangari, Member for Gilgil, requested for a statement regarding the deplorable condition of the Elementaita-Mitimingi-Mau Narok Road in Nakuru County. Hon. Martha Wangari, in the request, sought the following:

1. The reasons as to why Elementaita-Mitimingi-Mau Narok Road in Nakuru County is in a deplorable state and yet, the project for its construction has not been completed.
2. A report on the current status of the contract for the said road, particularly with regard to the un-finished Kirimu River Bridge.
3. The actions taken by the Ministry of Roads and Transport to have the repair works of the sections of the roads that are in deplorable condition.
4. An indication on whether the contractor undertaking the construction works is the same entity that has been previously been blacklisted for substandard work in other regions of the country.

Hon. Speaker, the Committee received a response from the Ministry of Roads and Transport on 9th October 2025, which I now wish to make.

The Ministry is aware that the sections of the Elementaita-Mau Narok Road are in poor condition. This is as a result of the contractor, M/S Nyoro Construction Company Limited, withdrawing from the site for a considerable amount of time.

The Ministry reported that the 23-kilometer Elementaita-Mau Narok Road project is 81 per cent complete in regard to its overall progress. The project which commenced in 2017 was originally intended for completion in 2019 after a 24-month construction period. The contract was awarded to M/S Nyoro Construction Limited at a tender sum of Ksh1,076,760,246.99. The contractor has since delayed finishing the project citing financial constraints. The Ministry has no record of a pending bill as at 31st December 2024, nor has there been any certificate generated as of 30th June 2025.

Regarding the actions taken by the Ministry of Roads and Transport to have repair works of the sections of the road that are in deplorable condition, the contractor is under instructions to maintain the entire road to a motorable condition ahead of the completion of works. This shall be undertaken upon resumption of works.

On whether the contractor undertaking the construction works is the same entity that has previously been blacklisted for substandard work in other regions of the country, the Ministry submitted that it is unaware of the referenced blacklisting of M/S Nyoro Construction Limited. I can confirm that the Cabinet Secretary has confirmed that he will report back to the Committee on when the contractor will be on site. The contractor has been given notice to go to the site and repair the deplorable section.

Thank you, Hon. Speaker. I table the response.

Hon. Speaker: Hon. Wangari.

Hon. Martha Wangari (Gilgil, UDA): Thank you, Hon. Speaker. Sometimes, I wonder if the Cabinet Secretaries take any time to go to the ground before responding to these statements. That road has been under construction since 2017. They are saying that it is now at

81 per cent. I dare say that there are more potholes in this road than on any other existing road. That road connects Njoro and Gilgil. If you are headed to Maasai Mara and you are in Kikopecy, you just take a shortcut through this road. It is a critical road.

My follow-up question is that, first of all, that road is not at 81 per cent. At most, it is at 15 per cent if I cumulatively put together the amount of *lami* on that road for the 24 kilometres.

Secondly, I am lucky to have been in this House since the 11th Parliament. I remember when I was in the Senate, that M/S Nyoro Construction Limited contractor was actually flagged out by the Senate that time, for blacklisting. This is because there were demonstrations in Murang'a where he had roads. He also had roads in Nakuru, Nyandarua and elsewhere. For the Ministry to say that they are not aware, they can check the *Hansard* in the 11th Parliament. The contractor is notorious. There is no work that is going on at all. If the Ministry says there are no pending bills for that road, does it mean that it has all been paid? And for what? That clarification needs to come to the Floor.

Hon. Speaker: Hon. Didmus.

Hon. Didmus Barasa (Kimilili, UDA): Hon. Chair, I am happy to report that I will be going for...

Hon. Speaker: Which Chair are you addressing?

Hon. Didmus Barasa (Kimilili, UDA): Hon. Speaker, I beg your pardon. I have just assured the Member for Gilgil that I will be going to Maasai Mara this weekend. Therefore, I will personally drive along that road and undertake to bring a substantive answer when we come back from recess, on the actual works done and when the contractor, M/S Nyoro Construction Limited, will be back on site. This is considering that the Cabinet Secretary has said that they do not have any pending certificates. Meaning, the contractor was paid all the money as per the works done. He, therefore, needs to go back and complete the road section in accordance with the contract which he signed. I, therefore, undertake to bring a substantive answer when we come back from recess. I assure Hon. Martha Wangari that before we come back to this House, I will ensure that whatever the Cabinet Secretary will give us, is satisfactory and in accordance to her expectations. She is a very hardworking Member of Parliament.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker.

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

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I just wanted to add a word to the Vice-Chairperson of the Departmental Committee on Transport and Infrastructure. That he should probably consider pushing the Ministry to get that contractor... Since the Moi days, M/S Nyoro Construction Limited is known not to complete any road projects. Why the Ministry continues to award contracts to contractors who do not perform is not understandable. I ask the Vice-Chairperson that, if this contractor is not able to complete that road, he should get the Ministry to push that contractor to assign that road to a contractor who will. It is not fair that other contractors have been paid their pending bills and are back to the roads, but some are yet to get back to their roads. There are also a few Chinese contractors who are like that. I had a road in Chogoria last week. If the Member for Maara was here, he would tell you that China Jiangxi International Economic and Technical Cooperation Co. Ltd. (CJIC), was also paid, and is yet to get back to the road.

Therefore, the Vice-Chairperson needs to pick up all those issues; whether it is M/S Nyoro Construction Limited or CJIC. If contractors have been paid, they must get their tractors back on the roads. Any contractor who is not able to get back, should be pushed by the Ministry to re-assign those roads to contractors who can perform.

Thank you.

Hon. Speaker: Hon. Sunkuli.

Hon. Julius Sunkuli (Kilgoris, KANU): While I agree that M/S Nyoro Construction Limited contractors have a very bad name, I rise because the Chairperson, Hon. Didmus, said

that this weekend, he would be going to Maasai Mara. I request that while he is there, he should also check on the road from Kilgoris to Esoit, which also goes to the Mara, and understand why after the contractor was terminated, the road has not been completed, and is now dilapidated. This will help him bring us a fuller picture. Let him enjoy his stay in the Mara, but let him keep his eyes open on those roads that are going to Mara.

Hon. Speaker: Hon. Maungu.

Hon. Dick Oyugi (Luanda, DAP-K): Thank you, Hon. Speaker. I also wish to ride on what Hon. Didmus has actually alluded to, about Nyoro contractors. We have situations across the country that contractors have been paid...

Hon. Speaker: Is it Nyoro contractors or Nyoro construction? What are they called?

Hon. Dick Oyugi (Luanda, DAP-K): Or it is Wamunyoro. I did not know what it really means. But it might be Wamunyoro, and that is why we have these challenges.

(Laughter)

My main issue was that, apart from M/S Nyoro Construction Limited contractors that he has mentioned, we have others like Hayer Bishan Singh & Sons Ltd who were awarded a contract in 2014 in Luanda Constituency. But that person seems to have no capacity despite having been paid all his money. As the Vice-Chairman embarks to look into this issue, it will also be good to come up with a report of contractors across the country, who have been paid all their money but have not gone back to site. Such contractors should be blacklisted and not given any other contract going forward.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Parto.

Hon. Patrick Ntwiga (Chuka/ Igambang'ombe, UDA): Thank you, Hon. Speaker. I rise on the same issue. We have contractors in this country who were awarded contracts to build roads, but they closed shop long time ago.

In my constituency, there is a contractor called Westbuild General Contractors, who closed the company and stopped construction works, but he still holds projects in the constituency like the Chuka University Access Way. In every budget, we allocate money for that Road, but he cannot be paid because he closed shop. The money, therefore, goes back to the National Treasury. Since I came to Parliament, we have been allocating money to that road. Why the Ministry does not cancel that contract and give it to somebody else remains a wonder to me. The same thing is happening to Chogoria-Weru Road in Tharaka Nithi County. The Road is now under the third or fourth contractor. I wonder where the Ministry gets those briefcase contractors from. Every contractor that reports to Chogoria-Weru Road brings along two tractors and two lorries. In three months, the contract gets cancelled and is given to another contractor. That project has continued to shame the very Government that is so committed to finishing that road.

Therefore, Hon. Speaker, I am requesting that the contracts for construction of Chogoria-Weru Road and Chuka University Access Way be cancelled and be given to other contractors who have the capacity to finish the work. Thank you. Hon. Speaker.

Hon. Speaker: Can we end here on this matter? Yes, Hon. Dawood. What is it? Which side of the House are you seated?

Hon. Rahim Dawood (North Imenti, Independent): Hon. Speaker, I sit in the Departmental Committee on Transport and Infrastructure. I would want the Vice-Chairman to invite Nyoro Construction Limited to appear before our Committee so that we can get to the bottom of this matter. Those two contractors, Nyoro and Tripple Eight Construction, are notorious. In Meru County, it took them eight years to do less than a kilometre of road. By the

time they finished, the road was so bumpy that you could not even drive on. We need to get to the bottom of this matter as the Departmental Committee on Transport and Infrastructure.

Thank you, Hon. Speaker.

Hon. Speaker: Yes, Hon. Murugara.

Hon. George Murugara (Tharaka, UDA): Hon. Speaker, the other thing that puzzles me is this: We have been assured by the Cabinet Secretary for Roads, Transport and Public Works that most of those contractors have been paid. For that reason, they should have resumed work. However, if you engaged some of those contractors, they would confess that what they were paid is minimal and, therefore, they are not able to do much even if they resumed the construction of the roads.

I have a road that has stalled for the last 15 years. It is in a pathetic state, and purely because it is a briefcase contractor who got all the contracts in the country. He did almost nothing! He even refused to assign the roads to anyone who could do it until he was coerced to do it. Right now, the Chinese company that has come in is complaining that it is not being paid well. Therefore, the Ciakariga-Marimanti Road continues to get into the sixteenth and seventeenth year without completion. I have now seen a re-advertisement that is supposed to be redone. That makes me curious as to who is going to do it and where the funds will come from. Unless a full disclosure is made by the Ministry of Roads, Transport and Public Works that we must take the works on those roads seriously, we should not go round in circles when we have roads pending for the last 15, 16 or 17 years. I have given an example of the Ciakariga-Marimanti-Gatunga Road, which must now be completed at all costs. This is because the citizens are concerned as to whether we are serious in trying to build that road or we are there to show people that something is happening when in actual sense, there is nothing much that is happening.

The Ministry of Roads, Transport and Public Works must take it up very seriously. It must commit funds to the satisfaction of the contractor and the public so that those roads are completed and used by our voters, especially in Tharaka Constituency.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. David Ochieng'

Hon. David Ochieng' (Ugenya, MDG): Hon. Speaker, sometimes I wonder whether we just advertise construction of roads to make our people happy or we intend to do them. The picture painted in Chogoria, Gilgil, and other parts of the country is the same everywhere. In Ugenya, we have a road whose construction was advertised in 2021. Six years later, we only have two kilometres of tarmac done and yet there is a contractor on the road. Money is available and the contractor is not owed any money. The Ministry of Roads, Transport and Public Works must not only deal with the contractors, but it must also check, within the Ministry, for mischief in the Kenya Rural Roads Authority (KeRRA), Kenya Urban Roads Authority (KURA) and Kenya National Highways Authority (KeNHA) engineers, that keep approving those contractors to continue being on those roads.

How can a contractor be on the road for 12, eight or six years and yet, only one kilometre of the road is done? If you check in the Bills of Quantities (BQs) on how much money is spent, so much of it goes back to supervision and evaluation. Government engineers earn salaries but still earn money from the ongoing constructions. I believe that as Parliament, we must be disciplined, especially in the way we manage road construction in the country. It should not only be about the tendering process, but also how we manage the whole process. How does a 12-kilometre road take 10 years to build? How do you build one kilometre of a road per year and yet, the contractor who has equipment at the site is being paid for redundant equipment? As long as there is equipment at the site, the person gets paid every now and then as the interest also keeps accruing.

Therefore, we keep on paying contractors for the interest that they have not earned, with the money that is approved for road construction. As Parliament, we must instill discipline in the road construction exercise in the country.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Didmus. Have you heard all the concerns?

Hon. Didmus Barasa (Kimilili, UDA): Yes. I have taken note of all concerns from Hon. Members. I undertake to get much deeper into this matter to understand why that contract has taken so long. I will also come up with steps that the Ministry is going to take to ensure that, in the event that a contractor deserts site, he is kicked out and the remainder of the road is repaired under his cost. That way, we will not have a scenario where Kenyans lose their money like the residents of Gilgil who continue to suffer because of the behavior of a contractor.

I also want to retrieve the notice that cited that contractor from the archive. We can renew it to ensure that, that contractor is not given work again in the country because he seems to be in a conduit with some people. Kenyans are losing a lot of money. I undertake to come back before the House with a substantive answer that I am sure will be satisfactory to the Member. I am talking of when we come back from recess.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. We will revisit the matter in the first week after recess. Hon. Ambassador Sigei, are you in the House?

Hon. Francis Sigei (Sotik, UDA): Yes, Hon. Speaker.

Hon. Speaker: Hon. Shinali, are you ready now?

Hon. Bernard Shinali (Ikolomani, ODM): Yes.

Hon. Speaker: Okay, respond to Ambassador Sigei's Request for Statement

STATUS OF UPGRADING OF NEW KCC MILK PROCESSOR PLANT IN SOTIK CONSTITUENCY

Hon. Bernard Shinali (Ikolomani, ODM): Thank you, Hon. Speaker. I want to give a follow-up response to a statement requested by Hon. Ambassador Francis Sigei, Member of Parliament for Sotik Constituency on the status of the New Kenya Co-operative Creameries (KCC) Sotik Factory.

I thank you for giving me the opportunity to present a follow-up response by the Departmental Committee on Trade, Industry and Co-operatives regarding the status of the upgraded New KCC Sotik Factory. This detailed response follows further consultations and a ground verification visit which was undertaken after concerns were raised about the initial submission to this Honourable House.

Hon. Speaker, on the modernisation progress, the Committee affirms that the modernisation of the New KCC Sotik Factory has been successfully undertaken, with a total investment of Ksh153 million between financial years 2016/17 and 2020/2021. The funds were utilised to replace obsolete machinery, enhance production efficiency and improve plant reliability, thereby positioning the factory as a key processing hub within the region. On the issue of ongoing production activities, during the site visit, the Committee confirmed that the production of fermented milk (*mala*) and fresh pasteurised milk is ongoing at the New KCC Sotik Factory. This clarification addresses earlier uncertainties and affirms that the facility is fully operational, contributing to value addition within the dairy sub-sector.

On enhanced processing capacity, following modernisation, the New Kenya Co-operative Creameries' (KCC) total national processing capacity has increased from 300,000 litres per day to 875,000 litres, with Sotik contributing an additional 100,000 litres per day.

On improved farmer earnings and market assurance, the Committee observed that the dairy farmer payments in the Sotik cluster have grown from Ksh640 million in the 2018-2019

Financial Year to Ksh1.05 billion in the 2023-2024 Financial Year. The introduction of a rolling 14-day payment cycle and the establishment of a revolving fund have further strengthened liquidity, improving payment timelines.

On labour and staff welfare, the upgraded Sotik factory currently employs 1,052 permanent staff and 1,154 casual workers engaged on a need basis depending on production volumes. The Committee noted that the management has initiated a review of the wage structure and overtime policies to ensure timely compensation and full compliance with labour laws.

On strengthened farmer participation, the Committee noted that farmers are now more actively involved in New KCC operations through structured co-operative societies, regular consultation meetings, and extensive services. Those interactions promote inclusivity, improved production, and enhanced transparency in milk collection and payment processes.

On energy efficiency and quality assurance, the Committee notes that the factory has invested in energy-saving motors and improved cleaning in-place systems. Those measures promote environmental sustainability, reduce costs, and guarantees consistent productivity and quality.

On oversight and accountability framework, to ensure transparency, and continuous improvement, the Committee will receive quarterly performance reports from New KCC on key indicators such as milk intake, plant utilisation, payment timelines, and staff welfare. Additionally, a joint stakeholder forum comprising farmer co-operatives and county representatives at New KCC management will be convened to sustain engagement and accountability.

In conclusion, the Committee notes that the upgrading of the New KCC Sotik factory has yielded significant process and tangible benefits to farmers, workers and the local economy. With enhanced infrastructure and improved way of tackling delayed payments, the factory stands as a model of modernisation within Kenya's dairy sector. The Committee will continue to exercise its oversight mandate to ensure the sustained success and replication of those gains across other New KCC facilities.

In the course of the Committee's visit, Hon. (Amb.) Sigei, was present.

Thank you.

Hon. Speaker: Hon. Sigei

Hon. Francis Sigei (Sotik, UDA): Thank you, Hon. Speaker, for giving me this opportunity to respond to the Statement that has been given by the Chairperson.

First of all, I want to thank you because you directed that this Committee goes to Sotik. That was a great move. I also thank the Committee that was chaired by Hon. Marianne Kitany for doing a wonderful job. Their visit alone and listening to our farmers in Sotik was enough to raise their morale.

The Chairperson has answered many questions and I was impressed by the language. The language is very good, but beneath that Statement, there are many issues and missing gaps. One of them is the price of milk in Sotik. That Statement does not indicate the cost price. What is the price of a litre of milk?

Hon. Speaker: Hon. Sigei, ask him questions.

Hon. Francis Sigei (Sotik, UDA): I am asking...

Hon. Speaker: You are making a speech.

Hon. Francis Sigei (Sotik, UDA): The price of milk in Sotik is less than Ksh35. I would like the Chairman to do his investigation because the price at the moment is not what he has said.

Second, there is the issue of delayed payment to milk farmers. In my region, payments to farmers have been delayed for about three months, which has caused a lot of pain and anguish

to farmers. I have two companies with arrears of about Ksh5 million. You can imagine what those farmers are going through. I would like to hear more on that issue.

I wish to report to this House and the Chairman that the mother line was only operational on the day they came to Sotik. The following day, nothing was happening on the mother line. I would, therefore, request the Chairman to give a more comprehensive answer so that we can better understand the situation. Farmers are listening to me and we would like to know what is going to happen.

Hon. Speaker: Thank you. Let us take Hon. Sunkuli as well.

Hon. Julius Sunkuli (Kilgoris, KANU): Hon. Speaker, I wish to join that Statement to request for further clarification because Kilgoris New KCC cooling plant takes its milk to Sotik. For three months now, actually since July, farmers have not been paid for their milk. We have been faithfully supplying milk to New KCC, but there has been no payment. Indeed, about two weeks ago, farmers in Kilgoris held a demonstration against the New KCC for failing to pay them. I was listening to a very rosy Statement by the Chairman saying that the payment periods are now better. They are not! Could you go back and tell us when our farmers will be paid for their milk?

Hon. Speaker, the second issue is that milk production in Kilgoris can go up to 60,000 litres and yet, we only have a 10,000-litre tank. Could KCC, please, take a step to give us an additional tank of, at least, 10,000 litres to 20,000 litres capacity and pay our farmers? How can you take milk, sell it across the country and fail to pay farmers?

Hon. Speaker: Hold on, Hon. Shinali. Member for Kericho County.

Hon. Beatrice Kemei (Kericho County, UDA): Thank you, Hon. Speaker, for giving me this opportunity to contribute to the issue of the New KCC and, in particular, the matter of dairy farmers. I must confess that the price of one litre of milk is below Ksh50 and yet, it is supposed to be Ksh50 and above according to the pronouncement of the President. Farmers are given a raw deal because the cost of production is very high. The feeds are very expensive. To make it worse, the payments are delayed. I am a dairy farmer. I take milk to the nearest co-operative society. Farmers have not been paid for the last three months. It is not easy buying the feeds and transporting the raw milk. Because of that, farmers have left dairy farming and are trying to do other forms of farming. I request that the New KCC do what is humanly possible to make sure that the farmers are paid on time and the price of milk goes up.

Thank you, Hon. Speaker.

Hon. Patrick Osero (Borabu, ODM): Thank you, Hon. Speaker. I would like to echo the sentiments of Hon. Francis Sigei. Sotik Creamery is right at the border of my constituency and his. I confirm that immediately after the Committee left, the factory ceased to operate. The casual workers who were working there are now at home. As the Chairman, I do not know whether you would like to propose a surprise visit because that is exactly what is happening. I was there. They made the compound very well. The lawns were manicured. They painted the buildings. After you left, the factory ceased to operate. That is the exact position.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Shinali.

Hon. Bernard Shinali (Ikolomani, ODM): Hon. Speaker, when we visited, everything was well. Even the Hon. Member, Ambassador Sigei, was very happy. If other happenings occurred after the Committee left, we commit to do our oversight role and make sure the people of Sotik and its environs, especially the farmers who supply milk, are happy and the factory is up and running. The Government has invested a lot of money in milk factories which have been modernised. They should work.

On the issue of delayed payments, we have also shared with the Cabinet Secretary concerned. We have asked them, either through the budgetary allocations or other ways, to make sure members of the co-operative society that supplies milk to our factories are paid on

time. We shall follow up and report back to this House on delayed payment by New KCC as a whole in the country.

Hon. Speaker: Is it true that the factory was stage-managed to be working and, as soon as your Committee left, it went off?

Hon. Bernard Shinali (Ikolomani, ODM): Hon. Speaker, when we were there, the factory was working, and we left it working. If a factory works for a day, you can actually see it. Indeed, it was working.

Hon. Speaker: Okay. Do you have Hon. Donya's response?

Hon. Bernard Shinali (Ikolomani, ODM): Yes, two of them.

Hon. Speaker: Go ahead.

PLIGHT OF TEACHERS WHO FOUNDED
GUSII MWALIMU COMPANY LIMITED

Hon. Bernard Shinali (Ikolomani, ODM): Hon. Speaker, I wish to respond to the request for a statement on the plight of retired teachers who founded Gusii Mwalimu Investments Company Limited (GUMICO) by Hon. Dorice Donya, Member for Kisii County.

I thank you for giving me this opportunity to respond to a request for a statement by Hon. Dorice Donya on the above subject matter.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Hon. Millie. We are finishing off something first. Go ahead.

Hon. Bernard Shinali (Ikolomani, ODM): Hon. Speaker, let me give a background of the same so that I can finalise by answering. In 1974, teachers from the present-day Kisii and Nyamira counties began contributing Ksh20 monthly towards the establishment of GUMICO, which was formally incorporated in 1982. The Company aimed to promote collective investment and economic empowerment among teachers in the region. In 1989, GUMICO secured a loan of Ksh6 million from Kenindia Assurance Company Limited to purchase approximately 26,000 acres of land in Rumuruti, Laikipia County, intended for sub-division and allocation to members.

However, due to financial challenges, the company defaulted on loan repayment, and the amount of accumulated interest rose to Ksh8 million. As a result, Kenindia Assurance Company Limited issued a notice of intention to auction the company's key assets in Kisii town, namely Mwalimu House and the Mwalimu International Hotel. To avert the action, a series of consultative meetings were convened between the Kenya National Union of Teachers (KNUT), GUMICO Board of Directors and other stakeholders. It was agreed that Gusii Mwalimu SACCO would become the majority shareholder by purchasing 400,000 shares in GUMICO at Ksh20 per share, amounting to Ksh8 million. The proceeds were applied directly to clear the Kenindia Assurance Company Limited loan, thereby safeguarding the company's properties at the time.

GUMICO had 8,260 shareholders, each holding approximately 88 shares. Following this arrangement, the then Board of Directors of GUMICO voluntarily resigned and transferred the management of the company to the management committee of Gusii Mwalimu SACCO, under the facilitation of KNUT. The process was subsequently affirmed through a judicial ruling, including:

1. Miscellaneous Civil Application No.2 of 2017 in Casmil Lucas Nyang'au and others versus Gusii Mwalimu SACCO Limited and Attorney-General.
2. The Environment and Land Case No.497 of 2014 versus Gusii Mwalimu Investments Company Limited and Gusii Mwalimu SACCO Society.

Hon. Speaker, those rulings confirmed that the procedures undertaken were transparent, lawful and consistent with the relevant legal frameworks.

In the company's Annual General Meeting held on 27th August 1999 and attended by 4,200 shareholders representing more than 50 per cent of the membership, members unanimously resolved to voluntarily wind up GUMICO and transfer all properties, including Mwalimu House and the Mwalimu International Hotel, to Gusii Mwalimu SACCO at market valuation. All properties were professionally valued, transferred at fair market rates and fully paid for by the SACCO. The proceeds were used to clear outstanding liabilities and operational expenses, with the surplus distributed to all shareholders according to their shareholding. The liquidation process was supervised by Mr Edward Ogoti Ongiti (Liquidator), assisted by Mr. Alphazard Mogikoyo (Legal Counsel). Despite the lawful completion of the process, a section of former shareholders later expressed dissatisfaction and filed petitions in court challenging the legality of the asset transfer and the procedures followed during the company's winding up. Let me move directly to the specific responses to the issues raised by Hon. Dorice Donya.

First, she raised a request for a forensic audit in the transaction involving GUMICO's properties and assets. Based on the information available, the processes involving GUMICO's properties and assets appear to have been initiated and conducted transparently, with resolutions passed by members and confirmed through judicial proceedings. Therefore, at this stage, there does not appear to be sufficient justification to warrant a forensic audit. However, should a forensic audit be deemed necessary, it would fall under the mandate of the Registrar of Companies, as the company was liquidated under the provisions of the Companies Act.

Secondly, the Hon. Member had wanted to know the measures taken by the Ministry to investigate and address the alleged irregular dissolution and takeover of GUMICO. As indicated in (a) above, GUMICO was registered and subsequently liquidated in accordance with the Companies Act. As such, any action regarding its dissolution, including investigation or review, falls within the jurisdiction of the Registrar of Companies, and not this Ministry.

Thirdly, the Hon. Member wanted to know the support mechanisms available to safeguard investments made by vulnerable groups such as retired teachers within co-operative societies. From the information provided by Gusii Mwalimu Sacco and County Government officials, and as summarized earlier, the processes undertaken appear to have been fair, member-driven, and in line with the law. Consequently, there is no indication at this time that would necessitate the introduction of additional support mechanisms by the Government.

Lastly, on the legal and administrative recourse of affected retirees seeking restitution or compensation, should any legal or administrative redress be considered necessary, it is advisable that such matters be directed to the appropriate authorities, including the Registrar of Companies or the Judiciary, as the mandate does not lie with this Ministry.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Donya.

Hon. Dorice Donya (Kisii County, WDM): Thank you, Hon. Speaker. I am very satisfied with what has been issued because I communicated with the officials, and they said they will go with Plan B. I appreciate that very much.

Again, kindly, I had made a request for statement to the Departmental Committee on Finance and National Planning on the unspent funds of NGAAF, Kisii County, 2023/2024. I did it three months ago. Until today, they have not given their response and yet, it is very urgent.

Hon. Speaker: It is not listed. Clerk-at-the-Table, you can list that for Thursday. Go back to Order No. 5.

PAPER

Hon. Speaker: Delegation leader, apologise to the House for coming late, and then go ahead.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Speaker, for indulging me. I do apologise for being late. I was involved in issues of my constituency.

Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Parliamentary Delegation to the 150th Assembly of the Inter-Parliamentary Union (IPU) and related meetings held in Tashkent, Uzbekistan, from 5th to 9th April 2025

Hon. Speaker: Call out Order No. 6. Take your seat, Hon. Millie. Order!

NOTICE OF MOTION

NOTING OF REPORT OF THE PARLIAMENTARY DELEGATION TO THE 150TH
ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU)
AND RELATED MEETINGS HELD IN TASHKENT, UZBEKISTAN

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Once again, thank you for indulging me, Hon. Speaker.

I beg to give notice of the following Motion:

THAT, this House notes the Report of the Parliamentary Delegation to the 150th Assembly of the Inter-Parliamentary Union (IPU) and related meetings held in Tashkent, Uzbekistan from 5th to 9th April 2025, laid on the table of the House on Tuesday, 14th October 2025.

Hon. Speaker: Next Order.

MOTION

ADOPTION OF REPORT ON EALA'S FOURTH MEETING OF
SECOND SESSION OF 5TH ASSEMBLY

THAT, this House adopts the Report of the Select Committee on Regional Integration on its consideration of reports of the East African Legislative Assembly at the Fourth Meeting of the Second Session of the Fifth Assembly, laid on the Table of the House on Wednesday, 24th September 2025.

(Moved by Hon. Wanjiku Muhia on 9.10.2025)

(Resumption of Debate interrupted on 9.10.2025)

Hon. Speaker: Hon. Kiarie, you have a balance of 2 minutes.

Hon. John Kiarie (Dagoretti South, UDA): Hon. Speaker, the record is correct. I was on the Floor when the House adjourned, and I was debating this Report that had been laid by Hon. Wanjiku Muhia. I had said that even if we are receiving this raft of reports from the Committee on Integration, we have to go to the foundational matters.

The division that we see in Africa today is not because Africans have chosen on their own accord to be a divided people. We all know how powerful Africa would be if it presented itself as a continent, one voice, one people, one market, and pushing one agenda. However, the indignity that Africa has suffered under 500 years of slavery, under 100 years of colonisation, and even the interference of neo-colonialism that succeeded colonialism, is a business that can only be taken up by Africans.

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It is this generation that will have to answer the perennial question: Does Africa look East, or does Africa look West? Our generation must stand up and say that it is time for Africa to look within. If we look within, then we shall be able to carry on the principle of big brother, even as nations like Kenya... We are told that if you are not going to be your brother's keeper, at least, do not be the executor of your brother.

The East African nations will have to come together and assess critically their abilities as nations, so that if there is a problem in the submission of the monies and the rates that a country should be submitting, then a new format can be decided on by the East African Legislative Assembly. As such, we shall move on to build a stronger, better, united East African Community.

Hon. Speaker, I thank you for the opportunity.

Hon. Speaker: Hon. Irene Mayaka.

Hon. Irene Mayaka (Nominated, ODM): Thank you for giving me the opportunity to also make my remarks on this Report.

Hon. Speaker: This is the Report of your Committee. Is it not?

Hon. Irene Mayaka (Nominated, ODM): Yes. It is my Report.

Hon. Speaker: Who moved it?

Hon. Irene Mayaka (Nominated, ODM): Hon. Wanjiku Muhia moved it because I was not present.

Hon. Speaker: Okay. Go ahead.

Hon. Irene Mayaka (Nominated, ODM): Hon. Speaker, this Report is a combination of the different reports we receive from the East African Parliament. It has a record of budget reports as well as some of the deliberations we had on matters of a parliamentary alliance for food security.

We identified a couple of challenges while looking at the reports with the Ministry of the East African Community (EAC). Just to speak to what Hon. KJ has said, the fact that the EAC and the East African Legislative Assembly (EALA) do not feel adequately financed is one.

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

[The Temporary Speaker (Hon. Martha Wangari) in the Chair]

Hon. Temporary Speaker, another issue is that some EAC members and countries are not committed to their contributions. We have instances where some countries have not even made any contribution. Even for countries like Kenya, that has been very diligent in its contribution... Not making contributions timeously has made the work of the EAC very difficult.

As we speak, we have a deficit in arrears of US\$59 million, therefore, affecting operations of the EAC. The East African Court of Justice (EACJ), the EALA, the East African Community Civil Aviation Safety and Security Oversight Agency (CASSOA), and the East African Kiswahili Commission (EAKC) are some of the affected institutions. They are not able to perform their duties well due to the funding gaps they have experienced. We also have budget execution bottlenecks that are costing EAC-funded communities and different institutions. This is a result of the slow rate of contributions by some partner states.

We also have governance and accountability lapses. As a Committee, we have made very stringent disciplinary action recommendations on some culprits seen not to be following agreed upon standards of financing, especially regarding the budget management system we have.

A round-table engagement between the EALA Budget Committee and regional integrated Committees from all partner states is one of the things we are recommending as a Committee. We need to get into a conversation and look at all the issues we have within the EAC and see whether we can be able to make this work. It does not make sense for us to have an EAC organ and institutions if they are not even funded well and given priority by partner states. It does not make work easy for the institutions at all.

I also want to bring to the attention of the House the issue of the EAC Treaty incorporating provisions of the Public Finance Management Act. This is a recommendation from our Committee. We would like to ensure that this is done as soon as possible.

We also discussed another matter of significance in this Report: The East African Parliamentary Alliance for Food Security and Nutrition. A recommendation was made back in 2023 during the General Assembly that we should encourage family farming in partner states. It was to ensure that families have adequate food. That would also accelerate progress in agriculture and food security goals in the entire EAC. Therefore, we are urging this House to really support us.

We will, as a Committee, take these matters to the next level to ensure that we engage partner states and EALA's Committee dealing with legislative budget as they are also experiencing many hiccups and gaps due to the financial issues.

I also take this opportunity to urge Members of the Departmental Committee on Regional Development and the Budget and Appropriations Committee to look into the EAC budget allocation. Other countries will not follow suit if Kenya does not strengthen these organs. I am speaking like this because our President is currently the Chairman of the EAC. We as a country really want to show that we can put in place specific action plans to assist EAC before we get to the Summit on 26th November 2025 in Mombasa where he will hand over his chairmanship to the next country.

With those few remarks, I submit.

The Temporary Speaker (Hon. Martha Wangari): Very well. Hon. Members, I am not sure whether those who are logged in are for this Motion. Hon. Member for Navakholo, are you here? No. I will give Hon. Member for Kitui Central, Dr Makali Mulu.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you so much, Hon. Temporary Speaker. I want to support this Motion on issues of East Africa. This Motion was moved last week. It raises fundamental issues relating to the EAC. Being a Member of the Committee on Regional Integration, I know we are grappling with a number of issues. This Report really touches on some.

The issue of budgets and the financing of the Community is the first one. Member countries are facing serious challenges in paying their subscription, hence a number of our planned programmes and activities cannot be undertaken. We have been asking ourselves: "What can we do as a Committee to support the EAC?" We have been thinking about two or three issues.

One of them is that we could think of countries contributing proportionate to their GDP instead of every country contributing equal amounts. That will mean some countries will contribute more and others will contribute less. However, then there arises a fundamental question. If that happens, does it mean that some countries will have veto powers in decision-making? Then, brotherhood and sisterhood comes up. We know there is a lot of inter-country trade. We know some countries are getting more in trade as opposed to others.

There is another fundamental question. Some countries are doing more business with others and the balance of trade is in favour of some. Could it also make much sense for such countries to pay for those who are not doing very well in paying their annual subscription?

The third critical issue is on levies. Is it time we imposed some levy on exports and imports just as we generate a road levy to assist in maintaining our roads in Kenya? Could we

have such a levy imposed on imports and exports within the EAC? The amounts raised out of that levy can be channelled to support activities of the EAC.

Why am I saying this? We have discovered that there are many EAC organs. Some relate to science, technology and innovation. Other focus on judicial and health issues. We also have centres of excellence in this Community. If we are not able to fund important organs of the Community, it automatically means they remain inactive and ineffective. As a result, we will have many administrative staff in all the countries not paid in good time. Even as I support this Report, the House needs to rally behind the Select Committee on Regional Integration in terms of the budget. That is why my Chairperson is appealing to the Departmental Committee on Defence, Intelligence and Foreign Relations and the Budget and Appropriations Committee, so that we have a deliberate strategy to enhance the financing of the Community. If we go in that direction, we will activate the Community and enliven its spirit. We are currently not living the spirit of the Community. If we do not address those issues, the Community will never be operational. Should we do away with it? What will we do with it?

With those many remarks, I support the Report.

The Temporary Speaker (Hon. Martha Wangari): Member for Moiben, do you want to speak to this? Hon. Bartoo.

Hon. Phylis Bartoo (Moiben, UDA): Not really, Hon. Temporary Speaker. I wanted to speak earlier.

The Temporary Speaker (Hon. Martha Wangari): Member for Mukurweini.

Hon. Kaguchia John (Mukurweini, UDA): Thank you very much, Hon. Temporary Speaker, for giving me the opportunity to speak to this Motion.

I have a big problem with the EAC. I recall that when the late Mwai Kibaki was the President of the Republic of Kenya, we mooted the idea of having a strong EAC and a roadmap was drawn, which many considered to be quite ambitious. Timelines were well laid out. The expectation was that full integration would be achieved in a couple of years, whereby countries in the EAC would come together and integrate not only economically, but also politically and infrastructurally. Looking at our progression, we seem to only have a common EAC passport. Beyond that, it is very difficult to point out the benefits that we have accrued as member-States.

I dare say that bilateral relations between two East African countries are more beneficial than multilateral engagements as an economic bloc because those do not seem to be working very well. Tanzania has established requirements that one needs to subscribe to before they are employed in their country. That negates the very essence of the EAC.

We were also supposed to have some kind of integrated infrastructure. We started the Standard Gauge Railway (SGR) programme to interlink the Port of Mombasa with Uganda and other East African countries, but that has also stalled and does not seem to be making any progress. It is very difficult to see how we are benefiting as a country. In fact, the EAC seems to have become a cost centre only dealing with payment of salaries and funding agencies that do not seem to have clear outputs. Before we consider how to fund this institution, we must do a proper cost-benefit analysis. We must come up with clear indicators that show how we benefit as a country from this Community.

I recall that our country recently paid huge amounts of money to the African Union Commission (AUC). We paid almost Ksh1 billion when Hon. Raila Odinga was contesting the AUC Chairmanship. How I wish that money would have been diverted to the EAC to hopefully help raise its standards, and the quality and quantity of its output, but that has not happened. I have been informed that most East African countries have pulled out their contributions. Why do other countries not deem it necessary to invest their money into this Community? If it was important to them, they would invest their money where it matters. However, it seems as though Kenya is probably the only country that is interested in this arrangement.

Looking at recent happenings, one would say that the Community is becoming an unholy alliance that suppresses human rights amongst the citizens of its member-States. Incidents of abduction and torture have been reported in neighbouring Tanzania and Uganda.

The Temporary Speaker (Hon. Martha Wangari): Your time is up. Member for Wajir North, Hon. Saney.

Hon. Ibrahim Saney (Wajir North, UDA): Thank you, Hon. Temporary Speaker. It is time we reviewed and revisited the EAC Treaty. At its inception, the EAC looked good, practical and made sense. Given the diversity in political democracies, demographics, and different foreign relations or inclinations, the EAC is no longer holding us together as it used to. There is more disintegration than integration. That is why I am calling for a review of the Treaty so that we can determine where we went wrong and what is not working. We can then come up with a friendly and workable treaty for all the member-States.

In as much as we are expanding the Community, Somalia is coming on board without making some changes. Each country has its own value system and if we are to bring other member-States on board, we need to review the Treaty.

The Report noted concerns that member-States do not remit their contributions. One serious case was that of the Democratic Republic of Congo (DRC). The DRC must have reasons for not remitting its contributions such as political instability. Why is the DRC not concerned about the EAC? Unless we address those issues, the EAC may not function as expected. Even active member-States delay remitting their contributions. They pay at their own whims without regard for timelines. Late payments affect the operations of the Community, and staffing and developmental issues. The EAC cannot implement its plans if contributions are not paid on time.

There have also been serious accountability and transparency issues. The Report is clear that the EAC is corrupt and opaque. What can the member-States do to solve the issue of corruption? They are not getting money and the little they belatedly get is not spent prudently. What can the Community do to deal with issues of accountability, corruption and lack of transparency?

There is also the issue of equal contributions by member-States. It makes sense for member-States to contribute equally so that they are on equal footing in terms of power and negotiation. However, some countries contribute more than others, hence promoting the “Big Brother Syndrome”.

In the case of United Nations, the United States calls the shots because it gives 70 per cent of the budget. We need to look for the best model for countries’ contributions. Should a country contribute more than others, it should not erode the power of a member-State against another.

Lastly, there is the Election Observers’ Report. What is its function if it is not brought to Parliament, the legislative Houses, for implementation and scrutiny? Why waste resources and time? It is high time we reviewed the entire EAC Treaty because it is no longer working. It just exists by name. It is dysfunctional. Our forefathers had good intentions, but as it is now, we have lost track of the EAC. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Member for Ugenya Constituency, Hon. David Ochieng’.

Hon. David Ochieng’ (Ugenya, MDG): Thank you, Hon. Temporary Speaker. This is probably my third time sitting in the Committee on Regional Integration. The prospects for our growth within the EAC framework have never looked bleak; the prospects of the EAC growth have never looked so bad. In my earlier life before I came to Parliament, I worked with and for the EAC. In those days, we could see the future in EAC and we could see a pregnant institution that would grow.

Today, it is run by a secretariat that has no powers and money and so, they cannot do anything. We have staff sitting in offices in Arusha with nothing to do. They just wait to earn salaries and attend meetings. There is nothing substantive going on because we based our EAC secretariat framework on a wrong basis. The European Union, run by the European Commission, picked our original documents in 1977 and made a very proper regional organisation. Here in East Africa, we want the EAC to grow, but individual countries do not want to cede any level of sovereignty. They do not want to cede powers that would see the region grow.

Today, as has been said, the secretariat has no money and salaries do not get paid on time. Basic projects cannot be run. There is no monitoring and evaluation. One of the main reasons the EAC was formed was to promote trade, regional cohesiveness, and to invest and develop jointly. Today, within the framework of EAC, through circumvention, we have more products coming from India and China into Uganda. Kenya, for a long time, was Uganda's foremost trading partner. I fear that in the next five years, China will overtake us because we are not insisting on implementing the ethos.

The most important thing to note is that Kenya has borne the brunt of the EAC erosion process without any benefits. If we look at the trade figures today, we realise that Uganda and Tanzania are growing, but Kenya keeps going down in terms of our trade balance with both countries. This is happening despite the contributions we have made to accommodate Uganda, Tanzania and Somalia. We have done so much as a country to a level where, as we speak, I dare say that there is no economic importance of our continued membership of the EAC. What we are gaining, we could gain without being in the EAC. That is why we must call upon the leadership of all the countries consisting the EAC to relook and refocus. Can we try to imagine what our forefathers wanted us to achieve? What did we set out to achieve?

There are areas we have made good progress. For example, education, mutual recognition and free movement of persons using identity cards. But that progress cannot be sustained if we do not make good progress in economic development, in investments and in trade. Those are the three things that will drive and guide integration in our region.

We cannot keep conducting elections in this region, sometimes very badly, and have the so-called observer missions. We are using the EAC to stroke leaders' egos. We know leaders who are not doing well, but they cannot be told in no uncertain terms what is wrong. We keep stroking their egos. Today, we stroke the ego of the President of Uganda and tomorrow that of the President of Somalia. It has become a feel-good thing because we are now bigger since Somalia and the Democratic Republic of Congo have joined; and Djibouti and Ethiopia want to join. This is a jamboree that is not giving us honour.

Recently when Tanzania was facing elections, they woke up one day and said they will not accept certain products from Kenya. Under what legal regime and framework? Over the weekend, I was in Busia, and trucks from Mombasa at the border of Busia have a snarl up all the way to Bungoma.

Hon. Temporary Speaker, add me one minute.

The Temporary Speaker (Hon. Martha Wangari): One minute.

Hon. David Ochieng' (Ugenya, MDG): Trucks experience a snarl up all the way from Malaba Border to Bungoma. These are about 200 or 300 trucks queuing within the EAC framework. Is that growth? How are we going to create business if there are trucks queuing at Namanga, Busia and Lunga Lunga border posts? How are we going to grow the EAC if we have gone back to what used to happen in 1977? We have gone back to where we were even before the EAC started.

It is important that we stop paying lip service to the EAC integration and put our money where our mouth is. The EAC partner States must realise that we cannot grow the EAC using donor money. It must be grown using our own money and insist that countries pay. If they do

not pay, there must be sanctions, otherwise, I fear that soon, we will close the EAC with the shame that goes with it and with the anarchy that will come with its closure. Let our leaders wake up. Let President William Ruto, President Museveni, and President Samia Suluhu wake up. Let all those who guarantee the EAC wake up. We need young people to fill the EAC. We must also ensure that we invest in it. Let us not let it die in our hands.

Thank you, Hon. Temporary Speaker. I support.

The Temporary Speaker (Hon. Martha Wangari): Member for Limuru Constituency, Hon. Kiragu.

Hon. (Eng) John Kiragu (Limuru, UDA): Thank you, Hon. Temporary Speaker, for giving me this chance. I would like to remind the EAC countries that the Community has many people and has a lot of potential for growth. I have just come from Uganda where I went for the national prayer breakfast. I also attended their national day. If there is a country that opens doors to Kenya, it is Uganda. Yesterday, I went to have a cup of tea at Kentemere in Limuru, and I was shocked because some ladies on attachment as waitresses are from Uganda. I asked myself what would happen if we were to open doors to the rest of East Africa.

Honestly, there is much potential for East African countries to grow and to improve connectivity. I believe one of the most challenging things that we have is that a flight of 50 minutes to Entebbe is like one and a half times or almost two times the cost of flying to Mombasa. I asked myself how it would be if we all made our airspace free and not tax much to enable East Africans to travel within the East African countries as if it were domestic travel. This will enable our people to travel across borders and enjoy like what happens at the European Union countries.

We need to work to make sure that every country pays its own share. Above all, as Members of this House, we need to keep on pushing for better unity and cooperation within the EAC. It is not time to fight to break it. History tells us that there are people like the late Charles Njonjo and others who celebrated when the East African Community died, but the breakage put the EAC countries in a lot of problems.

Hon. Temporary Speaker, I join other Members in calling for greater contribution and commitment to the East African Community. That is the way to go. I do not think any of our partner States can stand alone in the current global economic fight including realignment of various blocks. The EAC is good for us. Instead of worrying about cross-border business, Kenya should take this country to a higher level, providing advanced services and technology. As neighbouring countries sell us food products, we can sell them technology available in Kenya.

I thank you.

The Temporary Speaker (Hon. Martha Wangari): Hon. Jematiah.

Hon. Jematiah Sergon (Baringo County, UDA): Thank you so much, Hon. Temporary Speaker. I thank the Committee led by my friend, Hon. Reney, for this good Report on East Africa.

At the outset, I declare that I was a Member of Parliament in East Africa and understand its challenges and achievements. If we embrace the EAC positively, it can benefit us. I thank the Committee for highlighting the strengths and challenges we face. As leaders, we must work towards making sure that this union and Community survives.

The EAC was started long ago by Tanzania, Kenya and Uganda. It aimed to help us in our commonalities specifically trade, customs, markets and the futuristic political federation. It was intended that we would possibly have one president to be the leader of the EAC. The EAC mirrors the European Union which has all the capabilities. With 400 million people, it is one of the best potential markets. As Hon. Wanjiku was highlighting last week, Africa's population is 1.5 billion. We should organise ourselves well. The EAC already has strong structures and a legislative arm. Through the EAC Treaty, we can expand trade and manage

the secretariat through member-State subscriptions. I once suggested that Kenya, Uganda, and Tanzania should contribute more and have more veto power to manage the centre. We cannot let the EAC fizzle away. A common currency, already proposed, would allow free trade and have positive leverage for all of us so that we can grow together.

The reason we have a lot of challenges may be because we need to have the three member-States who are first owners of the EAC to run the show by contributing better. They should help the other members who are joining, so that we organise the Community properly. Inconsistent contributions are disrupting daily operations and threaten the EAC consolidation. I support the Report and urge the East African leadership to come together and ensure the EAC functions properly.

The Temporary Speaker (Hon. Martha Wangari): Very well. There being no further interest in this matter, I call the upon the mover to reply. Hon. Irene Mayaka, I have been generous. Why would you need to donate when I was right here? Kindly reply.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Temporary Speaker. I thank Hon. Wanjiku Muhia, the former Chairlady of our Committee, who moved the Motion last week, Hon. Naomi Waqo, and all Members who contributed.

You can see from all the Members' contributions that we are all speaking with one voice, we want the EAC to work. As a country, we are committed, but other partner States must also step up to bridge the financial gaps. It is very sad when we hear that our colleagues in the East African Legislative Assembly (EALA) have gone for three months without salaries. It is extremely wrong.

As a Committee, we are determined to meet the EALA Budget Committee and Members of Regional Integration Committees from other partner States to work together and give the EAC a better life line, better commitment and better strength from us as legislators.

With those few remarks, I beg to move.

The Temporary Speaker (Hon. Martha Wangari): You beg to reply.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Speaker. With those few remarks, I beg to reply.

(Question put and agreed to)

APPROVAL OF NATIONAL GREEN FISCAL INCENTIVES POLICY FRAMEWORK

THAT, this House adopts the Report of the Departmental Committee on Environment, Forestry and Mining on its consideration of the Sessional Paper No.5 of 2024 on the National Green Fiscal Incentives Policy Framework, laid on the Table of the House on Tuesday, 30th September 2025 and approves Sessional Paper No.5 of 2024 on the National Green Fiscal Incentives Policy Framework.

The Temporary Speaker (Hon. Martha Wangari): Is it the Chairperson, Departmental Committee on Environment, Forestry, and Mining? It was supposed to be moved by Hon. Kawayo, but we will defer that Order.

(Motion deferred)

Next Order.

BILLS

Second Readings

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THE TEA (AMENDMENT) BILL
(Senate Bill No.1 of 2023)

The Temporary Speaker (Hon. Martha Wangari): The co-sponsor of this Bill is Hon. Brighton Yegon. Are you in the House? If not, we will defer it.

(Bill deferred)

Next Order.

THE MATERNAL, NEWBORN AND CHILD HEALTH BILL
(Senate Bill No.17 of 2023)

The Temporary Speaker (Hon. Martha Wangari): This Bill is by the Chairperson of the Departmental Committee on Health, Hon. (Dr) James Nyikal. Are you ready to move?

Hon. (Dr) James Nyikal (Seme, ODM): Hon. Temporary Speaker, I beg to move that the Maternal Newborn and Child Health Bill (Senate Bill No. 17 of 2023) be now read a Second Time.

Hon. Temporary Speaker, I wish to begin by thanking the Members of our Committee, which I have the honour to chair, for the invaluable support in the consideration and preparation of the Committee's Report on this Bill. This Bill was sponsored by Sen. Beatrice Ogolla in the Senate and co-sponsored by the Departmental Committee on Health in the National Assembly. It was published on 5th May 2023. The Bill was read the First Time in the House on 12th November 2024, and thereafter, it was committed to the Departmental Committee on Health for consideration and reporting to the House, pursuant to the provision of Standing Order 127.

The principal object of this Bill is to provide a coordinated system for the delivery of quality maternal, newborn and child health services, ensuring an effective response to maternal and child health morbidity and mortality.

It also seeks to establish a framework that facilitates the attainment of the right to health for mothers and children. The Bill seeks to strengthen access to quality health care and promote the realisation of the right to health for mothers, newborns and children across the country. This is necessary in the areas of child and maternal health.

This country has made significant improvements, particularly in child health. The data for child health has improved considerably. There is an improvement in the infant mortality rate. We have moved from a record of over 100 deaths per 1,000 live births in 2000 to 34 per 1,000 live births. We have also seen an improvement in the neonatal mortality rate, which currently stands at 21 per 1,000 live births from 50 per 1,000 live births in 2005. This is a slight improvement compared to the infant mortality rate and the under-five mortality rate. However, there is a concern that the maternal mortality rate has not shown much improvement, currently recording approximately 355 deaths per 100,000 live births, down from 506 deaths per 100,000 live births in 2005.

This places Kenya among countries in the region that are not doing well in child health. The leading cause of these deaths is excessive bleeding after delivery. Although we have done well with children health, there is still room for improvement. The country needs to focus on dealing with infant mortality especially neonatal deaths of children who die within the first 28 days of life.

Why do we link maternal and child health? Deaths occurring within the first 28 days of life are often linked to circumstances surrounding delivery. For instance, if a mother bleeds profusely and dies, there are chances that the child may also die, as is the case with premature

delivery. Therefore, it is important that we put into place a system that caters for both the mother and the child. There should be proper provisions for newborns, especially preterm babies, in our health facilities, just as there is for proper maternal care. We realised that newborns are not catered for in most financial policies in the country, which is why the Linda Mama Initiative was specific to include newborns in the first 28 days. It is important to create provisions that will take care of both the mother and child.

Hon. Temporary Speaker, the Bill is divided into VI Parts. It has preliminary provisions that include the interpretation of key terms, objects and guiding principles such as equity and inclusivity in service delivery. It is important to clearly define the conditions like postpartum haemorrhage, which is bleeding after birth, infection, sepsis soon after birth, and prematurity.

Clause 4 of the Bill states that a person shall, in the performance of their functions under this Act, be guided by the following principles: Universal access and equity in the delivery of health services and the recognition of persons with special needs. Mothers have special needs. The most common cause of death amongst pregnant mothers starts at home, with delays in deciding to go to hospital and further delays when they get there. Labour progress does not wait for anyone. If we do not have structures and systems in place that will ensure that mothers get instant care when they need it, we are likely to lose these mothers and their babies. For example, if the umbilical cord is tied around the baby's neck before delivery, there is less than half an hour to deliver that baby or else it dies. Any slight delay in the second stage of labour endangers both the mother and the baby.

Clause 4(b) provides for availability and access to services and timely and reliable information necessary to make an informed decision regarding one's health and treatment. In the same clause, the Bill proposes that there must be clear collaboration between the national Government and the county governments. While the national Government develops standards and policies of how it should be done, delivery occurs at the county level. Therefore, if there is no link between the two governments, then there will be a problem.

Hon. Temporary Speaker, Part II provides for maternal, newborn and child health services to be afforded to women and children covering preconception, pregnancy, delivery and the postpartum periods. It also provides for child health services up to 12 years of age. If we are taking care of babies and we want to be very successful in family planning, we must make sure that every baby who is born survives. When you are putting in place services for delivery such as antenatal and postnatal care, we must extend them to the first 28 days of life and beyond. The world over, vaccinations have been successful. That is why we have a youth bulge which we are sometimes scared of and at times consider it as a resource. There were no vaccinations in 1978 and 1979. It is after this time that we started serious vaccination. Before then, we were losing up to 300 children "before one year of birth".

For example, we had the measles season. In a children's ward with a capacity of 50, you would have even 200 children during the measles season and about five to 10 deaths a day. When vaccinations were put in place between 1979 and 1984, we moved so fast. Between 1984 and 2005, we did not have a single case of measles in this country. I do not know whether we can perceive that level of rapid growth.

Hon. Kamande Mwafrika (Roysambu, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hon. Mwafrika, what is out of order?

Hon. Kamande Mwafrika (Roysambu, UDA): Hon. Temporary Speaker, I request Hon. Nyikal to kindly clarify what he means by saying "we were losing 300 children before one year of birth".

Hon. (Dr) James Nyikal (Seme, ODM): I will not be very technical.

The Temporary Speaker (Hon. Martha Wangari): He means before attaining one year of age.

Hon. (Dr) James Nyikal (Seme, ODM): Yes, it is before attaining one year of age. This is what we call infant mortality. This is a measure of how well our system is working. If a child is born, its chance of living up to one year is a good measure of how well our services are working. Going back to as far as 2005 or even before, when 1,000 children were born, by the end of one year, 300 would have died mainly because of sicknesses that could be prevented by vaccination. It has improved and we are down to 34. That is why we have very many young people because children do not die.

When did you last go to a child's funeral, yet we attend adult funerals all the time? The children who are being born are surviving, but we still have a sticky problem with mothers. They are dying when they are giving birth. Many children being born die before their 28 days of life. However much we try, we are not being successful with this. Therefore, this Bill seeks to put in place structures that take care of the mother from the time she is pregnant, when she is in labour, after she delivers the baby, to the first 28 days, and then up to one year. Another measure is five years. We have done very well there. That is what this Bill is all about.

Part III of the Bill outlines the role of the national Government through the Cabinet Secretary for Health. He will develop a comprehensive national policy, strategies and plan of action on maternal, newborn and child healthcare to promote the realisation of the right to health. He will also develop standards and guidelines for the effective delivery of maternal, newborn and child healthcare services in the country.

There is also the requirement to submit annual reports to Parliament which is extremely important. If we put up the standards of care that are required and a plan of action that will make sure that they are reached, the national Government must work together with the county governments. The truth is that most of our health services are rendered by the county governments; from Level 1 to Level 5 hospitals.

Level 6 hospitals are less than 20 hospitals which the national Government takes care of. If those are not working, that is where we have the standards. There must be proper monitoring or reporting systems, so that we report to Parliament. We want to be sure of the factors behind children dying before one month of life or under 28 days. We will not just leave it there, but we will also get the report.

Part IV of the Bill sets out the functions of county governments. They include implementing national policies and standards, promoting public awareness and developing county-specific programmes to reduce maternal and infant mortality. We need the counties to do that. This part of the Bill provides for monitoring and evaluation mechanisms, including collection, surveillance of maternal and children deaths, and assessment of adherence to standards. As I said, we do not just put standards, structures or employ people, but we must know what is happening. This is being lifted, in this Bill, to a level that Parliament will be involved.

During the United Nations General Assembly (UNGA), there was a report that embarrassed the country because we were equated to countries that we should not be equated to. This came out publicly, but I do not want to name the countries. This means that as Parliament and those in the Budget and Appropriations Committee, we have to allocate more money there.

Part VI of the Bill contains general provisions. They include the power of the Cabinet Secretary to make regulations and consequential amendments to other Acts to align with the objective of this Bill. We have the Health Act, 2017 and the HIV and AIDS Prevention and Control Act, which we will have to look at.

Hon. Paul Biego (Chesumei, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Member for Chesumei, what is out of order?

Hon. Paul Biego (Chesumei, UDA): Hon. Temporary Speaker, I rise on Standing Order 91 on responsibility for statement of fact to seek clarification from our senior. He said that nowadays we do not hear of funerals for young children. I would like to inform him that usually there are no funerals for young children. Is he really being factual in his statement?

The Temporary Speaker (Hon. Martha Wangari): Hon. Biego, what do you mean? Do you mean that children do not have funerals?

Hon. Paul Biego (Chesumei, UDA): No. The Member said that nowadays there are no funerals for children. I am bringing to his attention that in the African culture, there are no funerals for children who are three months old or those who have just been born. I do not know why he is saying that.

The Temporary Speaker (Hon. Martha Wangari): Okay, you have made your point.

Hon. (Dr) James Nyikal (Seme, ODM): The essence of my statement is that less children are dying than before, but not all African cultures practice the same.

The Temporary Speaker (Hon. Martha Wangari): I also do not think it is factual that children do not get burials. I have witnessed them. Their caskets are the heaviest. Even if it is a one-day old or two-day old child, it is buried.

Hon. Nyikal, can you explain the context?

Hon. (Dr) James Nyikal (Seme, ODM): Hon. Temporary Speaker, the context of my statement was that very many children were dying. In the villages, you would know somebody who had lost a child. These days, it is rare for children under one year of age to die. In essence, we have marked improvement.

You have brought up an issue that is so important. In fact, the deaths of children are the most painful ones, particularly for mothers who lose them during delivery. It is so painful that when a baby dies and the mother is not discharged, one wonders whether she should be kept in the same ward where mothers are nursing their babies. Relatives come to congratulate them, but hers has died. Should such mothers be secluded in a different room? But even there, they would think they have been secluded because their babies died.

The death of children is very painful, but it is not so pronounced. It remains an important factor, which is why we are bringing this matter. As I told you, it is the survival of children that is responsible for the youth bulge you are seeing. An improvement from 300 per 1000 babies born to 34 is a marked difference. You will note that in 2002, we had to come in and ask whether children who were surviving would go to school. President Kibaki said, "They will all go to school."

Hon. Njuguna Kwanjiku (Kiambaa, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): What is out of order? Hon. Nyikal, take your seat. What is out of order, Hon. Kwanjiku?

Hon. Njuguna Kwanjiku (Kiambaa, UDA): Thank you, Hon. Temporary Speaker. I am wondering whether the Committee Chair has been watching the media lately. The rate of infant mortality, especially in my county of Kiambu, has risen. We have lost almost 136 infants. He has said that the rate of infant deaths has gone down. Is he aware of what is happening within Kiambu County, especially on matters to do with medics, drugs and the state of hospitals within the county?

The Temporary Speaker (Hon. Martha Wangari): Do not debate. If it is a point of order, raise a point of order. Hon. Nyikal.

Hon. (Dr) James Nyikal (Seme, ODM): I accept the information, but I am speaking about the country. I know the problem in Kiambu County. We have even received a petition today. These are the facts we want to put in place. That is why we have this Bill. If we had this

Bill enacted, we would put the Governor of Kiambu County to task under it. That is why we need it.

Hon. Temporary Speaker, pursuant to Article 118 of the Constitution and the Standing Orders, the Committee facilitated public participation by advertising our activities in the local dailies of Wednesday, 4th December 2024. We invited submissions on the Bill. The Committee received written memoranda and submissions from stakeholders, including the Ministry of Health, the State Department for Medical Services, the Office of the Attorney-General and Department of Justice, the Kenya Law Reform Commission, the National Gender and Equality Commission, the Council of Governors, the Health NGOs Network, and the Kenya Paediatric Association. The Committee further held meetings with stakeholders on 25th February 2025, and a retreat on 11th April 2025, in Machakos County.

The Committee adopted several amendments to enhance accountability, integrate palliative care services, ensure consistency in terminology and existing laws, and establish mechanisms for systematic data collection, evaluation and monitoring. That is particularly important. If we do not have data, we cannot do anything. In the case of Kiambu County, you will note that the Governor was saying that children were not dying. We need data to confront situations where people in position of authority make statements that conceal the reality of healthcare in our country. The Bill introduces deterrent penalties to promote compliance with professional and ethical standards, and to safeguard the rights and welfare of persons seeking maternal, new-born and child health services.

Hon. Temporary Speaker, the Committee observed that the Bill provides a robust framework for advancing maternal and child health services, promotes collaboration between the national Government and the county governments, and aligns with Kenya's international obligations under the Convention on the Elimination of All Forms of Discrimination Against Women, and the International Covenant on Economic, Social and Cultural Rights. The issues of children's and mothers' health quite often fall within the purview of human rights.

Therefore, the Committee recommends that the House considers and passes the Maternal Newborn and Child Health Bill (Senate Bill No.17 of 2023) with the proposed amendments. I call upon colleagues to pass this Bill, so that we can have a framework for enforcing better services for our people.

With those remarks, I beg to move and request Hon. Caroli Omondi to second.

The Temporary Speaker (Hon. Martha Wangari): Hon. Caroli.

Hon. Caroli Omondi (Suba South, ODM): Thank you very much, Hon. Temporary Speaker. I heard my sister, Hon. Irene Mayaka, say that we should have left *maneno ya wanawake* to them. I am sorry for mixing languages.

The Temporary Speaker (Hon. Martha Wangari): This cannot possibly be *maneno ya wanawake* because without the men, there would be no children. It is a matter for the whole society.

Hon. Caroli Omondi (Suba South, ODM): Hon. Temporary Speaker, many years ago, when I was in the village, I joined my late grandmother to do some weeding.

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

I was in the village, Hon. Millie. I saw a lady, a member of the extended family, who was also weeding, and she was heavily pregnant. To my shock, I saw her holding onto a tree and swinging around. After a while, there was some commotion, and women rushed there. About an hour later, we were told that she had delivered. Most recently, one of my caretakers in the village was not at work. When I enquired, I was told that his wife had delivered the previous day. When I went to visit him, to my surprise, the same lady came out to make tea for me.

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Hon. Nyikal asked me to second the Bill. When I saw this Bill, I quickly looked at it and said, “At least, I can relate with it.” The most important thing in this Bill is to create uniform standards of care, both for mothers and children. I am quite impressed that the Bill addresses maternal care even before conception, and how we prepare our women for conception. I was trying to, quickly, find some data on infant mortality - that is, the number of children who die before they are one year old per 1,000 births. In 1950, the rate was about 147 per 1,000. In 1960, it was 112 per 1,000. In 1970, the rate was 87.5 per 1,000. By 1980, this rate had dropped to 68.5 per 1,000. The current statistics for 2025 are about 28 per 1,000 deliveries. In 2024, it was 34 per 1,000. In 2023, it was 35 per 1,000.

In other words, we are making progress at every stage, but I believe there is still much work to be done.

With respect to maternal healthcare, this Bill proposes pre-conception care for our women, where health education is made available before they conceive. They can be guided through hormonal profiling to know the best time to conceive, and also be offered prenatal care and education. I think this is very important because many women do not seem to have access to this kind of support. I hope that when this Bill is passed into law, we will have a uniform standard of care for women across the country.

There is also care during pregnancy, like nutrition, which I feel is very important for the long-term health and well-being of both mother and baby. This Bill proposes that both county governments and the national Government provide informational support to assist women with care during pregnancy.

Safe and secure delivery, what they call intrapartum care, is also covered. I am learning new terminologies under this Bill. It also addresses postpartum care for new mothers, including diet, counselling and education. Many women suffer distress or fall into depression during or after giving birth. I think this Bill offers us an opportunity to deal with that problem. Most importantly, the Bill focuses on the special needs of women with disabilities and children with disabilities on how they will be cared for and supported.

The statistics I was giving on the improvements we have seen in infant mortality are due to increased immunisation and vaccination of our children. At least this Bill will entrench those forms of support for our children. Most important is the healthcare for new-born babies. As I said before, it is basic nutrition and human treatment. We have had cases where health workers have not been very kind to new-born babies and their mothers. Some of them have been taken to court for inhuman treatment. I hope once this Bill is enacted, the county health centres will provide facilities to support new-born babies, especially those born prematurely, and guide mothers on how to look after themselves. There is an infamous problem in the country called “Fistula.” I am not an expert, but I am told it relates to giving birth and not having proper care during delivery time. If we pass this Bill, we will address so many things.

With those remarks, I beg to second.

(Question proposed)

The Temporary Speaker (Hon. Martha Wangari): The Minority Whip.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker for giving me this opportunity. Let me take this chance to thank Hon. Nyikal for co-sponsoring this Bill together with Senator Beatrice, who comes from my county of Homa Bay. It is said that great minds think alike. I congratulate Senator Beatrice for the Bill. I have a similar Bill that is a bit more comprehensive. This is the Maternal New-born and Child Health Bill, but mine is the Family Reproductive Healthcare Bill.

When people hear the word ‘reproduction’, the first thing they think of is abortion because of the challenges that we normally face. Senator Beatrice was smart enough to remove

the word “reproduction” so that people do not think that the Bill is about abortion. However, sometimes in compromise, we lose a lot. That can be seen in this Bill. I am glad that Hon. Irene and Hon. Caroli were discussing that issue, except that I want to challenge Hon. Caroli about issues of the village. I know we went together to Homa Bay Primary School. He is just dreaming about going to the village. Having said that, I am glad that they talked about a man having moved the Bill and a man seconding it. However, if you look at the Bill, it is on maternal new-born and child health. Where is the paternal? You cannot have a maternal without a paternal. The Bill that I am sponsoring deals with assisted reproductive technology, where in-vitro fertilisation will be used. There will be a sperm donor and a sperm donor is a man. So, there is always a man.

I am supporting the Bill with proposed amendments. The first amendment that I will propose will be to change the title. There must be a father figure somewhere. We cannot have a child who does not have a father. Article 53 of our Constitution recognises both a father and a mother, even where a child is born out of wedlock. A child has a right to know both their mother and father. A father needs to be in the life of a child, especially in situations like this where the Bill envisages that the parents will be married to each other. We cannot focus on the mother alone as if she is the only one who is supposed to carry a child on her own. A lot of women will tell you that carrying a child for nine months is not an easy task. A father must be involved throughout the process. He must be involved when the woman goes into labour. That is when he will actually appreciate his role of fatherhood. So, for me, that is one of the things that I am going to propose. Some of the things that I am going to propose are things that are in my Bill. If they will be agreed to, I will let my Bill die. It is not about my Bill being passed or not. It is about taking care of things that are of concern to us.

We want to reduce instances of child mortality in this country. I agree with Hon. Nyikal that the numbers are not as high as they were before, but they are still of concern. I agree that we have a big challenge right now in Kiambu County. However, Kiambu is what we would call *sui generis* in law. When we have such numbers of children dying, we should even close the country. How can we have children dying like that and we continue with life as if it is normal? Something must be done in Kiambu County, and it must be done very urgently to address the cases of children dying.

I want to tell Hon. Nyikal that, indeed, children are still dying and we are burying them. Unfortunately, one of my employees lost her baby and we buried the baby two days ago in Lang’ata. We are still losing very young children. When the employee narrated what happened, it came out that it was a case of negligence. Some cases are avoidable. Somebody went to her house and noticed that her child was Jaundice. She took the child to hospital... I wish she had called me to intervene. By the time I was learning about her child’s case – even though I was out of the country – it was a bit late. She went to hospital in the morning and she was told to wait for Intensive Care Unit (ICU). When she tried to admit the child in the evening to the ICU, there was no longer space in the ICU. So, her child died because there was no space in the ICU. That still happens. I want to send my condolences to Belinda for the loss of her child.

We still have many women losing their children when they do not need to. In this day and age, we are losing so many children. The worst thing is that we are also losing too many mothers while giving birth. There is no reason for us to be losing mothers when they are having children. Having children is such a noble thing that we should not be losing mothers for bringing children to the world in furthering the human race. A lot of the cases that we see is because of negligence and distance for those of us who come from very far places. I want to thank the County Government of Homa Bay that promised to provide an ambulance for each island. I want to suggest an issue that was raised by Hon Uhuru Muigai Kenyatta during the drafting of the current Constitution. I was one of the people who sat to draft the new Constitution. He said that areas like ours that are overly marginalised should be given more

money to take care of their unique challenges. In my constituency, we have seven habitable islands. If there was to be an emergency in, for example, Takawiri Island, Ngodhe Island or Mfangano Island, how will the affected quickly reach the mainland? We lose many women and children because of distance. Sometimes we blame the county governments yet the amount of money that they are given is not sufficient.

I do not want to go into the details of this Bill because, as I have indicated, I am sponsoring a more comprehensive Bill that will look at the entire life spectrum of reproduction – from preconception and conception to giving birth and all stages, including gerontology. Nowadays, we have very many old men who are struggling with reproductive challenges because of peer pressure. As you know, peer pressure happens at any age. You will find a man who is 80 years still busy trying to have a child. How will we deal with an 80-year-old man who wants to have a child? How does a man who is 80 years deal with a child? How will he raise up that child? If you become a father at 80 years, by the time you are 90 years, your child will be 10 years and by the time you are 100 years, your child will be joining university. These are issues that I have addressed in my Bill. I have discussed with Hon. Nyikal that we do not change the architecture of this Bill to the greatest extent possible. I will bring amendments that can be carried into this Bill.

I hope we will not bring propaganda again to this Bill. As we do a lot of politics on women's bodies, women and young children continue dying. Why politicise? It is very easy to sit from a distance and comment about your neighbour's compound when you do not know what your neighbour has to go through. Unfortunately, sometimes that is what our brothers do to us. We want to theorise about childbirth and reproduction. We appreciate the likes of Hon. Nyikal and Hon. Caroli, who are very supportive of us. We ask that they speak to their other male colleagues so that they can join us, because this is a journey of furthering the human race, both men and women.

Once again, congratulations and thank you for this Bill. I will support it with amendments.

The Temporary Speaker (Hon. Martha Wangari): Very well. Hon. Mayaka.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Temporary Speaker, for giving me the opportunity to contribute to this Bill. At the outset, I wish to appreciate Hon. (Dr) Nyikal, the Mover of the Bill, and Hon. Caroli for seconding it. I particularly like the fact that this Bill is being moved and seconded by our male colleagues, because it gives the debate more weight. We should not assume that matters of maternal, new-born and child health are only for women to speak about, but for everyone in society.

The reason I strongly support this Bill is that it provides a coordinated system throughout the entire process, from before conception, through pregnancy, to postpartum care. Childbirth is not only about morbidity and mortality. It also involves counselling, mental health, and guidance on caring for a new-born during the early stages of life. I also agree with Hon. Millie that we need to include an aspect of paternal care. We should not assume that new fathers automatically know what to do. Many lack proper guidance on how to support new mothers.

Looking at the specifics of the Bill, the objectives are clear - to ensure comprehensive, quality health services, supplies, and access to public health facilities, and to improve the availability of maternal, new-born, and child health services. Section 6 addresses women who are not yet pregnant, which I mentioned earlier. Most women do not know where to access information before they decide to get pregnant. The Bill provides standards for the effective delivery of services and safety in future pregnancies. This is important because it gives direction on where and how such information can be obtained. Section 8 covers healthcare provision for children. From the experience of most mothers, myself included, they receive antenatal care for their children only until about two years. After the routine vaccinations,

follow-up care becomes minimal. This Bill extends care for children up to the age of 12 years and also provides for children with special needs, ensuring they receive the necessary support.

Section 9 is also important and focuses on pregnant women with special needs and the services they require. Women with disabilities face unique challenges during pregnancy. It is commendable that the Bill recognises the need for respectful and dignified care for them. This is a progressive step. Section 11 provides for prenatal, intrapartum, and postpartum care for pregnant women, including counselling services. Many people assume that pregnancy is always a happy experience, but in reality, some women face emotional and psychological struggles. The Bill recognises postpartum depression and ensures that mental health support is available for mothers and adolescents undergoing postpartum care. Untreated postpartum depression often affects the new-born, leading to harmful consequences.

Finally, the Bill defines the role of the national and county governments, recognising that this is a shared responsibility. We cannot leave implementation to one level of government. We must ensure proper policy formulation and enforcement. We do not want to be a House that passes excellent laws that are never implemented, only to gather dust on shelves. The inclusion of monitoring and evaluation mechanisms is crucial. The Bill requires the cabinet secretary to submit a report three months after the end of each financial year, detailing the status of maternal, new-born, and child health services. This ensures accountability and helps us track progress. It also allows us to review and strengthen the law over time, based on evidence from implementation.

With those few remarks, I support the Bill.

The Temporary Speaker (Hon. Martha Wangari): Hon. Makali Mulu.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you very much, Hon. Temporary Speaker. I also support the Bill. The timing of this Bill is right, especially considering the recent reports from Kiambu and other areas where we are losing many mothers due to poor care. As Dr Nyikal mentioned, the focus on children below 28 days is well-founded. Statistics show that the mortality rate for children under five years has improved, but the first 28 days remain critical. It is worrying that even with modern technology, we still lose infants and worse, mothers. One of the most important aspects of this Bill is the inclusion of monitoring and evaluation. I am very attracted to that. Why am I saying this? Through monitoring and evaluation, we will document factors that contribute to any maternal death. With those results, we can come up with mechanisms that change the scenario. After documenting the factors, this House would be in a position to determine how much resources are required to address shortcomings. That is critical.

I felt bad as a Kenyan when we watched the story in Kiambu recently. You know there has been debate about which is superior between Linda Mama and the new Social Health Authority (SHA) proposals. I think these are some of the things that make us and the Kenyan women feel like Linda Mama services were senior or superior to the one called the family package.

Why am I saying that, Hon. Temporary Speaker? Health is one of the functions which was devolved. Over time, we have seen that health indicators in many areas are becoming worse because of devolving the health function, more so the marginalised areas of this country. That is why this Bill is very important. It provides a legal framework for establishing the cause of death of any mother or child in the country. It will enable us to mainstream the services required.

That is why I agree with what Hon. Mayaka said. Looking at it, clause by clause, you can see that there is a very structured way of ensuring that mothers do not die. There are even issues over which they will be advised on what to do. Additionally, there are follow-up mechanisms to ensure that we minimise maternal deaths. That is important.

This House should support the Bill. I request Hon. Nyikal to fast-track it so that the House Business Committee quickly slots it for Committee of the whole House and Third Reading. Within a very short time, the Act of Parliament will support the whole process. It would also be unfortunate if we just buried our heads in the sand even after what is happening in Kiambu was documented. When such things happen, it is important to take action immediately because losing one more life is too many to lose.

From where I sit, I think the Bill is good. The health sector in any country should be taken very seriously. Any time I sit in my office as a Member of Parliament on Fridays to listen to my people because we live in counties, you cannot explain the kind of problems our people are experiencing with the health sector. Somebody comes to your office and tells you, “I have gone to the hospital. A drug has been prescribed to me, but I cannot afford it and the hospital does not have the drug.” It gets to an extent where people are asked to go to the pharmacy to buy needles.

We need to take time to discuss issues in the health sector in this country. We need a serious national discourse on matters health so that Kenyans know what is ailing us. Once we have agreed on the way forward, we can come up with solutions that will serve Kenyans in the urban setting where we have so many doctors and private clinics. We will have proposals that will serve Kenyans in marginalised areas, where transport is a serious problem.

As Hon. Millie said, there are areas of this country where it takes three hours to reach a health centre within the same county. Particularly one that offers maternal services. We must factor in areas that are so remote that it takes three or four hours to reach a health centre. In such a case, what happens to a mother who has complications? That is why we must also be discussing mobile clinics. I remember mobile clinics were very common at one point. We should have mobile clinics in remote areas, so that when we have emergencies, we save lives.

Our population will not grow if mothers continue to die during childbirth. Safe child bearing is good for our country to grow. Due to family planning, most people are opting for two or three children. In a situation where someone gives birth and the child dies, the family is frustrated.

Hon. Millie mentioned that she will include an amendment in her Bill that will require men to be in the labour ward. At my age, I get worried since some of my age mates are also bearing children, and according to our traditions, a man is not supposed to be in the labour ward. I urge Hon. Millie to consider our traditions when proposing that amendment to avoid problems in our society.

I know she is passionate about reproductive health, and I support her. However, we need to be careful. We might have challenges when men are required to be present in labour wards. The *wazees* will be wondering what went wrong. We must create balance in the country to ensure that we make progressive laws and provide services.

With those many remarks, I support.

The Temporary Speaker (Hon. Peter Kaluma): The Speaker was smiling because he could be one of the people falling under the category that Hon. Makali is talking about.

(Laughter)

Proceed, Hon. Kawanjiku.

Hon. Njuguna Kawanjiku (Kiambaa, UDA): Thank you, Hon. Temporary Speaker, for giving me a chance to contribute to the debate on this important Bill. I thank Hon. Nyikal for bringing this Bill at such a time when we are experiencing turbulence in the health sector in Kiambu County. Even though health is a devolved function, there is a lot that should be done by the national Government. Just like education, healthcare should have remained under the national Government.

We are experiencing serious challenges experiencing at our Level I, II and III hospitals, which are supposed to provide free care. In some counties, the governors feel like they have a monopoly of controlling what happens within the counties, hence sabotaging the national Government. They fail to realise that they need to support the national Government's efforts regarding health.

Hon. Nyikal is trying to emphasise that we should take care of our children keenly. They are innocent, and they represent the future of our nation. When a mother is pregnant, she is not herself. Every man and the Government should ensure that pregnant women are well taken care of during prenatal and postnatal care.

I laud Hon. Millie for highlighting the alarming issue of children dying in Kiambu County yet the Governor is reluctant to negotiate with the doctors to call off the strike. Once you can feed and take care of yourself, your next worry is health. In this case, the concerned party, who is the child, is not cognisant of what is happening around them. Therefore, we must call these governors out and emphasise the need to take care of our hospitals because health is a devolved function.

We have witnessed the deaths of many children and, unfortunately, we have decided to play politics with them. We are arguing about how many children have died, yet even the loss of one child is one too many. We cannot afford to sit down, relax and watch health services within our country deteriorate. There are no medicines, theatres and enough doctors to conduct caesarean sections for pregnant mothers. Health services have been devolved, but when we raise those issues, people tend to think that we are playing politics.

This Bill has separated the functions of the national Government from those of the county governments. What is happening at the county level is worrying. Our mothers and children in Kiambu County are dying. I appreciate the fact that Hon. Nyikal has received a petition from doctors within Kiambu County airing their grievances. The problems in Kiambu County are not about health *per se*. They are as a result of poor governance. It is worrying when a governor decides not to listen to anybody, including professionals who are advising him on what to do as far as health is concerned. We are elected by the people as their representatives. We will voice their issues day and night until health issues in Kiambu County are addressed, even if it means shutting down the county or calling on the President. Nothing is of greater importance than health.

The Bill clearly articulates the roles of the national Government. Other counties are doing very well. The Kenyatta National Hospital (KNH) recently indicated that they are overwhelmed by the number of referrals they have received from Kiambu County. Kiambu County has many hospitals compared to other counties, but our people are moving to neighbouring Murang'a and Nairobi counties because we do not have doctors within our county.

The Bill separates the functions of the national Government from those of the county governments in terms of policies, funding and ensuring that counties are well-equipped and facilitated. On the hand, another person feels that the counties should be run in a certain way. We no longer know whether we should support the Bill because even if it goes through, we will still face other hurdles at the county level, such as governors failing to implement the Bill's regulations and guidelines.

Kihara Level 4 Hospital closes at 5.00 p.m. It has no medicines, a doctor or a nurse, yet it is a public hospital that is supposed to operate for 24 hours. A mother recently gave birth at the gate of the hospital after being denied entry. There was nobody to help the mother deliver the baby and to understand the feelings and pain that she and the father were going through. We had to send a private car to pick up the mother after she delivered her child at the gate of the hospital that is supposed to be operational for 24 hours. We have budgeted for funds for hospitals in the counties, but where are those funds going to if they cannot ensure that hospitals

have doctors and medicines, at the bare minimum, to treat and take care of those who have elected us as leaders within the constituency?

In a separate incident, a mother from my constituency lost a child at Gathanga Health Centre. It is painful. People view it as business as usual as if losing a child is a normal thing. You have no clue what it feels like to go to a hospital with your wife, then you are told to sit outside and wait as she goes to the theatre to deliver. You do not understand the kind of prayers that we also make. I want to tell Hon. Millie Odhiambo that we also undergo the same trauma and stress as we wait to see what our wives have been carrying for nine months. The moment you receive that child in your hands is when you make your prayer and thank God that the mother and child are safe.

We cannot sit and watch our mothers and children die during delivery. We are concerned and hope that you take that matter seriously. We have discussed maternal healthcare several times. It is a serious issue concerning our constituents. Our various levels of hospitals are in a bad state. There is no medicine in hospitals, while some of them do not have theatres. Most hospitals are not operational anymore. Kiambu is no longer the pride of Mount Kenya, or Kenya. We used to say that all the big hospitals are within our county, like Thika and Kiambu level five hospitals, where people from other counties come for treatment.

Therefore, we support the Bill and hope that this matter will be addressed. We also hope that the counties will take charge and ensure they take care of our people.

Hon. Kaguchia John (Mukurweini, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): What is out of order, Hon. Kaguchia?

Hon. Kaguchia John (Mukurweini, UDA): Hon. Temporary Speaker, is it right for Hon. Kwanjiku to say that Kiambu County is no longer the pride of Mount Kenya when he himself has pushed for Kiambu County to be removed from Mount Kenya? In fact, he says that 'Kiambu is Sogoi'. Is he right again to come here and say that Kiambu is not the pride of Mount Kenya anymore? Hon. Kwanjiku must withdraw that statement because he no longer believes that Kiambu is part of Mount Kenya.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Kaguchia, we are talking about maternal health. But we will give Hon. Kwanjiku one minute to respond to the point of order.

Hon. Njuguna Kwanjiku (Kiambaa, UDA): Hon. Temporary Speaker, the reason we tell these characters that we are 'a region' is because of our population. You cannot compare Kiambu...

The Temporary Speaker (Hon. Peter Kaluma): Which characters are you talking about?

Hon. Njuguna Kwanjiku (Kiambaa, UDA): Hon. Temporary Speaker, I am talking about *Bwana Kaguchia*.

The Temporary Speaker (Hon. Peter Kaluma): No, we have Hon. Members here.

Hon. Njuguna Kwanjiku (Kiambaa, UDA): Yes, Hon. Temporary Speaker, I mean Hon. Kaguchia. We call ourselves 'a region' because we have the numbers. He is very lucky that the Independent Electoral and Boundaries Commission (IEBC) commissioners were not in place when we had this discussion. We were supposed to have closed Mukurwe-ini. We need to increase our constituencies in Kiambu County because our numbers have become enormous. As the people of Kiambu, we want to be a region. We want to increase the number of constituencies in our county. We cannot compare our 1.4 million votes to a county that is equivalent to one constituency within Kiambu County. So, Hon. Kaguchia should relax. The region is still operational and is still the pride of Mount Kenya.

The Temporary Speaker (Hon. Peter Kaluma): Your explanation is adequate, and Hon. Kaguchia now understands. Hon. Maina Mathenge.

Hon. Duncan Mathenge (Nyeri Town, UDA): Thank you, Hon. Temporary Speaker. I am a Member of the Departmental Committee on Health and I support this Bill, but I have some reservations. This Bill does not go far enough in dealing with the issues surrounding maternal and newborn health. As we debate here today, there is a case of a young boy by the name of Liam Anthony Wachira, who passed away on 7th October. It is not clear whether he passed away in the precincts of the Nyeri County Referral Hospital, as the parents were taking him back there, having been attended to on 6th October. The parents had gone to the hospital in the middle of the night with a child who had severe abdominal pains. After being seen by the clinicians, the child was sent back to casualty, given paracetamol and oral rehydration solution (ORS), and then sent for an abdominal ultrasound and stool test in the lab.

Apparently, the paracetamol and ORS were given free of charge. The ultrasound and laboratory tests came at a cost, but because the parents did not have money, they went home with their sick child. The following day, they came back to the hospital, and the child had passed on. At the funeral of this child today, who was three years and six months, the county government sent the County Executive Committee Member (CECM) for Finance to try to explain the county's position. The county CECM for Health is a medic named Dr. Kiragu.

Hon. Temporary Speaker, these are the kind of games we do not want to see being played on the lives of children in this country. No parent should lose a child on account of inability to pay, therefore, be hindered from accessing health services.

This Bill should come with a clear prescription on the protocols that have to be followed in the provision of maternal and newborn children's health services. We should have a clear definition. I like the definition provided here, which states that child health will extend up to 12 years.

Many children are detained in hospitals across this country, having been treated, on account of their parents' inability to cater for the medical bills. We have mothers detained in health care facilities who have delivered, but are unable to clear maternity bills. We have children who are stuck in hospital beds because their parents cannot afford the next level of care required.

I have a sad case of a child from Muruguru, Nyeri, who has undergone four heart surgeries. One at the Kenyatta National Hospital and three at the Mater Misericordiae Hospital, and the heart specialists have recommended that this child can only be treated in India. The mother is literally destitute. The treatment in India requires her to raise Ksh1.5 million as a deposit to access treatment. When she did a fundraiser in the village, they raised Ksh80,000. What do we tell this mother and her child, who is a Kenyan, born with all the rights in our Constitution, yet staring at death? As we speak, yesterday, the mother came to my office and told me the child had suffered a stroke the previous night.

This Bill could not have come at a timelier moment. The number of newborn deaths in Kenya is still higher than in other countries within the East African region, despite initiatives like Beyond Zero, which had been graciously championed by the former first lady, Her Excellency, Margaret Kenyatta. Today, the Beyond Zero mobile clinics are gathering dust in county headquarters. Therefore, it is important for us not only to just pass this Bill, but also to ensure that the requisite resources necessary to guarantee the health of our innocent children are guaranteed by the State.

I would also like to see the addition of a safe house, so that if our children have been treated and have to be detained within hospitals, they are not detained in wards, but are provided with a safe home where they can stay.

I support.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Esther Passaris.

Hon. Esther Passaris (Nairobi City County, ODM): Thank you, Hon. Temporary Speaker. I rise to support the Maternal Newborn and Child Healthcare Bill (Senate Bill No.17

of 2023). It is a critical and life-saving piece of legislation that gives real meaning to Article 43 of our Constitution, which guarantees every person the right to the highest standards of health, including reproductive healthcare. This Bill goes to the heart of the nation's future. When we save mothers, protect newborns, and give every child a healthy start, we secure the destiny of our country. Kenya cannot prosper if our women continue to die while giving birth, or if our children fail to reach their fifth birthday because of preventable causes.

The reality is painful. Kenya still loses about 355 mothers for every 100,000 live births. Every single day, nearly 20 women die from pregnancy-related complications, most of them preventable. Just three months ago, a young girl named Victoria Susan, only 17 years old, died at Mama Lucy Hospital after delivering a premature child. She succumbed to pneumonia shortly after birth. Victoria was a child, only 17 years old. We must ask ourselves as a nation why she was pregnant in the first place. Where did we fail her? Was it poverty? Was it lack of comprehensive sex education? Was it the silence and the stigma that keeps children and teenage girls away from health services? We cannot legislate only for safe delivery without addressing the root causes that push our children into early motherhood. Teenage pregnancies continue to rob our girls of their education, their childhood, and in cases like Victoria's, their very lives.

The Bill must, therefore, be implemented alongside strong community education, reproductive health awareness, and social protection programmes for adolescents. We must empower our girls with knowledge, confidence, and choices. If we fail to protect them from early teenage pregnancies, we fail as policymakers, as parents, and as society.

This Bill strengthens our devolved health systems. Maternal and child health is a devolved function, yet coordination between the national Government and county governments has been very weak. The Bill bridges the gap by creating a framework for clear funding, oversight, and accountability. I strongly support the proposal to establish a Maternal and Child Health Fund to ensure predictable and transparent financing for services. We cannot continue to rely on donor cycles or ad-hoc interventions when it comes to saving lives. Equity and inclusion must remain at the core.

We must remember the women of Turkana County who walk 10 kilometres to a dispensary, the mother in Kibra Constituency giving birth in a one-room shack, and the girl with disability who has no transport to reach the clinic. The Bill must prioritise maternal waiting homes, mobile clinics, and emergency transport systems so that every woman, regardless of where she lives, can deliver safely and with dignity. I also urge that the Bill include a provision for free emergency obstetric care in all public facilities. No woman should lose her life because she cannot afford treatment.

Hon. Temporary Speaker, let us honour our health workers. Nurses, midwives, and Community Health Promoters (CHPs) are the bedrock of the maternal health system, yet many serve under immense strain. They are understaffed, underpaid and underequipped. The Bill must ensure incentives for health workers, particularly those in rural and hardship areas, and provide continuous professional development to improve the quality of care.

This Bill also aligns with our global continental commitments. It supports Sustainable Development Goal (SDG) No.3, on Good Health and Well-being. It also supports Aspiration No.6 of Agenda 2063 of the African Union (AU), which envisions healthy, well-nourished citizens. By passing this Bill, Kenya reaffirms its leadership on the continent and its commitment to ensuring preventable maternal and child deaths.

In conclusion, as a woman, mother and legislator, I have witnessed the pain of losing a mother in childbirth. Behind every statistic is a home broken and a dream cut short. Let us remember Victoria Susan and many others like her whose lives could have been saved. The Bill is not just about health systems, it is about dignity, justice and compassion. It is about ensuring that every woman who gives life lives to raise her child and every baby born in this country has a fair chance to survive and thrive.

Hon. Temporary Speaker, I fully support this Bill and urge my colleagues to do the same. Let us pass, implement and monitor it because the health of our mothers and children is the true measure of our nation's progress.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Beatrice Elachi.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Temporary Speaker. I also rise to thank Hon. (Dr) Nyikal and support the Maternal Newborn and Child Health Bill (Senate Bill No.17 of 2023).

When you look at the objects of this Bill, you realise that Hon. (Dr) Nyikal is informing us that something is wrong with how we handle newborns in the country. He is trying to tell us that it is high time we understood why we should be very strict as mothers when we are about to get our newborns in hospitals. Supporting maternal newborns is essential in reducing preventable deaths and improving the overall well-being of mothers in the country.

When we look at the health services in Kenya, we then ask ourselves why we passed it in the Constitution that health should be devolved. However, as a country, we need to re-examine the decision. We should ask ourselves if there is a way we can go back and ensure that the national Government takes care of the foundation of children, right from conception, the day the baby is delivered, to when they get to 12 years.

When you look at how mothers are taking care of their babies, you really get worried about what will happen by the time that child reaches reproductive age because they may have suffered from a lack of proper nutrition. Nowadays, many mothers even stop breastfeeding, yet it is internationally recommended that breastfeeding continue for at least six months, so that the child can develop natural immunity to protect them against diseases.

When it comes to immunisation, you also begin to ask yourself questions. There are very few health workers nowadays. In our days, community health workers used to go to our homes. They had been trained to administer immunisations. I know we still have community health workers who mostly come for polio vaccinations, but we must remember other immunisations that children must also receive. Among people in different classes, the most vulnerable children are those born in urban areas, especially in informal settlements. You find a desperate and drunk mother running with a baby on her back. The baby is just five months old, the mother is drunk, and you wonder whether the baby is breastfeeding. It is the saddest part.

The day governors will understand that building a healthy nation starts with what Hon. (Dr) Nyikal is telling us, then we will make progress. How do we ensure that a newborn baby is taken care of from the start? In America, they do everything possible to ensure no child dies or is stillborn. They do their best and would rather leave everything else, but save that life. However, it is so difficult for us to do that.

Another issue is how we provide antenatal and postnatal care. Many of our young women today need advice. This is something we should revisit and introduce setups where they have charts in the hospital to provide information. The other day, we were talking to a few young mothers and they said: "Madam Elachi, we are just using ChatGPT to understand how to take care of our children". It is true because we have reached a point in life where we only think about ourselves. There were days when mothers used to help other mothers with breastfeeding, how to hold the breasts, and how to ensure that milk does not enter the baby's ear when sleeping with the baby. If it does, the child will develop an infection, and you would often see a mother with a child with pus coming out of the ears. You would wonder what disease it was, yet your milk caused it.

For instance, you may enter a house and find a young girl who has given birth and does not understand why the house smells different. She does not know that it is because of her milk. She does not know that her milk is very strong and healthy. When we talk about postnatal care, it is because we want mothers to be trained even on how to bathe their babies. Some guess

because they are so busy, or the house girl has been washing the baby for them. One day, when she goes on leave, you will find the mother crying together with the baby because things have become tough.

It is also important to strengthen emergency obstetrics and newborn care services because that is another area we have lost as a country. Obstetrics is gone. In fact, when a woman becomes pregnant, the first thing the doctor tells her is, “On this date, you will have the knife on you.” When did this become normal? In Europe, it is very rare for doctors to take you to a knife. They encourage natural delivery. In our country, everyone wants a cut, and nobody has ever explained the challenges women go through during the healing process and even afterwards. Everyone wants a caesarean section, and nobody has ever told them what challenges you face after, in healing, and in all the things you will go through, even post-operation. As I look at Clause 8 of the Bill, it says –

8. (1) Every health care provider shall provide to a child from the time of birth to the age of twelve years –
 - (a) comprehensive newborn care including postnatal follow-up as may be prescribed;

Health services that ensure child survival. Oh, how I look at the street children in our country. I want to tell Governor Sakaja that I am aware of the street families and their challenges. But honestly, we also need family planning, because you cannot tell me that a street family will give birth to the first child, second, third, and they are still on the street. Then the Government has closed its eyes. It assumes, but they are the children of Kenya. The best we can do for ourselves is to allow reproductive health care services that we used to have in those days.

I am saying this as a Catholic, and I know my bishop might be wondering why. It is because today, we have left our children. The other day, I returned a 10-year-old girl from Maasai land to school. She has a baby - the saddest thing. I looked at that family and told them that this is a baby with a baby. But the father told me that she has to go with her husband. I told the DCC, together with the teacher, that this is a child. I paid her school fees and told her to go back to school.

We have teen pregnancies from ages 15 to 19. If we do not take care of those newborn babies born by these teen mothers, we are just joking and our country is going to go into a crisis. As I conclude, I appreciate the need to ensure that the role of the national Government extends beyond what we currently see. Therefore, I support and urge the national Government to address this issue of newborn babies in conjunction with county governments, and they can sign to agree on Article 187 for that function to be...

The Temporary Speaker (Hon. Peter Kaluma): The Members speaking should compress a bit. I am seeing interest building, unlike before. Hon. Naomi Waqo.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker, for allowing me to contribute to this very important debate that is of concern to all of us, and especially the women of this nation. I support the Maternal, Newborn and Child Health Bill (Senate Bill No.17 of 2023).

Even from that, we can see that this is long overdue, as it was introduced in 2023, and today is 2025. I thank Hon. (Dr) Nyikal for bringing this and moving it for Second Reading as the Chairperson of the Departmental Committee on Health.

We know very well that in Kenya, maternal mortality remains high mainly due to poor quality of care in many regions, especially in remote areas of the country. About three months ago, I was out visiting my constituents and distributing tents and other items. The police officers present, along with residents, told me that their police vehicle helps mothers when they need to deliver. Sometimes they deliver under a tree, which is very unfortunate. If you hear of such stories in today's context, you sympathise with mothers, especially young ones who have

no idea what being a mother entails. We know very well that this results in postpartum complications as mothers lack good care. In some places, we do not have qualified practitioners in place. Local mothers assist them. As a result of that, they develop complications and pass on, leaving the poor children alive.

We know that this huge number is contributed to the location. As I mentioned, some of the most remote areas in this country suffer because they lack facilities. The distance between where they stay and the dispensaries or health centres is over 300 kilometres, like in my county. They have no vehicles. These days, many people use motorbikes. Sometimes, they do not even have them. So, they have to walk a long distance, over 20 kilometres, and the unfortunate event happens.

If there is any Bill that we need to give attention to, it is this one. We want to save our nation, protect young people, and ensure that mothers are well-cared for and healthy so that they can give birth to healthy children. In some cases, we have Human Immunodeficiency Virus (HIV) positive mothers who need very special care. In many places, when a child is born with the virus, people do not know what to do. Sometimes, the transmission level is relatively high simply because we are not giving them the care they need.

We have people living with disabilities in our country who need special care. Mothers living with disabilities suffer when giving birth. We have teenage pregnancies in girls below 14 years old, that affect our country today. In the records, we have seen that every time we have students who are sitting for exams, many of them are left out because of pregnancy. We ought to have prevented that as a nation, but we suffer today. We have a huge number of teenage pregnancies. This, in a way, shows that we are an irresponsible nation. Who is impregnating our young girls? They are left to suffer and struggle on their own. We should put measures in place so that our young people can be protected, given enough counselling, and be told to take care and abstain until they are of age.

There are many areas that we need to focus on, such as Mandera, Wajir, Turkana, and Marsabit, which have high mortality rates. We need to give serious attention to them. Health function is devolved, but we need to evaluate and understand the positive growth following devolution. In fact, there is no improvement in many counties because corruption is very high. That is why those areas still record quite a high number. Well-known areas should be given special attention. They should not be left to the county governments; the national Government should also come in and see how we can improve.

Hon. Temporary Speaker, I support this Bill because in Part II under maternal, newborn, and child health services, Clause 5(a) states:

“(a) timely and appropriate healthcare;”

This is needed in every part of this country. It is required not only in urban areas and big cities, but even in the remotest parts of this country. There is also provision for a reasonable and affordable fee, if any, for health services, which does not impede access to healthcare.

Today, most of our healthcare facilities lack medicine and cannot help anybody. This Bill proposes that even if we have to charge a fee, it should be reasonable enough. My suggestion is that for the poor, destitute, street families, single mothers, widows, people who are living with HIV and AIDS, and people living with disability, we should give them free services so that we can take care of our nation. What makes me really support this Bill is Clause 5(b), which states that every person has a right to treatment with dignity, respect, and privacy. You can see the absence of this in private hospitals in the remotest areas of this country. The young mothers are mistreated, where some are even beaten up, but we need to treat them with dignity and respect.

I can see my time is moving. The role of the national Government has been clearly indicated. It is supposed to develop a comprehensive national policy, strategies, and plan of

action on maternal, newborn, and child healthcare to promote the realisation of the right to health. If we do this, then we will have saved our nation.

Again, a very important role of the county governments is to facilitate community engagement and accountability.

The Temporary Speaker (Hon. Peter Kaluma): One minute will be given to Hon. Naomi Waqo, who sits through all the proceedings.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker. As I was saying, I support the Bill because the role of county governments has been clearly defined.

As I finish, under (h), it states: “Develop and implement training programmes for skilled traditional birth attendants in the county”. They have played a very important role in our nation, and even today, they continue to provide us with exceptional service. Those people need to be trained, equipped with the necessary protection, and empowered wherever they are.

Hon. Temporary Speaker, I support this and pray that soon it will be effective.

The Temporary Speaker (Hon. Peter Kaluma): Hon. John Kaguchia.

Hon. Kaguchia John (Mukurweini, UDA): Thank you. I will take the shortest time possible so that I can yield some of my minutes to another Member. I want to point out that we, indeed, have a problem in our country in terms of maternal health. Just last week, the Cabinet Secretary in charge of Health confessed that Kenya is leading in mortality worldwide. The statistics indicate that 18 out of every 1,000 children born in Kenya die. In Kiambu County, for example, the rate is much higher due to the kind of strike we have had. We have 53 out of 1,000 children dying. I want you to visualise 53 caskets of newborn babies lined up for burial at birth, having not lived their life and having not experienced the healthcare you are talking about and discussing. We must ask ourselves where the problem is and how the Bill will help us alleviate this problem as a country.

I support the Bill. I consider it very timely. However, I want to highlight a few issues that the Chair can look at. When I look at Section 8, it states that every healthcare provider shall provide specific services to a child from birth to the age of 12 years. Section 8(a) talks of comprehensive newborn care, including postnatal follow-up as many as are prescribed.

Let me highlight Section 8(b) because that is where I want to point out my improvement. It is about health services that ensure child survival, growth and development, including optimal child nutrition, child vaccination, growth promotion and monitoring, developmental promotion and monitoring, and child protection services. We have a few issues missing here.

When children are born in this country, they are getting exposure to very interesting things that we have not had. Examples are electronic swing chairs causing hyperactivity disorders, flat head syndrome, and proteolysis. We also have a delay in motor skills. Maybe more research will help us to see this. These are some of the issues affecting our young children. We need to cover them here. There is too much exposure to screens, including the phone, apps, and television. This is also causing many issues for our little children, especially when it comes to their development.

Section 8(c) is about immunisation in accordance with the prescribed standards, guidance and guidelines. What will happen to most hospitals because we have, as a country, experienced severe outages of immunisation drugs and vaccination? The Bill will need to address that, especially the consequences. What do we do when these services are not available?

We also have the issue of Social Health Authority (SHA) refunds to hospitals. We have a problem with SHA refunds when children are born in hospitals. This means that when children and mothers are treated in hospitals where money is spent, but not refunded, the quality of their service delivery will be compromised in the coming days. We must address that.

Remember, as a country, we have done away with Linda Mama. I dare ask that the Bill address it. We should have specialised insurance coverage for mothers and newborns at the point of birth, as we had with Linda Mama. We must reiterate our commitment to addressing the health of our newborns.

We also have rental and lease equipment in hospitals, which is perceived as a way to siphon money from our hospitals because most of it is unused. We have many hardware items in hospitals, but we do not have the software to run them. A neonatal unit in a hospital without staff to operate it is as useless as any other gadget today.

If you go to Thangathi Hospital today, which was equipped through the Kibaki Stimulus Programme more than 15 years ago, you will find that the neonatal unit there has probably not been used. Why? They do not have a specialised team to operate it. Therefore, you will find that children who should have been born in that hospital have to be taken to other hospitals with specialised staff.

As I finish, I also want to look at County Health Funds. We need to encourage it. However, counties must use county health funds for this purpose when developing or creating them. I have seen some counties have health funds, but they are not using or utilising this money for its intended purpose. We also have an issue of data analysis. A lot of data is collected in hospitals, and the Ministry of Health takes a long time to analyse and interpret it. This must be done on time, so that we can know where and how such cases happen for proper intervention.

Lastly, there is the issue of supplies in hospitals. We have a big problem with blood banks in this country. I have raised this issue before, and I am happy that the Chairman, Hon. Nyikal, is here. I have inquired about the steps the country has taken to ensure we replenish the blood bank reagents and consumables. We have a big problem in that area. If a mother is on the operating table and she experiences postpartum bleeding without there being blood on hand for a transfusion, we end up losing that mother unnecessarily.

We also have the issue of power backups. Imagine a scenario where a mother is dependent on oxygen. At the same time, in a hospital bed or on the operating table, she cannot access it because there is no power and there are no backups. That affects the oxygen supply and any other service that the mother is receiving.

I support this Bill for those reasons. I request that we improve it to enhance neonatal, maternal, newborn, and child health in Kenya.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute to the Bill. I rise to support the Bill. As my female colleagues earlier mentioned, I also support the suggestion that the Bill should include men. It should be the Maternal, Paternal, Newborn, and Child Health Bill, 2023. A baby cannot exist without a father and a mother. Men's inclusion is very important.

The Bill proposes a positive and interesting suggestion that pregnant mothers should be given counselling services. Those services should be offered to both the mother and the father. Some men get stressed when their wives are pregnant or when the child is brought home because the mother will be busy with the child. New fathers especially feel left out, so they also need counselling services, which are important for the father and for the growth of the child in the household.

I also wanted to bring to your attention that certain insurance companies take a long time to authorise a caesarean section for a mother. Most caesarean sections are usually on emergency, yet certain insurance companies take too long to approve the procedure, resulting in the loss of the mother, the baby, or both. Sometimes the baby is born with complications because private insurance companies take too long to authorise that procedure.

I wonder how the Social Health Authority (SHA) would come into this. The SHA must provide specific services that are usually restricted. You might go to a hospital and be told that

SHA cannot pay for certain services. Some health facilities do not have counsellors. It is important to consider that.

Many children are born with disabilities, not because their parents chose that, but because it is God's will. However, the majority of those cases are due to negligence by the doctors. Nothing is usually done to such doctors. We should try to investigate the causes of disabilities in newborns. It could be God's will, but if negligence by the doctor or health facility results in such cases, they should take the full responsibility.

I agree that the newborn's death rate is low, but there is a high maternal mortality rate. A child is born, but its mother loses her life. In such cases, specific facilities, such as Catholic mission hospitals or religious institutions, take those children. For such cases, there are mission hospitals that have facilities that take care of children whose mothers die during childbirth. Such facilities do not necessarily have hospital services. Therefore, I request that the national Government and county governments support them because they take care of children whose mothers die during childbirth. An example is one facility in my constituency, Nyatike Constituency. It is a Catholic institution and has over 50 children whose mothers died while giving birth. They were young teen mothers who gave birth when they were not ready. Due to negligence or lack of support, these mothers die. Such facilities should be fully considered and supported.

Hon. Temporary Speaker, I see you smiling. I suspect you want to tell me that time is up. I respect that. I have much to say, but I believe next time you will give me more time so that I can contribute further.

The Temporary Speaker (Hon. Peter Kaluma): You will have five minutes the next time this matter is scheduled for the House's debate at Second Reading.

ADJOURNMENT

The Temporary Speaker (Hon. Peter Kaluma): Hon. Members, the time being 7.01 p.m., this House stands adjourned until Wednesday, 15th October 2025, at 9.30 a.m.

The House rose at 7.01 p.m.

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